

FINAL ENVIRONMENTAL IMPACT REPORT SAN RAFAEL TRANSIT CENTER REPLACEMENT PROJECT

PREPARED FOR:

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Acronyms and Abbreviations

°C	degree Celsius
µg/m ³	microgram per cubic meter
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing materials
ADL	aerially deposited lead
Alquist-Priolo Act	Alquist-Priolo Earthquake Fault Zoning Act of 1972
AVE	area of visual effects
BAAQMD	Bay Area Air Quality Management District
Basin Plan	San Francisco Bay Basin (Region 2) Water Quality Control Plan
BAU	business-as-usual
BMP	best management practice
BTU	British thermal unit
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy Standards
cal	calibrated
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCAP	Climate Change Action Plan
CCAP 2030	<i>San Rafael Climate Change Action Plan 2030</i>
CCR	California Code of Regulations

CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CH ₄	methane
CHRS	California Historical Resource Status
City	City of San Rafael
CMP	Congestion Management Plan
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO ₂	carbon dioxide
CO _{2e}	carbon dioxide equivalent
Construction General Permit	General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
District	Golden Gate Bridge, Highway and Transportation District
Downtown SAP	<i>San Rafael Downtown Station Area Plan</i>
DPM	diesel particulate matter
DPR	Department of Parks and Recreation
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report

EMFAC2017	Emission Factor 2017
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ERP	Emergency Recovery Plan
ESA	Endangered Species Act
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FHSZ	fire hazard severity zone
FTA	Federal Transit Administration
Geotechnical Recommendation	Preliminary Geotechnical Design Recommendations
GHG	greenhouse gas
GWP	global warming potential
HABS	Historic American Buildings Survey
HCM	Highway Capacity Manual
HCP	habitat conservation plan
“Hot Spots” Act	Air Toxics “Hot Spots” Information and Assessment Act of 1987
HRA	health risk assessment
HVAC	heating, ventilation, and air-conditioning
Industrial Permit	General Industrial Activities Stormwater Permit
IPCC	Intergovernmental Panel on Climate Change
IRP	Integrated Resource Plan
L_{dn}	day-night sound level
LED	light-emitting diode
LEED	Leadership in Energy and Environmental Design
L_{eq}	equivalent sound level
$L_{eq}(h)$	hourly equivalent sound level
LHMP	Local Hazard Mitigation Plan
L_{max}	maximum sound level

L _{min}	minimum sound level
LOS	level of service
LRA	Local Responsibility Area
LT	long-term
Marin Transit	Marin County Transit District
MCE	Marin Clean Energy
MCSTOPPP	Marin County Stormwater Pollution Prevention Program
MMWD	Marin Municipal Water District
MOU	Memorandum of Understanding
MS4	Municipal Separate Storm Sewer System
MTC	Metropolitan Transportation Commission
MWh	megawatt-hours
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	natural community conservation plan
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHTSA	National Highway Traffic Safety Administrative
NO ₂	nitrogen dioxide
NO _x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
NWP	Northwestern Pacific Railroad
O ₃	ozone
OA	Operational Area
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services

OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PDA	Priority Development Area
PG&E	Pacific Gas and Electric Company
PM	particulate matter
PM ₁₀	inhalable coarse particles
PM _{2.5}	inhalable fine particles
Porter-Cologne Act	Porter-Cologne Water Quality Control Act
PPV	peak particle velocity
PRC	California Public Resources Code
Procedures	<i>Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources</i>
project or proposed project	San Rafael Transit Center Replacement Project
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
RMS	root-mean-square
ROG	reactive organic gas
RPS	Renewables Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCS	sustainable communities strategy
SFBAAB	San Francisco Bay Area Air Basin
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLCP	short-lived climate pollutant

SMART	Sonoma-Marín Area Rail Transit
SO ₂	sulfur dioxide
SO _x	sulfur oxides
SRA	State Responsibility Area
SRFD	San Rafael Fire Department
SRPD	San Rafael Police Department
STIP	State Transportation Improvement Program
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TAM	Transportation Authority of Marin
Tanner Act	Toxic Air Contaminant Identification and Control Act
TMDL	Total Maximum Daily Load
U.S.C.	United States Code
Under2 MOU	Global Climate Leadership Memorandum of Understanding
US-101	U.S. Highway 101
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
UST	underground storage tank
VdB	vibration decibels
VMT	vehicle miles traveled

ES.1 Introduction

This ~~Draft~~ Final Environmental Impact Report (EIR) has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) to evaluate the potential impacts of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives. Four build alternatives are being considered for the proposed project: the Move Whistlestop Alternative (the preferred project), Adapt Whistlestop Alternative, 4th Street Gateway Alternative, and Under the Freeway Alternative. All build alternatives are within Downtown San Rafael. As required by Section 15123 of the State CEQA Guidelines, this Executive Summary contains the following sections.

- Project Overview
- Project Objectives
- Preferred Project
- Other Build Alternatives
- No Project Alternative
- Significant and Unavoidable Impacts
- Potential Areas of Controversy and Issues to Be Resolved

ES.2 Project Overview

The Golden Gate Bridge, Highway and Transportation District (District), in coordination with the City of San Rafael (City), Marin County Transit District (Marin Transit), Transportation Authority of Marin (TAM), and Sonoma-Marín Area Rail Transit (SMART), plans to replace the transit center in Downtown San Rafael. The proposed project is needed primarily to replace the existing transit center following the loss of some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur. A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for both local residents and regional commuters.

ES.3 Project Objectives

The project objectives are to:

- Provide improved transit connectivity and ease of use in and around Downtown San Rafael.
- Enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services.

- Efficiently accommodate transit users and services, optimize operating costs, and improve transit desirability.
- Design a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.
- Provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.
- Provide a secure, safe, and inviting space for transit patrons.
- Create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety.
- Provide convenient, pedestrian connections to surrounding land uses.

A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for local residents and regional commuters. It would also, to the extent feasible, minimize traffic congestion and facilitate efficient transit operations while also promoting pedestrian safety.

Table ES-1 provides a comparison of the potential impacts of the three build alternatives compared to the impacts of the preferred alternative project, by resource topic.

ES.4 Preferred Project

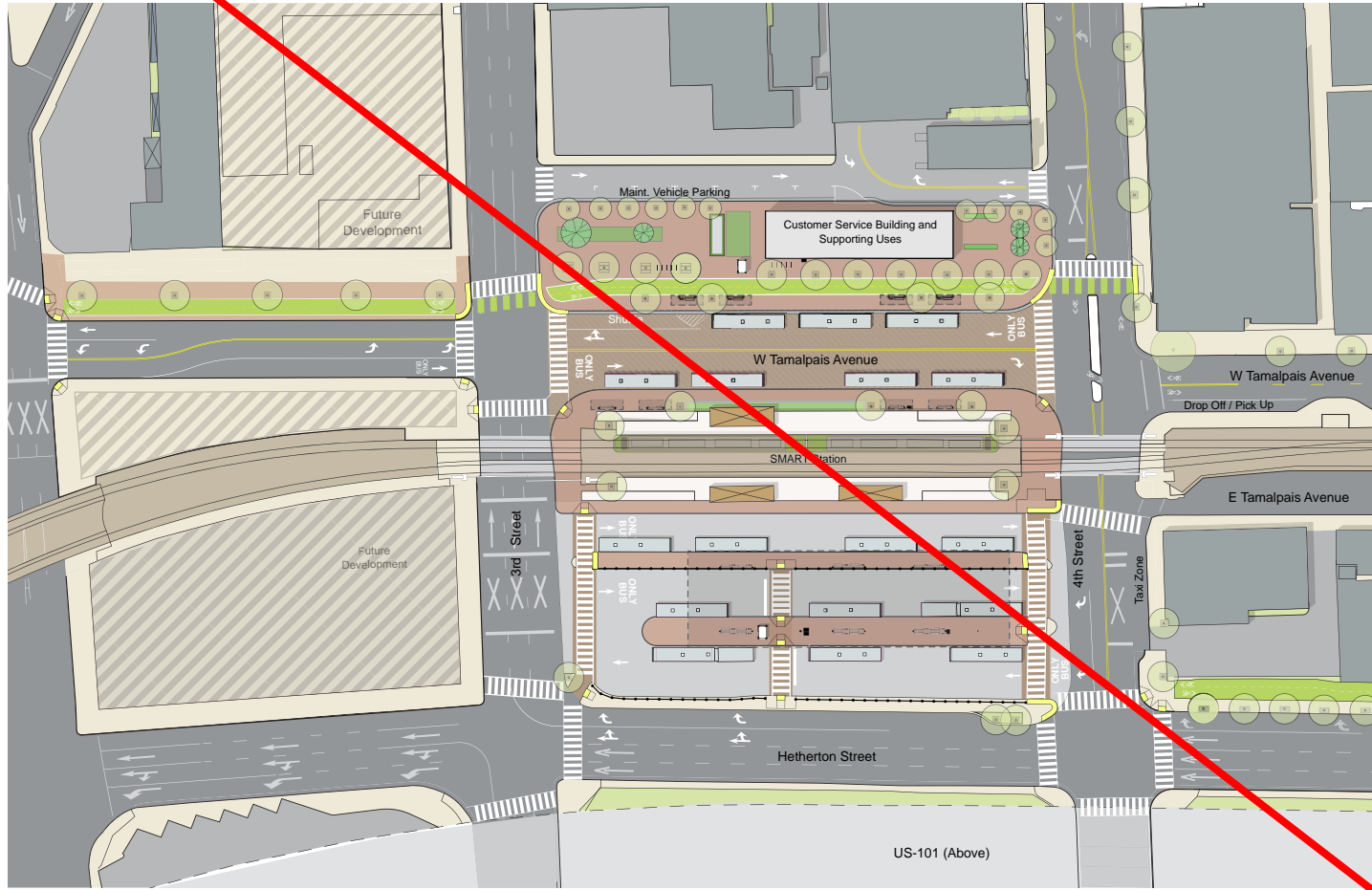
The Move Whistlestop Alternative has been identified as the District's preferred alternative project. The site is generally between West Tamalpais Avenue to the west, Hetherston Street to the east, 4th Street to the north, and 3rd Street to the south. Additional improvements are included to shift West Tamalpais Avenue to the east from 2nd Street to 4th Street. This modification would align West Tamalpais Avenue with the block to the north and include construction of a bike path and sidewalk improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street. From 2nd to 3rd Street, this improvement would extend into space occupied by the existing transit center and from 3rd Street to 4th Street, this improvement would extend onto the existing west sidewalk along West Tamalpais Avenue. See Figure ES-1 for the site plan.

The Move Whistlestop Alternative would feature five platforms, A through E, and one District building. It would utilize the curbside bays on both sides of West Tamalpais Avenue between 3rd and 4th Streets. West Tamalpais Avenue between 2nd and 4th Streets would be shifted east to be more proximate to the SMART tracks. The Whistlestop building would be relocated to the west side of West Tamalpais Avenue between 3rd and 4th Streets or demolished and. ~~Alternatively,~~ a new building ~~could be~~ constructed utilizing similar façades or architectural elements from structures currently on the Whistlestop site.¹ This building would include District customer service and operations building space. The District building would be one story and an estimated 3,000 square feet. It would include a driver break room with restrooms, District offices and customer support area with restrooms and a kitchen, and a public lobby with a service counter and restrooms.
















¹ Should relocation become infeasible due to engineering or structural concerns, accessibility concerns, or feedback from the Community Design Advisory Group, the Whistlestop building could also be demolished and a new building constructed at the current location of 703-705 4th Street and 927 Tamalpais Avenue.

Tamalpais Avenue between 3rd and 4th Streets would be limited to buses only. Bus bays on the parcel containing the Citibank building and its affiliated parking lot, also referred to as the “Citibank parcel,” would be accessed via driveways along 3rd and 4th Streets. The area west of West Tamalpais Avenue between 3rd and 4th Streets (i.e., space not utilized by the relocated Whistlestop building) would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. The existing SMART pick-up/drop-off area on East Tamalpais Avenue between 3rd and 4th Streets would be removed and replaced with a pick-up/drop-off area in a new access alley constructed to the west of West Tamalpais Avenue, connecting between 3rd Street and 4th Street for six vehicles on West Tamalpais Avenue between 4th Street and 5th Avenue. The new access alley would also contain maintenance vehicle parking for six District vehicles. This would connect to a new driveway on 4th Street between Tamalpais Avenue and Lincoln Avenue that would replace the removed driveway on West Tamalpais Avenue to the condo complex at Lincoln Avenue and 4th Street. Fifty feet of shuttle parking would be provided on West Tamalpais Avenue between 3rd Street and 4th Street. ~~Maintenance vehicle parking for six District vehicles would be provided on a new access alley constructed at the western edge of the site, connecting between 3rd Street and 4th Street. This would connect to a new driveway on 4th Street between Tamalpais Avenue and Lincoln Avenue to replace the removed driveway on West Tamalpais Avenue to the condo complex at Lincoln Avenue and 4th Street.~~ Construction of the bicycle path on Tamalpais Avenue from 2nd Street to 4th Street, as described in Section 2.5.1, would reflect implementation of one of the City’s planned bicycle infrastructure improvements. This bike path would connect to the Mahon Creek Path. Additionally, the Move Whistlestop Alternative would include new on-street parking on West Tamalpais Avenue between 2nd Street and 3rd Street.

Refer to Table ES-2 for a summary of the environmental impacts of the Move Whistlestop Alternative.



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving

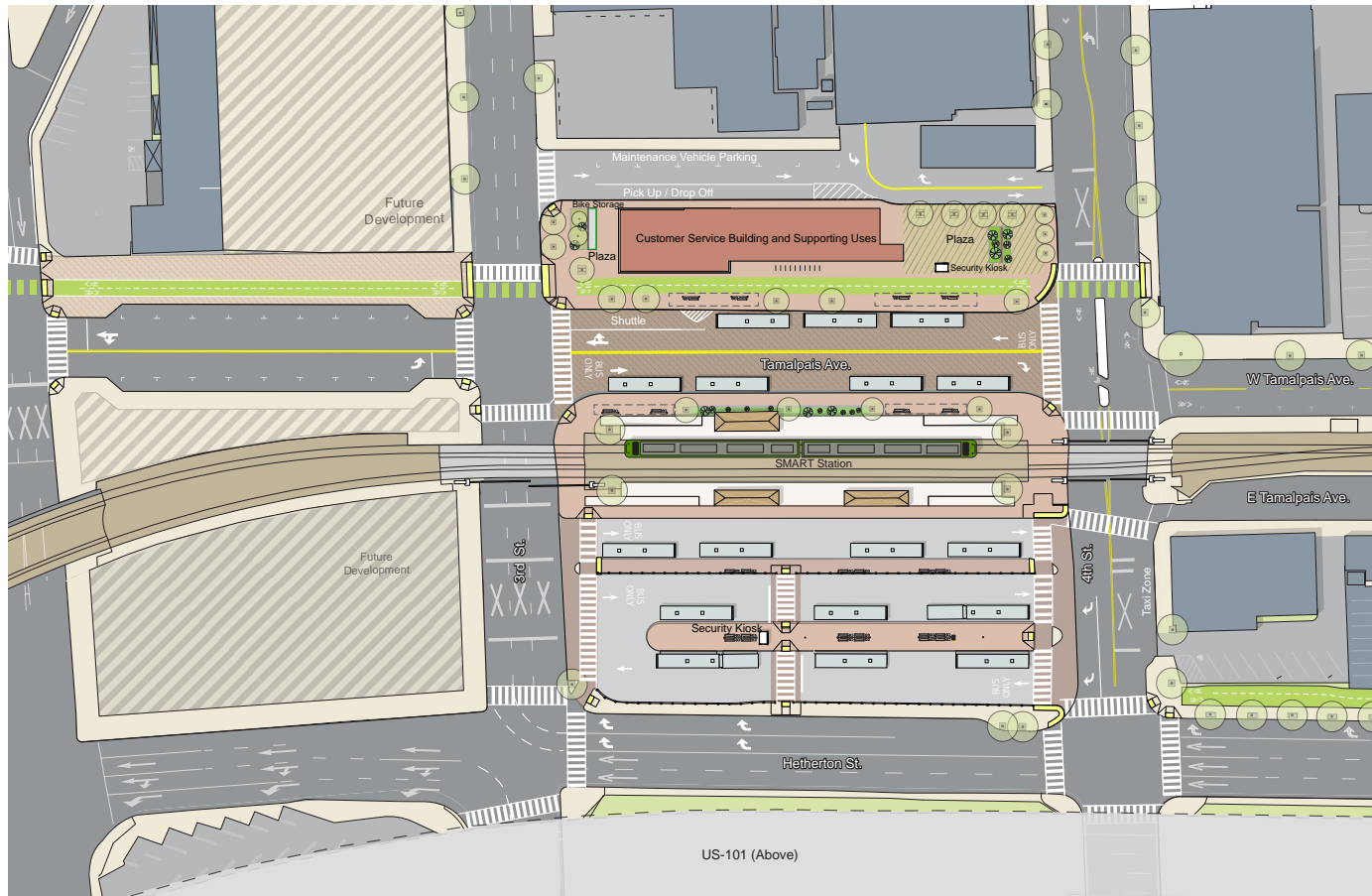


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







Source: Kimley-Horn, Via Architecture, 2021.



Figure ES-1
Move Whistlestop Alternative



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



Graphics ... 0748.17 (10-12-2022).JC

Source: Kimley-Horn, Via Architecture, 2022.



**Updated Figure ES-1
Move Whistlestop Alternative**

ES.5 Other Build Alternatives

This EIR analyzes three other build alternatives at an equal level of detail. The build alternatives vary in site area and location as well as specific features. Similar to the preferred project, all build alternatives have the following components:

- Installation of 17 straight-curb bus bays to accommodate transit, airport coach services, and Greyhound services at the transit center
- Provision of paratransit, pick-up/drop-off, maintenance vehicle, and shuttle curb space
- Provision of bicycle parking, including racks and lockers
- Installation of minimum 9-foot-wide platforms adjacent to bus bays
- Installation of passenger amenities including weather protection (such as shelters or canopies) and seating
- Installation of other features including public art, security, and wayfinding signage
- Provision of a roughly 3,000-square-foot building including customer service, public restrooms, driver relief facilities, small retail, maintenance, and security

Adapt Whistlestop Alternative: This alternative site is generally between West Tamalpais Avenue to the east, Hetherton Street to the west, 4th Street to the north, and 3rd Street to the south. This alternative would include the construction of a bike path and pedestrian improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street. See Figure ES-2 for the site plan. This alternative is on the same block as the existing SMART station. This alternative site crosses nine parcels currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the SMART tracks, and the Citibank parcel. Uses surrounding the project site include retail, commercial, and office uses to the north, U.S. Highway 101 (US-101) to the east, the existing San Rafael Transit Center to the south, and restaurants, residential, and retail facilities to the west.

The Adapt Whistlestop Alternative would feature five platforms, A through E, and one District building. There would be 17 straight-curb bus bays to accommodate transit, airport coach services, and Greyhound services at the transit center. Each bus bay would have a minimum 9-foot-wide platform adjacent and platforms would provide passenger amenities including weather protection (such as shelters or canopies) and seating. Paratransit, pick-up/drop-off, maintenance vehicle, and shuttle curb space would be provided. Other features would include public art, security, provision for bicycle parking including racks and lockers, and wayfinding signage. The Whistlestop building (minus the Jackson Café) would be renovated or remodeled to serve as District customer service and operations building space. Space would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. Construction of the bicycle path on Tamalpais Avenue from 2nd Street to 4th Street would reflect implementation of one of the City's planned bicycle infrastructure improvements. This bike path would connect to the Mahon Creek Path. Additionally, the Adapt Whistlestop Alternative would include new on-street parking on West Tamalpais Avenue between 2nd Street and 3rd Street.

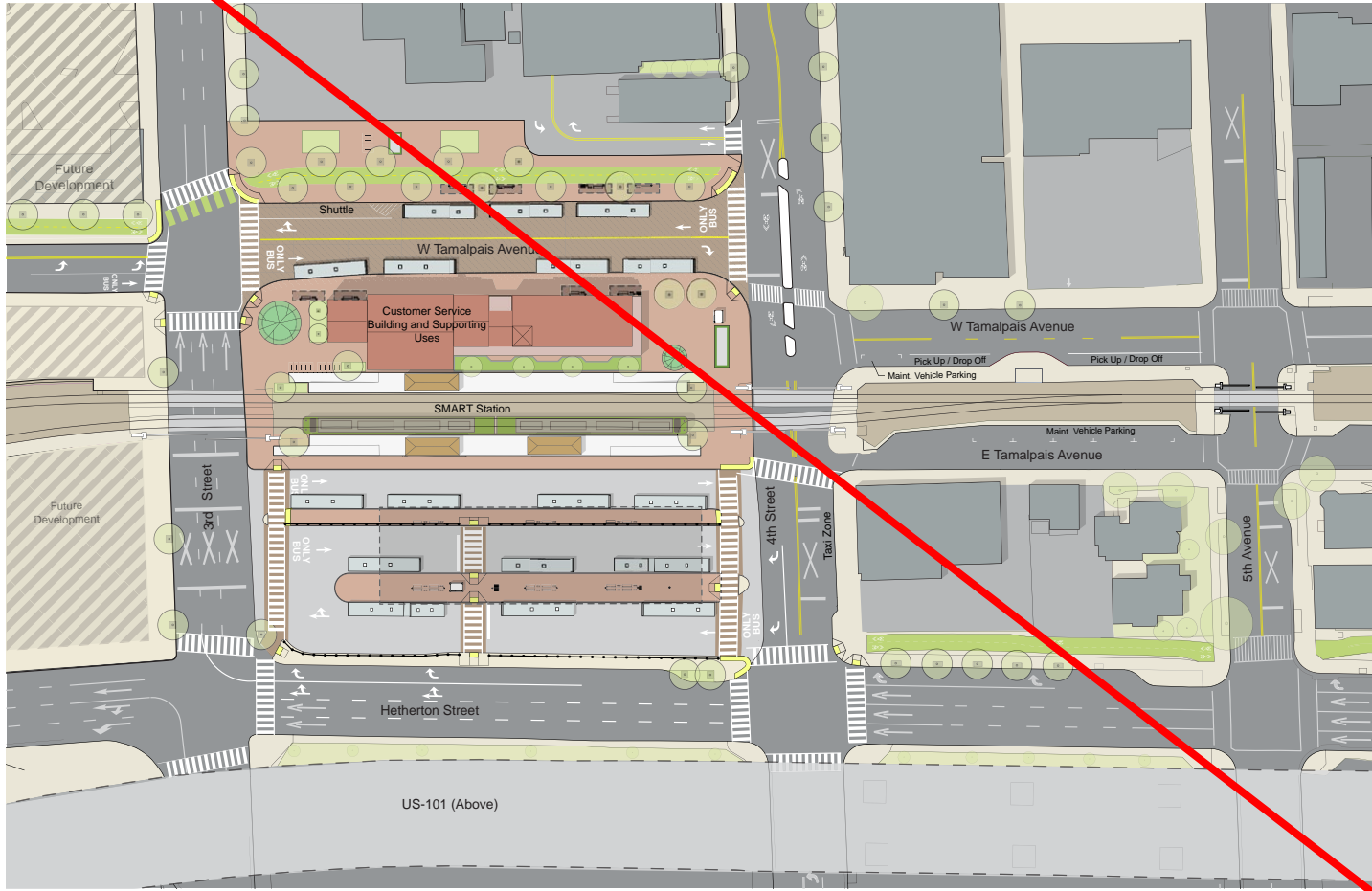
Table ES-2 summarizes the impacts of the Adapt Whistlestop Alternative.

4th Street Gateway Alternative: This alternative site is bounded by 5th Avenue, 3rd Street, Hetherton Street, and the SMART tracks, as well as curb space along West Tamalpais Avenue; see Figure ES-3 for the site plan.
















The 4th Street Gateway Alternative would feature six platforms, A through F, and two District buildings. There would be three on-street bays located curbside on the west side of Hetherton Street between 4th Street and 5th Avenue. In order to accommodate these curbside bays, southbound right turns from Hetherton Street to 4th Street would be precluded. On the east side of both sites, space would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. Table ES-3 summarizes impacts of the 4th Street Gateway Alternative.

Under the Freeway Alternative: This alternative site is generally located beneath US-101 and bounded by 5th Avenue, south of 4th Street, Irwin Street, and Hetherton Street; see Figure ES-4 for the site plan. Underneath US-101 there is a park-and-ride lot, maintained and operated by the California Department of Transportation. Irwin Creek, underneath US-101, flows parallel to US-101.

The Under the Freeway Alternative would feature six platforms, A through F, and one District building. The affiliated bus bays would be accessed via driveways on 4th Street, Irwin Street, and Hetherton Street. Internal circulation would be provided for the northern block to allow buses accessing bays from either side of the site to egress on either side as well, which is critical given the diverse bus routing accessing the site. Space would be provided for public plazas, customer service, and/or transit-supportive land uses. This would require three bridges/viaducts over Irwin Creek to connect Hetherton Street to the bus bays. Table ES-4 summarizes impacts of the Under the Freeway Alternative.



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



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







Source: Kimley-Horn, Via Architecture, 2021.



**Figure ES-2
Adapt Whistlestop Alternative**



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving

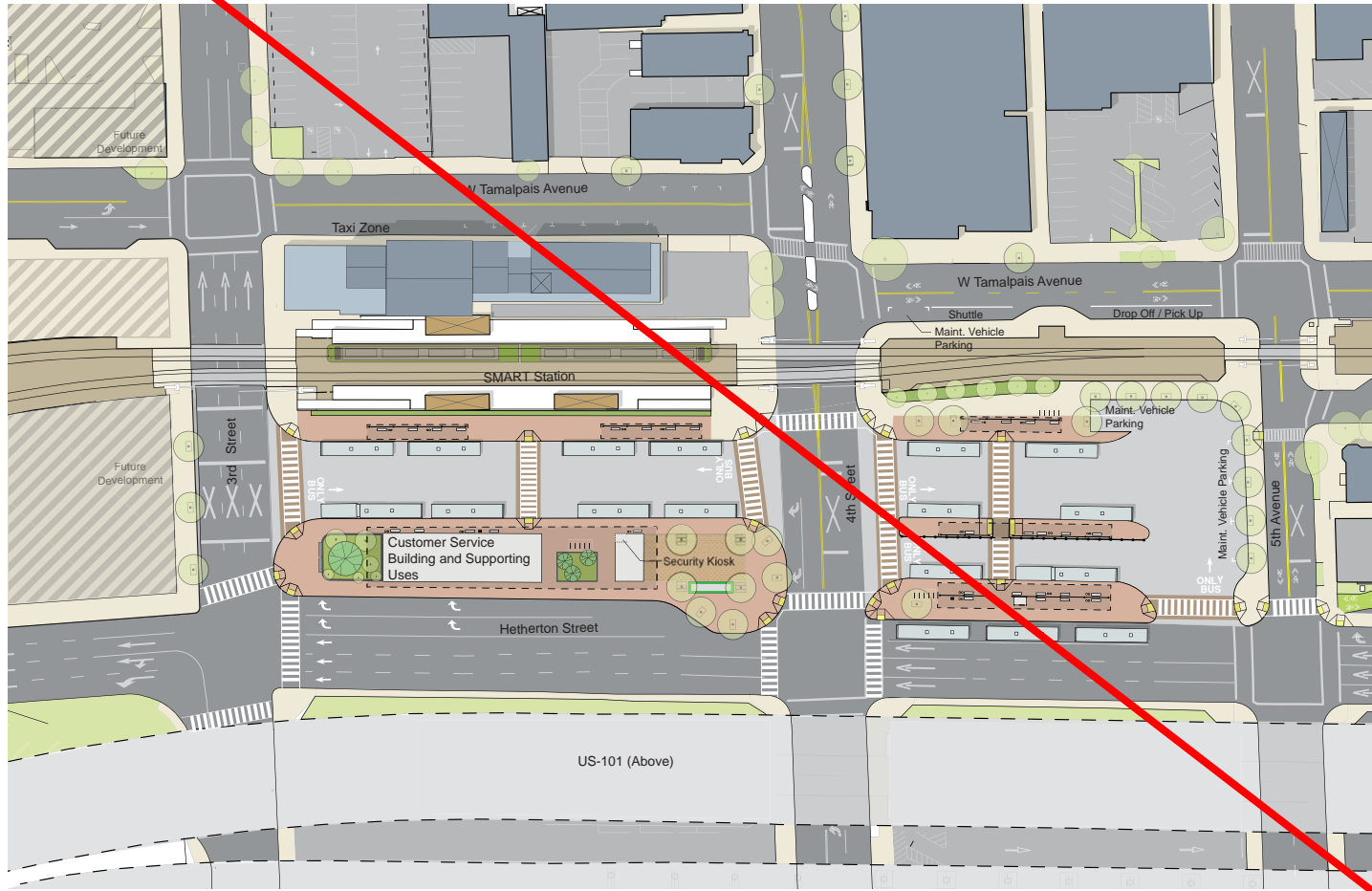


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Source: Kimley-Horn, Via Architecture, 2022.



**Updated Figure ES-2
Adapt Whistlestop Alternative**



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



Graphics ... 0748.17 (6/24/21) AB
















Source: Kimley-Horn, Via Architecture, 2021.



Figure ES-3
4th Street Gateway Alternative



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving

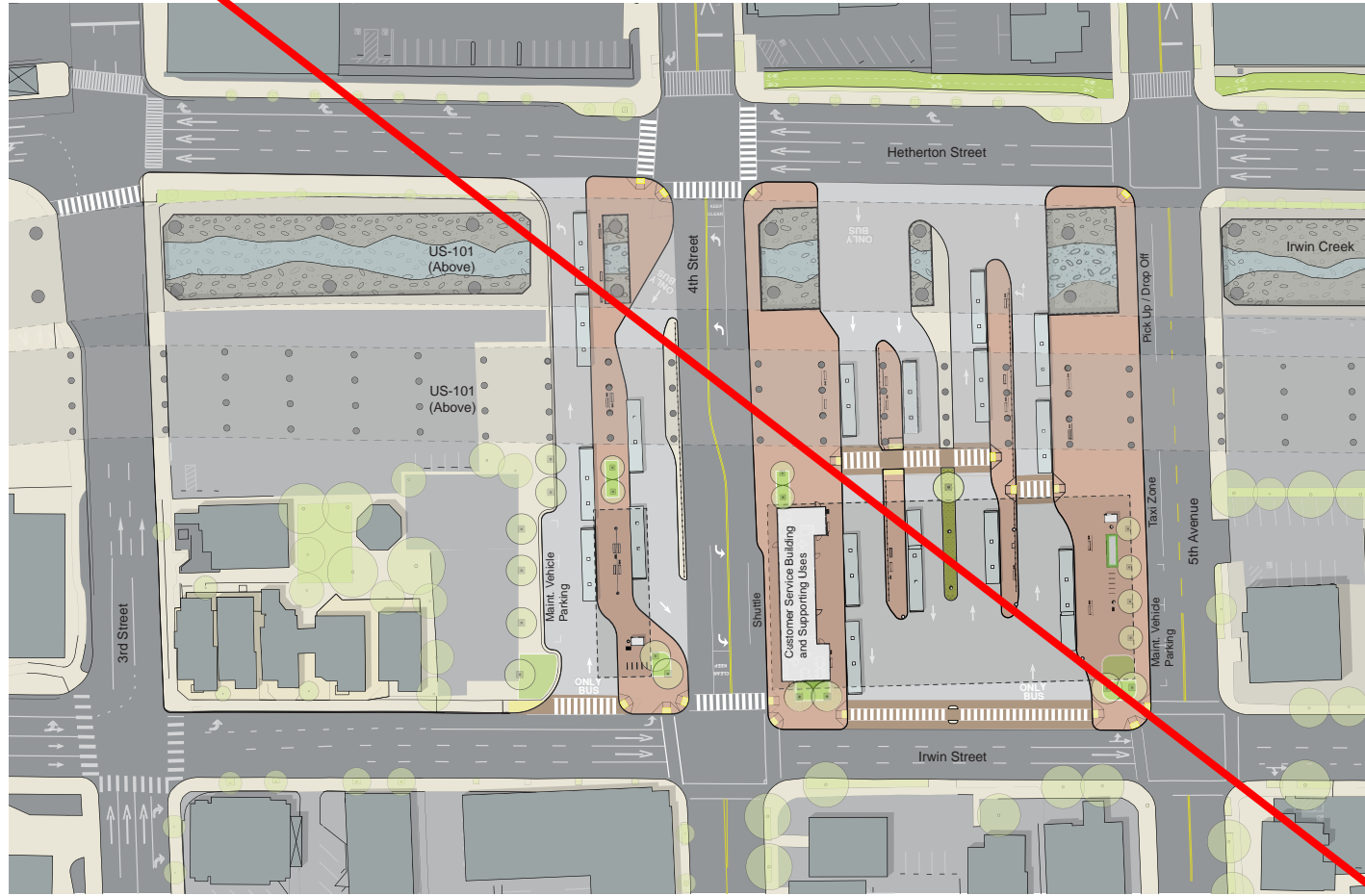


Source: Kimley-Horn, Via Architecture, 2022.
















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**Updated Figure ES-3
4th Street Gateway Alternative**



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
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Source: Kimley-Horn, Via Architecture, 2021.
















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Figure ES-4
Under the Freeway Alternative



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
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-  Typical Paving



Graphics ... 0748.17 (10-12-2022).JC

Source: Kimley-Horn, Via Architecture, 2022.



**Updated Figure ES-4
Under the Freeway Alternative**

ES.6 No-Project Alternative

The No-Project Alternative is based on what would reasonably be expected to occur if the proposed project is not implemented. Under the No-Project Alternative, the District would not relocate the transit center; it would remain at its current location in Downtown San Rafael between 2nd Street, 3rd Street, West Tamalpais Avenue, and Hetherton Street and continue to operate as it does currently. The No-Project Alternative would include the existing transit center, which has been compromised by the implementation of the SMART Phase 2 line and is currently deficient in bus operations, connectivity between modes, and pedestrian safety. The 17 existing bus bays are fully utilized at peak times and would not allow for any additional growth in bus volumes. Additionally, there is no land available for provision of paratransit, additional pick-up/drop-off, maintenance vehicle, and shuttle curb space.

ES.7 Significant and Unavoidable Impacts

Section 15126.2(b) of the State CEQA Guidelines requires that the EIR describe any significant impacts, including those that can be mitigated but not reduced to less-than-significant levels. The following environmental impacts were determined to be significant and unavoidable.

ES.7.1 Move Whistlestop Alternative (Preferred Project)

There are no significant and unavoidable impacts associated with the Move Whistlestop Alternative.

ES.7.2 Adapt Whistlestop Alternative

There are no significant and unavoidable impacts associated with the Adapt Whistlestop Alternative.

ES.7.3 4th Street Gateway Alternative

ES.7.3.1 Cultural Resources

This alternative would cause a significant and unavoidable impact due to loss of historical resources.

ES.7.3.2 Transportation

The 4th Street Gateway Alternative would also be partially inconsistent with Program M-2.2B and Policy M-2.5 of ~~the Draft San Rafael General Plan 2040~~, due to the substantial increases in vehicle idling time in the project vicinity under Year 2040 conditions and the removal of the southbound right-turn from Hetherton Street to 4th Street. Additionally, while the 4th Street Gateway Alternative would result in substantial increases in vehicle idling time in the project vicinity under Year 2040 conditions, this alternative would not be subject to level of service standards due to the Policy M-2.5(c) Downtown Standards, resulting in partial consistency with the policy. The alternative's inconsistencies with ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~ would interfere with the implementation of future land use development and long-term roadway improvements identified by these plans. Mitigation for these inconsistencies is considered infeasible due to the existing level of development in the City and the planned future development identified in ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan~~

2040. Therefore, impacts associated with the 4th Street Gateway Alternative would remain significant and unavoidable under Year 2040 conditions.

ES.7.4 Under the Freeway Alternative

ES.7.4.1 Cultural Resources

This alternative would cause a significant and unavoidable impact due to loss of historical resources.

ES.7.4.2 Transportation

The Under the Freeway Alternative would result in the displacement of 72 park-and-ride spaces. Replacement parking within Downtown San Rafael may be infeasible due to the existing level of development in the City and the planned future development identified in ~~The City of San Rafael General Plan 2020~~ and ~~Draft San Rafael General Plan 2040~~. Therefore, this impact would be inconsistent with the City's parking policies. Impacts associated with inconsistency with parking policies for the Under the Freeway Alternative would be significant and unavoidable.

ES.8 Potential Areas of Controversy and Issues to Be Resolved

On October 16, 2018, the District filed a Notice of Preparation with the Governor's Office of Planning and Research. During the 30-day comment period (ending November 19, 2018), written comments regarding the scope and content of the Draft EIR were received from regulatory agencies and the public. Additionally, a scoping session on the Draft EIR was held on October 30, 2018, at the Whistlestop building at 930 Tamalpais Avenue in San Rafael. All written and oral comments received during the comment period and scoping session were considered in the preparation of the Draft EIR. A copy of the Notice of Preparation and all comments are included in the Scoping Summary Report, which is included as Appendix A. Issues to be resolved include but are not limited to the following:

- Consensus around the preferred alternative project
- Final design of the preferred alternative project
- Disposition of the existing transit center

The public comment period for the Draft EIR spanned from August 11 to November 2, 2021. The District hosted two virtual public meetings on September 14 and 15, 2021, at which comments were accepted and recorded. Written comments were accepted for the duration of the public comment period. All written and verbal comments received during the public review period are responded to in Chapter 9, Comments and Responses.

Some of the key concerns raised in comments on the Draft EIR included:

- Use of The City of San Rafael General Plan 2020 in the Draft EIR analysis
- Potential impacts on the Whistlestop building (930 Tamalpais Avenue)
- Pedestrian safety at the intersection of 3rd Street and Hetherton Street

- Location of the pick-up and drop-off area in the Move Whistlestop Alternative and Adapt Whistlestop Alternative and potential impacts on bicycle infrastructure

Table ES-1. Comparison of Other Build Alternatives to the Preferred Project

Resource	Move Whistlestop Alternative (Preferred Project) Level of Impact	No-Project Alternative		Adapt Whistlestop Alternative		4th Street Gateway Alternative		Under the Freeway Alternative	
		Level of Impact	Comparison to Preferred Project	Level of Impact	Comparison to Preferred Project	Level of Impact	Comparison to Preferred Project	Level of Impact	Comparison to Preferred Project
Aesthetics	LTS	NI	<	LTS	=	LTS w/MM	>	LTS w/MM	>
Air Quality	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Biological Resources	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	>
Cultural Resources	LTS w/MM	NI	<	LTS w/MM	=	SU	>	SU	>
Energy	LTS w/MM	NI	< ^a	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Geology and Soils	LTS	NI	<	LTS	=	LTS	=	LTS	=
Greenhouse Gas Emissions	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Hazards and Hazardous Materials	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Hydrology and Water Quality	LTS w/ MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	>
Land Use and Planning	LTS	SU	< ^a	LTS	=	LTS	=	LTS	=
Noise and Vibration	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	>	LTS w/MM	>
Population and Housing	LTS	NI	<	LTS	=	LTS	=	LTS	=
Public Services and Recreation	LTS	NI	<	LTS	=	LTS	=	LTS	=
Transportation	LTS	SU	> ^a	LTS	=	SU	>	SU	>
Tribal Cultural Resources	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Utilities and Service Systems	LTS	NI	<	LTS	=	LTS	=	LTS	=
Wildfire	LTS	NI	<	LTS	=	LTS	=	LTS	=

NI: No Impact

LTS: Less than Significant

LTS w/MM: Less than Significant with Mitigation

SU: Significant and Unavoidable

<: Impacts would be less than the impacts of the Move Whistlestop Alternative.

>: Impacts would be greater than the impacts of the Move Whistlestop Alternative.

=: Impacts would be equivalent to the impacts of the Move Whistlestop Alternative.

^a Under the No-Project Alternative, the beneficial transportation impacts of the Move Whistlestop Alternative would not occur.

Note: Minor variations in the magnitude of impacts among alternatives are not reflected in this table, which compares the general impact determinations provided in this EIR (i.e., no impact, less than significant, less than significant with mitigation, and significant and unavoidable).

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Aesthetics				
<u>Impact AES-1:</u> Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings in a Non-Urbanized Area, Including Scenic Vistas, or Conflict with Applicable Zoning and Other Regulations Governing Scenic Quality in an Urbanized Area, Including Scenic Vistas	Both	Less than significant	--	--
<u>Impact AES-2:</u> Substantially Damage Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings within a State Scenic Highway	Both	No Impact	--	--
<u>Impact AES-3:</u> Create a New Source of Substantial Light or Glare that Would Adversely Affect Day or Nighttime Views Near the Project Improvements	Construction	Less than significant ²	MM-AES-CNST-2: Limit Construction Near Residences to Daylight Hours--	Less than significant--
	Operations	Significant	MM-AES-OP-3: Apply Minimum Lighting Standards	Less than significant
Cumulative Impacts (light and glare)	Construction	Less than significant	--	--
	Operations	Significant	MM-AES-OP-3	Less than significant
Cumulative Impacts (historic structures)	Both	No impact	--	--
Air Quality				
<u>Impact AQ-1:</u> Conflict With or Obstruct Implementation of the Applicable Air Quality Plan	Both	Less than significant	--	--
<u>Impact AQ-2:</u> Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for Which the Project Region Is a Nonattainment Area for an Applicable Federal or State Ambient Air Quality Standard	Both	Less than significant	--	--

² This change is to correct a typographical error in the Draft EIR, not a change to impact significance between the Draft and Final EIRs.

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
<u>Impact AQ-3</u> : Expose Sensitive Receptors to Substantial Pollutant Concentrations	Construction	Significant	MM-AQ-CNST-1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-Related Emissions	Less than significant
	Operations	Less than Significant	--	--
<u>Impact AQ-4</u> : Result in Other Emissions (Such as Those Leading to Odors) Adversely Affecting a Substantial Number of People	Both	Less than significant	--	--
Cumulative Impacts: Conflict With or Obstruct Implementation of the Applicable Air Quality Plan	Both	Less than significant	--	--
Cumulative Impacts: Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for Which the Project Region Is a Nonattainment Area for an Applicable Federal or State Ambient Air Quality Standard	Both	Less than significant	--	--
Cumulative Impacts: Expose Sensitive Receptors to Substantial Pollutant Concentrations	Both	Less than significant	--	--
Cumulative Impacts: Result in Other Emissions (Such as Those Leading to Odors) Adversely Affecting a Substantial Number of People	Both	Less than significant	--	--
Biological Resources				
<u>Impact BIO-1</u> : Have a Substantial Adverse Effect, Either Directly or Through Habitat Modifications, on Any Species Identified as a Candidate, Sensitive, or Special-Status Species in Local or Regional Plans, Policies, or Regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	Both	No impact	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
<u>Impact BIO-2</u> : 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	Both	No impact	--	--
<u>Impact BIO-3</u> : Have a Substantial Adverse Effect on State or Federally Protected Wetlands (Including, but not Limited to, Marsh, Vernal Pool, Coastal, etc.) through Direct Removal, Filling, Hydrological Interruption, or Other Means	Both	No impact	--	--
<u>Impact BIO-4</u> : 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	Construction	Significant	MM-BIO-CNST-1: Conduct Environmental Awareness Training for Construction Employees MM-BIO-CNST-6: Conduct a Preconstruction Survey for Nesting Birds and Implement Protective Buffers Around Active Nests	Less than significant
	Operations	No Impact	--	--
<u>Impact BIO-5</u> : Conflict with Any Local Policies or Ordinances Protecting Biological Resources, Such as a Tree Preservation Policy or Ordinance	Construction	Significant	MM-BIO-CNST-3: Install Orange Construction Fencing Between the Construction Area and Adjacent Sensitive Biological Resources	Less than significant
	Operations	No impact	--	--
<u>Impact BIO-6</u> : Conflict with the Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan	Both	No impact	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Cumulative Impacts	Construction	Significant	MM-BIO-CNST-1 MM-BIO-CNST-3 MM-BIO-CNST-6	Less than significant
Cultural Resources				
<u>Impact CUL-1</u> : Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5	Construction	Less than significant	--	--
	Operations	No Impact	--	--
<u>Impact CUL-2</u> : Cause a Substantial Adverse Change in the Significance of an Archaeological Resource Pursuant to Section 15064.5	Construction	Significant	MM-CULT-CNST-4: Develop and Implement an Archaeological Testing Plan MM-CULT-CNST-5: Conduct Cultural Resource <u>and Tribal Cultural Resource</u> Awareness Training Prior to Project-Related Ground Disturbance and Stop Work if Archaeological Deposits Are Encountered During Ground-Disturbing Activities MM-CULT-CNST-6: Develop and Implement a Tribal Cultural and Archaeological Monitoring Plan	Less than significant
	Operations	No Impact	--	--
	Construction	Significant	MM-CULT-CNST-4 MM-CULT-CNST-5 MM-CULT-CNST-6 MM-CULT-CNST-7: Comply with State Laws Relating to Human Remains	Less than significant
<u>Impact CUL-3</u> : Disturb Any Human Remains, Including those Interred Outside of Formal Cemeteries	Operations	Significant	MM-CULT-CNST-4 MM-CULT-CNST-5	Less than significant
	Cumulative (built environment historical resources)	Both	Less than significant	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Cumulative (archaeological resources)	Construction	Significant	MM-CULT-CNST-4 MM-CULT-CNST-5 MM-CULT-CNST-6	Less than significant
	Operations	No Impact	--	--
Cumulative (human remains)	Both	Significant	MM-CULT-CNST-4 MM-CULT-CNST-5 MM-CULT-CNST-6 MM-CULT-CNST-7	Less than significant
Energy				
<u>Impact EN-1:</u> Result in Potentially Significant Environmental Impact Due to Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources, During Project Construction Or Operation	Construction	Significant	MM-GHG-CNST-1: Implement BAAQMD's Best Management Practices to Reduce GHG Emissions from Construction	Less than significant
	Operations	Less than significant	--	--
<u>Impact EN-2:</u> Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--
Geology and Soils				
<u>Impact GEO-1:</u> Directly or Indirectly Cause Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Strong Seismic Ground Shaking, Seismic-Related Ground Failure (Including Liquefaction), or Landslides	Both	Less than significant	--	--
<u>Impact GEO-2:</u> Result in Substantial Soil Erosion or the Loss of Topsoil	Both	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
<u>Impact GEO-3:</u> 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 Onsite or Offsite Landslide, Lateral Spreading, Subsidence, Liquefaction, or Collapse	Both	Less than significant	--	--
<u>Impact GEO-4:</u> 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	Both	Less than significant	--	--
<u>Impact GEO-5:</u> 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 Wastewater	Both	No impact	--	--
<u>Impact GEO-6:</u> Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature	Construction	Less than significant	--	--
	Operations	No impact	--	--
Cumulative Impacts	Both	Less than significant	--	--
Greenhouse Gas Emissions				
<u>Impact GHG-1:</u> Generate Greenhouse Gas Emissions During Construction, Either Directly or Indirectly, that May Have a Significant Impact on the Environment	Construction	Significant	MM-GHG-CNST-1	Less than significant
	Operations	Less than significant	--	--
<u>Impact GHG-2:</u> Conflict with an Applicable Plan, Policy, or Regulation Adopted for the Purpose of Reducing the Emissions of Greenhouse Gases	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Hazards and Hazardous Materials				
<u>Impact HAZ-1</u> : Create a Significant Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials	Both	Less than significant	MM-HYD-CNST-1: Prepare and Implement a Stormwater Pollution Prevention Plan	--
<u>Impact HAZ-2</u> : 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	Construction	Significant	MM-HAZ-CNST-1: Phase II Site Investigation MM-HYD-CNST-1	Less than significant
	Operations	Less than significant	--	--
<u>Impact HAZ-3</u> : Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an Existing or Proposed School	Both	Less than significant	--	--
<u>Impact HAZ-4</u> : Be Located on a Site Which Is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code § 65962.5 and, as a Result, Create a Significant Hazard to the Public or the Environment	Both	No impact	--	--
<u>Impact HAZ-5</u> : 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, Result in a Safety Hazard or Excessive Noise for People Residing or Working in the Project Area	Both	No impact	--	--
<u>Impact HAZ-6</u> : Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan	Both	Less than significant	--	--
<u>Impact HAZ-7</u> : Expose People or Structures, Either Directly or Indirectly, to a Significant Risk of Loss, Injury or Death Involving Wildland Fires	Both	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Cumulative Impacts	Both	Less than significant	--	--
Hydrology and Water Quality				
<u>Impact HYD-1:</u> Violate Any Water Quality Standards or Waste Discharge Requirements or Otherwise Substantially Degrade Surface or Ground Water Quality	Construction	Significant	MM-HYD-CNST-1	Less than Significant
	Operation	Less than significant	--	--
<u>Impact HYD-2:</u> Substantially Decrease Groundwater Supplies or Interfere Substantially with Groundwater Recharge Such that the Project May Impede Sustainable Groundwater Management of the Basin	Both	Less than significant	--	--
<u>Impact HYD-3:</u> 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 that Would Result in Substantial Erosion or Siltation On or Off Site, Substantially Increase the Rate or Amount of Surface Runoff in a Manner that Would Result in Flooding On or Off Site, Create or Contribute Runoff Water that Would Exceed the Capacity of Existing or Planned Stormwater Drainage Systems or Provide Substantial Additional Sources of Polluted Runoff, or Impede or Redirect Flood Flows	Both	Less than significant	--	--
<u>Impact HYD-4:</u> In Flood Hazard, Tsunami, or Seiche Zones, Risk Release of Pollutants Due to Project Inundation	Both	Less than significant	--	--
<u>Impact HYD-5:</u> Conflict with or Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan	Both	No impact	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Cumulative Impacts	Both	Less than significant	--	--
Land Use and Planning				
<u>Impact LUP-1: Physically Divide an Established Community</u>	Both	Less than significant	--	--
<u>Impact LUP-2: 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</u>	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--
Noise				
<u>Impact NOI-1: Generation of 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</u>	Construction	Significant	MM-NOI-CNST-1: Use Best Noise Control Practices During Construction	Less than significant
	Operations	Significant	MM-NOI-OP-2: Provide Acoustical Treatments for Mechanical Equipment as Needed to Comply with City Noise Standards	Less than significant
<u>Impact NOI-2: Generation of Excessive Groundborne Vibration or Groundborne Noise Levels</u>	Construction	Significant	MM-NOI-CNST-3: Implement Vibration-Reducing Practices During Construction	Less than significant
	Operations	Less than significant	--	--
Cumulative Impacts	Construction	Significant	MM-NOI-CNST-1	Less than significant
	Operations	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Population and Housing				
<u>Impact POP-2: 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)</u>	Both	Less than significant	--	--
<u>Impact POP-2: Displace Substantial Numbers of Existing People or Housing, Necessitating the Construction of Replacement Housing Elsewhere</u>	Both	No impact	--	--
Cumulative Impacts	Both	Less than significant	--	--
Public Services and Recreation				
<u>Impact PS-1: Result in Substantial Adverse Physical Impacts Associated with the Provision of New or Physically Altered Governmental Facilities or a 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 Following Public Services</u>	Both	Less than significant	--	--
<u>Impact PS-2: 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</u>	Both	No impact	--	--
<u>Impact PS-3: Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities that Might Have an Adverse Physical Effect on the Environment</u>	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Transportation				
<u>Impact TRA-1</u> : Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities	Both	Less than significant	--	--
<u>Impact TRA-2</u> : Conflict or Be Inconsistent with CEQA Guidelines §15064.3, Subdivision (b)	Both	Less than significant	--	--
<u>Impact TRA-3</u> : Substantially Increase Hazards Due to a Geometric Design Feature (e.g., Sharp Curves or Dangerous Intersections) or Incompatible Uses (e.g., Farm Equipment)	Both	Less than significant	--	--
<u>Impact TRA-4</u> : Result in Inadequate Emergency Access	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--
Tribal Cultural Resources				
<u>Impact TCR-1</u> : Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource, Defined in Public Resources Code § 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 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 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 § 5024.1	Construction		MM-CULT-CNST-4 MM-CULT-CNST-5 MM-CULT-CNST-6 MM-CULT-CNST-7	Less than significant
	Operations	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Cumulative Impacts	Construction	Significant	MM-CULT-CNST-4 MM-CULT-CNST-5 MM-CULT-CNST-6 MM-CULT-CNST-7	Less than significant
	Operations	No Impact	--	--
Utilities and Service Systems				
<u>Impact UT-1</u> : Require or Result in the Relocation or Construction of New or Expanded Water, Wastewater Treatment, or Stormwater Drainage, Electric Power, Natural Gas, or Telecommunications Facilities, the Construction or Relocation of Which Could Cause Significant Environmental Effects	Both	Less than significant	--	--
<u>Impact UT-2</u> : Have Sufficient Water Supplies Available to Serve the Project and Reasonably Foreseeable Future Development During Normal, Dry, and Multiple Dry Years	Both	Less than significant	--	--
<u>Impact UT-3</u> : Result in a Determination by the Wastewater Treatment Provider, Which Serves or May Serve the Project That It Has Adequate Capacity to Serve the Project's Projected Demand in Addition to the Provider's Existing Commitments	Both	Less than significant	--	--
<u>Impact UT-4</u> : 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; and Comply with Federal, State, and Local Management and Reduction Statutes and Regulations Related to Solid Waste	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--

Table ES-2. Summary of Move Whistlestop Alternative and Adapt Whistlestop Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Wildfire				
<u>Impact WILD-1</u> : Substantially Impair an Adopted Emergency Response Plan or Emergency Evacuation Plan	Both	Less than significant	--	--
<u>Impact WILD-2</u> : 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	Both	Less than significant	--	--
<u>Impact WILD-3</u> : 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 on the Environment	Both	Less than significant	--	--
<u>Impact WILD-4</u> : Expose People or Structures to Significant Risks, Including Downslope or Downstream Flooding or Landslides, as a Result of Runoff, Post-Fire Slope Instability, or Drainage Changes	Both	Less than significant	--	--
Cumulative Impacts	Both	Less than significant	--	--

Table ES-3. Summary of 4th Street Gateway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Aesthetics				
<u>Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings in a Non-Urbanized Area, Including Scenic Vistas, or Conflict with Applicable Zoning and Other Regulations Governing Scenic Quality in an Urbanized Area, Including Scenic Vistas</u>	Operations	Significant	MM-CULT-CNST-1: Prepare and Implement Relocation Plans <u>MM-CULT-CNST-3: Develop and Implement an Interpretive Program</u> ³	Less than significant
Cumulative Impacts (historic structures)	Construction	Significant	MM-CULT-CNST-1 <u>MM-CULT-CNST-3</u> ⁴	Less than significant
	Operations	No Impact	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Air Quality				
Same as those listed in Table ES-2.				
Biological Resources				
Same as those listed in Table ES-2.				
Cultural Resources				
<u>Impact CUL-1: Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5</u>	Construction	Significant	MM-CULT-CNST-1 MM-CULT-CNST-2: Prepare and Submit Historical Documentation MM-CULT-CNST-3: Develop and Implement an Interpretive Program	Significant and unavoidable (potential damage to two historical resources)
The remaining impacts are the same as those listed in Table ES-2.				
Energy				
Same as those listed in Table ES-2.				
Geology and Soils				
Same as those listed in Table ES-2.				

³ This change is to correct a typographical error in the Draft EIR, not to add a new mitigation measure.

⁴ This change is to correct a typographical error in the Draft EIR, not to add a new mitigation measure.

Table ES-3. Summary of 4th Street Gateway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Greenhouse Gas Emissions				
Same as those listed in Table ES-2.				
Hazards and Hazardous Materials				
<u>Impact HAZ-3</u> : Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an Existing or Proposed School	Both	No Impact	--	--
Same as those listed in Table ES-2.				
Hydrology and Water Quality				
Same as those listed in Table ES-2.				
Land Use and Planning				
Same as those listed in Table ES-2.				
Noise				
Cumulative	Construction	Less than significant	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Population and Housing				
Same as those listed in Table ES-2.				
Public Services and Recreation				
Same as those listed in Table ES-2.				
Transportation				
<u>Impact TRA-1</u> : Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities	Operations	Significant	None	Significant and unavoidable (inconsistency with polices related to travel times)
The remaining impacts are the same as those listed in Table ES-2.				

Table ES-3. Summary of 4th Street Gateway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Tribal Cultural Resources				
Same as those listed in Table ES-2.				
Utilities and Service Systems				
Same as those listed in Table ES-2.				
Wildfire				
Same as those listed in Table ES-2.				

Table ES-4. Summary of Under the Freeway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Aesthetics				
<u>Impact AES-1:</u> Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings in a Non-Urbanized Area, Including Scenic Vistas, or Conflict with Applicable Zoning and Other Regulations Governing Scenic Quality in an Urbanized Area, Including Scenic Vistas	Construction	Significant	MM-AES-CNST-1: Install Visual Barriers Between Construction Work Areas and Sensitive Receptors <u>MM-CULT-CNST-1: Prepare and Implement Relocation Plans⁵</u> <u>MM-CULT-CNST-3: Develop and Implement an Interpretive Program⁶</u>	Less than significant
	Operations	Significant	MM-CULT-CNST-1: Prepare and Implement Relocation Plans	Less than significant
<u>Impact AES-3:</u> Create a New Source of Substantial Light or Glare that Would Adversely Affect Day or Nighttime Views Near the Project Improvements	Construction	Significant	MM-AES-CNST-2: Limit Construction Near Residences to Daylight Hours	Less than significant
Cumulative Impacts (historic structures)	Construction	Significant	MM-CULT-CNST-1 <u>MM-CULT-CNST-3</u>	Less than significant
	Operations	No Impact	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Air Quality				
Same as those listed in Table ES-2.				
Biological Resources				
<u>Impact BIO-1:</u> Have a Substantial Adverse Effect, Either Directly or Through Habitat Modifications, on Any Species Identified as a Candidate, Sensitive, or Special-Status Species in Local or Regional Plans, Policies, or Regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	Construction	Significant	MM-BIO-CNST-1: Conduct Environmental Awareness Training for Construction Employees MM-BIO-CNST-2: Conduct Preconstruction Surveys for Bats and Implement Protective Measures	Less than significant
	Operation	No impact	--	--

⁵ This change is to correct a typographical error in the Draft EIR, not to add a new mitigation measure.

⁶ This change is to correct a typographical error in the Draft EIR, not to add a new mitigation measure.

Table ES-4. Summary of Under the Freeway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
<u>Impact BIO-3</u> : Have a Substantial Adverse Effect on State or Federally Protected Wetlands (Including, but not Limited to, Marsh, Vernal Pool, Coastal, etc.) through Direct Removal, Filling, Hydrological Interruption, or Other Means	Construction	Significant	MM-BIO-CNST-3: Install Orange Construction Fencing Between the Construction Area and Adjacent Sensitive Biological Resources MM-BIO-CNST-4: Conduct Periodic Biological Monitoring MM-BIO-CNST-5: Compensate for Temporary and Permanent Loss of Perennial Stream	Less than significant
Cumulative Impacts	Construction	Significant	MM-BIO-CNST-1 MM-BIO-CNST-2 MM-BIO-CNST-3 MM-BIO-CNST-4 MM-BIO-CNST-5 MM-BIO-CNST-6: Conduct a Preconstruction Survey for Nesting Birds and Implement Protective Buffers Around Active Nests	Less than significant
The remaining impacts are the same as those listed in Table ES-2.				
Cultural Resources				
<u>Impact CUL-1</u> : Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5	Construction	Significant	MM-CULT-CNST-1 MM-CULT-CNST-2: Prepare and Submit Historical Documentation MM-CULT-CNST-3	Significant and unavoidable (demolition of a historical resource)
The remaining impacts are the same as those listed in Table ES-2.				
Energy				
Same as those listed in Table ES-2.				
Geology and Soils				
Same as those listed in Table ES-2.				

Table ES-4. Summary of Under the Freeway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Greenhouse Gas Emissions				
Same as those listed in Table ES-2.				
Hazards and Hazardous Materials				
<u>Impact HAZ-3: Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an Existing or Proposed School</u>	Both	No Impact	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Hydrology and Water Quality				
<u>Impact HYD-1: Violate Any Water Quality Standards or Waste Discharge Requirements or Otherwise Substantially Degrade Surface or Ground Water Quality</u>	Construction	Significant	MM-HYD-CNST-1: Prepare and Implement a Stormwater Pollution Prevention Plan MM-CNST-BIO-5	Less than Significant
	Operation	Less than Significant	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Land Use and Planning				
Same as those listed in Table ES-2.				
Noise				
<u>Cumulative Impacts</u>	Construction	Less than significant	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Population and Housing				
<u>Impact POP-2: Displace Substantial Numbers of Existing People or Housing, Necessitating the Construction of Replacement Housing Elsewhere</u>	Construction	Less than significant	--	--
The remaining impacts are the same as those listed in Table ES-2.				
Public Services and Recreation				
Same as those listed in Table ES-2.				

Table ES-4. Summary of Under the Freeway Alternative Impacts and Required Mitigation Measures

Impact	Phase	Significance before Mitigation	Mitigation	Significance after Mitigation
Transportation				
<u>Impact TRA-1</u> : Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities	Operations	Significant	None	Significant and unavoidable (inconsistent with policies related to parking)
The remaining impacts are the same as those listed in Table ES-2.				
Tribal Cultural Resources				
Same as those listed in Table ES-2.				
Utilities and Service Systems				
Same as those listed in Table ES-2.				
Wildfire				
Same as those listed in Table ES-2.				

1.1 Overview

The Golden Gate Bridge, Highway and Transportation District (District), in coordination with the City of San Rafael (City), Marin County Transit District (Marin Transit), Transportation Authority of Marin (TAM), and Sonoma-Marín Area Rail Transit (SMART), plans to replace the transit center in Downtown San Rafael (known as the San Rafael Transit Center or the C. Paul Bettini Transit Center). The proposed San Rafael Transit Center Replacement Project (proposed project) is needed primarily to replace the existing transit center following the loss of some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur. A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for both local residents and regional commuters. A detailed description of the proposed project is provided in Chapter 2, Project Description.

This ~~Draft~~Final Environmental Impact Report (EIR) was prepared in compliance with the California Environmental Quality Act (CEQA). The District, as the owner of the transit center, is the CEQA Lead Agency for the proposed project and has prepared this ~~Draft~~Final EIR to evaluate potential impacts and identify required mitigation to avoid or reduce potentially significant impacts.

Corrections and revisions to the Draft EIR in response to public comments are shown in underline and ~~strikeout~~ throughout the Final EIR.

1.2 Project History

Development of the proposed project began with the *San Rafael Downtown Station Area Plan* (Downtown SAP) in 2012. The proposed project has involved a multi-year process to identify a new transit center site and configuration that will provide for the current and future mobility needs of San Rafael and Marin County. The extension of the SMART line south to Larkspur affected the existing transit center's functionality by installing train tracks that bisect the existing transit center. The proposed project is an opportunity to create a more accessible transit facility for all users and improve both connectivity and safety.

Providing improved access to transit in Marin County and the North Bay Area is consistent with the transportation goals established in prior studies and plans including the *San Rafael Transit Center Relocation Study* (City of San Rafael et al. 2017) and the Downtown SAP (City of San Rafael 2012) and supports the long-range *Marin Strategic Vision Plan* (TAM 2017). Two of the key tenets of the vision developed through the Downtown SAP process is to provide a safe and comfortable environment for transit users and a clear, safe, and pleasant connection between the transit center and surrounding neighborhoods. The primary goal of the *Strategic Vision Plan* is to provide transportation facilities and services that support and enhance Marin County's high quality of life and vibrant economy. Other goals are to support a healthy and safe environment and maximize mobility for all residents. The proposed project is an essential tool to achieve regional auto trip reduction goals by enhancing the desirability and functionality of non-auto-dependent modes. An

improved transit center could help generate increased ridership for SMART rail service, increasing the success of the new line. The proposed project provides an improved customer service facility, improvements to safety and security, and modernized amenities. For the residents, students, and employees of San Rafael, including disadvantaged communities, a new transit center will be safer to access, more inviting, and easier to use, improving quality of life.

Improvements to the transit center also would support goals identified in the Metropolitan Transportation Commission's *Plan Bay Area* (2013), which include increasing non-auto mode share and preserving economic vitality by concentrating future development around transit nodes and along transit corridors. The transit center is within a designated priority development area in *Plan Bay Area*, which is defined as a locally designated area within existing communities that provides infill development opportunities and is easily accessible to transit, jobs, shopping, and services. A new transit center also brings the opportunity to not only improve mobility for residents but also enhance the vibrancy of Downtown San Rafael with a new public space that is aesthetically pleasing and improves circulation. Similarly, the Downtown SAP sets the stage to create a mixed-use, livable area around the future Downtown transit center and calls for a Downtown station that efficiently brings together several modes of transportation.

1.3 Project Objectives

The objectives of the proposed project are to:

- Provide improved transit connectivity and ease of use in and around Downtown San Rafael.
- Enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services.
- Efficiently accommodate transit users and services, optimize operating costs, and improve transit desirability.
- Design a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.
- Provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.
- Provide a secure, safe, and inviting space for transit patrons.
- Create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety.
- Provide convenient, pedestrian connections to surrounding land uses.

The proposed project is needed primarily to replace the existing transit center following impacts on the functionality of some of the transit center facilities resulting from the implementation of the SMART Phase 2 line to Larkspur. With the extension of SMART through the existing transit center south of 3rd Street, Platform C was reconfigured, negatively affecting bus circulation and bus bay flexibility within and around the transit center and disrupting pedestrian access and transfer activity among the remaining platforms at the site. SMART riders transferring from the Downtown

San Rafael SMART station to access the current transit center south of 3rd Street, as well as riders originating from Downtown San Rafael, must navigate heavy traffic crossing through local intersections and accessing the U.S. Highway 101 on-ramps adjacent to the transit center. The configuration of the SMART rail tracks directly through the transit center is detrimental to bus, vehicle, and pedestrian access and safety. A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for both residents and regional commuters. It would also reduce traffic congestion, facilitate more efficient transit operations, and promote pedestrian safety.

1.3.1 Agency and Public Outreach

In early 2018, the District convened a Joint Project Team composed of staff from the partnering agencies including the City, Marin Transit, TAM, SMART, and the Metropolitan Transportation Commission as part of the alternatives development and screening process. The Joint Project Team identified potential site locations, reviewed proposed project facilities and amenities, screened locations, and provided input on options to continue to advance. The project team conducted presentations to executive leadership representing the partner agencies and to various elected boards, including the District Board of Directors Transportation Committee and San Rafael City Council.

The District has held various workshops on concept development and meetings since 2017, with community representatives including the San Rafael Chamber of Commerce, Federation of Neighborhoods, League of Women Voters, San Rafael Heritage, and Canal Alliance.

~~The~~ Prior to publication of the Draft EIR, the District has held five public meetings during the project development process, including a public scoping meeting for this Draft EIR as outlined below:

- Public Meeting #1: March 20, 2018 (Open House & Survey)
- Public Meeting #2: June 12, 2018 (Input on Specific Concepts)
- Public Meeting #3: Notice of Preparation of Draft EIR and Scoping Meeting—October 30, 2018 (Scoping for Environmental Analysis)
- Public Meeting #4: Facebook Live Event with Omar Carrera, Executive Director of the Canal Alliance—November 9, 2020
- Public Meeting #5: Community Meeting on Zoom—November 19, 2020 (Project Update/Review of Alternatives)

In addition to the meetings outlined above, public outreach has included bilingual outreach activities at the existing transit center and Food Pantry. Additional outreach to businesses through the San Rafael Chamber of Commerce and San Rafael Business Improvements District has been done and over 100 email notifications were sent out to the community, neighborhood, and business organizations. Community members have completed over 1,000 online surveys in both English and Spanish. The project team has presented on the proposed project to the following organizations: San Rafael High School English Learner Advisory Committee, San Rafael Heritage, San Rafael Chamber of Commerce, League of Women Voters, and District Bus Passengers Advisory Committee.

1.4 Environmental Review Process

1.4.1 California Environmental Quality Act

CEQA applies to all discretionary activities proposed to be implemented by California public agencies, including state, regional, county, and local agencies (California Public Resources Code Section 21000 et seq.). CEQA requires agencies to estimate and evaluate the environmental impacts of their actions, avoid or reduce significant environmental impacts when feasible, and consider the environmental implications of their actions prior to making a decision. CEQA also requires agencies to inform the public and other relevant agencies and consider their comments in the evaluation and decision-making process. The State CEQA Guidelines are the primary source of rules and interpretation of CEQA (California Public Resources Code Section 21000 et seq.; 14 California Code of Regulations 15000 et seq.).

1.4.2 Purpose of this EIR

The purpose of the EIR is to provide the information necessary for the District to make an informed decision about the proposed project and to supply the information necessary to support related permit applications and review processes.

This ~~Draft~~Final EIR has been prepared in compliance with CEQA to achieve the following goals.

- Identify potential direct, indirect, and cumulative environmental impacts associated with the proposed project.
- Describe feasible mitigation measures intended to avoid or reduce potentially significant impacts to a less-than-significant level.
- Disclose the environmental analysis, including the potential project impacts and proposed mitigation measures, for public and agency review and comment.
- Discuss potential alternatives to the proposed project that can meet the basic project objectives, are feasible, and would avoid or reduce identified significant project impacts.

One of the purposes of CEQA is to establish opportunities for the public and relevant agencies to review and comment on projects that might affect the environment. ~~Scoping activities are discussed below. The District will provide a public review period for this Draft EIR of 60 days from release of the Draft EIR for comment. The District will also conduct a public meeting to receive comments during the comment period. Once the public review period is complete, the District will prepare a Final EIR that includes all the comments received on the Draft EIR, responses to all comments, and any necessary revisions to the Draft EIR. CEQA requires the District to review and consider the information in the EIR before making a decision on the proposed project.~~Scoping activities and public review of the Draft EIR are discussed below.

1.4.3 Scope and Content of EIR

Scoping refers to the process used to assist the lead agency (the District) in determining the focus and content of an EIR. Scoping solicits input on the potential topics to be addressed in an EIR, the range of project alternatives, and possible mitigation measures. Scoping is also helpful in

establishing methods of assessment and in selecting the environmental effects to be considered in detail.

1.4.3.1 Notice of Preparation and Scoping

The scoping process for this EIR formally began on October 16, 2018, when the Notice of Preparation was submitted to the State Clearinghouse for distribution to federal, state, and local agencies. The purpose of the Notice of Preparation is to solicit participation from relevant agencies and from the public in determining the scope of an EIR. The scoping period ended on November 19, 2018.

The District distributed the Notice of Preparation to approximately 36 federal, state, regional, and local agencies. The District also notified potentially interested individuals and organizations regarding the scoping process and public scoping meeting for the proposed project. The District used multiple methods to announce the scoping process and public meetings, including display advertisements in local newspapers, postcard mailing to addresses within a half-mile radius of the existing transit center, poster displays attached to sandwich boards at the transit center and in nearby windows, project website updates, information posted on the City of San Rafael's Nextdoor account, emails sent to the District's email database, a press release circulated to media outlets, social media postings, and phone and email outreach to leaders of the Canal Alliance, Canal Multicultural Center, and Ad Hoc Committee. Further information regarding the Notice of Preparation process is discussed in Section 1.4.3.1 below.

The project team held a public scoping meeting on October 30, 2018, at the Whistlestop building at 930 Tamalpais Avenue in San Rafael to provide an opportunity for attendees to comment on environmental issues of concern.

Written and oral comments received during the scoping process are on file with the District and can be accessed online at <https://www.goldengate.org/district/district-projects/san-rafael-transit-center/project-documents-materials/>. Public comments are also included in the scoping summary report in Appendix A. This ~~draft~~ EIR considers the comments received during the scoping period.

1.4.3.2 Resource Topics Analyzed in the EIR

Consistent with Appendix G of the State CEQA Guidelines, ~~this Draft~~ the EIR evaluates the potential impacts of the proposed project for the following resource areas.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality

- Land Use and Planning
- Noise and Vibration
- Population and Housing
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The following topics are also analyzed in ~~this Draft~~ the EIR.

- Cumulative impacts
- Alternatives to the proposed project
- Significant and unavoidable impacts
- Significant irreversible changes in the environment
- Growth inducement

Although agricultural and mineral resources are identified in Appendix G of the State CEQA Guidelines, this EIR analysis does not include these topics because there would be no impact, as described below.

- **Agricultural Resources.** Changes in the status of agricultural lands may constitute significant impacts under CEQA; examples include direct conversion of state-designated Important Farmlands to nonagricultural use, conflict with Williamson Act (California Land Conservation Act) contracts, and various other types of environmental changes that have the potential to result indirectly in conversion of farmland to nonagricultural use. No agricultural land exists in the project area. No impacts on agricultural resources would result from project implementation or operation. Consequently, the proposed project would not have the potential to contribute directly or indirectly to conversion of farmland to nonagricultural use, and agricultural resources are not discussed further.
- **Mineral Resources.** A project typically would cause a significant impact on mineral resources when it results in the loss of availability of a known mineral resource important to the region and state or a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. *The City-San Rafael General Plan 20240* does not include policies relating to mineral resources because the City does not contain any mineral deposits of regional significance. There are no mineral extraction uses in the project area. There would be no impact during project construction or operation and mineral resources are not discussed further.

1.4.4 Public Review of Draft EIR and Public Meetings

The Draft EIR was released for public review and comment on August 11, 2021. The comment period was initially scheduled to conclude on October 12, 2021, but was extended to November 2,

2021. The District undertook the following actions to inform the public of the availability of the Draft EIR:

- The Notice of Availability and Draft EIR were published on the District website, posted at the existing transit center, and submitted to the Marin County Clerk for public posting.
- Notification of the availability of the Draft EIR was mailed to members of the public who had indicated interest in the proposed project.
- The Draft EIR was submitted to the State Clearinghouse and to various governmental agencies, organizations, businesses, and individuals (see Chapter 3 of this Final EIR for a list of agencies, organizations, businesses, and individuals that received the Draft EIR).
- Copies of the Draft EIR were made available at the Main Branch and Pickleweed Branch of the City of San Rafael Public Library.

All written comments received during this period were compiled and responses provided in Chapter 9, Responses to Comments, of this Final EIR. Additionally, the District held two public meetings on the Draft EIR, one in English and one in Spanish, on September 14 and 15, 2021. These meetings included a presentation on the proposed project and the contents of the Draft EIR. Comments were recorded at these meetings and responses to these comments are provided in Chapter 9, Responses to Comments, of this Final EIR.

1.4.5 Final EIR

In accordance with CEQA and the State CEQA Guidelines, the District must provide written responses to comments made by a public agency at least 10 days prior to certifying the EIR. This Final EIR and all documents referenced herein will be available for public review at the District's website and at the San Rafael Public Library's Main Branch and Pickleweed Branch during normal business hours.

The State CEQA Guidelines Section 15132 specifies that the Final EIR consist of:

- The Draft EIR or a revision to the Draft EIR;
- Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The lead agency's responses to significant environmental points raised in the review and consultation process; and
- Any other information added by the lead agency.

This Final EIR includes all of the above information.

1.4.6 Overview of Revisions to the Draft EIR Reflected in the Final EIR

The District has made changes to the Draft EIR in response to the comments received during the public review period and due to minor clarifications made by the District, which are shown in ~~strikeout~~ and underlined text throughout the Final EIR. This section provides an overview of the main changes to the Draft EIR. These changes to the Draft EIR have not resulted in new significant

impacts or mitigation measures or caused a substantial increase in the severity of an impact described in the Draft EIR; therefore, recirculation of the Draft EIR is not required (State CEQA Guidelines Section 15088.5(a)).

1.4.6.1 San Rafael General Plan 2040

At the time of release of the Notice of Preparation and the while the District conducted the impact analysis of the proposed project, the adopted general plan in the City of San Rafael was *The City of San Rafael General Plan 2020*. Therefore, the analysis in the Draft EIR relied on applicable policies from *The City of San Rafael General Plan 2020*. A draft version of *San Rafael General Plan 2040* was available for public review but was not yet adopted. For this reason, the District also included *San Rafael General Plan 2040* policies in the Draft EIR for informational purposes, in anticipation of the adoption of the City's updated general plan. The City of San Rafael adopted *San Rafael General Plan 2040* in August 2021, while the Draft EIR was in print and shortly before the start of the public review and comment period. The City prepared a summary document that lists the changes between the City's former general plan and *San Rafael General Plan 2040* (Appendix B).

The text of the Draft EIR has been revised in this Final EIR to remove references to *The City of San Rafael General Plan 2020* and incorporate any additional *San Rafael General Plan 2040* policies, as adopted, into the analysis where applicable.

1.4.6.2 Downtown San Rafael Precise Plan

The City's *Downtown San Rafael Precise Plan* was adopted at the same time as *San Rafael General Plan 2040*. This plan serves as a policy and regulatory document for development of the Downtown San Rafael neighborhood. As described for *San Rafael General Plan 2040* above, the Draft EIR included policies from the *Downtown San Rafael Precise Plan* for informational purposes, in anticipation of the adoption of the City's updated general plan. The text of the Draft EIR has been revised in the Final EIR to indicate that this plan has been adopted since the publication of the Draft EIR.

1.4.6.3 Minor Design Modifications

Additionally, minor design modifications to the layouts of the Move Whistlestop Alternative (the preferred project) and Adapt Whistlestop Alternative were made between the publication of the Draft EIR and preparation of this Final EIR. Subsequent chapters and sections of this Final EIR have been updated in ~~strikeout~~ and underline to reflect these design modifications.

The layouts of the Move Whistlestop Alternative and Adapt Whistlestop Alternative have been revised to relocate the pick-up and drop-off area and maintenance parking. Since the publication of the Draft EIR, the pick-up/drop-off location for the Move Whistlestop Alternative and Adapt Whistlestop Alternative has been relocated from West Tamalpais Avenue between 4th Street and 5th Avenue to the eastern side of the new access alley to the west of West Tamalpais Avenue between 3rd Street and 4th Street. The maintenance parking area, described in the Draft EIR as being on the eastern side of the access alley, has been shifted to the western side of the access alley. Additionally, commuter parking spaces have been added along West Tamalpais Avenue between 2nd Street and 3rd Street.

The changes to the pick-up and drop-off and maintenance parking areas resulted in a small shift in the layout of the Move Whistlestop Alternative and Adapt Whistlestop Alternative; the access alley

would extend approximately 12 feet farther to the west than presented in the Draft EIR. No additional buildings would require removal or modification and no additional property acquisition would be required. Because of this modification, there would no longer be any construction required to the north of 4th Street for these alternatives. The updated Move Whistlestop Alternative and Adapt Whistlestop Alternative layouts are shown on Figures 2-4 and 2-5.

1.4.6.4 Right-Turn Lane onto 3rd Street from Hetherton Street

The proposed right turn onto 3rd Street from Hetherton Street has been changed from a shared right-turn/through lane and a right-turn only lane to include two right-turn only lanes with signal phasing modifications. Traffic analysis was performed on the revised geometry and phasing and an updated Transportation Summary Report is included as Appendix E to the Final EIR.

1.4.6.5 Figures and Tables

Figures and tables have been updated as necessary throughout the Final EIR to reflect design updates or clarifications. Updated or new figures and tables are noted as such in their titles.

1.5 EIR Organization

This ~~Draft~~Final EIR is organized in the chapters and appendices listed below:

- Chapter 1, Introduction, includes a brief overview of the proposed project; an overview of the environmental review process; and the scope, content, and organization of the ~~Draft~~Final EIR.
- Chapter 2, Project Description, includes a comprehensive description of the proposed project.
- Chapter 3, Environmental Analysis, includes an evaluation of the resource topics outlined above. Each resource-specific section discusses the environmental setting, impacts, and mitigation measures.
- Chapter 4, Cumulative Impacts, includes a discussion of the proposed project's potential impacts related to past, present, and reasonably foreseeable development in the project area.
- Chapter 5, Alternatives, includes a description of the project alternatives considered and evaluation of several alternatives to the proposed project, including those removed from further consideration.
- Chapter 6, Other CEQA-Required Analysis, includes a discussion of significant environmental impacts that cannot be avoided, significant irreversible changes in the environment, and growth-inducing impacts.
- Chapter 7, List of Preparers, includes a list of staff who contributed to preparation of the ~~Draft~~Final EIR.
- Chapter 8, References, includes a list of the printed references and personal communications cited in the ~~Draft~~Final EIR.
- Chapter 9, Responses to Comments, includes public comments received on the Draft EIR and responses.
- Appendices
 - A. Scoping Summary Report

- B. Summary of Changes between *The City of San Rafael General Plan 2020 and San Rafael General Plan 2040*
- C. City of San Rafael, San Rafael Transit Center Guidance Report
- D. Air Quality and Greenhouse Gas Modeling Files
- E. Transportation Summary Report
- F. Biological Resources: Plants and Animal Species Observed
- G. Biological Resources: U.S. Fish and Wildlife Service, California Natural Diversity Database, and California Native Plant Society Lists
- H. Cultural Resources: Department of Parks and Recreation Forms
- I. Cultural Resources: Northwest Information Center Records Search Results
- J. Preliminary Geotechnical Design Recommendations
- K. Phase I Environmental Site Assessment
- L. Noise Field Data

2.1 Project Overview

The Golden Gate Bridge, Highway and Transportation District (District), in coordination with the City of San Rafael (City), Marin County Transit District (Marin Transit), Transportation Authority of Marin (TAM), and Sonoma-Marín Area Rail Transit (SMART), plans to replace the transit center in Downtown San Rafael (known as the San Rafael Transit Center, or the C. Paul Bettini Transit Center). The proposed San Rafael Transit Center Replacement Project (proposed project) is needed primarily to replace the existing transit center following the impact on some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur. A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for the local community and region.

2.2 Project Background

The San Rafael Transit Center, also known as the C. Paul Bettini Transit Center, is owned by the District, which operates Golden Gate Transit regional and inter-county bus transit services. Figure 2-1 shows the transit center's regional location. The transit center is in Downtown San Rafael, between 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street (see Figure 2-2). With over 800 bus trips daily and 17 operating bus bays, the transit center is the largest regional transit hub in Marin County, providing access to the regional transportation network for area residents and a key transfer point for employees, visitors, and students in San Rafael and the greater North Bay region. The transit center primarily serves bus routes operated by Golden Gate Transit and Marin Transit, but Sonoma County Transit, Sonoma County Airport Express, Greyhound, and paratransit services also use the transit center. On weekdays, there are approximately 9,000 bus boardings and alightings at the transit center. Downtown San Rafael is an important destination, with nearly half of the passengers traveling to or from Downtown and the remaining riders making transfers to other destinations. The 17 bus bays are fully occupied at times during the peak-period pulse. Figure 2-3 shows the layout of the existing transit center.

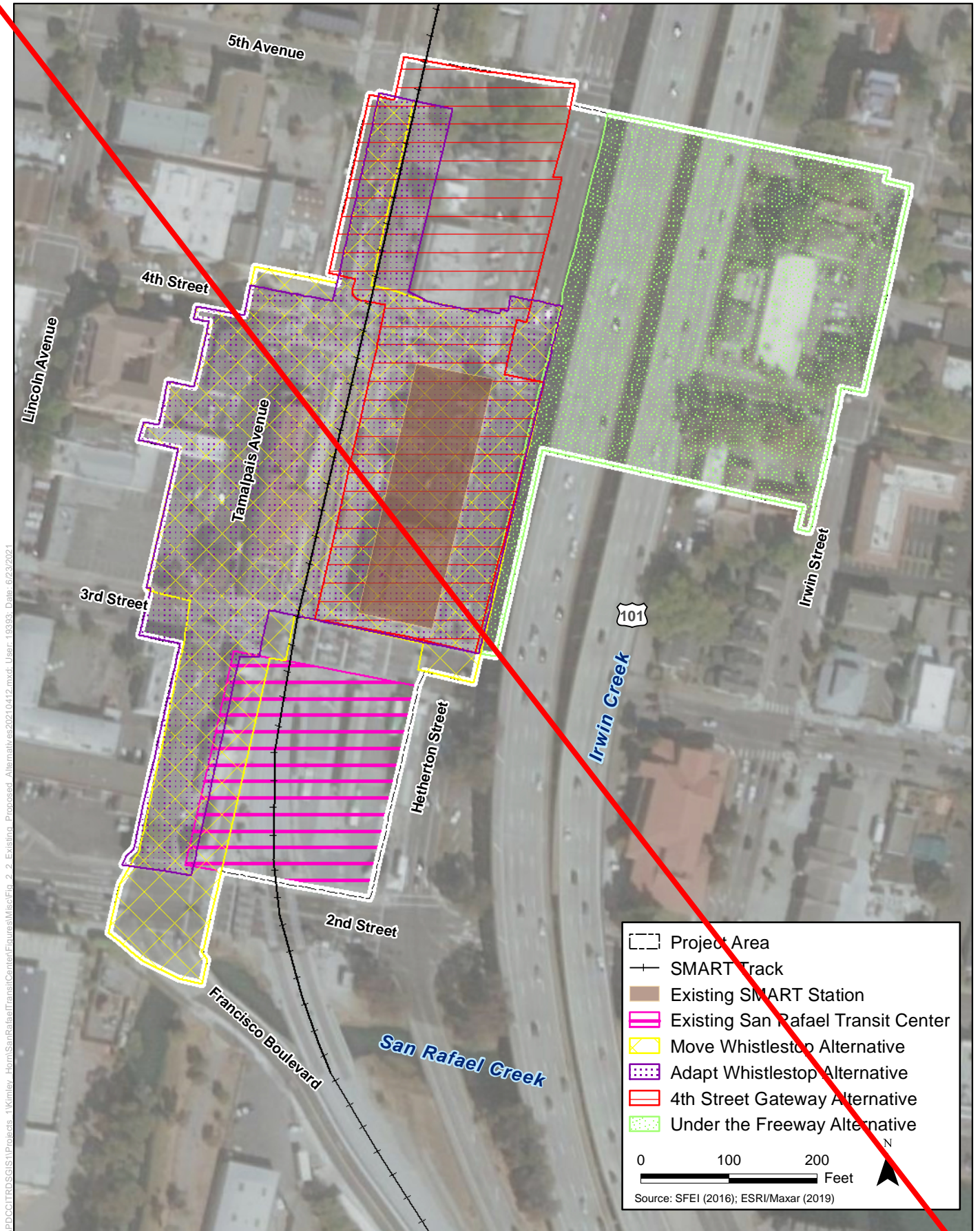
In August 2017, the SMART District commenced passenger rail service on its initial corridor, consisting of 43 miles of rail and 10 stations (Phase 1) in Sonoma and Marin Counties. SMART's Phase 1 corridor parallels U.S. Highway 101 (US-101) beginning at the Sonoma County Airport and terminating in Downtown San Rafael just north of the transit center. SMART riders transferring from the Downtown San Rafael SMART station—located north of 3rd Street—to access the existing transit center south of 3rd Street, as well as riders originating from Downtown San Rafael, must navigate a high volume of local and regional vehicular traffic along 3rd Street.



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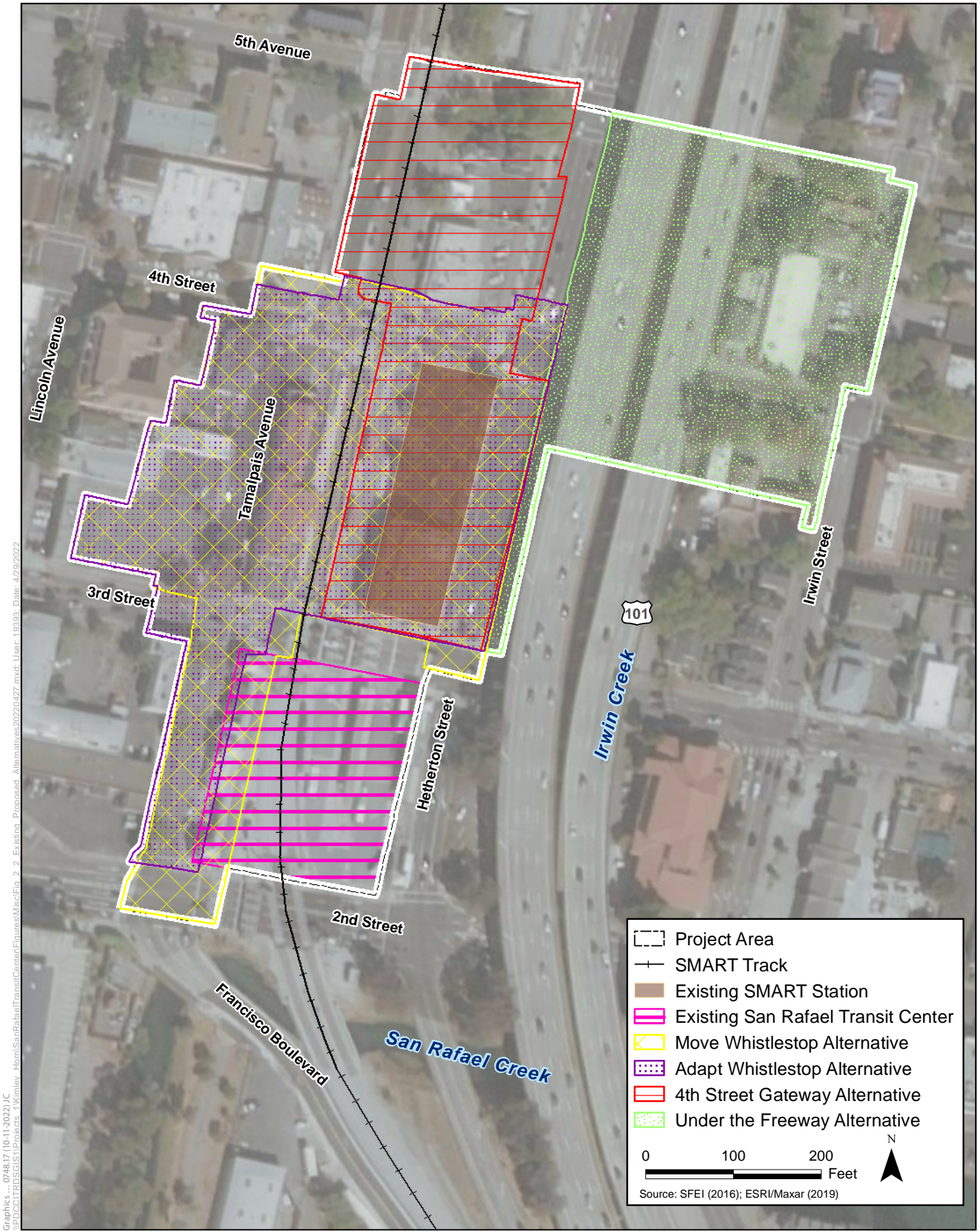
Figure 2-1
Regional Location Map



Y:\DC\TRD\GIS\Projects - 1\Kmler - Home\SanRafael\Transit\Center\Finances\Misc\Fig 2 - Existing - Proposed - Alternatives\20210412.mxd, User: 19393, Date: 6/23/2021



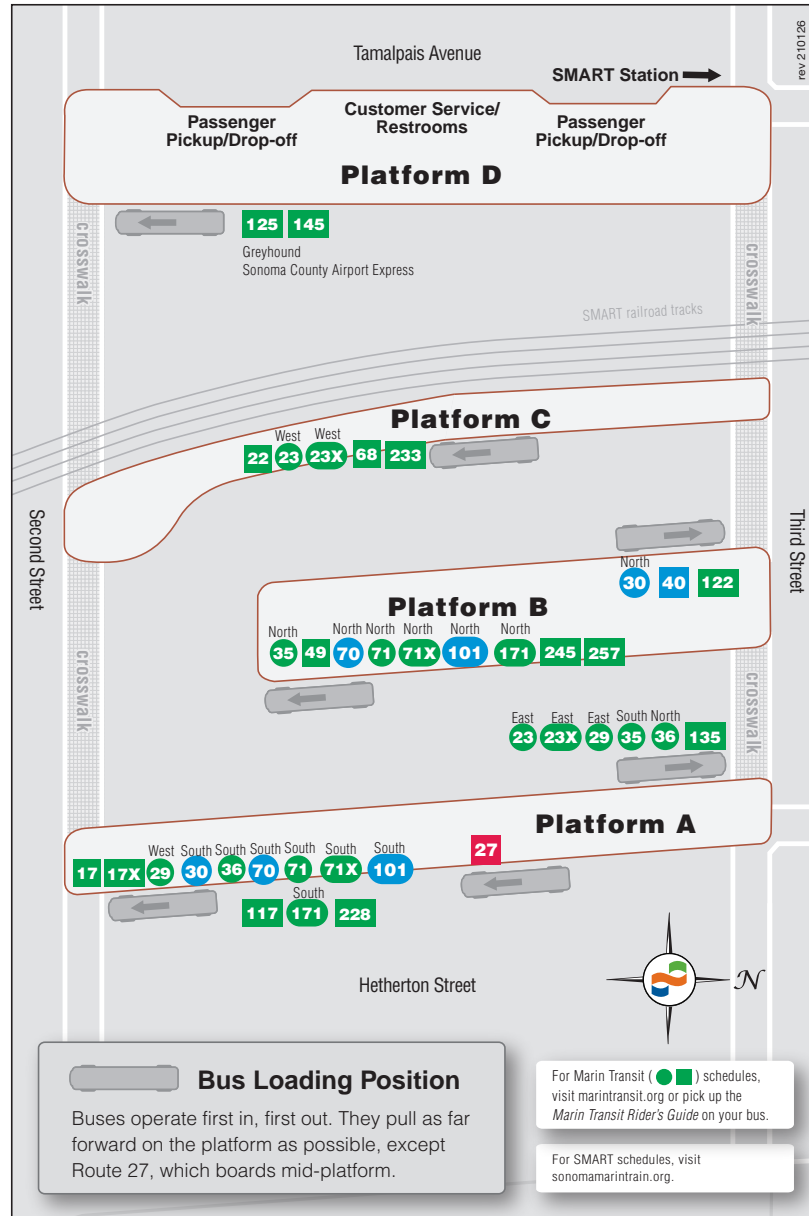
Figure 2-2
Existing San Rafael Transit Center and Proposed Alternatives



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Updated Figure 2-2
Existing San Rafael Transit Center and Proposed Alternatives



Source: www.sonomamarintrain.org, 2021

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Figure 2-3
Existing Transit Center Layout

Phase 2 of the SMART project, which completed construction and began service in late 2019, extended passenger rail service from its previous Downtown San Rafael terminus to Larkspur. The southward extension of SMART required the construction of two sets of tracks through the middle of the existing transit center site south of 3rd Street. The SMART Phase 2 line bisected the existing transit center; reconfigured Platforms C and B, negatively affecting bus circulation and bus bay flexibility within and around the transit center; and disrupted pedestrian access and transfer activity among the remaining platforms at the site. This change affected how buses and people access and travel through the transit center and reduced the amount of space available for buses and riders, which was detrimental to bus, vehicle, and pedestrian access and safety. As a result, the transit center must be relocated to another location in Downtown San Rafael.

2.3 Project Objectives

The District, in coordination with the City, Marin Transit, TAM, and SMART, plans to replace the transit center in Downtown San Rafael. The proposed project is needed primarily to replace the existing transit center following the loss of some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur. Specifically, the purpose of the proposed project is to:

- Provide improved transit connectivity and ease of use in and around Downtown San Rafael.
- Enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services.
- Efficiently accommodate transit users and services, optimize operating costs, and improve transit desirability.
- Design a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.
- Provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.
- Provide a secure, safe, and inviting space for transit patrons.
- Create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety.
- Provide convenient, pedestrian connections to surrounding land uses.

A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for the local community and region. It would also, to the extent feasible, minimize traffic congestion and facilitate efficient transit operations while also promoting pedestrian safety.

In addition to the project objectives described above, the City of San Rafael developed design goals for the proposed project. These goals are outlined in the 2018 San Rafael Transit Center Guidance Report, included as Appendix C, and are distinct from the District's project objectives, which are specifically formed to assist the District in developing a reasonable range of alternatives to evaluate

in the EIR that would avoid or minimize potentially significant project impacts and would aid it in preparing findings and related materials. The City’s design goals, included here for informational purposes, are to maximize 4th Street vitality, clearly define the San Rafael Transit Center access routes, improve utilization of the California Department of Transportation (Caltrans) right-of-way (under the US-101 overpass), demonstrate sustainable design, and preserve 930 Tamalpais Avenue (also referred to as the Whistlestop building).

2.4 Project Location

The San Rafael Transit Center is in Downtown San Rafael, between 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street (see Figure 2-2). There are four project alternatives being considered for this project: Move Whistlestop Alternative (the preferred alternative), Adapt Whistlestop Alternative, 4th Street Gateway Alternative, and Under the Freeway Alternative. All project alternatives are within Downtown San Rafael. Each alternative is within 500 feet of the existing San Rafael Transit Center and is bordered with a mix of office, residential, and retail uses. See Sections 2.5 and 2.6 below for more details regarding the specific location and boundaries of each alternative. Table 2-1 shows the land use and zoning designation for each parcel where the four build alternatives would be located. In August 2021, the City adopted *San Rafael General Plan 2040*, which revised the land use and zoning designations in the Downtown area. The footprint of the preferred alternative and build alternatives is now designated in the *Downtown San Rafael Precise Plan’s* form-based code as T5MS (Main Street) and T5N.

Updated Table 2-1. Land Use and Zoning Designations of the Build Alternative Footprints

Parcel Number	Land Use- and Zoning Designation	Address
Move Whistlestop Alternative		
011-279-07	Mixed Use Public/Quasi-Public T5N 50/70	N/A
011-279-01 ¹	Mixed Use Public/Quasi-Public T5MS 70/90	800 Tamalpais Avenue
014-121-14 ¹	Mixed Use Hetherton Office T5MS 70/90	666 3rd Street
011-277-02	Mixed Use Hetherton Office T5MS 70/90	680 3rd Street
011-277-01 ¹	Mixed Use Hetherton Office T5MS 70/90	930 Tamalpais Avenue
011-275-13 ¹	Mixed Use Hetherton Office T5MS 70/90	706 3rd Street
011-275-05	Mixed Use Hetherton Office T5MS 70/90	N/A
011-275-04 ¹	Mixed Use Hetherton Office T5MS 70/90	927 Tamalpais Avenue
011-275-01	Mixed Use Hetherton Office T5MS 70/90	729 4th Street
011-275-02	Mixed Use Hetherton Office T5MS 70/90	709 4th Street Unit 200
011-275-03 ¹	Mixed Use Hetherton Office T5MS 70/90	701 4th Street
Adapt Whistlestop Alternative		
<u>011-279-07</u>	<u>T5MS 70/90</u>	<u>N/A</u>
<u>011-279-01¹</u>	<u>T5MS 70/90</u>	<u>800 Tamalpais Avenue</u>
014-121-14 ¹	Mixed Use Hetherton Office T5MS 70/90	666 3rd Street
011-277-02	Mixed Use Hetherton Office T5MS 70/90	680 3rd Street
011-277-01	Mixed Use Hetherton Office T5MS 70/90	930 Tamalpais Avenue
011-275-13 ¹	Mixed Use Hetherton Office T5MS 70/90	706 3rd Street
011-275-05	Mixed Use Hetherton Office T5MS 70/90	N/A

Parcel Number	Land Use- and Zoning Designation	Address
011-275-04 ¹	Mixed Use-Hetherton Office T5MS 70/90	927 Tamalpais Avenue
011-275-01	Mixed Use-Hetherton Office T5MS 70/90	729 4th Street
011-275-02	Mixed Use-Hetherton Office T5MS 70/90	709 4th Street Unit 200
011-275-03 ¹	Mixed Use-Hetherton Office T5MS 70/90	701 4th Street
4th Street Gateway Alternative		
014-121-14 ¹	Mixed Use-Hetherton Office T5MS 70/90	666 3rd Street
011-277-02 ¹	Mixed Use-Hetherton Office T5MS 70/90	680 3rd Street
014-084-14 ¹	Mixed Use-Hetherton Office T5MS 70/90	1006 Tamalpais Avenue
014-084-13 ¹	Mixed Use-Hetherton Office T5MS 70/90	637 5th Avenue
014-084-02 ¹	Mixed Use-Hetherton Office T5MS 70/90	633 5th Avenue
Under the Freeway Alternative		
014-122-12 ¹	Mixed Use-Commercial/Office District T5N 50/70	915 Irwin Street
014-122-13 ¹	Mixed Use-Commercial/Office District T5N 50/70	615 4th Street
014-085-07 ¹	Mixed Use-Commercial/Office District T5N 50/70	610 4th Street
014-085-09 ¹	Mixed Use-Commercial/Office District T5N 50/70	1001 Irwin Street
014-085-10 ¹	Mixed Use-Residential/Office District T5N 50/70	1011 Irwin Street
014-085-11 ¹	Mixed Use-Residential/Office District T5N 50/70	1015 Irwin Street
N/A	Park-and-ride lot owned by Caltrans ²	N/A (under US-101)
N/A	Park-and-ride lot owned by Caltrans ²	N/A (under US-101)

¹ Buildings at this parcel number would be relocated or removed.

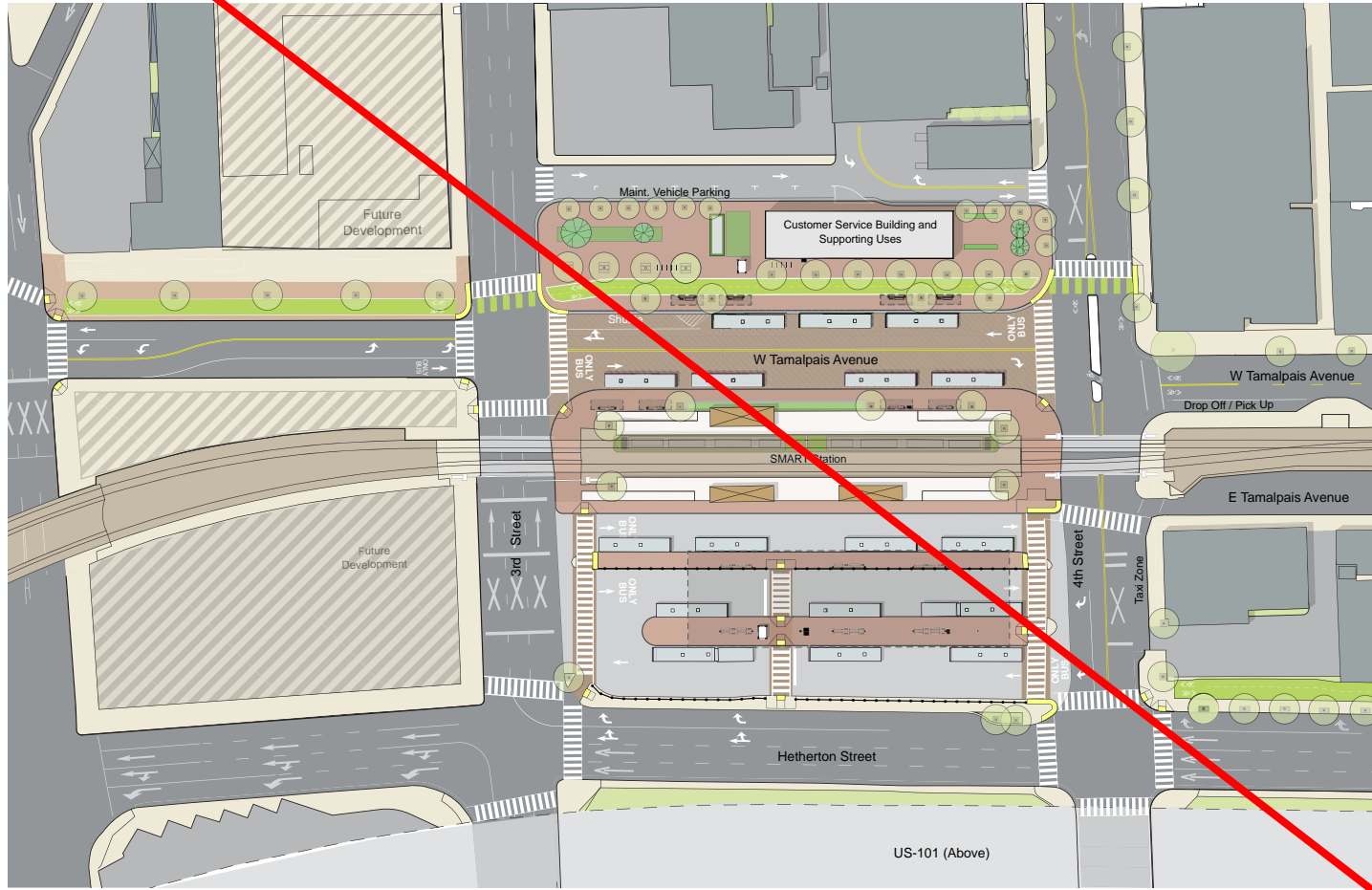
² Properties owned by Caltrans are not subject to local land use designations or zoning.

2.5 Preferred Alternative: Move Whistlestop
















The District has identified the Move Whistlestop Alternative as its preferred alternative.

2.5.1 Existing Uses and Site Characteristics

The site is generally between West Tamalpais Avenue to the west and Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south. Additional improvements are included to shift West Tamalpais Avenue to the east from 2nd Street to 4th Street. This modification would align West Tamalpais Avenue with the block to the north and include construction of a bike path and sidewalk improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street. From 2nd to 3rd Street, this improvement would extend into space occupied by the existing transit center. From 3rd Street to 4th Street, this improvement would extend onto the existing west sidewalk along West Tamalpais Avenue. See Figure 2-4 for the site plan. This alternative is on the same block as the existing SMART station. This alternative includes several parcels ~~and is~~ currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the SMART tracks, and the parcel containing the Citibank building and its affiliated parking lot, also referred to as the “Citibank parcel.” Surrounding the project site are retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants and retail facilities to the west.



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving

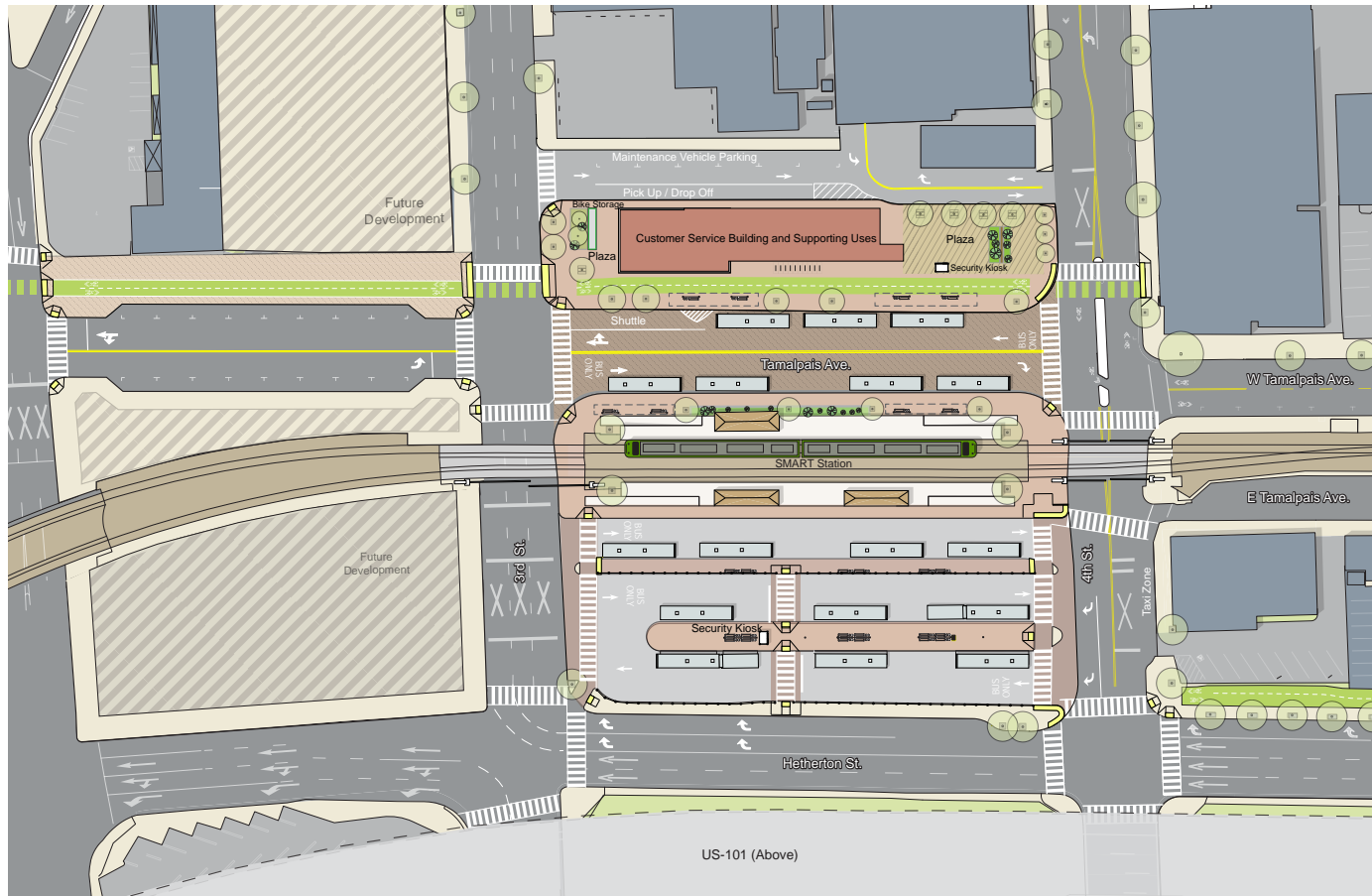


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







Source: Kimley-Horn, Via Architecture, 2021.



Figure 2-4
Move Whistlestop Alternative



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



Graphics ... 0748.17 (8-1-2022) J.C

Source: Kimley-Horn, Via Architecture, 2022.



**Updated Figure 2-4
Move Whistlestop Alternative**

2.5.2 Project Characteristics, Circulation, and Pick-up/Drop-off

The Move Whistlestop Alternative would feature five platforms, A through E, and one District building. It would utilize curbside bays on both sides of West Tamalpais Avenue between 3rd and 4th Streets. West Tamalpais Avenue between 2nd and 4th Streets would be shifted east to be more proximate to the SMART tracks. The Whistlestop building would be relocated to the west side of West Tamalpais Avenue between 3rd and 4th Streets. ~~Alternatively, or demolished and a new building could be~~ constructed utilizing similar façades or architectural elements from structures currently on the Whistlestop site.¹ This building would include District customer service and operations building space. The District building would be one story and an estimated 3,000 square feet. It would include a driver break room with restrooms, District offices and customer support area with restrooms and a kitchen, and a public lobby with a service counter and restrooms. Tamalpais Avenue between 3rd and 4th Streets would be limited to buses only. Bus bays on the Citibank parcel would be accessed via driveways along 3rd and 4th Streets. The area west of West Tamalpais Avenue between 3rd and 4th Streets (i.e., space not utilized by the relocated Whistlestop building) would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. The existing SMART pick-up/drop-off area on East Tamalpais Avenue between 3rd and 4th Streets would be removed and replaced with a pick-up/drop-off area ~~for six vehicles on West Tamalpais Avenue between 4th Street and 5th Avenue. Fifty feet of shuttle parking would be provided on~~ a new access alley constructed to the west of West Tamalpais Avenue between 3rd Street and 4th Street. Maintenance ~~The new access alley would also contain maintenance vehicle parking for six District vehicles~~ would be provided on a new access alley constructed at the western edge of the site, connecting between 3rd Street and 4th Street. This. The access alley would connect to a new driveway on 4th Street between Tamalpais Avenue and Lincoln Avenue to that would replace the removed driveway on West Tamalpais Avenue to the condo complex at Lincoln Avenue and 4th Street. Fifty feet of shuttle parking would be provided on West Tamalpais Avenue between 3rd Street and 4th Street. Construction of the bicycle path on Tamalpais Avenue from 2nd Street to 4th Street, as described in Section 2.5.1, would reflect implementation of one of the City's planned bicycle infrastructure improvements. This bike path would connect to the Mahon Creek Path. Additionally, the Move Whistlestop Alternative would include new on-street parking on West Tamalpais Avenue between 2nd Street and 3rd Street.

A Traffic Control Plan that addresses circulation for transit, bicycles, pedestrians, and private vehicles will be prepared and implemented for the duration of construction of the proposed project. This plan would follow the guidance contained in the California Manual on Uniform Traffic Control Devices on temporary closures of vehicle lanes, bicycle lanes, and sidewalks and appropriate detours for these facilities.

2.5.3 Utilities

The Move Whistlestop Alternative would require the removal of existing storm drain infrastructure, relocation of the storm drain infrastructure on West Tamalpais Avenue between 2nd Street and 3rd Street, and installation of new inlets, manholes, and bioretention facilities.

¹ Should relocation become infeasible due to engineering or structural concerns, accessibility concerns, or feedback from the Community Design Advisory Group, the Whistlestop building could also be demolished and a new building constructed at the current location of 703-705 4th Street and 927 Tamalpais Avenue.

The Move Whistlestop Alternative would include a total of seven bioscope vaults that would be installed at the southern portion of transit center drive aisles to treat runoff from the site prior to discharge into the existing storm drain infrastructure. Additionally, operation of the Move Whistlestop Alternative would include operational stormwater best management practices such as filters and bioscope vaults that remove pollutants combined with onsite retention of stormwater, which reduces the conveyance of any remaining pollutants. Additional post-construction design features would include, but not be limited to:

- All new storm drain inlets and catch basins within the project site shall be marked with prohibitive language and/or graphical icons to discourage illegal dumping.
- Outdoor areas for storage of materials that may contribute pollutants to the stormwater conveyance system shall be covered and protected by secondary containment.
- Permanent trash container areas shall be enclosed to prevent offsite transport of trash, or drainage from open trash container areas shall be directed to the sanitary sewer system.

All applicable design features would be incorporated into project development plans and construction documents and would be operational at the time of project occupancy.

The existing sewer infrastructure on West Tamalpais Avenue between 2nd Street and 3rd Street would also require relocation within the same street and right-of-way due to the shift of West Tamalpais Avenue. Utilities, including traffic signal poles, streetlights, overhead power lines, and fire hydrants, would need to be relocated to within the area of the shifted street and/or removed.

The Move Whistlestop Alternative would include the installation of solar panels on site. Electrical facility needs at the transit center and platforms include ticketing and fare collection machines and real-time transit information signs, as well as light fixtures and other electrically powered features at the facility. Additional electrical requirements and infrastructure may be needed for onsite charging of future battery electric buses at the transit center bus bays. However, because the preferred technology for fleetwide rollout of zero-emission buses has not yet been determined, these utility needs ~~sh~~would be incorporated in future design phases of the proposed project. Fleetwide rollout of zero-emission buses, along with related infrastructure to support the zero-emission fleet, is a separate planning initiative that is outside the scope of the proposed project. The District would implement the fleetwide rollout in a manner that is consistent with the California Environmental Quality Act (CEQA) and any additional energy and utility needs for the fleetwide rollout would be addressed as part of that initiative.

2.5.4 Disposition of Existing Transit Center Site

The District would relocate the existing transit center and dispose of the property where existing facilities are located between 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street. The District does not have any planned use for the existing site/center once the proposed transit center is operational at a new location and there are no plans for the disposition of the site. Therefore, future development of the site is unknown at this time.

~~Under the currently adopted City of San Rafael General Plan 2020, the existing transit center site is zoned as Public—Quasi-Public (City of San Rafael 2016) and the 2012 San Rafael Station Area Plan designates the site as Civic/Non-Taxable, both of which reflect its current use. However, the Draft San Rafael General Plan 2040, which is expected to be adopted in 2021, designates the site as “Downtown Mixed Use” (City of San Rafael 2020¹) in anticipation of the transit center relocation.~~

Any future use or development of the site would conform with City procedures for entitlements, zoning, and land use. The existing transit center was developed using federal funds; therefore, any proceeds from the sale of the property would be allocated to the new transit center. As required by state law, future development of the site would comply with CEQA, the Surplus Lands Act, and other applicable laws. For purposes of this Environmental Impact Report (EIR), it is assumed that the existing site would likely be sold and developed as some form of a mixed-use project, subject to more detailed design and approvals and subsequent CEQA review.

2.5.5 Construction Schedule

The District estimates construction activities would occur over 18 months after the final design is approved. The construction start date is estimated to be ~~2023 or 2024~~2025. The construction period would include mobilization, demolition, utility work, civil and vertical structures work, vertical structures finishing and inspections, and close-out.

2.6 Other Build Alternatives

This EIR analyzes three build alternatives to the preferred alternative at an equal level of detail. The build alternatives vary in site area and location as well as specific features:

- Adapt Whistlestop Alternative,
- 4th Street Gateway Alternative, and
- Under the Freeway Alternative

These alternatives, as well as their common components, including disposition of the existing transit center and common improvements, are described in detail below.

2.6.1 Components Common to All Build Alternatives

For all build alternatives, disposition of the existing transit center site and construction schedule would be the same as described in Section 2.5.4 and Section 2.5.5, respectively. Similar to the preferred alternative, the Move Whistlestop Alternative, all build alternatives include the following components:

- Installation of 17 straight-curb bus bays to accommodate transit, airport coach service, and Greyhound services at the transit center
- Provision of paratransit, pick-up/drop-off, maintenance vehicle, and shuttle curb space
- Provision of bicycle parking, including racks and lockers
- Installation of minimum 9-foot-wide platforms adjacent to bus bays
- Installation of passenger amenities including weather protection (such as shelters or canopies) and seating
- Installation of other features including public art, security, and wayfinding signage

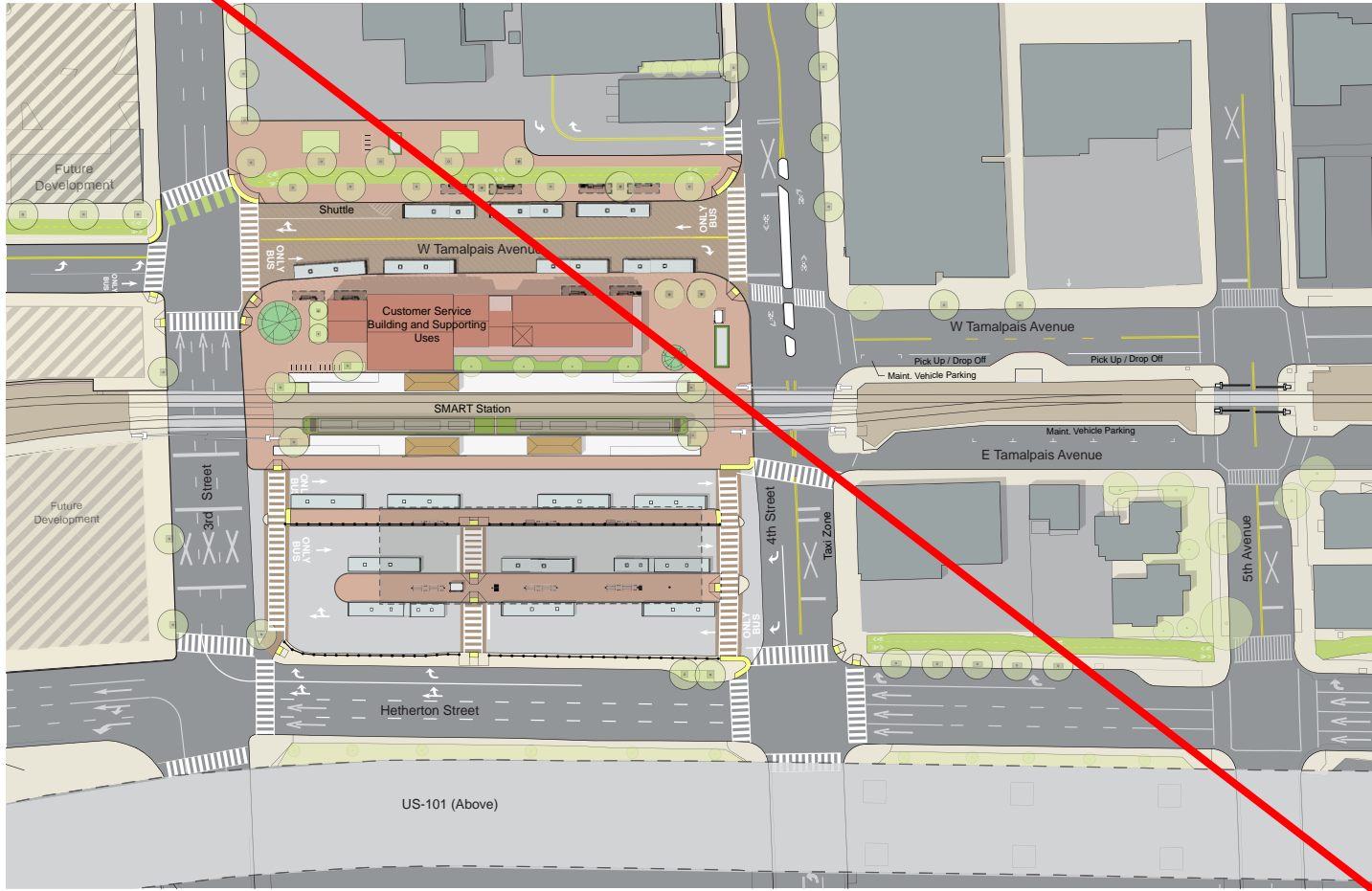
- Provision of a roughly 3,000-square-foot building including customer service, public restrooms, driver relief facilities, small retail, maintenance, and security as identified below and shown on Figures 2-5 through 2-7 below

The proposed transit center facilities for all alternatives would require connection to existing sewer, water, and power infrastructure to operate the planned restrooms, kitchenette, and building spaces. The transit center would also provide wireless internet capabilities for District operation facilities and passengers. All alternatives would implement operational stormwater best management practices, as described for the Move Whistlestop Alternative in Section 2.5.3, Utilities, including filters and bioscope vaults that remove pollutants combined with onsite retention of stormwater, which reduces the conveyance of any remaining pollutants. Additional post-construction design features would include, but not be limited to:
















- All new storm drain inlets and catch basins within the project site shall be marked with prohibitive language and/or graphical icons to discourage illegal dumping.
- Outdoor areas for storage of materials that may contribute pollutants to the stormwater conveyance system shall be covered and protected by secondary containment.
- Permanent trash container areas shall be enclosed to prevent offsite transport of trash, or drainage from open trash container areas shall be directed to the sanitary sewer system.

All alternatives would include the installation of solar panels at the project site. Electrical facility needs at the transit center and platforms include ticketing and fare collection machines and real-time transit information signs. Additional electrical requirements and infrastructure may be needed for onsite charging of future battery electric buses at the transit center bus bays. However, because the preferred technology for fleetwide rollout of zero-emission buses has not yet been determined, these utility needs would be incorporated in a future project. Fleetwide rollout of zero-emission buses, along with related infrastructure to support the zero-emission fleet, is a separate planning initiative that is outside the scope of the proposed project. The District would implement the fleetwide rollout in a manner that is consistent with CEQA and any additional energy and utility needs for the fleetwide rollout would be addressed as part of that initiative.

Under all build alternatives, a Traffic Control Plan would address circulation for transit, bicycles, pedestrians, and private vehicles for the duration of construction of the proposed project. This plan would follow the guidance contained in the California Manual on Uniform Traffic Control Devices on temporary closures of vehicle lanes, bicycle lanes, and sidewalks and appropriate detours for these facilities.



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



Graphics ... 0748.17 (6/24/21) AB
















Source: Kimley-Horn, Via Architecture, 2021.



**Figure 2-5
Adapt Whistlestop Alternative**



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving

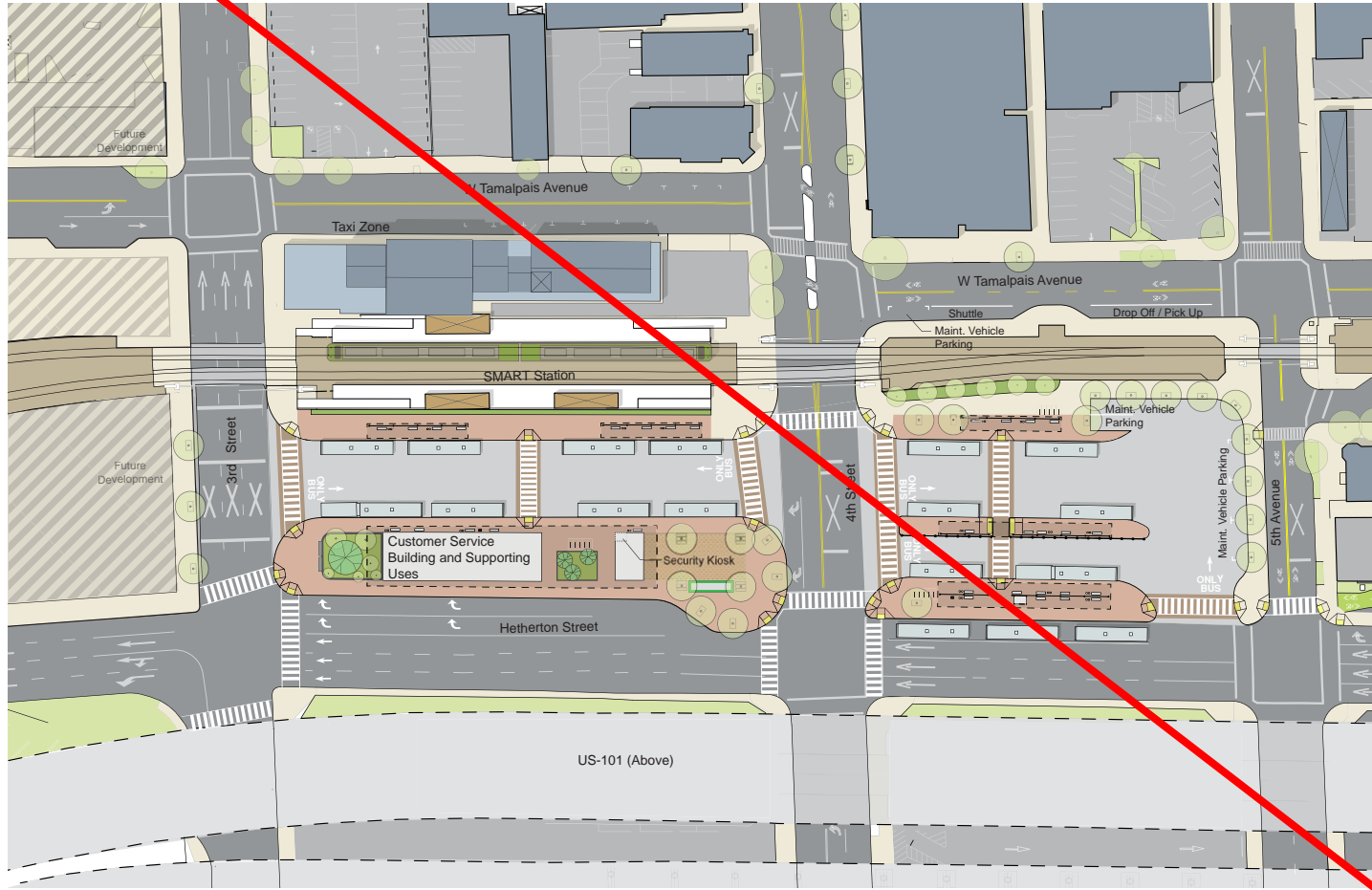


Source: Kimley-Horn, Via Architecture, 2022.
















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**Updated Figure 2-5
Adapt Whistlestop Alternative**



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



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Source: Kimley-Horn, Via Architecture, 2021.



Figure 2-6
4th Street Gateway Alternative



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving

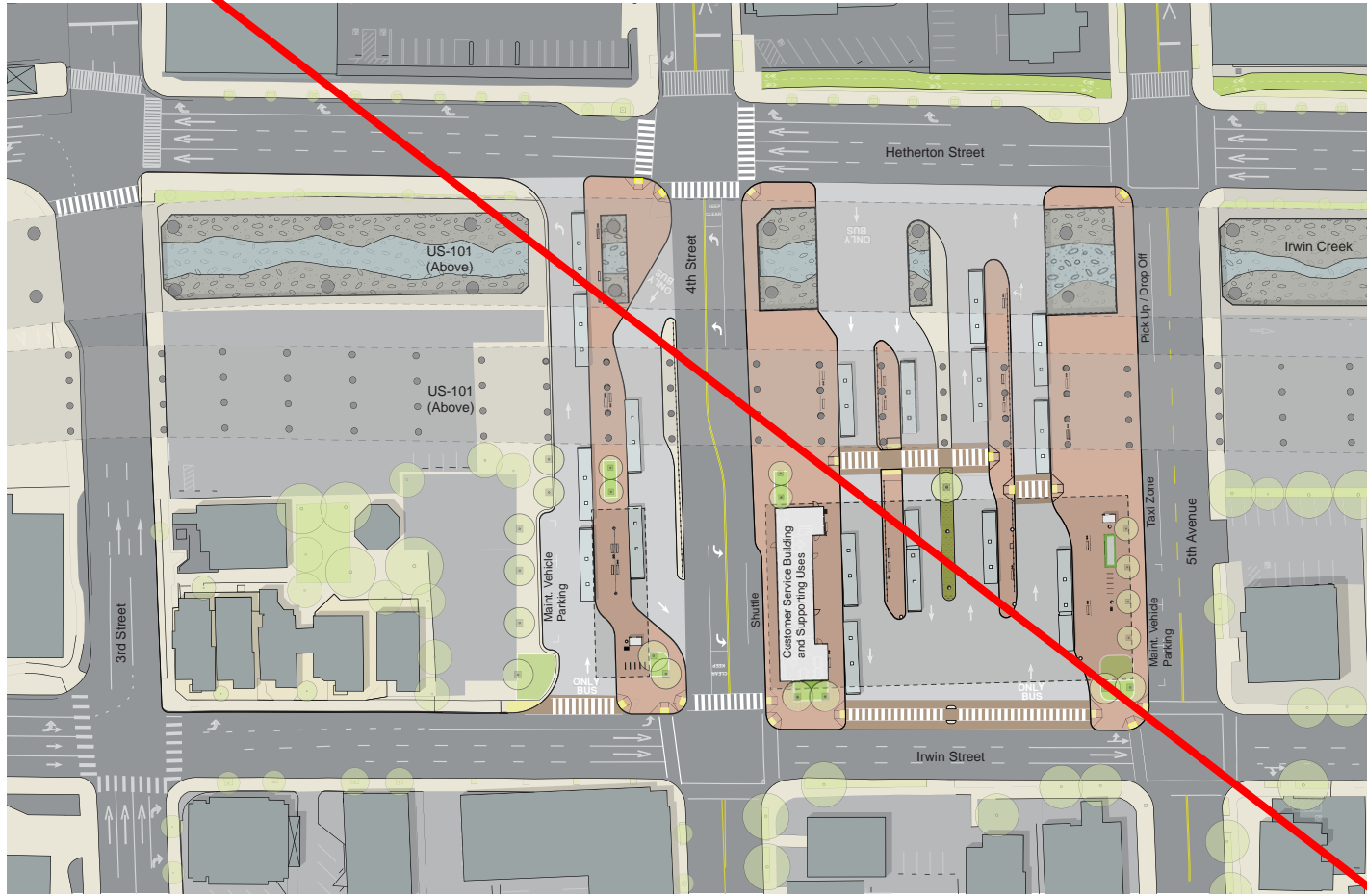


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Source: Kimley-Horn, Via Architecture, 2022.



**Updated Figure 2-6
4th Street Gateway Alternative**



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



Graphics ... 0748.17 (6/24/21) AB
















Source: Kimley-Horn, Via Architecture, 2021.



Figure 2-7
Under the Freeway Alternative



Legend

-  Feature Tree
-  Tree with Tree Well
-  Tree
-  Platform Seating
-  Bus Canopy
-  Landscaped Area
-  Bike Racks
-  Secure Bike Parking
-  Security Kiosk
-  Bike Path
-  Canopy Overhead
-  Ped Safety Barrier
-  Ticket Machine
-  Improved Paving
-  Typical Paving



Graphics ... 0748.17 (8-1-2022) J.C

Source: Kimley-Horn, Via Architecture, 2022.



**Updated Figure 2-7
Under the Freeway Alternative**

2.6.2 Adapt Whistlestop Alternative

2.6.2.1 Existing Site Characteristics

The site is generally between West Tamalpais Avenue to the west, Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south. This alternative would include the construction of a bike path and pedestrian improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street. See Figure 2-5 for the site plan. This alternative is on the same block as the existing SMART station. This alternative site crosses nine parcels currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the SMART tracks, and the Citibank parcel. Uses surrounding the project site include retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants, residential, and retail facilities to the west.

2.6.2.2 Project Characteristics, Circulation, and Pick-up/Drop-off

The Adapt Whistlestop Alternative would feature five platforms, A through E, and one District building. There would be 17 straight-curb bus bays to accommodate transit, airport coach service, and Greyhound services at the transit center. Each bus bay would have a minimum 9-foot-wide platform adjacent and platforms would provide passenger amenities including weather protection (such as shelters or canopies) and seating. Paratransit, pick-up/drop-off, maintenance vehicle, and shuttle curb space would be provided. Other features would include public art, security, provision for bicycle parking including racks and lockers, and wayfinding signage.

The Whistlestop building (minus the Jackson Café) would be renovated or remodeled to serve as District customer service and operations building space. Some of the space within the building could be allocated for non-District uses. Tamalpais Avenue between 3rd and 4th Streets would be limited to buses only. Bus bays on the Citibank parcel would be accessed via driveways along 3rd and 4th Streets. The area on the southeast corner of the intersection of Tamalpais Avenue and 4th Street would be provided for bicycle parking. The existing SMART pick-up/drop-off area on East Tamalpais Avenue would be removed and replaced with passenger pick-up/drop-off for six vehicles on area in a new access alley constructed to the west of West Tamalpais Avenue between 3rd Street and 4th Street and 5th Avenue. The new access alley would also contain maintenance vehicle parking for six District vehicles. Fifty feet of shuttle parking would be provided on West Tamalpais Avenue between 3rd Street and 4th Street. Maintenance vehicle parking for six District vehicles would be provided on West and East Tamalpais Avenues between 4th Street and 5th Avenue. The access alley would connect to a new driveway ~~would be installed~~ on 4th Street between West Tamalpais Avenue and Lincoln Avenue to replace the removed driveway on West Tamalpais Avenue to the condo complex at Lincoln Avenue and 4th Street. Space would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. Construction of the bicycle path on Tamalpais Avenue from 2nd Street to 4th Street, as described in Section 2.6.2.1, would reflect implementation of one of the City's planned bicycle infrastructure improvements. This bike path would connect to the Mahon Creek Path. Additionally, the Adapt Whistlestop Alternative would include new on-street parking on West Tamalpais Avenue between 2nd Street and 3rd Street.

2.6.2.3 Utilities

The Whistlestop building would require connection to existing sewer, water, and power infrastructure to operate the planned restrooms, kitchenette, and building spaces if the existing

building does not already do so. The transit center would also provide wireless internet capabilities for District operation facilities and passengers.

The Adapt Whistlestop Alternative would require the removal of existing storm drain infrastructure, relocation of the storm drain infrastructure on West Tamalpais Avenue between 2nd Street and 3rd Street, and installation of new inlets, manholes, and bioretention facilities. Utilities, including traffic signal poles, streetlights, overhead power lines, and fire hydrants, would need to be relocated and/or removed.

The Adapt Whistlestop Alternative would include one bioscape vault, four stormwater filters, and one bioretention area installed at the southern portion of the transit center drive aisles to treat the site's water before it is discharged into the existing storm drain infrastructure.

2.6.3 4th Street Gateway Alternative

2.6.3.1 Existing Uses and Site Characteristics

This alternative site is bounded by 5th Avenue, 3rd Street, Hetherton Street, and the SMART tracks, as well as curb space along West Tamalpais Avenue; see Figure 2-6 for the site plan. North of 4th Street, the existing project site is currently occupied by offices and retail (salons, bagel shop, and a cash checking location) and associated parking spaces. The Citibank building and its affiliated parking lot currently occupy the existing portion of the site south of 4th Street. To the west of the Citibank parcel are the SMART tracks, which align with the western portion of the project site. Adjacent to the tracks are the Whistlestop building and Jackson Café. Surrounding the project site are retail and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants and retail facilities to the west.

2.6.3.2 Project Characteristics, Circulation, and Pick-up/Drop-off

The 4th Street Gateway Alternative would feature six platforms, A through F, and two District buildings. There would be three on-street bays located curbside on the west side of Hetherton Street between 4th Street and 5th Avenue. In order to accommodate these curbside bays, southbound right turns from Hetherton Street to 4th Street would be precluded. Along Hetherton Street, space would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. Bus bays would be accessed via driveways on 3rd Street, 4th Street, and Hetherton Street, and directly on Hetherton Street. Passenger pick-up/drop-off for six vehicles would be provided on West Tamalpais Avenue between 4th Street and 5th Avenue. Maintenance vehicle parking for six District vehicles would be provided on West Tamalpais Avenue between 4th Street and 5th Avenue and within the northern portion of the transit facility. In order to accommodate this alternative, the existing Mahon Creek bicycle and pedestrian path between 4th Street and 5th Avenue would be realigned around the site on 5th Avenue and West Tamalpais Avenue. The existing Victorian homes south of 5th Avenue would either be removed or relocated, and the existing SMART pick-up/drop-off area on East Tamalpais Avenue would be removed. Fifty feet of shuttle parking would be provided on West Tamalpais Avenue between 4th Street and 5th Avenue. The District buildings would be one story and an estimated 3,000 square feet in total. The main building would include a driver break room with restrooms, District offices and customer support area with restrooms and a kitchen, and a public lobby with a service counter and restrooms. The second building would include retail space and a security kiosk.

2.6.3.3 Utilities

The 4th Street Gateway Alternative would require the removal of existing storm drain infrastructure and the installation of new inlets, manholes, and bioretention facilities. Utilities, including traffic signal poles, streetlights, and fire hydrants, would need to be relocated and/or removed.

The 4th Street Gateway Alternative would include two bioscape vaults, four stormwater filters, and one bioretention area installed at the southern portion of the transit center drive aisles to treat the site's water before it is discharged into the existing storm drain infrastructure.

2.6.4 Under the Freeway Alternative

2.6.4.1 Existing Uses and Site Characteristics

This alternative site is generally located beneath US-101 and bounded by 5th Avenue, south of 4th Street, Irwin Street, and Hetherton Street; see Figure 2-7 for the site plan. Underneath US-101 within the site boundary there is a park-and-ride lot, maintained and operated by the California Department of Transportation (Caltrans). Irwin Creek, underneath US-101, flows parallel to US-101. North of 4th Street the existing project site is currently occupied by offices, a Caltrans park-and-ride lot, a bike shop, parking, one single-family residence, and vacant storefronts and south of 4th Street the site is currently occupied by retail, offices, and a Caltrans park-and-ride lot. Surrounding the project site are residences and offices to the north; retail and residences to the east; retail and offices to the south; and retail uses, restaurants, and residences and offices to the west.

2.6.4.2 Project Characteristics, Circulation, and Pick-up/Drop-off

The Under the Freeway Alternative would feature six platforms, A through F. The affiliated bus bays would be accessed via driveways on 4th Street, Irwin Street, and Hetherton Street. Internal circulation would be provided for the northern block to allow buses accessing bays from either side of the site to egress on either side as well, which is critical given the diverse bus routing accessing the site. Space would be provided for public plazas, customer service, and/or transit-supportive land uses. This alternative would require three bridges/viaducts over Irwin Creek to connect Hetherton Street to the bus bays. Two bridges would be located on the block north of 4th Street and one would be located on the block south of 4th Street. There would be some bus berths on the bridges, and spaces within the existing Caltrans park-and-ride lots would be displaced. A total of 72 displaced parking spaces would be replaced at a 1 to 1 ratio, with the location of the replaced spaces to be determined during final design. These parking spaces ideally would be in close proximity to the current parking location. However, if no feasible space in Downtown San Rafael is identified, then the spaces could be replaced in an alternate location near the US 101 corridor. These spaces are not expected to require any ground disturbance or affect sensitive habitats. Pick-up and drop-off space for three vehicles and 50 feet of curb space for taxis would be provided on 5th Avenue between Irwin Street and Hetherton Street. Maintenance vehicle parking for six District vehicles would be provided on the internal roadway with bus bays south of 4th Street with access from Irwin Street, and on 5th Avenue between Irwin Street and Hetherton Street. Fifty feet of shuttle parking would be provided on 4th Street between Irwin Street and Hetherton Street. The District building would be one story and an estimated 3,000 square feet. It would include a driver break room with restrooms, District offices and customer support area with restrooms and a kitchen, and a public lobby with a service counter and restrooms. Other ancillary project components, such as maintenance sheds, may be included on site within the identified project footprint.

2.6.4.3 Utilities

The Under the Freeway Alternative would require the removal of existing storm drain infrastructure, relocation of the storm drain infrastructure on Irwin Street between 4th Street and 5th Avenue, and installation of new inlets, manholes, and bioretention facilities. Utilities, including traffic signal poles, streetlights, overhead power lines, and fire hydrants, would need to be relocated and/or removed.

The Under the Freeway Alternative would include one bioretention area installed in the centermost drive aisle of the northern portion of the transit facility to treat the site's water before it is discharged into the existing storm drain infrastructure.

2.7 No-Project Alternative

The State CEQA Guidelines require a lead agency to evaluate a No-Project Alternative in an EIR to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project (State CEQA Guidelines Section 15126.6(e)). Under the No-Project Alternative, an agency must consider what would be reasonably expected to occur in the foreseeable future if the proposed project were not approved, based on current plans and consistent with available infrastructure and community services.

Under the No-Project Alternative, the District would not relocate the transit center; it would remain at its current location in Downtown San Rafael ~~between~~bounded by 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street and continue to operate as it does currently.

The southward extension of SMART to Larkspur in late 2019 required the construction of two sets of tracks through the middle of the existing transit center site south of 3rd Street. The SMART tracks bisect the existing transit center, which required reconfiguration of platforms. These changes have led to reduced site functionality and capacity including eliminating existing bus and taxi staging platforms, as well as some bicycle facilities; inhibiting some bus turning movements; increasing bus congestion within the transit center; increasing queuing on surrounding surface streets during train crossing events; and channelizing pedestrian circulation within the transit center area. Pedestrian access and transfer activity among the remaining platforms at the transit center has also been disrupted. The existing transit center is deficient in bus operations, connectivity between modes, and pedestrian safety. The 17 existing bus bays are fully utilized at peak times and would not allow for any additional growth in bus volumes. Additionally, there is no land available for provision of paratransit, additional pick-up/drop-off, maintenance vehicle, and shuttle curb space.

Under the No-Project Alternative, the District would not be able to meet the project objectives to maintain or enhance the bus service and transfer capabilities of the existing site while maintaining accessibility and providing a positive passenger experience. Additionally, the No-Project Alternative would not meet the transportation goals established in the *San Rafael Transit Center Relocation Study* (City of San Rafael et al. 2017), the *San Rafael Downtown Station Area Plan* (City of San Rafael 2012), the long-range *Strategic Vision Plan* (TAM 2017), or *Plan Bay Area 2040* (MTC and ABAG 2017).

2.8 Approvals and Permits Required for the Preferred Project Alternative and Build Alternatives

The proposed project would require approvals and permits from several authorities, including those listed in Table 2-2. The project proponent may also obtain a tree removal permit, street encroachment permit, grading permit and building permit from the City of San Rafael and site and design review and approval from the City's Planning & Transportation Commission, Architectural Review Board, and City Council. In accordance with the 2017 Memorandum of Understanding between the District and the City, once the District approves a project and certifies the EIR, it will bring the approved project to the City Council for approval. Once the District commences the final design phase, it will meet with the City's Community Development Department regarding consistency of the project design with approved City plans. At that point, the District will also determine if design refinements and additional permits may be required.

Table 2-2. Required Permits and Approvals

Agency	Permit/Review Required
State Water Resources Control Board	Section 401 Certification (Under the Freeway Alternative only)
U.S. Army Corps of Engineers	Section 404 Permit (Under the Freeway Alternative only)
San Francisco Bay Regional Water Quality Control Board	Construction General Stormwater Permit
<u>California Department of Fish and Wildlife</u>	<u>Lake and Streambed Alteration Agreement (Under the Freeway Alternative only)</u>
California Department of Transportation	Encroachment Permit (Under the Freeway Alternative only)

Introduction

Organized by environmental resource area, this chapter provides an integrated discussion of the regulatory setting, environmental setting, and impact analyses (including mitigation measures for potentially significant impacts) associated with the San Rafael Transit Center Replacement Project (proposed project) and ~~other~~ the build alternatives. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

Chapter Organization

This chapter is organized into the following environmental resource sections.

- 3.1, Aesthetics
- 3.2, Air Quality
- 3.3, Biological Resources
- 3.4, Cultural Resources
- 3.5, Energy
- 3.6, Geology and Soils
- 3.7, Greenhouse Gas Emissions
- 3.8, Hazards and Hazardous Materials
- 3.9, Hydrology and Water Quality
- 3.10, Land Use and Planning
- 3.11, Noise
- 3.12, Population and Housing
- 3.13, Public Services and Recreation
- 3.14, Transportation
- 3.15, Tribal Cultural Resources
- 3.16, Utilities and Service Systems
- 3.17, Wildfire

Each environmental resource section in this chapter includes the following information:

- Each section begins with a brief introductory discussion presenting an overview of the environmental resource and cross-referencing related issues addressed elsewhere in the ~~Draft~~ Environmental Impact Report (EIR).

- **Regulatory Setting:** Identifies the federal, state, regional, and local laws, as well as regulations, ordinances, and policies that are relevant to each environmental resource area and would be applicable to the construction and operation of the build alternatives.
- **Environmental Setting:** Per State CEQA Guidelines Section 15125, provides an overview of the existing physical considerations of an environmental resource in the area at the time of, or prior to, the publication of the Notice of Preparation, which could be affected by implementation of the build alternatives. A specific study area is identified for each environmental resource, as the extent of a study area varies with each resource. The study area is defined as the limits of an area in which impacts could be expected to occur for each environmental resource. The environmental setting provides the basis of analysis of potential impacts related to each resource.
- **Environmental Impacts:** Describes the methodology used for the analysis, criteria used to determine the significance of potential impacts, and corresponding discussion of impacts associated with the build alternatives. For each potential impact, the analysis makes a significance determination (i.e., no impact, less than significant, potentially significant, less than significant with mitigation, or significant and unavoidable) for construction and operations. If required to reduce a potentially significant impact, feasible mitigation measures are identified. The Approach to Impact Analysis section below describes the contents of the impact analysis discussion in further detail.

A discussion of how the proposed project would contribute to cumulative impacts is discussed separately in Chapter 4, Cumulative Impacts.

Approach to Impact Analysis

Significance Criteria

The significance criteria used in this ~~Draft~~ EIR to define the level at which an impact would be considered significant in accordance with the California Environmental Quality Act (CEQA) are presented under the subheading Thresholds of Significance in each environmental resource section. In accordance with Section 15022(a) of the State CEQA Guidelines, the Golden Gate Bridge, Highway and Transportation District uses significance criteria based on State CEQA Guidelines Appendix G; factual or scientific information and data; and regulatory standards of applicable federal, state, regional, and local jurisdictions.

Impact Identification and Levels of Significance

Each environmental resource section identifies and lists impacts sequentially. An impact statement precedes the discussion of each impact and provides a summary of the impact topic.

The level of significance associated with an impact is determined by comparing the environmental effects of the build alternatives with the existing environmental conditions and applying the identified significance threshold. This ~~Draft~~ EIR uses a variety of terms to describe the levels of significance of impacts identified within the environmental analysis. Each impact is categorized as one of the following:

- **No impact:** The build alternatives would not cause any adverse change in the environment.

- **Less-than-significant impact:** The build alternatives would not cause a substantial adverse change in the environment, as the specified standard of significance would not be exceeded; therefore, no mitigation measures are required.
- **Significant impact:** The build alternatives would cause a substantial adverse change in the physical conditions of the environment in excess of the specified standard. This is typically the level of significance of an impact prior to the application of feasible mitigation measures.
- **Less-than-significant impact with mitigation:** The build alternatives would cause a substantial adverse change in the physical conditions of the environment in excess of the specified standard of significance; however, one or more feasible mitigation measures would reduce environmental effects to levels below the specified standard of significance.
- **Significant and unavoidable impact:** The build alternatives would cause a substantial adverse change in the physical condition of the environment; there is no feasible mitigation available or, even with implementation of feasible mitigation measures, the build alternatives would cause a significant adverse effect on the environment in excess of the specified standard of significance.

Mitigation Measures

State CEQA Guidelines Section 15126.4(a)(1) states that an EIR “shall describe feasible measures which could minimize significant adverse impacts.” Mitigation measures identified in this EIR were developed during the analysis and are designed to reduce, minimize, or avoid potential environmental impacts associated with the proposed project. The mitigation measures are numbered to correspond to the impacts they address. For example, Mitigation Measure MM-CULT-CNST-1 refers to the first mitigation measure for the first impact statement in the cultural resources section. Measures to be implemented during construction are distinguished by the inclusion of “CNST” in the mitigation measure title, and measures to be implemented during operations include “OP.”

This section describes the regulatory setting and environmental setting for aesthetic resources in the vicinity of the proposed San Rafael Transit Center Replacement Project (proposed project). It also describes the impacts on aesthetic resources that would result from implementation of the proposed project and other build alternatives and mitigation measures that would reduce significant impacts, where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.1.1 Existing Conditions

3.1.1.1 Regulatory Setting

Federal and State

There are no federal or state regulations or plans that are applicable to the proposed project. There are no roadways within or near the project area that are designated in federal or state plans as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (Caltrans 2019).

Local

City of San Rafael General Plan 2040

~~The City of San Rafael General Plan 20240~~ contains the following policies pertaining to aesthetic resources that are relevant to the proposed project. There are no roadways within or near the project area that are designated in the general plan as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (City of San Rafael ~~2021a~~ 2016). ~~The City of San Rafael (City) is currently working on the Draft San Rafael General Plan 2040, which contains some of the same policies identified in the current general plan. However, a number of policies have been updated or removed to reflect the current conditions within or goals of the City (City of San Rafael 2020a).~~

Policy LU-~~42~~17. Building Heights. Use General Plan Figures 3-3 and 3-4 as the basis for determining “baseline” maximum building heights in San Rafael. Maximum heights should continue to be codified through zoning and any applicable Specific Plans or Precise Plans. In addition, the following specific provisions related to building heights shall apply: ~~Citywide height limits in San Rafael are described in Exhibits 7 and 8. For Downtown height limits see Exhibit 9:~~

- a. Height of buildings existing or approved as of January 1, 1987 shall be considered conforming to zoning standards.¹

¹ For the proposed project, height limits include heights of up to 36 feet east of U.S. Highway 101 and 36, 42, and 66 feet west of U.S. Highway 101.

- b. Hotels outside of the Downtown Precise Plan boundary have a 54-foot height limit, except where a taller height is shown on Exhibit 9 (Downtown Building Height Limits). Within Downtown, the height provisions of the Downtown Precise Plan apply (see Figure 3-4).
- c. As provided for by Policy LU-1.18, “baseline” building heights are subject to height bonuses where specific community benefits are provided, where a Variance or zoning exception is granted, or where a Transfer of Development Rights (TDR) is being implemented.
- d. Heights may be increased by up to six (6) feet above the baseline building heights as necessary to mitigate the exposure of properties to sea level rise and other flooding hazards (e.g., raising the first floor of habitable floor space above anticipated tidal flood elevations).
- e. ~~Height limits may be exceeded through granting of a zoning exception or variance, or through a height bonus as described in LU-13 (Height Bonuses).~~

Policy LU-3.9. Neighborhood Centers. Support the vitality of attractive, viable neighborhood centers and assist these centers as they adapt to changing economic conditions and community needs. Existing neighborhood centers should be retained unless it can be clearly demonstrated that they are not economically viable or useful to the neighborhood. Where commercial uses are no longer feasible, other uses that are compatible with the neighborhood such as housing and local services should be accommodated.

~~**Policy LU-3.9. Neighborhood Centers.** Support the vitality of attractive, viable neighborhood centers and assist these centers as they adapt to changing economic conditions and community needs. Existing neighborhood centers should be retained unless it can be clearly demonstrated that they are not economically viable or useful to the neighborhood. Where commercial uses are no longer feasible, other uses that are compatible with the neighborhood such as housing and local services should be accommodated.~~

~~**Policy LU-14. Land Use Compatibility.** Design new development in mixed residential and commercial areas to minimize potential nuisance effects and to enhance their surroundings.~~

Policy NH-1.1: A Thriving Downtown. Sustain and improve Downtown San Rafael as a safe, attractive, convenient, well-maintained place to visit, shop, recreate, work, and live.

Policy NH-1.7: Context-Sensitive Design. Ensure that new construction and redevelopment is sensitive to Downtown’s existing context, with thoughtful transitions to established neighborhoods and retention of important historic buildings and building elements. As Downtown grows, it should retain its sense of history and authenticity.

Policy NH-1.10: Downtown Circulation. Provide a safe, well-connected transportation network that efficiently serves all modes of travel. This network should promote safety for all travelers and create a street network that is safer and more comfortable for pedestrians.

Policy NH-1.11: Parking. Pursue creative solutions to meeting Downtown parking needs without losing the sense of the area as a pedestrian-oriented district. These solutions should include better management of the existing parking supply, additional private parking (including spaces available for public use) in high-demand areas such as the transit center vicinity, more efficiently designed parking structures, and improved signage and visibility of public parking facilities.

~~**Policy NH-7. Neighborhood Identity and Landmarks.** Enhance neighborhood identity and sense of community by retaining and creating gateways, landmarks, and landscape improvements that help to define neighborhood entries and focal points.~~

~~**Policy NH-10. Neighborhood Centers.** Support the vitality of attractive, viable neighborhood centers by using incentives to encourage desired mixed-use, local services and to create areas for the community to gather. Assist these centers to adapt to changing community needs. Retain existing neighborhood centers unless it can be clearly demonstrated that local-serving uses are not economically feasible.~~

Policy NH-14. Gathering Places and Events. To spark social interaction and create a greater sense of community, encourage both daytime and nighttime gathering places and events in appropriate locations, such as cafes, restaurants, outdoor eating places, bookstores, shopping facilities, libraries, schools, churches, parks, recreation facilities, community gardens, farmers' markets, transit stops, parks, recreation facilities, commercial facilities, cultural facilities, teen facilities, and City-sanctioned street closures for festivals, parades, and block parties. Improve parks and their facilities to include active recreation and passive social interaction areas, and, where appropriate, incorporate areas that can accommodate group activities such as social events, picnics and concerts in a manner respectful of nearby residents.

Policy NH-15. Downtown Vision. Continue to implement Our Vision of Downtown San Rafael.

Policy NH-23. Full Use of Street System. To enable our desired uses and activities to happen Downtown, encourage full use of streets and alleyways reflecting Downtown's urban character.

Policy NH-24. Full Range of Transportation Options. In addition to autos, encourage a variety of ways for people to travel to, in, and through Downtown, including:

- Bicycle and walking paths to other neighborhoods, Boyd and Albert Parks, and along Mahon Creek,
- Bike lanes where appropriate,
- Efficient bus service,
- A rail transitway, and
- Shuttle buses.

Policy NH-25. Pedestrian Comfort and Safety. Make Downtown's street systems more comfortable and safe for pedestrians by:

- Balancing between the needs of pedestrians and the desire for efficient traffic flow,
- Slowing traffic where necessary,
- Providing two-way traffic where feasible,
- Making pedestrian crossings direct and safe,
- Establishing pedestrian environments unique to each District,
- Improving and/or expanding sidewalks, street trees, landscaping and other sidewalk amenities,
- Increasing visibility to storefronts and businesses,
- Seeking innovative solutions and ideas.

Policy NH-26. Refine Look of Lincoln, Hetherington, Lindero and Andersen Drive. Improve the look and function of these important streets by emphasizing safe and efficient movement of pedestrians, cars and, where feasible, bicycles traveling into and through Downtown.

Policy NH-28. Special Place. Preserve Downtown's reputation as a special place by developing a design strategy that capitalizes on Downtown's existing strengths:

- Unique urban characteristics and density,
- Diversity in architectural design, and
- Historic heritage and buildings.

Policy NH-29. Downtown Design. New and remodeled buildings must contribute to Downtown's hometown feel. Design elements that enhance Downtown's identity and complement the existing attractive environment are encouraged, and may be required for locations with high visibility or for compatibility with historic structures. Design considerations include:

- Varied and distinctive building designs,
- Sensitive treatment of historic resources,
- Generous landscaping to accent buildings,
- Appropriate materials and construction, and
- Site design and streetscape continuity.

Policy NH-30. Pedestrian Environments. Enhance Downtown's streets by establishing pedestrian environments appropriate to each District. These environments could include the following:

- Well-designed window displays and views into retail stores,
- Outdoor businesses and street vendors,
- Signs that are easy for pedestrians to see and read,
- Sun-filled outdoor courtyards, plazas and seating areas,
- Attractive street furniture and lighting,
- Information kiosks and public art.

Policy NH-31. Ground Floor Designed for Pedestrians. Ensure that all buildings, regardless of height, are comfortable for people at the street level. This includes:

- Relating wall and window heights to the height of people,
- Use of architectural elements to create visual interest,
- Adding landscaping and insets and alcoves for pedestrian interest, and,
- Stepping upper stories back as building height increases.

Policy NH-32. Historic Character. Recognize and use the unique character of Downtown's many attractive, well-liked, historic buildings. Encourage new development on sites in the Downtown area to be compatible with nearby historic buildings, the historic Downtown street pattern, and the area's historic, pedestrian-oriented character.

Policy NH-36. Hetherton Office District.

- a. Office Center. Emphasize development related to the Transportation Center, especially office and professional service buildings, which could include limited areas for street-level retail uses. Residential is also strongly encouraged in this area.
- b. Transportation Hub. Use the Transportation Center to coordinate and facilitate the different ways people move to and around Downtown, including bus, rail, auto, bicycle and on foot. Include safe pedestrian and bicycle connections linking this area to the stores, services, cultural facilities, and recreational opportunities in other parts of Downtown. Expand connections from the Transportation Center to other parts of the City by:
 - Encouraging expanded bus transit,
 - Considering shuttle service to feasible locales when such service is warranted and can be funded,
 - Incorporating a rail station with the initiation of rail service;
 - Improving walking and biking facilities,
 - Providing a safe connection to Mahon Path,
 - Facilitating the movement of commuters to and from the neighborhoods, and
 - Creating safer pedestrian crossings on Second and Third Streets.

Policy NH-37. Hetherton Office District Design Considerations.

- a. ~~Downtown Gateway. Transform the Hetherton Office District into an elegant transition into Downtown San Rafael. Improve the entries to Downtown at Third Street, Fifth Street, Mission Avenue, Lincoln Avenue and the freeway ramps with entrance graphics, enhanced planting and lighting. Buildings should complement the district's entryway treatment and provide an attractive facade along Hetherton Street.~~
- b. ~~Fourth and Hetherton. Announce and mark this primary gateway to Downtown with a distinctive gateway treatment at Fourth Street and Hetherton, which is gracious and welcoming in character. Design issues to consider are:~~
 - ~~Plaza or other open space areas both public and private,~~
 - ~~Public art,~~
 - ~~Strong landscaping design, and~~
 - ~~Retail uses opening on to a plaza or other open space areas.~~
- c. ~~Hetherton Design. Encourage projects of high quality and varied design with landmark features that enhance the District's gateway image. Examples include:~~
 - ~~Building design emphasizing the gateway character and complementing the district's transitional treatment by incorporating accent elements, public art and other feature items,~~
 - ~~Upper stories stepped back,~~
 - ~~Ground floor areas have a pedestrian scale,~~
 - ~~Retail uses opening onto public areas,~~
 - ~~Useable outdoor spaces, courtyards and arcades that are landscaped, in sunny locations and protected from freeway noise.~~
- d. ~~Under Highway 101 Viaduct. Work with [the California Department of Transportation] to make the area under the freeway attractive and safe with, for example, maintained landscaping, public art, creek enhancements or fencing.~~
- e. ~~Height. Building heights of three to five stories are allowed west of the rail transitway, and typically up to three stories east of the rail transitway.~~

Policy NH-125. Design Blend. Continue to provide a blend of architecture styles in the Montecito/Happy Valley Neighborhood compatible with and retaining the character of attractive older buildings. Newer buildings should be well designed, blend well with the existing homes and provide a "pedestrian friendly" street front.

Policy NH-127. Fourth Street. Ensure that Fourth Street provides a "pedestrian oriented" walking street connection to Downtown. The Fourth Street view of the High School should be reestablished and improved with landscaping and fencing.

Policy NH-128. Sidewalk Improvements. Provide sidewalks that are safe and attractive to walk along.

Policy CDP-1.1. City Image. Reinforce ~~San Rafael~~the City's positive and distinctive image by recognizing ~~respecting~~ the city's natural features of the City, protecting ~~its~~ historic resources, and by strengthening the positive qualities of the City's ~~sits~~ focal points, gateways, corridors, and neighborhoods.

Policy CD-2. Neighborhood Identity. Recognize and promote the unique character and integrity of the city's residential neighborhoods and Downtown. Strengthen the "hometown" image of San Rafael by:

- ~~Maintaining the urban, historic, and pedestrian character of the Downtown;~~

- ~~Preserving and enhancing the scale and landscaped character of the City's residential neighborhoods;~~
- ~~Improving the appearance and function of commercial areas; and~~
- ~~Allowing limited commercial uses in residential neighborhoods that serve local residents and create neighborhood-gathering places.~~

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.~~ Bay wetlands, St. Raphael's church bell tower, Canalfront, marinas, Mt. Tamalpais, Marin Civic Center and hills and ridgelines from public streets, parks and publicly accessible pathways.

Policy CDP-2.1: Neighborhoods, Districts, and Centers. Strengthen San Rafael's identity as a community of unique centers, neighborhoods, corridors, and districts. Design decisions should maintain Downtown as a historic, walkable center; preserve the integrity and character of residential neighborhoods; and improve the appearance and function of mixed use districts such as the North San Rafael Town Center.

Policy CDP-2.2: Downtown Urban Design. Enhance the design qualities that make Downtown San Rafael a unique and special place, including its traditional street grid, street trees, walkable scale, historic building stock, and varied architecture.

Policy CDP-2.3: Neighborhood Identity and Character. Recognize, preserve, and enhance the positive qualities that shape neighborhood identity. Development standards should respect neighborhood context and scale and preserve design elements that contribute to neighborhood livability. Standards should also provide the flexibility for innovative design and new types of construction. Code enforcement and City programs should maintain community standards and the integrity of buildings and landscapes.

Policy CDP-2.4: Corridors. Improve the function and appearance of San Rafael's major transportation corridors and enhance their role in shaping the city's character.

Policy CD-7. Downtown and Marin Civic Center. Build upon the character of these areas by controlling land uses to clearly distinguish their boundaries; by recognizing Mission San Rafael Arcangel and St. Raphael Church, Marin Civic Center, and other buildings that help define the City's character, and requiring that these and other architectural characteristics and land uses that give these areas their identity are strengthened.

Policy CDP-2.6. Gateways. Provide distinctive, attractively designed gateways into the city and its major districts. Gateways should optimally convey a sense of arrival, reinforce a positive image of the city, and help define a unique identity for individual districts. ~~Provide and maintain distinctive gateways to identify City entryways.²~~

Policy CDP-3.1: Plazas and Active Public Spaces. Encourage the integration of public space—or private space that is available for public use—in larger-scale commercial, civic, and mixed use development. Such spaces should be designed and operated so that they can be easily maintained, remain safe and attractive, and contribute positively to the community.

Policy CD-9. Transportation Corridors. To improve the function and appearance of corridors, recognize those shown on Exhibits 17 and 18 and define each corridor's contribution to the City based upon its land use and transportation function and how it is experienced by the public.

Policy CD-10. Nonresidential Design Guidelines. Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas. Develop design guidelines to

² The City of San Rafael General Plan 2020 2040 identifies that north- and southbound U.S. Highway 101 provide a gateways to the Downtown area in the general area of the San Rafael Transit Center.

ensure that new nonresidential and mixed-use development fits within and improves the immediate neighborhood and the community as a whole.

Policy CD-15. Participation in Project Review. Provide for public involvement in the review of new development, renovations, and public projects with the following:

- Design guidelines and other information relevant to the project as described in the Community Design Element that would be used by residents, designers, project developers, City staff, and City decision makers;
- Distribution of the procedures of the development process that include the following: submittal information, timelines for public review, and public notice requirements;
- Standardized thresholds that state when design review of projects is required (e.g. residential conversions, second-story additions); and
- Effective public participation in the review process.

Policy CDP-4.7.2. Street Furnishings. Use street furniture and pavement materials to create a more attractive city, particularly in commercial districts. Seating, trash receptacles, streetlights, art, and other street furnishings should be compatible with—and strengthen—the identity of San Rafael’s business districts and neighborhoods while supporting “green streets” and low impact development principles. Encourage appropriate benches, trash containers, street lighting, public art, and other street furnishings. Select styles compatible with individual neighborhoods and the Downtown to strengthen their identities.

Policy CDP-4.8.3. Landscaping Landscape Design in Public Rights-of-Way. Use landscape design in public rights-of-way to soften the built environment, showcase San Rafael’s natural environment, and advance City goals related to walkability, climate change, conservation, and hazard reduction. Landscaping should control heat build-up from pavement, provide shade, reduce air pollution, and improve visual quality. Recognize the unique contribution provided by landscaping, and make it a significant component of all site design.

Policy CDP-3.4: Landscape Maintenance. Prioritize landscape maintenance along the city’s most heavily traveled roadways and gateways. Control costs by using low-maintenance materials, removing litter, and avoiding deferred maintenance. Operational practices should support the City’s commitment to water conservation, fire prevention, and reduced use of toxic materials.

Policy CDP-3.5: Street Trees. Encourage the planting and maintenance of street trees to reduce urban heat island effects, sequester carbon, improve air quality, absorb runoff and wind, define neighborhoods, and improve the appearance and character of city streets.

Policy CDP-3.7: Greenways. Encourage the development of “greenways” such as the North San Rafael Promenade and the Tamalpais Greenway that improve connectivity, link neighborhoods, restore creeks, and enhance the appearance of the city.

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-4.3: Creative Architecture and Design. Encourage creative architecture while respecting the context of each site.

Policy CDP-4.8: Scale Transitions. Require sensitive scale and height transitions between larger and smaller structures. In areas where taller buildings are allowed, they should be designed to minimize shadows, loss of privacy, and dramatic contrasts with adjacent low-scale structures. Exceptions may be made where taller buildings are also permitted on the adjoining site.

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 CDP-4.10: Landscape Design. Encourage—and where appropriate require—privately owned and maintained landscaping that conserves water, contributes to neighborhood quality, complements building forms and materials, improves stormwater management and drainage, and enhances the streetscape. Natural elements such as plants should be an integral part of site development and should enhance the built environment while supporting water conservation goals.

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. ~~Allow adequate site lighting for safety purposes while controlling excessive light spillover and glare.~~

Policy CDP-4.12: Commercial Signage. Encourage commercial signage that provides the visual identification necessary for business success, while enhancing the building, streetscape, and surrounding area.

Policy CDP-5.1 Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value, including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

Policy CDP-5.6: Protecting the Integrity of Historic Properties. Ensure that modifications to designated historic properties, including additions, alterations, and new structures, are visually compatible with the property's contributing features, as defined by the San Rafael Municipal Code.

Policy CDP-5.9: Preservation Education. Encourage historic preservation activities and programs that heighten awareness of historic resources and the ways that architecture and landscape define the city's character.

Policy C-1.16: Urban Forestry. Protect, maintain, and expand San Rafael's tree canopy. Trees create shade, reduce energy costs, absorb runoff, support wildlife, create natural beauty, and absorb carbon, making them an essential and valued part of the city's landscape and strategy to address global climate change. Tree planting and preservation should be coordinated with programs to reduce fire hazards, reduce greenhouse gas emissions, expand solar opportunities, and ensure public safety, resulting in a community that is both green and fire-safe.

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.

Policy C-1.19: Light Pollution. Reduce light pollution and other adverse effects associated with night lighting from streets and urban uses.

Policy CM-225.2. Attractive Roadway Design. Design roadway projects to be attractive and, where possible, to include trees, landscape buffer areas, public art, ~~integration of public spaces,~~ and other visual enhancements. Emphasize tree planting and landscaping along all streets.

Policy M-6.1: Encouraging Walking and Cycling. Wherever feasible, encourage walking and cycling as the travel mode of choice for short trips, such as trips to school, parks, transit stops, and neighborhood services. Safe, walkable neighborhoods with pleasant, attractive streets, bike lanes, public stairways, paths, and sidewalks should be part of San Rafael's identity.

Policy CSI-4. Utility Undergrounding. Continue to pursue the undergrounding of overhead utility lines, and support maintenance and replacement programs to reduce wildfire hazards.

Policy CAAC-5. Public Art. Promote a stimulating and engaging environment through the greater display of ~~artwork in public places~~ art, including both temporary and permanent works. Locations throughout the city should be considered.

Policy CA 13. Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

Policy EV-3.1: Business Areas. Strengthen the positive qualities of each business area in San Rafael to create a stronger sense of place and brand identity.

Policy EV-3.2: Revitalization. Support and encourage redevelopment and upgrading of commercial and industrial properties while retaining economic and business diversity. The City should work with property owners, businesses, and business organizations to address issues such as parking, beautification and landscaping, streetscape improvements, and circulation and access.

Policy EV-3.8: Creative Infill. Encourage creative infill development and redevelopment that maximizes existing resources and makes the best use of limited available space. Expedite the development review process by establishing clear expectations for design, and effectively involving the community.

San Rafael Downtown Station Area Plan

The *San Rafael Downtown Station Area Plan* (Downtown SAP), approved in 2012, was developed to focus on development within a 0.5-mile radius around the planned Downtown San Rafael Sonoma-Marin Area Rail Transit (SMART) station. It sets the stage to create a more vibrant, mixed-use, livable area supported by a mix of transit opportunities, including passenger rail service. The plan supports the vision of creating a transit-oriented, walkable, and active enrollment in the SMART station area by limiting the amount of parking provided to encourage transit use, walking, and bicycling instead of personal vehicle use (City of San Rafael 2012).

Downtown San Rafael Precise Plan-City of San Rafael Downtown Vision

The City is currently in the process of a preparing and adopting a more comprehensive, inclusive planning document, the Downtown San Rafael Precise Plan (City of San Rafael 2020b). However, the *City's Our Vision of Downtown San Rafael and Our Implementation Strategy* (Downtown Vision)

The *Downtown San Rafael Precise Plan*, adopted in August 2021, provides the currently adopted vision and implementation strategy for Downtown San Rafael. The proposed project falls within the ~~Hetherington~~Downtown Gateway District of Downtown sub-area, which serves as a “major entryway is envisioned to ~~Downtown~~ be a “vibrant, active node and focus of the transportation system” (City of San Rafael 1993). The document establishes the following design principals for the district ~~hub~~, and an inviting entrance to Downtown accentuated with new mixed-use development, amenities, streetscape improvements, and community space.” In addition, the document contains the design vision that includes details on building heights and transitions, the SMART Transit Plaza, overarching principles for street design in Downtown, improvements along 4th Street from Tamalpais Avenue to B Street, and design details to guide redevelopment of the Downtown Gateway sub-area. In addition, the plan contains the Downtown Form-Based Code that helps to implement the plan; provides a clear understanding of what the code requires and what it allows and generates regarding physical form, character, and uses; and streamlines the review and processing of development projects by providing clear standards and expectations. The document establishes the following design principals and guiding policies for the Downtown area that apply to aesthetic resources and are relevant to the proposed project: (City of San Rafael 2021b).

- ~~Create a gracious and inviting entrance to all **Principle 1. Strengthen Downtown's identity and sense of Downtown arrival** by:~~
 - ~~Improving the gateway and entry point character of Third, Fourth, Fifth Streets, Mission and Lincoln Avenues;~~
 - ~~Extending the Hetherton Gateway quality of focusing development along Fourth Street to Irwin Avenue; and~~
 - ~~Making the area under the freeway attractive and safe.~~

~~Announce and mark the edge of Downtown with a distinctive gateway treatment at Fourth Street and Hetherton. The Gateway would be gracious and welcoming in character with key nodes and gateways.~~

- ~~Plaza or other open space areas both public and private;~~
- ~~Public art;~~
- ~~Strong, colorful landscaping; and~~
- ~~Retail uses opening on to a plaza or other open space areas.~~
- ~~Involve public and private contributions to the Fourth Street Gateway. **New Policy 1B.** Set development would locate open space and landscape areas so as to expand the public areas, and retail uses would open on to these areas. Buildings would be designed to incorporate accent elements, public art and other items to emphasize the gateway character of the District.~~
- ~~Improve the other entry streets of Third Street, Fifth, Mission and Lincoln Avenues with entrance graphics, planting and lighting.~~
- ~~Encourage all standards to ensure that new development to include usable outdoor spaces, courtyards and arcades in sunny locations protected from freeway noise.~~
- ~~Expand connections from the Transportation Center to other parts of Downtown by:~~

~~Providing shuttles and trolleys to the Fourth Street Retail Core, West End Village, Montecito is harmonious with the existing fabric, and enhances neighborhood and Albert Park; character through architecture, landscape and streetscape design.~~

 - ~~Improving walking and biking facilities leading to nearby residential neighborhoods;~~
 - ~~Providing safe connections to the bicycle and pedestrian path along San Rafael Creek; and~~
 - ~~Facilitating the movement of commuters to and from the neighborhoods. Incorporate attractive parking structures throughout the District with retail or commercial uses on the ground floor areas adjacent to the street.~~
- ~~Encourage high quality and varied project designs with some landmark features to enhance the District's gateway image.~~
- ~~Develop the area between the Transitway and Lincoln Avenue with:~~
 - ~~Larger scale buildings of three to five stories with upper stories stepped back; and~~
 - ~~Ground floor area designs that are human in scale and are pleasant to walk past.~~
- ~~Develop the area between Transitway and Hetherton Avenue with:~~
 - ~~Smaller scale buildings of three stories with stepped back upper floors to soften the visual impact of Highway 101 and buffer Downtown from freeway noise;~~
 - ~~Building designs that complement the entryway treatment; and~~
 - ~~Attractive facades along Hetherton Avenue.~~

In addition to the **Policy 1C**. Establish a sense of arrival into Downtown through “gateway features” at all entrances including landmark buildings, streetscape improvements, public art, etc.

Principle 2. Coordinate placemaking improvements to make Downtown Vision, the City has a resource available on its website called “Good Design” Guidelines interesting, safe, and inviting for everyone.

Policy 2C. Create greater awareness of community assets and landmarks, and build upon the Downtown- Preliminary Findings and Recommendations that was presented at the February 5, 2017, City Council meeting. These Parking and Wayfinding Strategy to orient and direct visitors.

Principle 4. Establish a network of attractive and welcoming streets and civic spaces.

Policy 4A. Improve existing civic spaces such as Courthouse Square, Boyd Park, and Albert Park through design improvements and programming.

Policy 4G. Include public art and signage in civic spaces and streetscapes to strengthen identity, improve wayfinding, and highlight community landmarks. Develop incentives for public art as part of private development.

Principle 6. Reinforce Downtown’s eclectic character with historic preservation and new context-sensitive development.

Policy 6A. Protect historic and cultural landmarks and celebrate them in the design of the built form and public realm.

Policy 6B. Use appropriate historic preservation tools to safeguard the built character of historic resources while accommodating sensitive modifications and additions as needed.

Policy 6D. Employ the Form-Based Code to guide the physical form of new development on sites adjacent to Downtown’s historic resources.

San Rafael Transit Center Relocation Guidance Report

The *San Rafael Transit Center Relocation Guidance Report* includes the following design recommendations are available to help designers and homeowners ensure that projects meet overlay zoning district standards and help in creating designs that are high quality, pedestrian friendly, and respectful related to aesthetics and the importance of district environments facilitating an entry to Downtown San Rafael (City of San Rafael 20178).

Maximize 4th Street Vitality

1. Foster 4th Street’s “main street” feeling between Lincoln and Irwin. Accommodate broader tree-lined sidewalks with fewer vehicle crossings, unique, street-facing storefronts and inviting public space, adequately sized to allow outdoor dining, family fun, community events, and people watching.
6. Limit any 4th Street transit center driveways to the minimum width necessary, with excellent sight lines.
7. The 4th St. intersection at Hetherton is a priority location for gateway elements, including signature landscaping, artwork, wayfinding signage, electronic message boards and specialty lighting.

Clearly Define Transit Center Access Routes

6. Anticipate a landscaped pathway on the east side of Hetherton between Mission and 3rd St. where feasible.
9. Safe, inviting mid-block pedestrian routes to the transit center should be provided, where possible.

Improve Utilization of the California Department of Transportation (Caltrans) Right-of-Way

1. Transformation of the Caltrans property will increase transit center safety and use. Identify modifications that will benefit the project and the overall improvement of the neighborhood.
2. Explore increasing the efficiency of Caltrans' land use under the freeway by either creating a safe, inviting transit center or expanding parking capacity using vertical lift parking systems.
3. The area under the raised freeway structures should be redeveloped to increase the visual appeal and unique sense of Gateway arrival into the Downtown. Include elements such as identity graphics, artwork, creek restoration, landscaped plazas and sitting areas, historic markers, electronic message signs, special effect lighting, and food trucks and kiosk vendors.
4. Include more street trees on both sides of this roadway to add visual relief and calm traffic. Accommodate landscaping within Caltrans' right-of-way on the eastern frontage of the existing Bettini Transit Center if Hetherton bus pads are discontinued.
5. Create an attractive landscaped terminus adjacent to the SB 101 on-ramp south of 2nd St.

Demonstrate Enduring Design

2. The transit center should reflect San Rafael's pattern, scale, and neighborhood heritage, while also being a unique, innovative architectural statement. Construction materials should produce an enduring high quality with reasonable ongoing maintenance needs.
3. The Transit Center should be safe, well-lit, and attractively landscaped, creating a welcoming effect for users and passers-by. Include Gateway features within the site plan and facility design that are compatible with the City Vision. Nighttime lighting should create a safe, artistic sense of arrival, while limiting night sky glare.
5. Identify locations for appropriately sized public gathering areas to complement the center's function as a regional and Downtown hub. These settings would include attractive seating, unique paving, landscaping, lighting, directional signage, informational kiosks, historic markers, play areas, public art, trash and recycling containers, and flexible space for micro-enterprise and event opportunities.

Preserve Whistlestop

1. Retain the Whistlestop building on its current site, with street level modifications to improve pedestrian enjoyment. Create wider sidewalks on the south and west side of the building.
2. At the north end of Whistlestop, anticipate more public amenities, including possibly a coffee kiosk, fountain, landscaping, or other gateway features.
3. Anticipate removal of a portion of the south end of the Whistlestop building to create safer transit user movement across 3rd St. and more interesting public space.

San Rafael Municipal Code

The San Rafael Municipal Code contains the following codes related to aesthetic resources that apply to the proposed project.

Section 4.16.227 - Light and glare.

Colors, materials and lighting shall be designed to avoid creating undue off-site light and glare impacts. New or amended building or site colors, materials and lighting shall comply with the following standards, subject to review and recommendation by the police department, public works department, and community development department:

- A. Glossy finishes and reflective glass such as glazed or mirrored surfaces are discouraged, and prohibited where it would create an adverse impact on pedestrian or automotive traffic or on

adjacent structures; particularly within the downtown environs and in commercial, industrial and hillside areas.

B. Lighting fixtures shall be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties.

C. The foot-candle intensity of lighting should be the minimum amount necessary to provide a sense of security at building entryways, walkways and parking lots. In general terms, acceptable lighting levels would provide one (1) foot-candle ground level overlap at doorways, one-half (½) foot-candle overlap at walkways and parking lots, and fall below one (1) foot-candle at the property line.

D. Lighting shall be reviewed for compatibility with on-site and off-site light sources. This shall include review of lighting intensity, overlap and type of illumination (e.g., high-pressure sodium, LED, etc.). This may include a review by the city to assure that lighting installed on private property would not cause conflicts with public street lighting.

E. Installation of new lighting fixtures or changes in lighting intensity on mixed use and non-residential properties shall be subject to environmental and design review permit review as required by Chapter 14.25 (Design Review).

F. Maximum wattage of lamps shall be specified on the plans submitted for electrical permits.

G. All new lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with this section.

Section 14.18.170 - Lighting.

Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential use and motorists. It is the intent to maintain light standards in a low profile design, as well as to be compatible to the architectural design and landscape plan. Light fixtures (e.g., pole and wall-mount) should be selected and spaced to minimize conflicts with tree placement and growth. (See Section 14.16.227 for additional standards on foot-candle intensity).

Section 14.25.050(E) - Review Criteria for Site Design.

There should be a harmonious relationship between structures within the development and between the structures and the site. Proposed structures and site development should be related accordant to existing development in the vicinity. There must be a consistent organization of materials and a balanced relationship of major elements.

1. **Views.** Major views of the San Pablo Bay, wetlands, bay frontage, the Canal, Mt. Tamalpais and the hills should be preserved and enhanced from public streets and public vantage points. In addition, respect views of St. Raphael's Church up "A" Street.
2. **Site Features and Constraints.** Respect site features and recognize site constraints by minimizing grading, erosion and removal of natural vegetation. Sensitive areas such as highly visible hillsides, steep, unstable or hazardous slopes, creeks and drainageways, and wildlife habitat should be preserved and respected.
3. **Access, Circulation and Parking.** The development should provide good vehicular, bicycle and pedestrian circulation and access, on-site and in relation to the surrounding area, including public streets, waterways, shorelines and open space areas. Safe and convenient parking areas should be designed to provide easy access to building entrances. Parking facilities should detract as little as possible from the design of proposed or neighboring structures. Entrances to parking structures should be well-defined and should include materials compatible with those of the parking garage. Traffic capacity of adjoining streets must be considered.

4. **Energy-Efficient Design.** The site design shall show that due regard has been given to orientation of structures to streets and climatic considerations.
5. **Drainage.** Special attention shall be given to proper site surface drainage and an adequate drainage system. (Note: The details of drainage systems shall be subject to approval of the director of the department of public works.)
6. **Utility Service.** Utility connections shall be installed underground. Proposed method of sanitary sewage disposal for all buildings shall be indicated. Refuse collection areas shall be screened and located in areas convenient both to users and to persons who make collections. There shall be adequate ingress and egress to all utilities. (Note: Recycling facilities must meet Standard of Resolution 93-57.)

3.1.1.2 Environmental Setting

Regional Setting

The project site is in the Downtown area of the City of San Rafael (City), between the coastal range and San Francisco Bay. Visual features of the City include hills to the west, creeks, open spaces, mature trees, views of the Bay, and a Downtown with a mix of historic and contemporary architecture and pedestrian scale. Topography plays a key role in shaping San Rafael's visual character. Hills to the north and west provide a prominent visual backdrop to the commercial areas present in Downtown San Rafael. Mount Tamalpais serves as the highest point in the region and stands at approximately 2,500 feet above mean high-water sea level. The topography in the project vicinity gradually flattens out from the hills to the west and north, toward San Francisco Bay. ~~The Draft San Rafael General Plan 2040~~ identifies views of Mount Tamalpais and San Pedro Mountain as key views to be protected from the Downtown portion of the City (City of San Rafael 20201a).

The eastern City limits extend approximately 3 miles into the San Francisco Bay and include the Marin Islands. The City's waterfront serves a key role in the visual and cultural identity and consists of beaches, marinas, parks trails, wetlands, and marshes. One of the most important components of San Rafael's waterfront is the Bay Trail, a 500-mile planned trail network that currently exists along portions of the City's shoreline and in the Downtown area (City of San Rafael 20201a).

Local Setting

The land uses closest to the project site consist primarily of Downtown mixed use, with medium- and high-density residential uses present east of Irwin Street, and parks, recreation, and open space uses south of 2nd Street. As described in Section 3.4, Cultural Resources, most of the buildings on the project area³ were built between 1890 and 1950, with the exception of 666 3rd Street (currently Citibank), 640 4th Street, 1001 Irwin Street, and 915–917 Irwin Street, which were built after 1970. The U.S. Highway 101 (US-101) northbound viaduct was constructed in 1941 and the southbound viaduct was completed in 1965, and height and scale of these structures dominate existing views in the project area. Buildings in the project area are typically between one and two stories and there is little consistency in the building materials of each structure. Key nearby visual features include San Rafael Creek and Mount Tamalpais to the south and southwest, historic and commercial areas to the west, San Pedro Mountain to the north, and the French Quarter District, Dr. Hawkins Residence,

³ The "project area" refers to all areas affected by the build alternatives.

Holtwood, and commercial areas to the east (City of San Rafael 2020^{1a}). The elevated US-101 corridor passes through the proposed project area, with the Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative project sites to the west of the freeway and the Under the Freeway Alternative project site underneath and east of the freeway. Portions of the project sites would be visible in foreground views from US-101. However, the focus of views from US-101 include high-quality, scenic views of the surrounding hillsides in the middleground and background. Views of San Rafael Creek are also available from US-101. Although views of the creek from northbound US-101 are prominent and quality views, southbound views of the creek to the north are not notable because the creek narrows to a size such that it does not stand out in views. Although these views are scenic, they are not considered scenic vista views because the vantage is not high enough for expansive views and because intervening vegetation and development limit views along sections of the freeway through the project area.

Build Alternative Sites

Existing Groups and Existing Viewer Sensitivity

Existing viewer groups and viewer sensitivity is similar across all build alternatives. Viewer groups in the project area include roadway users traveling on US-101 and local roadways, commercial users, and adjacent residences. Residents would be expected to have the highest sensitivity to visual changes in the project area because of their familiarity with the view, their investment in the area, and their sense of ownership of the view. Residents with views of the project area are primarily in multifamily and mixed-use residential buildings along 5th Avenue, 4th Street, Lincoln Avenue, and Irwin Avenue. Commercial users on and adjacent to the project area would also be expected to have a moderate to a high sensitivity to visual changes due to the familiarity with the view and their investment in the area; however, commercial users are anticipated to be less sensitive to changes than residents due to their transient nature.

Existing roadway users are also an important viewer group, as the project area is in a Downtown area that receives a high level of average daily traffic and is visible from US-101, which is a heavily used regional corridor. Although more numerous than local roadway users, motorists on US-101 would generally be less sensitive to visual changes in the project area because of the shorter duration of their exposure to the views, as drivers pass by the site at high rates of speed, and the focus of their attention on driving along the heavily used regional corridor. Therefore, freeway motorists are considered to have limited visual sensitivity. Motorists on the local roadways surrounding the project area would have higher sensitivity to changes due to the proximity of the project area in the foreground and the longer duration of travel on these lower-speed, stop-controlled streets.

Light and Glare

Existing light and glare conditions are similar across all build alternative project sites. Existing buildings adjacent to the project area include night lighting in addition to security lights that remain illuminated through the night. Additionally, adjacent streets and surface parking lots are well lit and headlights on vehicles driving through the area contribute to nighttime lighting. Glass and reflective surfaces on buildings and vehicles, on streets, and in parking lots contribute to a high amount of glare that is typical of a downtown commercial area. Due to the urbanized nature of the surrounding

area, a substantial amount of ambient nighttime lighting currently exists, affecting views of the nighttime sky.

Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative

Existing Visual Character and Quality

The Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative are all west of US-101 and share similar site conditions. The Move Whistlestop Alternative and Adapt Whistlestop Alternative are generally bounded by West Tamalpais Avenue and Hetherton Street to the west and east and by 4th Street and 3rd Street to the north and south. The 4th Street Gateway Alternative is bounded by 5th Avenue and 3rd Street to the north and south and by Hetherton Street to the east, and by the SMART tracks and curbs along West Tamalpais Avenue to the west. These project sites are flat. (See Figures 2-4, 2-5, and 2-6 for the alternative site plans.) As described in Chapter 2, Project Description, the Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative project sites span multiple parcels that are currently occupied by a variety of businesses, existing transportation uses, and associated parking lots. The project area is composed mostly of buildings; pavement associated with roadways, sidewalks, and parking lots; aboveground utilities such as overhead streetlights and wooden utility poles and transmission lines; fencing and signage; and the SMART tracks.

Buildings on the project sites are typically between one and two stories and there is little consistency in the building materials of each structure. Landscape features on the project site are limited to street trees and parking lot islands. Landscaping is generally focused on screening and shading surfaces and street parking, and each parcel associated with these project sites exhibits its own onsite landscape approach. However, there are a limited amount of street trees, the canopy is not very dense, and the street trees are not a defining element of the visual character of the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative project sites.

Surrounding the three project sites are retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center and San Rafael Creek to the south, and restaurants and retail facilities to the west. There is little relationship between existing buildings on and adjacent to these project sites, and the area generally lacks visual continuity.

San Pedro Mountain and Mount Tamalpais are identified in ~~the Draft~~ *San Rafael General Plan 2040* as key views to be protected from the Downtown portion of the City. Roadways surrounding the sites have expansive views of the wooded hills of the San Pedro Mountain and Southern Heights Ridge to the north and the wooded hills of Mount Tamalpais to the south; however, from many locations these features are not visible because of existing buildings and/or onsite trees and other vegetation. Additionally, the height and scale of the US-101 viaduct dominates the existing eastern views for these three build alternatives and limits ground-level views.

Consistent with the natural and built environments, these project sites have a moderate coherence and a moderate overall visual quality.

Under the Freeway Alternative

Existing Visual Character and Quality

The Under the Freeway Alternative is east of US-101 and is independent of the other three project sites. The site is mostly flat and is bounded by 5th Avenue, 4th Street, Irwin Street, and Hetheron Street (see Figure 2-7 for the site plan). As described in Chapter 2, Project Description, the Under the Freeway Alternative project site spans multiple parcels that are currently mostly occupied by a variety of businesses, existing transportation uses, and associated parking lots. The project area is composed mostly of buildings; pavement associated with roadways, sidewalks, and parking lots; aboveground utilities such as overhead streetlights and wooden utility poles and transmission lines; fencing and signage; and US-101 viaduct.

This project site is partially underneath US-101 on one park-and-ride lot, maintained and operated by ~~the California Department of Transportation (Caltrans)~~, and on parcels east of US-101. This project site crosses Irwin Creek, which is underneath US-101, and flows parallel to the viaduct. Portions of the existing project site not located under US-101 are currently occupied by offices, a bike shop, parking, vacant storefronts, and a Caltrans park-and-ride lot north of 4th Street and retail, offices, and a Caltrans park-and-ride lot south of 4th Street. Buildings on the project site are typically between one and two stories and there is little consistency in the building materials of each structure. Landscape features on the project site are limited to street trees and parking lot islands. Landscaping is generally focused on screening and shading surfaces and street parking, and each parcel associated with this project site exhibits its own onsite landscape approach. The street tree canopy associated with the Under the Freeway Alternative is denser than the canopy associated with the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative and is a defining element of the visual character with this alternative that improves the visual quality of the project site.

Surrounding this site are offices and residences to the north; residences and offices to the east; retail and offices to the south; and retail uses, restaurants, and offices to the west. Residential uses to the north are largely obscured from the site by an existing office building. However, residential land uses to the east have direct views of the site. There is little relationship between existing buildings on and adjacent to this project site, and the area generally lacks visual continuity. In addition, US-101 provides a distinct visual separation between land uses to the east and west of the freeway.

As described above, San Pedro Mountain and Mount Tamalpais are identified in ~~the Draft~~ *San Rafael General Plan 2040* as key views to be protected from the Downtown portion of the City. However, existing buildings and the urban forest canopy limits views to these features east of US-101. However, Irwin Street and other roadways running north to south have narrow, partially obscured views of the wooded hills of San Pedro Mountain to the north and the wooded hills of the Southern Heights Ridge to the south. Additionally, the height and scale of the US-101 viaduct dominates the existing western views for this build alternative and limits ground-level views to the west.

Consistent with the natural and built environments, this project site has moderate coherence and a moderate overall visual quality.

3.1.2 Environmental Impacts

Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.1.2.1 Methodology

Aesthetic resources are all objects (artificial and natural, moving and stationary) and features (e.g., landforms and waterbodies) visible on a landscape. These resources add to or detract from the scenic quality (i.e., the visual appeal) of the landscape. A visual impact is the creation of an intrusion or perceptible contrast that affects the scenic quality of a viewscape. A visual impact can be perceived by an individual or group as either positive or negative, depending on a variety of factors or conditions (e.g., personal experience, time of day, weather, or seasonal conditions).

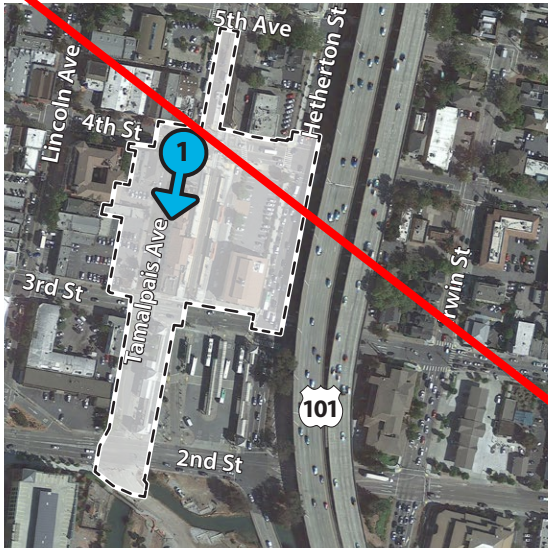
Identifying a study area's aesthetic resources and conditions involves understanding the visual character of the area's visual features and the regulatory context. Once those parameters are understood, a study area's aesthetic resources are further defined by establishing the area of visual effects (AVE) and documenting the visual character of the environmental setting, including the natural and cultural environments. For the purposes of this analysis, the AVE encompasses the land that would be developed by the project alternatives. The *affected population*, or viewers, is defined by its relationship to the alternatives, its visual preferences, and its sensitivity to changes associated with the proposed project. Visual preferences, or what viewers like and dislike about the alternatives' visual character, define the alternatives' *visual quality*. Visual quality serves as the baseline for determining the degree of visual impacts and whether a project's visual impacts would be negative, beneficial, or neutral.

The impact assessment methodology for aesthetic resources includes the following components.

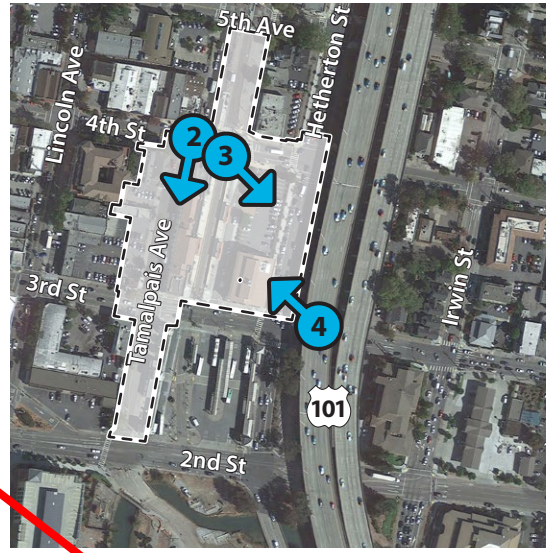
- Establishing the AVE for aesthetics resources
- Reviewing the build alternatives in regard to compatibility with state and local ordinances and regulations and professional standards pertaining to visual quality, and the extent to which the affected environment contains places or features that have been designated in plans and policies for protection or special consideration (e.g., as designated scenic vistas or highways)
- Inventorying and describing the affected environment, affected viewers, and existing visual quality, and identifying key viewpoints and views for visual assessment
- Reviewing project construction drawings
- Evaluating visual renderings. The visual renderings do not provide a side-by-side comparison of existing to proposed conditions. However, they do convey how the proposed project is likely to look within the existing landscape and the vantages of each rendering are shown on Figure 3.1-1. Existing condition picture snapshots taken from Google Street View, shown on Figures 3.1-2 through 3.1-911, provide the approximate view angle and a representation of the existing conditions found within the view angle that was rendered.
- Assessing visual compatibility and viewer sensitivity and analyzing the proposed project's visual impacts
- Proposing methods to mitigate significant visual impacts (FHWA 2015)

The focus of this visual analysis is on the alternatives' potential to negatively affect views from publicly accessible locations. Publicly accessible locations in the communities from which residents would view the study area are, therefore, considered to be of primary importance in this analysis.

The methods for evaluating impacts are intended to satisfy the federal and state requirements, including the California Environmental Quality Act (CEQA). In accordance with CEQA requirements, an environmental impact report must include a description of the existing physical environmental conditions in the vicinity of the proposed project. Those conditions, in turn, "will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant" (14 California Code of Regulations 15125(a)).



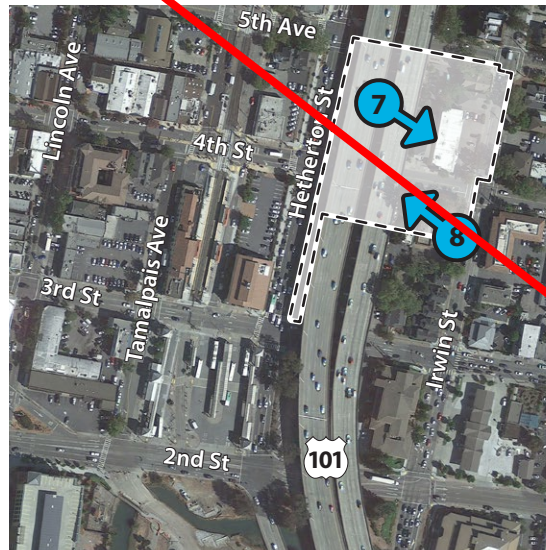
Move Whistlestop Alternative



Adapt Whistlestop Alternative






4th Street Gateway Alternative



Under the Freeway Alternative

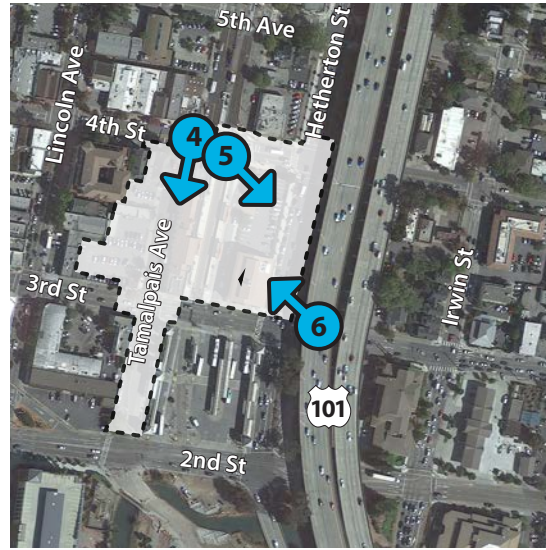
Legend

-  Key View
-  Affected Parcels

 Source: Google Earth Pro 2020.



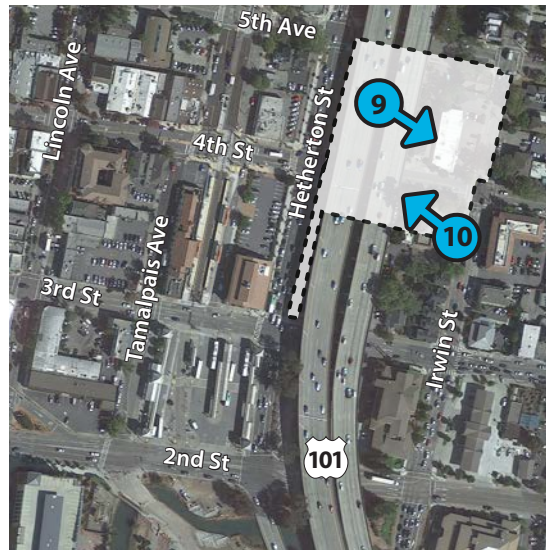
Move Whistlestop Alternative



Adapt Whistlestop Alternative






4th Street Gateway Alternative



Under the Freeway Alternative

Legend

-  Key View
-  Affected Parcels

 N

Source: Google Earth Pro 2020.



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

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Updated Figure 3.1-2
Key View 1 – Existing View and Proposed
Rendering for Move Whistlestop Alternative



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (13-2-2021) J.C



Figure 3.1-3
Key View 2 – Existing View and Proposed
Rendering for Adapt Whistlestop Alternative



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (7-26-2022)



Updated Figure 3.1-5
Key View 4 – Existing View and Proposed
Rendering for Adapt Whistlestop Alternative



Existing

Source: Google Street View



Rendering

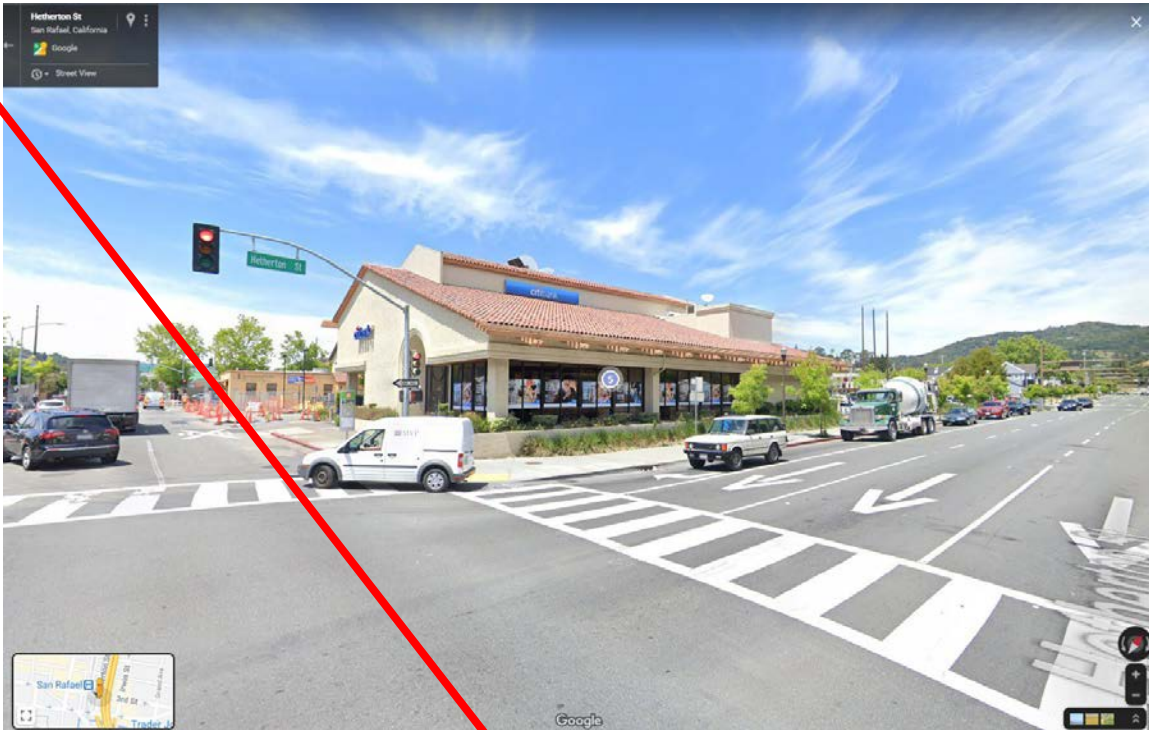


Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (13-2-2021) J.C



Figure 3.1-6
Key View 5 – Existing View and Proposed
Rendering for 4th Street Gateway Alternative



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

Graphics ... 00748.17 (13-2-2021) J.C



Figure 3.1-7
Key View 6 – Existing View and Proposed
Rendering for 4th Street Gateway Alternative



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering



Existing

Source: Google Street View



Rendering

3.1.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to aesthetic resources and visual quality.

Would the proposed project:

- Substantially degrade the existing visual character or quality of public views of the site and its surroundings in a non-urbanized area, including scenic vistas?
- Conflict with applicable zoning and other regulations governing scenic quality in an urbanized area, including scenic vistas?
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- Create a new source of substantial light or glare that would adversely affect day or nighttime views near the project improvements?

3.1.2.3 Impacts

Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings in a Non-Urbanized Area, Including Scenic Vistas, or Conflict with Applicable Zoning and Other Regulations Governing Scenic Quality in an Urbanized Area, Including Scenic Vistas

Scenic Vistas

All Build Alternatives

All four build alternatives would be within an urbanized area of San Rafael. Therefore, these alternatives would have no visual impact on non-urbanized areas. In addition, as described under Section 3.1.1.1, Regulatory Setting, the US-101 corridor is elevated as it passes through the proposed project area. Although these views are scenic, they are not considered scenic vista views because the vantage is not high enough for expansive views and intervening vegetation and development limit views along sections of the freeway through the project area. Therefore, there would be **no impact** on scenic vistas as a result of the proposed project and no mitigation is required.

The City's Municipal Code Section 4.16.227, Light and glare, and Section 14.18.170, Lighting, contain codes that help to prevent impacts associated with light and glare. The impacts associated with light and glare are discussed below and are not under this threshold.

Construction

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives

Construction activities would introduce considerable heavy equipment and associated vehicles, including backhoes, compactors, tractors, and trucks, into the viewshed of all viewer groups over the

course of 18 months. Temporary visual changes due to construction signaling and signage also would occur. As identified under Section 3.1.1.1, Regulatory Setting, *The City of San Rafael General Plan 20240* and *the Downtown Vision San Rafael Precise Plan* provide guidance and policies that support the transition of land uses along Hetherton Street, 3rd Street, 4th Street, 5th Avenue, Mission Avenue, Lincoln Avenue, and the freeway ramps to support transportation-oriented uses, including better connections for rail and bus transit; the creation of public plazas; the improvement of bicycle and pedestrian connections; and the installation of landscaping and beautification of the project area. Construction would be required to facilitate these modifications supported by the City. Therefore, all build alternatives are in keeping with the direction of the City plans. However, construction activities occurring near sensitive residential receptors could result in an invaded sense of privacy and disruptive views when experienced from residential areas, which could result in potentially significant visual impacts during construction. As described in Section 3.10, Land Use and Planning, residential land uses do not surround the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative project sites. Therefore, construction impacts for these build alternatives would be **less than significant**, and no mitigation is required.

Under the Freeway Alternative

Visual conditions for this project site are similar to those described above. However, construction would require the demolition of 1011 Irwin Street, a historic resource. In addition, although residential uses to the north are largely obscured from the site by an existing office building, residential land uses to the east have direct views of the Under the Freeway Alternative project site. This would result in a **significant** impact during construction due to the potential for invasions of privacy and the change in existing visual quality of having direct, extended views of construction activities and staging areas. Implementation of Mitigation Measure MM-AES-CNST-1 for the Under the Freeway Alternative would reduce impacts to a **less-than-significant level with mitigation** by screening disruptive construction activities near residences while helping to maintain residents' privacy.

Operations

The City of San Rafael General Plan 20240 and Municipal Codes (i.e., Zoning Ordinances) pertaining to light and glare, described in detail in Section 3.1.1.1, Regulatory Setting, contain policies and goals pertaining to aesthetic resources. These policies and goals are established to prevent undue light and glare and ensure that new development is designed to enhance their surroundings, preserve historic and architecturally significant structures, and maintain an aesthetically pleasing, residential character of the neighborhood. Additionally, *The City of the Downtown San Rafael General Precise Plan 2020* identifies the ~~Hetherton Office District~~ Downtown Gateway sub-area, which establishes the ~~districts sub-area~~ district sub-area as a “vibrant, active node and transportation hub, and an office center with development that relates inviting entrance to the existing transit center Downtown.” The focus on this ~~districts sub-area~~ district sub-area is to improve pedestrian facilities, expand bus transit, and incorporate rail services while creating the design measures to transform the ~~Hetherton Office District~~ Downtown Gateway sub-area into an elegant transition into Downtown San Rafael.

The existing transit center facility would be vacated under all four of the build alternatives. All build alternatives would have similar visual components such as straight-curb bus bays, pick-up/drop-off curb space, bicycle parking, 9-foot-wide platforms along bus bays, weather protection facilities and seating, public art, landscaping, security, wayfinding signage, and a new, roughly 3,000-square-foot Golden Gate Bridge, Highway and Transportation District (District) building to support the transit

center. This would include customer service, public restrooms, driver relief, small retail, maintenance, and security facilities.

Move Whistlestop and Adapt Whistlestop Alternatives

The Move Whistlestop and Adapt Whistlestop Alternatives share the same general location. As shown on Figures 2-4 and 2-5, both of these alternatives would have very similar features and a very similar layout and, therefore, would have a very similar appearance. The primary difference between the alternatives is that the Move Whistlestop Alternative would relocate the existing Whistlestop building west across Tamalpais Street or would build a new structure that utilizes similar façades and architectural elements from the existing Whistlestop building, whereas the Adapt Whistlestop Alternative would retain a portion of the existing Whistlestop building. In addition, both alternatives would include a substantial amount of landscaping compared to existing conditions, aesthetic paving details, unified color schemes, and site furnishings. As shown in the visual renderings on Figures 3.1-2 through 3.1-4, landscaping, aesthetic paving details, unified color schemes, and site furnishings associated with the Move Whistlestop Alternative would improve visual conditions at this project site by providing visual interest, softening the appearance of built structures in the landscape, and screening or undergrounding utilities and infrastructure such as transmission poles, fencing, and railings associated with the transit center. As shown in the visual renderings on Figures 3.1-3 through 3.1-5, landscaping, aesthetic paving details, color schemes, and site furnishings associated with the Adapt Whistlestop Alternative would be similar to under the Move Whistlestop Alternative. These changes would create an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities. The public spaces in the station area would closely resemble what was described in the Downtown SAP, including the inclusion of a station plaza near West Tamalpais and 4th Street. As further shown in the visual rendering on Figures 3.1-2 through 3.1-4, the District building associated with the Move Whistlestop Alternative would have the same architectural style and visual character of the Whistlestop building and both the Move Whistlestop Alternative and the Adapt Whistlestop Alternative would implement the same design strategies. In addition, as shown in the visual renderings on Figures 3.1-2 through 3.1-5, views toward the hills and ridgelines may be screened down West Tamalpais Avenue due to landscaping proposed under both alternatives. ~~However, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-4. However, as seen on Figure 3.1-5, the view to the south down West Tamalpais Avenue from 4th Street would open up under the Adapt Whistlestop Alternative and create more views toward the west of West Tamalpais Avenue, even though taller development associated with redevelopment occurring in the Downtown area would partially obscure this opened-up view corridor. As seen on Figure 3.1-2, views to the west from the intersection of 4th Street and West Tamalpais Avenue would be more screened by landscaping and the relocated alignment of West Tamalpais Avenue under the Move Whistlestop Alternative. Views from this vantage point to the east would likely open up more under the Move Whistlestop Alternative than under the Adapt Whistlestop Alternative, because views behind the existing Whistlestop building would become more apparent once the building is relocated or demolished,⁴ and there is no structure to obscure views (Figure 3.1-3). In addition, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-7. In~~

⁴ Should relocation become infeasible due to engineering or structural concerns, accessibility concerns, or feedback from the Community Design Advisory Group, the Whistlestop building could also be demolished and a new building constructed at the current location of 703-705 4th Street and 927 Tamalpais Avenue.

addition, views of the hills from US-101 would not be affected because building heights and trees planted by these build alternatives would not obscure views of these features. Therefore, the Move Whistlestop Alternative and the Adapt Whistlestop Alternative would create a well-designed common area that helps preserve the view corridors along Tamalpais Avenue and the train tracks from 2nd Street to 5th Avenue, keeping the City's defining hillsides in view, to prevent the walling off of Downtown as adjacent blocks are redeveloped with taller buildings.

Under both alternatives, all of the proposed building and structure heights would fall within the limits identified in *The City of San Rafael General Plan 20240* and the Downtown SAP and retain many views toward the surrounding hillsides. Both alternatives would also enhance their surroundings associated with Downtown's existing urban and historic character; create pleasant and attractive streets that are bicycle- and pedestrian-friendly; include landscaping, sidewalks, and other site amenities; and create social gathering places in a manner that is consistent with *The City of San Rafael General Plan 2020,2040*, the Downtown SAP, and the *Downtown Vision-San Rafael Precise Plan*. Both alternatives would satisfy *The City of San Rafael General Plan 2020's,2040's*, the Downtown SAP's, and the *Downtown Vision's San Rafael Precise Plan's* goals of establishing the ~~Hetherton Office District~~ Downtown Gateway sub-area as a transportation hub and enhancing the district's gateways image by improving the visual quality of the streets surrounding the transit center. Therefore, both the Move Whistlestop and Adapt Whistlestop Alternatives would not conflict with zoning and other regulations governing scenic quality. Impacts would be **less than significant**. No mitigation is required.

4th Street Gateway Alternative

The 4th Street Gateway Alternative shares the same general location as the Move Whistlestop and Adapt Whistlestop Alternatives. This alternative would also have similar features and a similar appearance to the Move Whistlestop and Adapt Whistlestop Alternatives. The primary difference between the alternatives is that the Whistlestop building would not be utilized by this build alternative and it would not be removed or relocated under the 4th Street Gateway Alternative. Instead, the proposed District building would be on the corner of Hetherton and 3rd Streets, replacing the existing Citibank building. As shown in the visual renderings on Figures 3.1-68 and 3.1-79, landscaping, aesthetic paving details, unified color schemes, and site furnishings associated with the 4th Street Gateway Alternative would also improve visual conditions at the project site by providing visual interest, softening the appearance of built structures in the landscape, and screening or undergrounding utilities and infrastructure such as transmission poles, fencing, and railings associated with the transit center. These changes would create an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities. As shown in the visual renderings on Figure 3.1-68, views toward the hills and ridgelines may be screened down Hetherton and 4th Streets due to landscaping proposed under this alternative. Although not rendered, views of the hillsides from 5th Avenue may also be screened by landscaping. However, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-79. In addition, views of the hills from US-101 would not be affected because building heights and trees planted by the 4th Street Gateway Alternative would not obscure views of these features.

Proposed building and structure heights and site enhancements would be the same as described for the Move Whistlestop and Adapt Whistlestop Alternatives above. The changes under the 4th Street Gateway Alternative would be consistent with those of the Move Whistlestop and Adapt Whistlestop Alternatives. ~~However, the 4th Street Gateway Alternative would remove historic structures along~~

5th Avenue and, therefore, would conflict with zoning and other regulations governing scenic quality that are in place to protect such resources, resulting in a **significant** impact. Impacts would be reduced to ***less-than-significant levels with mitigation*** with implementation of Mitigation Measure MM-CULT-CNST-1, which would relocate and preserve these historic structures. However, the 4th Street Gateway Alternative would remove historic structures along 5th Avenue. The buildings at 633 5th Avenue and 637 5th Avenue are well maintained and have landscaping surrounding the structures that is also well kept. However, these buildings are surrounded by commercial buildings of varying age and repair that lack aesthetic appeal and transportation facilities, including US-101 and the rail line, that act to segment the block where these structures are located from surrounding areas. In addition, there is little landscaping surrounding the commercial buildings and transportation facilities to help improve the aesthetics of the area. Therefore, the buildings are within an area that is, overall, visually disjointed. Removal of these buildings would slightly detract from views. However, their removal would occur in conjunction with the removal of disjointed land uses along Hetherton Street and Tamalpais Avenue between 3rd Street and 5th Avenue. The 4th Street Gateway Alternative would replace the disjointed land uses with a station and public space that provides a more unified visual setting that includes landscaping and provides greater aesthetic appeal over a larger area. However, removal of these buildings would conflict with zoning and other regulations governing scenic quality that are in place to protect such resources, which could result in a **significant** impact. However, as described above, the 4th Street Gateway Alternative would replace the disjointed land uses with a more unified visual setting with greater aesthetic appeal over a larger area. These changes achieve many overarching aesthetic goals of the City to revitalize the area, create an attractive gateway, and improve the appearance of the neighborhoods in the City. Additionally, the City has adopted Municipal Code Section 14.25.050(E)(1) - *Review Criteria for Site Design, Views*, which sets forth the review criteria for development and requires a harmonious relationship between structures within the development and between the structures and the site. Proposed structures and site development should be related accordant to existing development in the vicinity. There must be a consistent organization of materials and a balanced relationship of major elements. The code also requires that major views of the San Pablo Bay, wetlands, bay frontage, the Canal, and Mt. Tamalpais and the hills should be preserved and enhanced from public streets and public vantage points. Implementation of this alternative would help open up views of the hillsides from Hetherton Street, making the views more prominent.

Furthermore, aesthetic impacts would be reduced to ***less-than-significant levels with mitigation*** with implementation of Mitigation Measure MM-CULT-CNST-1, which would relocate and preserve these historic structures, if feasible. If the buildings cannot be relocated or preserved, then Mitigation Measure MM-CULT-CNST-1 would ensure that the features of the buildings are retained in an onsite interpretive display commemorating the historical significance of the demolished building (refer to Mitigation Measure MM-CULT-CNST-3). In the event that the building cannot be relocated, the interpretative display that would be installed under Mitigation Measure MM-CULT-CNST-3 would be placed within this landscape as part of this alternative. Furthermore, the interpretive sign would achieve the goals of recognizing the buildings' aesthetic value and paying respect to historic buildings. In addition, the interpretive sign would be a form of preservation education that retains a visual representation of the buildings that can be seen by passing viewers who would benefit from the improved visual character and quality of the landscape.

Under the Freeway Alternative

The Under the Freeway Alternative is located independently of the other alternatives. However, this alternative would have similar design features as the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives. Although the Under the Freeway Alternative would have similar design features, it would generally have a more urban appearance because it would be largely amongst the US-101 freeway piers, as shown in the visual rendering on Figure 3.1-810. This would create a transit center that does not have the same pedestrian-scale feeling as the other three alternatives. However, having an active transit center that improved the aesthetics associated with the area under the freeway would improve visual conditions and make this area feel safer, which would be consistent with the goals identified in *The City of San Rafael General Plan 20240* and *the Downtown Vision San Rafael Precise Plan*. In addition, this alternative would utilize areas that are not under the freeway, which are to the east of the freeway. As shown in the visual renderings on Figure 3.1-911, these parcels would have landscaping, aesthetic paving details, unified color schemes, and site furnishings associated with the Under the Freeway Alternative that would improve visual conditions at the project site by providing visual interest, softening the appearance of built structures in the landscape, and screening or undergrounding utilities and infrastructure such as transmission poles, fencing, and railings associated with the transit center. These changes would create an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities. Views toward the surrounding hills and ridgelines from local streets are not likely to be affected by this alternative because the freeway and existing structures largely obscure views of these features west of the freeway. In addition, views of the hills from US-101 would not be affected because building heights and trees planted by this build alternative would not obscure views of these features.

Proposed building and structure heights and site enhancements would be the same as described for the Move Whistlestop and Adapt Whistlestop Alternatives above. The changes under this alternative would be ~~consistent with~~ similar to those described for the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives. However, Similar to the 4th Street Gateway Alternative, the Under the Freeway Alternative would remove a one historic structure (i.e., 1011 Irwin Street), identified by the City as eligible for listing in the National Register of Historic Places and, therefore, California Register of Historical Resources as an excellent example of a hipped-roof cottage). This building is between a commercial business, which has no buffer between the paved parking area and paved access road and the historic structure, and another residential building that has been converted to a business. Therefore, similar to the 4th Street Gateway Alternative, 1011 Irwin Street is in an area that is visually disjointed. The building at 1011 Irwin Street looks like a house that is typical of this general area and the roof does not stand out as greatly different from other roofs in the area. In addition, the landscaping surrounding the structure is overgrown and does not enhance views of the structure. Overall, the general public would not likely perceive this as a historically protected structure and the structure does not stand out visually in the landscape as a building with overly unique features. Therefore, removal of this building would not likely result in substantial visual impacts if the structure were not protected. However, removal of this building would conflict with zoning and other regulations governing scenic quality that are in place to protect such resources, resulting which could result in a significant impact. Impacts would be reduced to less-than-significant levels. As described above, this alternative would replace disjointed land uses with mitigation a more unified visual setting with implementation of Mitigation Measure MM-CULT-CNST-1, which would relocate and preserve these historic structures greater aesthetic appeal over a larger area. These changes achieve many of the City's overarching aesthetic goals to revitalize the

area, create an attractive gateway to Downtown San Rafael, and improve the appearance of the neighborhoods in the City.

Mitigation Measures

Furthermore, aesthetic impacts would be reduced to *less-than-significant levels with mitigation* with implementation of Mitigation Measures MM-CULT-CNST-1, which would relocate and preserve 1011 Irwin Street, if feasible. If the building cannot be relocated or preserved, then Mitigation Measure MM-CULT-CNST-1 would ensure that the features of affected historic buildings are retained in an onsite interpretive display commemorating the historical significance of the demolished building (refer to Mitigation Measure MM-CULT-CNST-3). In the event that the building could not be relocated, the interpretive display that would be installed under Mitigation Measure MM-CULT-CNST-3 would be placed within this landscape as part of this alternative. Furthermore, the interpretive sign would achieve the goals of recognizing the buildings' aesthetic value and paying respect to historic buildings. In addition, the interpretive sign would be a form of preservation education that retains a visual representation of the buildings that can be seen by passing viewers who would benefit from the improved visual character and quality of the landscape.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measure would be implemented.

MM-AES-CNST-1: Install Visual Barriers Between Construction Work Areas and Sensitive Receptors

The project proponent or its contractor(s) shall install visual barriers between stationary construction work areas and sensitive residential receptors adjacent to the Under the Freeway Alternative site to reduce the impact on these receptors from invasions of privacy and the change in existing visual quality. Barriers shall be placed to obscure views of stationary work areas (e.g., staging areas or areas of fixed construction) where construction activity and equipment would be disruptive and lower the existing visual quality. These efforts shall include the following actions and performance standards:

- The project proponent or its contractors(s) shall install visual barriers to minimize sensitive residential receptors' views of construction work areas.
- The visual barriers shall be placed around the north, east, and south sides of the Under the Freeway Alternative site to protect residents that are within one block of the construction site because these residences would have an unobstructed view of the construction area.
- The visual barrier may be chain link fencing with privacy slats, fencing with windscreen material, wood barrier, or other similar barrier.
- The visual barrier shall be a minimum of 6 feet high to help to maintain the privacy of residents and block ground-level views toward stationary construction activities.

While the visual barriers would introduce a visual intrusion, they would greatly reduce the visual effects associated with visible construction activities, and screening construction activities would protect privacy. The visual barriers are an effective means of reducing the visibility of active construction work areas, thereby minimizing the impact on existing localized visual quality.

For the Under the Freeway Alternative, the following measures would be implemented.

MM-CULT-CNST-1: Prepare and Implement Relocation Plans

Refer to Section 3.4, Cultural Resources, for the full text of this measure.

MM-CULT-CNST-3: Develop and Implement an Interpretive Program

Refer to Section 3.4, Cultural Resources, for the full text of this measure.

Impact AES-2: Substantially Damage Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings within a State Scenic Highway

All Build Alternatives

As described above under Section 3.1.1.1, Regulatory Setting, there are no roadways within or near the project area that are designated in federal, state, or local plans as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (Caltrans 2019; City of San Rafael 2016). Therefore, there would be **no impact** on scenic resources along a scenic route and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact AES-3: Create a New Source of Substantial Light or Glare that Would Adversely Affect Day or Nighttime Views Near the Project Improvements

Construction

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternative

Nighttime construction would occur on a limited basis for in-lane street work to reduce traffic impacts during the day. Therefore, high-intensity nighttime lighting would be needed, intermittently, for short periods of time. As described in Section 3.10, Land Use and Planning, residential land uses do not surround the Move Whistlestop Alternative, Adapt Whistlestop Alternative, or 4th Street Gateway Alternative. Therefore, impacts would be **less than significant**, and no mitigation is required.

Under the Freeway Alternative

Although residential uses to the north are largely obscured from the site by an existing office building, residential land uses to the east have direct views of the Under the Freeway Alternative project site. The use of high-intensity nighttime lighting could negatively affect sensitive residential viewers next to this project site and result in substantial increases in light and glare during construction when high-intensity nighttime lighting is in use, resulting in a **significant** impact. Implementation of Mitigation Measure MM-AES-CNST-2 would reduce impacts to a **less-than-significant level with mitigation** by limiting construction to daylight hours near residences.

Operations

All Build Alternatives

Each of the alternatives would require the removal of existing buildings and landscaping; construction of District buildings or renovation of an existing building to include District offices; construction of station platforms, curbside bays, and space for public plazas, customer service facilities, bicycle parking, and/or transit-supportive land uses; and the relocation and/or removal of traffic signal poles and streetlights to accommodate the proposed project. The removal of existing buildings would remove existing sources of glare and nighttime lighting associated with street lighting and interior and exterior lighting associated with the existing buildings. However, street lighting would be relocated or removed and new buildings associated with the proposed project would include interior and exterior lighting.

The removal of vegetation would slightly increase glare in the project area, but glare associated with the urban areas is already a prominent visual element associated with all alternatives. Landscaping, including trees, would also be installed as part of the proposed project, which would replace sources of shade as trees mature and help to reduce glare and filter nighttime lighting. New structures built in the project area could be a source of glare, depending on the color and design selection for the structure, and relocated lighting could increase nighttime light and glare at certain locations. Due to the effect of landscaping and shade trees, it is expected that any shadows cast by relocated buildings would not have a noticeable effect on the visual experience of individuals at the project site.

However, Section 4.16.227, Light and glare, of the City's Municipal Code helps to limit and prevent undue offsite light and glare through colors and material selections that avoid glossy finishes and reflective surfaces and to ensure that lighting fixtures are designed and shielded to conceal light sources from views off site and avoid spillover onto adjacent properties. This applies to new lighting fixtures or changes in lighting intensity on mixed-use and non-residential properties, which are subject to environmental and design review permit review by the City. In addition, Section 14.18.170, Lighting, of the Municipal Code ensures that lighting for parking facilities and paved areas is designed be shielded away from residential uses and motorists. Compliance with the Municipal Code, which would be enforced through design review, would help to reduce the potential for increases in light and glare resulting from the proposed project.

However, even with compliance with the Municipal Code, the potential for impacts associated with light-emitting diode (LED) lighting would still exist and could affect sensitive receptors if not properly designed. LED lights can negatively affect humans by increasing nuisance light and glare, in addition to increasing ambient light glow, if blue-rich white light lamps (BRWL) lamps are used (American Medical Association 2016; International Dark-Sky Association 2010a, 2010b, 2015). Studies have found that a 4000 Kelvin white LED light causes approximately 2.5 times more light pollution than high-pressure sodium lighting with the same lumen output, which would affect sensitive receptors and more than double the perceived brightness of the night sky (Aubé et al. 2013; Falchi et al. 2011, 2016). This would result in a substantial source of nighttime light and glare that could adversely affect nighttime views in the area for all alternatives, resulting in a **significant** impact. Impacts associated with the Under the Freeway Alternative may be more pronounced if BRWL LED lighting affects sensitive residential viewers. Implementation of Mitigation Measure MM-AES-OP-3 would ensure that lighting impacts associated with all alternatives are reduced to **less-than-significant levels with mitigation** by employing measures to prevent light pollution and by preventing the use of BRWL LED lighting.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measures would be implemented.

MM-AES-CNST-2: Limit Construction Near Residences to Daylight Hours

Construction activities scheduled to occur between 6 p.m. and 7 a.m. shall not take place before or past daylight hours (which vary according to season) near residences within one block of the Under the Freeway Alternative site. This will reduce the amount of construction experienced by viewer groups because most construction activities would be occurring during business hours (when most viewer groups are likely to be at work) and eliminate the need to introduce high-wattage lighting sources to operate in the dark near residences.

MM-AES-OP-3: Apply Minimum Lighting Standards

All artificial outdoor lighting and overhead street lighting shall be designed in accordance with Section 4.16.227, Light and glare, and Section 14.18.170, Lighting, of the City's Municipal Code. In addition, all lighting shall use downcast, cut-off type fixtures that are shielded and direct the light only toward objects requiring illumination. Therefore, lights shall be installed at the lowest allowable height and cast low-angle illumination while minimizing incidental light spill onto adjacent properties or open spaces, or backscatter into the nighttime sky. The lowest allowable wattage shall be used for all lighted areas, and the number of nighttime lights needed to light an area shall be minimized to the highest degree possible. Lighting shall be designed for energy efficiency, with daylight sensors or timers with an on/off program. Lights shall provide good color rendering with natural light qualities, with the minimum intensity feasible for security, safety, and personnel access. Lighting, including light color rendering and fixture types, shall be designed to be aesthetically pleasing.

LED lighting shall avoid the use of BRWL lamps and use a correlated color temperature that is no higher than 3,000 Kelvin, consistent with the International Dark-Sky Association's Fixture Seal of Approval Program (International Dark-Sky Association 2010a, 2010b, 2015). In addition, LED lights shall use shielding to ensure that nuisance glare and light spill does not affect sensitive residential viewers.

Lights along pathways and bridge safety lighting shall use shielding to minimize offsite light spill and glare and shall be screened and directed away from adjacent uses to the highest degree possible. The number of nighttime lights used along pathways shall be minimized to the highest degree possible to ensure that spaces are not unnecessarily over-lit. For example, the amount of light can be reduced by limiting the amount of ornamental light posts to higher-use areas and by using bollard lighting on travel way portions of pathways.

Technologies to reduce light pollution evolve over time; design measures that are currently available may help but may not be the most effective means of controlling light pollution once the proposed project is designed. Therefore, all design measures used to reduce light pollution shall use the technologies available at the time of project design to allow for the highest potential reduction in light pollution.

Furthermore, a pre-construction photometric analysis (i.e., a lighting study) will be prepared to demonstrate foot candle readings to determine how much light is coming from fixtures and

lighting the coverage area to help eliminate “hot spots” or areas where there is excessive lighting or light spill. In addition, a post-installation lighting inspection will occur 30 days following installation to allow for adjustments in the intensity of light and glare coming from installed lighting.

This section describes the regulatory setting and environmental setting for air quality. It also describes the air quality impacts that would result from implementation of the San Rafael Transit Center Replacement Project (proposed project) and other build alternatives and mitigation measures that would reduce significant impacts, where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.2.1 Existing Conditions

3.2.1.1 Regulatory Setting

The federal Clean Air Act (CAA) and its subsequent amendments form the basis for the nation's air pollution control effort. The United States Environmental Protection Agency (EPA) is responsible for implementing most aspects of the CAA. A key element of the CAA is the National Ambient Air Quality Standards (NAAQS) for criteria pollutants. The CAA delegates enforcement of the NAAQS to the states. In California, the California Air Resources Board (CARB) is responsible for enforcing air pollution regulations and ensuring the NAAQS and California Ambient Air Quality Standards (CAAQS) are met. CARB, in turn, delegates regulatory authority for stationary sources and other air quality management responsibilities to local air agencies. The Bay Area Air Quality Management District (BAAQMD) is the local air agency for the project area. The following sections provide more detailed information on federal, state, and local air quality regulations that apply to the proposed project.

Federal

Clean Air Act and National Ambient Air Quality Standards

The CAA was first enacted in 1963 and has been amended in 1965, 1967, 1970, 1977, and 1990. The CAA establishes federal air quality standards, known as NAAQS, for six criteria pollutants and specifies future dates for achieving compliance. The CAA also mandates that the states submit and implement a State Implementation Plan (SIP) for local areas not meeting those standards. The plans must include pollution control measures that demonstrate how the standards will be met.

The 1990 CAA amendments identify specific emission-reduction goals for areas not meeting the NAAQS. These amendments require both a demonstration of reasonable further progress toward attainment and incorporation of additional sanctions for failure to attain or meet interim milestones. Table 3.2-1 shows the NAAQS currently in effect for each criteria pollutant, as well as the CAAQS (discussed further below).

Table 3.2-1. Federal and State Ambient Air Quality Standards

Criteria Pollutant	Average Time	California Standards	National Standards ^a	
			Primary	Secondary
Ozone	1-hour	0.09 ppm	None ^b	None ^b
	8-hour	0.070 ppm	0.070 ppm	0.070 ppm
Carbon Monoxide (CO)	8-hour	9.0 ppm	9 ppm	None
	1-hour	20 ppm	35 ppm	None
Coarse Particulate Matter (PM ₁₀)	24-hour	50 µg/m ³	150 µg/m ³	150 µg/m ³
	Annual mean	20 µg/m ³	None	None
Fine Particulate Matter (PM _{2.5})	24-hour	None	35 µg/m ³	35 µg/m ³
	Annual mean	12 µg/m ³	12.0 µg/m ³	15 µg/m ³
Nitrogen Dioxide (NO ₂)	Annual mean	0.030 ppm	0.053 ppm	0.053 ppm
	1-hour	0.18 ppm	0.100 ppm	None
Sulfur Dioxide (SO ₂) ^c	Annual mean	None	None	None
	24-hour	0.04 ppm	None	None
	3-hour	None	None	0.5 ppm
	1-hour	0.25 ppm	0.075 ppm	None
Lead	30-day average	1.5 µg/m ³	None	None
	Calendar quarter	None	1.5 µg/m ³	1.5 µg/m ³
	3-month average	None	0.15 µg/m ³	0.15 µg/m ³
Sulfates	24-hour	25 µg/m ³	None	None
Visibility-Reducing Particles	8-hour	- ^c	None	None
Hydrogen Sulfide	1-hour	0.03 ppm	None	None
Vinyl Chloride	24-hour	0.01 ppm	None	None

Source: CARB 2016

^a National standards are divided into primary and secondary standards. Primary standards are intended to protect public health, whereas secondary standards are intended to protect public welfare and the environment.

^b The federal 1-hour standard of 12 parts per hundred million was in effect from 1979 through June 15, 2005. The revoked standard is referenced because it was employed for such a long period and is a benchmark for SIPs.

^c CAAQS for visibility-reducing particles is defined by an extinction coefficient of 0.23 per kilometer, which is visibility of 10 miles or more due to particles when relative humidity is less than 70 percent.

ppm = parts per million; µg/m³ = micrograms per cubic meter; mg/m³ = milligrams per cubic meter

Non-Road Diesel Rule

EPA has established a series of increasingly strict emission standards for new off-road diesel equipment, on-road diesel trucks, and locomotives. New equipment, including heavy-duty trucks and off-road construction, is required to comply with these emission standards.

Corporate Average Fuel Economy Standards

The Corporate Average Fuel Economy Standards (CAFE) were first enacted in 1975 to improve the average fuel economy of cars and light-duty trucks. The National Highway Traffic Safety Administrative (NHTSA) sets the CAFE standards, which are regularly updated to require additional improvements in fuel economy. The standards were last updated in October 2012 to apply to new passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2017

through 2025, and are equivalent to 54.5 miles per gallon. However, On August 2, 2018, NHTSA and EPA proposed to amend the fuel efficiency standards for passenger cars and light trucks and establish new standards covering model years 2021 through 2026 by maintaining the current model year 2020 standards through 2026 per the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule. On September 19, 2019, EPA and NHTSA issued a final action on the One National Program Rule, which is considered Part 1 of the SAFE Vehicles Rule and a precursor to the proposed fuel efficiency standards. The One National Program Rule enables EPA/NHTSA to provide nationwide uniform fuel economy and greenhouse gas (GHG) vehicle standards, specifically by (1) clarifying that federal law preempts state and local tailpipe GHG standards, (2) affirming NHTSA's statutory authority to set nationally applicable fuel economy standards, and (3) withdrawing California's CAA preemption waiver to set state-specific standards.

EPA and NHTSA published their decisions to withdraw California's waiver and finalize regulatory text related to the preemption on September 27, 2019, in Volume 84, Number 188 of the *Federal Register*, page 51310. The agencies also announced that they will later publish the second part of the SAFE Vehicles Rule (i.e., the standards). California, 22 other states, the District of Columbia, and two cities filed suit against the proposed One National Program Rule on September 20, 2019.¹ The lawsuit requests a "permanent injunction prohibiting Defendants from implementing or relying on the Preemption Regulation," but does not stay its implementation during legal deliberations. Part 1 of the SAFE Vehicles Rule went into effect on November 26, 2019, and Part 2 went into effect on March 30, 2020. The SAFE Vehicles Rule will decrease the stringency of CAFE standards to 1.5 percent each year through model year 2026, as compared with the standards issued in 2012, which would have required annual increases of about 5 percent. California, 22 other states, and the District of Columbia filed a petition for review of the final rule on May 27, 2020. The fate of the SAFE Vehicles Rule remains uncertain in the face of pending litigation and potential rulemakings by the Biden Administration.

State

California Clean Air Act and California Ambient Air Quality Standards

In 1988, the state legislature adopted the California Clean Air Act (CCAA), which established a statewide air pollution control program. The CCAA requires all air districts in the state to endeavor to meet the CAAQS by the earliest practical date. Unlike the CAA, the CCAA does not set precise attainment deadlines. Instead, the CCAA establishes increasingly stringent requirements for areas that will require more time to achieve the standards. CAAQS are generally more stringent than NAAQS and incorporate additional standards for sulfates, hydrogen sulfide, visibility-reducing particles, and vinyl chloride. The CAAQS and NAAQS are shown above in Table 3.2-1.

CARB and local air districts bear responsibility for meeting the CAAQS, which are to be achieved through district-level air quality management plans incorporated into a SIP. In California, EPA has delegated authority to prepare SIPs to CARB, which, in turn, has delegated that authority to individual air districts. CARB traditionally has established state air quality standards, maintaining oversight authority in air quality planning, developing programs for reducing emissions from motor vehicles, developing air emission inventories, collecting air quality and meteorological data, and approving SIPs.

¹ *California et al. v. United States Department of Transportation et al.*, 1:19-cv-02826, U.S. District Court for the District of Columbia.

The CCAA substantially adds to the authority and responsibilities of air districts. The CCAA designates air districts as lead air quality planning agencies, requires air districts to prepare air quality plans, and grants air districts authority to implement transportation control measures. The CCAA also emphasizes the control of “indirect and area-wide sources” of air pollutant emissions. The CCAA gives local air pollution control districts explicit authority to regulate indirect sources of air pollution.

Air Toxic Control Measure

In 2004, CARB developed multiple measures under its Air Toxic Control Measure to address specific mobile- and stationary-source categories that can have an impact on the public health of communities. The measures mainly focused on reducing public exposure to diesel particulate matter (DPM) and toxic air contaminant (TAC) emissions. The Air Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling required heavy-duty trucks with a gross vehicle weight rating greater than 10,000 pounds, including buses and sleeper berth-equipped trucks, to not idle the primary engine for more than 5 minutes at any given time or operate an auxiliary power system for more than 5 minutes within 100 feet of a restricted area (CARB 2005).

Statewide Truck and Bus Regulation

CARB also focused its efforts to reduce DPM, oxides of nitrogen (NO_x), and other criteria pollutants from diesel-fueled vehicles by adopting the Truck and Bus Regulation in 2008. This regulation applied to any diesel-fueled, dual-fuel, or alternative diesel-fueled vehicle that would travel on public highways, yard trucks with on-road engines, yard trucks with off-road engines used for agricultural operations, school buses, and vehicles with a gross vehicle weight greater than 14,000 pounds. The purpose of the regulation is to require nearly all trucks and buses registered in the state to have a 2010 or newer model engine year by 2023. Compliance schedules have been established for lighter vehicles (14,000–26,000 gross vehicle weight rating) and heavier vehicles (over 26,001 gross vehicle weight rating) (CARB 2020a). Beginning January 1, 2020, only vehicles that meet the requirements of the Trucks and Bus Regulation will be allowed to register with the California Department of Motor Vehicles.

State Tailpipe Emission Standards

Like EPA at the federal level, CARB has established a series of increasingly strict emission standards for new off-road diesel equipment and on-road diesel trucks operating in California. New equipment used to construct the proposed project would be required to comply with the standards.

Carl Moyer Program

The Carl Moyer Memorial Air Quality Standards Attainment Program is a voluntary program that offers grants to owners of heavy-duty vehicles and equipment. The program is a partnership between CARB and the local air districts throughout the state to reduce air pollution emissions from heavy-duty engines. Locally, the air districts administer the program.

Toxic Air Contaminant Regulation

California regulates TACs primarily through the Toxic Air Contaminant Identification and Control Act (Tanner Act) and the Air Toxics “Hot Spots” Information and Assessment Act of 1987 (“Hot Spots” Act). In the early 1980s, CARB established a statewide comprehensive air toxics program to

reduce exposure to air toxics. The Tanner Act created California's program to reduce exposure to air toxics. The "Hot Spots" Act supplements the Tanner Act by requiring a statewide air toxics inventory, notification of people exposed to a significant health risk, and facility plans to reduce these risks.

Local

Bay Area Air Quality Management District

At the local level, responsibilities of air quality districts include overseeing stationary-source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required by the California Environmental Quality Act (CEQA). The air quality districts are also responsible for establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws and for ensuring that NAAQS and CAAQS are met.

The proposed project falls under the jurisdiction of BAAQMD. BAAQMD has local air quality jurisdiction over projects in the San Francisco Bay Area Air Basin (SFBAAB) including Marin County. BAAQMD developed advisory emission thresholds to assist CEQA lead agencies in determining the level of significance of a project's emissions, which are outlined in its *California Environmental Quality Act Air Quality Guidelines* (BAAQMD 2017a). BAAQMD has also adopted air quality plans to improve air quality, protect public health, and protect the climate, including the 2017 Clean Air Plan: *Spare the Air, Cool the Climate* (BAAQMD 2017b).

The 2017 Clean Air Plan was adopted by BAAQMD on April 19, 2017. The 2017 Clean Air Plan updates the prior 2010 Bay Area ozone (O₃) plan and outlines feasible measures to reduce O₃; provides a control strategy to reduce particulate matter (PM), air toxics, and GHGs in a single, integrated plan; and establishes emission control measures to be adopted or implemented. The 2017 Clean Air Plan contains the following primary goals; consistency with these goals is evaluated in this section:

- Protect Air Quality and Health at the Regional and Local Scale: Attain all state and national air quality standards and eliminate disparities among Bay Area communities in cancer health risk from TACs.
- Protect the Climate: Reduce Bay Area GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050; the 2017 Clean Air Plan is the most current applicable air quality plan for the air basin and consistency with this plan is the basis for determining whether the proposed project would conflict with or obstruct implementation of an air quality plan.

In addition to air quality plans, BAAQMD adopts rules and regulations to improve existing and future air quality. The proposed project may be subject to the following district rules:

- Regulation 2, Rule 5 (New Source Review of Toxic Air Contaminants): This regulation outlines guidance for evaluating TAC emissions and their potential health risks.
- Regulation 6, Rule 1 (PM): This regulation restricts emissions of PM darker than a 1 on the Ringlemann Chart to less than 3 minutes in any 1 hour.

- Regulation 7 (Odorous Substances): This regulation establishes general odor limitations on odorous substances and specific emission limitations on certain odorous compounds.
- Regulation 8, Rule 3 (Architectural Coatings): This regulation limits the quantity of reactive organic gas (ROG) in architectural coatings.
- Regulation 11, Rule (Hazardous Pollutants – Asbestos Demolition, Renovation, and Manufacturing): This regulation, which incorporates EPA's asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP) regulations, controls emissions of asbestos to the atmosphere during demolition, renovation, and transport activities.

City of San Rafael General Plan 2040

The ~~City of San Rafael General Plan 2040~~ was adopted in ~~2021~~2004. The ~~Air and Water Quality Element and Circulation~~ Conservation and Climate Change Element outlines goals and policies that will improve air quality in the City of San Rafael (City). The relevant policies are summarized as follows below. For the full text of the policies, refer to the Conservation and Climate Change Element (City of San Rafael 2021~~14~~6):

Air and Water Quality Element

Goal C-2: Clean Air. Reduce air pollution to improve environmental quality and protect public health.

- **Policy C-2.1: State and Federal Air Quality Standards.** Continue to comply with state and federal air quality standards.
 - **Program C-2.1A: Cooperation with Other Agencies.** Work with the Bay Area Air Quality Management District (BAAQMD) and other agencies to ensure compliance with air quality regulations and proactively address air quality issues.
- **Policy C-2.2: Land Use Compatibility and Building Standards.** Consider air quality conditions and the potential for adverse health impacts when making land use and development decisions.
 - **Program C-2.2A: Protection of Sensitive Receptors.** Use the development review process to require an evaluation of air quality impacts and the inclusion of measures to mitigate the exposure of sensitive receptors to both construction-related and long-term operational impacts.
- **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.
 - **Program C-2.3A: Air Pollution Reduction Measures.** Implement air pollution reduction measures as recommended by BAAQMD's Clean Air Plan and supporting documents to address local sources of air pollution in community planning. This should include Transportation Control Measures (TCM) and Transportation Demand Management (TDM) programs to reduce emissions associated with diesel and gasoline-powered 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
 - **Program C-2.4A: Particulate Matter Exposure.** Through development review, require that Best Available Control Technology (BACT) measures (such as setbacks,

landscaping, paving, soil and dust management, and parking lot street sweeping) are used to protect sensitive receptors from particulate matter

- **Program C-2.4B: Wildfire Smoke.** Support efforts to reduce health hazards from wildfire smoke, such as limits on outdoor activities, access to respirators and air filtration systems, access to clean air refuge centers, and public education.
- **Program C-2.4C: Wood-Burning Stoves and Fireplaces.** Regulate wood-burning stoves and fireplaces to reduce particulate pollution.
- **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-2.6: Education and Outreach.** Support public education regarding air pollution prevention and mitigation.
 - **Program C-2.6A: Air Quality Education Programs.** Actively participate in the air quality education programs of the BAAQMD. Use social media and other means of outreach to alert residents of Spare the Air days and associated recommendations.
 - **Program C-2.6B: Equipment and Generators.** Encourage the use of non-gasoline powered leaf blowers and other yard maintenance equipment, as well as clean-powered generators.

~~**AW-1. State and Federal Standards.** Continue to comply and strive to exceed state and federal standards for air quality for the benefit of the Bay Area.~~

~~**AW-3. Air Quality Planning with Other Processes.** Integrate air quality considerations with the land use and transportation processes by mitigating air quality impacts through land use design measures, such as encouraging project design that will foster walking and bicycling.~~

~~**AW-6. Education and Outreach.** Support public education of regarding air pollution and prevention and mitigation programs.~~

~~**AW-6b. Benefits of Transit-Oriented Development.** Assist in educating developers and the public on the benefits of pedestrian and transit-oriented development.~~

Circulation Element

~~**C-11. Alternative Transportation Mode Users.** Encourage and promote individuals to use alternative modes of transportation, such as regional and local transit, carpooling, bicycling, walking and use of low-impact alternative vehicles. Support development of programs that provide incentives for individuals to choose alternative modes.~~

~~**C-16. Transit Information.** Encourage the development and dissemination of local and regional transit information to facilitate greater use of transit systems. This includes service, educational and promotional information. Support efforts to provide transit information in languages other than English as needed.~~

3.2.1.2 Environmental Setting

The project area is within the SFBAAB. Ambient air quality is affected by climatological conditions, topography, and the types and amounts of pollutants emitted. The following sections summarize how air pollution moves through the air, water, and soil within the air basin, and how it is chemically changed in the presence of other chemicals and particles. This section also summarizes regional and local climate conditions, existing air quality conditions, and sensitive receptors that may be affected by project-generated emissions.

Pollutants of Concern

Criteria Pollutants

The federal and state governments have established ambient air quality standards for six criteria pollutants. These pollutants are PM, photochemical oxidants (including O₃), carbon monoxide (CO), sulfur oxides (SO_x), NO_x, and lead. O₃ is considered a regional pollutant because its precursors affect air quality on a regional scale. Pollutants such as CO, nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead are considered local pollutants that tend to accumulate in the air locally. PM is both a regional and local pollutant. The primary pollutants that would be generated by the proposed project are O₃ precursors (i.e., NO_x and ROG_s), CO, and PM (Reşitoğlu 2018).^{2,3}

All criteria pollutants can have human health effects at elevated concentrations. The ambient air quality standards for these pollutants are set to protect public health and the environment with an adequate margin of safety (CAA Section 109). Epidemiological, controlled human exposure, and toxicology studies evaluate potential health and environmental effects of criteria pollutants and form the scientific basis for new and revised ambient air quality standards.

The principal characteristics and possible health and environmental effects from exposure to the primary criteria pollutants generated by the proposed project are discussed below.

Ozone, or smog, is photochemical oxidant that is formed when ROG_s and NO_x (both byproducts of the internal combustion engine) react with sunlight. ROG_s are compounds made up primarily of hydrogen and carbon atoms. Internal combustion associated with motor vehicle use is the major source of hydrocarbons. Other sources of ROG_s are emissions associated with the use of paints and solvents, the application of asphalt paving, and the use of household consumer products such as aerosols. The two major forms of NO_x are nitric oxide and NO₂. Nitric oxide is a colorless, odorless gas that forms from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO₂ is a reddish-brown, irritating gas formed by the combination of nitric oxide and oxygen. In addition to serving as an integral participant in O₃ formation, the NO₂ component of NO_x also acts as an acute respiratory irritant and increases susceptibility to respiratory pathogens.

O₃ poses a higher risk to those who already suffer from respiratory diseases (e.g., asthma), children, older adults, and people who are active outdoors. Exposure to O₃ at certain concentrations can make breathing more difficult, cause shortness of breath and coughing, inflame and damage the airways, aggravate lung diseases, increase the frequency of asthma attacks, and cause chronic obstructive pulmonary disease. Studies show associations between short-term O₃ exposure and non-accidental mortality, including deaths from respiratory issues. Studies also suggest long-term exposure to O₃ may increase the risk of respiratory-related deaths (EPA 2020a). The concentration of O₃ at which health effects are observed depends on an individual's sensitivity, level of exertion (i.e., breathing rate), and duration of exposure. Studies show large individual differences in the intensity of symptomatic responses, with one study finding, for individuals exposed to 400 parts per billion of O₃

² As discussed above, there are also ambient air quality standards for SO₂, lead, sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. However, these pollutants are typically associated with industrial sources, which are not included as part of the project. Accordingly, they are not evaluated further.

³ Most emissions of NO_x are in the form of nitric oxide. Conversion to NO₂ occurs in the atmosphere as pollutants disperse downwind. Accordingly, NO₂ is not considered a local pollutant of concern for the project and is not evaluated further.

for 2 hours including 1 hour of heavy exercise, that the least responsive individual experienced no symptoms or lung function changes while the most sensitive individual experienced a 50-percent reduction in forced expiratory volume along with severe coughing and shortness of breath (EPA 2016). Although the results vary, evidence suggests that sensitive populations (e.g., asthmatics) may be affected on days when the 8-hour maximum O₃ concentration reaches 80 parts per billion (EPA 2016). The average background level of O₃ in the Bay Area is approximately 45 parts per billion (BAAQMD 2017b).

In addition to human health effects, O₃ has been tied to crop damage, typically in the form of stunted growth, leaf discoloration, cell damage, and premature death. O₃ can also act as a corrosive and oxidant, resulting in property damage such as the degradation of rubber products and other materials.

Carbon monoxide is a colorless, odorless toxic gas produced by incomplete combustion of hydrocarbons, such as gasoline or diesel fuel. High CO levels are of greatest concern during the winter, when periods of light winds combine with the formation of ground-level temperature inversions from evening through early morning. These conditions trap pollutants near the ground, reducing the dispersion of vehicle emissions. Moreover, motor vehicles exhibit increased CO emission rates at low air temperatures. The primary adverse health effect associated with CO is interference with normal oxygen transfer to the blood, which may result in tissue oxygen deprivation. Exposure to CO at high concentrations can also cause fatigue, headaches, confusion, dizziness, and chest pain. There are no ecological or environmental effects of CO at or near existing background CO levels (CARB 2020b).

Particulate matter consists of finely divided solids or liquids such as soot, dust, aerosols, fumes, and mists. Two forms of particulates are now generally considered: inhalable coarse particles, or PM₁₀, and inhalable fine particles, or PM_{2.5}. Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. However, wind on arid landscapes also contributes substantially to local particulate loading.

Particulate pollution can be transported over long distances and may adversely affect humans, especially people who are naturally sensitive or susceptible to breathing problems. Numerous studies have linked PM exposure to premature death in people with preexisting heart or lung disease, nonfatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, and increased respiratory symptoms. Studies show that long-term exposure to PM_{2.5} was associated with increased risk of mortality, ranging from a 6 to 13 percent increased risk per 10 micrograms per cubic meter (µg/m³) of PM_{2.5} (CARB 2010). Every 1 µg/m³ reduction in PM_{2.5} results in a 1-percent reduction in the mortality rate for individuals over 30 years old (CARB 2010). Studies also show an increase in overall mortality of approximately 0.5 percent for every 10 milligrams per cubic meter increase in PM₁₀ measured the day before death (EPA 2005). PM₁₀ levels have been greatly reduced since 1990. Peak concentrations have declined by 60 percent, and annual average values have declined by 50 percent (EPA 2005). Depending on its composition, both PM₁₀ and PM_{2.5} can also affect water quality and acidity, deplete soil nutrients, damage sensitive forests and crops, affect ecosystem diversity, and contribute to acid rain (EPA 2020b).

Toxic Air Contaminants

Although ambient air quality standards have been established for criteria pollutants, no ambient standards exist for TACs. Many pollutants are identified as TACs because of their potential to increase the risk of developing cancer or because of their acute or chronic health risks. For TACs

that are known or suspected carcinogens, CARB has consistently found that there are no levels or thresholds below which exposure is risk free. Individual TACs vary greatly in the risks they present. At a given level of exposure, one TAC may pose a hazard that is many times greater than another. TACs are identified and their toxicity is studied by the California Office of Environmental Health Hazard Assessment (OEHHA). The primary TACs of concern associated with the proposed project are asbestos and DPM.

Asbestos is the name given to several naturally occurring fibrous silicate minerals. Before the adverse health effects of asbestos were identified, asbestos was widely used as insulation and fireproofing in buildings, and it can still be found in some older buildings. It is also found in its natural state in rock or soil. The inhalation of asbestos fibers into the lungs can result in a variety of adverse health effects, including inflammation of the lungs, respiratory ailments (e.g., asbestosis, which is scarring of lung tissue that results in constricted breathing), and cancer (e.g., lung cancer and mesothelioma, which is cancer of the linings of the lungs and abdomen).

DPM is generated by diesel-fueled equipment and vehicles. Within the Bay Area, BAAQMD has found that of all controlled TACs, emissions of DPM are responsible for about 82 percent of the total ambient cancer risk (EPA 2020b). Short-term exposure to DPM can cause acute irritation (e.g., eye, throat, and bronchial), neurophysiological symptoms (e.g., lightheadedness and nausea), and respiratory symptoms (e.g., cough and phlegm). EPA has determined that diesel exhaust is “likely to be carcinogenic to humans by inhalation” (EPA 2003).

Odors

Offensive odors can be unpleasant and lead to citizen complaints to local governments and air districts. According to CARB’s *Air Quality and Land Use Handbook*, land uses associated with odor complaints typically include sewage treatment plants, landfills, recycling facilities, manufacturing facilities, and agricultural activities (CARB 2005). CARB provides recommended screening distances for siting new receptors near existing odor sources.

Climate and Meteorology

Although the primary factors that determine air quality are the locations of air pollutant sources and the amount of pollutants emitted from those sources, meteorological conditions and topography are also important factors. Atmospheric conditions, such as wind speed, wind direction, and air temperature gradients, interact with the physical features of the landscape to determine the movement and dispersal of air pollutants. Unique geographic features throughout the state define 15 air basins with distinctive regional climates. The air quality study area is in the Marin County Basin portion of the SFBAAB (BAAQMD 2017a).

Marin County is bounded on the west by the Pacific Ocean, on the east by San Pablo Bay, on the south by the Golden Gate Bridge, and on the north by the Petaluma Gap. Most of Marin County’s population lives in the eastern part of the county, in small, sheltered valleys (BAAQMD 2017a).

Although there are a few mountains above 1,500 feet in height, most of the terrain is only 800 to 1,000 feet high, which usually is not high enough to block the marine layer. Because of the wedge shape of the county, northeast Marin County is farther from the ocean than is the southeastern section. This extra distance from the ocean allows the marine air to be moderated by bayside conditions as it travels to northeastern Marin County. In southern Marin County, the distance from

the ocean is short and elevations are lower, resulting in higher incidence of maritime air in that area (BAAQMD 2017a).

Wind speeds are highest along the west coast of Marin County, averaging about 8 to 10 miles per hour. The complex terrain in central Marin County creates sufficient friction to slow the air flow. At Hamilton Air Force Base, in Novato, the annual average wind speeds are only 5 miles per hour. The prevailing wind directions throughout Marin County are generally from the northwest (BAAQMD 2017a).

In the summer months, areas along the coast are usually subject to onshore movement of cool marine air. In the winter, proximity to the ocean keeps the coastal regions relatively warm, with temperatures varying little throughout the year. Coastal temperatures are usually in the high 50s in the winter and the low 60s in the summer. The warmest months are September and October (BAAQMD 2017a).

The eastern side of Marin County has warmer weather than the western side because of its distance from the ocean and because the hills that separate the eastern portion of the county from western portion occasionally block the flow of the marine air. The temperatures of cities next to the Bay are moderated by the cooling effect of the Bay in the summer and the warming effect of the Bay in the winter. For example, San Rafael experiences average maximum summer temperatures in the low 80s and average minimum winter temperatures in the low 40s. Inland towns such as Kentfield experience average maximum temperatures that are 2 degrees cooler in the winter and 2 degrees warmer in the summer (BAAQMD 2017a).

Air pollution potential is highest in eastern Marin County, where most of the population is in semi-sheltered valleys. In the southeast, the influence of marine air keeps pollution levels low. As development moves farther north, there is greater potential for air pollution to build up because the valleys are more sheltered from the sea breeze. While Marin County does not have many polluting industries, the air quality on its eastern side—especially along the U.S. Highway 101 corridor—may be affected by emissions from increasing motor vehicle use within and through the county (BAAQMD 2017a).

Existing Air Quality Conditions

Ambient Criteria Pollutant Concentrations

A number of ambient air quality monitoring stations are in the SFBAAB to monitor progress toward air quality standards attainment of the NAAQS and CAAQS. The NAAQS and CAAQS are discussed further under Section 3.2.1.1, Regulatory Setting. The nearest monitoring station to the proposed project is CARB's San Rafael monitoring station, within 0.10 mile of the project study area. This monitoring station reported data for all pollutants except CO. CO data for Marin County were obtained using EPA monitoring data.

Table 3.2-2 summarizes data for criteria air pollutant levels from the San Rafael Station for 2017–2019 and shows that measured concentrations exceeded federal and state O₃ standards in 2019, state and federal PM₁₀ standards in 2017 and 2018, and the federal PM_{2.5} standard in 2017 and 2018. Federal and state standards for other pollutants were not exceeded. These existing O₃ and PM violations of ambient air quality standards indicate that some individuals exposed to these pollutants may experience certain health effects, including increased incidence of cardiovascular and respiratory ailments.

Table 3.2-2. Ambient Air Quality Data at the San Rafael Monitoring Station (2017–2019)

Pollutant and Standards	2017	2018	2019
Ozone (O₃)			
Maximum 1-hour concentration (ppm)	0.088	0.072	0.096
Maximum 8-hour concentration (ppm)	0.063	0.053	0.080
Number of days standard exceeded ^a			
CAAQS 1-hour (>0.09 ppm)	0	0	1
CAAQS 8-hour (>0.070 ppm)	0	0	1
NAAQS 8-hour (>0.070 ppm)	0	0	1
Carbon Monoxide (CO)			
Maximum 8-hour concentration (ppm)	1.6	1.6	0.9
Maximum 1-hour concentration (ppm)	2.6	2.0	1.4
Number of days standard exceeded ^a			
NAAQS 8-hour (≥9 ppm)	0	0	0
CAAQS 8-hour (>9.0 ppm)	0	0	0
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO₂)			
National maximum 1-hour concentration (ppb)	53.4	55.3	49.9
National second-highest 1-hour concentration (ppb)	52.2	53.9	47.7
State maximum 1-hour concentration (ppb)	53	55	49
State second-highest 1-hour concentration (ppb)	52	53	47
Annual average concentration (ppb)	9	9	8
Number of days standard exceeded ^a			
CAAQS 1-hour (>180 ppb)	0	0	0
CAAQS Annual (>30 ppb)	0	0	0
NAAQS 1-hour (>100 ppb)	0	0	0
NAAQS Annual (>53 ppb)	0	0	0
Particulate Matter (PM₁₀)			
National maximum 24-hour concentration (µg/m ³)	91.5	160.0	31.9
National second-highest 24-hour concentration (µg/m ³)	50.5	95.2	30.7
State maximum 24-hour concentration (µg/m ³)	94.0	166.0	33.0
State second-highest 24-hour concentration (µg/m ³)	53.0	99.0	32.0
National annual average concentration (µg/m ³)	16.2	18.4	13.9
State annual average concentration (µg/m ³)	16	19	19
Number of days standard exceeded ^a			
NAAQS 24-hour (>150 µg/m ³)	0	1	0
CAAQS 24-hour (>50 µg/m ³)	2	2	0
CAAQS Annual (>20 µg/m ³)	0	0	0

Pollutant and Standards	2017	2018	2019
Fine Particulate Matter (PM_{2.5})			
National maximum 24-hour concentration (µg/m ³)	74.7	167.6	19.5
National second-highest 24-hour concentration (µg/m ³)	65.6	119.9	18.3
State maximum 24-hour concentration (µg/m ³)	74.7	167.6	19.5
State second-highest 24-hour concentration (µg/m ³)	65.6	119.9	17.3
National annual average concentration (µg/m ³)	9.6	11.0	6.3
State annual average concentration (µg/m ³)	9.7	11.1	6.4
Measured number of days standard exceeded ^a			
NAAQS 24-hour (>35 µg/m ³)	8	13	0
NAAQS Annual (>12.0 µg/m ³)	0	0	0
CAAQS Annual (>12.0µg/m ³)	0	0	0

Sources: CARB 2020c, 2020d; EPA 2020c, 2020d

^a An exceedance of a standard is not necessarily a violation because of the regulatory definition of a violation.

^b National statistics are based on standard conditions data. In addition, national statistics are based on samplers using federal reference or equivalent methods.

^c State statistics are based on California approved samplers.

^d State criteria for ensuring that data are sufficiently complete for calculating valid annual averages are more stringent than the national criteria.

ppb = parts per billion; ppm = parts per million; mg/m³ = milligrams per cubic meter

Existing TAC Sources and Health Risks

BAAQMD maintains an inventory of health risks associated with all permitted stationary sources within the SFBAAB. The inventory was last updated in 2020 and is publicly available online. The existing stationary TAC sources within 1,000 feet of the project area are five gas-dispensing facilities, shown on Figure 3.2-1.

Aside from stationary sources, emissions of TACs around the project area are also generated from mobile sources and railways. BAAQMD considers roadways with greater than 10,000 average daily traffic as “high-volume roadways” and recommends they be included in the analysis of health risks. In addition, there are Sonoma-Marin Area Rail Transit tracks within 1,000 feet of the project area.

Regional Attainment Status

Local monitoring data are used to designate areas as nonattainment, maintenance, attainment, or unclassified for the ambient air quality standards. The four designations are defined below. Table 3.2-3 summarizes the attainment status of Marin County.

- **Nonattainment:** assigned to areas where monitored pollutant concentrations consistently violate the standard in question
- **Maintenance:** assigned to areas where monitored pollutant concentrations exceeded the standard in question in the past but are no longer in violation of that standard
- **Attainment:** assigned to areas where pollutant concentrations meet the standard in question over a designated period of time
- **Unclassified:** assigned to areas where data are insufficient to determine whether a pollutant is violating the standard in question

Table 3.2-3. Federal and State Attainment Status for Marin County Portion of the SFBAAB

Criteria Pollutant	Federal Designation	State Designation
Ozone (8-hour)	Marginal Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment (P)	Attainment
Particulate Matter (PM ₁₀)	Attainment	Nonattainment
Fine Particulate Matter (PM _{2.5})	Attainment	Nonattainment
Nitrogen Dioxide (NO ₂)	Attainment	Attainment
Sulfur Dioxide (SO ₂)	Attainment	Attainment
Lead	Attainment	Attainment
Sulfates	(No Federal Standard)	Attainment
Hydrogen Sulfide	(No Federal Standard)	Unclassified
Visibility-Reducing Particles	(No Federal Standard)	Unclassified

Sources: CARB 2020e; EPA 2020c

P = portion of the county

Locations of Sensitive Receptors

Sensitive land uses are defined as locations where human populations, especially children, seniors, and sick persons, are present and where there is reasonable expectation of continuous human exposure according to the averaging period for the air quality standards (i.e., 24-hour, 8-hour, or 1-hour). Per BAAQMD, typical sensitive land uses are residences, hospitals, and schools. Parks and playgrounds, where sensitive receptors (e.g., children and seniors) are present, are also considered sensitive land uses (BAAQMD 2017a).

Places of employment (e.g., commercial/industrial uses) are not considered sensitive land uses because health-sensitive individuals (e.g., children and seniors) are not present. However, there are sensitive receptors, including residential uses, within 1,000 feet of the project area. Figure 3.2-1 illustrates sensitive receptors within 1,000 feet of the project area.

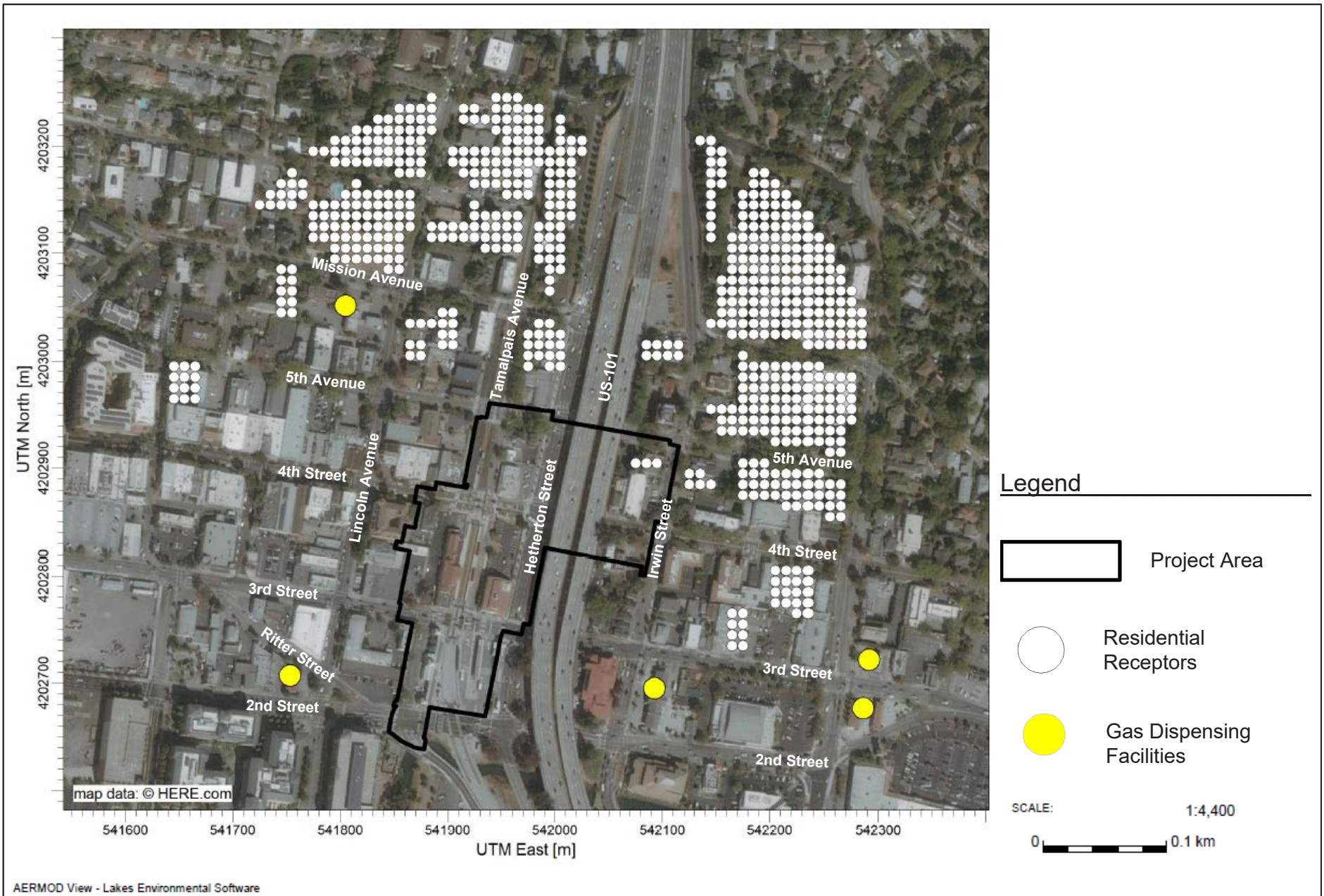


Figure 3.2-1
Existing Air Quality Sensitive Receptors and Emission
Sources in the Vicinity of the Project Area



3.2.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Air quality impacts were analyzed for the project area rather than specific build alternatives because the location of each build alternative would experience a nearly equivalent impact for each resource considered here. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.2.2.1 Methodology

Regional Construction Emissions

As described above, the air quality study area is in the Marin County Basin portion of the SFBAAB. It was assumed each build alternative would have the same construction schedule and phasing. The BAAQMD regional thresholds for construction only require evaluation of exhaust emissions; however, the air quality analysis also estimated fugitive dust emissions for the PM_{2.5} analysis. Emissions were estimated using a combination of emission factors and methodologies from the California Emissions Estimator Model (CalEEMod), version 2016.3.2; CARB's Emission FACTor 2017 (EMFAC2017) model (CARB 2017); and EPA's AP-42: Compilation of Air Pollutant Emission Factors (EPA 2006) and relied upon a combination of CalEEMod default data values, as well as project-specific information for each alternative provided by the project sponsor. The largest project site among the preferred alternative and other build alternatives is approximately 3 acres. An off-road equipment fleet for the proposed project was generated using default CalEEMod values for a 3-acre site. Because 3 acres is the maximum affected area of any alternative, this off-road fleet was applied to every alternative. The use of the build alternative with the largest site would provide the maximum impact; therefore, impacts of other alternatives would represent the maximum possible impacts. Quantities for demolition, grading, and paving activities were provided by the project sponsor for each build alternative. Emissions from gasoline-fueled light-duty vehicles (e.g., construction workers' vehicles) were adjusted to account for the impact of the implementation of Part 1 of the SAFE Vehicles Rule. The construction modeling files are provided in Appendix ~~DB~~ of this ~~Draft-Final~~ Environmental Impact Report (EIR).

Regional Operational Emissions

Emissions from the proposed project were estimated using CalEEMod. Based on information in Section 3.14, Transportation, all build alternatives primarily represent a shifting of bus activity from one location to another; the proposed project would not change the amount of bus service provided and new vehicle trips are not assumed to be generated by the proposed project. Although the proposed project would improve the efficiency of bus operations and create operational flexibility for bus movements into and out of the transit center, no future expansion of transit service is currently programmed or planned and thus cannot be reasonably forecasted. Therefore, no mobile emissions at the regional scale were evaluated for project operations. The operations modeling files are provided in Appendix ~~BD~~ of this ~~Draft-Final~~ EIR.

Health Risk Assessment

Diesel Exhaust Impacts

Given that the proposed project would introduce DPM emissions to an area near existing sensitive receptors, a health risk assessment (HRA) was performed using EPA's most recent dispersion model, AERMOD (version 19191), cancer and chronic risk assessment values presented by OEHHA, and other assumptions for model inputs from the *BAAQMD Health Risk Assessment Modeling Protocol* (BAAQMD 2020). Note that the HRA takes into account OEHHA's most recent guidance and calculation methods from the *Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments* (OEHHA 2015).

The HRA analyzes health risks to nearby sensitive receptors from construction and operational activities. The HRA consists of three parts: a DPM inventory, air dispersion modeling, and risk calculations. A description of each of these parts follows.

DPM Inventory

The DPM inventory includes DPM emissions from construction and operations. The construction DPM inventory includes unmitigated and mitigated DPM emissions associated with short-term construction activity and was assumed to be equal to the construction analysis results for diesel PM_{2.5} exhaust per BAAQMD guidance. The construction PM_{2.5} inventory was also assumed to be equal to the construction analysis results for the sum of PM_{2.5} exhaust and fugitive dust.

The operational DPM inventory includes emissions from buses idling in the project area and on-road travel in the project vicinity. Emissions were based on project-specific information provided by the project sponsor, including daily arrivals and departures for each bus route that would serve the proposed project, bus type, and fuel type. Some buses had hybrid or gasoline engines; however, it was conservatively assumed all buses would be diesel powered. For idling emissions, it was assumed a bus would idle for 5 minutes for every arrival and departure.

Air Dispersion Modeling

The HRA uses EPA's AERMOD to model annual average DPM and PM_{2.5} concentrations at nearby receptors. Modeling inputs, including emission rates (in grams of pollutant emitted per second) and source characteristics (e.g., release height, stack diameter, plume width), were based on guidance provided by OEHHA, BAAQMD, and the South Coast Air Quality Management District (SCAQMD). Meteorological data were obtained from CARB for the Gness Field Airport location, which is the nearest monitoring station, approximately 13 miles north of the project area.

Onsite construction emissions from off-road equipment and onsite truck travel were characterized as polygon area sources that outlined the footprint of the build alternatives. An emissions release height of 5 meters above the ground represented exhaust emissions and a release height of 0 meters represented onsite fugitive dust emissions (SCAQMD 2008). On-road travel emissions from haul and vendor trucks (as well as worker vehicles for PM_{2.5} analysis) were characterized as line volume sources with release heights of 0.9 meter for fugitive dust emissions and 3.4 meters for exhaust emissions. Emissions from off-road equipment were assumed to be generated throughout the construction footprint. Emissions from offsite trucks were modeled along the road segments adjacent to the construction footprint for each build alternative.

The modeling of emissions from construction activities was based on the construction hours and days (5 days per week and 8 hours per day). To account for plume rise associated with mechanically

generated air turbulence from construction emissions sources for the AERMOD run, the initial vertical dimension of the area source was modeled at 1.4 meters; for the line volume sources it was modeled at 3.16 meters. The urban dispersion option was used based on the project area's characteristics.

Offsite sensitive receptors were placed at individual homes in all directions within 1,000 feet of the construction work areas and haul roads using a 10- by 10-meter receptor grid.

Operational emissions from bus idling were characterized as multiple volume sources that covered the project areas where idling could occur. For on-road bus travel, exhaust emissions were assigned a release height of 3.4 meters and fugitive dust emissions were assigned a release height of 0.9 meter. The modeling of emissions from bus travel activities was based on buses operating in the area for 18 hours per day (5 a.m.–11 p.m.) and 365 days per year. Sensitive receptor locations were placed using the same receptor grid for construction. A complete list of dispersion modeling inputs is provided in Appendix **BD**.

Risk Calculations

The risk calculations incorporate OEHHA's age-specific factors that account for increased sensitivity to carcinogens during early-in-life exposure. The approach for estimating cancer risk from long-term inhalation, with exposure to carcinogens, requires calculating a range of potential doses and multiplying by cancer potency factors in units corresponding to the inverse dose to obtain a range of cancer risks. For cancer risk, the risk for each age group is calculated using the appropriate daily breathing rates, age sensitivity factors, and exposure durations. The cancer risks calculated for individual age groups are summed to estimate the cancer risk for each receptor. Chronic cancer and hazard risks were calculated using from OEHHA's 2015 HRA guidance (OEHAA 2015). In accordance with BAAQMD guidance, residential cancer risks assume a 30-year exposure (BAAQMD 2020). Two cancer risk scenarios were evaluated for each build alternative. Scenario 1 evaluates a receptor beginning in the third trimester of pregnancy being exposed to the full construction duration of 1.5 years and then 28.75 years of operations, for a total exposure duration of 30.25 years. Scenario 2 evaluates a receptor beginning in the third trimester of pregnancy being exposed to 30 years of operations. Table 3.2-4 and Table 3.2-5 provide the residential exposure factors for each HRA Scenario.

Table 3.2-4. Scenario 1 Exposure Factors

Parameter	Construction (Age Bins)		Operations (Age Bins)		
	3rd Tri	0<2	0<2	2<16	16<30
Daily Breathing Rate (mg/kg/day) ^a	361	1,090	1,090	572	261
Inhalation Absorption Factor (unitless)	1.0	1.0	1.0	1.0	1.0
Exposure Frequency (unitless) ^b	0.96	0.96	0.96	0.96	0.96
Conversion Factor (μg to mg , L to m^3)	1.00E-06	1.00E-06	1.00E-06	1.00E-06	1.00E-06
Age Sensitivity Factor (unitless)	10	10	10	3	1
Exposure Duration (years)	0.25	1.25	0.75	14	14
Averaging Time for Lifetime (years)	70.0	70.0	70.0	70.0	70.0
Fraction of Time at Home (unitless)	1.0	1.0	1.0	1.0	1.0

Parameter	Construction (Age Bins)		Operations (Age Bins)		
	3rd Tri	0<2	0<2	2<16	16<30
Cancer Conversion Factor (unitless)	1.00E+06	1.00E+06	1.00E+06	1.00E+06	1.00E+06
DPM Cancer Potency Factor (mg/kg/day) ⁻¹	1.1	1.1	1.1	1.1	1.1

Source: OEHHA 2015

^a 95th percentile daily breathing rate for third trimester and 0<2; 80th percentile for other age groups.

^b Exposure frequency based on 350 days per year.

1.00E-6 = 0.000001

1.00E+6 = 1,000,000

Tri = trimester; mg/kg/day = milligrams per kilogram per day; µg = microgram; mg = milligram; L = liter; m³ = square meter

Table 3.2-5. Scenario 2 Exposure Factors

Parameter	3rd Tri	0<2	2<16	16<30
Daily Breathing Rate (mg/kg/day) ¹	361	1,090	572	261
Inhalation Absorption Factor (unitless)	1.0	1.0	1.0	1.0
Exposure Frequency (unitless) ²	0.96	0.96	0.96	0.96
Conversion Factor (µg to mg, L to m ³)	1.00E-06	1.00E-06	1.00E-06	1.00E-06
Age Sensitivity Factor (unitless)	10	10	3	1
Exposure Duration (years)	0.25	2.0	14	13.75
Averaging Time for Lifetime (years)	70.0	70.0	70.0	70.0
Fraction of Time at Home (unitless)	1.0	1.0	1.0	1.0
Cancer Conversion Factor (unitless)	1.00E+06	1.00E+06	1.00E+06	1.00E+06
Cancer Potency Factor (mg/kg/day) ⁻¹	1.1	1.1	1.1	1.1

Source: OEHHA 2015

¹ 95th percentile daily breathing rate for third trimester and 0<2; 80th percentile for other age groups.

² Exposure frequency based on 350 days per year.

1.00E-6 = 0.000001

1.00E+6 = 1,000,000

Tri = trimester; mg/kg/day = milligrams per kilogram per day; µg = microgram; mg = milligram; L = liter; m³ = square meter

Carbon Monoxide Hot-Spots Modeling

The analysis of CO impacts was conducted using BAAQMD's CO screening criteria (BAAQMD 2017a) discussed above.

3.2.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to air quality.

Would the proposed project:

- Conflict with or obstruct implementation of the applicable air quality plan?
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard?

- Expose sensitive receptors to substantial pollutant concentrations?
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As discussed above, all pollutants that would be generated by the proposed project are associated with some form of health risk (e.g., asthma, lower respiratory problems). The primary pollutants of concern generated by the proposed project are O₃ precursors (ROG and NO_x), CO, PM, and TACs (including DPM and asbestos). The following sections discuss thresholds and analysis considerations for regional and local project-generated criteria pollutants with respect to their human health implications. Thresholds and guidance for evaluating potential odors associated with the project area also presented.

Regional Project-Generated Criteria Pollutant Emissions (Ozone Precursors and Regional Particulate Matter)

This analysis evaluates the impacts of regional emissions generated by the proposed project using a two-tiered approach that considers guidance recommended by BAAQMD in its *California Environmental Quality Act Air Quality Guidelines* (BAAQMD 2017a).

First, this analysis considers whether the proposed project would conflict with the most recent air quality plan (BAAQMD 2017b). The impact analysis evaluates whether the proposed project supports the primary goals of the 2017 Clean Air Plan, including applicable control measures from the 2017 Clean Air Plan, and whether it would disrupt or hinder implementation of any 2017 Clean Air Plan control measures.

Second, calculated regional criteria pollutant emissions are compared to BAAQMD's project-level thresholds. BAAQMD's thresholds are summarized in Table 3.2-6 and are recommended by the air district to evaluate the significance of a project's regional criteria pollutant emissions (BAAQMD 2017a). According to BAAQMD, projects with emissions in excess of the thresholds shown in Table 3.2-6 would be expected to have a significant impact on regional air quality, because an exceedance of the thresholds is anticipated to contribute to CAAQS and NAAQS violations.

Table 3.2-6. BAAQMD Project-Level Regional Criteria Pollutant Emission Thresholds

Analysis	Thresholds
Regional Criteria Pollutants (Construction)	<ul style="list-style-type: none"> • Reactive Organic Gases: 54 pounds/day • Nitrogen Oxides: 54 pounds/day • Particulate Matter: 82 pounds/day (exhaust only); compliance with best management practices (fugitive dust) • Fine Particulate Matter: 54 pounds/day (exhaust only); compliance with best management practices (fugitive dust)
Regional Criteria Pollutants (Operations)	<ul style="list-style-type: none"> • Reactive Organic Gases: 54 pounds/day • Nitrogen Oxides: 54 pounds/day • Particulate Matter: 82 pounds/day (exhaust + fugitive dust) • Fine Particulate Matter: 54 pounds/day (exhaust +fugitive dust)

Source: BAAQMD 2017a

Health-Based Thresholds for Project-Generated Pollutants of Human Health Concern

The California Supreme Court's decision in *Sierra Club v. County of Fresno* (6 Cal. 5th 502) (hereafter referred to as the Friant Ranch Decision) reviewed the long-term, regional air quality analysis contained in the EIR for the proposed Community Plan Update and Friant Ranch Specific Plan. The Friant Ranch Specific Plan project is a 942-acre master-plan development in unincorporated Fresno County within the San Joaquin Valley Air Basin, an air basin currently in nonattainment under the NAAQS and CAAQS for O₃ and PM_{2.5}. The Court found that the EIR's air quality analysis was inadequate because it failed to provide enough detail "for the public to translate the bare [criteria pollutant emissions] numbers provided into adverse health impacts or to understand why such a translation is not possible at this time." The Court's decision clarifies that environmental documents must attempt to connect a project's air quality impacts to specific health effects or explain why it is not technically feasible to perform such an analysis.

Regional Project-Generated Criteria Pollutants (Ozone Precursors and Regional PM)

Adverse health effects induced by regional criteria pollutant emissions generated by the proposed project (O₃ precursors and PM) are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, the number and character of exposed individuals [e.g., age, gender]). For these reasons, O₃ precursors (ROG and NO_x) contribute to the formation of ground-level O₃ on a regional scale. Emissions of ROG and NO_x generated in one area may not equate to a specific O₃ concentration in that same area. Similarly, some types of particulate pollutant may be transported over long distances or formed through atmospheric reactions. As such, the magnitude and locations of specific health effects from exposure to increased O₃ or regional PM concentrations are the product of emissions generated by numerous sources throughout a region, as opposed to a single individual project.

Models and tools have been developed to correlate regional criteria pollutant emissions to potential community health impacts. While there are models capable of quantifying O₃ and secondary PM formation and associated health effects, these tools were developed to support regional planning and policy analysis and have limited sensitivity to small changes in criteria pollutant concentrations induced by individual projects. Therefore, translating project-generated criteria pollutants to the locations where specific health effects could occur or the resultant number of additional days of nonattainment is not possible with any degree of accuracy.

Technical limitations of existing models to correlate project-level regional emissions to specific health consequences are recognized by air quality management districts throughout the state, including the San Joaquin Valley Air Pollution Control District (SJVAPCD) and SCAQMD, which provided amici curiae briefs for the Friant Ranch legal proceedings.⁴ In its brief, SJVAPCD acknowledges that while health risk assessments for localized air toxics, such as DPM, are commonly prepared, "it is not feasible to conduct a similar analysis for criteria air pollutants because currently available computer modeling tools are not equipped for this task" (SJVAPCD 2015). SJVAPCD further notes that emissions solely from the Friant Ranch Specific Plan project (which equate to less than one-tenth of 1 percent of the total NO_x and VOC in the valley) are not likely to yield valid information, and that any such information should not be "accurate when applied at the local level."

⁴ The amici curiae briefs for Friant Ranch are available at: <https://www.courts.ca.gov/41312.htm>.

SCAQMD (2015) presents similar information in its brief, stating that “it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels.”

As discussed above, air districts develop region-specific CEQA thresholds of significance in consideration of existing air quality concentrations and attainment designations under the NAAQS and CAAQS. The NAAQS and CAAQS are informed by a wide range of scientific evidence that demonstrates there are known safe concentrations of criteria pollutants. While recognizing that air quality is a cumulative problem, air districts typically consider impacts from projects that generate criteria pollutant and O₃ precursor emissions below these thresholds to be minor in nature and to not adversely affect air quality such that the NAAQS or CAAQS would be exceeded. Emissions generated by the proposed project could increase photochemical reactions and the formation of tropospheric O₃ and secondary PM, which, at certain concentrations, could lead to increased incidence of specific health consequences. Although these health effects are associated with O₃ and particulate pollution, the effects are a result of cumulative and regional emissions. Therefore, the proposed project’s incremental contribution cannot be traced to specific health outcomes on a regional scale and a quantitative correlation of project-generated regional criteria pollutant emissions to specific human health impacts is not included in this analysis. There are no numerical thresholds related to specific health outcomes from regional emissions; however, project-generated emissions are analyzed below.

Localized Project-Generated Criteria Pollutant Emissions (Carbon Monoxide and Particulate Matter) and Air Toxics (Diesel Particulate Matter)

Localized pollutants generated by a project can potentially affect populations near the emissions source. Because these pollutants dissipate with distance, emissions from individual projects can result in direct and material health impacts on adjacent sensitive receptors. The localized pollutants of concern that would be generated by the proposed project are CO, PM, and DPM. The applicable thresholds for each pollutant are described below.

Carbon Monoxide

Heavy traffic congestion can contribute to high levels of CO, and individuals exposed to such hot spots may have a greater likelihood of developing adverse health effects. BAAQMD has adopted screening criteria that provide a conservative indication of whether project-generated traffic would cause a potential CO hot spot. If the screening criteria are not met, a quantitative analysis through site-specific dispersion modeling of project-related CO concentrations would not be necessary, and the proposed project would not cause localized violations of the CAAQS for CO. BAAQMD’s CO screening criteria are summarized below (BAAQMD 2017a).

- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- Project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).
- The proposed project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.

BAAQMD does not consider construction-generated CO a significant pollutant of concern because construction activities typically do not generate substantial quantities of this pollutant (BAAQMD 2017a).

Particulate Matter

BAAQMD adopted an incremental PM_{2.5} concentration-based significance threshold in which a “substantial” contribution at the project level for an individual source is defined as total (i.e., exhaust and fugitive) PM_{2.5} concentrations exceeding 0.3 µg/m³. In addition, BAAQMD considers projects to have a cumulatively considerable PM_{2.5} impact if sensitive receptors are exposed to PM_{2.5} concentrations from local sources within 1,000 feet, including existing sources, project-related sources, and reasonably foreseeable future sources, that exceed 0.8 µg/m³ (BAAQMD 2017a).

BAAQMD has not established PM₁₀ thresholds of significance. BAAQMD’s PM_{2.5} thresholds apply to both new receptors and new sources. However, BAAQMD considers fugitive PM₁₀ from earth-moving activities to be less than significant with application of BAAQMD’s Basic Construction Mitigation Measures.

Diesel Particle Matter

DPM has been identified as a TAC and is particularly concerning because long-term exposure can lead to cancer, birth defects, and damage to the brain and nervous systems. BAAQMD has adopted incremental cancer and hazard thresholds to evaluate receptor exposure to single sources of DPM emissions. The “substantial” DPM threshold defined by BAAQMD is exposure of a sensitive receptor to an individual emissions source, resulting in an excess cancer risk level of more than 10 in 1 million or a non-cancer (i.e., chronic or acute) hazard index greater than 1.0 (BAAQMD 2017a). The air district also considers projects to have a cumulatively considerable DPM impact if they contribute to DPM emissions that, when combined with cumulative sources within 1,000 feet of sensitive receptors, result in excess cancer risk levels of more than 100 in 1 million or a hazard index greater than 10.0. BAAQMD considers a project to have a significant cumulative impact if it introduces new receptors at a location where the combined exposure of all cumulative sources within 1,000 feet is in excess of cumulative thresholds (BAAQMD 2017a).

Lead and Asbestos

Based on information in Section 3.8, Hazards and Hazardous Materials, many structures within the project area could contain hazardous building materials such as asbestos-containing materials (ACM) and lead-based paint. BAAQMD considers a project to have a significant impact if it does not comply with the applicable regulatory requirements outlined in BAAQMD’s Regulation 11, Rules 1 and 2.

Odors

BAAQMD and CARB have identified several types of land uses as being commonly associated with odors, such as landfills, wastewater treatment facilities, and animal processing centers (BAAQMD 2017a; CARB 2005). BAAQMD’s *California Environmental Quality Act Air Quality Guidelines* recommend that project analyses identify the location of existing and planned odor sources and include policies to reduce potential odor impacts in the project area.

3.2.2.3 Impacts

This section includes a discussion of each impact as it corresponds to the thresholds of significance discussed above.

Impact AQ-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan

All Build Alternatives

The CAA requires that a SIP or an air quality control plan be prepared for areas with air quality violating the NAAQS. The SIP sets forth the strategies and pollution-control measures that states will use to attain the NAAQS. The CCAA requires attainment plans to demonstrate a 5-percent-per-year reduction in nonattainment air pollutants or their precursors, averaged every consecutive 3-year period, unless an approved alternative measure of progress is developed. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date. The current air quality attainment plan for the SFBAAB is the 2017 Clean Air Plan (BAAQMD 2017b).

According to BAAQMD's *California Environmental Quality Act Air Quality Guidelines*, the determination of 2017 Clean Air Plan consistency should consider the following for plan-level analyses (BAAQMD 2017a).

- Does the plan support the primary goals of the 2017 Clean Air Plan?
- Does the plan include applicable control measures from the 2017 Clean Air Plan?
- Does the plan disrupt or hinder implementation of any 2017 Clean Air Plan control measure?

Each of these questions is addressed below for the proposed project.

Support of 2017 Clean Air Plan Goals

The primary goals of the 2017 Clean Air Plan are to (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce GHG emissions and protect the climate. The proposed project would redevelop a transportation center in the City. The proposed project is consistent with the Marin Strategic Vision Plan (Transportation Authority of Marin 2017), the regional transportation plans for the Transportation Authority of Marin, and the *San Rafael Downtown Station Area Plan* (City of San Rafael 2012). The proposed project is one of the major projects included in these documents, which serve as the sustainable communities strategies/ regional transportation plans for the respective areas, integrating transportation and land-use strategies to manage GHG emissions and plan for future population growth. On the state level, the proposed project is consistent with the *California Transportation Plan 2050* (Caltrans 2021), which is the state's blueprint for meeting future mobility needs. One of the main policies identified in the regional and local plans of the jurisdictions where the proposed project would be located is the reduction of vehicle miles traveled on roadways. Operation of the proposed project is not expected to increase vehicle miles traveled and would support the shift from automobiles to public transit. Additionally, the proposed project is a transportation project (specifically a transit-supportive project) and by its nature would encourage the use of public transit to reduce single-occupancy

vehicle trips and associated criteria pollutants such as O₃ precursors (ROG and NO_x), PM₁₀, and PM_{2.5}, which would support improving local and regional air quality.

Based on the above analysis, the proposed project would support the primary goals of the 2017 Clean Air Plan.

Support Applicable Control Measures

To meet the primary goals, the 2017 Clean Air Plan recommends specific control measures and actions. These control measures are grouped into various categories and include stationary-source measures, mobile-source measures, and transportation control measures. The 2017 Clean Air Plan recognizes that community design dictates individual travel modes and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and GHGs from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand and people have a range of viable transportation options. To this end, the 2017 Clean Air Plan includes control measures that are aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project are transportation control measures. These measures include the following:

TR3: Local and Regional Bus Service. Fund local and regional bus projects, including operations and maintenance.

TR9: Bicycle and Pedestrian Access and Facilities. Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.

Operation of the proposed project is not expected to increase vehicle miles traveled and would support the shift from automobiles to public transit. Additionally, the proposed project is a transportation project (specifically a transit-supportive project) and by its nature would encourage the use of public transit to reduce single-occupancy vehicle trips and associated criteria pollutants such as O₃ precursors (ROG and NO_x), PM₁₀, and PM_{2.5}, which would support improving local and regional air quality. The proposed project would not reduce or minimize access to any bicycle and pedestrian accessways and is intended to enhance or create new multimodal connectivity to transit-oriented services in the region. Such connectivity reduces the need for single-occupancy vehicle trips.

Based on the above analysis, the proposed project would support the applicable control measures identified in the 2017 Clean Air Plan to meet the plan's primary goals.

Disrupt or Hinder Implementation of 2017 Clean Air Plan Control Measures

As discussed above, operation of the proposed project is not expected to increase vehicle miles traveled and would support the shift from automobiles to public transit. Additionally, the proposed project is a transportation project (specifically a transit-supportive project) and by its nature would encourage the use of public transit to reduce single-occupancy vehicle trips and associated criteria pollutants such as O₃ precursors (ROG and NO_x), PM₁₀, PM_{2.5}, and GHG emissions, which would support goals of the 2017 Clean Air Plan. The proposed project would not disrupt, delay, or otherwise hinder implementation of any applicable control measure from the 2017 Clean Air Plan. Rather, the proposed project would support and facilitate their implementation.

Based on the above analysis, the proposed project would support implementation of the 2017 Clean Air Plan. Accordingly, the proposed project would not fundamentally conflict with the 2017 Clean Air Plan and its air quality impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact AQ-2: Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for Which the Project Region Is a Nonattainment Area for an Applicable Federal or State Ambient Air Quality Standard

Construction

Construction of the proposed project is scheduled to commence in ~~2023 or 2024~~2025, lasting a period of approximately 18 months. Construction associated with each build alternative would generate criteria pollutant emissions from the following activities: demolition, site preparation, grading, construction workers and heavy-duty trucks traveling to and from the project site, fuel combustion by onsite construction equipment, the application of architectural coatings, and paving activities. These construction activities have the potential to temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. The amount of emissions generated on a daily basis would vary depending on the intensity and types of construction activities occurring simultaneously. To provide the most conservative analysis, maximum daily emissions estimates, which are used to assess construction impacts, are based on the day with the greatest intensity of construction activities. The unmitigated criteria air pollutant emissions that would be generated during construction for each alternative are presented in the tables below.

Move Whistlestop Alternative

As shown in Table 3.2-7, construction emissions for the Move Whistlestop Alternative would be below the BAAQMD significance thresholds for all criteria pollutants. Therefore, construction impacts from this alternative would be *less than significant*. No mitigation is required.

Table 3.2-7. Move Whistlestop Alternative Maximum Daily Construction Emissions: Unmitigated

Construction Phase	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀ ^a	PM _{2.5} ^a
Utility Relocations/Improvements	1.46	16.47	0.61	0.56
Utility Relocations/Improvements-Paving	1.13	9.39	0.49	0.45
Building Demo & Site Clearing/Grubbing	1.81	18.72	0.86	0.80
Site Grading	1.64	18.00	0.77	0.71
Site Construction	2.22	19.05	0.77	0.74
Site Construction-Paving	1.13	9.39	0.49	0.45
Site Construction-Arch Coating	4.32	1.76	0.09	0.09
Maximum Daily Emissions	6.54	36.72	1.63	1.51

Construction Phase	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀ ^a	PM _{2.5} ^a
BAAQMD Significance Threshold	54	54	82	54
Exceeds Threshold?	No	No	No	No

Source: Modeling files provided in Appendix B_D.

^a BAAQMD construction thresholds for PM₁₀ and PM_{2.5} only evaluate exhaust emissions. Dust emissions would be controlled using best management practices.

lb/day = pounds per day

Adapt Whistlestop Alternative

As shown in Table 3.2-8, construction emissions for the Adapt Whistlestop Alternative would be below the BAAQMD significance thresholds for all criteria pollutants. Therefore, construction impacts from this alternative would be *less than significant*. No mitigation is required.

Table 3.2-8. Adapt Whistlestop Alternative Maximum Daily Construction Emissions: Unmitigated

Construction Phase	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀ ^a	PM _{2.5} ^a
Utility Relocations/Improvements	1.46	16.47	0.61	0.56
Utility Relocations/Improvements-Paving	1.08	9.39	0.49	0.45
Building Demo & Site Clearing/Grubbing	1.79	18.22	0.85	0.79
Site Grading	1.64	18.00	0.77	0.71
Site Construction	2.20	18.55	0.77	0.74
Site Construction-Paving	1.08	9.39	0.49	0.45
Site Construction-Arch Coating	3.96	1.76	0.09	0.09
Maximum Daily Emissions	6.15	36.22	1.62	1.50
BAAQMD Significance Threshold	54	54	82	54
Exceeds Threshold?	No	No	No	No

Source: Modeling files provided in Appendix B_D.

^a BAAQMD construction thresholds for PM₁₀ and PM_{2.5} only evaluate exhaust emissions. Dust emissions would be controlled using best management practices.

lb/day = pounds per day

4th Street Gateway Alternative

As shown in Table 3.2-9, construction emissions for the 4th Street Gateway Alternative would be below the BAAQMD significance thresholds for all criteria pollutants. Therefore, construction impacts from this alternative would be *less than significant*. No mitigation is required.

Table 3.2-9. 4th Street Gateway Alternative Maximum Daily Construction Emissions: Unmitigated

Construction Phase	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀ ^a	PM _{2.5} ^a
Utility Relocations/Improvements	1.46	16.47	0.61	0.56
Utility Relocations/Improvements-Paving	1.21	9.39	0.49	0.45
Building Demo & Site Clearing/Grubbing	1.79	18.22	0.85	0.79
Site Grading	1.64	18.00	0.77	0.71
Site Construction	2.22	19.05	0.77	0.74

Construction Phase	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀ ^a	PM _{2.5} ^a
Site Construction-Paving	1.21	9.39	0.49	0.45
Site Construction-Arch Coating	4.86	1.76	0.09	0.09
Maximum Daily Emissions	7.08	36.22	1.62	1.50
BAAQMD Significance Threshold	54	54	82	54
Exceeds Threshold?	No	No	No	No

Source: Modeling files provided in Appendix B_D.

^a BAAQMD construction thresholds for PM₁₀ and PM_{2.5} only evaluate exhaust emissions. Dust emissions would be controlled using best management practices.

lb/day = pounds per day

Under the Freeway Alternative

As shown in Table 3.2-10, construction emissions for the Under the Freeway Alternative would be below the BAAQMD significance thresholds for all criteria pollutants. Therefore, construction impacts from this alternative would be *less than significant*. No mitigation is required.

Table 3.2-10. Under the Freeway Alternative Maximum Daily Construction Emissions: Unmitigated

Construction Phase	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀ ^a	PM _{2.5} ^a
Utility Relocations/Improvements	1.46	16.47	0.61	0.56
Utility Relocations/Improvements-Paving	1.11	9.39	0.49	0.45
Building Demo & Site Clearing/Grubbing	1.81	18.72	0.86	0.80
Site Grading	1.64	18.00	0.77	0.71
Site Construction	2.22	19.05	0.77	0.74
Site Construction-Paving	1.11	9.39	0.49	0.45
Site Construction-Arch Coating	4.14	1.76	0.09	0.09
Maximum Daily Emissions	6.36	36.72	1.63	1.51
BAAQMD Significance Threshold	54	54	82	54
Exceeds Threshold?	No	No	No	No

Source: Modeling files provided in Appendix B_D.

^a BAAQMD construction thresholds for PM₁₀ and PM_{2.5} only evaluate exhaust emissions. Dust emissions would be controlled using best management practices.

lb/day = pounds per day

Conclusion

As shown in the tables above, construction of each alternative would not generate ROG, NO_x, or exhaust PM emissions in excess of BAAQMD's significance thresholds. Therefore, construction emissions of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard and impacts would be *less than significant*.

Operations

All Build Alternatives

Criteria pollutant emissions from the proposed project during operations would be nominal. Each build alternative would operate a 3,000-square-foot building, which would include customer service, public restrooms, driver relief facilities, small retail, maintenance, and security. Building emissions would be associated with energy sources (natural gas consumption) and area sources (architectural coatings and consumer products). As discussed previously, all build alternatives primarily represent a shifting of bus activity. The proposed project would not change the amount of bus service to be provided and would not result in an increase of new vehicle trips or vehicle miles traveled. Based on this, project operations would not increase mobile source emissions. As shown in Table 3.2-11, operational emissions would be well below the BAAQMD significance thresholds. Therefore, each build alternative would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard and project impacts would be *less than significant*.

Table 3.2-11. Maximum Daily Operations Emissions: Unmitigated

Source Category	Maximum Daily Emissions (lb/day)			
	ROG	NO _x	PM ₁₀	PM _{2.5}
Area	0.07	<0.01	<0.01	<0.01
Energy	<0.01	<0.01	<0.01	<0.01
Total Operational Emissions	0.07	<0.01	<0.01	<0.01
BAAQMD Significance Threshold	54	54	82	54
Exceeds Threshold?	No	No	No	No

Source: Modeling files provided in Appendix B_D.
lb/day = pounds per day

Mitigation Measures

No mitigation is required.

Impact AQ-3: Expose Sensitive Receptors to Substantial Pollutant Concentrations

All Build Alternatives

Carbon Monoxide Hotspots

All build alternatives primarily represent a shifting of bus activity from one location to another; the proposed project would not change the amount of bus service to be provided and new vehicle trips are not assumed to be generated by the proposed project. Based on intersection volumes from the Transportation Summary Report for the proposed project (see Appendix C_E: Kimley-Horn 2021), the maximum peak-hour intersection volume would be 4,023 vehicles at Irwin Street and 2nd Street (Appendix C_E). Given this amount is substantially less than BAAQMD's hourly screening level of 44,000 vehicles per hour, the shifting of bus activity would not result in a CO hotspot and impacts would be *less than significant*.

Toxic Air Contaminants

The primary TACs of concern associated with the proposed project are asbestos, lead, and DPM.

Asbestos and Lead

Demolition of existing structures in the project area may result in the dispersion of ACM and lead-based paint, should they be present, to adjacent sensitive receptor locations. All demolition activities would be subject to EPA's asbestos NESHAP if asbestos is present at any of the existing structures on site. The asbestos NESHAP regulations protect the public by minimizing the release of asbestos fibers during activities involving the processing, handling, and disposal of ACM. The asbestos NESHAP regulations for demolition and renovation are outlined in BAAQMD Regulation 11, Rule 2. In addition to demolition and renovation measures, BAAQMD Regulation Rule 2 includes measures to address ACM during haul truck transport. More specifically, it includes provisions such as treating ACM with water prior to transport and placing such materials in leak-tight containers for haul truck transport to disposal sites. During construction, best management practices relating to the proper handling of hazardous materials would be implemented as part of the proposed project's Construction General Permit. In the event that construction activities encounter these hazardous materials, the appropriate safety procedures would be followed, and relevant agencies notified (e.g., Certified Unified Program Agency notification through the procedures outlined in the Marin County *Hazardous Materials Area Plan* [Marin County 2008]). Overall, regulatory mechanisms exist that would ensure that impacts from ACM and lead, if present during demolition activities within the project site, would be ***less than significant***.

DPM/PM_{2.5}

DPM is a carcinogen emitted by diesel internal combustion engines. Construction activities would generate DPM (PM_{2.5} exhaust)⁵ that could expose adjacent receptors and onsite receptors (beginning in ~~2023~~ ~~or 2024~~ 2025) to significant health risks. However, DPM concentrations would be dramatically reduced, even at distances of 500 feet. As explained in BAAQMD's *California Environmental Quality Act Air Quality Guidelines*:

Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet...In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.

Health impacts from DPM would include cancer risk and chronic non-cancer risk. The HRA results also included evaluation of annual concentrations of PM_{2.5} from exhaust and fugitive dust sources. As discussed previously, cancer risk was evaluated for two scenarios: (1) construction and operations and (2) operations only. The following tables present the unmitigated health risks for the maximum exposed offsite residential receptor within 1,000 feet of each build alternative.

⁵ Per BAAQMD guidance, PM_{2.5} exhaust is used as a surrogate for DPM.

Scenario 1: Construction Plus Operations

As shown in Table 3.2-12, all build alternatives would exceed the cancer risk threshold. Additionally, the Under the Freeway Alternative would exceed the annual PM_{2.5} threshold. Therefore, health risk impacts would be **significant** and mitigation is required.

Table 3.2-12. Unmitigated Health Risk Results: Scenario 1

Build Alternative	Cancer Risk (cases per million) ^a	Non-Cancer Hazard Index	Annual PM _{2.5} Concentration (µg/m ³)
Move Whistlestop	10.6	0.01	0.08
Adapt Whistlestop	10.9	0.01	0.09
4th Street Gateway	28.0	0.02	0.25
Under the Freeway	43.6	0.0	0.44
BAAQMD Significance Threshold	10	1.0	0.3
Exceeds Threshold?	Yes (all alternatives)	No (all alternatives)	Yes (Under the Freeway Alternative only)

^a Cancer risk scenario evaluated a receptor in the third trimester of pregnancy being exposed to the full construction duration of 1.5 years and then 28.75 years of operations, for a total exposure duration of 30 years.

Table 3.2-13 shows the health risk results for all build alternatives with implementation of Mitigation Measure MM-AQ-CNST-1. As shown in Table 3.2-13, cancer risk and annual PM_{2.5} concentrations would be reduced to levels below BAAQMD health risk thresholds. Therefore, each build alternative would not expose sensitive receptors to substantial pollution concentrations and impacts would be **less than significant with mitigation**.

Table 3.2-13. Mitigated Health Risk Results: Scenario 1

Build Alternative	Cancer Risk (cases per million) ^a	Non-Cancer Hazard Index	Annual PM _{2.5} Concentration (µg/m ³)
Move Whistlestop	2.91	0.0005	0.05
Adapt Whistlestop	2.92	0.0005	0.05
4th Street Gateway	4.57	0.001	0.15
Under the Freeway	6.03	0.002	0.27
BAAQMD Significance Threshold	10	1.0	0.3
Exceeds Threshold?	No (all alternatives)	No (all alternatives)	No (all alternatives)

^a Cancer risk scenario evaluated a receptor in the third trimester of pregnancy being exposed to the full construction duration of 1.5 years and then 28.75 years of operations, for a total exposure duration of 30 years.

Scenario 2: Operations Only

As shown in Table 3.2-14, all build alternatives would be below all BAAQMD health risk thresholds. Therefore, operational emissions of each build alternative would not expose sensitive receptors to substantial pollutant concentrations and impacts would be **less than significant**.

Table 3.2-14. Unmitigated Health Risk Results: Scenario 2

Build Alternative	Cancer Risk (cases per million) ^a	Non-Cancer Hazard Index	Annual PM _{2.5} Concentration (µg/m ³)
Move Whistlestop	3.66	0.001	0.13
Adapt Whistlestop	3.66	0.001	0.13
4th Street Gateway	4.65	0.001	0.12
Under the Freeway	5.40	0.001	0.12
BAAQMD Significance Threshold	10	1.0	0.3
Exceeds Threshold?	No	No	No
	(all alternatives)	(all alternatives)	(all alternatives)

^a Cancer risk scenario evaluated a receptor in the third trimester of pregnancy being exposed to 30 years of project operations.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measure would be implemented.

MM-AQ-CNST-1: Use Clean Diesel-Powered Equipment during Construction to Control Construction-Related Emissions

The project sponsor shall ensure that all off-road diesel-powered equipment used during construction is equipped with EPA-approved Tier 4 Final engines to reduce DPM. The construction contractor shall submit evidence of the use of EPA-approved Tier 4 Final engines or cleaner for project construction to the City prior to the commencement of construction activities.

Impact AQ-4: Result in Other Emissions (Such as Those Leading to Odors) Adversely Affecting a Substantial Number of People

All Build Alternatives

BAAQMD and CARB have identified the following types of land uses as being commonly associated with odors. Although this list is not exhaustive, it is intended to help lead agencies recognize the types of facilities where more analysis may be warranted.

- Sewage treatment plants
- Coffee roasters
- Asphalt plants
- Metal smelters
- Landfills
- Recycling facilities
- Waste transfer stations
- Petroleum refineries

- Biomass operations
- Auto body shops
- Coating operations
- Fiberglass manufacturers
- Foundries
- Rendering plants
- Livestock operations

There are sensitive receptors within 1,000 feet of the project area. Potential odor emitters during construction activities include diesel exhaust, asphalt paving, and the use of architectural coatings and solvents. Construction-related activities would be temporary, and construction activities would not be likely to result in nuisance odors that would violate BAAQMD Regulation 7. Odors during operation could emanate from vehicle exhaust and the reapplication of architectural coatings. These odors would be limited to areas adjacent to the project area. Although such brief exhaust- and paint-related odors may be considered adverse, they would not affect a substantial number of people.

Additionally, the proposed project is not associated with any of the land uses listed above and would not result in odorous emissions. Odors from diesel exhaust currently exist in the project area. Because each build alternative would not result in an increase in vehicle trips and would only shift the existing buses to another location, the proposed project would not introduce new sources of odors. Given mandatory compliance with BAAQMD regulations, no construction or operational activities proposed would create a level of objectionable odors that would adversely affect a substantial number of people and impacts would be *less than significant*. No mitigation is required.

Mitigation Measures

No mitigation is required.

Section 3.3

Biological Resources

This section describes the biological resources in the project area and the potential impacts of the San Rafael Transit Center Replacement Project (proposed project) on these resources. This section discusses the federal, state, and local regulatory framework for biological resources; the existing conditions in the project area; and the potential for the proposed project and other build alternatives to affect biological resources. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.3.1 Existing Conditions

3.3.1.1 Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) serves as the primary federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The CWA operates on the principle that all discharges into the nation's waters are unlawful unless specifically authorized by a permit; permit review is the CWA's primary regulatory tool. On April 21, 2020, the Navigable Waters Protection Rule was published in the Federal Register, providing a new and more restrictive definition of wetlands and non-wetland waters that are regulated under the CWA. This new rule took effect on June 22, 2020. Aquatic resources (i.e., wetlands, ponds, and streams) are present in the project area and may be regulated under CWA Section 404. Aquatic resources that are no longer regulated as a result of implementing the Navigable Waters Protection Rule will be regulated by the State Water Resources Control Board (SWRCB) based on the recently adopted state wetland definitions and procedures (see Porter-Cologne Water Quality Control Act). The following sections provide additional details on specific sections of the CWA.

Permits for Fill Placement in Waters and Wetlands (Section 404)

Applicants must obtain a Section 404 permit from the U.S. Army Corps of Engineers (USACE) for all discharges of dredged or fill material into waters of the United States, including adjacent wetlands, before proceeding with a proposed activity. Nationwide permits are preauthorized permits issued to cover particular fill activities. Each nationwide permit specifies conditions that must be met for the nationwide permit to apply to a project. Compliance with CWA Section 404 requires compliance with the National Environmental Policy Act, federal Endangered Species Act (ESA), and National Historic Preservation Act. In addition, USACE cannot issue or verify any permit until a water quality certification or a waiver of certification has been issued pursuant to CWA Section 401.

Permits for Stormwater Discharge (Section 402)

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program, which is administered by

the U.S. Environmental Protection Agency. In the project area, the San Francisco Bay Regional Water Quality Control Board (RWQCB) is authorized by the U.S. Environmental Protection Agency to oversee the NPDES program. NPDES permits are required for projects that disturb more than 1 acre of land. The NPDES permitting process requires the applicant to file a public notice of intent to discharge stormwater and to prepare and implement a Stormwater Pollution Prevention Plan, which includes the best management practices (BMPs) that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources.

Water Quality Certification (Section 401)

All projects that have a federal component and may affect state water quality (including projects that require federal agency approval, such as issuance of a Section 404 permit) must also comply with CWA Section 401.

Executive Order 11990: Protection of Wetlands

Executive Order 11990, signed May 24, 1977, requires federal agencies to prepare wetland assessments for proposed actions located in or affecting wetlands. Agencies must avoid undertaking new construction in wetlands unless no practicable alternative is available, and the proposed action includes all practicable measures to minimize harm to wetlands.

Executive Order 13112: Prevention and Control of Invasive Species

Executive Order 13112, signed February 3, 1999, directs all federal agencies to prevent and control the introduction of invasive species in a cost-effective and environmentally sound manner. This executive order established the National Invasive Species Council, which is composed of federal agencies and departments, and a supporting Invasive Species Advisory Committee composed of state, local, and private entities. In 2008, the National Invasive Species Council released an updated national invasive species management plan that recommends objectives and measures to implement the executive order and prevent the introduction and spread of invasive species (National Invasive Species Council 2008). The executive order requires consideration of invasive species in National Environmental Policy Act analyses, including their identification and distribution, their potential effects, and measures to prevent or eradicate them.

State

California Environmental Quality Act

The California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) is the regulatory framework by which California public agencies identify and mitigate significant environmental effects. A project normally has a significant environmental effect on biological resources if it substantially affects a rare or endangered species or the habitat of that species; substantially interferes with the movement of resident or migratory fish or wildlife; or substantially diminishes habitat for fish, wildlife, or plants. The State CEQA Guidelines define rare, threatened, and endangered species as those listed under the ESA and California Endangered Species Act (CESA) and any other species that meet the criteria of the resource agencies or local agencies (e.g., California Department of Fish and Wildlife [CDFW]-designated species of special concern). The guidelines state that the lead agency preparing an environmental impact report must consult with

and receive written findings from CDFW concerning project effects on species listed as endangered or threatened. The effects of a proposed project on these resources are important in determining whether the project has significant environmental effects under CEQA.

Porter-Cologne Water Quality Control Act

The California Water Code addresses the full range of water issues in the state and includes Division 7, known as the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) (California Water Code Sections 13000–16104). Section 13260 requires “any person discharging waste, or proposing to discharge waste, in any region that could affect the waters of the State to file a report of discharge (an application for waste discharge requirements)” with the appropriate RWQCB. Under this act, each of the nine RWQCBs must prepare and periodically update Water Quality Control Basin Plans. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution. Projects that affect waters of the State must meet the waste discharge requirements of the RWQCB. Pursuant to CWA Section 401, an applicant for a Section 404 permit to conduct any activity that may result in discharge into navigable waters must provide a certification from the RWQCB that such discharge will comply with state water quality standards. As part of the permitting process under Section 404, the project proponent would be required to apply for water quality certification from the San Francisco Bay RWQCB.

Section 13050 of the Porter-Cologne Act authorizes the SWRCB and the relevant RWQCB to regulate biological pollutants. The California Water Code generally regulates more substances contained in discharges and defines discharges to receiving waters more broadly than does the CWA. In 2019, the SWRCB adopted the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*, which revised and clarified the regulation of state wetlands and procedures for permitting impacts on wetlands. The procedures took effect on May 28, 2020 (SWRCB 2019, 2020).

California Fish and Game Code

Section 1600: Streambed Alteration Agreements

CDFW regulates activities that would interfere with the natural flow—or substantially alter the channel, bed, or bank—of a lake, river, or stream. These activities are regulated under California Fish and Game Code Sections 1600–1616 and require a streambed alteration agreement if they would substantially adversely affect an existing fish or wildlife resource. Requirements to protect the integrity of biological resources and water quality are often conditions of streambed alteration agreements. CDFW may require avoidance or minimization of vegetation removal, use of standard erosion-control measures, limitations on the use of heavy equipment, limitations on work periods to avoid impacts on fish and wildlife, and restoration of degraded sites or compensation for permanent habitat losses, among other conditions. Aquatic resources (i.e., Irwin Creek and San Rafael Creek) are present in the project area and vicinity, and a streambed alteration agreement may be required if the proposed project would affect wildlife habitat associated with these resources.

Local

City of San Rafael Tree Ordinance

The City of San Rafael (City) code, Chapter 11.12, Trees, requires ~~approval~~ a written permit prior to pruning, disturbing, or removing any tree along a public street, sidewalk, or walkway within the City. If the tree is removed, the stump and roots must also be removed. Trees that will be avoided require placement of guards to prevent injury.

~~City of San Rafael General Plan 20420~~

The following policies and programs for biological resources from ~~The City of San Rafael General Plan 20420~~ (City of San Rafael 2021), Conservation and Climate Change Element, are applicable to the proposed project.

- **Policy C-1.1: Wetlands Preservation.** Require appropriate public and private wetlands preservation, restoration and/or rehabilitation through the regulatory process. Support and promote acquisition of fee title and/or easements from willing property owners.
 - **Program C-1.1A: Surveys for Regulated Waters.** Require that sites with suitable natural habitat be surveyed for the presence or absence of regulated waters prior to development approval. Such surveys should be conducted by a qualified wetland specialist and occur prior to development-related vegetation removal or other habitat modifications.
- **Policy C-1.6: Creek Protection.** Protect and conserve creeks as an important part of San Rafael's identity, natural environment, and green infrastructure. Except for specific access points approved per Policy C-1.7 (Public Access to Creeks), development-free setbacks shall be required along perennial and intermittent creeks (as shown on www.marinmaps.org) to help maintain their function and habitat value. Appropriate erosion control and habitat restoration measures are encouraged within the setbacks, and roadway crossings are permitted.
 - **Program C-1.6A: Creek and Drainageway Setbacks:** Maintain the following setback requirements in the Municipal Code:
 - (a) A minimum 25-foot development-free setback shall be maintained from the top of creek banks for all new development (including but not limited to paving and structures), except for Miller Creek and its tributaries, where a minimum 50-foot setback shall be maintained. Setbacks up to 100 feet may be required in development projects larger than two acres where development review determines that a wider setback is needed to maintain habitat values, and in areas where high-quality riparian habitat exists. The City may waive the setback requirement for minor encroachments if it can be demonstrated that the proposed setback adequately protects the functions of the creek to the maximum extent feasible and the results are acceptable to appropriate regulatory agencies.
 - (b) Drainageway Setbacks: Drainageway setbacks shall be established through individual development review, taking into account existing habitat function and values.
- **Policy C-1.9: Enhancement of Creeks and Drainageways.** Conserve or improve the habitat value and hydrologic function of creeks and drainageways so they may serve as wildlife corridors and green infrastructure to improve stormwater management, reduce flooding, and sequester carbon. Require creek enhancement and associated riparian habitat restoration/creation for projects adjacent to creeks to reduce erosion, maintain storm flows, improve water quality, and improve habitat value where feasible.
 - **Program C-1.9D: Restoration of San Rafael, Mahon, and Irwin Creeks.** Pursue opportunities for creek restoration and beautification along San Rafael, Mahon, and Irwin

Creeks, building on past efforts supporting biological and ecological restoration, education, and water quality improvements along these waterways.

- **Policy C-1.11: Wildlife Corridors.** Preserve and protect areas that function as wildlife corridors, particularly those areas that provide connections permitting wildlife movement between larger natural areas.
 - **Program C-1.11A: Surveys for Wildlife Movement Corridors.** Require that sites with suitable natural or anthropogenic habitat, including creeks in urban areas, be surveyed for the presence or absence of important wildlife corridors, prior to development approval. Such surveys should be conducted by a qualified biologist following CDFG-accepted species-level protocol and occur prior to development-related vegetation removal or other habitat modifications. As resources allow, surveys also should be conducted in previously developed areas to establish conservation priorities, and support wildlife and ecosystem management and education programs.
- **Policy C-1.12: Native or Sensitive Habitats.** 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.
 - **Program C-1.12A: Surveys for Sensitive Natural Communities and Special Status Species.** Require that sites with suitable natural or anthropogenic habitat, including creek corridors through urbanized areas, be surveyed for the presence or absence of sensitive natural communities and special status species prior to development approval. Such surveys should be conducted by a qualified biologist following CDFG-accepted species-level protocol and occur prior to development-related habitat removal or other habitat modifications.
- **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.
 - **Program C-1.13B: Mitigating Impacts on Special Status Species.** Avoid and protect special status species and require that consultation with resource agencies be performed in conformance with federal and State regulations. Require that potential unavoidable impacts to special status species are minimized through design, construction, and project operations. If such measures cannot adequately mitigate impacts, require measures such as on-site set asides, off-site acquisitions (conservation easements, deed restrictions, etc.), and specific restoration efforts that benefit the listed species being impacted.
 - **Program C-1.13E: Avoidance of Nesting Birds.** Nests of native birds in active use shall be avoided in compliance with State and federal regulations. For new development sites where nesting birds may be present, vegetation clearing and construction shall be initiated outside the bird nesting season (February 1 through August 31) or pre-construction surveys shall be conducted by a qualified biologist within a minimum of 500 feet from the project site where access is feasible and no more than seven days prior to any disturbance. If active nests are encountered, appropriate work avoidance buffer zones shall be established based on recommendations by the biologist and remain in place until any young birds have successfully left the nest and are no longer dependent on parental care.
- **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.

- **Program C-1.14A: Identification of Desirable and Undesirable Species.** Use California Invasive Plant Council (Cal-IPC) guidance for desirable and invasive plants in the development review, design review, and public lands management processes. This guidance should ensure that noxious plants are not planted in new development, on rights of way, and on public land; help inform revegetation and replanting programs; and support the management of existing vegetation.
- **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-1.16: Urban Forestry.** Protect, maintain, and expand San Rafael's tree canopy. Trees create shade, reduce energy costs, absorb runoff, support wildlife, create natural beauty, and absorb carbon, making them an essential and valued part of the city's landscape and strategy to address global climate change. Tree planting and preservation should be coordinated with programs to reduce fire hazards, reduce greenhouse gas emissions, expand solar opportunities, and ensure public safety, resulting in a community that is both green and fire safe.
- **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.
 - **Program C-1.17A: Tree Preservation.** Revise Chapter 11.12 of the Municipal Code (Trees) or add a new Code section that defines protected and heritage trees and establishes permit requirements and procedures for tree protection, removal, and replacement. The regulations should strongly support the protection of California redwoods (*Sequoia sempervirens*) and other native trees.
 - **Program C-1.17B: Tree Management Plan.** Require a tree management plan prior to approval of development with the potential to remove or substantially impact trees. The Plan should be prepared by a licensed arborist using published standards and practices for protecting and monitoring tree health during and after construction.
 - **Program C-1.17C: Mitigation for Tree Removal.** Continue to implement mitigation requirements for tree removal in new development. When necessary, this could include planting of trees in locations other than the project site, planting native trees in lieu of non-natives, or reducing the footprint of proposed development. Tree replacement should be based on a value that is equal to or greater than the carbon footprint and ecological benefits of the trees being removed. Ecological benefits include water conservation, absorption of runoff, reduction of air pollution, energy reduction from shade and cooling effects, soil retention, slope stabilization, and wildlife support.
- ~~**CON-1. Protection of Environmental Resources.** Protect or enhance environmental resources, such as ridgelines, wetlands, diked baylands, creeks and drainageways, shorelines and habitat for threatened and endangered species.~~
- ~~**CON-6. Creek and Drainage Setbacks.** Require development free setbacks, except for specific access points as approved per policy CON-7 (Public Access to Creeks), from existing creeks and drainageways that will maintain the functions and resulting values of these habitats. Appropriate erosion control and roadway crossings may encroach into the development setback. In the absence of vegetation, promote new growth of natural habitat.~~
- ~~**CON-7. Public Access to Creeks.** Provide pedestrian access to points along creeks throughout the City where such access will not adversely affect habitat values.~~
- ~~**CON-8. Enhancement of Creeks and Drainageways.** Explore enhancement of, and support continuous upgrades to, drainageways to serve as wildlife habitat corridors for wildlife movement and to serve as flood control facilities to accommodate storm drainage. Require~~

creek enhancement and associated riparian habitat restoration/creation for projects adjacent to creeks to maintain storm flows, reduce erosion and maintenance and improve habitat values, where feasible.

- **CON-9. Native and/or Sensitive Habitats.** Protect habitats that are sensitive, rare, declining, unique or represent a valuable biological resource.
- **CON-10. Impacts to Sensitive Habitats.** Minimize impacts to sensitive natural habitats through careful planning. Require compliance with applicable laws and regulations.
- **CON-11. Wildlife Corridors.** Preserve and protect areas that function as wildlife corridors, particularly those areas that provide natural connections permitting wildlife movement between designated sensitive habitats.
- **CON-14. Special Status Species.** Preserve and protect special status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of California Fish and Game Code.
- **CON-15. Invasive Non-Native Plant Species.** Remove and control selected undesirable invasive non-native plant species from City-owned open space and road right of ways, and encourage the removal and control of these invasive plant species from non-City owned ecologically sensitive areas.
- **CON-16. Landscape with Native Plant Species.** Encourage landscaping with native and compatible non-native plant species, especially drought-resistant species.

Draft San Rafael General Plan 2040

The City of San Rafael is currently working on the Draft *San Rafael General Plan 2040*. The following policies for biological resources from the Draft *San Rafael General Plan 2040* (City of San Rafael 2020), Conservation and Climate Change Element, relate to the proposed project.

Policy C-1.6: Creek Protection. Protect and conserve creeks as an important part of San Rafael's identity, natural environment, and green infrastructure. Except for specific access points approved per Policy C-1.7 (Public Access to Creeks), development-free setbacks shall be required along perennial and intermittent creeks (as shown on Figure 6-2) to help maintain their function and habitat value. Appropriate erosion control and habitat restoration measures are encouraged within the setbacks, and roadway crossings are permitted.

Policy C-1.9: Enhancement of Creeks and Drainageways. Conserve or improve the habitat value and hydrologic function of creeks and drainageways so they may serve as wildlife corridors and green infrastructure to improve stormwater management, reduce flooding, and sequester carbon. Require creek enhancement and associated riparian habitat restoration/creation for projects adjacent to creeks to reduce erosion, maintain storm flows, improve water quality, and improve habitat value where feasible.

Policy C-1.11: Wildlife Corridors. Preserve and protect areas that function as wildlife corridors, particularly those areas that provide connections permitting wildlife movement between larger natural areas.

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.

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-1.16: Urban Forestry. Protect, maintain, and expand San Rafael's tree canopy. Trees create shade, reduce energy costs, absorb runoff, support wildlife, create natural beauty, and absorb carbon, making them an essential and valued part of the city's landscape and strategy to address global climate change. Tree planting and preservation should be coordinated with programs to reduce fire hazards and ensure public safety, resulting in a community that is both green and fire-safe.

Policy C-1.17: Tree Management. Encourage the preservation of healthy, mature trees when development and/or construction is proposed. Site plans should indicate the location of existing trees and include measures to protect them where feasible.

Marin Countywide Plan

The following policies for biological resources from the *Marin Countywide Plan* (Marin County Community Development Agency 2014) are applicable to the proposed project.

BIO-1.1. Protect Wetlands, Habitat for Special-Status Species, Sensitive Natural Communities, and Important Wildlife Nursery Areas and Movement Corridors. Protect sensitive biological resources, wetlands, migratory species of the Pacific flyway, and wildlife movement corridors through careful environmental review of proposed development applications, including consideration of cumulative impacts, participation in comprehensive habitat management programs with other local and resource agencies, and continued acquisition and management of open space lands that provide for permanent protection of important natural habitats.

BIO-1.5. Promote Use of Native Plant Species. Encourage use of a variety of native or compatible nonnative, non-invasive plant species indigenous to the site vicinity as part of project landscaping to improve wildlife habitat values.

BIO-1.6. Control Spread of Invasive Exotic Plants. Prohibit use of invasive species in required landscaping as part of the discretionary review of proposed development. Work with landowners, landscapers, the Marin County Open Space District, nurseries, and the multi-agency Weed Management Area to remove and prevent the spread of highly invasive and noxious weeds. Invasive plants are those plants listed in the State's Noxious Weed List, the California Invasive Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California," and other priority species identified by the agricultural commissioner and California Department of Agriculture. Species of particular concern include the following: barbed goatgrass (*Aegilops triuncialis*), giant reed (*Arundo donax*), Italian thistle (*Carduus pycnocephalus*), distaff thistle (*Carthamus lanatus*), purple starthistle (*Centaurea calcitrapa*), yellow starthistle (*Centaurea solstitialis*), pampas grass (*Cortaderia seloana*), Scotch broom (*Cytisus scoparius*), Cape ivy (*Delairea odorata*), oblong spurge (*Euphorbia oblongata*), fennel (*Foeniculum vulgare*), French broom (*Genista monspessulana*), salt-water cord grass (*Spartina alternifolia*), Spanish broom (*Spartium junceum*), medusahead (*Taeniatherum caput-medusae*), gorse (*Ulex europaeus*), and periwinkle (*Vinca major*), among others.

BIO-2.1. Include Resource Preservation in Environmental Review. Require environmental review pursuant to CEQA of development applications to assess the impact of proposed development on native species and habitat diversity, particularly special-status species, sensitive natural communities, wetlands, and important wildlife nursery areas and movement corridors. Require adequate mitigation measures for ensuring the protection of any sensitive resources and achieving "no net loss" of sensitive habitat acreage, values, and function.

BIO-2.5. Restrict Disturbance in Sensitive Habitat During Nesting Season. Limit construction and other sources of potential disturbance in sensitive riparian corridors, wetlands, and baylands to protect bird nesting activities. Disturbance should generally be set back from sensitive habitat during the nesting season from March 1 through August 1 to protect bird nesting, rearing, and fledging.

activities. Preconstruction surveys should be conducted by a qualified professional where development is proposed in sensitive habitat areas during the nesting season, and appropriate restrictions should be defined to protect nests in active use and ensure that any young have fledged before construction proceeds.

BIO-2.6. Identify Opportunities for Safe Wildlife Movement. Ensure that existing stream channels and riparian corridors continue to provide for wildlife movement at roadway crossings, preferably through the use of bridges, or through over-sized culverts, while maintaining or restoring a natural channel bottom. Consider the need for wildlife movement in designing and expanding major roadways and other barriers in the county. Of particular concern is the possible widening of Highway 101 north of Novato to the county line, where maintenance of movement opportunities for terrestrial wildlife between the undeveloped habitat on Mount Burdell and the marshlands along the Petaluma River is critical.

BIO-2.a. Require Site Assessments. Require site assessment by a qualified professional for development applications that may adversely affect sensitive biological or wetland resources, including jurisdictional wetlands, occurrences of special status species, occurrences of sensitive natural communities, and important wildlife nursery areas and movement corridors. The assessment should determine the presence or absence of any sensitive resources that could be affected by development, evaluate the potential impacts, and identify measures for protecting the resource and surrounding habitat. Require the assessment to be conducted by a qualified professional paid for by the applicant. Unless waived, the qualified professional should be hired directly by Marin County.

BIO-4.1. Restrict Land Use in Stream Conservation Areas. A Stream Conservation Area (SCA) is established to protect the active channel, water quality and flood control functions, and associated fish and wildlife habitat values along streams. Development shall be set back to protect the stream and provide an upland buffer, which is important to protect significant resources that may be present and provides a transitional protection zone. Best management practices shall be adhered to in all designated SCAs. Best management practices are also strongly encouraged in ephemeral streams not defined as SCAs.

Exceptions to full compliance with all SCA criteria and standards may be allowed only if the following is true:

1. A parcel falls entirely within the SCA; or
2. Development on the parcel entirely outside the SCA either is infeasible or would have greater impacts on water quality, wildlife habitat, other sensitive biological resources, or other environmental constraints than development within the SCA.

SCAs consist of the watercourse itself between the tops of the banks and a strip of land extending laterally outward from the top of both banks to the widths defined below (see Figure 2-2). The SCA encompasses any jurisdictional wetland or unvegetated other waters within the stream channel, together with the adjacent uplands, and supersedes setback standards defined for WCAs. Human-made flood control channels under tidal influence are subject to the Bayland Conservation policies.

BIO-4.4 Promote Natural Stream Channel Function. Retain and, where possible, restore the hydraulic capacity and natural functions of stream channels in SCAs. Discourage alteration of the bed or banks of the stream, including filling, grading, excavating, and installation of storm drains and culverts. When feasible, replace impervious surfaces with pervious surfaces. Protect and enhance fish habitat, including through retention of large woody debris, except in cases where removal is essential to protect against property damage or prevent safety hazards. In no case shall alterations that create barriers to fish migration be allowed on streams mapped as historically supporting salmonids. Alteration of natural channels within SCAs for flood control should be designed and constructed in a manner that retains and protects the riparian vegetation, allows for sufficient capacity and natural channel migration, and allows for reestablishment of woody trees and shrubs without compromising the flood flow capacity where avoidance of existing riparian vegetation is not possible.

3.3.1.2 Environmental Setting

The proposed project is within the City of San Rafael in Marin County. The project region is generally an urban area near San Rafael Bay. Urban creeks drain to the Bay.

Although hills surround San Rafael on the north, west, and south sides, the project area is level, with elevations ranging from approximately 10 to 12 feet above sea level. The dominant land use in the project area is commercial development and the existing transit center in Downtown San Rafael. U.S. Highway 101 (US-101) is elevated above the east side of the project area.

Physical Conditions

The project area is in a developed area of office, retail, commercial, restaurant, residential, and parking uses and is partially beneath an elevated part of US-101. Within the project area, Irwin Creek is directly beneath and parallel to the elevated freeway and drains to San Rafael Creek at the southern end of the project area, within the Under the Freeway alternative.

Land Cover Types

A land cover type is defined as the dominant character of the land surface discernible from aerial photographs, as determined by vegetation, water, or human uses. Land cover types are the most widely used units in analyzing ecosystem function, habitat diversity, natural communities, wetlands and streams, and covered species habitat.

The three land cover types within the project area are described below. Ruderal and developed/landscaped cover types are not considered sensitive natural communities and are not protected by regulatory agencies. However, the two perennial streams within the project area are non-wetland waters of the United States and waters of the State that would be subject to federal regulation under CWA Sections 401 and 404 and to state regulation under the Porter-Cologne Act and California Fish and Game Code Section 1602.

Perennial Stream

The project area includes approximately 0.5 acre of perennial stream. One perennial stream, Irwin Creek, occurs in the project area. Irwin Creek is channelized beneath US-101 and is crossed by two bridges in the project area, corresponding to 4th Street and 5th Avenue. At time of a site visit by a botanist/wetland ecologist and wildlife biologist in August 2020 (see Section 3.3.2.1, Methodology, for details), water in Irwin Creek was intermittently inundated up to approximately 2 feet deep in the parts of the low-flow channel. This stream has perennial flow due to the surrounding runoff from irrigation of urban landscaping, and storm drains empty into the creek at the 4th Street crossing. The creek is approximately 35 feet wide at the ordinary high-water mark. Approximately 400 feet south of the project area, Irwin Creek flows into San Rafael Creek. The bed of Irwin Creek is primarily gravel and sand, but cemented sandbags on the banks at each bridge crossing have been placed for erosion control. The creek does not support riparian vegetation in the project area, but there were many cut tree stumps on the bank. The creek bed supports patches of herbaceous vegetation. Approximately one block upstream of the project area, there are willows and other riparian trees along the creek banks. Due to poor water quality from landscaping and street runoff, lack of a natural channel due to channelization under US-101, and lack of riparian vegetation (cut tree stumps on the bank), Irwin Creek does not provide habitat for any special-status fish species.

Steelhead may access the creek occasionally as strays from San Pablo Bay, but because there is poor migratory, spawning, and rearing habitat, it is likely they would return to the bay.

At the southern edge of the project area, San Rafael Creek is parallel to 2nd Street and crosses under US-101 at the confluence with Irwin Creek. It is approximately 50 feet wide at this point. The creek flow was up to the bank edges at the time of the August 2020 survey. Upstream of the project area, San Rafael Creek extends through residential neighborhoods in the western part of San Rafael, and it drains to San Rafael Bay approximately 1.6 miles downstream of the project area.

Ruderal

Ruderal species grow along the fenceline that encloses both sides of Irwin Creek, in pavement cracks, and unmaintained landscape areas.

Developed/Landscaped

Most of the project area is developed and has landscaping associated with commercial and residential properties. Paved park-and-ride lots under US-101 are also included in this land cover type.

Special-Status Species

Special-status species are plants and animals that are legally protected under the ESA, CESA, or other regulations, and species considered sufficiently rare by the scientific community to qualify for such listing. For the purposes of this document, special-status species fall into the following categories.

- Species listed or proposed for listing as threatened or endangered under ESA (50 Code of Federal Regulations, Parts 17.11 [listed animals] and 17.12 [listed plants], and various notices in the Federal Register [proposed species])
- Species that are candidates for possible future listing as threatened or endangered under the ESA (84 Federal Register 54732 October 10, 2019)
- Species listed or proposed for listing by the State of California as threatened or endangered under the CESA (14 CCR Section 670.5)
- Species that meet the definitions of rare or endangered under CEQA (State CEQA Guidelines Section 15380)
- Animals listed as California species of special concern on CDFW's *Special Animals List* (CDFW 2020a)
- Animals that are fully protected in California under the California Fish and Game Code (Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians])
- Bats identified as medium or high priority on the Western Bat Working Group regional priority species matrix (Western Bat Working Group 2017)
- Plants listed as rare under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.)

- Plants considered by CDFW and the California Native Plant Society (CNPS) to be “rare, threatened, or endangered in California” (Rare Plant Ranks 1B and 2) (CDFW 2020b; CNPS 2020)
- Plants identified by CDFW and CNPS as plants of limited distribution (Rare Plant Rank 3), (CDFW 2020b; CNPS 2020), which may be included as special-status species on the basis of local significance or recent biological information. Rare Plant Rank 4 species were not evaluated, due to the low quality of habitats in the project area.

Special-Status Plants

Based on a review of the U.S. Fish and Wildlife Service (USFWS) (2020) species list, the California Natural Diversity Database (CNDDB) (CDFW 2020b) records search, and CNPS Inventory (CNPS 2020), ~~38-37~~ special-status plant species were identified as having potential to occur in the project area (Table 3.3-1 and Appendix DG). Due to the level of previous and ongoing disturbance and urban development in the project area, none of the species in Table 3.3-1 and Appendix DG are considered to have potential habitat in the project area. Blooming-period surveys for special-status plants have not been conducted in the project area but are not considered necessary because of the lack of suitable habitat in the project area, and special-status plants are not discussed further.

New Table 3.3-1. Special-Status Plants Known or with Potential to Occur near the San Rafael Transit Center Replacement Project Area

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>CNPS^a</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Blooming</u> <u>Period</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
<u>Napa false indigo</u> <u><i>Amorpha californica</i></u> <u>var. <i>napensis</i></u>	<u>-/-/1B.2</u>	<u>Monterey, Marin, Napa,</u> <u>and Sonoma Counties</u>	<u>Broadleaved upland forest</u> <u>(openings), chaparral,</u> <u>cismontane woodland;</u> <u>between 500–7,000 feet</u>	<u>April–July</u>	<u>None; potential habitat</u> <u>does not exist on site.</u>
<u>Bent-flowered</u> <u>fiddleneck</u> <u><i>Amsinckia lunaris</i></u>	<u>-/-/1B.2</u>	<u>Inner North Coast Ranges,</u> <u>San Francisco Bay Area,</u> <u>west-central Great Valley</u>	<u>Coastal bluff scrub, valley</u> <u>and foothill grasslands,</u> <u>cismontane woodlands;</u> <u>below 1,650 feet</u>	<u>March–June</u>	<u>None; potential habitat</u> <u>does not exist on site.</u>
<u>Mount Tamalpais</u> <u>manzanita</u> <u><i>Arctostaphylos</i></u> <u><i>montana</i> ssp.</u> <u><i>montana</i></u>	<u>-/-/1B.2</u>	<u>Central coast, northwest</u> <u>San Francisco Bay region,</u> <u>Mount Tamalpais, Marin</u> <u>County</u>	<u>Chaparral, valley and</u> <u>foothill grassland,</u> <u>serpentine soils between</u> <u>530–2,500 feet</u>	<u>February–</u> <u>April</u>	<u>None; potential habitat</u> <u>does not exist on site.</u>
<u>Marin manzanita</u> <u><i>Arctostaphylos</i></u> <u><i>virgata</i></u>	<u>-/-/1B.2</u>	<u>Northern central coast,</u> <u>northwest San Francisco</u> <u>Bay region, and Marin</u> <u>County</u>	<u>Broadleaved upland forest,</u> <u>closed-cone coniferous</u> <u>forest, chaparral, North</u> <u>Coast coniferous forest on</u> <u>sandstone or granitic rock</u> <u>outcrops between 200–</u> <u>2,300 feet</u>	<u>January–</u> <u>March</u>	<u>None; potential habitat</u> <u>does not exist on site.</u>
<u>Thurber’s reed grass</u> <u><i>Calamagrostis</i></u> <u><i>crassiglumis</i></u>	<u>-/-/2B.1</u>	<u>North Coast and northern</u> <u>Central Coast from Del</u> <u>Norte to Sonoma Counties;</u> <u>Nevada, Oregon,</u> <u>Washington, and</u> <u>elsewhere</u>	<u>Mesic coastal scrub,</u> <u>freshwater marshes and</u> <u>swamps; 30–190 feet</u>	<u>May–August</u>	<u>None; potential habitat</u> <u>does not exist on site.</u> <u>Irwin Creek and San</u> <u>Rafael Creek do not</u> <u>support marsh habitat.</u>
<u>Point Reyes bird’s-</u> <u>beak</u> <u><i>Chloropyron</i></u> <u><i>maritimum</i> ssp.</u> <u><i>palustre</i></u>	<u>-/-/1B.2</u>	<u>Humboldt, Sonoma, and</u> <u>Marin Counties; presumed</u> <u>extirpated in Alameda,</u> <u>Santa Clara, and San Mateo</u> <u>Counties</u>	<u>Marshes and swamps</u> <u>(coastal salt) below 32 feet</u>	<u>June–</u> <u>October</u>	<u>None; potential habitat</u> <u>does not exist on site.</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>CNPS^a</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Blooming</u> <u>Period</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
San Francisco Bay spineflower <i>Chorizanthe cuspidata</i> <i>var. cuspidata</i>	-/-/1B.2	Marin, Sonoma, and San Mateo Counties	Coastal scrub/sandy, coastal dunes, coastal prairie below 200 feet	April–July (August)	None; potential habitat does not exist on site.
Mt. Tamalpais thistle <i>Cirsium hydrophilum</i> <i>var. vaseyi</i>	-/-/1B.2	Northern San Francisco Bay, Mount Tamalpais, Marin County	Broadleaved upland forest, chaparral, meadows and seeps/serpentinite seeps between 780–2,000 feet	May–August	None; potential habitat does not exist on site.
Western leatherwood <i>Dirca occidentalis</i>	-/-/1B.2	Alameda, Contra Costa, Santa Clara, San Mateo, Sonoma, and Marin Counties	Broadleaved upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, riparian scrub between 30– 1,650 feet	January– March (April)	None; potential habitat does not exist on site.
Tiburon buckwheat <i>Eriogonum luteolum</i> <i>var. caninum</i>	-/-/1B.2	Central inner north Coast Range, northern Central coast, and northern San Francisco Bay area: Alameda, Contra Costa, Marin, and Sonoma#* Counties	On sandy to gravelly serpentinite soils in chaparral, coastal prairie, oak woodland, valley and foothill grassland below 2,300 feet	May– September	None; potential habitat does not exist on site.
Minute pocket moss <i>Fissidens pauperculus</i>	-/-/1B.2	Humboldt, Monterey, Marin, and Santa Cruz Counties	North Coast coniferous forest (damp coastal soil) below 330 feet	N/A	None; potential habitat does not exist on site.
Marin checker lily <i>Fritillaria lanceolata</i> <i>var. tristulis</i>	-/-/1B.1	Marin County	Canyons and streambanks in coastal prairie, coastal scrub, coastal bluffs, often on serpentinite between 50–500 feet	February– April	None; potential habitat does not exist on site.
Wooly-headed gilia <i>Gilia capitata</i> ssp. <i>tomentosa</i>	-/-/1B.1	Sonoma and Marin Counties	Coastal bluff scrub (rocky outcrops) between 50–510 feet	May–July	None; potential habitat does not exist on site.

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>CNPS^a</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Blooming</u> <u>Period</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
Dark-eyed gilia <i>Gilia millefoliata</i>	-/-/1B.2	Del Norte, Humboldt, Mendocino, Marin, San Francisco*, and Sonoma Counties	Coastal dunes between 10– 65 feet	April–July	None; potential habitat does not exist on site.
San Francisco gumplant <i>Grindelia hirsutula</i> var. <i>maritima</i>	-/-/3.2	Monterey#, Marin, Santa Cruz#, San Francisco, San Luis Obispo, and San Mateo Counties	Sandy or serpentinite soils in coastal bluff scrub, coastal scrub, valley and foothill grassland 50–1,300 feet	June– September	None; potential habitat does not exist on site.
Diablo rock rose <i>Helianthella castanea</i>	-/-/1B.2	Alameda, Contra Costa, Marin*, San Francisco*, and San Mateo Counties	Broadleaved upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland between 200–4,265 feet	March–June	None; potential habitat does not exist on site.
Congested-headed hayfield tarplant <i>Hemizonia congesta</i> ssp. <i>congesta</i>	-/-/1B.2	Mendocino, Marin, San Francisco, San Mateo, and Sonoma Counties	Valley and foothill grassland, sometimes roadsides 65–1,830 feet	April– November	None; roadsides in project area are highly disturbed and support either ruderal or landscape vegetation. Project area is also below the elevation of the known range for the species.
Marin western flax <i>Hesperolinon</i> <i>congestum</i>	T/T/1B.1	Marin, San Francisco, and San Mateo Counties	Chaparral, valley and foothill grassland/ serpentinite below 1,215 feet	April–July	None; potential habitat does not exist on site.
Santa Cruz tarplant <i>Holocarpha</i> <i>macradenia</i>	T/E/1B.1	Alameda*, Contra Costa*, Monterey, Marin*, and Santa Cruz Counties	Coastal prairie, coastal scrub, valley and foothill grassland/often clay, sandy below 720 feet	June– October	None; potential habitat does not exist on site.

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>CNPS^a</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Blooming</u> <u>Period</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
Thin-lobed horkelia <i>Horkelia tenuiloba</i>	-/-/1B.2	Scattered occurrences in Mendocino, Marin, and Sonoma Counties	Broadleaved upland forest, chaparral/mesic openings, sandy, between 165–1,640 feet	May–July (August)	None; potential habitat does not exist on site.
Small groundcone <i>Kopsiopsis hookeri</i>	-/-/2B.3	Outer North Coast Ranges in Del Norte, Humboldt, Mendocino, Marin, and Trinity Counties; Oregon, Washington	North Coast coniferous forest, parasitic on <i>Gaultheria shallon</i> and <i>Vaccinium</i> spp. 300–2,900 feet	April–August	None; potential habitat does not exist on site.
Woolly-headed lessingia <i>Lessingia hololeuca</i>	-/-/3	Southern north Coast Ranges, southern Sacramento Valley, northern San Francisco Bay region, Alameda, Monterey, Marin, Napa, Santa Clara, San Mateo, Solano, Sonoma, and Yolo Counties	Clay or serpentinite soils of broadleaved upland forest, coastal scrub, lower montane coniferous forest, valley and foothill grassland 50–1,000 feet	June– October	None; potential habitat does not exist on site.
Tamalpais lessingia <i>Lessingia micradenia</i> var. <i>micradenia</i>	-/-/1B.2	Endemic to Mount Tamalpais, Marin County	Chaparral, valley & foothill grassland/usually serpentinite, often roadsides between 330–1,640 feet	(June) July– October	None; potential habitat does not exist on site.
Mt. Diablo cottonweed <i>Micropus amphibolus</i>	-/-/3.2	Coast Ranges from Lake County to Santa Barbara County	Rocky sites in broadleaved upland forest, mixed evergreen forest, oak woodland, chaparral, valley and foothill grasslands 150–2,700 feet	March–May	None; potential habitat does not exist on site.
Marsh microseris <i>Microseris paludosa</i>	-/-/1B.2	Mendocino, Monterey, Marin, Santa Cruz, San Francisco*, San Luis Obispo, San Mateo*, and Sonoma Counties	Closed-cone conifer forest, cismontane woodland, valley and foothill grassland, and coastal scrub below 985 feet	April–June (July)	None; potential habitat does not exist on site.

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>CNPS^a</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Blooming</u> <u>Period</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
Baker's navarretia <i>Navarretia</i> <i>leucocephala</i> ssp. <i>bakeri</i>	-/-/1B.1	Colusa, Lake, Mendocino, Marin, Napa, Solano, Sonoma, and Tehama Counties	Cismontane woodland, lower montane coniferous forest, meadows and seeps, valley and foothill grassland, vernal pools/ mesic between 50–5,700 feet	April–July	None; potential habitat does not exist on site.
Marin County navarretia <i>Navarretia rosulata</i>	-/-/1B.2	Marin and Napa Counties	Rocky serpentinite areas in chaparral, Sargent cypress forest between 650–2,100 feet	May–July	None; potential habitat does not exist on site.
White-rayed pentachaeta <i>Pentachaeta</i> <i>bellidiflora</i>	E/E/1B.1	San Mateo, Marin*, and Santa Cruz* Counties	Valley and foothill grassland, often serpentinite between 115– 2,000 feet	March–May	None; potential habitat does not exist on site.
Hairless popcorn- flower <i>Plagiobothrys glaber</i>	-/-/1A	Historically known from Alameda, Merced*, Marin*, San Benito*, and Santa Clara* Counties	Meadows and seeps (alkaline), marshes and swamps (coastal salt) between 50–600 feet	March–May	None; potential habitat does not exist on site.
North Coast semaphore grass <i>Pleuropogon</i> <i>hooverianus</i>	-/T/1B.1	Scattered locations in Mendocino, Marin, and Sonoma Counties	Broadleaved upland forest, meadows and seeps, marshes and swamps (freshwater), North Coast coniferous forest, vernal pools/mesic between 33– 2,100 feet	April–June	None; potential habitat does not exist on site. Irwin Creek and San Rafael Creek do not support marsh habitat.
Marin knotweed <i>Polygonum marinense</i>	-/-/3	Marin, Napa, Sonoma, and Solano Counties	Marshes and swamps (coastal salt or brackish) below 33 feet	(April) May– August (October)	None; potential habitat does not exist on site. Irwin Creek and San Rafael Creek do not support marsh habitat.
Tamalpais oak <i>Quercus parvula</i> var. <i>talampaisensis</i>	-/-/1B.3	Marin County: Mount Tamalpais	Lower montane coniferous forest 325–2,460 feet	March–April	None; potential habitat does not exist on site.

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>CNPS^a</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Blooming</u> <u>Period</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
Point Reyes checkerbloom <i>Sidalcea calycosa</i> ssp. <i>rhizomata</i>	-/-/1B.2	Mendocino, Marin, and Sonoma Counties	Marshes and swamps (freshwater, near coast) below 250 feet	April– September	None; potential habitat does not exist on site. Irwin Creek and San Rafael Creek do not support marsh habitat.
Marin checkerbloom <i>Sidalcea hickmanii</i> ssp. <i>viridis</i>	-/-/1B.1	Lake#, Marin, Napa, San Mateo, and Sonoma Counties	Chaparral (volcanic or serpentinite) between 165– 1,400 feet	May–June	None; potential habitat does not exist on site.
Santa Cruz microseris <i>Stebbinsoseris</i> <i>glandulosus</i>	-/-/1B.2	Monterey, Marin, and Santa Cruz Counties	Broadleaved upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, valley and foothill grassland/open areas, sometimes on serpentinite between 33– 1,640 feet	April–May	None; potential habitat does not exist on site.
Tamalpais jewelflower <i>Streptanthus</i> <i>batrachopus</i>	-/-/1B.3	Lake and Marin Counties, Mt. Tamalpais	Closed-cone coniferous forest, chaparral/ serpentinite between 1,000–3,130 feet	April–July	None; potential habitat does not exist on site.
Mt. Tamalpais jewel- flower <i>Streptanthus</i> <i>glandulosus</i> ssp. <i>pulchellus</i>	-/-/1B.2	Marin County; endemic to Mt. Tamalpais	Chaparral, valley and foothill grassland/ serpentinite between 490– 2,620 feet	May–July (August)	None; potential habitat does not exist on site.
Showy Indian clover <i>Trifolium amoenum</i>	E/-/1B.1	Alameda*, Mendocino*, Marin, Napa*, Santa Clara*, Solano* and Sonoma* Counties, currently known from only two recent occurrences in Marin County	Coastal bluff scrub, valley and foothill grassland (sometimes serpentinite) below 1,360 feet	April–June	None; potential habitat does not exist on site.

Sources: CDFW 2020b; CNPS 2020.

* = Extirpated from this county.

= Uncertainty about distribution or identity.

^a **Status explanations:**

Federal

E = listed as endangered under the ESA.

T = listed as threatened under the ESA.

- = No status definition.

State

E = listed as endangered under the CESA.

T = listed as threatened under the CESA.

- = No status definition.

California Native Plant Society Rare Plant Rank

1A = Plants presumed extirpated in California and either rare or extinct elsewhere.

1B = Plants rare, threatened, or endangered in California and elsewhere.

2A = Plants presumed extirpated in California but common elsewhere.

2B = Plants rare, threatened, or endangered in California but more common elsewhere.

3 = Review List: Plants about which more information is needed.

0.1 = Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)

0.2 = Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)

0.3 = Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

Definitions of occurrence likelihood:

Low: Plant not known to occur in the region from the CNDDDB or other documents in the vicinity of the project, or habitat conditions of poor quality.

None: Plant not known to occur in the region from the CNDDDB or other documents in the vicinity of the project, or suitable habitat not present in any condition.

Special-Status Animals

Based on the USFWS (2020) species list, CNDDDB (CDFW 2020b) records search, and fish resources identified under Section 3.3.2.1, 35 special-status animal species were identified as having potential to occur in the project area. Two species, green sea turtle (*Chelonia mydas*) and short-tailed albatross (*Phoebastria albatrus*), were excluded from consideration because these species only inhabit the open sea (and the albatross does not nest on land in the U.S.). Of the 33 special-status animal species identified, one species (pallid bat [*Antrozous pallidus*]) has moderate potential to occur in the project area based on its known range and presence of suitable habitat. The remaining 32 special-status animals have low to no potential to occur in the project area and are not discussed further. All 33 special-status animals that were considered are listed in [Table 3.3-2 and Appendix D-G](#), which identifies their regulatory status, distribution, habitat requirements, and a rationale for their potential to occur in the project area. Pallid bat is discussed briefly below.

Pallid Bat and Roosting Colonies of Non-Special-Status Bats

Pallid bat is a California species of concern and is considered a high-priority species in California by the Western Bat Working Group. Pallid bat is found throughout most of California at low to middle elevations (6,000 feet) in a variety of habitats including desert, brushy terrain, coniferous forest, and non-coniferous woodlands. Daytime roost sites include rock outcrops, mines, caves, hollow trees, buildings, and bridges. Night roosts are commonly under bridges but are also in caves and mines (Brown and Pierson 1996). Hibernation may occur during late November through March. Pallid bats breed from late October through February (Zeiner et al. 1990b:70) and one or two young are born in May or June (Brown and Pierson 1996).

CDFW requires that substantial roost colonies of non-special-status bats (such as Mexican free-tailed bat [*Tadarida brasiliensis*]) be protected from disturbance, especially during the breeding and hibernation seasons.

During the field survey, the ICF wildlife biologist examined the US-101 bridge structures and buildings within the project area for potential bat roosting habitat and evidence of bat use (i.e., guano piles, urine staining). The southbound US-101 bridge structure does not have crevices or other spaces on the underside of the bridge that could be used by bats. Open seams on the outside of this structure are too exposed and would not provide suitable roosting habitat. The northbound bridge structure contains open seams and wood boxes on the underside of the structure that provide potential bat roosting habitat. No signs of bat use were observed under or around the potential roosting habitat. Only one building in the project area, a dry-cleaning business with a barrel tile roof, contained potential bat roosting habitat (bats could roost under the curved tiles). The biologist walked around a portion of this building and did not see evidence of bat use, but a thorough survey was not conducted. Pallid bat and colonies of non-special-status bats could roost in the northbound US-101 bridge structure or dry-cleaning business in the project area.

New Table 3.3-2. Special-Status Animals Known or with Potential to Occur near the San Rafael Transit Center Replacement Project Area

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
<u>Invertebrates</u>				
<u>Mimic tryonia</u> (=California brackishwater snail) <i>Tryonia imitator</i>	-/-/-	<u>Coastal areas from Salmon Creek,</u> <u>Sonoma County south to Tijuana</u> <u>River, San Diego County</u>	<u>Shallow water areas or coastal tidal</u> <u>lagoons, creeks, sloughs, estuaries, and</u> <u>salt marshes</u>	<u>Low—Irwin Creek provides</u> <u>low-quality habitat and known</u> <u>occurrence in San Rafael is</u> <u>extirpated.</u>
<u>Robust walker (snail)</u> <i>Pomatiopsis binneyi</i>	-/-/-	<u>Marin County</u>	<u>Freshwater</u>	<u>Low—Irwin Creek provides</u> <u>low-quality habitat and known</u> <u>occurrence in San Rafael is a</u> <u>museum record from 1979.</u>
<u>Marin hesperian</u> <i>Vespericola marinensis</i>	-/-/-	<u>Marin County</u>	<u>Moist areas in coastal brush and</u> <u>chaparral, alder woods, and mixed</u> <u>evergreen forest; found under cow-</u> <u>parsnip leaves, around spring seeps,</u> <u>and in leafmold along streams</u>	<u>None—no coastal brush or</u> <u>chaparral in project area.</u>
<u>Opler's longhorn moth</u> <i>Adela oplerella</i>	-/-/-	<u>Marin County and Oakland area on</u> <u>the inner coast ranges south to Santa</u> <u>Clara County; one record from Santa</u> <u>Cruz County; Carrizo Plain, San Luis</u> <u>Obispo; Butte County</u>	<u>Serpentine substrates that support the</u> <u>host plant, cream cups (<i>Platystemon</i></u> <u><i>californicus</i>); annual grassland</u>	<u>None—no grassland with</u> <u>serpentine substrate in project</u> <u>area.</u>
<u>Mission blue butterfly</u> <i>Icaricia icarioides</i> <i>missionensis</i>	E/-/-	<u>Occurs in a few locations in the San</u> <u>Francisco Bay area: San Bruno</u> <u>Mountain in San Mateo County, Twin</u> <u>Peaks in San Francisco County, the</u> <u>Marin Headlands in Marin County,</u> <u>and the Skyline ridges in San Mateo</u> <u>County</u>	<u>Coastal chaparral and grasslands with</u> <u>caterpillar food plants, <i>Lupinus</i> spp.</u> <u>(particularly silver lupine (<i>Lupinus</i></u> <u><i>albifrons</i>) and summer lupine (<i>Lupinus</i></u> <u><i>formosus</i>). Feeds on various nectar</u> <u>plants, which often include members of</u> <u>the sunflower family that grow in</u> <u>association with lupines.</u>	<u>None—no chaparral or</u> <u>grassland in the project area.</u>
<u>San Bruno elfin</u> <u>butterfly</u> <i>Callophrys mossii</i> <i>bayensis</i>	E/-/-	<u>Three remaining populations occur at</u> <u>Milagra Ridge, San Bruno Mountain,</u> <u>Montara Mountain in San Mateo</u> <u>County</u>	<u>North-facing slopes of coastal</u> <u>mountains; rocky outcrops and cliffs</u> <u>with annual grassland and coastal</u> <u>scrub; host plant is stonecrop (<i>Sedum</i></u>	<u>None—project area is outside</u> <u>of species' known range;</u> <u>suitable habitat not present.</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
<u>Marin elfin butterfly</u> <u><i>Callophrys mossii</i></u> <u><i>marinensis</i></u>	<u>-/-/-</u>	<u>Marin County</u>	<u>Redwood forest; broadleaf stonecrop (<i>Sedum spathulifolium</i>) is larval host plant</u>	<u>None—no redwood forest in the project area.</u>
<u>Myrtle's silverspot butterfly</u> <u><i>Speyeria zerene</i></u> <u><i>myrtleae</i></u>	<u>E/-/-</u>	<u>Previously inhabited dunes and bluffs from San Mateo County north to the mouth of the Russian River in Sonoma County; four populations persist in western Marin and southwestern Sonoma Counties</u>	<u>Inhabits coastal dunes, scrub, and grassland where its larval food plant, <i>Viola</i> sp., occurs; adult food plants include gumplant (<i>Grindelia rubicaulis</i>), yellow sand verbena (<i>Abronia latifolia</i>), mints (<i>Monardella</i> spp.), bull thistle (<i>Cirsium vulgare</i>), and seaside daisy (<i>Erigeron glaucus</i>)</u>	<u>None—no coastal dunes, scrub, or grassland in the project area.</u>
<u>San Francisco Bay Area leaf-cutter bee</u> <u><i>Trachusa gummifera</i></u>	<u>-/-/-</u>	<u>Central California Coast Range, Marin and San Francisco Counties</u>	<u>No information; documented visiting <i>Pickeringia</i> flowers (legume family)</u>	<u>Low—habitat information not available but unlikely to occur because of developed state of project area.</u>
<u>Western bumble bee</u> <u><i>Bombus occidentalis</i></u> <u><i>occidentalis</i></u>	<u>-/CE/-</u>	<u>Historically occurred throughout much of northern California but currently appears to be absent from much of this area; current known locations are high-elevation sites in northern California and a few sites on the northern California coast</u>	<u>Nests underground in squirrel burrows, mouse nests, and open west-southwest facing slopes bordered by trees. Visits a wide variety of wildflowers. Plant genera it is most commonly associated with are <i>Cirsium</i>, <i>Erigonum</i>, <i>Solidago</i>, "Aster," <i>Ceanothus</i>, <i>Centaurea</i>, and <i>Penstemon</i>.</u>	<u>None—no slopes with natural habitat and wildflowers in the project area.</u>
<u>Obscure bumble bee</u> <u><i>Bombus caliginosus</i></u>	<u>-/-/-</u>	<u>Occurs along the Pacific Coast, from Southern California to southern British Columbia, with scattered records from the east side of California's Central Valley; uncommon throughout its range</u>	<u>Inhabits coastal prairies and Coast Range meadows. Nesting occurs underground as well as above ground in abandoned bird nests. Food plants include <i>Ceanothus</i>, <i>Cirsium</i>, <i>Clarkia</i>, <i>Keckiella</i>, <i>Lathyrus</i>, <i>Lotus</i>, <i>Lupinus</i>, <i>Rhododendron</i>, <i>Rubus</i>, <i>Trifolium</i>, and <i>Vaccinium</i>.</u>	<u>None—no coastal prairie or meadow in the project area.</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
Fish				
<u>Tidewater goby</u> <u><i>Eucyclogobius</i></u> <u><i>newberryi</i></u>	<u>E/SSC/-</u>	<u>Occur in lagoons of coastal streams from the Smith River, Del Norte County, to the south in Agua Hedionda Lagoon, San Diego County; extirpated from San Francisco Bay (Moyle 2002)</u>	<u>Lagoons, estuaries, marshes, and coastal streams; occasionally found in freshwater streams that are up-gradient and tributaries to brackish habitats</u>	<u>None—Irwin Creek does not provide suitable habitat due to its lack of natural channel and riparian vegetation, and poor water quality.</u>
<u>Delta smelt</u> <u><i>Hypomesus</i></u> <u><i>transpacificus</i></u>	<u>T/T/-</u>	<u>Primarily in the Sacramento-San Joaquin Estuary, but has been found as far upstream as the mouth of the American River on the Sacramento River and Mossdale on the San Joaquin River; range extends downstream to San Pablo Bay</u>	<u>Occurs in estuary habitat in the Delta where fresh and brackish water mix in the salinity range of 2–7 parts per thousand (Moyle 2002)</u>	<u>None—no estuaries in the project area and Irwin Creek does not provide estuary habitat.</u>
<u>Central California coast coho salmon</u> <u><i>Oncorhynchus kisutch</i></u>	<u>E/E/-</u>	<u>Coastal streams from Punta Gorda, Humboldt County, south to and including the San Lorenzo River, Santa Cruz County, as well as tributaries to the San Francisco Bay, excluding the Sacramento-San Joaquin River system</u>	<u>Occurs in cool (12–14°C), clear, well-oxygenated streams with deep (1.5 to 3 feet or more) pools and dense riparian (overhead) and submerged cover (e.g., undercut banks, woody material), particularly in the pools or runs (Moyle 2002; Moyle et al. 2008)</u>	<u>None—Irwin Creek does not provide suitable habitat due to its lack of natural channel and riparian vegetation, and poor water quality.</u>
<u>Longfin smelt</u> <u><i>Spirinchus thaleichthys</i></u>	<u>C/T/-</u>	<u>Within California, mostly in the Sacramento River–San Joaquin River Delta, but also in Humboldt Bay, Eel River estuary, and Klamath River estuary</u>	<u>Salt or brackish estuary waters with freshwater inputs for spawning</u>	<u>None—Irwin Creek does not provide suitable habitat due to its lack of natural channel and riparian vegetation, and poor water quality.</u>
<u>Green sturgeon</u> <u>(southern distinct</u> <u>population segment)</u> <u><i>Acipenser medirostris</i></u>	<u>T/SSC/-</u>	<u>Within California, occurs in the Sacramento, Feather, Klamath and Trinity Rivers and in the Delta (Moyle 2002)</u>	<u>Spawn in large river systems with well-oxygenated water, with temperatures from 8.0 to 14°C. Rear in freshwater and then brackish water.</u>	<u>None—Irwin Creek does not provide suitable habitat due to its lack of natural channel and riparian vegetation, and poor water quality.</u>
<u>River lamprey</u> <u><i>Lampetra ayresi</i></u>	<u>-/SSC/-</u>	<u>Sacramento, San Joaquin, and Napa Rivers; tributaries of San Francisco Bay (Moyle 2002; Moyle et al. 2015)</u>	<u>Adults live in the ocean and migrate into fresh water to spawn.</u>	<u>None—Irwin Creek does not provide suitable habitat due to its lack of natural channel and</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
<u>Pacific lamprey</u> <u><i>Entosphenus</i></u> <u><i>tridentatus</i></u>	<u>-/SSC/-</u>	<u>Sacramento, San Joaquin, and</u> <u>tributaries of San Francisco Bay, Delta</u> <u>(Moyle 2002; Moyle et al. 2015)</u>	<u>Ammocoetes live in freshwater for 5-7</u> <u>years and then move toward the ocean.</u> <u>Feed on fish including salmon and</u> <u>flatfish. Adults return to freshwater to</u> <u>spawn and then die (California Fish</u> <u>Website 2022).</u>	<u>riparian vegetation, and poor</u> <u>water quality.</u> <u>None—Irwin Creek does not</u> <u>provide suitable habitat due to</u> <u>its lack of natural channel and</u> <u>riparian vegetation, and poor</u> <u>water quality.</u>
<u>Amphibians</u>				
<u>California giant</u> <u>salamander</u> <u><i>Dicamptodon ensatus</i></u>	<u>-/SSC/-</u>	<u>Outer Coast Ranges from near the</u> <u>southern border of Mendocino</u> <u>County south through Marin County</u> <u>and the inner Coast Ranges in Napa,</u> <u>Sonoma, Lake, and Solano Counties;</u> <u>Santa Cruz Mountains in San Mateo,</u> <u>Santa Clara, and Santa Cruz Counties;</u> <u>found from sea level to 2,950 feet</u>	<u>Coastal coniferous forest, oak woodland</u> <u>and chaparral; cold permanent and</u> <u>intermittent streams required for</u> <u>breeding and larval development</u>	<u>None—no coastal coniferous</u> <u>forest, oak woodland, or</u> <u>chaparral in the project area.</u>
<u>California red-legged</u> <u>frog</u> <u><i>Rana draytonii</i></u>	<u>T/SSC/-</u>	<u>Found along the coast and coastal</u> <u>mountain ranges of California from</u> <u>Mendocino County to San Diego</u> <u>County and in the Sierra Nevada from</u> <u>Butte County to Stanislaus County</u>	<u>Permanent and semi-permanent aquatic</u> <u>habitats, such as creeks and cold-water</u> <u>ponds, with emergent and submergent</u> <u>vegetation; may estivate in rodent</u> <u>burrows or cracks during dry periods</u>	<u>None—Irwin Creek does not</u> <u>have deep water and</u> <u>emergent or submergent</u> <u>vegetation for breeding; no</u> <u>suitable upland habitat in the</u> <u>project area.</u>
<u>Foothill yellow-legged</u> <u>frog (Northwest/</u> <u>North Coast</u> <u>Population)</u> <u><i>Rana boylei</i></u>	<u>-/SSC/-</u>	<u>Occurs in the Klamath, Cascade, north</u> <u>Coast, south Coast, Transverse, and</u> <u>Sierra Nevada Ranges up to</u> <u>approximately 6,000 feet</u>	<u>Creeks or rivers in woodland, forest,</u> <u>mixed chaparral, and wet meadow</u> <u>habitats with rock and gravel substrate</u> <u>and low overhanging vegetation along</u> <u>the edge. Usually found near riffles with</u> <u>rocks and sunny banks nearby.</u>	<u>None—no woodland, forest,</u> <u>chaparral or meadow in the</u> <u>project area; Irwin Creek in</u> <u>the project area provides low-</u> <u>quality habitat and is</u> <u>surrounded by development.</u>
<u>Reptiles</u>				
<u>Western pond turtle</u> <u><i>Actinemys marmorata</i></u>	<u>-/SSC/-</u>	<u>Uncommon to common in suitable</u> <u>aquatic habitat throughout California,</u> <u>west of the Sierra-Cascade crest and</u> <u>absent from desert regions, except in</u>	<u>Occupies ponds, marshes, rivers,</u> <u>streams, and irrigation canals with</u> <u>muddy or rocky bottoms and with</u> <u>watercress, cattails, water lilies, or</u>	<u>None—no woodland,</u> <u>grassland, or open forest in</u> <u>the project area; Irwin Creek</u> <u>in the project area provides</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
		<u>the Mojave Desert along the Mojave River and its tributaries</u>	<u>other aquatic vegetation in woodlands, grasslands, and open forests. Nests are typically constructed in upland habitat within 0.25 mile of aquatic habitat.</u>	<u>low-quality habitat and is surrounded by development; no suitable upland habitat.</u>
<u>Birds</u>				
<u>Northern spotted owl</u> <u><i>Strix occidentalis</i></u> <u><i>caurina</i></u>	<u>T/SSC/-</u>	<u>A permanent resident throughout its range; found in the north Coast, Klamath, and western Cascade Range from Del Norte County to Marin County</u>	<u>Dense old-growth or mature forests dominated by conifers with topped trees or oaks available for nesting crevices</u>	<u>None—no old growth or mature forest in the project area.</u>
<u>California Ridgway's rail</u> <u><i>Rallus obsoletus</i></u> <u><i>obsoletus</i></u>	<u>E/E/-</u>	<u>Marshes around the San Francisco Bay and east through the Delta to Suisun Marsh</u>	<u>Restricted to salt marshes and tidal sloughs; usually associated with heavy growth of pickleweed; feeds on mollusks removed from the mud in sloughs</u>	<u>None—no salt marsh or tidal slough in the project area.</u>
<u>California black rail</u> <u><i>Laterallus jamaicensis</i></u> <u><i>coturniculus</i></u>	<u>-/T,FP/-</u>	<u>Permanent resident of the San Francisco Bay and eastward through the Delta into Sacramento and San Joaquin Counties; small populations in Marin, Santa Cruz, San Luis Obispo, Orange, Riverside, and Imperial Counties</u>	<u>Tidal salt marshes associated with heavy growth of pickleweed; also occurs in brackish marshes or freshwater marshes at low elevations</u>	<u>None—no salt marsh, brackish marsh, or freshwater marsh in the project area.</u>
<u>Western snowy plover</u> <u><i>Charadrius</i></u> <u><i>alexandrinus nivosus</i></u>	<u>T/SSC/-</u>	<u>Nests along the entire coast of California from Del Norte to San Diego County adjacent to or near tidal waters, including along the mainland coast, peninsulas, offshore islands, and adjacent bays and estuaries; nests at inland lakes throughout northeastern, central, and southern California, including Mono Lake and Salton Sea</u>	<u>Nests and overwinters on coastal dune-backed beaches, barrier beaches, salt evaporation ponds, river gravel bars, and occasionally bluff-backed beaches. Inland, nests and overwinters on barren or sparsely vegetated areas at alkaline or saline lakes, reservoirs, ponds, and riverine sand bars, and at sewage, salt-evaporation, and agricultural wastewater ponds.</u>	<u>None—no coastal dunes, beaches, evaporation ponds, or river gravel bars in the project area.</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
<u>California least tern</u> <u><i>Sternula antillarum</i></u> <u><i>browni</i></u>	<u>E/E/-</u>	<u>Nests on beaches along the San Francisco Bay and along the southern California coast from southern San Luis Obispo County south to San Diego County</u>	<u>Nests on sandy, upper ocean beaches and occasionally uses sparsely vegetated mudflats; forages on adjacent surf line, estuaries, and open ocean</u>	<u>None—no sandy beaches or estuaries in the project area.</u>
<u>Marbled murrelet</u> <u><i>Brachyramphus</i></u> <u><i>marmoratus</i></u>	<u>T/E/-</u>	<u>Nesting sites from the Oregon border to Eureka and between Santa Cruz and Half Moon Bay; winters in nearshore and offshore waters along the entire California coastline</u>	<u>Occupies nearshore areas, estuaries, and sounds; uses mature, coastal coniferous forests for nesting; nearby coastal water for foraging; nests in conifer stands greater than 150 years old and may be found up to 35 miles inland; winters on subtidal and pelagic waters often well offshore</u>	<u>None—no beaches, estuaries, or coastal coniferous forest in the project area.</u>
<u>San Pablo song sparrow</u> <u><i>Melospiza melodia</i></u> <u><i>samuelis</i></u>	<u>-/SSC/-</u>	<u>Northern portion of the San Francisco Bay and San Pablo Bay</u>	<u>Tidal salt marsh with dense vegetation for nesting, cover, and song posts; primarily associated with pickleweed and gumplant; highest densities are within tidal channels lined with gumplant; requires exposed ground for foraging</u>	<u>None—no tidal salt marsh in the project area.</u>
<u>Mammals</u>				
<u>Hoary bat</u> <u><i>Lasiurus cinereus</i></u>	<u>-/-/WBWG</u> <u>Medium</u>	<u>Occurs throughout California from sea level to 13,200 feet; winters in Southern California</u>	<u>Primarily roosts in forested habitats; also found in riparian areas and in park and garden settings in urban areas; day roosts within foliage of trees</u>	<u>Low—may drink or forage in the project area but suitable roosting habitat is not present.</u>
<u>Pallid bat</u> <u><i>Antrozous pallidus</i></u>	<u>-/SSC/WBWG</u> <u>High</u>	<u>Low elevations throughout California</u>	<u>Occurs in a variety of habitats from desert to coniferous forest. Most closely associated with oak, mixed conifer, redwood, and giant sequoia habitats in Northern California, and oak woodland, grassland, and desert scrub in Southern California. Day and night roosts include crevices in rocky outcrops and cliffs, caves, mines, basal hollows and</u>	<u>Moderate—crevices in the northbound US-101 bridge and some buildings provide suitable roosting habitat; may drink, forage, or roost in the project area.</u>

<u>Common Name</u> <u>Scientific Name</u>	<u>Status</u> <u>Federal/State/</u> <u>Other</u>	<u>Geographic Distribution</u>	<u>Habitat Requirements</u>	<u>Likelihood to Occur in the</u> <u>Project Area</u>
<u>Townsend's big-eared bat</u> <u><i>Corynorhinus townsendii</i></u>	<u>-/SSC/WBVG</u> <u>High</u>	<u>Widespread throughout California, from low desert to mid-elevation montane habitats</u>	<u>exfoliating bark of trees, bridges, and buildings.</u> <u>Roosts in caves, tunnels, mines, buildings, and other cave-like spaces.</u> <u>Will night roost in more open settings, including under bridges.</u>	<u>Low—may drink or forage in the project area but suitable roosting habitat is not present.</u>
<u>Salt marsh harvest mouse</u> <u><i>Reithrodontomys raviventris</i></u>	<u>E/E, FP/-</u>	<u>San Francisco, San Pablo, and Suisun Bays; the Delta/San Francisco Bay area</u>	<u>Salt marshes with tall, dense, continuous stands of pickleweed; also uses mixed stands of native salt marsh vegetation that includes pickleweed; frequently uses grasslands adjacent to salt marsh</u>	<u>None—no salt marsh in the project area.</u>

Status explanations:**Federal**

E = listed as endangered under the ESA.

T = listed as threatened under the ESA.

P = protected under the Bald and Golden Eagle Protection Act.

- = no listing.

State

E = listed as endangered under the CESA.

T = listed as threatened under the CESA.

CT = candidate for threatened status under the CESA.

FP = fully protected under the California Fish and Game Code.

SSC = species of special concern in California.

- = no listing.

OtherWestern Bat Working Group (WBWG) PriorityHigh: Species are imperiled or at high risk of imperilment.Medium: This designation indicates a level of concern that should warrant closer evaluation, more research, and conservation actions of both the species and possible threats. A lack of meaningful information is a major obstacle in adequately assessing these species' status and should be considered a threat.Potential Occurrence in the Project AreaHigh: Known occurrences of the species within the project area, or CNDDB or other documents record the occurrence of the species within a 5-mile radius of the project area and suitable habitat is present within the project area.Moderate: CNDDB or other documents record the known occurrence of the species within a 5-mile radius of the project area and lower-quality or limited habitat is present or no known occurrences within 5 miles, but higher-quality suitable habitat is present within the project area.Low: CNDDB or other documents do not record the occurrence of the species within a 5-mile radius of the project area and poor-quality suitable habitat is present within the project area.

Nesting Migratory Birds

Non-special-status migratory birds could nest in trees, shrubs, and ground vegetation in the project area. The breeding season for most birds is generally from February 15 to August 31. The occupied nests and eggs of migratory birds are protected by federal and state laws, including the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5. USFWS is responsible for overseeing compliance with the Migratory Bird Treaty Act, and CDFW is responsible for overseeing compliance with the California Fish and Game Code and making recommendations on nesting bird protection. Migratory birds that are likely to nest in the project area are those that are common and highly adapted to human disturbance such as northern mockingbird (*Mimus polyglottos*) and western scrub jay (*Aphelocoma californica*).

Invasive Plant Species

Invasive plant species are species designated as federal noxious weeds by the U. S. Department of Agriculture, species listed by the California Department of Food and Agriculture, and invasive plants identified by the California Invasive Plant Council. Invasive plants displace native species, change ecosystem processes, alter plant community structure, and reduce wildlife habitat quality. ~~The plant species observed table in Table 3.3-1 and Appendix D-F~~ lists the invasive plant species identified by the California Department of Food and Agriculture and California Invasive Plant Council that were observed during the botanical survey in the project area (California Department of Food and Agriculture 2021; California Invasive Plant Council 2021). Invasive plant species occur in ruderal and perennial stream land cover types in the project area. The infestation of the project area by these species generally is limited; they occur primarily as scattered individuals.

3.3.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.3.2.1 Methodology

The impact analysis for biological resources was conducted by evaluating the potential effects on special-status species and other biological resources that could result from project implementation. The proposed locations of transit center facilities under the various alternatives in the project area (see Figure 2-2) were evaluated for their potential to affect biological resources during construction and operation. Existing information listed below and information collected during the site visit were used to determine the presence or potential presence of biological resources in the project area. Potential effects on biological resources in the project area were based on the likelihood that construction or operation of the proposed project would directly or indirectly affect these resources. Construction-related impacts could result in temporary or permanent disturbance of biological resources in the project area. In assessing the magnitude of potential impacts, the following assumptions were made regarding construction- and operation-related impacts on biological resources:

- Potential construction-related effects include noise and ground disturbance caused by building demolition and removal, vegetation removal, grading, and transit center construction. All vegetation would be removed in areas that are cleared and graded for transit center facilities. Common animals in these areas would be displaced or destroyed during construction.
- Other than the limited area within and along Irwin Creek, the project area does not contain wildlife corridors. The developed nature of the project surroundings currently limits wildlife movement through the project and surrounding areas.
- Because the proposed project is within a highly developed area, indirect impacts on biological resources from operation of the transit center are not expected.
- Trees and other vegetation in the project area may be trimmed or removed.
- For the Under the Freeway Alternative, construction activities in Irwin Creek would include placement of structures to dewater the creekbed during construction, construction of ~~three-four double box~~ culverts for platforms and drive aisles, and placement of rock slope protection in the creek.

Review of Existing Information

The sources below were used to develop lists of special-status plant and animal species and to identify other sensitive biological resources (e.g., sensitive natural communities) that could be affected by the proposed project.

- CNPS's online *Inventory of Rare and Endangered Plants of California* records search of the San Rafael U.S. Geological Survey 7.5-minute quadrangle (CNPS 2020)
- CNDDDB records search of the San Rafael U.S. Geological Survey 7.5-minute quadrangle (CDFW 2020b)
- Information for Planning and Consultation Resource List (unofficial USFWS list of endangered and threatened species that may occur in the project area or be affected by the proposed project) (USFWS 2020)
- *Fish Species of Special Concern in California* (Moyle et al. 2015), *Inland Fishes of California* (Moyle 2002), and the California Fish Website (University of California, Davis 2021)

Due to the developed nature of the project area, the CNPS inventory and CNDDDB records search were limited to the San Rafael U.S. Geological Survey quadrangle rather than obtaining an inventory from and search of additional quadrangles, as is usual practice. The USFWS, CNDDDB, and CNPS lists can be found in Appendix ~~EG~~.

Field Survey

An ICF botanist/wetland ecologist and wildlife biologist conducted a survey of the project area on August 5, 2020. The project area encompassed the footprints of all alternatives as shown on Figure 2-2. The biologists walked transects throughout the project area and identified land cover types and potential habitat for special-status species. The wildlife biologist examined the US-101 bridge structures and buildings within the project area, identified potential bat roosting habitat, and looked for evidence of bat use (i.e., guano piles, urine staining). The biologists also walked to as close as possible to the confluence of Irwin and San Rafael Creeks to determine if there were any barriers between Irwin Creek and San Rafael Creek. Lists of plant and animal species observed were

recorded and representative photographs of the project area were taken. Lists of plants and animals observed in the project area are provided in Tables 3.3-1 and 3.3-2 and Appendix DF.

3.3.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to biological resources.

Would the proposed project:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 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?
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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?
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

3.3.2.3 Impacts

Impact BIO-1: Have a Substantial Adverse Effect, Either Directly or Through Habitat Modifications, on Any Species Identified as a Candidate, Sensitive, or Special-Status Species in Local or Regional Plans, Policies, or Regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service

Construction

Pallid Bat and Roosting Colonies of Non-Special-Status Bats

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives

Construction of the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would not result in removal or disturbance of suitable roosting habitat for pallid bat or non-special-

status bats. Therefore, these alternatives would have **no impact** on pallid bat or colonies of non-special-status bats.

Under the Freeway Alternative

Construction of the Under the Freeway Alternative would result in disturbance of potential bat roosting habitat in the northbound US-101 bridge structure when construction activities are conducted under and near the bridge. However, the ambient noise level is high due to road noise above and adjacent to the bridge and construction noise is unlikely to result in effects on bats that may be roosting in the bridge. Construction of the Under the Freeway Alternative would result in the removal of one building that provides potential bat roosting habitat. If pallid bats or a colony of non-special-status bats are using this building for roosting, bats could be injured or killed during demolition. Removal of occupied roost habitat would also displace bats, causing them to relocate to another roost site and potentially compete with other bats for the roost site. Because pallid bat is considered imperiled or is at high risk of imperilment (Western Bat Working Group 2017) and non-special-status bat colonies are rare, the injury or mortality of pallid bat or a colony of non-special-status bats and the removal of roosting habitat would be considered a **significant** impact. Implementation of Mitigation Measures MM-BIO-CNST-1 and MM-BIO-CNST-2 would reduce this impact to a less-than-significant level. Therefore, the impact would be **less than significant with mitigation**.

Operations

All Build Alternatives

Operation of the San Rafael Transit Center, under any alternative, is not anticipated to result in impacts on any candidate, sensitive, or special-status species. Therefore, operations from any alternative would have **no impact** on pallid bat and roosting colonies of special-status bats.

Mitigation Measures

If the Under the Freeway Alternative is selected and constructed, Mitigation Measures MM-BIO-CNST-1 and MM-BIO-CNST-2 would be implemented to reduce potential impacts on pallid bat and roosting colonies of special-status bats.

MM-BIO-CNST-1: Conduct Environmental Awareness Training for Construction Employees

The project proponent shall retain a qualified biologist to conduct environmental awareness training for construction crews before project implementation. The awareness training shall be provided to all construction personnel and shall brief them on the need to avoid effects on sensitive biological resources (i.e., pallid bat and roosting colonies of bats, Irwin Creek, and active nests of migratory birds) in and adjacent to the construction area. The education program shall include a brief review of pallid bat (including its legal status, life history, habitat requirements, and photographs of the species) and shall identify potential roosting habitats in the project area. The training shall also include information on the locations of any active migratory bird nests in the project area. The biologist shall describe the protective measures that must be adhered to by all construction personnel to reduce or avoid effects on sensitive biological resources during project implementation. This includes the steps to be taken if a

sensitive species or an active migratory bird nest is found within the construction area (i.e., notifying the crew foreman, who will call the City's designated biologist).

In addition, construction employees shall be educated about the importance of controlling and preventing the spread of invasive plant infestations. An environmental awareness handout that describes and illustrates sensitive resources to be avoided during project construction and identifies all relevant permit conditions shall be provided to each crew member. The crew foreman shall be responsible for ensuring that crew members adhere to the guidelines and restrictions. Education programs shall be conducted for appropriate new personnel as they are brought on the job during the construction period.

MM-BIO-CNST-2. Conduct Preconstruction Surveys for Bats and Implement Protective Measures

Prior to removal of the dry-cleaning business that provides potential bat roosting habitat, a qualified bat biologist and/or a professional bat removal expert shall conduct an initial daytime survey to look for bats and evidence of bat use and/or presence. The biologist and/or the professional bat removal expert shall examine both the inside and outside of the building for potential roosting habitat, as well as routes of entry to the structure. If all areas of the building can be examined and no signs of bat use are present, a follow-up preconstruction survey of the interior and exterior of the structure by a qualified biologist shall be conducted within 24 hours of demolition.

If all areas of the building can be examined and bats or signs of bat use are observed, the following measures shall be implemented:

- The qualified bat biologist and/or professional bat removal expert shall exclude bats from using the building as a roost site, such as by sealing off entry points. Prior to installing exclusion measures, the qualified biologist and/or professional bat removal expert shall re-survey the structure to ensure that no bats are present.
- Installation of exclusion devices shall occur before the maternity season and prior to hibernation, generally from March 1 to 30 or September 15 to October 30, to preclude bats from occupying a roost site during demolition. Exclusionary devices shall only be installed by an experienced bat biologist or professional bat removal expert.
- A preconstruction survey of the interior and exterior of the structure shall be conducted within 24 hours of demolition to confirm that no bats are present.

If all areas of the building cannot be examined or if bats or signs of bat use are present and exclusion measures are not or cannot be installed as described above, the following protective measures shall be implemented:

- The qualified biologist shall work with the project proponent and CDFW to develop a plan to discourage or exclude bat use prior to demolition. The plan may include installing exclusion measures or using light or other means to deter bats from using the structure to roost. CDFW may recommend surveys to identify bat species present using night goggles or active acoustic monitoring using full-spectrum bat detectors.
- A preconstruction survey of the interior and exterior of the building shall be conducted within 24 hours of demolition.

- To avoid impacts on maternity colonies or hibernating bats, the structure shall not be demolished while bats are present, generally between April 1 and September 15 (maternity season) and from October 30 to March 1 (hibernation).
- Removal of roosting habitat shall only occur only following the maternity season and prior to hibernation, generally between September 15 and October 30, unless exclusionary devices are first installed.

CDFW may require compensatory mitigation for the loss of roosting habitat depending on the species present and size of the bat roost. Compensation, if required, shall be determined in consultation with the CDFW, and may include the construction, installation, and monitoring of suitable replacement habitat on site or near the project area.

Impact BIO-2: 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

All Build Alternatives

The project area does not support any riparian habitat. The only sensitive natural community is the perennial stream, Irwin Creek. Impacts on this creek are analyzed below. Therefore, there would be **no impact** on riparian habitat or non-creek sensitive natural community related to construction or operations.

Mitigation Measures

No mitigation is required.

Impact BIO-3: Have a Substantial Adverse Effect on State or Federally Protected Wetlands (Including, but not Limited to, Marsh, Vernal Pool, Coastal, etc.) through Direct Removal, Filling, Hydrological Interruption, or Other Means

State and federally protected wetlands in the State CEQA Guidelines are intended to also include non-wetland waters. Therefore, this impact includes the potential effects on Irwin Creek in the project area. Irwin Creek is a water of the United States, subject to regulation under CWA Section 404 and under the jurisdiction of USACE, and is a water of the State subject to regulation under the Porter-Cologne Act and under the jurisdiction of the RWQCB.

Construction

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives

San Rafael Creek is outside of the project area. Construction of the proposed project, therefore, would have no impact on San Rafael Creek. Construction of the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would have no effect on Irwin Creek, because the creek is outside of the project footprints for these alternatives. There would be **no impact**, and no mitigation is required.

Under the Freeway Alternative

Implementation of the Under the Freeway Alternative would result in the placement of up to 0.27 acre of permanent fill in Irwin Creek for construction of four double-box culverts with two openings up to 12 feet wide at Platforms A, D, and E. Rock slope protection would also be placed in the creek bed.

A total of up to 0.54 acre of temporary impacts on perennial stream in Irwin Creek would result from temporary structures placed below the ordinary high-water mark to dewater and temporarily reroute the creek during construction for installation of the box culverts.

Additional indirect impacts from project construction on water quality, such as increased turbidity and chemical runoff, could occur in perennial drainage habitat outside the project area. Water quality protection measures to avoid this impact would be required and implementation of construction site BMPs specified in the final Stormwater Pollution Prevention Plan would be developed for the proposed project, as well as CWA Section 401 permit conditions to minimize introduction of construction-related contaminants and mobilization of sediment in Irwin Creek. Broadly, these BMPs would address soil stabilization, sediment control, wind erosion control, vehicle tracking control, non-stormwater management, and waste management practices. The BMPs would be based on the best conventional and best available technology.

State and federal agencies would require avoidance, minimization, and compensatory mitigation for the loss of perennial streams. The loss of perennial streams would be a **significant** impact because perennial streams provide a variety of important ecological functions and values. Implementation of Mitigation Measures MM-BIO-CNST-3 through MM-BIO-CNST-5 would ensure that the proposed project minimizes effects on perennial streams adjacent to the project construction area and compensates for the loss of perennial streams in the project area. Therefore, the impact would be ***less than significant with mitigation***.

Operations

Operation of the San Rafael Transit Center, under any alternative, would result in ***no impact*** on Irwin Creek or San Rafael Creek.

Mitigation Measures

If the Under the Freeway Alternative is selected and constructed, Mitigation Measures MM-BIO-CNST-1 (discussed above) and MM-BIO-CNST-3, MM-BIO-CNST-4, and MM-BIO-CNST-5 would be implemented to reduce potential impacts on protected wetlands.

MM-BIO-CNST-3: Install Orange Construction Fencing Between the Construction Area and Adjacent Sensitive Biological Resources

The project proponent or their contractor shall install orange construction fencing between the construction area and adjacent sensitive biological resource areas. Sensitive biological resources adjacent to the construction area that could be directly affected by the proposed project include Irwin Creek upstream and downstream of the construction area, active nests of migratory birds, and trees to be retained in the project area.

Barrier fencing around sensitive biological resource areas shall be installed as one of the first orders of work and prior to equipment staging. Before construction begins, the construction

contractor shall work with the project engineer and a resource specialist to identify the locations for the orange construction fencing and shall place stakes around the sensitive resource sites to indicate these locations. The protected areas shall be designated as environmentally sensitive areas and clearly identified on the construction plans and described in the specifications. To minimize the potential for snakes and other ground-dwelling animals to be caught in the orange construction fencing, the fencing shall be placed with at least a 1-foot gap between the ground and the bottom of the fencing. The exception to this condition is where construction barrier fencing overlaps with erosion control fencing and must be secured to prevent sediment runoff. Barrier fencing shall be installed before construction activities are initiated, maintained throughout the construction period, and removed after completion of construction.

MM-BIO-CNST-4: Conduct Periodic Biological Monitoring

The project proponent shall retain a qualified biological monitor for the proposed project who shall visit the site periodically and a minimum of once per week during in-water construction work to ensure that fencing around environmentally sensitive areas is intact and that activities are being conducted in accordance with the agreed-upon project schedule and agency conditions of approval. The monitor shall provide the project proponent with a monitoring log for each site visit.

MM-BIO-CNST-5: Compensate for Temporary and Permanent Loss of Perennial Stream

The project proponent shall compensate for both temporary and permanent loss of perennial stream in compliance with the state (Section 401 Water Quality Certification or waste discharge requirements, Lake and Streambed Alteration Agreement) and federal (Section 404 permit) processes for the work that would occur in Irwin Creek. Specifically, the project proponent shall compensate for temporary impacts (impacts occurring during construction) on up to 0.54 acre of non-wetland waters of the United States in Irwin Creek by restoring the creek bed and bank to pre-project contours when construction is complete. Because there is little to no vegetation in the creek, no revegetation is necessary.

The project proponent shall compensate for the permanent fill of up to 0.27 acre of non-wetland waters of the United States in Irwin Creek by purchasing mitigation bank credits, which can be in the form of preservation and/or creation credits using the following minimum ratios:

- A minimum of 2:1 (2 acres of mitigation for each acre filled), for a total of up to 0.54 acre, if credits are for preservation of habitat; or
- A minimum of 1:1 (1 acre of mitigation for each acre filled), for a total of up to 0.27 acre if credits are for creation of habitat.

The actual compensation ratios shall be determined through coordination with the San Francisco Bay RWQCB and CDFW (Section 401 Water Quality Certification or waste discharge requirements, Lake and Streambed Alteration Agreement) and USACE (Section 404 permit) as part of the permitting process. The project proponent shall provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits.

Impact BIO-4: 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

Construction

Fish and Wildlife Movement

Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives

Construction of the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would not interfere with fish or wildlife movement because there are no streams or other natural areas in the footprints of these project sites that provide corridors for fish or wildlife. Therefore, the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would have ***no impact*** on fish or wildlife movement.

Under the Freeway Alternative

The only semi-natural corridor through the Under the Freeway Alternative project site is Irwin Creek. Large box culverts under the creek road crossings allow fish and wildlife to move relatively unimpeded through this corridor. Common fish, birds, and some mammals could utilize the creek corridor for movement. Installation of cofferdams or other construction activities in Irwin Creek for the new bridges/viaducts for the Under the Freeway Alternative could temporarily interfere with movement through this corridor. This impact would be short term and temporary and would only affect animals that are common in developed areas. As such, this impact would be ***less than significant*** and no mitigation is required.

Native Wildlife Nursery Sites

All Build Alternatives

Native wildlife nursery sites in the project area consist of trees, shrubs, and ground vegetation that provide nesting habitat for migratory birds. Construction of the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would result in the removal or trimming of landscape trees associated with commercial properties. Construction of the Under the Freeway Alternative would result in removal or trimming of landscaped trees and shrubs in residential and commercial properties and ground vegetation along Irwin Creek. Vegetation removal during the nesting season of migratory birds (generally February 15 through August 31) could result in the injury or mortality of nesting birds. Because the proposed project is in an area with high human disturbance, noise, and activity, construction noise and visual disturbance during the nesting season are not anticipated to affect birds nesting in vegetation that is near the project area but would not be removed as a result of the proposed project. Removal or destruction of nests or construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. This impact could be ***significant*** if it resulted in the reduction of local populations of migratory birds. To ensure that active nests are not disturbed and that the Migratory Bird Treaty Act and California Fish and Game Code are not violated, Mitigation Measures MM-BIO-CNST-1 and MM-BIO-CNST-6 would be implemented. With implementation of

these Mitigation Measures, the impact on nesting migratory birds would be *less than significant with mitigation*.

Operations

All Build Alternatives

Operation of the San Rafael Transit Center, under any alternative, would not interfere with any fish and wildlife movement or native wildlife nursery sites and therefore would have *no impact* on fish and wildlife movement or native wildlife nursery sites.

Mitigation Measures

Under any build alternative that is selected and constructed, Mitigation Measures MM-BIO-CNST-1 (discussed above) and BIO-CNST-6 would be implemented to reduce potential impacts on nesting migratory birds.

MM-BIO-CNST-6: Conduct a Preconstruction Survey for Nesting Birds and Implement Protective Buffers Around Active Nests

If work is scheduled to begin during the nesting bird season (February 15 through August 31), a qualified biologist shall conduct a preconstruction survey for nesting birds no more than 14 days before any tree or shrub trimming or removal or clearing of ground vegetation. If vegetation trimming, removal, or clearing does not begin within 14 days of the survey, vegetation to be affected shall be resurveyed for active nests. If an active nest is found in the survey area, the biologist shall determine and establish a no-work buffer around the active nest to limit disturbance until the nest is no longer active. The extent of the buffer shall depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. Suitable buffer distances may vary between species. The biologist shall periodically monitor the nest to determine when the nest is no longer active and the buffer can be removed. Should an active bird nest be found in the project area during work activities, work in that area shall cease and the biologist shall be contacted to establish an appropriate no-work buffer zone.

Impact BIO-5: Conflict with Any Local Policies or Ordinances Protecting Biological Resources, Such as a Tree Preservation Policy or Ordinance

All Build Alternatives

Construction

Construction of any of the build alternatives would not conflict with any local general plan policies protecting biological resources. The City of San Rafael tree ordinance requires total removal of tree stumps and roots for removed trees, which would occur under any alternative for any trees in the project area. As part of the project approval by the City, the project proponent would be required to obtain a permit from the San Rafael Public Works Department for tree removal. Construction activities for any alternative could potentially damage trees to be retained in the project area. This would be a potentially **significant** impact. Implementation of Mitigation Measure MM-BIO-CNST-3

would provide a sufficient safeguard against inadvertent damage associated with construction activities and would reduce this potential impact to *less-than-significant levels with mitigation*.

Operations

Operation of the San Rafael Transit Center, under any alternative, would not conflict with any local policies or ordinances protecting biological resources, and there would be *no impact*.

Mitigation Measures

Under any alternative that is selected and constructed, Mitigation Measure MM-BIO-CNST-3 (discussed above) would be implemented to reduce potential impacts on trees to be retained in the project area.

Impact BIO-6: Conflict with the Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan

All Build Alternatives

Construction

Marin County does not have a habitat conservation plan (HCP) or natural community conservation plan (NCCP) and there are no regionwide HCPs or NCCPs that encompass the project area. Therefore, construction of any of the alternatives would not conflict with any adopted HCP, NCCP, or other approved plan, and there would be *no impact*.

Operations

Marin County does not have an HCP or NCCP and there are no regionwide HCPs or NCCPs that encompass the project area. Therefore, operation of San Rafael Transit Center under any alternative would not conflict with any adopted HCP, NCCP, or other approved plan, and there would be *no impact*.

Mitigation Measures

No mitigation measures are required.

Section 3.4

Cultural Resources

The term *cultural resources* refers to sites, objects, buildings, structures, burials, districts, and landscapes. In this section, buildings, structures, districts, and landscapes will be referred to as *built environment resources*, and sites, objects, and burials as *archaeological resources*. Some archaeological sites may also be considered tribal cultural resources. Tribal cultural resources are discussed in Section 3.4.6.15. A *historical resource* is defined in California Environmental Quality Act (CEQA) Section 21084.1 and State CEQA Guidelines Section 15064.5 as one that meets at least one of the following criteria:

- A resource listed in, or determined by the State Historical Resources Commission to be eligible for listing in, the California Register of Historical Resources (CRHR) shall be considered to be historically significant (California Public Resources Code [PRC] Section 5024.1, Title 14 California Code of Regulations [CCR], Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in PRC Section 5020.1(k), or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g) shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the CRHR (PRC Section 5024.1, Title 14 CCR, Section 4852).

A lead agency is allowed to determine that a resource may be a historical resource, as defined in PRC Sections 5020.1(j) or 5024.1, even if it is not listed in, or determined to be eligible for listing in, the CRHR; not included in a local register of historical resources, pursuant to PRC Section 5020.1(k); or identified in a historical resources survey meeting the criteria of PRC Section 5024.1(g).

3.4.1 Existing Conditions

3.4.1.1 Regulatory Setting

Federal

Although the proposed project is not anticipated to require compliance with Section 106 of the National Historic Preservation Act at this time, the National Register of Historic Places (NRHP) and federal guidelines related to the treatment of cultural resources are relevant for the purposes of determining whether cultural resources, as defined under CEQA, are present and guiding the

treatment of such resources. The sections below summarize the relevant federal regulations and guidelines.

National Historic Preservation Act and National Register of Historic Places

Built environment and archaeological resources are protected through the National Historic Preservation Act (16 United States Code [U.S.C.] 470f). The National Historic Preservation Act requires project review for effects on historic properties only when projects involve federal funding or permitting or occur on federal land; therefore, it is not applicable to discretionary actions at the municipal level. However, the National Historic Preservation Act establishes the NRHP, which provides a framework for resource evaluation and informs the process of determining impacts on historical resources under CEQA.

The NRHP is the nation's official comprehensive inventory of historic resources. Administered by the National Park Service, the NRHP includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level. Typically, a resource that is more than 50 years of age is eligible for listing in the NRHP if it meets any one of the four eligibility criteria and retains sufficient historical integrity. A resource less than 50 years old may be eligible if it can be demonstrated that it is of "exceptional importance" or a contributor to a historic district. NRHP criteria are defined in *National Register Bulletin Number 15: How to Apply the National Register Criteria for Evaluation*.

Properties that are listed in the NRHP, as well as properties that are formally determined to be eligible for listing in the NRHP, are automatically listed in the CRHR and, therefore, considered historical resources under CEQA.

Secretary of the Interior's Standards for the Treatment of Historic Properties

The National Park Service has developed the Secretary of the Interior's Standards for the Treatment of Historic Properties to guide projects that maintain, repair, restore, or rehabilitate historic properties. Rehabilitation refers to "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values." The secretary's standards provide a useful analytical tool for identifying the potential impacts of changes to historic resources, including new construction inside or adjoining historic districts.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act (16 U.S.C. 470aa et seq.) was enacted in 1979 to provide more effective law enforcement to protect public archaeological sites. The Archaeological Resources Protection Act provides detailed descriptions of the prohibited activities and larger financial and incarceration penalties for convicted violators.

Archaeological and Historic Preservation Act

This act (16 U.S.C. Sections 469–469(c)-2) provides for preserving significant historic or archaeological data that may otherwise be irreparably lost or destroyed by construction of a project by a federal agency or under a federally licensed activity or program. This includes relics and specimens.

State

California Environmental Quality Act

CEQA, as codified in PRC Section 21000 et seq. and implemented by the State CEQA Guidelines (14 CCR Section 15000 et seq.), is the principal statute governing environmental review of projects in California. CEQA defines a historical resource as a property listed in, or eligible for listing in, the CRHR; included in a qualifying local register; or determined by a lead agency to be historically significant. In order to be considered a historical resource, a property must generally be at least 50 years old. Section 21084.1 of the PRC and Section 15064.5 of the State CEQA Guidelines define a historical resource for purposes of CEQA.

CEQA requires lead agencies to determine if a proposed project would have a significant effect on important historical resources or unique archaeological resources. If a resource is neither a unique archaeological resource nor a historical resource, the State CEQA Guidelines note that the effects of the project on that resource shall not be considered a significant effect on the environment (State CEQA Guidelines Section 15064.5(c)(4)). In addition, projects that comply with the secretary's standards benefit from a regulatory presumption under CEQA that they would have a less-than-significant impact on a historical resource (14 CCR 15126.4(b)(1)). Projects that do not comply with the secretary's standards may or may not cause a substantial adverse change in the significance of a historical resource and must be subject to further analysis to assess whether they would result in material impairment of a historical resource's significance.

Under CEQA, a substantial adverse change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Actions that would materially impair the significance of a historical resource are any actions that would demolish or adversely alter the physical characteristics that convey the property's historical significance and qualify it for inclusion in the CRHR, the NRHP, or in a local register or survey that meets the requirements of PRC Sections 5020.1(k) and 5024.1(g).

California Register of Historical Resources

The CRHR is "an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and indicating which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1(a)). The CRHR criteria are based on the NRHP criteria (PRC Section 5024.1(b)). Certain resources are determined by CEQA to be automatically included in the CRHR, including California properties formally eligible for or listed in the NRHP. To be eligible for the CRHR as a historical resource, a resource must be significant at the local, state, and/or federal level under one or more of the following evaluative criteria, as defined in PRC Section 5024.1(c):

1. The resource is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. The resource is associated with the lives of persons important in our past.
3. The resource embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.

4. The resource has yielded, or may be likely to yield, information important in prehistory or history.

As with the NRHP, a significant historical resource must possess integrity in addition to meeting the significance criteria to be considered eligible for listing in the CRHR. Consideration of integrity for evaluation of CRHR eligibility follows the definitions and criteria from the National Park Service's *National Register Bulletin 15*.

Assembly Bill 52

Tribal cultural resources were originally identified as a distinct CEQA environmental category with the adoption of Assembly Bill (AB) 52 in September 2014. For all projects subject to CEQA that received a notice of preparation, notice of negative declaration, or mitigated negative declaration on or after July 1, 2015, AB 52 requires the lead agency on a proposed project to consult with the geographically affiliated California Native American tribes. The legislation creates a broad new category of environmental resources, "tribal cultural resources," which must be considered under CEQA. AB 52 requires a lead agency to not only consider the resource's scientific and historical value but also whether it is culturally important to a California Native American tribe.

AB 52 defines tribal cultural resources as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included or determined to be eligible for inclusion in the CRHR; included in a local register of historical resources, as defined in PRC Section 5020.1(k); or determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria of PRC Section 5024.1(c) (CEQA Section 21074).

AB 52 also sets up an expanded consultation process. For projects initiated after July 1, 2015, lead agencies are required to provide notice of the proposed projects to any tribe that is traditionally and culturally affiliated with the geographic area that requested to be informed by the lead agency, following PRC Section 21018.3.1(b). If, within 30 days, a tribe requests consultation, the consultation process must begin before the lead agency can release a draft environmental document. Consultation with the tribe may include discussion of the type of review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. The consultation process will be deemed concluded when either (1) the parties agree to mitigation measures or (2) any party concludes, after a good-faith effort, that an agreement cannot be reached. Any mitigation measures agreed to by the tribe and lead agency must be recommended for inclusion in the environmental document. If a tribe does not request consultation, or to otherwise assist in identifying mitigation measures during the consultation process, a lead agency may still consider mitigation measures if the agency determines that a project will cause a substantial adverse change to a tribal cultural resource.

Assembly Bill 168

~~AB 168, adopted in September 2020, provides additional protection for tribal cultural resources as defined in AB 52. This bill applies in situations where a developer seeks to streamline approval under Senate Bill (SB) 35 and, in doing so, bypass CEQA requirements. AB 168 rectifies a loophole in SB 35 that allowed developers to apply for fast tracked approval without notifying Native American tribes affiliated with the project area. Instead, under AB 168 projects would be ineligible for SB 35 and subject to CEQA if (1) the site of the proposed development is a tribal cultural resource that is~~

on a national, state, tribal, or local historic register list, (2) the local government and the California Native American tribe do not agree that no potential tribal cultural resource would be affected by the proposed development, or (3) the local government and California Native American tribe find that a potential tribal cultural resource could be affected by the proposed development and the parties do not document an enforceable agreement regarding the methods, measures, and conditions for treatment of those tribal cultural resources, as provided.

Local

~~Marin County Ordinance 1589~~

The Marin County Code of Ordinances includes Ordinance 1589, which outlines procedures related to protecting archaeological resources in the county. Such protection procedures include the following:

- ~~• Requirement of a permit to excavate an Indian midden (Section 5.32.020)~~
- ~~• Designation of a liaison agency between institutions of higher learning or an association and the department of public works for the purpose of the study of Indian relics of archaeological significance (Section 5.32.030)~~
- ~~• Requirement of permits to excavate Indian middens to follow formats approved by the director of public works and to note that the excavation is for either archaeological or nonarchaeological purposes (Section 5.32.040)~~
- ~~• Requirement for the director of public works or designee to send the application for excavation to the liaison agency and, within 5 days of receipt, for the liaison agency to inform the director of public works if the midden is of archaeological significance; only non-archaeological midden sites will be issued a permit (Section 5.32.050)~~
- ~~• If the midden requesting permit for excavation is certified to have archaeological significance, allowance for the director of public works to issue a permit with certain conditions (Section 5.32.060)~~
- ~~• Requirement for actions done under an issued permit to follow the permit's terms and conditions (Section 5.32.070)~~
- ~~• Requirement that persons in violation of the chapter's provisions are guilty of a misdemeanor and shall incur punishments as listed under Section 1.04.270; violations that occur on multiple days will each be considered as separate violations per day (Section 5.32.090)~~

The conditions of Section 5.32.050 are:

- ~~A. Prior to nonarchaeological excavation or removal of materials from the middens, the permittee shall not excavate for a period of sixty days in order to allow archaeological excavation of the site.~~
- ~~B. The permittee or owner of the property shall be required to grant a license for the excavation, identification, and classification of artifacts and proper scientific analysis of materials having historical or archaeological significance to recognized institutions of higher learning or associations having as their major purpose the study of Indian relics and other sites having archaeological value. The terms of the license shall be such as are agreed to by the prospective licensee and property owner. (Ord. 1825 § 2, 1971; Ord. 1589 § 6, 1967)~~

San Rafael Municipal Code

The City of San Rafael's (City's) municipal code outlines the duties of the Planning Commission, which oversees the implementation of two ordinances regarding cultural resources.

Chapter 2.18 of the Municipal Code, Historic Preservation

The San Rafael Municipal Code includes Chapter 2.18, which states the purpose of the City's historic preservation municipal code and reasons for the protection of historic resources. Such protection procedures promote the health, safety, economy and general welfare of the public by: (a) acknowledging that structures, sites, and areas serve as reminders of history including eras, events, and persons important in local, state, and national history; or they serve as substantial representations of architectural styles from the past; are architectural landmarks; are unique city assets; or they provide physical evidence of past generations; (b) requiring maintenance of proper historic settings for said structures, sites, and areas; (c) providing financial incentives such as the maintenance and improvement of property values, neighborhood stabilization, and city tourism; (d) promoting a variety of architectural styles from numerous time periods throughout the city; and (e) providing tax incentives and deductions to owners of designated historic buildings and sites through state and federal laws (Ord. 1191 § 1 (part), 1975).

Chapter 2.18 also specifies that the Planning Commission may identify "structures of historic, architectural or aesthetic merit which have not been designated as landmarks and are not situated in designated historic districts. [...] The purpose of this list shall be to recognize and encourage the protection, enhancement, perpetuation and the use of such structures. [...] Nothing in this chapter shall be construed to impose any regulations or controls upon such structures of merit included on the said list and neither designated as landmarks nor situated in historic districts" (Ord. 1191 § 1 (part), 1975).

Chapter 2.18 requires Planning Commission review of exterior modifications or demolition of structures designated as landmarks and those within a historic district, as identified in the *San Rafael Historical/Architectural Survey* (described in more detail below). The City Council has the authority to add or eliminate properties or districts to the historical resource inventory produced through the *San Rafael Historical/Architectural Survey*.

Chapter 2.19 of the Municipal Code, Archeological Resources Protection

2.19.010 - Purpose.

Certain lands and geographic areas within the city of San Rafael contain significant archeological resources, which include deposits and remains of the local Native Americans and other early inhabitants. These deposits and remains represent an important part of the early history of San Rafael and the culture of the Native American community. Without proper regulations and monitoring, continued excavation and grading activities within the city council significantly impact these resources.

In recognizing the importance of protecting significant archeological resources, the city of San Rafael has determined to:

- (a) Establish a procedure for identifying, when possible, archeological resources and potential impacts to such resources prior to authorizing excavation and grading activities;
- (b) Provide valuable information and direction to property owners in the community in order to make them aware of these resources;
- (c) Implement measures that would preserve and protect valuable archeological resources, when there is a potential for encountering such resources;
- (d) Establish a procedure which would ensure that appropriate advisory agencies and

organizations are contacted and consulted, when there is a probability that archeological resources could be encountered during an activity involving grading, excavation, and/or construction; (e) Establish and implement specific protection and preservation measure in the event archeological resources are encountered during grading, excavation and/or construction. (Ord. 1772 § 2 (part), 2001)

2.19.020 - Archeological sensitivity map.

Geographic areas of archeological sensitivity shall be depicted on a citywide map. This map shall be prepared by an archeologist and shall be maintained by and kept on file with the city department of community development. This map shall:

- (a) Identify sensitivity level based on the criteria adopted by council resolution; (b) Be used as a reference by the city whenever considering or analyzing projects involving excavation and grading; and (c) Be reviewed and updated periodically as new information becomes available. (Ord. 1772 § 2 (part), 2001)

2.19.030 - Procedures and regulations for archeological resource protection.

Specific procedures and regulations shall be implemented by the city to ensure the protection of archeological resources as adopted by council resolution. (Ord. 1772 § 2 (part), 2001)

~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~San Rafael General Plan 2040

In 2004, the City adopted *The City of San Rafael General Plan 2020* to guide future planning efforts and development in the city. *The City of San Rafael General Plan 2020* includes the following goal and policies related to the protection of built environment and archaeological resources (City of San Rafael 2016):

Goal 28, Protected Cultural Heritage. It is the goal for San Rafael to have protected and maintained historic buildings and archaeological resources as part of San Rafael's cultural heritage.

CA-13. Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

CA-13a. Inventory Update. Update the City's Historical/Architecture Survey, which is an inventory of buildings of architectural value, historic buildings and/or districts and historic elements such as signs, monuments and gates. Maximize the use of volunteers in updating the survey with professional assistance as needed.

CA-13b. Preservation Ordinance. Continue to implement the City's Historic Preservation Ordinance through the design review process. Update the City's Historic Preservation Ordinance and review the development application review procedures for the various classifications of buildings on the Historical Architecture Survey, including effective ways to review proposed changes to historic properties.

CA-13c. Historic Preservation Advisory Committee. Establish a technical advisory committee or contract with an architectural historian, to provide the Design Review Board and Planning Commission with advice in design matters and policies related to the preservation and/or modification of historic structures.

CA-13d. Public Education. Encourage historic preservation activities and the formation of historic preservation groups in neighborhoods to heighten awareness of historic landmarks and how architecture and landscape define the character of an area. Encourage schools to incorporate units about local history into their school programs. Continue to support efforts to install plaques recognizing historic locations in San Rafael.

CA-13e. Preservation Reference Materials. Maintain at Falkirk a special collection of preservation materials and resources. Enhance public awareness of the collection, and include a photographic record of local preservation efforts.

CA-13f. Public Events. Encourage organizations such as the Marin Historical Society to produce events, publications, and exhibits about the historic resources that exist in San Rafael.

CA-13g. Public Recognition. Through the annual Design Awards program, publicly recognize property owners who have done an exceptional job of preserving an historical property.

CA-14. Reuse of Historic Buildings. Encourage the adaptation and reuse of historic buildings, in order to preserve the historic resources that are a part of San Rafael's heritage.

CA-14a. Historical Building Code. Use the State historical building code to encourage adaptive reuse of historic buildings. Responsibility: Community Development Timeframe: Ongoing Resources: Staff Time CA-14b. Zoning. Investigate possible zoning exemptions to regulations such as on-site parking, signs, and setbacks in order to encourage adaptive reuse.

CA-14c. Incentives. Investigate the use of incentives such as transfer of development rights, easements, and property tax relief to encourage preservation of historic buildings.

CA-15. Protection of Archaeological Resources. Recognize the importance of protecting significant archaeological resources by: identifying, when possible, archaeological resources and potential impacts on such resources; providing information and direction to property owners in order to make them aware of these resources; implementing measures to preserve and protect archaeological resources.

CA-15a. Archeological Resources Ordinance. Continue to implement the existing Archeological Resources Ordinance.

In 2021, the City is in the process of updating *The City of San Rafael General Plan 2020*. Published in October 2020, the Draft adopted *San Rafael General Plan 2040*, which includes goals, and policies, and programs under the Community Design and Preservation Element relating to cultural resources. The plan includes the Goal CDP-5, "Protection of Cultural Heritage and maintain the city's historic and archaeological resources," and which encompasses the following policies and programs related to built environment and archaeological resources (City of San Rafael 2021b:5-26-5-342020a:5-25-5-33):

- **Policy CDP-5.1: Preserve buildings and areas recognized in the city's architectural survey**Historic Buildings and Areas. Preserve buildings and areas with special and recognized historic, architectural or aesthetic value, including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.
 - Program CDP-5.1A: Preservation Ordinance
 - Program CDP-5.1B: Oversight Responsibilities
 - Program CDP-5.1C: Certified Local Government Designation
- **Policy CDP-5.2: Maintain and update the city's historic resource inventory**Inventorying Historic Resources. Maintain and periodically update inventories of local historic resources, using methods that are consistent with state and federal criteria. Balance these criteria to reflect local values and avoid unreasonable constraints on property rights. Historic resources may include sites associated with important historic events or people, archaeological resources, and landscape elements, in addition to older buildings.
 - Program CDP-5.2A: Context Statement
 - Program CDP-5.2B: Inventory Update

- Program CDP-5.2C: Criteria for Designation
- Program CDP-5.2D: Additional Landmarking
- **~~Policy CDP-5.3: Encourage historic or architectural conservation districts~~Districts.** Encourage the formation of historic or architectural conservation districts in areas where important historic resources are concentrated and where there is property owner and community support for such designations. Such districts should provide for preservation, restoration, and greater awareness of the resources they contain, while providing financial and property tax incentives for property owners.
 - Program CDP-5.3A: Downtown Districts
 - Program CDP-5.3B: Conservation Districts
 - Program CDP-5.3C: Mid-Century Neighborhoods
- **~~Policy CDP-5.4: Develop financial incentives for historic resource stewardship and maintenance~~Preservation Incentives.** Create innovative incentives that encourage stewardship of San Rafael's historic resources. Incentives should be enacted before (or concurrently with) placing additional restrictions on historic properties, to ensure that preservation makes economic sense.
 - Program CDP-5.4A: Zoning and Development Incentives
 - Program CDP-5.4B: Local Financial Incentives
 - Program CDP-5.4C: Non-Local Financial Incentives
- **~~Policy CDP-5.5: Encourage adaptive reuse redevelopment~~Adaptive Reuse.** Encourage the adaptation and reuse of historic and older buildings as a way to preserve San Rafael's heritage, especially where the original use of the building is no longer viable.
 - Program CDP-5.5A: California Historic Building Code
 - Program CDP-5.5B: Zoning
- **~~Policy CDP-5.6: Ensure integrity protections to historic resources~~Protect the Integrity of Historic Properties.** Ensure that modifications to designated historic properties, including additions, alterations, and new structures, are visually compatible with the property's contributing features, as defined by the San Rafael Municipal Code.
 - Program CDP-5.6A: Certificate of Appropriateness
 - Program CDP-5.6B: Design Guidelines
 - Program CDP-5.6C: Landscapes and Natural Features
- **~~Policy CDP-5.7: Maintain historic properties~~Maintenance of Historic Properties.** Strongly support the maintenance of historic properties and avoid their deterioration to the point where rehabilitation is no longer feasible (e.g., "demolition by neglect").
 - Program CDP-5.7A: Incentives
- **~~Policy CDP-5.8: Encourage local preservation advocacy~~Preservation Advocacy.** Encourage local preservation efforts by community organizations. Provide technical support to such groups and encourage their participation in City-sponsored preservation activities.
 - Program CDP-5.8A: Public Recognition
 - Program CDP-5.8B: Volunteers
 - Program CDP-5.8C: Public Events and Social Media

- **Policy CDP-5.9: ~~Encourage historic preservation education~~Preservation Education.** Encourage historic preservation activities and programs that heighten awareness of historic resources and the ways that architecture and landscape define the city's character.
 - Program CDP-5.9A: Preservation Reference Materials
 - Program CDP-5.9B: Plaques and Markers
 - Program CDP-5.9C: School Programs
- **Policy CDP-5.10: ~~Utilize historic resources for economic benefits~~Economic Benefits of Preservation.** Leverage San Rafael's historic resources to create jobs, attract visitors, and generate local revenue. Recognize the value of preservation in placemaking, including branding and marketing areas such as Downtown San Rafael.
 - Program CDP-5.10A: Walking Tours, Trails, and Historic Festivals
 - Program CDP-5.10B: Marin County Civic Center
 - Program CDP-5.10C: Mission San Rafael
- **Policy CDP-5.11: ~~Acknowledge the sustainability component of historic preservation~~Sustainability.** Recognize the potential sustainability benefits of historic preservation, including reduced resource consumption, reduced landfilled waste, reduced energy use, and the need for fewer raw materials.
 - Program CDP-5.11A: Energy Retrofits
- **Policy CDP-5.12: ~~Ensure a culturally inclusive approach to historic preservation efforts~~Inclusive Approach to Preservation.** Ensure that preservation efforts are culturally inclusive and recognize the contributions of all racial and ethnic communities to the city's history and development. Sites and structures that are culturally important to specific ethnic communities, including those associated with events and people, should be part of local preservation efforts.
 - Program CDP-5.12A: Community Heritage Programming
- **Policy CDP-5.13: ~~Protect archaeological resources~~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.
 - Program CDP-5.13A: Archaeological Resources Ordinance
 - Program CDP-5.13B: Human Remains
-
- ~~Policy CDP-5.14: Protect Native American resources through coordination with Native American community ambassadors~~

Downtown San Rafael Precise Plan

~~As of March 2021, the City of San Rafael is in the process of preparing~~adopted the *Downtown San Rafael Precise Plan in August 2021* (City of San Rafael Community Development Department 2020b2021). The City released a public review draft of the document in December 2020. The preparation of the plan involved an updated historical resources survey of the Downtown area, which is described in Section 3.4.2.1, Methodology, under "Built Environment Resources in the Plan

Area.” The *Downtown San Rafael Precise Plan* identifies two new potentially landmark-quality historic districts in the Downtown core. One of the two proposed historic districts (both outside, named the East Downtown Core Historic District, extends into the project area and is summarized in greater detail below under “Built Environment Resources in the Project Area.”) and The *Downtown San Rafael Precise Plan* also provides recommendations regarding updates to the City’s historic preservation ordinance. The recommendations include establishing a historic preservation commission or changing the City’s project review roles, highlighting preservation incentive opportunities, revising landmark designation criteria, and updating historic district documentation standards. The ~~draft-adopted~~ *Downtown San Rafael Precise Plan* also outlines a review matrix for allowable changes to designated historical resources in the Downtown area.

3.4.1.2 Environmental Setting

The environmental setting of the project area consists of the existing conditions and relevant historical conditions of the CEQA study area, which is limited to the footprints of the four alternatives being considered in addition to the entirety of one parcel (Assessor’s Parcel Number 011-275-02) partially overlapped by the footprint. This parcel contains a historic-aged building, 709–711 4th Street, that is immediately adjacent to the boundary of the project footprint. The CEQA study area is delineated to consider potential impacts on built environment and archaeological resources as a result of project activities, including ground disturbance, as well as alteration, relocation, or demolition of buildings in the project area. The proposed project could also result in changes to the setting of built environment resources adjacent to the project area. However, the proposed project exists in a developed area at the eastern edge of Downtown San Rafael, which has experienced a continuum of gradual change over the course of more than 100 years that is generally consistent with the degree of change proposed by the proposed project. There appears to be a very low likelihood that any project activities would change significant characteristics in the setting of any built-environment historical resource adjacent to the project area. As such, adjacent built environment resources that the proposed project would not physically change are not included in the CEQA study area.

This section describes the development and general physical attributes of properties within the CEQA study area, provides an overview of the development of Downtown San Rafael as related to cultural resources, and presents a summary of known built environment and archaeological resources evaluations for CRHR eligibility and their status as historical resources pursuant to CEQA, as well as the potential for the project area to contain as-yet undocumented archaeological resources and human remains. ~~Further details on the resources’ characteristics and history are available in Appendix G.~~

Existing Environment

The project area lies within the North Bay Region of the San Francisco Bay area, where warm, dry summers are complemented by cool, wet winters with an abundance of rainfall, averaging 25–50 inches per year. This unique climate is complemented by a diverse topographic landscape bounded on the west by the Pacific Ocean, to the east by low coastal mountains and the Central Valley, and to the south by the southern coast mountain ranges. Accordingly, this region has a rich and diverse natural environment with lush stands of redwood, pine, and fir trees, as well as grassland, oak, and chaparral zones. Large expanses of these varied vegetation zones form extensive, highly productive interfaces where prehistoric people exploited staples, such as acorns. Moreover, these widespread

verdant areas support abundant species of wildlife, also a staple of prehistoric people (Baumhoff 1978).

The ocean and the San Francisco Bay region, including San Pablo Bay, Carquinez Strait, and Suisun Bay, provide a rich habitat that sustained a large breadth of floral and faunal resources that were important to prehistoric lifeways. The abundance of shellfish, salmon, and other sea life along the Pacific shores further supported the densest prehistoric population in this region. Testament to this is seen in the extensive shell mounds dotting the North Coast Region of California (Baumhoff 1978).

The geologic legacy of the San Francisco Bay area also proved important to local prehistoric groups. Rocks and minerals for tool production and other uses were abundant in the area. Sources of obsidian continue to be present at Napa Mountain and Anadel, and Franciscan chert can be found in local streambeds; equally important were deposits of asphaltum in Marin County and hematite and cinnabar in Sonoma County. The geology of the project vicinity is also an important consideration when evaluating factors that affect archaeological site visibility. The CEQA study area extends across a variety of geomorphic environments—including alluvial, colluvial, and estuarine—that actively deposited sediments during the Holocene epoch (Wagner et al. 2002; Rice et al. 2002). A large portion of the CEQA study area is on Holocene estuarine sediments along San Pablo Bay. The CEQA study area has also been subject to anthropogenic geomorphic forces, including widespread filling, during the historic and modern periods (Wagner et al. 2002; Rice et al. 2002). Given this, it is possible that archaeological sites—those that were formed while the CEQA study area was geomorphically active—may be buried below the ground surface.

Prehistory

The prehistoric cultural chronology for the Bay Area was developed over a century of organized archaeological survey, from N. C. Nelson in 1906 to the present. Since the 1950s, archaeological work in Marin, San Francisco, and Contra Costa Counties has led to further refinement of the cultural sequence of the Early Holocene (Lower Archaic), Early Period (Middle Archaic), Lower Middle Period (Initial Upper Archaic), Upper Middle Period (Late Upper Archaic), Initial Late Period (Lower Emergent), and Terminal Late Period (Protohistoric Ambiguities).

The Early Holocene (Lower Archaic, calibrated [cal] 8000–3500 B.C.) is characterized as a mobile forager pattern, with milling slabs, handstones, and a variety of large, wide-stemmed and leaf-shaped projectile points, largely composed of local Franciscan chert dominating the assemblage (Hylkema 2002:235; Milliken et al. 2007:114). During the Early Period (Middle Archaic, cal 3500–500 B.C.), several technological and social developments emerged; new groundstone technology and the first cut shell beads in mortuaries signaled sedentism (living in one place for a period of time), regional symbolic integration, and increased regional trade in the Bay Area (Vellanoweth 2001). The Lower Middle Period (Initial Upper Archaic, cal 500 B.C.–cal A.D. 430) is marked by a “major disruption in symbolic integration systems” (Milliken et al. 2007:115) and new bone tools appeared for the first time, including barbless fish spears, elk femur spatulas, tubes, and whistles, as well as coiled basketry manufacture (Bennyhoff 1986:70; Bieling 1998:218). During the Upper Middle Period (Late Upper Archaic, A.D. cal 430–1050), many sites from the previous period were abandoned, and single-barbed bone fish spears, ear spools, and large mortars were developed (Milliken et al. 2007:116).

Following the Archaic Period, the Initial Late Period (Lower Emergent, A.D. cal 1050–1550) is marked by an increase in sedentism, status ascription, and ceremonial integration in lowland

Central California (Fredrickson 1973). Increased social stratification throughout the Bay Area after 1250 A.D. is expressed in mortuary practices through the quality of goods in high-status burials and cremations (Fredrickson 1994). The Terminal Late Period (Protohistoric Ambiguities) is indicated by changes in artifact types and mortuary objects including toggle harpoons, hopper mortars, plain corner-notched arrow-sized projectile points, clamshell disk beads, magnesite tube beads, and secondary cremation in the North Bay (Bennyhoff 1994:54; Wickstrom 1986).

Ethnography

Coast Miwok once inhabited the region that encompasses the project area. Coast Miwok territory encompassed the area along the coast and inland between Duncan's Point north of Bodega Bay southward to San Pablo Bay. Their territory extended as far inland as the Napa River. Near Cotati, three villages existed, one giving Cotati its name. Six villages were south of Cotati to Petaluma. Coast Miwok villages are mainly near watercourses and not necessarily near the coast (Kelly 1978).

Coast Miwok political organization revolved around village life. In larger villages, the chief held a non-hereditary position. The chief was responsible for taking care of the villagers, advising them, and overseeing activities in the mixed dance house. The reigning chief and four elderly women tutored upcoming chiefs (Kelly 1978). Other leaders of the Coast Miwok included the woman chief and maien. The woman chief functioned primarily as a ceremonial leader deeply involved in the Bird Cult that presided over the Acorn Dance and Sunwele Dance. The maien was the head of the female ceremonial house. She directed construction of new dance houses, hauled wood for festivals and events, supervised the preparation of food for special events, sent invitations for dances, and often selected dance performers (Kelly 1978).

Coast Miwok villages were composed of various structures including residential dwellings, sweathouses, and secret society dance houses. Residential dwellings were conical structures framed with willow or driftwood and thatched with bunches of grass, tule reeds, or rushes. Each house held from six to ten individuals and had a central stone hearth and a smoke hole in the roof. Sweathouses were round, semi-subterranean structures recessed into the earth 4 to 5 feet. A framework of poles supported a brush, grass, and earth covering. Secret society dance houses were much like the sweat lodges. One type was built for mixed gender dances, and another was for female secret society dances (Kelly 1978).

Subsistence was reliant on both plant and animal resources exploited along the coast and inland. Fishing and hunting were common, as was gathering plants and marine resources. The Coast Miwok relied on a diet of animals such as salmon, eels, crab, mussels, clams, mudhens, geese, bears, elk, deer, rabbits, squirrels, woodrats, and gophers. Plant resources gathered by the Coast Miwok included buckeye, pepperwood, seeds, greens, acorns, tobacco, and kelp. Acorns, an important staple in their diet, were pulverized into mush and meal for bread.

Historic-Era Development

Between the late 16th century and 18th century, several European explorers visited the region containing the present-day City of San Rafael. In 1579, British pirate Francis Drake landed in Marin County while on a world expedition. During the mid-18th century, while exploring the San Francisco Bay, Spanish Lieutenant Juan Manuel de Ayala entered present-day Marin County. Within a few years, Spanish missionaries such as Gabriel Moraga (1812–1814), Luis Arguello, Father Blas Ordaz, and John Gilroy (1821) began settling the region now commonly referred to as the Bay Area,

establishing missions including Mission San Francisco de Asís in San Francisco and, in 1817, Mission San Rafael Arcángel near present-day San Rafael's Downtown business district in 1917 (Beck and Haas 1974:18; Fanning 2007:8–9; Kyle et al. 1990:174–175).

Between the 1830s and 1840s, Marin County land was deeded under Mexican land grants. Twenty-one large land grants were distributed among settlers and military figures, including landowners William Richardson and John Reed on Rancho Sausalito. Other land grants such as Corte Madera Del Presidio and Punta De Quentin encompassed present-day Larkspur (Alley 1972:95; Fanning 2007:8–9, 27).

Marin County remained largely unsettled during the Spanish and Mexican Periods. Mission San Rafael was abandoned in 1844 as Mexico and the United States struggled for territory in the region. In 1848, the United States defeated Mexico in the Mexican-American War and Mexico surrendered its Alta California land through the Treaty of Guadalupe Hidalgo.

Also in 1848, James Wilson Marshall discovered gold in El Dorado County in the Sierra foothills. News of gold discovery brought fortune-seekers from all over the world to California and demand for land in the state began increasing. By 1849 settlers entered the region in search of gold along the Corte Madera Creek. When the state of California was formed in 1850, Marin County was one of its original 27 counties.

Within a few years the abundance of gold declined, and miners turned to logging for land clearance. By the mid-1850s, ranchers and farmers had begun private operations in Marin County. During the 1870s, railroads began laying down tracks in the region in service of the timber and agricultural trade. Small towns such as San Rafael, Larkspur, and Corte Madera were founded in the county as a result of railroad development, which provided access, goods, and employment (Fanning 2007:93; Kyle et al. 1990:xiv–xv, 177).

During the early to mid-20th century, transportation expansion resulted in residential development in Marin County. Although railroads continued to expand throughout the county during the 1910s and 1920s, automobile popularity ultimately led to a decline in railroad use and development in favor of auto-oriented suburban development. Railroad progress ceased after the 1937 opening of the Golden Gate Bridge (U.S. Highway 101 [US-101]), which allowed residents to travel to Marin County from San Francisco via highway. By the late 20th century, Marin County had an established residential community with a population of approximately 250,000 residents (Fanning 2007:93; Marin Economic Commission 2007).

City of San Rafael

Surveyors first laid out the San Rafael town site in 1850; it became the county seat soon after and has remained so since that time. San Rafael grew quickly as it benefited from a flourishing cattle trade and its connectivity to San Francisco and other urban centers via steamboat (Levy 1976:16B).

~~Growth patterns were further~~ The growth of San Rafael was accelerated by the arrival of various rail lines in the latter half of the 19th century, including the San Rafael & San Quentin Railroad, the North Pacific Coast Railroad, and the San Francisco & North Pacific Railway Company. The completion of the San Rafael & San Quentin Railroad was completed in 1870. This railroad increased access to and from San Francisco and popularized Marin County as a retreat for San Francisco families (GANDA 2004a:11; Robertson 1998:227). The rail line was approximately 3.5 miles in length and traversed marshy conditions between San Rafael and Corte Madera Creeks in order to bring

passengers to the ferry landing in present-day San Quentin. The line's tracks roughly followed what is now Anderson Drive (Marin History Museum 2020).

Starting in 1874, a separate regional line called San Rafael was also served by the North Pacific Coast Railroad was founded in 1874. This line and became the North Shore Railroad in 1902. The North Shore Railroad operated across Marin and Sonoma Counties, transporting both goods and passengers between Sausalito and Cazadero, with a stop in San Rafael. The line was sold to the North Shore Railroad Company in 1902 (Robertson 1998:167-169).

In 1884, the Santa Fe San Francisco & North Pacific Railroad Railway Company built the shed-style San Rafael Union Station west of Tamalpais Avenue at the eastern end of the City's Downtown commercial district (DeGeorgey 2010). Multiple branches served San Rafael, with the tracks aligning along Tamalpais Avenue. In 1884, residences simultaneously developed adjacent to San Rafael's rail depot building and continued to fill nearby lots through the 1890s and early 1900s. The San Francisco & North Pacific Railway was completed in 1889. This line provided service from Point Tiburon in Marin County to Ukiah in Mendocino County, with several branch lines to communities along the way (ProQuest Digital Sanborn Maps 1894:13, 1907:17; Robertson 1998:208-211).

In 1907, as Under part of a larger consolidation effort undertaken by the Southern Pacific Railroad and Santa Fe Railway, all of the aforementioned railroads—along with two others—were merged into the Northwestern Pacific Railroad (NWP), a regional rail line that served the north coast of California, from Marin County to Humboldt County (Pacific Coast Narrow Gauge 2016; Robertson 1998:170). NWP facilitated the transport of redwood timber from Northern California to markets in San Francisco and came to be known as the Redwood Empire Route (GANDA 2004a; AECOM 2014). The Southern Pacific Railroad acquired the NWP line in full in 1929, the same year that Sir Francis Drake Boulevard was extended west to Point Reyes Station. Southern Pacific Railroad built several depots along the route and also replaced San Rafael Union Station in 1929 with an updated Mission Revival-style depot building that included expanded indoor waiting areas and a café (ICF International 2013). In 1992, the NWP was merged into the Southern Pacific Transportation Company (Robertson 1998:170-172).

The federal government authorized funding in 1925 to establish US-101. The federal highway generally followed existing state and local routes between San Diego, California, and Seattle, Washington; its route passed through Marin County. Construction of the portion of US-101 in Marin County was completed in 1931 with the construction of a bridge over Richardson Bay near Mill Valley. Immediately east of Downtown San Rafael, US-101 followed a route between Tamalpais Avenue and Irwin Street. Construction of the highway required the demolition of residences and commercial properties in its path, including part of the early 1900s lumber yards (ProQuest Digital Sanborn Maps 1924:19, 1950:19). At the same time, the Great Depression led to a substantial decline in passenger use on the NWP and an almost complete halt in freight transportation (AECOM 2014). This, in combination with the rise in personal automobile ownership and the expanding highway system across the region, led to the decommissioning of several branch lines in Marin and Sonoma Counties. By the mid-1930s, the automobile had replaced rail as the preferred mode of travel and the NWP had abandoned over 138 miles of track (AECOM 2014). The construction of the Golden Gate Bridge in 1937 connected Marin to San Francisco via US-101 and solidified the transition in regional transportation from combined rail/ferry to automobiles. Commuter rail service in Marin County was discontinued altogether in 1941-1958 (Landecker 2016; Dinh 2015).

That same year, the portion of US-101 in San Rafael was elevated via a two-lane viaduct to accommodate the increase in automobile traffic along the highway (Caltrans 1999). World War II brought an increased military presence to southern Marin County: shipyard jobs and the establishment of the United States Army Hamilton Field north of San Rafael resulted in an economic boon to the area (Levy 1976:16B). Following the end of World War II, many of the local wartime workers decided to stay in the Bay Area and settled in Marin County. Sanborn maps reveal that residential construction increased within a few blocks of the San Rafael depot between the 1920s and 1950s (ProQuest Digital Sanborn Maps 1924:19, 1950:19).

Traffic through San Rafael continued to increase in tandem with the local postwar population boom and associated residential development in the 1950s. The Richmond-San Rafael Bridge opened in 1956, which increased congestion in the city. The original raised viaduct was converted to northbound-only lanes, and a parallel southbound viaduct was built in 1964, encroaching upon the air space near Tamalpais Avenue in San Rafael. The southbound viaduct was widened further in 1971 (Caltrans 1999).

The City's existing Downtown commercial and railroad corridors, both located just off the highway, made them an opportune location for the establishment of service stations and other automobile-related businesses in the 20th century. A Sanborn fire insurance map from 1924 shows two gasoline stations within the area surrounding the original San Rafael Union Station building on Tamalpais Avenue. After commuter rail service was discontinued, Greyhound Lines constructed a bus station adjacent to the current depot building that provided connectivity between San Francisco and NWP's Northern California lines that terminated at San Rafael at that time (Baseline Environmental Consulting 2020). The 1950 Sanborn fire insurance map illustrates a transit hub adjacent to the highway centered around the Greyhound bus station, with eight additional gas stations having been established as well as several car washes and auto sales lots in the area (Baseline Environmental Consulting 2020; ProQuest Digital Sanborn Maps 1950:19).

Residential and commercial development picked up in Downtown San Rafael after 1970 (Baseline Environmental Consulting 2020). ~~The San Rafael depot closed in 1974, when local freight service was discontinued, and NWP halted rail service south of San Rafael altogether in 1981 when the railroad tunnel between San Rafael and Larkspur closed (AECOM 2014).~~ Residents today depend on a combination of bus lines, personal vehicles, and ferry transit to commute to San Francisco. However, some sections of the NWP line remain in use in Marin County. In 2017, renewed interest in passage service led the Sonoma-Marín Area Rail Transit (SMART) agency to begin its operations in San Rafael (City of San Rafael 2020d).

3.4.2 Environmental Impacts

This section describes the impact analysis related to cultural resources for the proposed project. It describes the methods used to determine the project-level impacts and lists the thresholds used to conclude whether an impact would be significant under CEQA. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany the discussion of each identified significant impact, as applicable. Four different build alternatives, the Move Whistlestop Alternative, the Adapt Whistlestop Alternative, the 4th Street Gateway Alternative, and the Under the Freeway Alternative—which are all in Downtown San Rafael within 500 feet of the existing transit center—are being evaluated. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.4.2.1 Methodology

The impact analysis for cultural resources was conducted by evaluating the potential impacts on historical resources meeting the definition presented in PRC Section 21084.1 and State CEQA Guidelines Section 15064.5 (inclusive of built environment resources, archaeological resources, and human remains). The proposed locations of transit center facilities under the various build alternatives were evaluated for their potential to cause impacts on historical resources during construction and operation. As outlined below, a range of methods informed the identification of historical resources that could have the potential to be affected by the construction or operation of the San Rafael Transit Center. Per State CEQA Guidelines Section 15064.5(b)(2), the analysis considers the potential for proposed project activities to materially impair the significance of a historical resource by causing direct changes to the physical characteristics of that resource as well as by causing changes in its immediate setting. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

Resource Identification Methodology

Several methodologies were employed for the purpose of determining the presence of significant cultural resources within the CEQA study area.

Northwest Information Center Records Search

ICF conducted a record search on May 21, 2020, at the Northwest Information Center (NWIC) in Rohnert Park, California, a part of the California Historic Resource Information System. This review identified 34 cultural resources studies that cover areas within or adjacent to the CEQA study area, as listed in Table 3.4-1.

Table 3.4-1. Previously Conducted Cultural Resources Studies In or Adjacent to the CEQA Study Area

Study Number	Author	Date	Title
S-10760	Terry Jones, Robert Gross, and Denise O'Connor	1989 (May)	<i>Historic Properties Survey Report for Construction of High Occupancy Vehicle Lanes on Route 101 from Lucky Drive to San Pedro Road and Modifications of Routes 101/580 Interchange, in Cities of San Rafael and Larkspur, Marin County, 4-MRN-101, P.M. 8.4/12.7 04232-115750</i>
	Terry Jones	1989 (March)	<i>Archaeological Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California 4-MRN-101, P.M. 8.4/12.7 04232-115750</i>
	Denise O'Connor	1988 (Dec)	<i>Historic Architectural Survey Report for Construction of High Occupancy Vehicle Lanes on Route 101 from Lucky Drive to San Pedro Road and the Upgrading of the Route 101/580 Interchange 4-MRN-101, P.M. 8.4/12.7 04232-115750</i>
	Stephen Mikesell	1989	<i>Historical Resources Evaluation Report, Northwestern Pacific Railroad Tracks Within Project APE, 4-MRN-101, P.M. 8.4/12.7 04232-115750</i>
	California Department of Transportation, District 4	1999	<i>Historic Property Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California, 04-MRN-101, PM 8.4/12.7, 04-115750</i>
	Katherine Dowdall and Nelson Thompson	1999 (Feb)	<i>First Addendum Positive Archaeological Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California 04-MRN-101, PM 8.4/12.7 EA 4232-115750</i>
	Jeffrey Lindley and Daniel Abeyta	1999 (Mar)	<i>FHWA990311B: Historic Property Survey Report; 04-MRN-101, PM 8.4/12.7. HOV Gap Closure, State Route 101, City of San Rafael, Marin County, California</i>
	Andrew Hope	1999 (Sep)	<i>Addendum (sic) Historic Property Survey Report, For the Marin-101 HOV Gap Closure Project, in the City of San Rafael, Marin County, 04-Mrn-101, P.M. 8.2/12.7, EA 4232-115750</i>
S-13217	Thomas Origer	1990 (Nov)	<i>An Archaeological Survey for the AT&T Fiber Optics Cable, San Francisco to Point Arena, California</i>
	Thomas Origer	1990 (Dec)	<i>Archaeological Findings Regarding a Selection of a Route through Novato for the AT&T Fiber Optics Cable (letter report)</i>
	Thomas Origer	1991 (Apr)	<i>An Archaeological Study of Revised Portions of the AT&T Route near Santa Rosa and Sausalito (letter report)</i>
	Thomas Origer	1991 (May)	<i>Archaeological Study of AT&T Revised Fiber Cable Routes (letter report)</i>
	Thomas Origer	1992 (Sep)	<i>Archaeological Survey of Alternative Fiber Optics Cable Routes, Point Arena (letter report)</i>

Study Number	Author	Date	Title
S-16949	William Roop	1991 (Aug)	<i>A Cultural Resources Evaluation of a Proposed Reclaimed Water Pipeline in the San Quentin Point, Corte Madera, Larkspur, Kentfield and San Rafael Areas</i>
S-31737	Carole Denardo and Daniel Hart	2004 (Oct)	<i>Archaeological Resources Technical Report for the Sonoma Marin Rail Transit (SMART) Project, Sonoma and Marin Counties, California</i>
	Garcia & Associates	2004 (Oct)	<i>Historic Architectural Resources Technical Report for the Sonoma Marin Area Rail Transit (SMART) Project</i>
S-36941	Alex DeGeorgey	2010 (Apr)	<i>Negative Archaeological Survey Report of the Puerto Suello to Transit Center Connection Project (04-MRN-0-SRF), City of San Rafael, Marin County, California</i>
S-38714	Neal Kaptain	2012 (Mar)	<i>Historic Property Survey Report for the Puerto Suello Hill Path to Transit Center Connector Project, Caltrans District 04, San Rafael, Marin County, California, Federal-Aid Proj. No.: NMTPL-5043 (023)</i>
	Neal Kaptain	2012 (Mar)	<i>Archaeological Survey Report for the Puerto Suello Hill Path to Transit Center Connector Project, Caltrans District 04, City of San Rafael, Marin County, California, Federal ID No.: NMTPL-5043 (023)</i>
	Neal Kaptain & E. Timothy Jones	2012 (Mar)	<i>Extended Phase I Report for the Puerto Suello Hill Path to Transit Center Connector Project, Caltrans District 04, City of San Rafael, Marin County, California, Federal ID No.: NMTPL-5043 (023)</i>
S-44351	Emily Darko	2014 (Jan)	<i>Archaeological Survey Report for the Proposed Freeway Performance Initiative Project, Marin County, California, 04-MRN-101, PM 0.0/27.6, 04-MRN-580, PM 2.4/4.5, EA 151600</i>
	Emily Darko	2013 (Nov)	<i>Extended Phase I Archaeological Testing at CA-MRN-157 (P-21-000182) and CA-MRN-4 (P-21-000035) for the Proposed Freeway Performance Initiative Project, Hwy 101 and 580, Marin County, 04-MRN-101, PM 0.0/27.6, 04-MRN-580, PM 2.4/4.5, EA 151600</i>

Study Number	Author	Date	Title
S-46535	Daniel Shoup	2015 (Mar)	<i>Historic Property Survey Report for San Rafael Regional Transportation System Enhancements Project, Marin County, 04-MRN CML 5043(036)</i>
	Daniel Shoup	2014 (Jun)	<i>Archaeological Survey Report, San Rafael Transportation System Enhancements, City of San Rafael, Marin County, California, Caltrans District 04, Federal Project No. CML 5043(036)</i>
	Daniel Shoup	2014 (Dec)	<i>Extended Phase I Archaeological Survey Report, San Rafael Regional Transportation System Enhancement, City of San Rafael, Marin County, California, 04-MRN CML 5043(036)</i>
	Daniel Shoup	2015 (Mar)	<i>Finding of No Adverse Effect for San Rafael Regional Transportation System Enhancements, Marin County, 04-MRNCML 5043(036)</i>
	Daniel Shoup and Suzanne Baker	2014 (Aug)	<i>Extended Phase I Study Proposal, Regional Transportation System Enhancements Project, City of San Rafael, Marin County, California, Caltrans District 04, Federal Project No. CML 5043(036)</i>
	Daniel Shoup	2015 (Mar)	<i>Environmentally Sensitive Areas Action Plan, San Rafael Regional Transportation System Enhancements, Marin County, 04-MRN-CML 5043(036)</i>
	Daniel Shoup	2015 (Mar)	<i>Archaeological Discovery Plan, San Rafael Regional Transportation System Enhancements, City of San Rafael, Marin County, California, Caltrans District 04, Federal Project No. CML 5043(036)</i>
	Daniel Shoup	2016 (Apr)	<i>Archaeological Monitoring Report, Regional Transportation System Enhancements Project, San Rafael, CA</i>
S-48525	Madeline Bowen	2014 (Apr)	<i>Historic Architectural Survey Report for the Sonoma-Marin Area Rail Transit (SMART) Rail Corridor, San Rafael to Larkspur Project, Marin County, California</i>
S-48626	Scantlebury et al.	2013 (Apr)	<i>Cultural Resources Inventory & Evaluation Report for Sonoma-Marin Area Rail Transit (SMART): Downtown San Rafael, Marin County to Petaluma, Sonoma County (MP17-MP 37.02)</i>
	Scantlebury et al.	2014 (Feb)	<i>Archaeological Monitoring Plan For Sonoma-Marin Area Rail Transit (SMART): Downtown San Rafael, Marin County To Petaluma, Sonoma County (MP 17-MP 37.02)</i>
	Julianne Polanco and Jane Hicks	2014 (Oct)	<i>COE_2013_0628_001, Section 106 Consultation for the Sonoma Marin Area Rail Transit (SMART) Railroad Initial Operating Segment-1 South Project</i>

Archaeological Resources in the Project Area

Based on information gathered using the resource identification methodologies described above, three previously recorded archaeological resources were identified within the CEQA study area. All three resources (P-21-000113/CA-MRN-84, P-21-000114/CA-MRN-85, and P-21-002833/CA-MRN-711/H) are ~~prehistoric~~ precontact shell middens that have been leveled down to the ground surface. Some historical artifacts have been observed in two of the sites (P-21-000114/CA-MRN-85, and P-21-002833/CA-MRN-711/H). These are described in Table 3.4-2.

Table 3.4-2. Previously Recorded Archaeological Resources within the CEQA Study Area

P-Number	Trinomial	Description
P-21-000113	CA-MRN-84	Originally recorded by N.C. Nelson in 1907 as the site of a “quite large” shellmound that “exists no longer.” At the time, Richard Thompson remembered unearthing mortars, pestles, charmstones, and bone needles (Baker and Shoup 2014). 2014 shovel test and augur survey observed black shell midden-type soil [REDACTED] [REDACTED] ¹ ; however, subsequent testing was restricted and inconclusive (Kaptain and Jones 2012; Shoup 2014).
P-21-000114	CA-MRN-85	Originally recorded by Nelson in 1907; he took ethnographic accounts of the mound, now covered by a house on a perceptible rise of shell material, that was said to have been 20 feet high and rich in artifacts and human remains. A survey in 2008 noted dark gray midden, shell, and no human remains. Testing in 2008 and 2014 found 40–60 centimeters of shell midden containing prehistoric <u>precontact</u> artifacts (Shoup and Baker 2014a). Historic-era artifacts were also recorded mixed into some trenches: [REDACTED] [REDACTED]-(Kaptain and Jones 2012; Roop 1991; Shoup 2014).
P-21-002833	CA-MRN-711/H	Testing in 2011 and 2014 discovered a highly disturbed prehistoric <u>precontact</u> deposit [REDACTED]-consisting of chert debitage and cores, an obsidian biface fragment (circa 614 years before present), patches of disturbed shell midden, human bone, and historic artifacts. A small lens of an intact shell midden was discovered [REDACTED] [REDACTED], likely redeposited elements or sparse scatters related to less-intense prehistoric <u>precontact</u> uses (Shoup and Baker 2014b). 2014 monitoring [REDACTED]-was negative, [REDACTED] [REDACTED] (Shoup 2014).

The NWIC record search results are included in Appendix G.

Native American Consultation

To determine sensitivity for Native American resources within the project area, consultation with the Native American Heritage Commission (NAHC) and local Native American groups was conducted.

NAHC was contacted on October 16, 2018, with a request for the following information:

¹ Confidential information has been redacted in this section and is not shown in ~~strikeout~~.

- CEQA Tribal Consultation List (AB 52)
- Identification by NAHC of any Native American resources within the subject lands that are listed in the Sacred Lands File

A response from NAHC was received on October 29, 2018, and stated that a search of the Sacred Lands File did not identify any sites; however, the letter specified that the area is sensitive for potential tribal resources.

The response from NAHC included the following individuals and tribal representatives who might have an interest in the proposed project:

- Gene Buvelot, Federated Indians of Graton Rancheria
- Greg Sarris, Chairperson, Federated Indians of Graton Rancheria

These individuals were contacted to initiate consultation under AB 52 if desired. Certified letters were mailed via priority mail on November 7, 2018. No responses were received from any of the contacts at the time. This outreach fulfilled the obligations of a lead agency under AB 52 and, as no response was received in the stipulated timeframe set by the statute, the AB 52 process was concluded.

On February 8, 2022, as the District proceeded with the preparation of the Final EIR, the District sent a courtesy follow-up letter informing the Federated Indians of Graton Rancheria of the status of the project. The District received a response on March 25, 2022, and held a meeting with the tribe on August 26, 2022. As a result of this meeting, the District has clarified that a tribal member be present for the training envisioned under MM-CULT-CNST-5 and any mention of street names for the discussion of archaeological sites has been removed in the Final EIR. The District intends to work with the Federated Indians of Graton Rancheria to develop a Tribal Cultural Monitoring Plan as required by MM-CULT-CNST-6.

Review of City of San Rafael Planning Division and San Rafael Heritage Files

Between August 2018 and January 2021, ICF architectural historians consulted with staff members from the City of San Rafael Planning Division as well as members of San Rafael Heritage regarding past built-environment resource surveys and evaluation efforts that have occurred in the CEQA study area. City of San Rafael staff provided ICF with records from the 1976–1978 *San Rafael Historical/Architectural Survey* (City of San Rafael 1986), as well as additional evaluations of ~~the~~ the Whistlestop building at 930 Tamalpais Avenue (also referred to as the Whistlestop building) that are not held by NWIC. San Rafael Heritage provided materials prepared in 2020 to support a local landmark designation application for the NWP Railroad Depot at 930 Tamalpais Avenue. These materials informed the built-environment resource evaluation efforts that ICF conducted in support of the Draft Environmental Impact Report (EIR).

Historic Map Review

Historic aerials, topographic maps, and geologic maps were consulted to determine potential sensitivity with respect to encountering buried historic-era archaeological resources within the project site.

The town of San Rafael was incorporated in 1874, 57 years after the founding of Mission San Rafael Arcángel. An 1850 map shows a cluster of eight buildings labeled the “Mission de San Rafael” to the

south of San Rafael Creek (Ringgold and Stuart 1852). By 1873, the San Quentin and San Rafael Railroad and the San Rafael Turnpike extended to San Rafael and continued north to Novato (Austin and Whitney 1873). ~~The~~ In 1874, the North Pacific Coast Railroad had a terminus in San Rafael, ~~near the San Quentin and San Rafael Railroad, but the two do not appear to be connected~~ (Robertson 1998:167). At that time there were a number of streets within the town, which began to the west of the farthest extent of the swamp surrounding San Rafael Creek. The railroad and turnpike appear to have maintained their positions over the years, with the project area crossing that alignment. By the turn of the century, San Rafael's city center had a well-developed street grid with over 100 buildings and San Rafael Creek had been channeled away from the town (USGS 1897). Throughout the 20th century, the creek and surrounding swamp continued to be channeled and drained to make room for additional development as San Rafael expanded to the southeast (USCGS 1926; USGS 1941). Mid-20th century aerial photos show that most of the town was residential in character (Aerial Archives 2020). There were some government buildings to the west of the turnpike and industrial areas in the southeastern quarter near the railroad, turnpike, and water. There were several open lots in areas around the creek that were reclaimed by the swamp. The presence of historic-era development suggests an increased potential to encounter previously unrecorded historic-era archaeological resources during project-related ground disturbance.

Built Environment Resources in the Project Area

The following section presents details regarding the built environment resources in the project area that qualify as historical resources under CEQA. As described in the introduction to this section, a property is considered a historical resource under CEQA if it is listed in or formally determined eligible for listing in the CRHR; is included in an adopted local register; is identified as significant in a qualifying historical resource survey; or is otherwise determined by the CEQA lead agency to be historically significant. This overview of built environment resources first describes the historical resource identification efforts that occurred prior to the preparation of ~~this~~ Draft EIR, and then presents information on the supplemental survey that ICF conducted to support the assessment of potential impacts in the Draft EIR.

San Rafael Historical/Architectural Survey

Between 1976 and 1978, the City of San Rafael and consultant Charles Hall Page & Associates undertook a built environment survey of select properties in San Rafael; this effort is known as the San Rafael Historical/Architectural Survey. Investigators recorded resources on Historical/Architectural Survey Forms and Department of Parks and Recreation (DPR) Historic Resource Inventory forms and assigned ratings of "Good," "Excellent," and "Exceptional" to all surveyed resources.

The *San Rafael Historical/Architectural Survey* included five properties in the CEQA study area, to which investigators assigned ratings of "Good" or "Excellent":

- 633 5th Avenue
- 637 5th Avenue
- 927 Tamalpais Avenue (Barrel House)
- 930 Tamalpais (NWP Depot; Whistlestop Building)

- 709–711 4th Street (Tavern on Fourth)²

The City selected 16 individual resources and three historic districts identified in the survey to be added to the local register of historical resources. None of the resources in the CEQA study area is among the ~~locally listed~~ resources designated on the local register. The City administratively updated the survey in 1986 but did not revise any of the survey forms completed in the 1970s. The remaining properties on the list that were not designated as landmarks are considered “potential historic resources” (City of San Rafael 1986, 2020e1a:1-1).

The City of San Rafael Planning Division’s environmental review procedures specify that any resource recorded in the *San Rafael Historical/Architectural Survey* “must be presumed a significant [historical] resource, unless evidence to the contrary is provided” (City of San Rafael 2015).

2019–2020 Downtown San Rafael Precise Plan Historic Resources Survey

During 2019 and 2020, the City conducted a built environment survey to inform the preparation of the *Downtown San Rafael Precise Plan*. Building upon the findings of the 1970s *San Rafael Historical/Architectural Survey*, the *Downtown San Rafael Precise Plan Historic Resources Survey* reviewed past survey evaluations of built-environment resources in the *Downtown San Rafael Precise Plan* area. This area encompasses the entirety of the CEQA study area established for the current investigation. The 2019–2020 survey involved a review of 572 parcels in the plan area and identified two potential landmark register-worthy historic districts: the West Downtown Core Historic District and East Downtown Core Historic District. ~~(Neither of these eligible districts overlaps with the CEQA study area.)~~

Approximately ~~160~~ 175 individual properties in the plan area received one of the following ~~five~~ four preliminary ratings:

- ~~A: Eligible for consideration as local landmarks~~ as Landmark
- ~~B: Likely not eligible individually but could be considered eligible as contributing resources in a historic district~~ Eligible as Historic District Contributor, not Landmark
- ~~C: Require additional research~~ Requires Further Evaluation
- ~~D: Likely ineligible~~ Appears to Be Ineligible at this Time
- ~~E: Ineligible as local landmarks~~

The preliminary ratings are not final and are intended to inform further investigation rather than determine CEQA historical resource status. Several buildings in the CEQA study area received preliminary ratings of A through ~~D~~ E, which are presented below in Table 3.4-3.

Following this preliminary review, the City selected approximately 40 built-environment resources for intensive-level survey and evaluation. For each of the selected built-environment resources, investigators completed a DPR 523-series form set that documents a new evaluation of the resource for eligibility for listing in the NRHP and CRHR. One building in the CEQA study area, the residence at 1011 Irwin Street, was documented on a DPR form set as part of the 2019–2020 survey. The City found the residence to qualify for listing in the NRHP and CRHR and assigned it a California Historical Resource Status (CHRS) code of 3S, “Appears eligible for the NRHP as an individual

² Note that the CEQA study area includes 709–711 4th Street because a portion of its parcel overlaps the project footprint. However, the project does not propose to physically alter the building at 709–711 4th Street.

property through survey evaluation.” Therefore, 1011 Irwin Street meets the definition of a CEQA historical resource (City of San Rafael ~~2020~~2021a; Morgan and Brunzell 2020).

East Downtown Core Historic District

Additionally, one of the historic districts proposed by the *Downtown San Rafael Precise Plan Historic Resources Survey*, the East Downtown Core Historic District, extends into the CEQA study area. Documentation of the East Downtown Core Historic District includes a DPR 523-series form completed in July 2020 that states the district is eligible for listing in the NRHP and CRHR, with significance under Criteria A/1 (significant for events) and Criteria C/3 (significant for design/construction) (Garavaglia Architecture, Inc. et al. 2020:3).

As described in the final inventory report for the *Downtown San Rafael Precise Plan Historic Resources Survey*, the district’s period of significance is 1898 to 1930, which “reflects the gradual expansion of San Rafael as commercial activity radiated outward from the Mission and Courthouse areas. Commercial buildings in this area were frequently architect-designed; they are one or two stories and occupy their entire lots. Several late Victorian-era storefront buildings are interspersed with more numerous examples of early twentieth century styles, predominantly Mission and Art Deco. Some of the later buildings feature built-in garage doors reflecting San Rafael’s shift toward the automobile after 1920” (City of San Rafael 2021a:4-5). The proposed historic district’s character-defining features have been identified as the following:

- Predominantly block-form buildings
- Ground-floor retail, with limited upper floor occupancy
- Full-lot coverage, creating a continuous street wall
- Recessed entryways
- Stucco, wood panel, and brick storefronts
- Awnings, canopies, some transoms
- Street-fronting fenestration, with a high number of bay windows
- Rounded parapets, cornices
- Limited landscaping (City of San Rafael Community Development Department 2021:119)

Furthermore, the 2020 DPR form initially established the district’s boundaries as following the 4th Street corridor beginning at Lootens Place in the west and continuing east to Lincoln Avenue. Subsequent to the completion of the DPR form, the City extended the district’s boundary to the west and east such that the expanded historic district boundary follows the 4th Street corridor from mid-block between A Street and Lootens Place west to Tamalpais Avenue and the SMART train corridor. The eastern end of the expanded district overlaps a portion of the project footprint. Although the expanded district boundary is described in the *Downtown San Rafael Precise Plan* and inventory report for the *Downtown San Rafael Precise Plan Historic Resources Survey*, the DPR form documenting the proposed historic district does not appear to have been updated to reflect the new boundary (City of San Rafael Community Development Department 2021:119; City of San Rafael 2021a:4-5-4-6; Garavaglia Architecture, Inc. et al. 2020).

The expanded boundary of the historic district contains five resources that are individually eligible for historic register inclusion and also presumed to contribute to the district (category A), 12

resources that contribute to the district but are not individually eligible (category B), five resources that “require further evaluation” (category C), and 16 resources that appear ineligible and do not contribute to the district (category D). Four buildings within the boundary of the proposed East Downtown Core Historic District are within or immediately adjacent to the project area defined for two build alternatives. The CEQA historical resource status of these buildings as individual resources is discussed elsewhere in this section. The four buildings are listed below with their respective survey ratings and district contributor statuses (City of San Rafael 2021a:4-5-4-6):

- 709-711 4th Street: category A, district contributor
- 703-705 4th Street: category D, district non-contributor
- 927 Tamalpais Avenue: category B, district contributor
- 930 Tamalpais Avenue, Northwest Pacific Railroad Depot/Whistlestop building: category C, contributing status undetermined

Additional Previous Evaluations

In addition to the built-environment surveys described above, various past investigations have recorded and evaluated the following built-environment resources within the project area:

- 703-705 4th Street: Garcia and Associates recorded this two-story commercial building in 2004 as part of the SMART Historic Architectural Resources Inventory and Evaluation and assigned it a CHRS code of 6Z: found ineligible for NRHP, CRHR, or local designation through survey evaluation. The 2004 evaluation found the building not to be a historical resource for the purposes of CEQA (GANDA 2004b).
- Northwestern Pacific Railroad: The alignment of the NWP generally follows Tamalpais Avenue through Downtown San Rafael and the project area. Historically, this rail alignment entered Marin County north of Novato and continued south through San Rafael to terminate at Point Tiburon. To support past cultural resource studies, numerous investigators have evaluated segments of the NWP in Marin, Sonoma, Mendocino, and Humboldt Counties. In Marin County, investigators recorded and evaluated segments of the rail alignment and associated features (such as trestles and tunnels) under the primary number P-21-002618. In 2014, Patricia Ambacher of AECOM recorded the 1-mile-long segment of the NWP between Anderson Drive and 4th Street in San Rafael, which includes the portion of the rail alignment in the project area. AECOM’s 2014 evaluation found the recorded segment ineligible for listing in the NRHP and the CRHR, and assigned the rail alignment a CHRS code of 6Z (AECOM 2014). With regard to the current investigation, the rail alignment does not meet the definition of a CEQA historical resource.
- Northwestern Pacific Railroad Depot: Surveyors recorded the NWP Railroad Depot at ~~730~~930 Tamalpais Avenue (also known as the Whistlestop building, after its current tenant) during the *San Rafael Historical/Architectural Survey* and assigned the building a rating of “Good” (City of San Rafael 1986). However, the property owner substantially altered the NWP Railroad Depot after its initial recordation in the 1970s, and subsequent evaluations have reassessed the significance and integrity of the building. JRP Historical Consulting recorded the NWP Railroad Depot in 2012 and presented an assessment of the building’s CEQA historical resource status, as defined in the CEQA statute (PRC Section 5024.1) and the State CEQA Guidelines. The 2012 JRP evaluation ultimately concluded that the NWP Railroad Depot does not qualify as a historical resource under CEQA (JRP Historical Consulting 2012). ICF International subsequently

evaluated the building in 2013 as ineligible for listing in the NRHP and CRHR but incorrectly stated the building is listed in the local historic register, which would qualify it as a CEQA historical resource (ICF International 2013). Various additional investigators have commented upon the past evaluations of the NWP Railroad Depot. It received a preliminary rating of “~~EC~~” (~~ineligible for landmark status~~ requires further evaluation) in the 2019–2020 *Downtown San Rafael Precise Plan Historic Resources Survey* (City of San Rafael 2021a:5-3). Furthermore, San Rafael Heritage prepared a ~~site record~~ DPR form set for the NWP Railroad Depot in 2020 that found the building eligible for listing in the CRHR under Criterion 1 (Events) (San Rafael Heritage 2020). In order to clarify the record regarding the historical resource status of the depot building, ICF has prepared an updated evaluation of this building for the San Rafael Transit Center Replacement Project Survey, which is included in Appendix ~~HF~~. In consideration of the record of past evaluations, ICF found the building not to be eligible for listing in the CRHR due to diminished integrity, and not to qualify as a CEQA historical resource.

- San Rafael Viaduct: The California Department of Transportation (Caltrans) State and Local Bridge Survey (1989 and updates) revealed that two bridges that cross through the project area were previously evaluated through the Caltrans historic bridge inventory and identified as Category 5 bridges (not eligible for listing in the NRHP). These bridges comprise the northbound and southbound structures of the San Rafael Viaduct (Caltrans Bridge Nos. 27 0035R and 27 0035L, respectively), which carries US-101 along the eastern edge of Downtown San Rafael. In addition to the Category 5 rating recorded in the Caltrans State and Local Bridge Survey, Caltrans evaluated the 1941-built northbound viaduct structure in 1999 for the Marin-101 High-Occupancy Vehicle Gap Closure Project and determined that it does not meet the definition of a historical resource under CEQA. The 1999 Caltrans evaluation assigned the northbound San Rafael Viaduct structure a CHRS code of 6Z (Caltrans 1999, 2018).

San Rafael Transit Center Replacement Project Survey

In 2020 and 2021, ICF conducted a supplemental survey of built-environment resources to develop a comprehensive historical resource inventory of all built properties within the CEQA study area, in support of the current investigation. ICF reviewed the findings of the *San Rafael Historical/Architectural Survey*, 2019–2020 *Downtown San Rafael Precise Plan Historic Resources Survey*, and additional past evaluation efforts. Several of the historic-aged properties (more than 45 years old) in the CEQA study area have a valid historical resource status under CEQA based on past surveys and evaluations. However, six historic-aged properties had never previously been recorded in a built-environment survey or otherwise evaluated for listing in the NRHP or CRHR.

ICF surveyed all six previously unrecorded built-environment resources in the project area and documented CRHR evaluations for each one on a DPR 523A (Primary Record) and 523B (Building, Structure, Object Record) form set:

- 638 4th Street
- 610 4th Street
- 1001 Irwin Street
- 1015 Irwin Street
- 915–917 Irwin Street
- 615 4th Street

ICF also documented a new CRHR evaluation of the building at 927 Tamalpais Avenue; this building received a rating of “Good” in the *San Rafael Historical/Architectural Survey*, but it has undergone alterations since its original recordation. 927 Tamalpais Avenue received a preliminary rating of “B” in the *Downtown San Rafael Precise Plan Historic Resources Survey* (~~does not appear individually eligible as a landmark but could be considered a district contributor~~ eligible as historic district contributor, not landmark) but did not receive an individual updated CRHR evaluation in that effort. Despite that the building received a rating of “Good” in the San Rafael Historical/Architectural Survey during the late 1970s, ICF’s updated evaluation of 927 Tamalpais Avenue found it has been altered since its construction, lacks direct association with events of historical significance, and does not meet the eligibility requirements of the CRHR when considered as an individual resource.

Furthermore, ICF completed a DPR Update form for the NWP Depot at 930 Tamalpais Avenue, which has undergone substantial alterations since its original recordation in 1976. The building received a rating of “Good” in the San Rafael Historical/Architectural Survey, but due to its alterations it has elicited a range of eligibility findings from previous investigators. ICF’s updated evaluation of 930 Tamalpais Avenue considered the building’s past evaluations and history of alterations and found it not to meet the eligibility requirements of the CRHR. The DPR form sets ICF completed for the current survey are included in Appendix FH.

In summary, ICF evaluated each of the eight resources recorded or updated in the San Rafael Transit Center Replacement Project Survey as ineligible for listing in the CRHR.

Three resources in the CEQA study area were evaluated as “Excellent” or “Good” in the *San Rafael Historical/Architectural Survey* and also received preliminary “A” ratings in the *Downtown San Rafael Precise Plan Historic Resources Survey*: 633 5th Avenue, 637 5th Avenue, and 709–711 4th Street (whose parcel partially overlaps the project footprint). Because these resources have existing survey evaluations that establish their significant historic/architectural character and do not appear to have been altered substantially since their previous recordation, ICF did not complete updated DPR forms for these three resources for the current investigation. These resources, rather, qualify as CEQA historical resources and are presumed significant for their associations with the early development of central San Rafael (CRHR Criterion 1, Events) and as good remaining examples of late-19th-century residential and commercial architecture (CRHR Criterion 3, Architecture/Design).

Summary of Built-Environment Resources in the CEQA Study Area

Based on previous historical resource evaluations as well as updated evaluations prepared for this Draft EIR, the CEQA study area contains four built-environment resources that qualify as historical resources for the purposes of CEQA review: 1011 Irwin Street, 709–711 4th Street, 633 5th Avenue, and 637 5th Avenue. The remaining historic-aged resources in the project area are not eligible for CRHR listing and do not meet any of the additional qualifying criteria outlined in Section 15064.5(a) of the State CEQA Guidelines. The historic-aged built-environment resources in the CEQA study area are listed in Table 3.4-3, which presents each property’s address, Assessor’s Parcel Number(s), previous designation or evaluation (as applicable), and status as a CEQA historical resource.

Updated Table 3.4-3. Built Environment Resources in the CEQA Study Area

Address; Resource Name	Assessor's Parcel Number	Construction Date	Primary Number	1976–1978 San Rafael Survey Rating	2019–2020 Downtown Precise Plan Survey Preliminary Rating and Historic Register Evaluation	2020–2021 San Rafael Transit Center Replacement Project Survey Evaluation	Current CHRS Code	CEQA Historical Resource?
709–711 4th Street; Tavern on Fourth*	011-275-02	circa 1889	P-21- 000833	Excellent	A; No updated historic register evaluation	N/A	N/A	Yes
703–705 4th Street*	011-275-03	1898	P-21- 002612	N/A	DE ; No updated historic register evaluation	N/A	6Z	No
927 Tamalpais Avenue; Barrel House*	011-275-04	1927	P-21- 001014	Good	B; No updated historic register evaluation	Not eligible for <u>individual</u> CRHR listing	6Z	No
930 Tamalpais Avenue; Northwestern Pacific Railroad Depot/ Whistlestop <u>building</u> *	011-277-01	1929	P-21- 001015	Good	CE ; No updated historic register evaluation	Not eligible for <u>individual</u> CRHR listing	6Z	No
633 5th Avenue	014-084-02	1898	P-21- 000811	Good	A; No updated historic register evaluation	N/A	N/A	Yes
637 5th Avenue	014-084-13	1892–1894	P-21- 000812	Good	A; No updated historic register evaluation	N/A	N/A	Yes
638 4th Street	014-084-14	1956	N/A	N/A	N/A	Not eligible for <u>individual</u> CRHR listing	6Z	No
610 4th Street	014-085-07	circa 1924	N/A	N/A	N/A	Not eligible for <u>individual</u> CRHR listing	6Z	No

Address; Resource Name	Assessor's Parcel Number	Construction Date	Primary Number	1976–1978 San Rafael Survey Rating	2019–2020 Downtown Precise Plan Survey Preliminary Rating and Historic Register Evaluation	2020–2021 San Rafael Transit Center Replacement Project Survey Evaluation	Current CHRS Code	CEQA Historical Resource?
1001 Irwin Street	014-085-09	1971	N/A	N/A	N/A	Not eligible for <u>individual</u> CRHR listing	6Z	No
1011 Irwin Street	014-085-10	1907	N/A	N/A	B; Evaluated as eligible for listing in the NRHP and CRHR	N/A	3S	Yes
1015 Irwin Street	014-085-11	circa 1907	N/A	N/A	<u>DE</u> ; No updated historic register evaluation	Not eligible for <u>individual</u> CRHR listing	6Z	No
915–917 Irwin Street	Multiple	circa 1970	N/A	N/A	N/A	Not eligible for <u>individual</u> CRHR listing	6Z	No
615 4th Street	014-122-13	circa 1946	N/A	N/A	N/A	Not eligible for <u>individual</u> CRHR listing	6Z	No
<u>East Downtown Core Historic District</u> †	<u>Multiple</u>	<u>Multiple</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A; Evaluated as eligible for listing in the NRHP and CRHR</u>	<u>N/A</u>	<u>N/A</u>	Yes
Northwestern Pacific Railroad†	Multiple	1912–1913	P-21- 002618	N/A	N/A	N/A	6Z	No

Address; Resource Name	Assessor's Parcel Number	Construction Date	Primary Number	1976–1978 San Rafael Survey Rating	2019–2020 Downtown Precise Plan Survey Preliminary Rating and Historic Register Evaluation	2020–2021 San Rafael Transit Center Replacement Project Survey Evaluation	Current CHRS Code	CEQA Historical Resource?
San Rafael Viaduct, northbound (27 0035R)‡	Multiple	1941	P-21- 002513	N/A	N/A	N/A	6Z	No
San Rafael Viaduct, southbound (27 0035L)‡	Multiple	1965	N/A	N/A	N/A	N/A	N/A (Cate- gory 5 bridge)	No

Notes:

CHRS code 3S = Appears eligible for the NRHP as an individual property through survey evaluation.

CHRS code 6Z = Found ineligible for NRHP, CRHR, or local designation through survey evaluation.

“A” preliminary survey rating = Eligible as individual landmark.

“B” preliminary survey rating = ~~Likely ineligible individually; potentially eligible as district contributor~~ Eligible as historic district contributor, not individual landmark.

“C” preliminary survey rating = Requires further evaluation.

“D” preliminary survey rating = Appears ineligible at this time.

“*” denotes a resource that is within the boundary of the East Downtown Core Historic District.

“‡” denotes a resource that is partially within the CEQA study area.

“E” preliminary survey rating = ~~Ineligible as district contributor or individual landmark.~~

3.4.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to cultural resources.

Would the proposed project:

- Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- Disturb any human remains, including those interred outside of dedicated cemeteries?

Section 15064.5(b)(1) of the State CEQA Guidelines defines “substantial adverse change to a historical resource” as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired.” Material impairment of a historical resource, as defined in State CEQA Guidelines Section 15064.5(b)(2), occurs when a project “demolishes or materially alters in an adverse manner” those physical characteristics of the resource that express its significance and justify its inclusion in, or eligibility for listing in, the CRHR or a qualified local register of historical resources or evaluation as historically significant in a qualified local survey.

3.4.2.3 Impacts

Impact CUL-1: Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5

Construction Impacts

Construction of each of the four alternatives would involve varying degrees of physical change (i.e., material alteration or demolition) and proximity change (i.e., alterations in setting) to different identified built-environment historical resources. The following analysis provides a discussion of potential construction-caused impacts on these resources, organized by alternative.

Move Whistlestop Alternative

Because the footprint of the Move Whistlestop Alternative contains individual built-environment resources and also overlaps the boundaries of the proposed East Downtown Core Historic District, the analysis of the Move Whistlestop Alternative provides separate discussions of potential impacts on individual resources and the historic district.

Individual Resources

Relative to individual built-environment historical resources, the Move Whistlestop Alternative would involve the demolition of two historic-aged buildings: 703–705 4th Street and 927 Tamalpais Avenue (Barrel House). As described in Section 3.4.2.1, Methodology, neither of the historic-aged buildings proposed for demolition under this alternative qualifies individually as a historical

resource under CEQA. The Move Whistlestop Alternative also proposes to relocate the Whistlestop building at 930 Tamalpais Avenue to the west side of Tamalpais Avenue, which is the current location of 703–705 4th Street and 927 Tamalpais Avenue.³ The relocated Whistlestop building would be in the vicinity of the historical resource at 709–711 4th Street, a circa 1889 commercial building that meets the requirements of a CEQA historical resource. As described in Section 3.4.2.1, Methodology, none of the historic-aged buildings proposed for demolition or relocation under this alternative qualifies as a historical resource under CEQA. The Move Whistlestop Alternative would utilize the existing alley ~~that leads~~ adjacent to the east façade of 709–711 4th Street as a vehicular circulation path.

Regarding 709–711 4th Street, project activities would not result in a substantial adverse change in the significance of this resource as described below. The building is presumed to have significance under NRHP/CRHR Criteria A/1 (Events) and C/3 (Architecture), as the building is an early and ornate example of commercial architecture in Downtown San Rafael that conveys both the City's 19th-century urban development and the characteristics of the Italianate architectural style as applied to a commercial building.

Project activities would change the setting of the historical resource at 709–711 4th Street to an extent, as the demolition of 703–705 4th Street (constructed in 1898) would remove a building from the immediate setting of 709–711 4th Street that is roughly its historical contemporary. Relocation of the Whistlestop building to the west side of Tamalpais Avenue would bring it within closer proximity of 709–711 4th Street, which would further alter features within the historic setting of 709–711 4th Street. However, the setting of 709–711 4th Street has changed substantially since its construction and early use in the late 19th century: the exterior of 703–705 4th Street itself has been changed to the degree that it no longer represents the historic character of Downtown San Rafael, and the majority of surrounding parcels contain buildings that appear altered or much more recently constructed. As a result, the resource at 709–711 4th Street does not rely upon an intact historical setting to convey its significance; rather, it expresses its significance most directly through its intact footprint, massing, false-front parapet, boxed bay, cladding materials, and decorative elements, none of which would be altered by this alternative. The demolition of 703–705 4th Street, use of the adjacent existing alley for vehicular traffic, and relocation of the Whistlestop building to a location immediately east of this alley, as proposed under the Move Whistlestop Alternative, would be broadly consistent with previous changes that have occurred to the building's setting and would not damage or destroy the features that qualify 709–711 4th Street as a CEQA historical resource.

The potential for construction-caused groundborne vibration to damage the historical resource at 709–711 4th Street is addressed in Section 3.11, Noise. Mitigation Measure MM-NOI-CNST-3 would reduce any vibration impacts to a less-than-significant level.

East Downtown Core Historic District

Relative to historic districts, the four buildings that would be demolished, be relocated, or undergo a change in immediate setting as a result of the Move Whistlestop Alternative are within the boundaries of the proposed East Downtown Core Historic District. The four buildings compose the district's easternmost end. 709–711 4th Street and 927 Tamalpais Avenue are identified as contributors to this district, whereas 703–705 4th Street is a non-contributor. The contributing

³ Should relocation become infeasible due to engineering or structural concerns, accessibility concerns, or feedback from the Community Design Advisory Group, the Whistlestop building could also be demolished and a new building constructed at the current location of 703–705 4th Street and 927 Tamalpais Avenue.

status of the Whistlestop building at 930 Tamalpais Avenue has not been determined in existing documentation but will be treated as a contributor for the purposes of this analysis.

As stated previously in Section 3.4.2.2, Thresholds of Significance, the threshold for determining a significant impact on historical resources is “material impairment,” which would occur if a project demolishes or alters in an adverse manner the physical characteristics that convey historical significance and justify a resource’s identification as significant in a historical resources survey. For historic districts, material impairment would be assessed relative to the significant concentration, linkage, or continuity of the contributing features that compose the district. Even if project activities were to demolish or substantially alter a single contributing resource, which would represent a significant impact on that individual resource if viewed in isolation, it is possible that those same activities would *not* represent material impairment of the significance of a larger district to which the building contributes. This would be the case if the activities do not substantially alter or erode the larger sense of concentration, linkage, or continuity that defines the district. The appropriate test is whether historically significant qualities and relationships across the entire district are altered. A district’s sense of concentration, linkage, or continuity could be materially impaired, for instance, by demolitions within a largely intact and uninterrupted collection of contributing buildings, or by incompatibly scaled infill construction that interrupts the district’s defining visual and spatial patterns or sense of historical development.

The Move Whistlestop Alternative proposes to demolish two buildings within the East Downtown Core historic district: 927 Tamalpais Avenue (identified as a district contributor) and 703–705 4th Street (identified as a non-contributor). The Move Whistlestop Alternative also proposes to relocate the depot building across Tamalpais Avenue to the current location of 703–705 4th Street and 927 Tamalpais Avenue. Alternatively, the alternative could also demolish 930 Tamalpais Avenue and construct a new one-story customer service building west of Tamalpais Avenue that utilizes similar façades or architectural elements.

The site where these activities would take place comprises less than one city block at the easternmost end of the district’s four-block-long primary axis along 4th Street. This site is furthermore somewhat separate from the core of the East Downtown Core Historic District. Eleven of the 17 buildings identified as contributing to the district are concentrated along 4th Street on the two city blocks between Looten Place and Lincoln Avenue, whereas the city block east of Lincoln Avenue (which overlaps with the Move Whistlestop Alternative) contains only two contributing buildings: the aforementioned 709–711 4th Street and 927 Tamalpais Avenue. Although the Whistlestop building at 930 Tamalpais Avenue was not identified as a district contributor because it requires further evaluation, the building is also considered a district contributor for this analysis. These buildings are separated from the nearest district contributor by one half block, such that there exists a break in the locations of district contributors due to non-historic infill construction surrounding the Lincoln Avenue intersection. Furthermore, the East Downtown Core Historic District is not characterized by a continuous street wall of historic-aged contributing buildings but rather has a variegated character with numerous non-contributing or still-to-be-evaluated buildings interspersed among the identified contributors.

In consideration of the qualities of the proposed East Downtown Core Historic District, the Move Whistlestop Alternative would not materially impair the significance of the district. The qualities of concentration, linkage, and continuity within the district do not depend upon the presence of the one contributing building that would be demolished (927 Tamalpais Avenue), the Whistlestop building retaining its current location, or the presence of the non-contributing building at 703–705

4th Street, which would be demolished. The potential demolition of the Whistlestop building and construction of a one-story customer service building would furthermore not reach the threshold of material impairment to the district. The following analysis provides greater detail regarding these qualities relative to the district's two identified areas of significance and character-defining features:

- Criteria A/1 (significance for events): The 2021 inventory report for the *Downtown San Rafael Precise Plan Historic Resources Survey* notes that the proposed East Downtown Core Historic District's significance relates to the growth of San Rafael's Downtown commercial district, beginning near San Rafael Archangel and the 19th-century courthouse, which lie near the intersection of 4th Street and A Street (west of the district boundary). The historic district reflects the expansion of the City's commercial activities through 1930, and contributors express a range of construction dates from the late 19th and early 20th centuries. Within this context, 927 Tamalpais Avenue (built 1927) and 930 Tamalpais Avenue (built 1929) were later additions to the Downtown commercial district and date to near the end of the era's significant growth, at which point the commercial corridor along 4th Street had been established. The Move Whistlestop alternative proposes to relocate the Whistlestop building across Tamalpais Avenue, such that the building would continue to convey this late era of development at the eastern end of the historic district, albeit in a new location across the street from its original location. Even if the Whistlestop building were demolished, which remains possible under the Move Whistlestop Alternative, at least 14 contributing buildings would remain unaltered within the district and would retain the significant physical features that convey Downtown San Rafael's gradual growth and historic commercial character, including their footprints, limited landscaping, façade treatments, ground-floor retail spaces, awnings and canopies, storefront designs, and other façade treatments.

Furthermore, because 703–705 4th Street, 927 Tamalpais Avenue, and 930 Tamalpais Avenue are along the edge of the district, their current arrangement does not link the core of the district along 4th Street to any related or successively constructed buildings farther to the east. Alterations to the eastern end of the proposed historic district proposed by the Move Whistlestop Alternative would not undermine a link in historic development patterns or substantially diminish the district's ability to convey the commercial development of Downtown San Rafael along the 4th Street corridor.

- Criteria C/3 (significance for design/construction): The 2021 inventory report also states that the proposed East Downtown Core Historic District generally contains architect-designed, one- and two-story commercial buildings expressing Victorian-era or early-20th-century architectural styles and filling the entirety of their lots. The architectural character of the proposed historic district, then, is variegated but linked through a series of aesthetic styles and commercial building types. As stated previously, the contributing buildings are not continuous along 4th Street but rather interspersed with altered or newer infill buildings. The contributing building to be demolished under the Move Whistlestop Alternative, 927 Tamalpais Avenue, is a relatively small, one-story commercial building that does not have any side of its lot fronting directly onto 4th Street, which differentiates it from all other buildings within the district. As such, 927 Tamalpais Avenue currently does not add directly to the visual patterns along the district's primary 4th Street corridor and demolition of the building would not affect those qualities. Furthermore, the relocated Whistlestop building at 930 Tamalpais Avenue, which was altered after 1930 but retains some Mission Revival-style decorative features, would be anticipated to continue expressing elements of its architectural style and era of construction. The other building to be demolished, 703–705 4th Street, does not contribute to the district

because of the past alterations it has sustained, and its demolition would not further erode the proposed historic district's architectural character. Even if the Whistlestop building were ultimately removed under this alternative, numerous buildings within the historic district would remain and continue to convey its significant physical qualities through their extant form/massing, entryways, varied façade materials, window arrangements, rooflines, and other stylistic elements.

In conclusion, the demolition of 927 Tamalpais Avenue and 703–705 4th Street under the Move Whistlestop Alternative, in addition to the relocation or potential demolition of 930 Tamalpais Avenue, would alter physical elements that support the historic character of the East Downtown Core Historic District along its eastern edge. However, these activities would not disrupt the significant qualities of continuity and linkage to the extent that the historic district's ability to convey its significant physical development and architectural character would be substantially diminished. Therefore, the alternative would not materially impair the significance of the East Downtown Core Historic District.

As a result, construction of the Move Whistlestop Alternative would have a ***less-than-significant impact*** on built-environment historical resources. No mitigation is required.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative would involve similar project activities as the Move Whistlestop Alternative, as described above. However, the Adapt Whistlestop Alternative proposes to retain the Whistlestop building at 930 Tamalpais Avenue in its current location east of Tamalpais Avenue. As under the Move Whistlestop Alternative, the Adapt Whistlestop Alternative would also demolish 703–705 4th Street and 927 Tamalpais Avenue, neither of which qualifies individually as a CEQA historical resource. Instead of relocating the Whistlestop building, this alternative would introduce public plazas, customer service, bicycle parking, and/or other transit facilities west of Tamalpais Avenue, including on the parcels where 703–705 4th Street and 927 Tamalpais Avenue now stand. This alternative would also utilize the alley adjacent to 709–711 4th Street for vehicular circulation. Similar to the analysis for the Move Whistlestop Alternative, analysis of the Adapt Whistlestop Alternative addresses individual resources and historic districts under separate subheadings.

Individual Resources

The types and intensity of project activities under this alternative would be similar to those analyzed above under the Move Whistlestop Alternative. Regarding individual historical resources, the Adapt Whistlestop Alternative would not alter the physical features that allow 709–711 4th Street to convey its historical significance. As described above, an intact historic setting for 709–711 4th Street is not a requisite for the building to convey its historical and architectural significance, which qualifies it as a CEQA historical resource. Changes in the resource's setting to the degree proposed under the Adapt Whistlestop Alternative would not cause a substantial adverse change in its significance. Furthermore, this alternative would not involve project activities affecting the character-defining features or significant aspects of setting of any other individual CEQA historical resource.

East Downtown Core Historic District

Similar to the Move Whistlestop Alternative, the Adapt Whistlestop Alternative proposes to demolish two buildings within the East Downtown Core historic district: 927 Tamalpais Avenue

(identified as a district contributor) and 703–705 4th Street (a non-contributor). Both alternatives would utilize the alley adjacent to 709–711 4th Street for vehicular circulation. As previously described for the Move Whistlestop Alternative, the demolition of 927 Tamalpais Avenue would not constitute material impairment of the district’s significance because the district’s significant qualities of concentration, linkage, and continuity do not depend upon the presence of 927 Tamalpais Avenue. Furthermore, the Adapt Whistlestop Alternative differs in that it proposes to retain and renovate the Whistlestop Building at 930 Tamalpais Avenue in its current location, which would involve removing its southern wing that was constructed after the district’s period of significance ends in 1930. Further details on the rehabilitation design of the building have not been developed, and therefore it is considered possible that some of the building’s remaining original physical elements (such as its stucco-clad façades, shaped parapets, and molded window surrounds) could be removed or altered. Even so, as described for the Move Whistlestop Alternative, the three buildings at the eastern edge of the East Downtown Core Historic District are not required in their current conditions for the district to be able to convey the sense of concentration, linkage, and continuity that supports its historic and architectural character. Although the Adapt Whistlestop Alternative would alter physical elements that contribute to the East Downtown Core Historic District along its eastern edge, the alternative would not disrupt the historic district’s significant qualities of continuity and linkage to the extent that it would have a substantially diminished ability to convey its significant physical development and architectural character. Therefore, the alternative would not materially impair the significance of the East Downtown Core Historic District.

As a result, construction of the Adapt Whistlestop Alternative would have a ***less-than-significant impact*** on built-environment historical resources. No mitigation is required.

4th Street Gateway Alternative

The footprint of the 4th Street Gateway Alternative encompasses two buildings that qualify as CEQA historical resources: 633 5th Avenue and 637 5th Avenue. This alternative does not overlap the boundary of the proposed East Downtown Core Historic District. 633 5th Avenue and 637 5th Avenue These buildings face north onto 5th Avenue within the block between Hetherton Street and East Tamalpais Avenue, occupying a location where transportation facilities are proposed under this alternative. The alternative intends to relocate the buildings at 633 5th Avenue and 637 5th Avenue prior to or during construction to accommodate the proposed transportation facilities. However, there is currently no identified receiving site for either building, and the methods for conveying the buildings to their new locations have not yet been determined.

In general terms, the relocation of built-environment historical resources has the potential to cause an adverse change in their significance in two respects. Firstly, the act of moving a building or structure to a new location may potentially require disassembly prior to relocation and reassembly at its receiving site, if necessitated by its size or structural system; relocation could also inadvertently damage or destroy physical characteristics that contribute to the resource’s significance. Secondly, relocation of a built-environment historical resource would remove the resource from its existing location and may move it to a location with a new setting (i.e., immediate physical context) that is incompatible with the resource’s historic setting. Both location and setting are aspects of a resource’s historical integrity, which, if intact, assist the resource in conveying its historical significance. Therefore, diminishing a resource’s integrity of location and setting has the potential to contribute to material impairment of the resource’s significance.

As information is not currently available regarding measures that would be undertaken to protect or rehabilitate character-defining features, relocation of the buildings at 633 5th Avenue and 637 5th Avenue has the potential to cause inadvertent damage to their materials and decorative elements. Without appropriate protective measures in place, it is possible that racking, vibration, or additional harmful conditions would be present during relocation that may cause structural or ornamental damage to the buildings, which may then further damage significant architectural elements and spaces and diminish the resources' integrity of materials, workmanship, design, feeling, and association. Furthermore, there is currently no receiving site for either 633 5th Avenue or 637 5th Avenue, and it cannot be guaranteed that suitable receiving sites would be identified that are generally compatible with the resources' historic setting (a residential neighborhood on the edge of San Rafael's Downtown commercial district).

The construction of new transportation facilities under this alternative would involve changes to the eastern end of Downtown San Rafael, adjacent to the viaduct carrying US-101. This area currently accommodates commercial and transportation-related uses, and construction of the alternative appears to be generally consistent with the continuum of change that has already occurred to this edge of the Downtown district over the past century or more. Consequently, it does not appear that the significance of any nearby historical resource is dependent upon the current conditions of the site (including the residences at 633 5th Avenue and 637 5th Avenue standing in their historic locations). It is not anticipated that construction of the alternative would lead to changes in the setting of any nearby historical resource that would diminish that resource's ability to convey its historical or architectural significance.

However, as a result of the potential for inadvertent damage to 633 5th Avenue and 637 5th Avenue during relocation of the residences, as well as the current lack of receiving sites that would ensure successful relocation, the proposed project has the potential to materially alter physical characteristics and aspects of setting that qualify the two buildings as CEQA historical resources. Therefore, construction of the 4th Street Gateway Alternative would result in a **significant** impact on built-environment historical resources. Mitigation Measures MM-CULT-CNST-1, MM-CULT-CNST-2, and MM-CULT-CNST-3 are presented below to reduce the level of the identified impact. Even with the implementation of Mitigation Measure MM-CULT-CNST-1, the proposed project could not ensure that appropriate receiving sites would be available for the buildings proposed for relocation under the 4th Street Gateway Alternative. Depending on the outcome of efforts to identify receiving sites and further investigations on the feasibility of building relocation, 633 5th Avenue and 637 5th Avenue may be demolished to accommodate project construction. In such an event, Mitigation Measures MM-CULT-CNST-2 and MM-CULT-CNST-3 may would also be required to document the current conditions of affected historical resources and to commemorate their historical significance for the public following their demolition. ~~The Under the Freeway Alternative would also require implementation of Mitigation Measures MM-CULT-CNST-2 and MM-CULT-CNST-3 to compensate for the loss of the residence at 1011 Irwin Street.~~ However, these measures would not be enough to avoid, rectify, reduce, or compensate for the potential loss of the historical resources. Because loss of the resources could still occur, the impact of construction of the 4th Street Gateway Alternative ~~and Under the Freeway Alternative~~ on built environment historical resources would remain **significant and unavoidable** after the application of mitigation.

Under the Freeway Alternative

One CEQA historical resource is within the footprint of the Under the Freeway Alternative: the residence at 1011 Irwin Street. The City has evaluated the residence as eligible for listing in the

NRHP and CRHR under Criteria C/3 (Architecture/Design) as an excellent example of a hipped-roof cottage. This alternative would demolish this historical resource, thus destroying all the characteristics that qualify it for inclusion in the NRHP and CRHR. The demolition of 1011 Irwin Street would therefore be considered a substantial adverse change in the significance of the historical resource.

Construction of the Under the Freeway Alternative would introduce transportation facilities underneath and east of the US-101 viaduct, where such facilities do not currently exist. The alternative would entail the removal of three buildings historically used as residences (610 4th Street, 1011 Irwin Street, and 1015 Irwin Street) in addition to commercial establishments on Irwin Street and 4th Street. This would represent a relatively minor change in the setting of nearby historical resources, including the French Quarter Historic District at the intersection of Irwin Street and 3rd Street. Construction of transportation facilities under this alternative is not anticipated to change the setting of any built-environment historical resources in the vicinity to the extent that the significance of those resources would be materially impaired.

Due to the proposed demolition of 1011 Irwin Street, however, construction of the Under the Freeway Alternative would result in a **significant and unavoidable** impact on built-environment historical resources. Mitigation Measures MM-CULT-CNST-1, MM-CULT-CNST-2, and MM-CULT-CNST-3 are presented below to reduce the level of the identified impact but would not be able to reduce impacts to a less-than-significant level. Therefore, the impact would remain **significant and unavoidable** after the application of mitigation.

Operations Impacts

All Build Alternatives

Under all alternatives, operations of the San Rafael Transit Center would occur in the vicinity of historical resources near the eastern edge of Downtown San Rafael. Operations would not involve physical changes to any historical resources beyond those required for the construction of the four alternatives but would introduce new visual, audible, and atmospheric elements in the vicinity of those resources. Hypothetically speaking, circumstances could exist in which visual, audible, and atmospheric elements lead to the diminishment of a historical resource's integrity. For instance, it is possible that long-term, intermittent increases in noise and vibration resulting from the operations of a transportation facility might compel individuals to abandon a historical resource (such as a residence or commercial building). Such an act would constitute an indirect impact if it were to result in neglect of a resource's physical features that convey significance, which over time could diminish integrity of design, materials, workmanship, feeling, and association.

As described in Section 3.11, Noise, increases in operations-caused noise and vibration would not be substantive, and the intensity of transportation activities would not be substantially different from current conditions. As such, it is not anticipated that abandonment and neglect of historical resources would reasonably occur as an effect of project operation. Furthermore, no historical resources identified for the current investigation appear to rely upon a quiet setting to convey their significance. For instance, the proposed East Downtown Core Historic District, which extends into the project footprint of the Move Whistlestop Alternative and Adapt Whistlestop Alternative, has historic significance related to the physical development and architectural character of Downtown San Rafael, which has historically hosted a range of transportation and transit modes and has been a center of activity in the City during the district's period of significance of 1898 to 1930. The

negligible degree of change in the audible and atmospheric conditions of historical resources in Downtown San Rafael is not anticipated to diminish the historical integrity of any identified built-environment historical resource and would not constitute material impairment of its significance.

Therefore, operations of the proposed project would have **no impact** on built-environment historical resources under all four alternatives. No mitigation is required.

Mitigation Measures

If the Under the Freeway Alternative or 4th Street Gateway Alternative is selected and constructed, Mitigation Measures MM-CULT-CNST-1 through MM-CULT-CNST-3 would be implemented.

MM-CULT-CNST-1: Prepare and Implement Relocation Plans

The Golden Gate Bridge, Highway and Transportation District (District) shall retain a qualified historical architect who meets the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61) to prepare a relocation plan for any historical resource that the selected alternative could move in order to avoid demolition of the resource. The documentation shall be reviewed and approved by the District prior to the issuance of any demolition, site, or building permit for the resource proposed for relocation.

The relocation plan shall be reviewed and approved by the District and Planning Division to ensure that character-defining features of the buildings will be retained. This review shall occur prior to the commencement of any construction activities at the site. The relocation plan shall include required qualifications for the building relocation company to ensure that relocation is undertaken by a company that is experienced in moving historic buildings of a similar size and/or structural system as the subject buildings. The relocation plan shall ensure that the resource will be moved without irreparable damage to its character-defining historic fabric, and will specify protective measures for vulnerable character-defining features. The District will incorporate into construction specifications for the proposed project a requirement that the construction contractor(s) use all feasible means to avoid damage to historical resources during relocation including, but not limited to, relocation methods and relocation activity routes, closures, and timing.

By requiring protective measures during the relocation of a built-environment historical resource, implementation of Mitigation Measure MM-CULT-CNST-1 would prevent inadvertent damage to the resource and would therefore avert further potential impacts on its integrity of design, materials, workmanship, feeling, and association. Implementation of Mitigation Measure MM-CULT-CNST-1 would ensure that historical resources retain their extant character-defining features following relocation, such that relocation could be implemented as described to preserve significant architectural qualities that justify the resources' status as CEQA historical resources. However, implementation of Mitigation Measure MM-CULT-CNST-1 would not reduce potential impacts from relocation to a less-than-significant level because the relocation plan could not guarantee that an appropriate receiving site would be identified and acquired prior to project construction. It therefore remains possible that, if no relocation site is secured, the proposed project would require the demolition of historical resources, which would represent a substantial adverse change in their significance.

Should the relocation of any historical resource prove to be infeasible due to structural issues or lack of receiving site, the current analysis assumes the resource would be demolished to

accommodate project construction. The following additional two measures would be applicable for each historical resource to be demolished:

MM-CULT-CNST-2: Prepare and Submit Historical Documentation

The District shall retain a professional who meets the Secretary of the Interior's Qualification Standards for Architectural Historian or Historian (36 Code of Federal Regulations Part 61), a professionally qualified historical architect with demonstrated experience in preparing measured drawings, and a photographer with demonstrated experience in Historic American Buildings Survey (HABS) photography to prepare written and photographic documentation for the historical resource proposed for demolition. The HABS documentation package for the resource shall be reviewed and approved by the staff of the Planning Division, or professionally qualified Architectural Historian or Historian hired by the City, prior to the issuance of any demolition, site, or construction permit for the proposed project. Documentation may be used in the interpretive display or signage described in Mitigation Measure MM-CULT-CNST-3.

The documentation shall consist of the following:

- *Historic American Buildings Survey-level Photographs*: HABS standard high-resolution digital photography shall be undertaken to document each historical resource and its surrounding context. Large-format negatives are not required. The scope and number of photographs shall be reviewed and approved by the staff of the Planning Division or their professionally qualified contractor prior to documentation, and all photography shall be conducted according to the current National Park Service HABS standards.
 - The photograph set shall include the following: distant views to capture the extent and context of the resource, contextual views of each façade of the building, façade details showing the character-defining exterior features of the building, and general interior views documenting current interior conditions.
 - All views shall be referenced on a key map of the resource that includes a photograph number with an arrow to indicate the direction of the view.
 - The draft photograph contact sheets and key map shall be provided to the Planning Division or its professionally qualified contractor for review and approval to determine the final number of photographs and views for inclusion in the final dataset.
- *Written Historic American Buildings Survey Narrative Report*: A written historical narrative shall be prepared in accordance with HABS Historical Report Guidelines. The level of documentation will be subject to approval of the Planning Division or its professionally qualified contractor. Historic photographs identified in previous studies and updated research shall also be collected, scanned as high-resolution digital files, and reproduced in the dataset.
- *Measured Drawings*: A set of HABS-level measured drawings shall be prepared that depict the existing size, scale, and dimension of the subject property. Planning Division staff or a professionally qualified contractor will assist the consultant team in determining the appropriate level of measured drawings, and may deem the requirement for measured drawings met if original architectural drawings or an existing as-built set of architectural drawings (plan, section, elevation, etc.) are available and can be included in the dataset. A cover sheet may be required that describes the historic significance of the property.

Format of Final Dataset:

- The project sponsor shall contact San Rafael Heritage, Marin History Museum, Anne T. Kent California Room of the Marin County Free Library, and NWIC to inquire as to whether the repository or organization would like to receive a hard or digital copy of the final dataset. Labeled hard copies and/or digital copies of the final photograph sets, ~~and~~ narrative report, and drawings shall be provided to these repositories in their preferred format.

MM-CULT-CNST-3: Develop and Implement an Interpretive Program

For each historical resource to be demolished, the District shall also install and maintain a permanent onsite interpretive display commemorating the historical significance of the demolished building. The interpretive program must, at a minimum, include one display board containing narrative and visual materials to interpret the history of the building. The display board shall contain historical photos of the building, if available, and a description of its historical significance in a publicly accessible location on the project site. The interpretive display can also feature interactive or dynamic media, such as video. Development of the interpretive display shall be overseen by a qualified professional who meets the Secretary of the Interior’s Professional Qualification Standards (36 Code of Federal Regulations Part 61) for Historian or Architectural Historian.

Impact CUL-2: Cause a Substantial Adverse Change in the Significance of an Archaeological Resource Pursuant to Section 15064.5

Construction

Construction of any of the four build alternatives would likely affect buried archaeological resources-

[REDACTED]

[REDACTED]. The presence of these sites suggests that ground disturbance associated with project construction has the potential to encounter as-yet-undocumented archaeological resources, which would result in potentially significant impacts. These impacts would be reduced to a less-than-significant level with the implementation of the mitigation measures outlined below.

All build alternatives would involve the removal of existing storm drain infrastructure and the installation of new inlets, manholes, and bioretention facilities. Utilities, including traffic signal poles, streetlights, and fire hydrants, would need to be relocated and/or removed.

Move Whistlestop Alternative/Adapt Whistlestop Alternative/4th Street Gateway Alternative

Project construction activities near the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would include ground disturbance occur-

[REDACTED] of buried cultural resources-

[REDACTED]

[REDACTED]

Construction of these build alternatives would include ground disturbance within the resource boundary of P-21-002833/CA-MRN-711/H, a pre-contact midden deposit. This impact would be As a result, **significant** impacts could occur on archaeological resources due to project construction activities under these three alternatives. However, implementation of Mitigation Measures MM-CULT-CNST-4, MM-CULT-CNST-5, and MM-CULT-CNST-6, described below, would ensure that impacts related to archaeological resources would be **less than significant with mitigation**.

Under the Freeway Alternative

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Construction of the Under the Freeway Alternative would include ground disturbance within the of buried cultural resources [REDACTED]. This impact would be **significant**. However, implementation of Mitigation Measures MM-CULT-CNST-4, MM-CULT-CNST-5, and MM-CULT-CNST-6 would ensure that impacts related to archaeological resources would be **less than significant with mitigation**.

Operations

All Build Alternatives

Operation of the San Rafael Transit Center under any alternative would not include ground disturbance and therefore would result in *no impact* on any archaeological resources.

Mitigation Measures

Under any build alternative that is selected and constructed, the following mitigation measures would be implemented.

MM-CULT-CNST-4: Develop and Implement an Archaeological Testing Plan

Due to the presence of known archaeological resources in the proposed work area, archaeological testing should occur prior to construction to determine the extent of the resource as well as its significance under CEQA. An Archaeological Testing Plan should be prepared by a qualified archaeologist and include the following items:

- Background and anticipated resource types
- Research questions that can be addressed by the collection of data from the defined resource types
- Field methods and procedures
- Cataloging and laboratory analysis
- Findings and interpretation

The Archaeological Testing Plan shall be implemented to determine the extent of archaeological resources within any area where there will be ground disturbance. The results of the study shall be summarized into a technical document that shall determine whether further study is necessary. The technical document shall also determine whether additional mitigation will be needed, and can lead to additional studies and, if needed, even further mitigation. All work will be done in accordance with *San Rafael General Plan 2040*, Policy CDP-5.13: Protection of Archaeological Resources.

MM-CULT-CNST-5: Conduct Cultural Resource and Tribal Cultural Resource Awareness Training Prior to Project-Related Ground Disturbance and Stop Work if Archaeological Deposits Are Encountered During Ground-Disturbing Activities

Prior to any project-related ground disturbance, the District shall ensure that all construction workers receive training overseen by a qualified professional archaeologist who is experienced in teaching non-specialists to ensure that contractors can recognize archaeological resources in the event that any are discovered during construction. Tribal cultural resource awareness will be provided by a Native American monitor at the same time.

If tribal cultural or archaeological deposits are encountered during project-related ground disturbance, work in the area (100-foot radius) shall stop immediately. The onsite Native American monitor and onsite qualified archaeologist shall assess and determine the path forward. Tribal cultural and archaeological deposits include, but are not limited to, flaked stone or groundstone, midden and shell deposits, historic-era refuse, and/or structure foundations.

If any human remains are discovered during ground-disturbing activities, an evaluation shall be performed to assess likely age and provenance in a manner that is respectful of the disturbed remains. If determined to be, or likely to be, Native American, the District shall comply with state laws regarding the disposition of Native American burials, which fall within the jurisdiction of NAHC (PRC Section 5097). If human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

1. The county coroner has been informed by the District and has determined whether investigation of the cause of death is required
2. If the remains are of Native American origin:
 - a. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98; or
 - b. NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.
 - c. NAHC recommends a Most Likely Descendant to make a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of the discovered human remains until the coroner can determine whether the remains are those of a Native American. All work will be done in accordance with *San Rafael General Plan 2040, Policy CDP-5.13: Protection of Archaeological Resources*.

MM-CULT-CNST-6: Develop and Implement a Tribal Cultural and Archaeological Monitoring Plan

Given the reasonable potential for tribal cultural and archaeological resources to be present within the proposed work area, the following measures shall be undertaken to avoid any significant impacts on these potential resources. A Tribal Cultural and Archaeological Monitoring Plan shall be developed by a qualified archaeologist in consultation with local tribes prior to any project-related ground disturbance to determine specific areas of archaeological sensitivity within proposed work areas. The Tribal Cultural and Archaeological Monitoring Plan ~~will~~shall determine whether an onsite Native American and qualified archaeological monitor are required during project-related ground disturbance. The plan shall include protocol that outlines tribal cultural and archaeological monitoring best practices, anticipated resource types, and an Unanticipated Discovery Protocol. The Unanticipated Discovery Protocol shall describe steps to follow if unanticipated archaeological discoveries are made during project work and a chain of contact. All work will be done in accordance with *San Rafael General Plan 2040, Policy CDP-5.13: Protection of Archaeological Resources*.

Impact CUL-3: Disturb Any Human Remains, Including those Interred Outside of Formal Cemeteries

Construction

All Build Alternatives

[REDACTED]

Construction of all the build alternatives would include ground disturbance within the of buried cultural resources [REDACTED]. As a result of ground-disturbing activities, human remains could be encountered and adversely affected. This impact would be **significant**. However, implementation of Mitigation Measures MM-CULT-CNST-4, MM-CULT-CNST-5, MM-CULT-CNST-6, and MM-CULT-CNST-7 (described below) would ensure that impacts related to human remains would be **less than significant with mitigation**.

Operations

All Build Alternatives

No ground disturbance is anticipated in association with project-level operations and maintenance for any build alternative. While site access and vegetation removal have the potential to affect surface archaeological deposits, human remains tend to be located within subsurface deposits. No excavation is associated with operation and maintenance; therefore, these activities are unlikely to affect human remains. However, due to the sensitive nature of the area, there is the potential to encounter human remains, and this impact would be **significant**. Implementation of Mitigation Measures MM-CULT-CNST-4 and MM-CULT-CNST-5 would ensure the impacts are **less than significant with mitigation**.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measure. In addition to protocols laid out in Mitigation Measures MM-CULT-CNST-4, MM-CULT-CNST-5, and MM-CULT-CNST-6, Mitigation Measure MM-CULT-CNST-7 will be followed.

MM-CULT-CNST-7: Comply with State Laws Relating to Human Remains

As stated above, any human remains and related items discovered during the implementation of this project shall be treated in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code. If, pursuant to Section 7050.5(c) of the California Health and Safety Code, the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of Section 5097.98(a)-(d) of the PRC. The District shall ensure that the remains are

not damaged or disturbed further until all stipulations in Section 7050.5 and Section 5097.98 have been met. All work will be done in accordance with *San Rafael General Plan 2040, Policy CDP-5.13: Protection of Archaeological Resources.*

This section describes the environmental and regulatory setting for energy. It also describes impacts associated with energy that would result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives and mitigation for significant impacts, where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.5.1 Existing Conditions

3.5.1.1 Regulatory Setting

Federal

As discussed in Sections 3.2, Air Quality, and 3.7, Greenhouse Gas Emissions, of this ~~Draft~~ Final Environmental Impact Report (EIR), the National Highway Traffic Safety Administration sets the Corporate Average Fuel Economy standards to improve average fuel economy (i.e., reduce fuel consumption) and reduce greenhouse gas (GHG) emissions generated by cars and light-duty trucks. The National Highway Traffic Safety Administration and the U.S. Environmental Protection Agency have proposed amendments to the current fuel efficiency standards for passenger cars and light-duty trucks and new standards for model years 2021 through 2026. Under the Safer Affordable Fuel-Efficient Vehicles Rule, current 2020 standards would be maintained through 2026. California, 22 other states, the District of Columbia, and two cities filed suit against the proposed action on September 20, 2019 (*California et al. v. United States Department of Transportation et al.*, 1:19-cv-02826, U.S. District Court for the District of Columbia). The lawsuit requests a “permanent injunction prohibiting defendants from implementing or relying on the preemption regulation” but does not stay its implementation during legal deliberations. Part 1 of the Safer Affordable Fuel-Efficient Vehicles Rule went into effect on November 26, 2019. Part 2 of the rule was finalized on March 30, 2020. The rule will decrease the stringency of the Corporate Average Fuel Economy standards 1.5 percent each year through model year 2026; the standards issued in 2012 would have required annual fuel efficiency increases of about 5 percent. California, 22 other states, and the District of Columbia filed a petition for review of the final rule on May 27, 2020.

State

California has adopted statewide legislation to address various aspects of climate change and GHGs, which often pertain directly or indirectly to energy resources and uses. This section is focused on state legislation that specifically mentions energy use or resources. For other state legislation mainly focused on GHG reduction and climate change, refer to Section 3.7, Greenhouse Gas Emissions, of this ~~Draft~~ Final EIR.

Assembly Bill 1493, Pavley Rules (2002, Amendments 2009)/Advanced Clean Cars (2011)

Known as Pavley I, Assembly Bill (AB) 1493 provided the nation's first GHG standards for automobiles. AB 1493 required the California Air Resources Board to adopt vehicle standards to lower GHG emissions from automobiles and light-duty trucks to the maximum extent feasible beginning in 2009. In 2012, strengthening of the Pavley standards (referred to previously as Pavley II but now referred to as the Advanced Clean Cars measures) was adopted for vehicle model years 2017 through 2025. Together, the two standards are expected to increase average fuel economy to roughly 54.5 miles per gallon in 2025. The increase in fuel economy will help lower the demand for fossil fuels.

California Energy Efficiency Standards for Residential and Nonresidential Buildings—California Green Building Standards Code (2011), Title 24 Updates

The California Green Building Standards Code (Part 11, Title 24), or CALGreen, was adopted as part of the California Building Standards Code (24 California Code of Regulations). CALGreen applies to the planning, design, operation, construction, use, and occupancy of newly constructed buildings and requires energy- and water-efficient indoor infrastructure to be installed at all new projects beginning January 1, 2011. CALGreen also requires newly constructed building to develop a waste management plan and divert at least 50 percent of the construction materials generated during project construction.

The current 2019 Building Energy Efficiency Standards were adopted in 2019 and took effect on January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy than homes constructed under the 2016 standards, while nonresidential buildings will use about 30 percent less energy. Later standards are expected to require zero net energy for new commercial buildings.

Executive Order B-16-12 (2012)

Executive Order (EO) B-16-12 orders state entities under the direction of the governor, including the California Air Resources Board, California Energy Commission, and California Public Utilities Commission (CPUC), to support rapid commercialization of zero-emission vehicles. It directs these entities to achieve various benchmarks related to zero-emission vehicles.

Senate Bill 350, Chapter 547, Clean Energy and Pollution Reduction Act of 2015

Senate Bill (SB) 350 (DeLeon), also known as the Clean Energy and Pollution Reduction Act of 2015, was approved by the California legislature in September 2015 and signed by Governor Brown in October 2015. Its key provisions require the following by 2030: (1) a Renewables Portfolio Standard (RPS)¹ of 50 percent and (2) doubling of the statewide energy efficiency savings related to natural gas and electricity end uses (CEC 2020). In order to meet these provisions, the bill requires large utilities to develop and submit integrated resource plans that detail how the utilities will reduce GHG emissions and increase the use of clean energy resources while meeting customers' needs.

¹ The RPS is one of California's key programs for promoting renewable energy use within the state. The program sets forth continuous procurement of renewable energy for load-serving entities within California (CEC 2020).

Senate Bill 100—The 100 Percent Clean Energy Act of 2018 (2018)

SB 100 builds on SB 350, the Clean Energy and Pollution Reduction Act of 2015. SB 100 increases the 2030 RPS target set in SB 350 to 60 percent and requires an RPS of 100 percent by 2045.

Local

Pacific Gas and Electric Integrated Resource Plan

Pacific Gas and Electric Company (PG&E) adopted the 2018 Integrated Resource Plan (IRP) on August 1, 2018, to provide guidance for serving the electricity and natural gas needs of residents and businesses within its service area while fulfilling regulatory requirements (PG&E 2018). The IRP contains the following objectives that are relevant to the proposed project:

- **Clean Energy:** In 2017, PG&E delivered nearly 80 percent of its electricity from GHG-free resources and 33 percent of its electricity from RPS-eligible renewable resources, such as solar, wind, geothermal, biomass, and small hydro.
- **Reliability:** PG&E's IRP analysis includes PG&E's contribution to system and local reliability, in compliance with CPUC's resource adequacy requirements.
- **Affordability:** PG&E's IRP analysis selects resources to meet the state's clean energy and reliability goals and provides a system average rate forecast in compliance with CPUC's requirements for investor-owned utilities.

Marin Clean Energy Integrated Resource Plan

Marin Clean Energy (MCE) adopted the 2020 IRP on October 3, 2019, to provide near-term, mid-term, and long-term guidance for serving the electricity and natural gas needs of its customers within its service area while fulfilling regulatory requirements (MCE 2019). The IRP contains the following planning policies that are relevant to the proposed project:

- Reduce GHG emissions and other pollutants associated with the electric power sector through increased use of renewable, GHG-free, and low-GHG energy sources.
- Maintain competitive electric rates and increase control over energy costs through management of a diversified resource portfolio.
- Benefit the local economy by offering competitive electricity rates and customer programs and investing in infrastructure, energy, and workforce development programs within MCE's service area.
- Help customers reduce energy consumption and electric bills by supporting and administering enhanced customer energy efficiency, cost-effective distributed generation, and other demand-side programs.
- Enhance system reliability through investments in supply- and demand-side resources.

~~City of San Rafael General Plan 2020~~

~~The City of San Rafael General Plan 2020 (City of San Rafael 2016) provides a vision for long-range physical and economic development of the City of San Rafael (City), provides strategies and specific implementing actions, and establishes a basis for judging whether specific development proposals~~

and public projects are consistent with the City's plans and policy standards. ~~The City of San Rafael General Plan 2020 contains a Circulation Element and a Sustainability Element, which include policies related to energy resources. The following policies are applicable to energy:~~

Circulation Element

C-10. Alternative Transportation Mode Projects. Encourage and support projects, such as the Highway 101 High Occupancy Vehicle Gap Closure Project, that benefit alternatives to the single occupant automobile.

C-11. Alternative Transportation Mode Users. Encourage and promote individuals to use alternative modes of transportation, such as regional and local transit, carpooling, bicycling, walking and use of low-impact alternative vehicles. Support development of programs that provide incentives for individuals to choose alternative modes.

Goal 25. It is the goal of San Rafael to have a sustainable community; one that balances the needs of the environment, economy, and a diverse society.

Sustainability Element

SU-3. Alternative Fuel and Fuel Efficient Vehicles. Promote the use of alternative fuel and fuel efficient vehicles.

SU-4. Renewable Energy. Increase the supply of renewable energy sources. Promote and encourage residences to be resource, energy and water efficient by creating incentives and removing obstacles to promote their use.

SU-5. Reduce Use of Non-Renewable Resources. Reduce dependency on non-renewable resources.

SU-6. Resource Efficiency in Site Development. Encourage site planning and development practices that reduce energy demand, support transportation alternatives and incorporate resource- and energy-efficient infrastructure.

Goal 26. It is the goal of San Rafael to have municipal operations that are highly resource efficient and anticipate the effects of climate change.

~~Draft~~ San Rafael General Plan 2040

The City is in the process of updating the *City of San Rafael General Plan 2020* with adopted the San Rafael General Plan 2040 in August 2021. The following goals and policies are included in the Conservation and Climate Change and Mobility Elements of ~~the San Rafael General Plan 2040~~ (City of San Rafael 2021).

Goal C-4: Sustainable Energy Management. Use energy in a way that protects the environment, addresses climate change, and conserves natural resources.

- **Policy C-4.1: Renewable Energy.** Support increased use of renewable energy and remove obstacles to its use.
- **Policy C-4.2: Energy Conservation.** Support construction methods, building materials, and home improvements that improve energy efficiency in existing and new construction.
- **Policy C-4.3: Managing Energy Demand.** Reduce peak demands on the electric power grid through development of local sources, use of battery storage, deployment of “smart” energy and grid systems that use technology to manage energy more efficiently, and public education.
- **Policy C-4.4: Sustainable Building Materials.** Encourage the use of building materials that reduce environmental impacts and the consumption of non-renewable resources.
- **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.

Goal M-3: Cleaner Transportation. Coordinate transportation, land use, community design, and economic decisions in a way that reduces greenhouse gas emissions, air and water pollution, noise, and other environmental impacts related to transportation.

- **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.

San Rafael Climate Change Action Plan 2030

The *San Rafael Climate Change Action Plan 2030* (CCAP 2030), adopted in 2019, includes goals, policies, and strategies to reduce the City's GHG emissions, in compliance with AB 32 and SB 375. CCAP 2030 was adopted with the purpose of reducing GHGs community-wide to achieve a reduction target of 40 percent below 1990 emission levels by 2030. The City has identified GHG reduction measures in the transportation, energy, waste, water and wastewater, and land use sectors, coupled with state and existing local actions, to reduce GHG emissions (City of San Rafael 2019). GHG emissions largely involve energy consumption (i.e., fossil-fuel usage); therefore, a reduction in GHG emissions would also equate to a reduction in energy consumption.

The following GHG reduction measures are applicable to energy:

LCT-C5. Public Transit. Support and promote public transit by taking the following actions:

- Work Marin Transit and Golden Gate Transit to maximize ridership through expansion and/or improvement of transit routes and schedules.
- Work with SMART, TAM, employers and others to provide first and last mile programs to maximize utilization of the train, including shuttle buses.
- Support the development of an attractive and efficient multi-modal transit center and provide safe routes to the transit center that encourage bicycle and pedestrian connections.
- Support a "yellow school bus" program and student use of regular transit to reduce school traffic.
- Encourage transit providers, including school buses, to use renewable diesel as a transition fuel and to purchase electric buses whenever replacing existing buses.

EE-M3. Energy Conservation. Reduce energy consumption through behavioral and operational changes.

- Establish energy efficiency protocols for building custodial and cleaning services and other employees, including efficient use of facilities, such as turning off lights and computers, thermostat use, etc.
- Incorporate energy management software, electricity monitors, or other methods to monitor energy use in municipal buildings.
- Investigate 9/80 work schedule for City facilities where feasible and where facilities can be shut down entirely.

RE-C2. GHG-Free Electricity. Encourage residents and businesses to switch to 100 percent renewable electricity (MCE Deep Green, MCE Local Sol, and PG&E Solar Choice) through engagement campaigns and partner agency incentives and work with MCE Clean Energy to assure that it reaches its goal to provide electricity that is 100 percent GHG-free by 2025.

RE-C3. Building and Appliance Electrification. Promote electrification of building systems and appliances that currently use natural gas, including heating systems, hot water heaters, stoves, and clothes dryers.

3.5.1.2 Environmental Setting

Energy resources in California include natural gas, electricity, water, wind, oil, coal, solar, geothermal, and nuclear resources. Energy production and energy use both result in the depletion of nonrenewable resources, such as oil, natural gas, and coal, and emissions of pollutants.

State Energy Resources and Use

California's diverse portfolio of energy resources produced 2,408.2 trillion British thermal units (BTUs)² in 2018 (U.S. Energy Information Administration 2020a). Excluding offshore areas, the state ranked seventh in the nation in crude oil production in 2018 (the most recent year for which data are available), producing the equivalent of 965.3 trillion BTUs (U.S. Energy Information Administration 2020b). Other energy sources in the state include natural gas (228.9 trillion BTUs), nuclear (190.4 trillion BTUs), and biofuel (35.5 trillion BTUs) (U.S. Energy Information Administration 2020a, 2020b).³ In addition, because of the mild Mediterranean climate and strict conservation requirements for energy efficiency, California has lower energy consumption rates than most parts of the United States. According to the U.S. Energy Information Administration, California consumed approximately 7,966.6 trillion BTUs of energy in 2018 (U.S. Energy Information Administration 2020c). California's per-capita energy consumption of 201.9 million BTUs is one of the lowest in the country and ranked 48th in the nation as of 2018 (U.S. Energy Information Administration 2020d).

In 2018, natural gas accounted for the majority of energy consumption (2,207.4 trillion BTUs, or 28 percent), followed by gasoline (1,716.3 trillion BTUs or 21 percent); renewable energy, including nuclear electric power, hydroelectric power, biomass, and other renewables (1,344.9 trillion BTUs, or 17 percent); distillates and jet fuel (1,260.5 trillion BTUs, or 16 percent); and interstate electricity (865.7 trillion BTUs, or 11 percent), with the remaining 7 percent coming from a variety of other sources (U.S. Energy Information Administration 2020e). Of the natural gas consumed, commercial uses consumed approximately 12 percent, followed by residential uses (20 percent) and industrial uses (36 percent), among many other uses (U.S. Energy Information Administration 2020f).

The transportation sector consumed the greatest quantity of energy (3,170.0 trillion BTUs, or 40 percent), followed by the industrial (1,848.2 trillion BTUs, or 23 percent), commercial (1,509.2 trillion BTUs, or 19 percent), and residential (1,439.2 trillion BTUs, or 18 percent) sectors (U.S. Energy Information Administration 2020c).

Per-capita energy consumption, in general, is declining because of improvements in energy efficiency and designs. However, despite this reduction in per-capita energy use, the state's total overall energy consumption (i.e., non-per-capita energy consumption) is expected to grow over the next several decades as a result of increases in population, jobs, and vehicle miles traveled (VMT).

Regional Energy Resources and Use

PG&E provides natural gas and electricity services to the vast majority of Northern California, including the City of San Rafael and the project area. PG&E's service extends north to south from

² One BTU is the amount of energy required to heat 1 pound of water by 1 degree Fahrenheit at sea level. BTU is a standard unit of energy that is used in the United States and is on the English system of units (foot-pound-second system).

³ No coal production occurs in California.

Eureka to Bakersfield and east to west from the Sierra Nevada to the Pacific Ocean. PG&E purchases gas and power from a variety of sources, including other utility companies. PG&E also obtains energy supplies from power plants and natural gas fields in Northern California. PG&E operates a grid distribution system that channels all power produced at the various generation sources into one large energy pool for distribution throughout the service territory. PG&E provides all of the natural gas and electric infrastructure in south San Francisco. PG&E has two plan options, known as Solar Choice options, in addition to its base plan, which gives customers the option to purchase energy from solar resources. The first Solar Choice option provides up to 50 percent of a customer's energy from solar resources, while the other option provides up to 100 percent of customer's energy from solar resources.

MCE is Marin County's official electricity provider. MCE's power comes from a mix of various sources, including solar, wind, geothermal, biomass and biowaste, and hydroelectric generation resources. MCE delivers power to its customers via existing PG&E utility infrastructure.⁴ MCE allows customers to choose between three different electricity product operations: Light Green (60 percent renewable resources as electricity sources), Deep Green (100 percent renewable resources from solar and wind power as renewable electricity sources) and Local Sol (100 percent renewable resources from solar power as electricity sources) (MCE 2020).

In Marin County, a total of 68.6 million therms of natural gas were consumed in 2018 (the most recent year for which data are available). In 2018, natural gas in Marin County was consumed primarily by the residential sector (72 percent), followed by the non-residential sector (28 percent) (CEC n.d.). In 2018, Marin County consumed a total of 1,329.2 million kilowatts of electricity. In Marin County, electricity was consumed primarily by the non-residential sector (51 percent), followed by the residential sector (49 percent) (CEC n.d.). Electricity usage for different land uses varies substantially by the type of uses in a building, the types of construction materials used, and the efficiency of the electricity-consuming devices. However, energy consumption in the City of San Rafael has generally decreased over recent years despite a growing population, as shown in the 2013–2018 data in Table 3.5-2 (the most recent years for which data are available) (Marin Climate and Energy Partnership 2020).

Table 3.5-1 outlines PG&E's and MCE's power mix in 2018, compared to the power mix for the state, and Table 3.5-2 outlines the City of San Rafael's per-capita and household energy consumption, including electricity and natural gas consumption, from 2013 to 2018.

⁴ MCE charges each of its customers an electric delivery charge for maintenance of PG&E's wires and infrastructure, and delivery of electricity to customers.

Table 3.5-1. PG&E, MCE, and the State of California Power Mix in 2018

Energy Resources	PG&E Options			MCE Options			California Power Mix 2018
	Base Plan	50% Solar Choice	100% Solar Choice	Light Green	Deep Green	Local Sol	
Eligible Renewable:	39%	69%	100%	61%	100%	100%	31%
Biomass and Waste	4%	2%	0%	4%	0%	0%	2%
Geothermal	4%	2%	0%	3%	0%	0%	5%
Small Hydroelectric	3%	1%	0%	2%	0%	0%	2%
Solar	18%	59%	100%	11%	50%	100%	11%
Wind	10%	5%	0%	39%	50%	0%	11%
Coal	0%	0%	0%	0%	0%	0%	3%
Large Hydroelectric	13%	6%	0%	13%	0%	0%	11%
Natural Gas	15%	7%	0%	0%	0%	0%	35%
Nuclear	34%	17%	0%	0%	0%	0%	9%
Other	0%	0%	0%	13%	0%	0%	< 1%
Unspecified ^a	0%	0%	0%	13%	0%	0%	11%
Total	100%	100%	100%	100%	100%	100%	100%

Sources: PG&E 2019; MCE 2019

^a Electricity from transactions that are not traceable to specific generation sources are classified as unspecified sources of power.

Table 3.5-2. Electricity and Natural Gas Consumption in the City of San Rafael, 2013–2018

Year	Household Energy Consumption (MBTU)	Per-Capita Energy Consumption (MBTU)	Total (MBTU)
2013	48	66	114
2014	43	57	100
2015	43	58	101
2016	44	59	103
2017	45	61	106
2018	44	60	104

Source: Marin Climate and Energy Partnership 2020

MBTU = million British thermal units

Project Site Energy Resources and Use

The existing transit center is in Downtown San Rafael between 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street. The building is approximately 2,300 square feet. As explained in Chapter 2, Project Description, four build alternatives are being considered for this proposed project: Move Whistlestop Alternative, Adapt Whistlestop Alternative, 4th Street Gateway Alternative, and Under the Freeway Alternative. All of the build alternatives are within Downtown San Rafael and within 500 feet of the existing transit center. As stated previously, PG&E and MCE provide natural gas and electricity to the City, and therefore the existing transit center and four proposed project sites, through right-of-way electric and natural gas lines. The transit center and four proposed alternatives are served by existing natural gas and electric infrastructure provided by PG&E.

3.5.2 Environmental Impacts

Impacts were analyzed for the project area rather than specific build alternatives because the location of each build alternative would experience a nearly equivalent impact for each resource considered here. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.5.2.1 Methodology

As the proposed transit center would be in the City of San Rafael, the study area for the impact analysis is the City of San Rafael. Energy impacts associated with construction and operation of the proposed project were assessed and quantified where applicable using standard and accepted software tools and techniques. A summary of the methodology for calculating the proposed project's energy use is provided below.

Appendix F of the California Environmental Quality Act (CEQA) Guidelines provides guidance on determining whether a project would result in the wasteful, inefficient, or unnecessary consumption of energy resources. As stated in [Appendix F of the State CEQA Guidelines](#), the goal of conserving energy implies the wise and efficient use of energy. The means for achieving this goal include:

- Decreasing overall per capita energy consumption

- Decreasing reliance on fossil fuels such as coal, natural gas, and oil
- Increasing reliance on renewable energy sources

Based on Appendix F, environmental considerations in the assessment of energy consumption impacts may include the following:

- The project's energy requirements and its energy efficiency by amount and fuel type for each stage of the project, including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of the project on local and regional energy supplies and requirements for additional capacity
- The effects of the project on peak- and base-period demands for electricity and other forms of energy
- The degree to which the project complies with existing energy standards
- The effects of the project on energy resources
- The project's forecast transportation energy use requirements and its overall use of efficient transportation alternatives

Project Construction

Construction of the proposed project under all build alternatives would require energy usage, such as electricity for mobile offices and fuel for off-road equipment, haul trucks, vendor trips, and workers' trips. The construction schedule, equipment operating details, trip numbers and lengths, and material quantities were provided by the project sponsor, in addition to information regarding total electricity usage during project construction. Fuel usage was quantified using the construction emissions profile generated by the California Emissions Estimator Model (CalEEMod), version 2016.3.2. The number of metric tons of carbon dioxide equivalent associated with each construction activity (e.g., off-road equipment usage, worker trips) was converted to gallons of diesel or gasoline and summed accordingly, assuming all off-road activities, hauling, and vendor activities would be carried out with use of diesel equipment and vehicles and that all workers would use gasoline vehicles while traveling to and from the project area. For ease of comparison across all energy consumption amounts, gallons of diesel and gasoline were converted to BTUs, assuming an energy intensity of 124,000 BTUs per gallon of gasoline and 139,000 BTU per gallon of diesel (Environment and Ecology 2020), and megawatt-hours (MWh) of energy converted assuming an energy intensity of 3,412,141 BTU per MWh of electricity (Convert Units 2021). The CalEEMod output files and fuel-use calculations are provided in Appendix ~~BD~~ of this ~~Draft-Final~~ EIR.

Project Operation

Energy consumption associated with the project area includes the combustion of natural gas and electricity usage, including the electricity used to convey water to the project site. Anticipated water consumption for the new transit center was provided by the project sponsor. A detailed discussion of existing and proposed water consumption is provided in Section 3.17, Utilities, of this ~~draft-Final~~ EIR. Annual energy consumption at the transit center under the four build alternatives was estimated using CalEEMod under future (2025) conditions. Energy associated with water conveyance was estimated using CalEEMod and added to the energy usage of the respective

components. The 2025 modeling reflects implementation of state measures to reduce energy use and resulting GHG emissions (e.g., SB 100, Pavley). Quantifiable features, consistent with the proposed project, were incorporated into CalEEMod. The CalEEMod output files are provided in Appendix ~~BD~~ of this ~~Draft-Final~~ EIR. Additional electrical requirements and infrastructure may be needed for onsite charging of future battery electric buses at the transit center bus bays. However, because the preferred technology for fleetwide rollout of zero-emission buses has not yet been determined, these utility needs would be incorporated in a future project. Fleetwide rollout of zero-emission buses, along with related infrastructure to support the zero-emission fleet, is a separate planning initiative that is outside the scope of the proposed project. The Golden Gate Bridge, Highway and Transportation District would implement the fleetwide rollout in a manner that is consistent with CEQA and any additional energy and utility needs for the fleetwide rollout would be addressed as part of that initiative.

For ease of comparison across all energy consumption amounts, MWh of energy was converted assuming an energy intensity of 3,412,141 BTU per MWh of electricity (Convert Units 2021).

Based on information in Section 3.14, Transportation, all build alternatives primarily represent a shifting of bus activity from location to another; the proposed project would not change the amount of bus service to be provided and new vehicle trips are not assumed to be generated by the proposed project. Although the proposed project would improve the efficiency of bus operations and create operational flexibility for bus movements into and out of the transit center, no future expansion of transit service was planned at the time of this EIR's preparation and therefore cannot be reasonably forecasted. Therefore, additional attendant energy consumption in the form of gasoline or diesel fuel is not anticipated. Therefore, mobile energy consumption was not evaluated for project operations. The operations modeling files are provided in Appendix ~~BD~~ of this ~~Draft-Final~~ EIR.

3.5.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to energy.

Would the proposed project:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

3.5.2.3 Impacts

Impact EN-1: Result in Potentially Significant Environmental Impact Due to Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources, During Project Construction Or Operation

Construction

Move Whistlestop Alternative

Construction activities for the proposed project would include mobilization, demolition, tree removal, utility work, civil and vertical structures work, and vertical structures finishing and inspection. Construction-related energy usage would include the electricity needed to power electric construction equipment or deliver water to the construction site, the gasoline and diesel fuel used for transporting workers and materials to and from the construction site, and the fuel used for the operation of off-road equipment. Construction-related energy usage and consumption would vary throughout the course of project buildout and depend on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel, which would amount to a **potentially significant** energy impact. The estimated construction-related energy consumption for the proposed project is provided in Table 3.5-3. As shown, project construction would consume approximately 8,600 million BTUs over the approximately 18-month construction period under the Move Whistlestop Alternative.

Updated Table 3.5-3. Estimated Construction Energy Consumption from the Proposed Project (Million BTUs)

Build Alternative	Electricity	Gasoline	Diesel	Total
Move Whistlestop	300	575	7,725	8,600
Adapt Whistlestop	300	575	7,620	8,495
4th Street Gateway	300	575	7,651	8,526
Under the Freeway	300	575	7,730	8,605

Source: See Appendix ~~BD~~ of this ~~Draft~~ Final EIR for CalEEMod outputs and construction energy calculations.

Mitigation Measure MM-GHG-CNST-1 would be implemented to reduce the amount of fossil fuel consumed during construction activities, such as ensuring that 15 percent of the construction vehicles/equipment fleet utilize alternative fuel (e.g., biodiesel or electricity). It would also reduce the energy intensity associated with new building materials and discarded construction and demolition waste by requiring construction contractors to implement the Bay Area Air Quality Management District's recommended best management practices—specifically, those associated with alternative fuel and recycling. Consequently, project construction would not result in the wasteful, inefficient, or unnecessary consumption of energy resources, and this impact would be ***less than significant with mitigation***.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative construction activities would consume slightly less energy than the Move Whistlestop Alternative, as it may require fewer truck hauling trips (i.e., less energy consumed in the form of diesel or gasoline) to remove debris depending on the site characteristics;

however, overall construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant with mitigation***.

4th Street Gateway Alternative

The 4th Street Gateway Alternative construction activities would consume slightly less energy than the Move Whistlestop Alternative; however, overall construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant with mitigation***.

Under the Freeway Alternative

The Under the Freeway Alternative construction activities would consume slightly more energy than the Move Whistlestop Alternative; however, overall construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impacts would be ***less than significant with mitigation***.

Operations

All Build Alternatives

Operation of the proposed project would result in the consumption of electricity and natural gas (e.g., for heating, and cooling) for the proposed 3,000-square-foot transit center building, which would include customer service uses, public restrooms, driver relief facilities, and small retail uses, as well as maintenance and security space. Operational energy consumption was evaluated under buildout-year (2025) conditions. The analysis considers implementation of quantifiable measures to reduce energy usage (e.g., SB 100) as well as the benefits achieved through quantifiable sustainability measures, including the use of green consumer products, which are incorporated into the project design.

As previously discussed, all build alternatives primarily represent a shifting of bus activity from location to another; the proposed project would not change the amount of bus service to be provided and new vehicle trips are not assumed to be generated by the proposed project. Although the proposed project would improve the efficiency of bus operations and create operational flexibility for bus movements into and out of the transit center, no future expansion of transit service was planned at the time of this EIR's preparation and therefore cannot be reasonably forecasted. Therefore, additional attendant energy consumption in the form of gasoline or diesel fuel is not anticipated. Consequently, mobile-energy consumption was not evaluated for project operations.

Buildout of the proposed project would result in operational energy consumption of approximately 121 million BTUs, or the consumption of 106 BTUs of electricity and 14 BTUs of gas.

The proposed project would qualify for the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) Gold certification at a minimum. Attaining LEED Gold certification would ensure that the building would be energy efficient and would incorporate features such as low-flow fixtures or water-efficient landscaping into the design of the building to reduce energy consumption. The proposed project would also include the installation of solar panels on site, which would offset some of the facility's energy consumption. The proposed project would also meet San Rafael Municipal Code and CALGreen building requirements. In addition, the proposed project would comply with all applicable City and state water conservation (indoor and outdoor)

measures, including Title 24, Part 6, of the California Energy Code, which would reduce water consumption. Furthermore, as stated previously, operation of the proposed project would not increase energy consumption in the form of mobile diesel and gasoline usage, and would support the shift from automobiles to public transit. Specifically, because the proposed project is a transportation project (specifically a transit-supportive project), by nature it would encourage the use of public transit to reduce single-occupancy vehicle trips and associated mobile energy consumption.

Based on the above analysis, operation of the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources, and this impact would be ***less than significant***. No mitigation is required.

Mitigation Measures

Under any build alternative that is selected and constructed, the project proponent would implement MM-GHG-CNST-1, as described in Section 3.7, Greenhouse Gas Emissions.

Impact EN-2: Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency

All Build Alternatives

State and local renewable energy and energy efficiency plans applicable to the proposed project are discussed above under Section 3.5.1.1, Regulatory Setting. State plans include the AB 1493 Pavley Rules, California Title 24 energy efficiency standards, EO B-16-12, SB 350, and SB 100. Each of these contain required standards related to energy efficiency and renewable energy development. Local plans that address energy efficiency and are designed to achieve the state's RPS mandates include PG&E's 2018 IRP, MCE's 2020 IRP, and the City's CCAP 2030. ~~The City of San Rafael General Plan 2020-2040~~ also includes goals and policies related to energy use and energy reductions.

As discussed above, the proposed project would incorporate sustainability and transportation features. Furthermore, the proposed project would qualify for LEED Gold certification at a minimum.

The proposed project would be required to comply with state and local renewable energy and energy-efficiency plans. As a result, it would benefit from renewable energy development and increases in energy efficiency. Energy usage from increases in VMT and the number of average daily trips in the area is expected to become more efficient under regulations included in Pavley and EO B-16-12, which address average fuel economy and commercialization of zero-emission vehicles, respectively. Building energy efficiency is also expected to increase as a result of compliance with Title 24 building codes, which are expected to move toward zero net energy for new construction and 100 percent renewable energy under SB 350 and SB 100 regulations. With implementation of the proposed project, PG&E and MCE would continue to pursue the procurement of renewable energy sources to meet their RPS goals and comply with state regulations. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and the impact would be ***less than significant***. No mitigation is required.

Mitigation Measures

No mitigation is required.

Section 3.6

Geology and Soils

This section addresses potential impacts related to geology, soils, and seismicity and impacts on paleontological resources that may result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives. The following discussion addresses existing geology, soils, seismicity, and paleontological conditions of the project area and surroundings, considers applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from project implementation, as applicable. Information in this section is based on the Preliminary Geotechnical Design Recommendations (Geotechnical Recommendation) (see Appendix JH) prepared for the proposed project, unless otherwise noted (Parikh 2020). Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.6.1 Existing Conditions

3.6.1.1 Regulatory Setting

Federal

Earthquake Hazard Reduction Act of 1977

Federal laws codified in United States Code Title 42, Chapter 86, were enacted to reduce risks to life and property from earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards reduction program. Implementation of these requirements is regulated, monitored, and enforced at the state and local levels.

State

The Alquist-Priolo Earthquake Fault Zoning Act of 1972 (Alquist-Priolo Act)

The Alquist-Priolo Act (Public Resources Code Section 2621 et seq.) is intended to reduce the risk to life and property from surface fault rupture during earthquakes. The Alquist-Priolo Act prohibits the location and construction of most types of structures intended for human occupancy¹ over active fault traces and strictly regulates construction in the corridors along active faults. The state geologist has established regulatory zones along active faults,² called “Earthquake Fault Zones,” and published maps that identify areas where surface traces of active faults are present (California Geological Survey 2020a).

¹ According to the Alquist-Priolo Act, a structure for human occupancy is defined as one “used or intended for supporting or sheltering any use or occupancy that is expected to have human occupancy rate of more than 2,000 person-hours per year” (California Code of Regulations, title 14, division 2, section 3601(e)).

² An active fault, for the purposes of the Alquist-Priolo Act, is one that has ruptured in the past 11,000 years.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 (California Public Resources Code Sections 2690–2699.6) directs the California Geological Survey to identify and map areas prone to the liquefaction and landslides resulting from seismic events. The act mandates that project sponsors have a site-specific geotechnical investigation performed to identify potential seismic hazards and formulate mitigation measures prior to the permitting of most developments within specific zoned areas.

California Building Standards Code

The California Building Standards Code, or state building code, is codified in Title 24 of the California Code of Regulations. The state building code provides standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures within the state. The state building code generally applies to all occupancies in California, with modifications adopted in some instances by state agencies or local governing bodies. The current state building code incorporates, by adoption, the 2018 edition of the International Building Code of the International Code Council, with the California amendments. These amendments include building design and construction criteria that have been tailored for California earthquake conditions.

Chapter 16 of the state building code deals with structural design requirements governing seismically resistant construction (Section 1604) including, but not limited to, factors and coefficients used to establish a seismic site class and seismic occupancy category appropriate for the soil/rock at the building location and the proposed building design (Sections 1613.5 through 1613.7). Chapter 18 includes, but is not limited to, the requirements for foundation and soil investigations (Section 1803); excavation, grading, and fill (Section 1804); allowable load-bearing values of soils (Section 1806); foundation and retaining walls (Section 1807); and foundation support systems (Sections 1808 through 1810). Chapter 33 includes, but is not limited to, requirements for safeguards at work sites to ensure stable excavations and cut-and-fill slopes (Section 3304) as well as the protection of adjacent properties, including requirements for noticing (Section 3307). Appendix J of the state building code includes, but is not limited to, grading requirements for the design of excavation and fill (Sections J106 and J107), specifying maximum limits on the slope of cut-and-fill surfaces and other criteria, required setbacks and slope protection for cut-and-fill slopes (Section J108), and erosion control through the provision of drainage facilities and terracing (Sections J109 and J110).

California Division of Occupational Safety and Health Regulations

Construction activities are subject to occupational safety standards for excavation, shoring, and trenching, as specified in California Division of Occupational Safety and Health regulations (Title 8).

State Historic Significance Criteria

Section 4.7.5.2, Significance Criteria, Appendix G of the California Environmental Quality Act (CEQA) Guidelines includes the following question: “Would the project directly or indirectly destroy a unique paleontological resource or site?” Although CEQA does not define what constitutes “a unique paleontological resource or site,” Section 21083.2 defines *unique archaeological resources* as

any archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and show that there is a demonstrable public interest in that information.
- Exhibits a special and particular quality, such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

This definition is equally applicable to recognizing a unique paleontological resource or site. CEQA Section 15064.5(a)(3)(D) provides additional guidance, indicating that, generally, a resource is considered historically significant if it has yielded, or may be likely to yield, information important in history before or after European contact.

The CEQA lead agency having jurisdiction over a project is responsible for ensuring that paleontological resources are protected in compliance with CEQA and other applicable statutes. California Public Resources Code Section 21081.6 requires the CEQA lead agency to demonstrate project compliance with the mitigation measures developed during the environmental impact review process.

Local

San Rafael Municipal Code

Policies from the San Rafael Municipal Code that are relevant to geology and soils include the following:

~~Section 12.12.010 of the San Rafael Municipal Code adopts the 2016 California Building Code, consisting of Volume 1 and Volume 2, in its entirety, except that only the following appendices are adopted: Appendices C, H, and I.~~

12.100.010 - Adopted codes. The San Rafael Municipal Code adopts the following recognized codes together with the supplements, listed changes, additions and deletions as noted: 2019 Edition, California Building Code (“CBC”), chapters 2 through 28, 30, 31, 32, 33, 35 and Appendices C, H, I, and N.; 4. 2019 Edition, California Existing Building Code (“CEBC”), chapters 2 through 16 and Appendices.

14.16.170 - Geotechnical review. Development applications require geotechnical reports consistent with the geotechnical matrix in the general plan appendices to assess such hazards as potential seismic hazards, liquefaction, landsliding, mudsliding, erosion, sedimentation and settlement and hazardous soils conditions to determine the optimum location for structures, to advise of special structural requirements and to evaluate the feasibility and desirability of a proposed facility in a specific location.

9.30.150 - Erosion and sediment control plan requirements. When required by the Phase II Stormwater Permit or by the agency, a project shall have an Erosion and Sediment Control Plan (ESCP) which addresses erosion and sediment control and pollution prevention during the construction phase as well as final stabilization control measures. The ESCP shall be submitted for review and approval by the City.

The San Rafael Municipal Code does not reference paleontological resources.

City of San Rafael General Plan 2020

The City of San Rafael General Plan 2020 (City of San Rafael 2016) contains goals, policies, and programs describing the community's vision for economic viability, livable neighborhoods, and environmental protection. The City of San Rafael General Plan 2020 includes the following policies associated with geology and soils. No policies associated with paleontological resources are presented in this document.

S-4. Geotechnical Review. Continue to require geotechnical investigations for development proposals as set forth in the City's Geotechnical Review Matrix (Appendix F). Such studies should determine the actual extent of geotechnical hazards, optimum design for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.

S-4a: Geotechnical Review of Proposed Development. Require soils and geologic peer review of development proposals in accordance with the Geotechnical Review Matrix to assess such hazards as potential seismic hazards, liquefaction, landsliding, mudsliding, erosion, sedimentation and settlement in order to determine if these hazards can be adequately mitigated. Levels of exposure to seismic risk for land uses and structures are also outlined in the Geotechnical Review Matrix, which shall be considered in conjunction with development review.

S-4b. Geotechnical Review Matrix. Periodically review and update the Geotechnical Review Matrix, which describes procedures for site-specific investigations for projects being reviewed according to proposed occupancy, type and hazard zone(s) within which the site is located.

S-5. Minimize Potential Effects of Geological Hazards. Development proposed within areas of potential geological hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. Development in areas subject to soils and geologic hazards shall incorporate adequate mitigation measures. The City will only approve new development in areas of identified hazard if such hazard can be appropriately mitigated.

S-6. 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.

S-6a: Seismic Design. The minimum seismic design of structures should be in accordance with the building code, as adopted in accordance with State law

S-7. Minimize Potential Effects of Landslides. Development proposed in areas with existing landslides or with the potential for landslides (as identified by a registered engineering geologist or geotechnical engineer) shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. Development in areas subject to landslide hazards shall incorporate adequate mitigation measures that have a design factor of safety of at least 1.5 for static conditions and 1.0 for pseudo-static (earthquake) conditions. The landslide mitigation should consider multiple options in order to reduce the secondary impacts (loss of vegetation, site grading, traffic, visual) associated with landslide mitigation. The City will only approve new development in areas of identified landslide hazard if such hazard can be appropriately mitigated.

S-8. Seismic Safety of Existing Buildings. Encourage the rehabilitation or elimination of structures susceptible to collapse or failure in an earthquake. Historic buildings shall be treated in accordance with the Historic Preservation Ordinance.

S-8a: Seismic Safety Building Reinforcement. Enforce State and local requirements for reinforcement of existing buildings.

S-9. Post Earthquake Inspections. Require post-earthquake building inspections of critical facilities, and restrict entry into compromised structures. Inspections shall be conducted when the earthquake intensity is VII or higher per the Modified Mercalli Intensity Scale. Require inspections as necessary in conjunction with other non-city public agencies and private parties for structural integrity of water storage facilities, storm drainage structures, electrical transmission lines, major roadways, bridges, elevated freeways, levees, canal banks, and other important utilities and essential facilities.

S-9a: Inspection List. Identify a list of facilities that would be inspected after a major earthquake. The list shall identify City-owned essential or hazardous facilities as defined by Category 1 and 2 of Table 16-K of the Uniform Building Code, and shall prioritize the list for inspection scheduling purposes in case of an earthquake.

S-22. Erosion. Require appropriate control measures in areas susceptible to erosion, in conjunction with proposed development. Erosion control measures and management practices should conform to the most recent editions of the Regional Water Quality Control Board's Erosion and Sediment Control Field Manual and the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control or equivalent.

S-22a: Erosion Control Programs. Review and approve erosion control programs for projects involving grading one acre or more or 5,000 square feet of built surface as required by Standard Urban Stormwater Management Plans (SUSUMP). Evaluate smaller projects on a case-by-case basis.

Draft City of San Rafael General Plan 2040

The City is currently working on the Draft adopted San Rafael General Plan 2040 (City of San Rafael 2020a2021) on August 2, 2021, which San Rafael General Plan 2040 contains goals, policies, and programs describing the community's vision for economic viability, livable neighborhoods, and environmental protection. The Draft San Rafael General Plan 2040 includes the following policies associated with geology and soils. No policies associated with paleontological resources are presented in this document.

Goal S-2: Resilience to Geologic Hazards. Minimize potential risks associated with geologic hazards, including earthquake-induced ground shaking and liquefaction, landslides, mudslides, erosion, sedimentation, and settlement.

- **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.
 - **Program S-2.1A: Seismic Design.** Adopt and enforce State building codes which ensure that new or altered structures meet the minimum seismic standards set by State law. State codes may be amended as needed to reflect local conditions.
 - **Program S-2.1B: Geotechnical Review.** Continue to require soil and geotechnical geologic hazard studies and peer review for proposed development as set forth in the City's Geotechnical Review Matrix (See Appendix F and text box at right). Such These studies should determine the extent of geotechnical hazards, optimum design for structures and the suitability and feasibility of proposed development for its location, the need for special structural requirements, and measures to mitigate any identified hazards. Periodically Review review and update the Geotechnical Review Matrix to ensure that it supports and implements the Local Hazard Mitigation Plan by identifying potentially hazardous areas, reflects current practices and is internally consistent, and potentially. Consider remove removing the procedures from the General Plan and instead adopting them as part of the Zoning Ordinance or through a separate resolution.

- **Program S-2.1C: Earthquake Hazard Study.** As recommended by the Local Hazard Mitigation Plan, complete an Earthquake Hazard Study that examines geologic hazards in the city.
- **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 Registered geologist or geotechnical-Geotechnical engineer/Engineer, or the [Local Hazard Mitigation Plan]) shall not be endangered by, or contribute to, hazardous conditions on ~~a~~ the site or adjoining properties. 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
 - **Program S-2.2A: Landslide Mitigation and Repair Projects.** Undertake landslide hazard mitigation and repair projects, as outlined in the [Local Hazard Mitigation Plan]. These projects include a landslide identification and management program, repair of the Fairhills Drive landslide, and repair of the Bret Harte sewer easement.
- **Policy S-2.3: Seismic Safety of Existing Buildings.** Encourage the rehabilitation or elimination of structures susceptible to collapse or failure in an earthquake. Historic buildings shall be treated in accordance with the Historic Preservation Ordinance and Historic Building Code (see also Program CDP-5.5A).
 - **Program S-2.3A: Seismic Safety Building Reinforcement.** Enforce State and local requirements for reinforcement of existing buildings, including the ~~City's~~ city's remaining unreinforced masonry (URM) buildings.
 - **Program S-2.3B: Soft-Story Building Mitigation Plan.** Complete a citywide assessment of soft-story buildings and develop a mitigation strategy and cost-benefit analysis to modify these structures to reduce their potential to collapse during an earthquake.
- **Policy S-2.4: Post-Earthquake Inspections.** Require post-earthquake inspections of critical facilities and other impacted buildings and restrict entry into compromised structures as appropriate. Following a major earthquake, inspections shall be conducted as necessary in conjunction with other non-~~city~~ City public agencies and private parties to ensure the structural integrity of water storage facilities, storm drainage structures, sewer lines and treatment facilities, transmission and telecommunication facilities, major roadways, bridges, elevated freeways, levees, canal banks, and other important utilities and essential facilities.
 - **Program S-2.4A: Inspection List.** Develop and maintain a list of facilities that would be inspected after a major earthquake, including City-owned essential or hazardous facilities. Facilities on the list should be prioritized for inspection-scheduling purposes.
- **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-2.5A: Erosion and Sediment Control Plans.** Require Erosion and Sediment Control Plans (ESCPs) for projects meeting the criteria defined by the Marin County Stormwater Pollution Prevention Program, including those requiring grading permits and those with the potential for significant erosion and sediment discharges. Projects that disturb more than one acre of soil must prepare a Stormwater Pollution Prevention Plan, pursuant to State law.
 - **Program S-2.5B: Grading During the Wet Season.** Avoid grading during the wet season due to soil instability and sedimentation risks, unless the City Engineer

determines such risks will not be present. Require that development projects implement erosion and/or sediment control measures and runoff discharge measures based on their potential to impact storm drains, drainageways, and creeks.

- **Program S-2.5C: Sediment Use.** Explore the use of sediment from human activities such as dredging and natural processes such as erosion for wetlands restoration and shoreline resiliency projects.

~~Draft City of San Rafael Downtown Precise Plan~~

~~The Draft *Downtown San Rafael Precise Plan* (City of San Rafael 2020b) contains goals, policies, and programs describing the community's vision for economic viability, livable neighborhoods, and environmental protection. The *Downtown San Rafael Precise Plan* includes no policies associated with geology and soils or paleontological resources.~~

3.6.1.2 Environmental Setting

Physiography

The project area is in a depression within the Coast Ranges geomorphic province. The Coast Ranges are northwest-trending mountain ranges (2,000 to 4,000 and occasionally up to 6,000 feet elevation above sea level) and valleys, composed of thick Mesozoic and Cenozoic sedimentary strata. The northern and southern ranges are separated by a depression containing the San Francisco Bay. The northern Coast Ranges are dominated by irregular, knobby, landslide-topography of the Franciscan Complex. The eastern border is characterized by strike-ridges and valleys in Upper Mesozoic strata. In several areas, Franciscan rocks are overlain by volcanic cones and flows of the Quien Sabe, Sonoma, and Clear Lake volcanic fields. The Coast Ranges are subparallel to the active San Andreas fault. The San Andreas fault is more than 600 miles long, extending from Point Arena to the Gulf of California. West of the San Andreas fault is the Salinian Block, a granitic core extending from the southern extremity of the Coast Ranges to the north of the Farallon Islands (California Geological Survey n.d.).

Subsurface Conditions

The bedrock unit in the vicinity of the project area consists of Franciscan Complex mélangé. The mélangé is composed of a tectonic mixture of variably sheared shale and sandstone, high-grade metamorphic rocks, serpentinite, and variably resistant blocks of Greywacke sandstone, greenstone, and serpentinite. Geologic mapping shows alluvial stream deposits consisting of unconsolidated clay, silt, sand, and gravel in the project area.

Seismicity and Seismic Hazards

Primary Seismic Hazards

Surface Fault Rupture

The project area is not within an Alquist-Priolo earthquake fault zone, and no known fault or potentially active fault exists on the project area (California Geological Survey 2020b). The Geotechnical Recommendation found no active faults passing through the project area. Therefore, likelihood of surface fault rupture within the project area is considered to be low. However, the

project area is between two active fault zones: the Hayward Fault Zone, approximately 10 miles east of the project area, and the San Andreas Fault Zone, approximately 10 miles west of the project area (United States Geological Survey 2020). In a seismically active area such as the San Francisco Bay Area, the possibility of future surface fault rupture occurring in areas where faults have not been mapped is small, but the possibility exists.

Seismic Ground Shaking

Ground shaking is the most widespread hazardous phenomenon associated with seismic activity. The project area is between two active faults. There is a 52 percent combined chance of a major (6.7 or greater magnitude) earthquake occurring on one of these faults between now and 2036 (ABAG 2020a). The project area could experience “Very Strong”³ ground shaking (Modified Mercalli Intensity Shaking Severity Level 8) during a seismic event (ABAG 2020b).

Secondary Seismic Hazards

Liquefaction

Liquefaction occurs when saturated soils lose cohesion, strength, and stiffness with applied shaking, such as that from an earthquake. The lack of cohesion causes solid soil to behave like a liquid, resulting in ground failure. When a load such as a structure is placed on ground that is subject to liquefaction, ground failure can result in the structure sinking and soil being displaced. Ground failure can take on many forms, including flow failures, lateral spreading, lowering of the ground surface, ground settlement, loss of bearing strength, ground fissures, and sand boils. Liquefaction within subsurface layers, which can occur during ground shaking associated with an earthquake, can also result in ground settlement.

The project area has not been evaluated for liquefaction by the California Geological Survey (California Geological Survey 2020b). However, portions of Marin County are underlain with Bay mud and Marshland, which is susceptible to liquefaction (ABAG 2020b). The *Marin Countywide Plan* identifies the project area as an area susceptible to high to very light levels of liquefaction (Marin County Community Development Agency 2007).

The Geotechnical Recommendation prepared for the proposed project reviewed relevant as-built geotechnical data including soil samples and identified underlying soils consisting predominantly of stiff to very stiff, clayey soils with low liquefaction potential. The risk of liquefaction in the project area west of U.S. Highway 101 (US-101) is considered low. However, soil samples closer to Irwin Creek/US-101, outside of but near the project area, revealed loose granular material that could potentially liquefy during a seismic event. Therefore, the potential for liquefaction could exist at the southern portion of the project area.

Lateral Spreading

Lateral spreading is a phenomenon in which a surficial soil displaces along a shear zone that formed within an underlying liquefied layer. The surficial blocks are transported downslope or in the direction of a free face, such as a bay or creek, by earthquake and gravitational forces. Lateral

³ A “very strong” earthquake is defined on the Modified Mercalli Intensity Scale as an VIII, which could result in extensive damage to unreinforced masonry buildings (e.g., masonry walls falling, wood-frame houses moving off their foundations, loose partition walls being thrown out of alignment) (ABAG 2020c).

spreading is generally the most pervasive and damaging type of liquefaction-induced ground failure generated by earthquakes. The *Marin Countywide Plan* identifies the project area as susceptible to high to very high levels of liquefaction (Marin County Community Development Agency 2007). The southern portion of the project area is close to Irwin Creek and San Rafael Creek, which could provide a free face toward which liquefiable soils could displace. The Geotechnical Recommendation noted that the risk of liquefaction is low in soils underlying much of the project area, with groundwater in the project area varying between 22 to 32 feet below the current ground surface. However, borings outside of but near the southern portion of the project area have recorded groundwater levels of 6 to 8 feet below the ground surface. In addition, borings made by the California Department of Transportation (Caltrans) in the 1960s along the San Rafael Viaduct encountered groundwater between 4 and 6 feet below ground surface. Groundwater levels in combination with the loose, granular nature of soils in the area along Irwin Creek, south of the project area, indicate that risk of liquefaction could exist in this area, and therefore the potential risk of lateral spreading exists in the southern part of the project area. The water table measurements near the southern portion of the project area and the water table measurements along the viaduct do not affect the conclusion that the risk of liquefaction in the majority of the project area is low.

Expansive Soils and Weak Soils

Expansive soils are characterized by their ability to undergo substantial volume changes (i.e., shrink and swell) due to variation in moisture content. Expansive soils are typically very fine grained and have a high to very high percentage of clay. They can damage structures and buried utilities and increase maintenance requirements. The presence of expansive soils is typically associated with high clay content. Generally, projects in areas with expansive soils may require special building foundations or grade preparation, such as the removal of problematic soils and replacement with engineered soils. However, the relative strength or weakness of alluvial soils also depends on the combination of clay and sand.

The Geotechnical Recommendation reviewed existing as-built borehole data and identified subsurface conditions in the project area.⁴ The project area is underlain with 1.5 to 5 feet of fill, generally consisting of clayey sand with gravel and stiff, sandy clay of low to medium plasticity. Fill consisting of medium-stiff silt at depths of 1 to 3 feet was encountered near the southernmost portion of the project area, near San Rafael Creek. Below the fill, the borings show predominantly native alluvial soil consisting of very stiff, sandy clay of low plasticity extending to depths of 32 feet or more. Bedrock is on the order of 50 to 60 feet below the area between 3rd Street and 5th Avenue. Therefore, as the underlying fill has been noted as demonstrating low plasticity, the risk of expansion is considered low to moderate.

Weak soils can compress or collapse under the weight of buildings and fill, causing settlement relative to the thickness of the weak soil. Usually the thickness of weak soil varies, and differential settlement will occur. Some weak soils, specifically unconsolidated settlements, can amplify shaking during an earthquake, and when saturated can be susceptible to liquefaction. ~~According to *The City of San Rafael General Plan 2020*, the~~ The San Francisco Bay mud that underlies the eastern portion of San Rafael can be weak, resulting in substantial settlement of the ground surface (City of San Rafael 2017). The Geotechnical Recommendation reviewed as-built borehole data and identified

⁴ No site-specific borings were for performed for the Geotechnical Recommendation. The Geotechnical Recommendation reviewed data from borings completed for previous projects by Miller Pacific Engineering Group, Parikh Consultants Inc., and the California Department of Transportation.

subsurface conditions in the project area. As-built data west of US-101 revealed underlying soils consisting of stiff to very stiff, clayey soils. However, as-built borehole data along Irwin Creek/US-101 (but outside the project area) revealed loose fills over layers of soft Bay mud. Therefore, while soils underlying the project area are generally stiff and pose a low risk for compression or collapse, there exists the possibility of loose fill in the southern portion of the project area.

Landslides

Landslides occur when the stability of a slope changes from a stable to an unstable condition. The stability of a slope is affected by the following primary factors: inclination, material type, moisture content, orientation of layering, and vegetative cover. In general, steeper slopes are less stable than more gently inclined ones. The California Geological Survey Landslide Inventory shows no reported landslides in the immediate vicinity (California Geological Survey 2020c) and the project area is described as flat land posing little landslide risk on the Metropolitan Transportation Commission/Association of Bay Area Governments Hazard View Map (MTC/ABAG 2020). ~~The City of San Rafael General Plan 2020 shows the~~ The project area is not in an area of landslide deposits (City of San Rafael 2017). Therefore, the likelihood of a landslide in the project area is low.

Paleontological Resources

Fossils preserve information about ancient animals and plants (University of California Museum of Paleontology n.d.). There are two types of fossils: body fossils (remains of an organism) and trace fossils (e.g., footprints, burrows, trails). Fossils can add to the scientific record by providing information about the anatomy of an organism and clues to its life processes, successive evolutionary development of organisms, and successive colonization of habitats. Fossils are a nonrenewable resource; that is, once destroyed, a fossil cannot be replaced. Fossils represent irreplaceable evidence of past life on the planet (National Park Service n.d.).

Fossils occur within geologic units. A geologic unit is a volume of rock or sediments of identifiable origin with an age range defined by distinctive and dominant features. The geologic units exposed at and near ground surface in the project area are Holocene alluvium (Q), Holocene intertidal deposits (i.e., peaty mud), and Jurassic and Cretaceous Franciscan Formation (KJf) (Wagner et al. 1991). Geologic units from the Holocene are considered too young to contain fossils (Society of Vertebrate Paleontology 2010). While the Franciscan Formation has yielded vertebrate fossils (University of California Museum of Paleontology 2020), such fossils are rare. Vertebrate fossils recorded from the Franciscan Formation include *Ichthyosaurus franciscanus* and *Plesiosaurus hesternus*, both species of reptile.

3.6.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Geology, soils, seismicity, and paleontological impacts were analyzed for the project area rather than specific build alternatives because the location of each build alternative would experience a nearly equivalent impact for each resource considered here. Impacts for the build alternatives are presented together unless they differ substantially among alternatives. Information in this section is based on the Geotechnical Recommendation prepared for the proposed project, unless otherwise noted (Parikh 2020).

3.6.2.1 Methodology

The study area for geology and soils consists of the area that comprises all four build alternatives, extending from Lincoln Avenue on the west to Irwin Street on the east, and from 5th Avenue in the north to 2nd Street in the south. For paleontology, the study area consists of the area of disturbance to the maximum depth of excavation.

Geology, Soils, and Seismicity

Evaluation of the proposed project is based on the Geotechnical Recommendation prepared for the proposed project, unless otherwise noted. The Geotechnical Recommendation reviewed data from borings completed for previous projects by Miller Pacific Engineering Group, Parikh Consultants Inc., and Caltrans. The Geotechnical Recommendation was prepared to assist the design team in the alternative selection process and concluded that the proposed project is feasible from a geotechnical standpoint; however, the Geotechnical Recommendation noted that a site-specific geotechnical investigation will need to be performed when an alternative is chosen.

In the *California Building Industry Association v. Bay Area Air Quality Management District* case, decided in 2015,⁵ the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might affect a project, except where the project would significantly exacerbate an existing environmental condition. Accordingly, placing new development in an existing or future seismic hazard area or an area with unstable soils is not considered an impact under CEQA unless the project would significantly exacerbate a seismic hazard or unstable soil conditions. Therefore, the analysis below evaluates whether the proposed project would exacerbate existing or future seismic hazards or unstable soils in the project area and result in potentially significant environmental impacts or a substantial risk of loss, injury, or death.

Paleontological Resources

The *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (Procedures) of the Impact Mitigation Guidelines Revision Committee of the Society of Vertebrate Paleontology include procedures for the investigation, collection, preservation, and cataloging of fossil-bearing sites. This includes the designation of paleontological sensitivity. The Procedures are widely accepted among paleontologists and followed by most investigators. The Procedures identify two key phases of paleontological resource protection: (1) assessment and (2) implementation. Assessment involves identifying the potential for a project site or area to contain significant, nonrenewable paleontological resources that could be damaged or destroyed by project excavation or construction. Implementation involves formulating and applying measures to reduce such adverse effects. *Paleontological potential* refers to the potential for yielding abundant fossils, a few significant fossils, or recovered evidence for new and significant taxonomic, phylogenetic, paleoecologic, taphonomic, biochronologic, or stratigraphic data.

For the assessment phase, the Society of Vertebrate Paleontology uses one of four sensitivity categories for sedimentary rocks (i.e., high, undetermined, low, no potential) to define the level of potential.

⁵ *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal.4th 369. Opinion filed December 17, 2015. Available: <https://caselaw.findlaw.com/ca-supreme-court/1721100.html>. Accessed: March 13, 2020.

- **High Potential.** Assigned to geologic units from which vertebrate or significant invertebrate, plant, or trace fossils have been recovered as well as sedimentary rock units suitable for the preservation of fossils (e.g., middle Holocene and older fine-grained fluvial sandstones, fine-grained marine sandstones).
- **Undetermined Potential.** Assigned to geologic units for which little information is available concerning their paleontological content, geologic age, and depositional environment. In cases where no subsurface data already exist, paleontological potential can sometimes be assessed by subsurface site investigations.
- **Low Potential.** Field surveys or paleontological research may determine that a geologic unit has low potential for yielding significant fossils (e.g., basalt flows). Mitigation is generally not required to protect fossils.
- **No Potential.** Some geologic units have no potential to contain significant paleontological resources (e.g., high-grade metamorphic rocks [gneisses and schists] and plutonic igneous rocks [granites and diorites]). Mitigation is not required.

3.6.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to geology and soils.

Would the proposed project:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)
 - Strong seismic ground shaking?
 - Seismic-related ground failure, including liquefaction?
 - Landslides?
- Result in substantial soil erosion or the loss of topsoil?
- 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 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?
- 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 wastewater?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

3.6.2.3 Impacts

Impact GEO-1: Directly or Indirectly Cause Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Strong Seismic Ground Shaking, Seismic-Related Ground Failure (Including Liquefaction), or Landslides

Fault Rupture

All Build Alternatives

Construction and operation of the proposed project would not exacerbate the risk of fault rupture. As discussed above under Seismicity and Seismic Hazards, the project area is not within an Alquist-Priolo earthquake fault zone, and no known potentially active fault exists in the vicinity of the project area. The Geotechnical Recommendation found no active faults passing through the project area and concluded that the risk of surface fault rupture from previously unknown faults is very low. Therefore, construction and operation of the proposed project would not exacerbate the risk of surface fault rupture and this impact would be *less than significant*. No mitigation is required.

Ground Shaking

All Build Alternatives

Construction and operation of the proposed project would not exacerbate the risk of ground shaking. As discussed above under Seismicity and Seismic Hazards, the project area is in a seismically active area between two active faults. Consequently, the project area could experience ground shaking (Modified Mercalli Intensity Shaking Severity Level 8) during a seismic event. However, the proposed project would comply with the California Buildings Standard Code, Marin County policies, and San Rafael Municipal Code seismic requirements, which would ensure the design of the proposed project would reduce risks to life from damage to the newly constructed project due to seismic hazards. Therefore, the proposed project would not exacerbate the risk of ground shaking resulting from a seismic event and this impact would be *less than significant*. No mitigation is required.

Soil Liquefaction

Move Whistlestop Alternative

Construction and operation of the Move Whistlestop Alternative could potentially result in impacts related to soil liquefaction. As discussed above under Seismicity and Seismic Hazards, portions of Marin County are underlain with liquefiable Bay mud and the project area is in an area identified by the Marin Countywide Plan as being susceptible to liquefaction. The Geotechnical Recommendation found a low risk of liquefaction in soils west of US-101, because as-built borehole data found very stiff, sandy clay to a depth of 32 feet or more. Therefore, the potential for liquefaction in the majority of the project area is low. Additionally, as noted in Section 3.6.1.2, Environmental Setting, the Geotechnical Recommendation reviewed data from borings completed for previous projects by Miller Pacific Engineering Group, Parikh Consultants Inc., and Caltrans. The preliminary analysis in the Geotechnical Recommendation provides substantial evidence that it is highly unlikely for liquefaction to occur at the majority of the project site.

However, a portion of the Move Whistlestop Alternative site extends south toward 2nd Street, where the presence of Bay mud beneath fill was confirmed in boring data, resulting in a higher risk of liquefaction in this portion of the alternative. The Geotechnical Recommendation recommends excavation to approximately 2 feet and reworking of the subgrade (either proof-rolled, ripped, or moisture-conditioned). It is anticipated that most of the onsite soil would meet the requirements for engineered fill, but if the subgrade is soft or wet, the Geotechnical Recommendation suggests it be excavated and replaced with engineered fill. Although the Geotechnical Recommendation provided preliminary recommendations to aid in the selection of an alternative, the Move Whistlestop Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and ~~The City of San Rafael General Plan 20202040~~. This site-specific geotechnical investigation would provide specific recommendations which would reduce impacts related to liquefiable soils, including any potentially liquefiable soil present in the southern portion extending toward 2nd Street where Bay mud was identified. Therefore, as the risk of liquefaction in the majority of the project area is low, and with adherence to the Geotechnical Recommendation's suggestions, as well as any recommendations resulting from the site-specific geotechnical investigation, the Move Whistlestop Alternative would result in a **less-than-significant** impact related to ground failure resulting from liquefaction. No mitigation is required.

Adapt Whistlestop Alternative

The construction and operation impacts related to liquefaction of the Adapt Whistlestop Alternative would be the similar to those of the Move Whistlestop Alternative outlined above; therefore, the Adapt Whistlestop Alternative would pose a similar liquefaction risk as the Move Whistlestop Alternative. As outlined above, the Adapt Whistlestop Alternative would adhere to the Geotechnical Recommendation's suggestions as well as any recommendations resulting from the site-specific geotechnical investigation and would therefore result in a **less-than-significant** impact related to ground failure from liquefaction. No mitigation is required.

4th Street Gateway Alternative

The construction and operation impacts related to liquefaction of the 4th Street Gateway Alternative would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be **less than significant**.

Under the Freeway Alternative

The construction and operation impacts related to liquefaction of the Under the Freeway Alternative would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be **less than significant**.

Seismic Densification

All Build Alternatives

Construction and operation of the proposed project would not result in impacts related to seismic densification. As discussed above under Secondary Seismic Hazards, the Geotechnical Recommendation identified very stiff, clayey soils underlying the project area in the area west of US-101 and relatively weak, loose, granular materials underlying an area outside of but near the eastern portion of the project area, and soft Bay mud near the southern portion of the project area.

Therefore, there is a risk of seismically induced settlement at the southern portion of the project area. While the Geotechnical Recommendation provided preliminary suggestions to aid in the selection of an alternative, the proposed project would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and *San Rafael General Plan 2040*~~*The City of San Rafael General Plan 2020*~~. This site-specific geotechnical investigation would include boring samples, which would determine the weakness and compressibility of soils in the project area. The site-specific geotechnical investigation would provide specific recommendations if weak, compressible soils are found (such a replacement with stable, engineered fill), which would reduce impacts related to these soils to a less-than-significant level. Therefore, with adherence to any specific recommendations in the geotechnical investigation, the proposed project would result in a ***less-than-significant*** impact related to seismic densification. No mitigation is required.

Lateral Spreading

Move Whistlestop Alternative

Construction and operation of the Move Whistlestop Alternative could potentially result in impacts related to lateral spreading. As discussed above under Secondary Seismic Hazards, the Geotechnical Recommendation noted that the risk of liquefaction is low in soils underlying much of the project area; therefore, the potential for soils to liquify and spread toward an open face are low. The Geotechnical Recommendation reviewed data from borings completed for previous projects by Miller Pacific Engineering Group, Parikh Consultants Inc., and Caltrans and found a low risk of liquefaction in soils west of US-101, because as-built borehole data found very stiff, sandy clay to a depth of 32 feet or more. Therefore, the potential for liquefaction in the majority of the project area is low. However, a portion of the Move Whistlestop Alternative project site extends south toward 2nd Street, where the risk of lateral spreading is greater due to the proximity of San Rafael Creek. In addition, the depth of groundwater near the southern part of the project area has been recorded as being high (6 feet) (outside the project footprint) and the presence of Bay mud was detected in borings. Therefore, risk of lateral spreading exists in the southern portion of the project area. The preliminary analysis in the Geotechnical Recommendation provides substantial evidence that it is highly unlikely for liquefaction to occur at the majority of the project site. However, the proposed project would be required to complete a site-specific detailed geotechnical investigation per the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and *San Rafael General Plan 2040*~~*The City of San Rafael General Plan 2020*~~. The site-specific geotechnical investigation would provide specific design and geotechnical recommendations, which would address the risk of lateral spreading in this southern portion of the project area and reduce impacts related to lateral spreading to a less-than-significant level. Therefore, the Move Whistlestop Alternative would result in a ***less-than-significant*** impact related to lateral spreading. No mitigation is required.

Adapt Whistlestop Alternative

The construction and operation impacts related to lateral spreading for the Adapt Whistlestop Alternative would be the same as those of the Move Whistlestop Alternative outlined above. As outlined above, the Adapt Whistlestop Alternative would adhere to the Geotechnical Recommendation's suggestions as well as any recommendations resulting from the site-specific geotechnical investigation and would therefore result in a ***less-than-significant*** impact related to lateral spreading. No mitigation is required.

4th Street Gateway Alternative

The construction and operation impacts related to lateral spreading for the 4th Street Gateway Alternative would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

Under the Freeway Alternative

The construction and operation impacts related to lateral spreading for the Under the Freeway Alternative would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

Landslides

All Build Alternatives

Construction and operation of the proposed project would have no impact regarding landslides. As discussed above under Landslides, the project area is flat and there have been no reported landslides or recorded landslide deposits in the immediate vicinity. It is not in a landslide risk area; therefore, there is no potential for a landslide occurring in or near the project area. Therefore, the proposed project would result in *no impact* related to landslides. No mitigation is required.

Mitigation Measures

No mitigation is required.

Impact GEO-2: Result in Substantial Soil Erosion or the Loss of Topsoil

All Build Alternatives

Neither construction nor operation of the proposed project would lead to erosion or the loss of topsoil. The proposed project is in an urbanized area and would not disturb any established vegetation. The project area would require excavation and grading to provide a secure foundation, allow for positive drainage, and, depending on the alternative selected, for the installation of piles. Due to the composition of fill in the project area, it is likely that onsite soils could be moisture conditioned and reused on site, minimizing the amount of soil that would be off-hauled. The proposed project would disturb more than 1 acre of land and would therefore be required to comply with the National Pollutant Discharge Elimination System Construction General Permit, ~~the San Rafael General Plan 2040~~~~The City of San Rafael General Plan 2020~~, and the San Rafael Municipal Code and, as discussed in Section 3.9, Hydrology and Water Quality, would be required to implement best management practices (BMPs) to control sediment and minimize erosion. BMPs could include the installation of erosion control measures (e.g., silt fences, staked straw bales/wattles, silt/sediment basins or traps), geofabric, sandbag dikes, covers for stockpiles, or storage precautions for outdoor material storage areas. Therefore, with adherence to the BMPs included in the erosion control plan, impacts related to soil erosion or loss of topsoil would be *less than significant*. No mitigation is required.

Mitigation Measures

No mitigation is required.

Impact GEO-3: 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 Onsite or Offsite Landslide, Lateral Spreading, Subsidence, Liquefaction, or Collapse

Move Whistlestop Alternative

A portion of the Move Whistlestop Alternative could potentially be located on a geologic unit or on soil that is unstable or would become unstable as a result of the proposed project. As discussed above under Expansive Soils and Weak Soils, boring samples indicate the majority of the project area is underlain with soils consisting of stiff to very stiff, clayey soils. Sand boils and liquefaction-related ground fissures can occur when surface layers above the liquefiable soils are thin. The majority of the project area does not appear to pose a risk of liquefaction; however, a portion of the Move Whistlestop Alternative extends south toward 2nd Street, where the presence of Bay mud beneath fill was confirmed in boring data outside of but near the project footprint. Therefore, there may be a higher risk of liquefaction in this portion of the alternative. Although the Geotechnical Recommendation provided preliminary recommendations to aid in the selection of an alternative, the Move Whistlestop Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and *San Rafael General Plan 2040*~~The City of San Rafael General Plan 2020~~. Any liquefiable soils that might be present in this area would be identified in the site-specific geotechnical report and design requirements and recommendations regarding these soils would be followed. Therefore, the project area poses a low risk of liquefaction, and the risk of sand boils or fissure during a seismic event is low.

Lateral spreading is a phenomenon in which a surficial soil displaces along a shear zone that formed within an underlying liquefied layer. As discussed above under Lateral Spreading, while the risk of lateral spreading is considered low in the majority of the project area, a portion of the Move Whistlestop Alternative project site extends south toward 2nd Street, where the risk of lateral spreading is greater due to the proximity of San Rafael Creek, the depth of groundwater, and the presence of Bay mud. Although the Geotechnical Recommendation provided preliminary recommendations to aid in the selection of an alternative, the Move Whistlestop Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and *San Rafael General Plan 2040*~~The City of San Rafael General Plan 2020~~. The site-specific geotechnical investigation would provide specific design and geotechnical recommendations, which would address the risk of lateral spreading in this southern portion of the project area and reduce impacts related to lateral spreading to a less-than-significant level. Therefore, instability as a result of lateral spreading is unlikely to occur as a result of the proposed project.

Weak soils can compress or subside under the weight of buildings and fill, causing settlement relative to the thickness of the weak soil. Usually the thickness and composition of weak soil will vary throughout an area, and differential settlement can occur under a load. The Geotechnical Recommendation determined that the project site, north of 3rd Street on the west side of Tamalpais Avenue, was underlain with stiff to very stiff, clayey soils, which had strength and low compressibility. However, as-built borehole data taken from near but outside of the footprint of the southern portion of the Move Whistlestop Alternative revealed loose fills over layers of soft Bay mud, which poses a risk of compression. Although the Geotechnical Recommendation provided

preliminary recommendations to aid in the selection of an alternative, the Move Whistlestop Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and ~~*San Rafael General Plan 2040*~~~~*The City of San Rafael General Plan 2020*~~. This site-specific geotechnical investigation required for the proposed project would identify the presence of weak soils and would provide site-specific recommendations.

The Geotechnical Recommendation identified groundwater near the project site as varying between 22 and 32 feet below the current ground surface, well below the anticipated excavation necessary for the build alternatives. However, borings taken outside of but close to the southern portion of the alternative have identified groundwater at 6 to 8 feet below the ground surface. A portion of the footprint of the Move Whistlestop Alternative stretches toward this southern area near 2nd Street and San Rafael Creek. The Geotechnical Recommendation anticipates the project site would need to be excavated to 2 feet below ground surface, and as deep as 9 feet below ground surface for storm drain trenching, above groundwater levels for most of the project site but possibly below groundwater levels in the southern portion near 2nd Street. As groundwater levels fluctuate seasonally, particularly near creeks, excavations for utility trenches may encounter groundwater in this area and may require dewatering, shoring, and other ground-stabilizing measures. Although the Geotechnical Recommendation provided preliminary recommendations to aid in the selection of an alternative, the Move Whistlestop Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and ~~*San Rafael General Plan 2040*~~~~*The City of San Rafael General Plan 2020*~~. This site-specific geotechnical investigation required for the proposed project would provide site-specific analysis for depth to groundwater and recommendations on how to address groundwater-related concerns.

Dewatering, if it is extensive, can result in subsidence. Subsidence occurs when the compaction of underlying soils results in a lowering of land surface. However, the amount of dewatering necessary for the Move Whistlestop Alternative would not be great enough to result in subsidence.

The Geotechnical Recommendation provided preliminary suggestions to aid in the selection of an alternative. If selected, the Move Whistlestop Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and ~~*San Rafael General Plan 2040*~~~~*The City of San Rafael General Plan 2020*~~. The Move Whistlestop Alternative would comply with the recommendations in the site-specific detailed geotechnical investigation regarding the design of foundations, floor slabs, and other geotechnical aspects of the proposed project. In addition, the Move Whistlestop Alternative would comply with regulations required by the California Building Code, which are adopted by reference in the San Rafael Municipal Code. Therefore, impacts related to potential liquefaction, lateral spreading, soil compression, and settlement and subsidence due to dewatering in soil that is unstable, or could become unstable as a result of such construction, would be ***less than significant***. No mitigation is required.

Adapt Whistlestop Alternative

The construction and operation impacts of the Adapt Whistlestop Alternative would be similar to those of the Move Whistlestop Alternative outlined above, but without the portion of the Move Whistlestop Alternative site that extends south toward 2nd Street and San Rafael Creek. The Adapt Whistlestop Alternative would adhere to the Geotechnical Recommendation's suggestions as well as

any recommendations resulting from the site-specific geotechnical investigation. Therefore, impacts related to potential liquefaction, lateral spreading, soil compression, and settlement and subsidence due to dewatering in soil that is unstable, or could become unstable as a result of such construction, would be **less than significant**. No mitigation is required.

4th Street Gateway Alternative

The construction and operation impacts of the 4th Street Gateway Alternative would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be **less than significant**.

Under the Freeway Alternative

The construction and operation impacts of the Under the Freeway Alternative would be similar to those of the Move Whistlestop Alternative outlined above; however, a portion of the Under the Freeway Alternative site extends east toward Irwin Street/US-101, where Caltrans borings taken in the 1960s identified groundwater at between 4 and 6 feet below ground surface. Utility trenching for the Under the Freeway Alternative could reach 6 feet below ground surface, potentially encountering groundwater. As groundwater levels fluctuate seasonally, particularly near creeks, excavations for utility trenches may require dewatering, shoring, and other ground-stabilizing measures. However, any dewatering required would not be great enough to result in subsidence. Although the Geotechnical Recommendation provided preliminary recommendations to aid in the selection of an alternative, the Under the Freeway Alternative would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, *the Marin Countywide Plan*, the San Rafael Municipal Code, and *San Rafael General Plan 2040*~~*The City of San Rafael General Plan 2020*~~. The Under the Freeway Alternative would adhere to any recommendations resulting from the site-specific geotechnical investigation. Therefore, impacts related to potential liquefaction, lateral spreading, soil compression, and settlement and subsidence due to dewatering in soil that is unstable or could become unstable as a result of such construction would be **less than significant**. No mitigation is required.

Mitigation Measures

No mitigation is required.

Impact GEO-4: 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

All Build Alternatives

The construction and operation of the proposed project would not create a direct or indirect risk to life or property by being located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994). As discussed above under Expansive Soils and Weak Soils, the Geotechnical Recommendation determined that the project area is underlain with 1.5 to 5 feet of fill, generally consisting of clayey sand with gravel and stiff, sandy clay of low to medium plasticity, posing a low to moderate risk of expansion. However, the Geotechnical Recommendation analysis was based on old as-built borings, and the proposed project would still need to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*,

the San Rafael Municipal Code, and ~~San Rafael General Plan 2040~~*The City of San Rafael General Plan 2020*. The site-specific geotechnical investigation would provide an updated analysis of the plasticity of the underlying soils and, depending on the result, offer specific recommendations regarding how to reduce any risk associated with expansive soils. As the Geotechnical Recommendation determined the risk of expansive soils was low, and as a site-specific geotechnical report would be required, which would provide specific design recommendations, adherence to these recommendations would reduce any related impacts to a *less-than-significant* level. No mitigation is required.

Mitigation Measures

No mitigation is required.

Impact GEO-5: 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 Wastewater

All Build Alternatives

The construction and operation of the proposed project would have no impact regarding the support of septic tanks. The proposed project would connect to San Rafael's existing sewer, water, and power infrastructure to operate the planned restrooms, kitchenette, and building spaces. Therefore, the proposed project would not use a septic tank or alternative water disposal system and would have *no impact*. No mitigation is required.

Mitigation Measures

No mitigation is required.

Impact GEO-6: Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature

One geologic unit underlying the project area is known to have yielded significant fossils: the Franciscan Formation. However, significant fossils from this geologic unit are rare, so generally the Franciscan Formation is considered to have low potential for paleontological resources (see Section 3.6.2.1, Methodology). Furthermore, the Franciscan Complex is known for its chaotic and disjointed structure, and the typical assemblage of diverse rock types present at most locations sometimes is referred to as a "mélange." The chaotic assemblage mainly is the result of the deformation, folding, breaking, and mixing associated with movement along the nearby San Andreas fault. Because of this, rocks within the mélange zones contain only a sparse assemblage of fossils, and those that are rarely present usually are microfossils. Vertebrate fossils are extremely rare. Based on this information, the likelihood of paleontological resources being present is low and paleontological sensitivity is also considered low.

In addition, the Holocene geologic units at the project area, because they are too young to contain fossils, have low paleontological sensitivity.

Construction

Move Whistlestop Alternative

Maximum depth of excavation is anticipated to be up to 6 feet below ground surface to accommodate storm drain utility trenching. Because all geologic units in the project area have low paleontological sensitivity, this alternative is unlikely to disturb or destroy any significant fossils. The impact would be *less than significant*.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

4th Street Gateway Alternative

Maximum depth of excavation is anticipated to be up to 9 feet below ground surface to accommodate storm drain utility trenching. Otherwise, the 4th Street Gateway Alternative construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

Under the Freeway Alternative

The Under the Freeway Alternative construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

Operations

All Build Alternatives

The operations period of the proposed project would not include ground-disturbing activities. There would be *no impact*.

Mitigation Measures

No mitigation is required.

Section 3.7

Greenhouse Gas Emissions

This section describes the regulatory setting and environmental setting for greenhouse gas (GHG) emissions. It also describes the GHG impacts that would result from implementation of the San Rafael Transit Center Replacement Project (proposed project) and other build alternatives and mitigation measures that would reduce significant impacts, where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.7.1 Existing Conditions

3.7.1.1 Regulatory Setting

This section summarizes the federal, state, and local policies and plans related to GHG emissions.

Federal

There is currently no federal overarching law specifically related to climate change or the reduction of GHG emissions. Under the Obama administration, the U.S. Environmental Protection Agency (EPA) had been developing regulations under the Clean Air Act (CAA). There have also been settlement agreements among EPA, several states, and nongovernmental organizations to address GHG emissions from electric generating units and refineries, as well as EPA's issuance of an "Endangerment Finding" and a "Cause or Contribute Finding." These findings established that EPA can regulate GHGs as pollutants under the CAA. EPA has also adopted a Mandatory Reporting Rule and Clean Power Plan. Under the Clean Power Plan, EPA issued regulations to control carbon dioxide (CO₂) emissions from new and existing coal-fired power plants. However, on February 9, 2016, the Supreme Court issued a stay of these regulations pending litigation. Former EPA Administrator Scott Pruitt also signed a measure to repeal the Clean Power Plan. The fate of the proposed regulations is uncertain given the 2021 change in federal administrations and the pending deliberations in federal courts.

The National Highway Traffic Safety Administration sets the Corporate Average Fuel Economy standards to improve average fuel economy and reduce GHG emissions generated by cars and light-duty trucks. The National Highway Traffic Safety Administration and EPA have proposed amendments to the current fuel-efficiency standards for passenger cars and light-duty trucks and new standards for model years 2021 through 2026. Under the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, current 2020 standards would be maintained through 2026. California, 22 other states, the District of Columbia, and two cities filed suit against the proposed action on September 20, 2019 (*California et al. v. United States Department of Transportation et al.*, 1:19-cv-02826, U.S. District Court for the District of Columbia). The lawsuit requests a "permanent injunction prohibiting defendants from implementing or relying on the preemption regulation" but does not stay its implementation during legal deliberations. Part 1 of the SAFE Vehicles Rule went into effect on November 26, 2019. Part 2 of the rule was finalized on March 30, 2020. The rule will decrease the stringency of the Corporate Average Fuel Economy standards 1.5 percent each year through model year 2026; the standards issued in 2012 would have required annual fuel efficiency increases of

about 5 percent. California, 22 other states, and the District of Columbia filed a petition for review of the final rule on May 27, 2020. The fate of the SAFE Vehicles Rule remains uncertain in the face of pending litigation and potential rulemakings by the Biden Administration.

State

California has taken proactive steps, briefly described in this section, to address the issues associated with GHG emissions and climate change. Much of this legislation establishes a broad framework for the state's long-term GHG reduction and climate change adaptation program. The state's governors have also issued several executive orders (EOs) related to the state's evolving climate change policy. Of particular importance are Assembly Bill (AB) 32 and Senate Bill (SB) 32, which outline the state's GHG reduction goals of achieving 1990 emissions levels by 2020 and a level 40 percent below 1990 emissions levels by 2030. In the absence of federal regulations, control of GHGs is generally regulated at the state level. It is typically approached by setting emission-reduction targets for existing sources of GHGs, setting policies to promote renewable energy and increase energy efficiency, and developing statewide action plans. The following state regulations, polices, and programs are applicable to the proposed project.

Executive Order S-3-05

On June 1, 2005, Governor Arnold Schwarzenegger signed California EO S-3-05. The goal of this EO was to reduce California's GHG emissions to (1) 2000 levels by 2010 (achieved); (2) 1990 levels by 2020; and (3) 80 percent below the 1990 levels by 2050. EO S-3-05 also calls for the California Environmental Protection Agency to prepare biennial science reports on the potential impact of continued global warming on certain sectors of the California economy. As a result of the scientific analysis presented in these biennial reports, a comprehensive Climate Adaptation Strategy was released in December 2009 following extensive interagency coordination and stakeholder input. The latest of these reports, *Climate Action Team Biennial Report*, was published in December 2010.

Executive Order S-01-07

With EO S-01-07, Governor Schwarzenegger set forth the low-carbon fuel standard for California in 2007. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by 2020.

Executive Order B-55-18

In June 2017, former President Donald Trump announced his intention to withdraw from the Paris Agreement. Following former President Trump's decision, California decided to join the Under2 Coalition, which is an international coalition of jurisdictions that signed the Global Climate Leadership Memorandum of Understanding (Under2 MOU). The Under2 MOU aims to limit global warming to 2 degrees Celsius (°C), to limit GHGs to below 80 to 95 percent below 1990 levels, and/or achieve a per-capita annual emissions goal of less than 2 metric tons by 2050. The Under2 MOU has been signed or endorsed by 135 jurisdictions that represent 32 countries and 6 continents. EO B-55-18 acknowledges the environmental, community, and public health risks posed by future climate change. It further recognizes the climate stabilization goal adopted by 194 states and the European Union under the Paris Agreement. Based on the worldwide scientific agreement that carbon neutrality must be achieved by midcentury, EO B-55-18 establishes a new state goal to achieve carbon neutrality as soon as possible, and no later than 2045, and to achieve and maintain

net negative emissions thereafter. The EO charges the California Air Resources Board (CARB) with developing a framework for implementing and tracking progress toward these goals. This EO extends EO S-3-05 but is only binding on state agencies. On November 4, 2019, the United States formally announced its resignation. However, on January 20, 2021, President Biden signed an EI to have the United States rejoin the Paris Agreement (NPR 2021).

Assembly Bill 1493

With the passage of AB 1493, also known as Pavley I, in 2002, California launched an innovative and proactive approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires ~~the California Air Resources Board (CARB)~~ to develop and implement regulations to reduce automobile and light-truck GHG emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with model year 2009. Although litigation challenged these regulations and EPA initially denied California's related request for a waiver of CAA preemption, the waiver request was granted. Additional strengthening of the Pavley standards (referred to previously as Pavley II and now referred to as the Advanced Clean Cars measure) was adopted for vehicle model years 2017–2025 in 2012. Together, the two standards are expected to increase average fuel economy to roughly 54.5 miles per gallon in 2025.

Assembly Bill 32

One goal of EO S-03-05 was further reinforced by AB 32 (Chapter 488, Statutes of 2006), the Global Warming Solutions Act of 2006, which requires the state to reduce GHG emissions to 1990 levels by 2020. Since AB 32 was adopted, CARB, the California Energy Commission, the California Public Utilities Commission, and the Building Standards Commission have been developing regulations that will help meet the goals of AB 32. Under AB 32, CARB is required to prepare a Scoping Plan and update it every 5 years. The Scoping Plan was approved in 2008, the first update approved in 2014, and an additional update was approved in 2017 (see discussion of SB 32 below). *California's 2017 Climate Change Scoping Plan* (CARB 2017a) identifies specific measures to reduce GHG emissions to 1990 levels by 2020 and requires CARB and other state agencies to develop and enforce regulations and other initiatives for reducing GHGs. Specifically, the 2017 Scoping Plan articulates a key role for local governments, recommending they establish GHG reduction goals for both their municipal operations and the community consistent with those of the state.

Assembly Bill 939 (1989) and Assembly Bill 341 (2011)

To minimize the amount of solid waste that must be disposed of in landfills, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties were required to divert 25 percent of all solid waste from landfill facilities by January 1, 1995, and 50 percent by January 1, 2000. Through other statutes and regulations, this 50 percent diversion rate also applies to state agencies. In order of priority, waste reduction efforts must promote source reduction, recycling and composting, and environmentally safe transformation and land disposal.

In 2011, AB 341 modified the California Integrated Waste Management Act and directed the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling. The resulting Mandatory Commercial Recycling Regulation (2012) requires that on and after July 1, 2012, certain businesses that generate 4 cubic yards or more of commercial solid waste per week must arrange recycling services. To comply with

this requirement, businesses may either separate recyclables and self-haul them to a recycling facility or subscribe to a recycling service that includes mixed-waste processing. AB 341 also established a statewide recycling goal of 75 percent; the 50 percent disposal reduction mandate still applies for cities and counties under AB 939.

Senate Bill 375

SB 375, signed into law by Governor Schwarzenegger on September 30, 2008, became effective January 1, 2009. This law requires the state's 18 Metropolitan Planning Organizations to develop a sustainable communities strategy (SCS) as part of their Regional Transportation Plans (RTPs) through integrated land use and transportation planning, and to demonstrate an ability to attain the GHG emissions-reduction targets that CARB established for the region by 2020 and 2035. This would be accomplished through either the financially constrained SCS as part of the RTP or an unconstrained alternative planning strategy. If regions develop integrated land use, housing, and transportation plans that meet the SB 375 targets, new projects in these regions can be relieved of certain California Environmental Quality Act (CEQA) review requirements. The applicable RTP/SCS for the project area is *Plan Bay Area 2040* (MTC and ABAG 2017), discussed under "Local" below.

Senate Bills 1078, 107, and 2

SBs 1078 (2002), 107 (2006), and 2 (2011), California's Renewables Portfolio Standard (RPS), obligates investor-owned utilities, energy service providers, and Community Choice Aggregators to procure additional retail sales per year from eligible renewable sources with the long-range target of procuring 33 percent of retail sales from renewable resources by 2020. The California Public Utilities Commission and California Energy Commission are jointly responsible for implementing the program.

Senate Bill 32 and Assembly Bill 197

SB 32 (2016) requires CARB to ensure that statewide GHG emissions are reduced to at least 40 percent below the 1990 level by 2030, consistent with the target set forth in EO B-30-15. The companion bill to SB 32, AB 197, creates requirements to form a Joint Legislative Committee on Climate Change Policies, requires CARB to prioritize direct emission reductions and consider social costs when adopting regulations to reduce GHG emissions beyond the 2020 statewide limit, requires CARB to prepare reports on sources of GHGs and other pollutants, establishes 6-year terms for voting members of CARB, and adds two legislators as non-voting members of CARB. CARB adopted *California's 2017 Climate Change Scoping Plan* in November 2017 to meet the GHG reduction requirement set forth in SB 32. It proposes continuing the major programs of the previous Scoping Plan including Cap-and-Trade Regulation; low-carbon fuel standard; more efficient cars, trucks, and freight movement; RPS; and reduction of methane (CH₄) emissions from agricultural and other wastes (CARB 2017a).

Senate Bill 605 and Senate Bill 1383

SB 605 directed CARB, in coordination with other state agencies and local air districts, to develop a comprehensive Short-Lived Climate Pollutant (SLCP) Reduction Strategy (CARB 2017b). SB 1383 directed CARB to approve and implement the SLCP Reduction Strategy to achieve the following reductions in SLCPs:

- 40-percent reduction in CH₄ below 2013 levels by 2030

- 40-percent reduction in hydrofluorocarbon gases below 2013 levels by 2030
- 50-percent reduction in anthropogenic black carbon below 2013 levels by 2030

The bill also establishes the following targets for reducing organic waste in landfills and CH₄ emissions from dairy and livestock operations:

- 50-percent reduction in organic waste disposal from the 2014 level by 2020
- 75-percent reduction in organic waste disposal from the 2014 level by 2025
- 40-percent reduction in CH₄ emissions from livestock manure management operations and dairy manure management operations below the dairy sector's and livestock sector's 2013 levels by 2030

CARB and CalRecycle are currently developing regulations to achieve the organic waste reduction goals under SB 1383. In January 2019 and June 2019, CalRecycle proposed new and amended regulations in Titles 14 and 27 of the California Code of Regulations. Among other things, the regulations set forth minimum standards for organic waste collection, hauling, and composting. The final regulations will take effect on or after January 1, 2022.

Short-Lived Climate Pollutant Reduction Strategy

CARB adopted the SLCP Reduction Strategy in March 2017 as a framework for achieving the CH₄, hydrofluorocarbon, and anthropogenic black carbon reduction targets set by SB 1383 (CARB 2017b). The SLCP Reduction Strategy includes 10 measures to reduce SLCPs, which fit within a wide range of ongoing planning efforts throughout the state, including CARB's and CalRecycle's proposed rulemaking on organic waste diversion (discussed above).

Senate Bill 100

The state's existing RPS requires all retail sellers to procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours of those products sold to their retail end-use customers achieve 25 percent of retail sales by December 31, 2016 (achieved); 33 percent by December 31, 2020; 40 percent by December 31, 2024; 45 percent by December 31, 2027; and 50 percent by December 31, 2030. SB 100 revises and extends these renewable resource targets to 50 percent by December 31, 2026; 60 percent December 31, 2030; and 100 percent by December 31, 2045.

Senate Bill 743

SB 743 requires revisions to the State CEQA Guidelines that establish new impact analysis criteria for the assessment of a project's transportation impacts. The intent behind SB 743 and revising the State CEQA Guidelines is to integrate and better balance the needs of congestion management, infill development, active transportation, and GHG emissions reduction. The California Governor's Office of Planning and Research (OPR) recommends that vehicle miles traveled (VMT) serve as the primary analysis metric, replacing the existing criteria of delay and level of service. In 2018, OPR released a technical advisory outlining potential VMT significance thresholds for different project types. For example, it would be reasonable to conclude that residential and office projects demonstrating a VMT level that is 15 percent less than existing (2015–2018 average) conditions are consistent with statewide GHG reduction targets. With respect to retail land uses, any net increase of VMT may indicate a significant transportation impact.

Senate Bill X7-7

SB X7-7, the Water Conservation Act of 2009, sets an overall goal of reducing per-capita urban water use by 20 percent by December 31, 2020. The state is required to make incremental progress toward this goal by reducing per-capita water use by at least 10 percent by December 31, 2015. This is an implementing measure of the Water Sector of the 2017 Scoping Plan that will continue to be implemented beyond 2020. Reduction in water consumption reduces the energy necessary and the associated emissions to convey, treat, and distribute the water; it also reduces emissions from wastewater treatment.

Cap-and-Trade (2011 and 2017)

CARB adopted the Cap-and-Trade program in October 2011. The California Cap-and-Trade program is a market-based system with an overall emissions limit for affected emission sources. Affected sources include in-state electricity generators, hydrogen production, petroleum refining, and other large-scale manufacturers and fuel suppliers and distributors. The original Cap-and-Trade program set a compliance schedule through 2020. AB 398 extends the program through 2030 and requires CARB to make refinements, including establishing a price ceiling. Revenue generated from the Cap-and-Trade program is used to fund various programs. AB 398 established post-2020 funding priorities, to include (1) Air Toxics and Criteria Pollutants, (2) Low and Zero Carbon Transportation, (3) Sustainable Agricultural Practices, (4) Healthy Forests and Urban Greening, (5) Short-lived Climate Pollutants, (6) Climate Adaptation and Resiliency, and (7) Climate and Clean Energy Research.

Green Building Code and Title 24 Updates

The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code (24 California Code of Regulations). Part 11 established voluntary standards that became mandatory under the 2010 edition of the code. These involved sustainable site development, energy efficiency (in excess of California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The current energy-efficiency standards were adopted in 2019 and took effect on January 1, 2020. The standards are revised every 3 years, with the next update taking effect on January 1, 2023.

Local

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) is the Metropolitan Planning Organization for the nine counties that compose the San Francisco Bay Area and the San Francisco Bay Area Air Basin (SFBAAB), which includes the City of San Rafael (City). The first per-capita GHG emissions-reduction targets for the SFBAAB were 7 percent by 2020 and 15 percent by 2035 from 2005 levels. MTC adopted an SCS as part of its RTP for the SFBAAB in 2013 known as *Plan Bay Area*. The plan exceeds the regional per-capita targets, achieving 10-percent and 16-percent reductions in per-capita GHG emissions by 2020 and 2035, respectively (MTC 2013). On July 26, 2017, the strategic update to this plan, known as *Plan Bay Area 2040*, was adopted by the Association of Bay Area Governments (ABAG) and MTC (MTC and ABAG 2017). As a limited and focused update, *Plan Bay Area 2040* builds upon the growth pattern and strategies developed in the original *Plan Bay Area* but with updated planning assumptions that incorporate key economic, demographic, and financial trends since 2013.

As required by SB 375, CARB updated the per-capita GHG emissions-reduction targets in 2018. The new targets will be addressed in MTC's forthcoming RTP/SCS and are a 10-percent per-capita GHG reduction by 2020 and 19-percent per-capita reduction by 2035 from 2005 levels (CARB 2018). The next update to *Plan Bay Area, Plan Bay Area 2050*, is currently in its planning stages and will outline the strategies for growth and investment through the year 2050 (ABAG and MTC 2020). The Transportation Authority of Marin contributed to *Plan Bay Area 2040* by serving as the Congestion Management Agency for Marin County.

Bay Area Air Quality Management District

As discussed in Section 3.2, Air Quality, the Bay Area Air Quality Management District (BAAQMD) is responsible for air quality planning within the SFBAAB, including projects in the City. BAAQMD has adopted advisory emission thresholds to assist CEQA lead agencies in determining the level of significance of a project's GHG emissions, including long-range plans (e.g., general plans, specific plans), which are outlined in its *California Environmental Quality Act: Air Quality Guidelines* (BAAQMD 2017a). These guidelines also outline methods for quantifying GHG emissions, as well as potential mitigation measures.

BAAQMD's 2017 Clean Air Plan includes performance objectives that are consistent with the state's climate protection goals under AB 32 and SB 375, which are designed to reduce GHG emissions to 1990 levels by 2020 and 40 percent below 1990 levels by 2030. The 2017 Clean Air Plan identifies a range of transportation control measures, land use and local impact measures, and energy and climate measures. These make up the Clean Air Plan's control strategy for emissions, including GHGs (BAAQMD 2017b). Some measures applicable to the proposed project include the following:

- TR3— Local and Regional Bus Services
- TR9—Bicycle and Pedestrian Access and Facilities
- BL1—Green Buildings
- WR2—Support Water Conservation
- NW2—Urban Tree Planting

San Rafael General Plan 2040

San Rafael General Plan 2040 was adopted in 2021. The Conservation and Climate Change Element outlines goals and policies that will reduce GHG emissions in the City and mitigate climate change. The relevant policies are summarized below. For the full text of the policies, refer to the Conservation and Climate Change Element (City of San Rafael 2021):

Goal LU-1: Well-Managed Growth and Change. Grow and change in a way that serves community needs, protects the environment, improves fiscal stability, and enhances the quality of life.

- **Policy LU-1.3: Land Use and Climate Change.** Focus future housing and commercial development in areas where alternatives to driving are most viable and shorter trip lengths are possible, especially around transit stations, near services, and on sites with frequent bus service. This can reduce the greenhouse gas emissions associated with motor vehicle trips and support the City's climate action goals.
 - **Program LU-1.3A: Benefits of Transit-Oriented Development.** Seek ways to objectively quantify and monitor the benefits of focusing new development around transit nodes and corridors and shifting trips from cars to active (non-car).

transportation modes. Programmatic changes and recommendations should be supportable by objective data and quality of life measures. This should include data on modes of travel, trip origins and destinations, trip lengths, vehicle ownership, traffic congestion and duration of idling traffic, greenhouse gas emissions, and other metrics in areas that are well served by transit.

Goal C-4: Sustainable Energy Management Use. energy in a way that protects the environment, addresses climate change, and conserves natural resources.

- **Policy C-4.1: Renewable Energy.** Support increased use of renewable energy and remove obstacles to its use.
 - **Program C-4.1A: Marin Clean Energy Targets.** Support Marin Clean Energy (MCE) efforts to reach the goal of providing energy that is 100 percent GHG free by 2025.
 - **Program C-4.1D: Reducing Natural Gas Use.** Pending further financial analysis and community input, implement electrification of building systems and appliances in new buildings and those that currently use natural gas. This should be achieved by requiring new or replacement furnaces and appliances to be electric and utilize fossil free energy.
- **Policy C-4.2: Energy Conservation.** Support construction methods, building materials, and home improvements that improve energy efficiency in existing and new construction.
 - **Program C-4.2B: Green Building Standards.** Implement State green building and energy efficiency standards for remodeling projects and new construction. Consider additional measures to incentivize green building practices, low carbon concrete, and sustainable design.

Goal C-5: Reduced Greenhouse Gas Emissions. Achieve a 40 percent reduction in 1990 greenhouse gas emission levels by 2030 and a 60 percent reduction by 2040.

- **Policy C-5.1: Climate Change Action Plan (CCAP).** Maintain and periodically update a CCAP that includes programs to reduce greenhouse gas emissions and metrics for monitoring success.
 - **Program C-5.1A: CCAP Updates.** Conduct complete updates of the CCAP at least once every 10 years, adjusting programs to achieve updated GHG goals. These goals should align with those adopted by Drawdown Marin, including reductions of 40% below 1990 levels by 2030, 60% below 2005 levels by 2040, and levels conforming to Executive Orders S-03-05 and B-55-18 by 2050. More aggressive goals may be adopted.
- **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-5.5: Carbon Sequestration.** Enhance the ability of the city's natural and built environment to sequester (absorb and store) carbon emissions.

San Rafael Climate Change Action Plan 2030

In 2009, the City adopted its Climate Change Action Plan (CCAP) to reduce GHG emissions using a baseline year of 2005. The CCAP set goals of a 25-percent reduction of GHG emissions by 2020 and an ambitious 80-percent reduction by 2050 to meet state targets. The state issued new targets for 2030 and the City responded by convening a working group to revise the CCAP to meet the new 2030 targets. The product of the working group was the *San Rafael Climate Change Action Plan 2030*

(CCAP 2030) (City of San Rafael 2019). CCAP 2030 was developed using information from the previous CCAP and the City's GHG inventory, which provided estimates to compare the progress in GHG reductions between baseline years for the 2009 CCAP (2005) and CCAP 2030 (2016). CCAP 2030 outlines state and local actions focused on low-carbon transportation, energy efficiency, renewable energy, waste reduction, water conservation, sequestration and adaptation, and community engagement. CCAP 2030 targets would be similar to state targets to reduce GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

Overall, CCAP 2030 includes goals, policies, performance standards, and implementation measures for achieving GHG emission reductions and meeting the requirements of AB 32. CCAP 2030 is also intended to meet the mandates outlined in the BAAQMD *California Environmental Quality Act: Air Quality Guidelines* and the recent standards for "qualified plans" set forth by BAAQMD (BAAQMD 2017a). Individual development projects that comply with CCAP 2030 can be determined to not have cumulatively considerable GHG emissions impacts under CEQA (State CEQA Guidelines Section 15183.5) for emissions generated prior to 2030.

3.7.1.2 Environmental Setting

GHG emissions become well mixed within the atmosphere and are transported over long distances. Consequently, unlike other resource areas that are concerned primarily with localized project impacts (e.g., within 1,000 feet of the project area), the global nature of climate change requires a broader analytic approach. Although this section focuses on GHG emissions generated in the project area as a result of construction and operation, the analysis considers potential regional and global GHG impacts.

Greenhouse Gases

The principal anthropogenic (human-made) GHGs contributing to global warming are CO₂, CH₄, nitrous oxide (N₂O), and fluorinated compounds, including sulfur hexafluoride, hydrofluorocarbons, and perfluorocarbons. Water vapor, the most abundant GHG, is not included in this list because its natural concentrations and fluctuations far outweigh its anthropogenic sources.

The primary GHGs of concern associated with the proposed project are CO₂, CH₄, and N₂O. Principal characteristics of these pollutants are discussed below.

Carbon dioxide enters the atmosphere through fossil fuels (oil, natural gas, and coal) combustion, solid waste decomposition, plant and animal respiration, and chemical reactions (e.g., manufacture of cement). CO₂ is also removed from the atmosphere (or *sequestered*) when it is absorbed by plants as part of the biological carbon cycle.

Methane is emitted during the production and transport of coal, natural gas, and oil. CH₄ emissions also result from livestock and other agricultural practices and from the decay of organic waste in municipal solid waste landfills.

Nitrous oxide is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.

Methods have been set forth to describe emissions of GHGs in terms of a single gas to simplify reporting and analysis. The most commonly accepted method to compare GHG emissions is the global warming potential (GWP) methodology defined in Intergovernmental Panel on Climate

Change (IPCC) reference documents. IPCC defines the GWP of various GHG emissions on a normalized scale that recasts all GHG emissions in terms of carbon dioxide equivalent (CO₂e), which compares the gas in question to that of the same mass of CO₂ (CO₂ has a global warming potential of 1 by definition). Table 3.7-1 lists the global warming potential of CO₂, CH₄, and N₂O and their lifetimes in the atmosphere.

Table 3.7-1. Lifetimes and Global Warming Potentials of Key Greenhouse Gases

Greenhouse Gas	Global Warming Potential (100 years)	Lifetime (years)
CO ₂	1	50–200
CH ₄	25	12
N ₂ O	298	114

Sources: CARB 2019a; IPCC 2001

All GWPs used for CARB's GHG inventory and to assess attainment of the state's 2020 and 2030 reduction targets are considered over a 100-year timeframe (as shown in Table 3.7-1). However, CARB recognizes the importance of SLCPs and reducing these emissions to achieve the state's overall climate change goals. SLCPs have atmospheric lifetimes on the order of a few days to a few decades, and their relative climate-forcing impacts, when measured in terms of how they heat the atmosphere, can be tens, hundreds, or even thousands of times greater than that of CO₂ (CARB 2017b). Recognizing their short-term lifespan and warming impact, SLCPs are measured in terms of CO₂e using a 20-year time period. The use of GWPs with a time horizon of 20 years better captures the importance of the SLCPs and gives a better perspective on the speed at which SLCP emission controls will affect the atmosphere relative to CO₂ emission controls. The SLCP Reduction Strategy, which is discussed in Section 3.7.1.1, Regulatory Setting, addresses the three primary SLCPs—CH₄, hydrofluorocarbon gases, and anthropogenic black carbon. CH₄ has lifetime of 12 years and a 20-year GWP of 72 compared to a GWP of 25 over a 100-year timeframe. Hydrofluorocarbon gases have lifetimes of 1.4 to 52 years and a 20-year GWP of 437 to 6,350. Anthropogenic black carbon has a lifetime of a few days to weeks and a 20-year GWP of 3,200 (CARB 2017b). The proposed project is evaluated with the 100-year GWPs in Table 3.7-1 to be consistent with CARB's emission inventory and plans. Additionally, the proposed project would not include emission sources that emit substantial amounts of SLCPs; therefore, the 20-year GWP is presented for informational purposes only.

Greenhouse Gas Reporting

A GHG inventory is a quantification of all GHG emissions and sinks¹ within a selected physical and/or economic boundary. GHG inventories can be performed on a large scale (e.g., for global and national entities) or on a small scale (e.g., for a building or person). Although many processes are difficult to evaluate, several agencies have developed tools to quantify emissions from certain sources. Table 3.7-2 outlines the most recent global, national, statewide, and local GHG inventories to help contextualize the magnitude of potential project-related emissions.

¹ A GHG sink is a process, activity, or mechanism that removes a GHG from the atmosphere.

Table 3.7-2. Global, National, State, and Regional Greenhouse Gas Emission Inventories

Emissions Inventory	CO ₂ e (metric tons)
2017 IPCC Global GHG Emissions Inventory	53,500,000,000
2018 EPA National GHG Emissions Inventory	6,677,000,000
2018 CARB State GHG Emissions Inventory	425,300,000
2015 BAAQMD GHG Emissions Inventory	85,000,000

Sources: United Nations 2018; EPA 2020; CARB 2019b; BAAQMD 2017b

As discussed above in Section 3.7.1.1, Regulatory Setting, the City adopted its CCAP to reduce GHG emissions. CCAP 2030 outlines state and local actions that would support the City's goal of meeting the 2030 target of 40 percent below 1990 levels. Table 3.7-3 provides a summary of the CCAP 2030 local action reductions.

Table 3.7-3. City of San Rafael Climate Change Action Plan Local Action Reduction Forecast

Local Action Strategy	GHG Reductions by 2030 (MTCO ₂ e)	Percent of Reductions
Low Carbon Transportation	37,030	38%
Energy Efficiency	18,280	19%
Renewable Energy	31,925	33%
Waste Reduction	10,025	10%
Water Conservation	830	1%
Sequestration and Adaptation	n/a	n/a
Community Engagement	n/a	n/a
Implementation and Monitoring	n/a	n/a
Total	98,085	100%

Source: City of San Rafael 2019.

n/a = Emissions reductions not quantified. For sequestration and adaptation, reduction credits were not assigned because sequestered carbon was not included in the community GHG inventory. Community engagement and implementation and monitoring were not assigned reduction credits because these are not sources of GHG emissions and the reduction strategies in them are more qualitative and behavioral measures to inform the community on how to reduce GHG emissions, as well as have a system for accounting the community's GHG reduction progress.

MTCO₂e = metric tons of carbon dioxide equivalent

Climate Change

Global Climate Change

The process known as the *greenhouse effect* keeps the atmosphere near Earth's surface warm enough for the successful habitation of humans and other life forms. The greenhouse effect is created by sunlight that passes through the atmosphere. Some of the sunlight striking Earth is absorbed and converted to heat, which warms the surface. The surface emits a portion of this heat as infrared radiation, some of which escapes into space and some of which is absorbed by atmospheric GHGs and re-emitted toward the surface. Human activities that generate GHGs increase the amount of infrared radiation absorbed by the atmosphere, thus enhancing the greenhouse effect and amplifying the warming of Earth.

Increases in fossil fuel combustion and deforestation have exponentially increased concentrations of GHGs in the atmosphere since the Industrial Revolution (IPCC 2007). Rising atmospheric

concentrations of GHGs in excess of natural levels result in increasing global surface temperatures—a process commonly referred to as *global warming*. Higher global surface temperatures, in turn, result in changes to Earth’s climate system, including increased ocean temperature and acidity, reduced sea ice, variable precipitation, and increased frequency and intensity of extreme weather events (IPCC 2018). Large-scale changes to Earth’s system are collectively referred to as *climate change*.

IPCC was established by the World Meteorological Organization and United Nations Environment Programme to assess scientific, technical, and socioeconomic information relevant to the understanding of climate change, its potential impacts, and options for adaptation and mitigation. IPCC estimates that human-induced warming reached approximately 1°C above pre-industrial levels in 2017, increasing at 0.2°C per decade. Under the current nationally determined contributions of mitigation from each country until 2030, global warming is expected to rise to 3°C by 2100, with warming to continue afterward (IPCC 2018).

Potential Climate Change Effects

Climate change is a complex process that has the potential to alter local climatic patterns and meteorology. Although modeling indicates that climate change will result in sea level rise (both globally and regionally) as well as changes in climate and rainfall, among other effects, there remains uncertainty about characterizing precise local climate characteristics and predicting precisely how various ecological and social systems will react to any changes in the existing climate at the local level. Regardless of this uncertainty, it is widely understood that substantial climate change is expected to occur in the future, although the precise extent will take further research to define. Specifically, significant impacts from global climate change worldwide and in California include:

- Declining sea ice and mountain snowpack levels, thereby increasing sea levels and sea surface evaporation rates with a corresponding increase in atmospheric water vapor, due to the atmosphere’s ability to hold more water vapor at higher temperatures (CNRA 2018)
- Rising average global sea levels primarily due to thermal expansion and the melting of glaciers, ice caps, and the Greenland and Antarctic ice sheets (IPCC 2018)
- Changing weather patterns, including changes to precipitation, ocean salinity, and wind patterns, and more energetic aspects of extreme weather including droughts, heavy precipitation, heat waves, extreme cold, and the intensity of tropical cyclones (IPCC 2014)
- Declining Sierra Mountains snowpack levels, which account for approximately half of the surface water storage in California, by 70 percent to as much as 90 percent over the next 100 years (CNRA 2018)
- Increasing the number of days conducive to ozone formation (e.g., clear days with intense sunlight) by 25 percent to 85 percent (depending on the future temperature scenario) by the end of the 21st century in high-ozone areas (CNRA 2018)
- Increasing the potential for erosion of California’s coastlines and seawater intrusion into the Sacramento Delta and associated levee systems due to the rise in sea level (CNRA 2018)
- Exacerbating the severity of drought conditions in California such that durations and intensities are amplified, ultimately increasing the risk of wildfires and consequential damage incurred (CNRA 2018)

- Lower crop yields for agriculture due to extreme heat waves, heat stress, and increased water needs of crops and livestock (particularly during dry and warm years), and new and changing pest and disease threats (CNRA 2018)

The impacts of climate change pose direct and indirect risks to public health, as people will experience earlier death and worsening illnesses. Indirect impacts on public health include increased vector-borne diseases, stress, and mental trauma due to extreme events and disasters, economic disruptions, and residential displacement (CNRA 2018).

3.7.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. GHG impacts were analyzed for the project area rather than specific build alternatives because the location of each build alternative would experience a nearly equivalent impact for each resource considered here. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.7.2.1 Methodology

GHG and climate change impacts associated with construction and operation of the proposed project were assessed and quantified using standard and accepted software tools, techniques, and emissions factors. A summary of the methodology is provided below.

Construction Emissions

Construction GHG emissions were estimated using California Emissions Estimator Model (CalEEMod), version 2016.3.2; and CARB's Emission FACTor 2017 (EMFAC2017) model, and relied upon a combination of CalEEMod default data values, as well as project-specific information for each alternative provided by the project ~~sponsor~~proponent, such as phase durations and quantities for demolition, grading, and paving activities. Emissions from gasoline light-duty vehicles (e.g., construction workers) were adjusted to account for the impact of the implementation of Part 2 of the SAFE Vehicles Rule.

Project construction is estimated to begin in ~~2023 or 2024~~2025 and last approximately 18 months. It was assumed each build alternative would have the same schedule and phasing. The GHG analysis approach is consistent with approach presented in Section 3.2, Air Quality. Total GHG emissions for each build alternative were estimated. See Appendix ~~B~~D for the construction modeling outputs and detailed assumptions.

Operational Emissions

This proposed project would generate minimal GHG emissions from area, energy, water, and waste sources. Area sources are associated with combustion of fuel from landscaping equipment. Energy sources are associated with the combustion of natural gas and the use of electricity. Water consumption results in indirect GHG emissions from the conveyance and treatment of water. Waste generation results in fugitive CH₄ and N₂O emissions from the decomposition of organic matter. Emissions from the proposed project were estimated using CalEEMod.

Based on information in Section 3.14, Transportation, all build alternatives primarily represent a shifting of bus activity from location to another; the proposed project would not change the amount of bus service provided. Although the proposed project would improve the efficiency of bus operations and create operational flexibility for bus movements into and out of the transit center, no future expansion of transit service was planned at the time of this EIR's preparation and thus cannot be reasonably forecasted. Therefore, no mobile emissions were evaluated for project operations. The operations modeling outputs and detailed assumptions are provided in Appendix BD.

3.7.2.2 Thresholds of Significance

State CEQA Guidelines Significance Criteria

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to existing GHG emissions and climate change.

Would the proposed project:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

In the 2015 California Supreme Court decision in the *Center for Biological Diversity et al. vs. California Department of Fish and Wildlife, the Newhall Land and Farming Company* (November 30, 2015, Case No. S217763) (hereafter Newhall Ranch) the Court identified several potential approaches that may be appropriate for determining significance of project-level GHG emissions in CEQA documents. Several air quality management agencies throughout the state have also drafted or adopted varying threshold approaches and guidelines for analyzing GHG emissions in CEQA documents. Common threshold approaches include (1) compliance with a qualified GHG reduction strategy, (2) performance-based reductions, (3) numeric "bright-line" thresholds, (4) efficiency-based thresholds, and (5) compliance with regulatory programs.

Applicability of Available Thresholds

The following sections discuss the threshold approaches recommended by the Courts and supported by CEQA and analyzes their applicability to the proposed project.

Compliance with a Qualified GHG Reduction Strategy

OPR acknowledges that the State Legislature encourages lead agencies to tier or streamline their environmental documents whenever feasible, and that GHG emissions may be best analyzed and mitigated at the programmatic level (OPR 2018). A qualified plan may be used in the cumulative impact analysis for later projects when the analysis "identifies those requirements specified in the plan that apply to the project." For a GHG reduction plan to be considered a qualified plan, it must meet certain criteria established under State CEQA Guidelines Sections 15183.5 (b) and 15064.4, also specified above. Consequently, if a project is consistent with a local climate action plan that was created to meet that area's fair-share reductions toward the AB 32 GHG target for 2020, then the project would be considered consistent with statewide GHG reduction goals for 2020. Additionally, if

a climate action plan was adopted that was consistent with the state’s overall goals for post-2020, including the downward trajectory as clarified in SB 32 and EO S-03-05, and a project is consistent with that climate action plan, it would be considered consistent with the state’s post-2020 GHG emission strategy. Section 15183.5 also specifies that the project’s CEQA analysis “must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project.”

As discussed in Section 3.7.1.1, Regulatory Setting, the City has adopted a qualified GHG emissions-reduction strategy: CCAP 2030. Because the City is not the lead agency for CEQA, this analysis does not rely on CCAP 2030 for tiering purposes. Rather, project consistency with applicable GHG reduction measures outlined in CCAP 2030 is discussed for informational purposes below. CCAP 2030 outlines state and local policies to reduce GHG emissions to meet the 2030 target of 40 percent below 1990 levels, consistent with SB 32’s target. To make significance findings under CEQA, GHG emissions from the proposed project are evaluated on a sector-by-sector (e.g., energy, mobile, and water) basis using the most applicable regulatory programs, policies, and thresholds recommended by BAAQMD, CARB, and OPR.

Performance-Based Reductions

Performance-based thresholds are based on a percentage reduction from a projected future condition; for example, reducing future business-as-usual (BAU) emissions by the AB 32 target of 29 percent (below 2020 BAU levels) through a combination of state measures, project design features (e.g., renewable energy), or mitigation. BAAQMD recommends a 26-percent reduction from 2020 BAU levels to meet the AB 32 target (BAAQMD 2017a).

Based on the Court’s reasoning in the Newhall Ranch decision, relating a given project to the achievement of state reduction targets may require adjustments to CARB’s statewide BAU model to not only isolate new development emissions, but also to consider unique geographic conditions and operational characteristics that may affect the performance of reduction measures in certain locations. To date, this type of adjustment to the statewide BAU target has not been performed and, therefore, is not appropriate for the proposed project’s analysis. The primary value of a performance-based target, as indicated in the Newhall Ranch decision, is that it can provide a scenario by which to evaluate the effectiveness of a project’s reduction efficiency relative to an unmitigated condition. As such, future year targets can be used to benchmark performance, using either statewide or regional emission targets, to determine a project’s fair share of mitigation.

Numeric Bright-Line Thresholds

Numerical bright-line thresholds identify the point at which additional analysis and mitigation of project-related GHG emission impacts is necessary. BAAQMD has not developed bright-line thresholds for construction, but has set 1,100 metric tons of CO₂e per year for the operation of land use development projects. The land use development threshold is based on a gap analysis² and ties back to the state’s AB 32 reduction target (1990 levels by 2020).³ Because the buildout year for the

² The gap analysis demonstrates the reductions needed at the residential and commercial land use levels to achieve state targets. Capture is the process of estimating the portion of projects that would result in emissions that exceed a significance threshold and would be subject to mitigation.

³ The AB 32 Scoping Plan identifies specific measures to reduce GHG emissions to 1990 levels by 2020.

proposed project is ~~2023~~2025, use of BAAQMD's numeric-bright line land use development threshold tailored to 2020 reduction targets would not be appropriate for the proposed project's analysis because the bright-line threshold was developed based on 2020 targets. Additionally, the bright-line threshold is intended for typical land use development projects, whereas the proposed project is a transit infrastructure project.

Efficiency-Based Thresholds

Another type of quantitative threshold is an efficiency-based threshold. Efficiency-based thresholds represent the GHG efficiency needed for development to achieve California's GHG emissions targets. While the Newhall Ranch decision did not specifically recommend the efficiency-based approach, the ruling did note that numerical threshold approaches may be appropriate for determining significance of GHG emissions and to emphasize the consideration of GHG efficiency. Efficiency-based thresholds allow lead agencies to compare projects of various types, sizes, and locations equally, and determine whether a project is consistent with the state's reduction goals. Efficiency-based thresholds for a residential project can be expressed on a per-capita basis, for an office project on a per-employee basis, or for a mixed-use project on a per-service-population (the sum of jobs and residents) basis. For a transit project, however, an efficiency-based threshold is not applicable, because such projects are fundamentally different from land use development projects.

Compliance with Regulatory Programs

A lead agency could rely on regulatory compliance to show less-than-significant GHG impacts if the proposed project complies with or exceeds those programs adopted by CARB or other state agencies. However, such analysis is only applicable within the area governed by the regulations. For example, consistency with regulations addressing building efficiency would not suffice to determine that the proposed project would not have significant GHG emissions from transportation.

The Newhall Ranch decision specifically mentions consistency with both the SCS (per SB 375) and AB 32 as potential mechanisms for evaluating significance. A lead agency could assess project-level consistency with AB 32 in whole or part by evaluating whether the proposed project complies with applicable policies in the 2017 Scoping Plan. The 2017 Scoping Plan does not consider deeper reductions needed to meet the state's 2030 target under SB 32. Accordingly, exclusively relying on consistency with the 2017 Scoping Plan and related programs to evaluate emissions generated by land use development projects constructed after 2020 would not fully consider a project's potential GHG impacts on the state's long-term reduction trajectory.

More recent guidance on GHG reduction strategies and thresholds for operational emissions has been provided at the state level through the 2017 Scoping Plan, OPR, and CARB. The 2017 Scoping Plan outlines GHG reduction strategies by emission sector (water, transportation, and energy) required to meet the state's 2030 target under SB 32. OPR (2018) guidance specifies that a "land use development project that produces low VMT, achieves applicable building energy efficiency standards, uses no natural gas or other fossil fuels, and includes Energy Star appliances where available, may be able to demonstrate a less-than-significant greenhouse gas impact associated with project operation."

To the extent the proposed project's applicable GHG policies comply with or exceed the regulations outlined in the 2017 Scoping Plan and adopted by CARB or other state agencies, the proposed project could appropriately rely on their use as showing compliance with performance-based standards adopted to fulfill the statewide goal for reducing GHG emissions. The proposed project's

compliance with regulatory programs adopted by CARB and other state agencies is therefore used to evaluate the significance of the proposed project's GHG emissions. While the regulatory framework to achieve long-term (post-2030) emissions reductions is in its infancy, many of the programs outlined in the 2017 Scoping Plan are likely to be carried forward or have already been adopted with post-2030 requirements (e.g., RPS). Accordingly, evaluating consistency with these programs and relevant guidance published by OPR and CARB for the reduction of long-term emissions is therefore also considered in the analysis of the proposed project's emissions.

Project Threshold Approach

As discussed above, BAAQMD's *California Environmental Quality Act: Air Quality Guidelines* do not identify a GHG emission threshold for construction-related emissions. Instead, BAAQMD recommends that GHG emissions from construction be quantified and disclosed, and that a determination regarding the significance of these GHG emissions be made with respect to whether a project is consistent with the emission-reduction goals. BAAQMD further recommends incorporation of best management practices to reduce GHG emissions during construction, as feasible and applicable. This approach is used to evaluate construction-generated emissions for the proposed project.

While BAAQMD has adopted GHG thresholds for operational emissions from land use development projects (numeric and efficiency), these thresholds are based on the state's 2020 target under AB 32 and do not consider deeper reductions needed to meet the state's 2030 target under SB 32. Accordingly, exclusively relying on BAAQMD's adopted thresholds to evaluate emissions generated by land use development projects constructed after 2020 would not fully consider a project's potential GHG impacts on the state's long-term reduction trajectory. As noted above, the City's CCAP 2030 is consistent with state reduction targets for 2030, and the proposed project's consistency with reduction measures in CCAP 2030 is discussed for informational purposes.

Based on the available threshold concepts recommended by air districts and the courts, GHG emissions from the project are evaluated on a sector-by-sector (e.g., energy, mobile, and water) basis using the most applicable regulatory programs, policies, and thresholds recommend by BAAQMD, CARB, and OPR. The buildout year for the proposed project is ~~2023~~2025. The state has a reduction goal of carbon neutrality set by B-55-18. However, the state's goal has not been codified in law, and the state has not adopted a plan or framework to achieve the 2045 reduction goal. The state's 2030 target has been codified in law through SB 32 and the 2017 Scoping Plan adopted to meet this goal. Therefore, 2030 marks the next statutory statewide milestone target applicable to the proposed project. The analysis focuses on the 2030 target and the plans, policies, and regulations adopted pursuant to achieving 2030 reductions. Where applicable, guidance from CARB, OPR, and other agencies related to long-term emissions-reduction requirements is incorporated into the analysis.

Mobile sources: The proposed project would not result in an increase of VMT or daily trips; therefore, mobile-source emissions were not evaluated for the proposed project.

Energy, water, waste, area, and land sources. CARB's 2017 Scoping Plan, which relies heavily on state programs (e.g., Title 24 and SB 100), outlines strategies required to reduce statewide GHG emissions in order to achieve California's SB 32 reduction target. Projects that implement applicable strategies from the 2017 Scoping Plan would be consistent with the state's GHG reduction framework and requirements for these sectors. Accordingly, a sector-by-sector review of the

respective project features and sustainability measures included in the proposed project is conducted to evaluate consistency with the 2017 Scoping Plan. This assessment also considers recent OPR (2018) guidance related to the long-term reduction of statewide emissions. Accordingly, energy, water, waste, area, and land use source emissions would be considered less than significant if the proposed project is consistent with all applicable 2017 Scoping Plan strategies and supporting regulations and guidance.

3.7.2.3 Impacts

This section includes a discussion of each impact as it corresponds to the thresholds of significance discussed above.

Impact GHG-1: Generate Greenhouse Gas Emissions During Construction, Either Directly or Indirectly, that May Have a Significant Impact on the Environment

All Build Alternatives

Construction

Construction of each build alternative would be expected to span approximately 18 months, beginning in ~~2023 or 2024~~2025. Construction activities would generate emissions of CO₂, CH₄, and N₂O from off-road construction equipment, construction employees' vehicles, and haul trucks, as well as from indirect GHG emissions from water and electricity consumption. The total GHG emissions generated from construction of each build alternative are summarized in Table 3.7-4. Construction emissions would cease once construction of the proposed project is complete; therefore, they are considered short term.

As shown in Table 3.7-4, the Adapt Whistlestop Alternative would result in the least GHG emissions and the Move Whistlestop and Under the Freeway Alternatives would result in the most GHG emissions. Each of the build alternatives are similar in size and it was conservatively assumed each would have identical off-road construction equipment fleets; however, one alternative may require more truck hauling trips than another depending on the site characteristics of the alternative, such as the amount of demolition debris to be hauled off site.

Table 3.7-4. Total Construction GHG Emissions from the Build Alternatives

Build Alternative	Total GHG Emissions (MTCO _{2e})
Move Whistlestop	611.67
Adapt Whistlestop	590.83
4th Street Gateway	604.72
Under the Freeway	611.67

MTCO_{2e} = metric tons carbon dioxide equivalent, including the relative warming capacity (i.e., GWP) of each GHG

The BAAQMD *California Environmental Quality Act: Air Quality Guidelines* do not identify a GHG emissions threshold for construction-related emissions; however, they do recommend that GHG emissions from construction be quantified and disclosed and a determination regarding the

significance of the GHG emissions be made with respect to whether the project in question is consistent with state goals regarding reductions in GHG emissions.

If the proposed project does not implement feasible best management practices, it is anticipated that it would conflict with statewide emission goals and construction-related GHG emission impacts would be **significant**. Therefore, Mitigation Measure MM-GHG-CNST-1 would be implemented to avoid any conflict with statewide emission-reduction goals. With implementation of this mitigation measure, the proposed project would ensure that GHG emissions during construction would be minimized and that the impact would be ***less than significant with mitigation***.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measure would be implemented.

MM-GHG-CNST-1: Implement BAAQMD's Best Management Practices and Applicable California Green Building Code Requirements to Reduce GHG Emissions from Construction

- Use alternative-fuel (e.g., biodiesel, electric) construction vehicles/equipment (at least 15 percent of the fleet).
- Use local building materials (at least 10 percent).
- Recycle at least ~~50-65~~ percent of construction waste or demolition materials.

Operations

To assist lead agencies in determining whether operational GHG emissions require further analysis and whether a project may exceed the BAAQMD GHG mass emissions or efficiency threshold, BAAQMD developed screening criteria in its *California Environmental Quality Act: Air Quality Guidelines*. However, BAAQMD's screening criteria do not apply to the proposed project because they apply only to projects with buildout years prior to 2020 and the buildout of the proposed project is anticipated to occur in ~~2023~~2025.

As previously discussed, the proposed project would not result in an increase of VMT or daily trips; therefore, the proposed project would not generate new GHG emissions from mobile sources. GHG emissions related to project operations were estimated using CalEEMod. The operational emissions would be the same for all build alternatives. Table 3.7-5 shows the proposed project's annual GHG emissions.

Table 3.7-5. Project Operational Greenhouse Gas Emissions

Source Category	Annual GHG Emissions (MTCO ₂ e/year) ^a
Area	<0.01
Electricity	3.0
Natural Gas	0.7
Waste	1.6
Water	0.5
Total Project Emissions	5.8

^a Sum of individual values may not equal total due to rounding.
MTCO₂e = metric tons carbon dioxide equivalent

As shown in Table 3.7-5, the proposed project's GHG emissions would total approximately 6 metric tons of CO_{2e} per year. The proposed project's GHG analysis is conservative because it does not take reduction credits from operational GHG emissions related to the existing transit center, which is likely less energy-efficient than the proposed project because the customer service building would be Leadership in Energy and Environmental Design (LEED) Gold certified. This analysis evaluates operational GHG impacts, based on compliance with regulatory programs, which is recognized by the Supreme Court as an acceptable pathway for evaluating project-level GHG emissions under CEQA (*Center for Biological Diversity et al. vs. California Department of Fish and Wildlife, the Newhall Land and Farming Company*). Where applicable, the analysis considers guidance issued by CARB and OPR. Because the proposed project would be in operation in ~~2023~~2025, the 2017 Scoping Plan, which outlines reduction targets through 2030, is the most relevant regulatory document for evaluating the proposed project.

Area Emissions

Area sources include gasoline-powered landscaping equipment (e.g., trimmers, mowers). Area source emissions are based on CalEEMod's default assumptions, which represent a conservative estimate of equipment usage, based on the square footage of new building space. The proposed project would mainly constitute impervious surfaces and landscaped areas with California native trees, plants, and shrubs appropriate for the climatic conditions of the project area. As shown in Table 3.7-5, area emissions would contribute the least amount of GHG emissions for the proposed project. Although there are no relevant measures in the 2017 Scoping Plan related to area sources, the proposed project's minimal area emissions and use of California native plants that require minimal maintenance would be in line with the 2017 Scoping Plan's overall goal of reducing emissions.

Energy Emissions

OPR's 2018 *Discussion Draft CEQA and Climate Change Advisory* recommends that a land use development project that "achieves applicable building energy efficiency standards, uses no natural gas or other fossil fuels, and includes Energy Star appliances where available, may be able to demonstrate a less than significant greenhouse gas impact associated with project operation." Although OPR recommends new buildings do not consume fossil fuels, the 2017 Scoping Plan does not assume all-electric buildings in its 2030 reduction analysis. Rather, the 2017 Scoping Plan assumes new gas appliances will be high-efficiency units.

The proposed project would utilize the U.S. Green Building Council's LEED green building certification system as a tool for evaluating and measuring achievements in sustainable design. proposed The project's new construction and substantial renovation goal is to achieve, at a minimum, LEED Gold certification. Attaining LEED Gold certification would ensure the building component of each build alternative would be energy efficient and would be consistent with the assumptions and emissions-reduction requirements of the 2017 Scoping Plan.

Land Use Emissions

Each of the build alternatives would remove trees during construction. However, the project designs of each alternative would include landscape features such as trees, shrubs, and bushes. Additionally, the design of each alternative would incorporate natural materials, such as wood, which would store carbon, in the canopies of bus platforms and other components. Although there are no relevant measures in the 2017 Scoping Plan or explicit regulatory requirements related to tree planting, the

project design and landscape designs would be consistent with the 2017 Scoping Plan's overall goal of avoiding losses in carbon sequestration.

Waste Emissions

The proposed project would install trash/recyclable receptacles to meet the City's Mandatory Recycling Priority. These features are consistent with the 2017 Scoping Plan's overall goal of reducing waste emissions and its specific strategy to avoid landfill CH₄ emissions by reducing the disposal of landfill waste and organics. In addition, these features would support and comply with AB 341's mandatory recycling requirement and support the state's recycling goal and the 2017 Scoping Plan.

Water Use Emissions

The project building would attain LEED Gold certification at a minimum. Furthermore, the proposed project would comply with all applicable City and state water conservation (indoor and outdoor) measures, including Title 24, Part 6, the California Energy Code baseline standard requirements for energy efficiency, based on the 2019 Energy Efficiency Standards requirements, and the 2019 California Green Building Standards Code. These features are consistent with the 2017 Scoping Plan's overall goal of reducing water emissions and serve to support ongoing regulatory programs (e.g., SB X7-7, Title 24) that aim to reduce GHG emissions associated with conveying and distributing water.

Conclusion

Operation of the proposed project is not expected to increase VMT and would support the shift from automobiles to public transit. Additionally, the proposed project is a transportation project (specifically a transit-supportive project) and by its nature would encourage the use of public transit to reduce single-occupancy vehicle trips, VMT, and associated GHG emissions. The customer service building would also be designed to achieve LEED Gold certification. Overall, the proposed project would be consistent with regulatory programs, such as SB 743, that expressly aim to reduce VMT and incorporate energy-efficient designs, which would be consistent with the state's climate change goals. Therefore, operational GHG impacts would be *less than significant*.

Impact GHG-2: Conflict with an Applicable Plan, Policy, or Regulation Adopted for the Purpose of Reducing the Emissions of Greenhouse Gases

All Build Alternatives

AB 32 and SB 32 are the state's plans for reducing GHG emissions. At the local level, CCAP 2030 is the City's plan for reducing GHG emissions. The proposed project's consistency with AB 32 and SB 32 (including the 2017 Scoping Plan) and CCAP 2030 has been assessed to determine the significance of this impact. In addition, the proposed project's consistency with the 2017 Clean Air Plan, SB 375/*Plan Bay Area 2040*, and EO S-3-05 has also been reviewed.

Assembly Bill 32 and Senate Bill 32

AB 32 codifies the state's GHG emissions-reduction targets for 2020. CARB adopted the 2008 Scoping Plan and 2014 first update as a framework for achieving AB 32. The 2008 Scoping Plan and 2014 first update outlined a series of technologically feasible and cost-effective measures to reduce

statewide GHG emissions. CARB adopted *California's 2017 Climate Change Scoping Plan* in November 2017 as a framework for achieving the 2030 GHG emissions-reduction goal described in SB 32.

The 2008 and 2014 Scoping Plans indicate that some reductions would need to come in the form of changes pertaining to vehicle emissions and mileage standards. Some would come from changes pertaining to sources of electricity and increased energy efficiency at existing facilities. The remainder would need to come from state and local plans, policies, or regulations to lower carbon emissions, relative to BAU conditions. The 2017 Scoping Plan carries forward GHG emissions-reduction measures from the 2014 first update as well as new measures to help achieve the state's 2030 target across all sectors of the California economy, including transportation, energy, and industry. Local governments will continue to play a vital role in reducing GHG emissions at the local level. Currently, 60 percent of cities and more than 70 percent of counties in California have completed a GHG inventory. In addition, 42 percent of local governments have completed a climate, energy, or sustainability plan that addresses GHG emissions (CARB 2017a).

Applicable transportation-related GHG emissions-reduction strategies and policies outlined in the 2008, 2014, and 2017 Scoping Plans include the mobile-source strategy, which encourages a reduction in VMT through implementation of SB 375 and regional SCS as well as other VMT reduction strategies. Energy-efficiency measures, including implementation of green building standards, the use of solar power, and the installation of electric vehicle charging stations, are outlined in the Scoping Plans. The Scoping Plans also discuss existing and proposed water conservation measures, including drought-resistant landscaping. GHG emissions-reduction strategies related to trees and vegetation are also described in the Scoping Plans.

The proposed project would redevelop a transportation center in the City of San Rafael. The proposed project is consistent with the *Marin Strategic Vision Plan* (Transportation Authority of Marin 2017), *Plan Bay Area 2040* (MTC and ABAG 2017), and the *San Rafael Downtown Station Area Plan* (City of San Rafael 2012). The proposed project is one of the major projects included in these documents, which serve as the RTP/SCS for the respective areas, integrating transportation and land-use strategies to manage GHG emissions and plan for future population growth. On the state level, the proposed project is consistent with *California Transportation Plan 2050* (Caltrans 2021), which is the state's blueprint for meeting future mobility needs. One of the main policies identified in the regional and local plans of the jurisdictions where the proposed project would be located is the reduction of VMT on roadways. Operation of the proposed project is not expected to increase VMT and would support the shift from automobiles to public transit. Additionally, the proposed project would encourage the use of public transit to reduce single-occupancy vehicle trips, VMT, and associated GHG emissions, which would support the 2017 Scoping Plan. Additionally, the proposed project's new construction and substantial renovation goal is to achieve, at a minimum, LEED Gold certification for the customer service building and would ensure the building component of each build alternative would be energy efficient. Accordingly, the proposed project would not conflict with applicable policies described in the Scoping Plans for AB 32 and SB 32.

California's 2017 Climate Change Scoping Plan

The consistency of the proposed project with the policies in the 2017 Scoping Plan for achieving the 2030 GHG target is analyzed in Table 3.7-6.

Table 3.7-6. Consistency of the Proposed Project with 2017 Scoping Plan Policies^a

Policy	Primary Objective	Proposed Plan Consistency Analysis
SB 350	Reduce GHG emissions in the electricity sector by implementing the 50% RPS, doubling energy savings, and taking other actions as appropriate to achieve the GHG emissions-reductions planning targets in the Integrated Resource Plan process.	This policy is a state program that requires no action at the local or project level. Nonetheless, the proposed project would be designed to meet LEED Gold standards. These design guidelines and standards would reduce energy demands.
Low-Carbon Fuel Standard	Transition to cleaner/less-polluting fuels that have a lower carbon footprint.	This policy is a state program that requires no action at the local or project level. Nonetheless, implementation of the proposed project would not reduce or minimize access to any bicycle and pedestrian facility and is intended to enhance or create new multimodal connectivity to transit-oriented services in the region. Such connectivity reduces the need for single-occupancy vehicle trips.
Mobile-Source Strategy (Cleaner Technology and Fuels Scenario)	Reduce GHGs and other pollutants from the transportation sector by transitioning to zero-emission and low-emission vehicles, operating cleaner transit systems, and reducing VMT.	This policy is a state program that requires no action at the local or project level. Nonetheless, the proposed project is not expected to increase VMT and would support the shift from automobiles to public transit. Additionally, the proposed project is a transit-supportive project that would encourage the use of public transit to reduce single-occupancy vehicle trips and associated GHG emissions. The proposed project would not reduce or minimize access to any bicycle and pedestrian facility and is intended to enhance or create new multimodal connectivity to transit-oriented services in the region. Such connectivity reduces the need for single-occupancy vehicle trips.
SB 1383	Approve and implement SLCP strategy to reduce highly potent GHGs.	This policy is a state program that requires no action at the local or project level and is not applicable to the proposed project.
California Sustainable Freight Action Plan	Improve freight efficiency, transition to zero-emission technologies, and increase competitiveness of California's freight system.	This policy is a state program that requires no action at the local or project level and is not applicable to the proposed project.
Post-2020 Cap-and-Trade Program	Reduce GHGs across largest GHG emissions sources.	This policy is a state program that requires no action at the local or project level and is not applicable to the proposed project.

^a The 2017 Scoping Plan policies included in this table are those representing the state strategy for meeting the 2030 GHG target of SB 32.

As shown, the proposed project would not conflict with or hinder implementation of the policies in the 2017 Scoping Plan.

City of San Rafael Climate Change Action Plan

As discussed above, the City adopted revisions to its CCAP, resulting in CCAP 2030. Table 3.7-7 evaluates the proposed project's consistency with applicable reductions measures in CCAP 2030.

Updated Table 3.7-7. Consistency of the Proposed Project with the City of San Rafael Climate Change Action Plan

Local Measure	Measure Description	Project Consistency
LCT-C5: Public Transit	Support and promote public transit by taking the following actions: <ul style="list-style-type: none"> Support the development of an attractive and efficient multi-modal transit center and provide safe routes to the transit center that encourage bicycle and pedestrian connections. 	Consistent: The proposed project is the development of an attractive and efficient multi-modal transit center that would provide alternatives to single-occupancy vehicle travel by providing safe access to transit by bicyclists and pedestrians. Such connectivity reduces the need for single-occupancy vehicle trips and associated GHG emissions.
WR-C3: Construction & Demolition Debris and Self-Haul Waste	Require all loads of construction & demolition debris and self-haul waste to be processed for recovery of materials as feasible. Investigate creation of an ordinance requiring deconstruction of buildings proposed for demolition or remodeling when materials of significant historical, cultural, aesthetic, functional, or reuse value can be salvaged.	Consistent: Mitigation Measure MM-GHG-CNST-1 would require the proposed project to recycle at least 50 percent of construction waste or demolition materials in accordance with BAAQMD best management practices. <u>Higher waste diversion requirements may also be applicable, such as the waste diversion requirements under the California Green Building Standards Code (i.e., Title 24, Part 11, Section 5.408.1) and/or local ordinances.</u>
WC-C1: Community Water Use	Reduce indoor and outdoor water use in residential and commercial buildings and landscaping. <ul style="list-style-type: none"> Ensure all projects requiring building permits, plan check, or design review comply with state and Marin Municipal Water District regulations. 	Consistent: The customer service building would be designed to achieve LEED Gold certification at a minimum. This certification would ensure the proposed project is designed to conserve water in its water fixtures such as toilets and sinks.
SA-C1: Urban Forest	Increase carbon sequestration and improve air quality and natural cooling through increasing tree cover in San Rafael. <ul style="list-style-type: none"> Regulate and minimize removal of large trees and require planting of replacement trees. Require that the site planning, construction, and maintenance of new development preserve existing healthy trees and native vegetation on site to the maximum extent feasible. Replace trees and vegetation not able to be saved. 	Consistent: Although the proposed project would remove trees to develop the build alternatives, the designs of each alternative would include a variety of landscape features such as trees, shrubs, and bushes.

Local Measure	Measure Description	Project Consistency
SA-C2: Carbon Sequestration	<p>Increase carbon sequestration in the built environment, developed landscapes, and natural areas.</p> <ul style="list-style-type: none"> Encourage use of building materials that store carbon, such as wood and carbon-intensive concrete through agency partnerships and engagement campaigns. 	<p>Consistent: Although the proposed project would remove trees to develop the build alternatives, the designs of each alternative would include a variety of landscape features such as trees, shrubs, and bushes and incorporate natural materials, such as wood, in the canopies of bus platforms.</p>

As shown in Table 3.7-7, the proposed project would be consistent with all applicable measures in the City's CCAP 2030. Because the proposed project would be consistent with all applicable GHG reduction measures, it would not conflict with CCAP 2030.

Bay Area 2017 Clean Air Plan

As described above, the proposed project includes numerous objectives and measures to reduce operational GHG emissions. The proposed project would be consistent with Clean Air Plan measures, including Transportation Control Measures TR3, Local and Regional Bus Services; and TR9, Bicycle and Pedestrian Access and Facilities. The proposed project also would be consistent with Buildings Control Measure BL1, Green Buildings; Water Control Measure WR2, Support Water Conservation; and Natural and Working Lands Control Measure NW2, Urban Tree Planting. Based on this, the proposed project would support the applicable control measures identified in the 2017 Clean Air Plan to meet the plan's primary goals.

Plan Bay Area 2040/California Senate Bill 375

Under the requirements of SB 375, MTC and ABAG have developed an RTP/SCS with the adopted *Plan Bay Area 2040* for achieving the Bay Area's regional GHG emissions-reduction target. Targets for the San Francisco Bay Area, approved in March 2018 by CARB, include a 10-percent reduction in GHG emissions per capita from passenger vehicles by 2020 compared with 2005 emissions; the adopted target for 2035 is a 19-percent reduction. The emissions-reduction targets are those associated with land use and transportation strategies only.

The proposed project is one of the major projects included in the *Marin Strategic Vision Plan* and would support the regional plans of the Transportation Authority of Marin and transportation goals in *Plan Bay Area 2040*. On the state level, the proposed project is consistent with the state's blueprint for meeting future mobility needs. One of the main policies identified in the regional and local plans of the jurisdictions where the proposed project would be located is the reduction of VMT on roadways. Operation of the proposed project is not expected to increase VMT and would support the shift from automobiles to public transit. Additionally, the proposed project would encourage the use of public transit to reduce single-occupancy vehicle trips, VMT, and associated GHG emissions, which would be consistent with *Plan Bay Area 2040*.

Executive Order S-3-05

Achieving EO S-3-05 will require even more aggressive changes in all sectors of the economy and participation at all levels of government to reduce GHG emissions even further. Although many GHG emissions-reduction measures outlined in the 2017 Scoping Plan will most likely continue to be

implemented and enhanced beyond 2030, no plan for meeting the 2050 GHG emissions-reduction goal described in EO S-3-05 has been adopted.

Based on the 2017 Scoping Plan, many of the reductions needed to meet the 2050 target will come from state regulations, including cap-and-trade, the requirement for increased renewable energy sources in California's energy supply, updates to Title 24, and increased emission-reduction requirements for mobile sources. The 2017 Scoping Plan indicates that reductions would need to come in the form of changes pertaining to vehicle emissions and mileage standards, changes related to sources of electricity and increased energy efficiency at existing facilities, and state and local plans, policies, or regulations that will lower GHG emissions relative to BAU conditions. The 2017 Scoping Plan carries forward GHG reduction measures from the First Update, as well as new potential measures to help achieve the state's 2030 target across all sectors of the California economy, including transportation, energy, and industry.

The proposed project includes measures to reduce operational and construction-related GHG emissions, which include meeting LEED Gold certification for the customer service building and measures in Mitigation Measure MM-GHG-CNST-1. It is also possible that future adopted state and federal actions will reduce the proposed project's emissions, as shown in Table 3.7-7, even further. Accordingly, the proposed project's emissions levels would be consistent with the goals in EO S-3-05.

Other State Regulations

As discussed above in the analysis of consistency with SB 32 and EO S-3-05/B-55-18, systemic changes will be required at the state level to achieve the statewide future GHG reduction goals. Regulations, such as the SB 100-mandated 100-percent carbon-free RPS by 2045; implementation of the state's SLCP Reduction Strategy, including forthcoming regulations for composting and organics diversion; and future updates to the state's Title 24 standards (including requirements for net-zero energy buildings), will be necessary to attain the magnitude of reductions required for the state's goals. The proposed project would be required to comply with these regulations in new construction (in the case of updated Title 24 standards) or would be directly affected by the outcomes (e.g., energy consumption would be less carbon intensive due to the increasingly stringent RPS). Unlike the Scoping Plans, which explicitly call for additional emissions reductions from local governments and new projects, none of these state regulations identify specific requirements or commitments for new development beyond what is already required by existing regulations or will be required in forthcoming regulation. Therefore, for the foreseeable future, the proposed project would not conflict with any other state-level regulations pertaining to GHGs in the post-2020 era.

Conclusion

The proposed project includes measures that would be consistent with state regulations that will reduce GHG emissions (e.g., SB 100, SLCP Reduction Strategy) and the applicable policies described in the Scoping Plans for AB 32, SB 32, the City's CCAP 2030, 2017 Clean Air Plan, and *Plan Bay Area 2040*. Consequently, the proposed project would not conflict with achievement of AB 32 reduction goals for 2020, SB 32 reduction goals for 2030, or the RTP/SCS reduction goals for 2020 and 2035. Therefore, this impact would be ***less than significant***. No mitigation is required.

Section 3.8

Hazards and Hazardous Materials

This section describes the environmental and regulatory setting for hazards and hazardous materials. It also describes impacts on hazards and hazardous materials that would result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives and mitigation for significant impacts, where feasible and appropriate. This section is partially based on the Phase I Environmental Site Assessment (ESA) prepared for the proposed project by Baseline Environmental Consulting in May 2020. Refer to Section 3.17, Wildfire, for discussion of hazards related to wildfires. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.8.1 Existing Conditions

This section provides an overview of the regulatory setting pertaining to hazards and hazardous materials, a review of hazards and hazardous materials potentially present within the project area, and the potential for impacts during construction activities for the proposed project. A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. Factors that influence the health effects of exposure to hazardous material include the dose to which the person is exposed, the frequency of exposure, the exposure pathway, and individual susceptibility.

The California Code of Regulations defines a hazardous material as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either: (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Hazardous wastes are defined in a similar manner. Hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, or contaminated, or are being stored prior to proper disposal.

3.8.1.1 Regulatory Setting

Hazardous materials are subject to numerous laws and regulations intended to maintain health and safety when transporting, using, storing, or disposing of hazardous materials.

Federal

Federal agencies responsible for regulating hazardous materials include the U.S. Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), and U.S. Department of Transportation.

EPA is the primary regulator of the generation, transport, and disposal of hazardous substances. EPA regulates hazardous materials under the Resource Conservation and Recovery Act (RCRA) of 1976 and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980. OSHA is the agency primarily responsible for ensuring worker safety, including by minimizing

the potential effect of hazardous materials and substances to workers. OSHA sets requirements for workplace training, exposure limits for certain substances and materials, and other safety procedures. The U.S. Department of Transportation regulates interstate transport of hazardous materials and substances through the Hazardous Materials Transportation Act. This act sets requirements for driver training, load labeling, container design, and other safety specifications.

The following federal laws and regulations contain guidance on hazards and hazardous materials.

Federal Toxic Substances Control Act/Resource Conservation and Recovery Act/ Hazardous and Solid Waste Act

The federal Toxic Substances Control Act (1976) and the RCRA established an EPA-administered program for regulating the generation, transport, treatment, storage, and disposal of hazardous waste. The California Department of Toxic Substances Control (DTSC) regulates hazardous waste primarily under the authority of the federal RCRA.

Comprehensive Environmental Response, Compensation, and Liability Act/ Superfund Amendments and Reauthorization Act

CERCLA, commonly known as “Superfund,” was enacted by Congress on December 11, 1980. This law (Title 42 of the United States Code Section 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, provides for the liability of persons responsible for releases of hazardous waste at these sites, and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enabled the revision of the National Contingency Plan (Title 40 of the Code of Federal Regulations [CFR], Part 300), which provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The National Contingency Plan also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Occupational Safety and Health Administration

OSHA’s mission is to ensure the safety and health of American workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. OSHA establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. OSHA standards are listed in Title 29 of the CFR, Section 1910.

Department of Transportation Hazardous Materials Regulations

In Title 49 CFR Parts 100–185, the U.S. Department of Transportation’s hazardous materials regulations cover packaging, handling, and transporting such materials. These regulations include Parts 107 (Hazard Materials Program), 130 (Oil Spill Prevention and Response), 172 (Emergency Response), 173 (Packaging Requirements), 174 (Rail Transportation), 176 (Vessel Transportation), 177 (Highway Transportation), 178 (Packaging Specifications), and 180 (Packaging Maintenance).

Lead-Based Paint Elimination Final Rule

In Title 24 CFR, Section 33, regulations for lead-based paint are specified in the Lead-Based Paint Elimination Final Rule, which is governed by the U.S. Department of Housing and Urban

Development. The rule requires sellers and lessors to disclose known lead-based paint and lead-based paint hazards to prospective purchasers and lessees. In addition, all lead-based paint abatement activities must be in compliance with state and federal OSHA requirements as well as those from the California Department of Health Services. Only trained and certified lead-based paint personnel are allowed to perform abatement. All lead-based paint removed from structures must be hauled and disposed of by a transportation company that has been licensed to transport this type of material to a landfill or receiving facility that has been licensed to accept the waste.

State

At the state level, the California EPA and the Office of Emergency Services (OES) regulate the use of hazardous substances. The California EPA coordinates California's environmental legislation to restore, protect, and enhance the environment (Cal/EPA 2020). The California OES is responsible for coordinating the state's response to earthquakes, floods, significant wildfires, prolonged drought impacts, and other emergencies (California OES 2020a). The California OES Special Operations & Hazardous Materials Section is responsible for coordinating statewide implementation of hazardous materials accident prevention and emergency response programs for all types of hazardous materials incidents and threats (California OES 2020b). The DTSC is the primary agency in California for regulating hazardous waste, cleaning up existing contamination, and finding ways to reduce the amount of hazardous waste produced in California.

California Health and Safety Code and California Code of Regulations

California Health and Safety Code Chapter 6.95 and California Code of Regulations Title 19, Section 2729, set out the minimum requirements for business emergency plans and chemical inventory reporting. These regulations require businesses to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on site.

California Code of Regulations, Title 8, Industrial Relations

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health and OSHA are the agencies responsible for ensuring safety in the workplace. The California Division of Occupational Safety and Health assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices.

California Government Code Section 65962.5(a)

California Government Code Section 65962.5(a) (commonly referred to as the Cortese List) encompasses DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the State Water Resources Control Board as having underground storage tank (UST) leaks or a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites with a known migration of hazardous waste or material.

Hazardous Waste Control Act

DTSC is responsible for enforcing the Hazardous Waste Control Act (California Health and Safety Code Section 25100 et seq.), which creates the framework under which hazardous wastes are

managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA's cradle-to-grave waste management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to, or in some cases more stringent than, federal requirements.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (California Health and Safety Code Chapter 6.11, Sections 25404–25404.9) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of environmental and emergency response programs (e.g., the Hazardous Materials Business Plan Program, California Accidental Release Prevention Program, UST Program, Aboveground Storage Tank Program, Hazardous Waste Generator Program, Hazardous Waste Tiered-Permitting Program) and provides authority to the Certified Unified Program Agency. The Certified Unified Program Agency for San Rafael is the Marin County Department of Public Works, Waste Management Division.

California Labor Code (Division 5, Parts 1, 6, 7, and 7.5)

The California Labor Code is a collection of regulations pertaining to appropriate training for using and handling hazardous materials as well as operating equipment and machines that use, store, transport, or dispose of hazardous materials. Division 5, Part 1, Chapter 2.5, ensures that employees who are in charge of handling hazardous materials are properly trained and informed about the materials they handle. Division 5, Part 7, ensures that employees who work with volatile flammable liquids are outfitted with appropriate safety gear and clothing.

State Water Resources Control Board General Stormwater Permits

The statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities is issued, and periodically renewed, by the State Water Resources Control Board. The permit was adopted in 2009 and revised in 2012 (Order 2012-0006-DWQ). All construction activities that disturb 1 acre or more must prepare and implement a construction Stormwater Pollution Prevention Plan (SWPPP) that specifies best management practices (BMPs) to prevent pollutants from contacting stormwater. BMPs are effective, practical, structural, or nonstructural methods used to prevent or reduce the movement of sediments, nutrients, and pollutants from land to surface waters. The intent of the SWPPP and BMPs is to keep materials from moving off site into receiving waters, eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the United States, and perform sampling and analysis to determine the effectiveness of BMPs in reducing the volume of pollutants (even if not visually detectable) in stormwater discharges and preventing them from causing or contributing to violations of water quality objectives.

Local

Marin County Operational Area Emergency Recovery Plan

The *Marin County Operational Area Emergency Recovery Plan* (ERP), adopted in November 2012, establishes procedures and assigns responsibility to ensure the effective management of emergency recovery operations within the Marin County Operational Area, which includes the City of San Rafael (City). The ERP describes operational concepts relating to recovery, identifies components of recovery organization, and describes general responsibilities of the Marin County OES. Recovery operations in a multi-jurisdictional incident are coordinated and managed by the Operational Area in accordance with the California Emergency Services Act (Marin County Sheriff's OES 2012).

Marin Operational Area Emergency Operations Plan

The Marin County Sheriff's OES adopted the *Marin Operational Area Emergency Operations Plan* in October 2014. Cities and towns within the county participate in the Marin Operational Area coordination of emergency management activities. This plan addresses the planned response to emergency situations associated with large-scale disasters affecting Marin County. The plan is based on the functions and principles of the California Standardized Emergency Management System, the National Incident Management System, and the California Incident Command System. The *Marin Operational Area Emergency Operations Plan* assesses 19 different types of threats, including natural disasters, extreme weather conditions, infrastructure failures, and security threats. The plan explains general responsibilities and procedures to be utilized in an emergency situation and provides background information and potential damages for each specific type of potential emergency (Marin County Sheriff's OES 2014).

~~The City of San Rafael General Plan 2020~~

~~The City of San Rafael General Plan 2020 contains multiple goals and policies that pertain to hazardous materials (City of San Rafael 2016). The City of San Rafael General Plan 2020 discusses hazardous materials in the context of their use by businesses, transport on highways and streets, and presence in household cleaning products. The City of San Rafael General Plan 2020 also acknowledges the presence of hazardous materials due to historical industrial uses, the types of materials used to fill low-lying sites for development, or materials deposited in dump sites prior to current regulations governing sanitary landfills.~~

The following policies are applicable to hazards and hazardous materials:

~~**S-1. Location of Future Development:** Permit development only in those areas where potential danger to the health, safety, and welfare of the residents of the community can be adequately mitigated.~~

~~**Policy S-1a:** Through the entitlement process, evaluate applications for geoseismic and hazardous materials dangers and require appropriate mitigations.~~

~~**Policy S-11: Restriction of Businesses:** Restrict siting of businesses or expansion of businesses that have the potential for a significant hazardous materials release within one-quarter mile of schools.~~

~~**S-11a. Survey of Facilities:** Survey existing industrial facilities within one-quarter mile of the schools. The survey would be used to determine the presence of hazardous materials and evaluate the risk of an accidental release that could adversely affect the health and safety of students and school staff~~

Policy S-13. Potential Hazardous Soils Conditions: Where development is proposed on sites with known previous contamination, sites filled prior to 1974 or sites that were historically auto service, industrial or other land uses that may have involved hazardous materials, evaluate such sites for the presence of toxic or hazardous materials. The requirements for site-specific investigation are contained in the Geotechnical Review Matrix.

S-13a. Potentially Hazardous Soils Map: Prepare a map showing sites with known soil and groundwater contamination, in order to identify new developments that warrant environmental investigation and testing.

S-13b. Hazardous Soils Cleanup: Require remediation and cleanup in accordance with regional and local standards in order to develop on sites where hazardous materials have impacted soil or groundwater. At a minimum, remediation and clean up of contaminated sites shall be in accordance with regional and local standards. The required level of remediation and clean up shall be determined by the Certified Unified Program Agency (CUPA) based on the intended use of the site and health risk to the public.

S-14. Hazardous Materials Storage, Use, and Disposal: Enforce regulations regarding proper storage, 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.

S-14a. CUPA Program. Continue to participate in the CUPA program

S-15. Hazardous Waste Management: Support measures to responsibly manage hazardous waste consistent with protection of the public health, welfare, safety and the environment. The City of San Rafael supports the Marin County Hazardous Waste Management Plan as adopted by the State, County and Cities within Marin County. See S-14a (CUPA Program).

S-16. Transportation of Hazardous Materials: Enforce Federal, State and Local requirements and standards regarding the transportation of hazardous materials. Support, as appropriate, legislation that strengthens safety requirements for the transportation of hazardous materials.

S-16a. Safe Transport of Hazardous Materials. Support California Highway Patrol's efforts to ensure the safe transport of hazardous materials.

Draft San Rafael General Plan 2040 and Downtown San Rafael Precise Plan

The City released a public draft of adopted San Rafael General Plan 2040 in November 2020 August 2021 (City of San Rafael 2020a 2021a). This update to *The City of San Rafael General Plan 2020* is accompanied by a *Downtown San Rafael Precise Plan*, which provides a roadmap to growth and development in the Downtown San Rafael neighborhood (City of San Rafael 2020b). Applicable policies from the San Rafael General Plan 2040 se plans are listed below.

Goal S-5: Protection from Hazardous Materials. Protect those who live, work, and visit San Rafael from risks associated with hazardous materials.

- **Policy S-5.1: Hazardous Waste Management.** Support State, regional, countywide and local programs to responsibly manage hazardous waste consistent with protection of public health, welfare, safety and the environment.
- **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.
 - **Program S-5.2A: CUPA Program.** Continue to participate in the Certified Unified Program Agency (CUPA) program. The CUPA's responsibilities shall include overseeing the investigation and closure of contaminated underground storage tank sites.

Marin County Multi-Jurisdictional Local Hazard Mitigation Plan

The City of San Rafael adopted the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in November of 2018. This plan assesses risks posed by natural hazards and includes a mitigation strategy for reducing the County's risks. The County prepared the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in accordance with the requirements of the Disaster Mitigation Act of 2000.

San Rafael Local Hazard Mitigation Plan

The *San Rafael Local Hazard Mitigation Plan* (LHMP), adopted in November 2017, is a guide to hazard mitigation within San Rafael and serves as a tool to help decision-makers direct hazard mitigation activities and resources. In the context of an LHMP, mitigation is an action that reduces or eliminates long-term risk to people and property from hazards, including fire and other natural hazards (City of San Rafael 2017). A more detailed description of the LHMP, relating to wildland fires, is provided in Section 3.17, Wildfire, of this ~~Draft~~ Final Environmental Impact Report.

City of San Rafael Municipal Code

The following section of the City of San Rafael Municipal Code pertains to potential hazards and hazardous materials impacts related to the proposed project:

Title 4, Section 5704.3.3.11: Storage of flammable and combustible liquids and other hazardous materials. The storage of flammable or combustible liquids or other hazardous materials in public storage facilities is prohibited. Such facilities shall post legible and durable signs to indicate same in a manner and locations as specified by the Fire Chief. This section shall apply to new and existing public storage facilities.

Title 14, Section 16.180 Hazardous soils conditions: New development on lots filled prior to 1974 or on lots which were used for auto service uses, industrial uses or other land uses which may have involved hazardous materials shall be evaluated for the presence of toxic or hazardous materials prior to development approvals. The requirements for review are set forth in the geotechnical review matrix in the general plan. (Ord. 1625 § 1 (part), 1992)

3.8.1.2 Environmental Setting

A Phase I ESA was prepared by Baseline Environmental Consulting in May 2020 to identify and evaluate hazardous materials and substances with potential to be encountered during construction and maintenance of the proposed project. This assessment included a review and evaluation of the physical setting, historical land uses, environmental records, previous environmental investigations in the project vicinity, and a site reconnaissance.

ASTM International's E1527-13 standard defines minimum search distances to use in the evaluation of environmental records of hazardous materials release sites. Minimum search distances range from 0.5 to 1.0 mile from the study area, which included all the areas of substantial improvements proposed for each of the four build alternatives. Refer to Appendix ~~K~~ L of the Final EIR for additional detail on the environmental records search conducted as a part of the Phase I ESA.

Site History

As early as 1924, land uses developed within the study area included residential dwellings, a hotel, a lumber yard, a train station, and a railroad corridor. Two gasoline service stations were adjacent to

the study area (Baseline Environmental Consulting 2020). Between 1924 and 1950, the railroad corridor and station operations expanded, the U.S. Highway 101 (US-101) viaduct was constructed over the study area, and additional land uses within the study area included a bus station, milk and creamery company, gravel company, and automotive repair services. Two additional gasoline service stations were within the study area, six additional gasoline service stations were adjacent to the study area, and one aboveground oil storage tank was adjacent to the study area (Baseline Environmental Consulting 2020). Between 1950 and 1970, the US-101 viaduct expanded, one additional gasoline service station was within the study area, and six additional gasoline service stations were adjacent to the study area (Baseline Environmental Consulting 2020).

Since 1970, most of the automotive repair services and all of the gasoline service stations and the aboveground oil tank previously identified within and adjacent to the study area have been redeveloped primarily for residential and commercial uses. Based on the site reconnaissance conducted on May 15, 2020, there are two land uses currently within the study area that appear to manage hazardous materials: an automotive repair service station and a dry cleaner facility (Baseline Environmental Consulting 2020).

Common contaminants of concern in soil and/or groundwater associated with automotive repair services, gasoline service stations, and aboveground oil tanks include heavy metals (e.g., lead and arsenic), total petroleum hydrocarbons, volatile organic compounds, and polychlorinated biphenyls. Common contaminants of concern associated with dry cleaner facilities include chlorinated solvents. Some of these land uses in the study area have documented hazardous materials releases. The land uses that do not have documented hazardous materials releases include the following (Baseline Environmental Consulting 2020):

- A former gasoline service station (circa 1950) adjacent to the study area at the northeast corner of the current Lincoln Avenue and 3rd Street intersection
- A former automobile service building (circa 1950) within the study area north of the current Hetherton Street and 4th Street intersection
- A former aboveground oil storage tank for a gravel company (circa 1950) adjacent to the study area to the northeast of the current Hetherton Street and 3rd Street intersection
- Former automobile and gasoline service stations (circa 1950 and 1970) and a current automobile service station and dry cleaner building (2020) within and adjacent to the study area at the northwest, southwest, and southeast corners of the current Irwin Street and 4th Street intersection

Evidence of potentially undocumented hazardous materials releases or future threats of hazardous materials releases was not observed within or adjacent to the study area during the site reconnaissance. However, this does not preclude the possibility that undocumented releases may have occurred in the past at these facilities that store and manage hazardous materials. Therefore, undocumented soil and/or groundwater contamination (if any) could potentially be encountered during project construction and maintenance in proximity to historical and current land uses associated with hazardous materials.

Hazardous Materials Records Search

The review of environmental records identified 54 hazardous materials release sites within 1 mile of the study area (Appendix B of the Phase I ESA [~~Appendix XK of the Final EIR~~]). Release sites that

could potentially pose a threat of affecting environmental conditions within the study area include sites within and adjacent to the study area. In addition, offsite migration of groundwater contaminant plumes from active release sites hydraulically upgradient (i.e., west) of the study area can pose a potential threat of affecting environmental conditions within the study area. Based on these screening criteria, 13 of the 54 release sites are considered a potential concern and are discussed further below to determine if they pose a known or potential threat of affecting environmental conditions within the study area. The other 41 release sites are either hydraulically downgradient of the study area or are closed sites¹ and not within or adjacent to the study area; therefore, these sites are not expected to affect environmental conditions within the study area. Further evaluation determined that six of the 13 release sites of potential concern are not expected to affect environmental conditions within the study area. The remaining seven sites of concern are listed and described in Table 3.8-1 and shown on Figure 3.8-1.

Table 3.8-1. Hazardous Materials Sites of Concern

Site #	Site Name	Site Description
1	D&S Garage 718 4th Street	In 1989, a release of petroleum from leaking USTs was reported following tank removal activities at the D&S Garage site, which is adjacent to the study area. In 2007, the case was closed by the lead regulatory oversight agency (Regional Water Quality Control Board). According to the most recent groundwater monitoring event in 2006, residual concentrations of total petroleum hydrocarbons as diesel (TPH-d) and methyl tert-butyl ether (MTBE) were reported in the immediate vicinity of the former USTs about 25 feet west of the study area.
2	John Irish Jeep Dealership 475 Francisco Boulevard	In 1988, a release of petroleum from leaking USTs was reported at this site following tank removal activities. The site is adjacent to the study area. In 1996, the case was closed by the lead regulatory oversight agency (Regional Water Quality Control Board). According to the most recent groundwater sampling results in 1996, residual concentrations of toluene and MTBE were reported in groundwater samples collected in the immediate vicinity of the USTs about 200 feet west of the study area.
3	Marin Color Service 770 2nd Street	A release of petroleum and paint thinner from leaking USTs was reported at this site following tank removal activities, adjacent to the study area. In 1998, the case was closed by the lead regulatory oversight agency (Regional Water Quality Control Board). According to the most recent groundwater sampling results in 1998, residual concentrations of chlorinated solvents were reported in groundwater samples collected about 50 feet west of the study area.
4	Shell 755 2nd Street	The Shell site, adjacent to the study area, was formerly a gasoline service station. In 1987, a release of petroleum from leaking USTs was reported following tank removal activities at the site. In 2009, the case was closed by the lead regulatory oversight agency (Regional Water Quality Control Board). According to the most recent groundwater sampling results in 2008, residual concentrations of TPH-d and MTBE were reported in groundwater samples collected about 30 feet west of the study area.
5	Greyhound Line, Inc. 701 3rd Street	On 8 November 1990, a release of petroleum from leaking USTs was reported at the Greyhound Line, Inc. site, which appears to be within the study area. The case was subsequently closed by the lead regulatory agency (Regional Water Quality Control Board).

¹ Investigation and/or remediation activities have been completed.

Site #	Site Name	Site Description
6	Savoy Rain Tunnel 620 2nd Street	In 1990, a release of petroleum from leaking USTs was reported at the Savoy Rain Tunnel site, which is adjacent to the study area. In 1996, the case was closed by the lead regulatory oversight agency (Regional Water Quality Control Board). According to the most recent sampling results, residual concentrations of total petroleum hydrocarbons remain in the soil and groundwater near the former USTs.
7	Exxon 902 Irwin Street	The Exxon site was formerly a gasoline service station. In 2003, the case was closed by the lead regulatory oversight agency (Regional Water Quality Control Board).

Source: Baseline Environmental Consulting 2020

Schools

Schools in the vicinity of the project area include Saint Raphael School, James B. Davidson Middle School, Laurel Dell Elementary School, Madrone High School, and San Rafael High School. Saint Raphael School is at the intersection of 5th Avenue and Court Street. James B. Davidson Middle School is on Woodland Avenue, near the intersection of Woodland Avenue and Lindaro Street. Laurel Dell Elementary School is on Woodland Avenue between Eva Street and Seibel Street. Madrone High School and San Rafael High School share a campus and are on Mission Avenue between Union Street and Embarcadero Way.

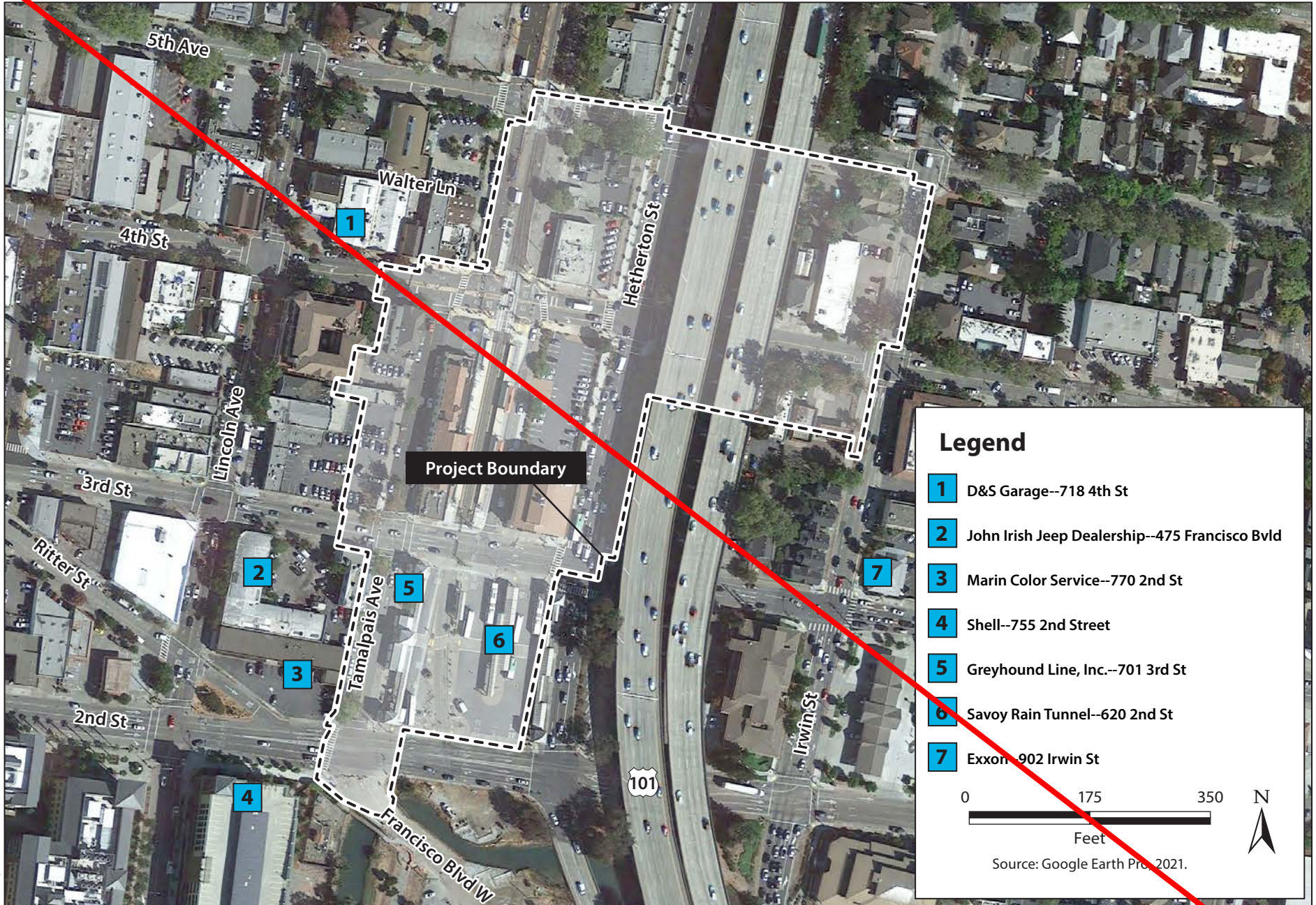
Airports

The closest airport to the project area is the San Rafael Airport (also called Marin Ranch Airport), a small, privately owned airport approximately 3 miles north of the project area. Marin County Airport (also called Gness Field) is a small, publicly owned airport operated by the Marin County Public Works Department and located about 13 miles north of the project area. Marin County Airport's airport land use plan, adopted in 1991, defines the boundary of the planning area as 2 miles from the airport boundary, which was the default planning boundary as of the time of this document's issuance (Marin County Planning Department 1991). The updated airport land use planning handbook states that 2 miles is still the default study area for an airport's influence area boundary (Caltrans 2011).

City of San Rafael Fire Department

The San Rafael Fire Department provides fire protection and emergency services to the City. The San Rafael Fire Department includes a Fire Prevention Bureau that issues fire permits for construction, operations, and inspections. The Fire Marshal works closely with the City's Code Enforcement Officer to ensure all structures meet State Fire Code Standards. The San Rafael Fire Department also is responsible for monitoring the storage and use of hazardous materials and issuing permits for hazardous materials use. Hazardous materials inspections are included in the program (City of San Rafael 2016).

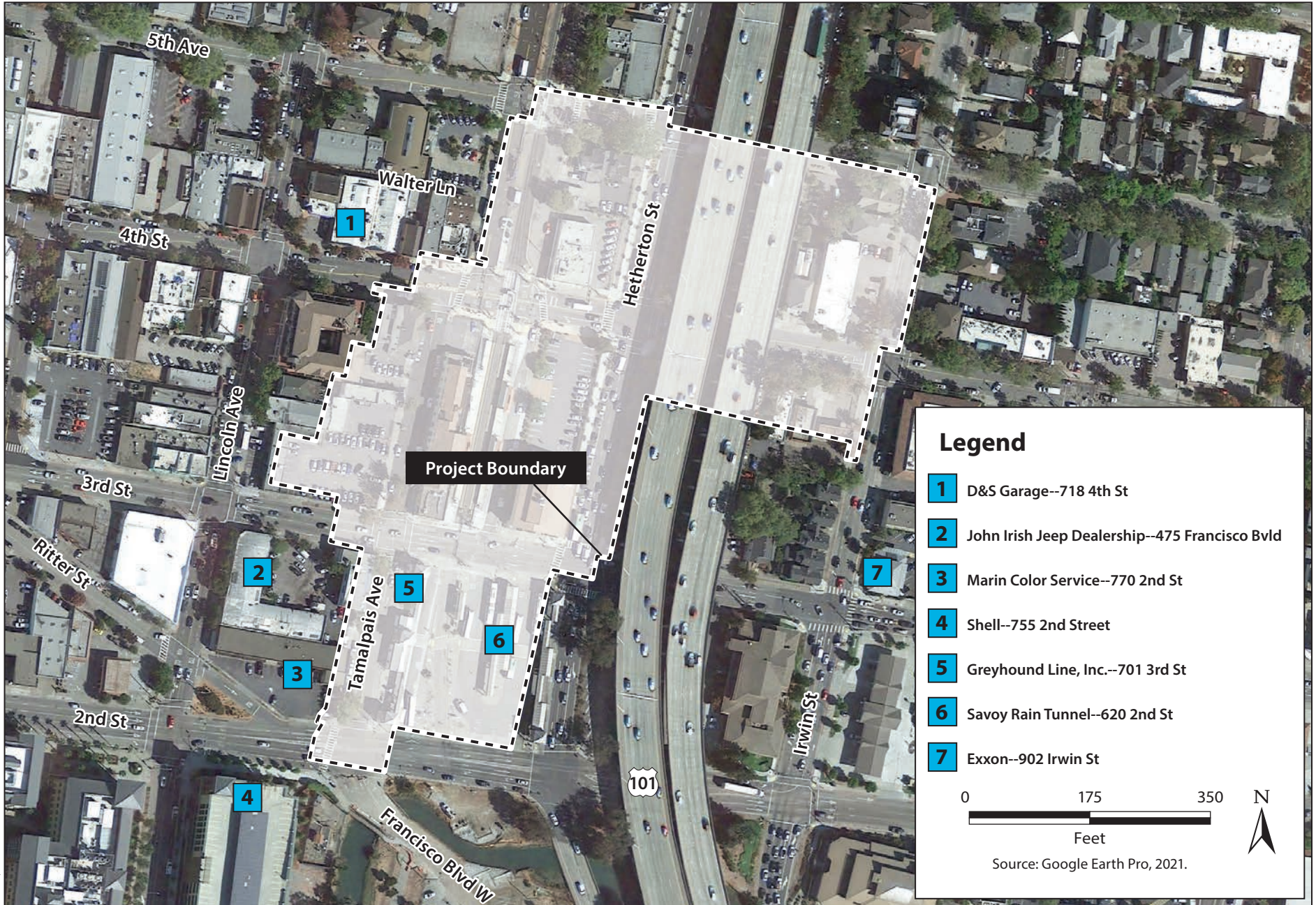
The San Rafael Fire Department also delivers fire response and rescue services for both urban and wildland fires (City of San Rafael 2021b).



ICF Graphics ... 074817 (6/23/21) AB



Figure 3.8-1
Hazards and Hazardous Materials



ICF Graphics ... 074817 (5-3-2022).JC



**Updated Figure 3.8-1
Hazards and Hazardous Materials**

Wildland Fire Hazard

The project area is not within a Moderate, High, or Very High Fire Hazard Severity Zone (CAL FIRE 2020). See Section 3.17, Wildfire, for a discussion of hazards related to wildfire.

3.8.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.8.2.1 Methodology

The Phase I ESA was prepared in accordance with ASTM International's E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Assessment Process. The study area included all areas of substantial improvements associated with each of the build alternatives.

The assessment included a review of published maps, technical reports, and environmental records available on regulatory databases to identify and evaluate potential conditions of concern in the study area. Environmental conditions of concern that could potentially be encountered by the proposed project include Recognized Environmental Conditions (RECs), as defined by ASTM International (2013 [as cited in the Phase I ESA]). RECs are defined as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment." The following environmental conditions of concern that are not classified as RECs were also considered in the Phase I ESA:

- Aerially deposited lead (ADL) from highway corridors
- Soil contamination from railroad corridors
- Hazardous building materials

3.8.2.2 Thresholds of Significance

The following California Environmental Quality Act Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to hazards and hazardous materials.

Would the proposed project:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 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?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 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?
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

3.8.2.3 Impacts

Impact HAZ-1: Create a Significant Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials

Construction

All Build Alternatives

Project construction would involve routine transport, use, and disposal of hazardous materials such as fuels, lubricants, solvents, and paint. Transport, use, and disposal of these hazardous materials during construction would be required to comply with applicable hazardous materials regulations, such as those discussed under Section 3.8.1.1, Regulatory Setting. The use of small amounts of hazardous materials during construction is typical to the construction of similar projects.

Construction of the proposed project would not be expected to require the transport, use, and disposal of acutely hazardous materials. Mitigation Measure MM-HYD-CNST-1, Prepare and Implement a Stormwater Pollution Prevention Plan, would include BMPs, to be finalized by the project contractor, employed during construction to prevent spills or release of hazardous materials into the surrounding environment. BMPs may include, but are not limited to, treatment requirements and operating procedures to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage. The SWPPP would also require that equipment and materials for cleanup of spills must be available on site, and spills and leaks must be cleaned up immediately and disposed of in accordance with applicable regulations. In the event of a hazardous material spill or release, project construction staff would follow the procedures outlined in BMPs.

With the implementation of Mitigation Measure MM-HYD-CNST-1, this impact would be *less than significant with mitigation*.

Operations

All Build Alternatives

Operation of the completed transit center would not require the regular transport, use, or disposal of hazardous materials. Maintenance and fueling of the buses would not occur at the facility and any spills from bus operation would be incidental. No fuel would be stored on site at the transit center. The transit center could result in occasional, incidental impacts from the disturbance of soils

containing hazardous materials or residual groundwater contamination. Hazardous materials used for maintenance of the facility (e.g., paints, solvents, cleaning substances) would be handled in accordance with appropriate regulations and guidelines on transport, use, storage, and disposal of such materials. A Hazardous Materials Management Plan would be prepared and would cover hazardous materials stored on site, per San Rafael Fire Department requirements. Due to the intermittent nature of maintenance activities with the potential to require hazardous materials and the proposed project's required compliance with hazardous materials regulations, this impact would be *less than significant*. No mitigation measures would be required.

Mitigation Measures

Under any build alternative that is selected and constructed, the project proponent would implement See Mitigation Measure MM-HYD-CNST-1 in Section 3.9, Hydrology and Water Quality.

Impact HAZ-2: 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

The Phase I ESA identified known hazardous materials sites with environmental conditions of concern as well as general environmental conditions of concern within 1 mile of the Phase I ESA study area, which encompassed the footprints of all four build alternatives. Because the Phase I ESA studied the proposed project in the context of this combined study area, the four build alternatives are analyzed together in this impact discussion and impact determinations apply to all build alternatives.

Construction

All Build Alternatives

Construction of the proposed project could result in potential spills or accidental release of hazardous materials. The Phase I ESA's records search identified seven known hazardous materials sites (see Table 3.8-2) with environmental conditions of concern that have the potential to be encountered during project construction. Although the Phase I ESA did not identify any RECs, the potential for construction to encounter contamination related to environmental conditions of concern remains and Mitigation Measure MM-HAZ-CNST-1 would be implemented to further assess hazardous materials of concern within the project area prior to construction.

Two of the sites are former gas stations, two sites are former automobile repair or service businesses, one is a former bus station, one is a former car dealership, and one is a former car wash. The conditions of concern at six of the seven sites are related to soil and/or groundwater contamination from USTs. Construction activities also have the potential to disturb hazardous materials from residual groundwater contamination, ADL contamination, soil contamination from railroad corridors, and hazardous building materials.

The US-101 viaduct, within the Phase I ESA's study area, was constructed before the phase-out of lead in gasoline. Shallow soils within approximately 20 feet of the edge of pavement in highway corridors have the potential to be contaminated with ADL from historical vehicle emissions prior to the elimination of lead in gasoline. Therefore, maintenance of the proposed project could disturb exposed shallow soils near the US-101 viaduct and encounter ADL contamination.

Common soil contaminants along railroad corridors include metals and petroleum products from railroad operations. A historical railroad corridor crosses the project area, generally following Tamalpais Avenue and curving to the west at the intersection of Tamalpais Avenue and 2nd Street. Project improvements that require ground disturbance within the railroad corridor could encounter soil contamination from past railroad operations.

Asbestos-containing materials, such as thermal system insulation, surfacing materials, and asphalt and vinyl flooring, may be present in buildings constructed prior to 1981. Residential structures built prior to 1978 and any commercial or industrial building (regardless of construction date) could have surfaces that have been coated with lead-based paint. The Phase I ESA identified that structures within the study area could contain these hazardous building materials. Modification or demolition of such structures during construction could release hazardous building materials into the environment and pose a health risk to construction workers and the public, if not handled and disposed of properly. This would be a potentially **significant** impact.

Mitigation Measure MM-HYD-CNST-1, which includes preparation and implementation of a SWPPP, would include BMPs designed to ensure proper handling of hazardous materials encountered during construction activities and compliance with applicable regulations and policies. For example, the SWPPP's BMPs would include treatment requirements and operating procedures to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage. The SWPPP would also require that equipment and materials for cleanup of spills must be available on site, and spills and leaks must be cleaned up immediately and disposed of in accordance with applicable regulations. In the event of a hazardous material spill or release, project construction staff would follow the procedures outlined in BMPs.

Additionally, construction staff would follow all applicable federal, state, and local regulations and guidelines if hazardous materials are encountered during construction. In the event that construction activities encounter hazardous materials related to a known hazardous materials site, the contractor would follow appropriate safety procedures and relevant agencies would be notified promptly.

Any hazardous materials produced during demolition of existing structures and pavement would be disposed of appropriately in a permitted landfill. Compliance with federal, state, and local hazardous materials regulations, in combination with implementation of Mitigation Measure MM-HYD-CNST-1, would ensure that hazardous materials utilized and encountered during construction would be used, stored, and disposed of properly, minimizing potential impacts related to upset and accident conditions. With these considerations, construction-phase impacts from the disturbance of known hazardous materials sites near the project site would be ***less than significant with mitigation***.

Operations

All Build Alternatives

Maintenance of the transit center could intermittently require use, transport, or disposal of hazardous materials (e.g., paints, solvents, cleaning substances), creating the possibility of accidental spills or release of hazardous materials.

Although they would be limited and intermittent, maintenance activities requiring ground disturbance could disturb the sites identified in the Phase I ESA as having environmental conditions of concerns that could potentially be encountered during maintenance of the proposed project.

Table 3.8-2 summarizes the known hazardous material sites with residual soil and/or groundwater contamination that could potentially be encountered during maintenance of the proposed project. These maintenance activities could also encounter hazardous materials from residual groundwater contamination and ADL contamination in shallow soils. In the event of an accidental hazardous material spill, transit center staff would follow all appropriate reporting and cleanup procedures, such as those from ~~the City of San Rafael General Plan 20202040~~. A Hazardous Materials Business Plan would be prepared if necessary and would cover hazardous materials stored on site, per Marin County Department of Public Works, Waste Management Division CUPA requirements. The proposed project would also be required to comply with San Rafael Fire Department's fire permit conditions. Compliance with applicable hazardous materials regulations would ensure that hazardous materials encountered during maintenance activities would be handled safely, minimizing the effects of accidental spills. This impact would be ***less than significant***.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measures would be implemented.

MM-HAZ-CNST-1: Phase II Site Investigation

Prior to construction, a Phase II Site Investigation shall be performed to further investigate hazardous materials concerns related to soil, groundwater, and building materials that could be disturbed by construction of the selected alternative, per the recommendations made in the Phase I ESA.

See Mitigation Measure MM-HYD-CNST-1 in Section 3.9, Hydrology and Water Quality.

Impact HAZ-3: Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an Existing or Proposed School

Construction

Move Whistlestop Alternative

Saint Raphael School is approximately 1,300 feet northwest of the Move Whistlestop Alternative. No other schools are within 0.25 mile of the project site. Limited quantities of hazardous materials commonly used in construction may be required for project construction and transported past Saint Raphael School for delivery to or removal from the project site. Additionally, construction could result in potential spills or accidental release of hazardous materials. As discussed above, construction could disturb hazardous materials related to known hazardous materials sites in the project area or from residual groundwater contamination, ADL contamination, soil contamination from railroad corridors, and hazardous building materials, resulting in spills or accidental release of such materials. This impact would be potentially **significant** but would be minimized by the implementation of Mitigation Measure MM-HYD-CNST-1, which includes preparation and implementation of a SWPPP. The SWPPP would include BMPs designed to ensure proper handling of hazardous materials utilized or encountered during construction activities and compliance with applicable regulations and policies, as described previously. This impact would be ***less than significant with mitigation***.

Adapt Whistlestop Alternative

Saint Raphael School is approximately 1,300 feet northwest of the Adapt Whistlestop Alternative. No other schools are within 0.25 mile of the project site. For the reasons described under the Move Whistlestop Alternative, this impact would be ***less than significant with mitigation***.

4th Street Gateway Alternative

No schools are within 0.25 mile of the 4th Street Gateway Alternative project site. ***No impact*** would occur.

Under the Freeway Alternative

No schools are within 0.25 mile of the Under the Freeway Alternative project site. ***No impact*** would occur.

Operations

Move Whistlestop Alternative

Saint Raphael School is approximately 1,300 feet northwest of the Move Whistlestop Alternative. No other schools are within 0.25 mile of the project site. As discussed above, operation of the proposed project would not generate hazardous materials or facilitate the routine transport, use, or disposal of hazardous materials within the project site. Maintenance of the proposed project may require infrequent use of limited quantities of hazardous materials within the project site. Additionally, maintenance activities requiring ground disturbance could disturb hazardous materials from residual groundwater contamination, ADL contamination, soil contamination from railroad corridors, and hazardous building materials, resulting in spills or accidental release of such materials. Any such use of hazardous materials utilized in project maintenance would adhere to the applicable local, state, and federal regulations regarding hazardous materials. This impact would be ***less than significant***.

Adapt Whistlestop Alternative

Saint Raphael School is approximately 1,300 feet northwest of the Adapt Whistlestop Alternative. No other schools are within 0.25 mile of the project site. For the reasons described under the Move Whistlestop Alternative, this impact would be ***less than significant***.

4th Street Gateway Alternative

No schools are within 0.25 mile of the 4th Street Gateway Alternative project site. ***No impact*** would occur.

Under the Freeway Alternative

No schools are within 0.25 mile of the Under the Freeway Alternative project site. ***No impact*** would occur.

Mitigation Measures

Under any build alternative that is selected and constructed, the project proponent would implement See Mitigation Measure MM-HYD-CNST-1 in Section 3.9, Hydrology and Water Quality.

Impact HAZ-4: Be Located on a Site Which Is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code § 65962.5 and, as a Result, Create a Significant Hazard to the Public or the Environment

Construction and Operations

All Build Alternatives

The environmental records search conducted for the proposed project's Phase I ESA did not identify any sites on the Cortese List, as identified in Government Code § 65962.5, within the study area. *No impact* would occur.

Mitigation Measures

No mitigation is required.

Impact HAZ-5: 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, Result in a Safety Hazard or Excessive Noise for People Residing or Working in the Project Area

Construction and Operations

All Build Alternatives

The project site is not within 2 miles of an airport or within an Airport Land Use Compatibility Plan's airport influence area. *No impact* would occur.

Mitigation Measures

No mitigation is required.

Impact HAZ-6: Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan

Construction

All Build Alternatives

Construction of the proposed project would result in construction-related lane closures that could temporarily interfere with the emergency response actions described in the *Marin Operational Area Emergency Operations Plan*, *Marin County Operational Area ERP*, and/or the *San Rafael LHMP* in the vicinity of the project area. The potential of construction to interfere with the emergency response actions outlined in these plans would be temporary and intermittent. As described in Chapter 2, Project Description, a Traffic Control Plan would be implemented to minimize obstructions at all major thoroughfares, which would help to ensure continued emergency access to the project area and nearby properties. The Traffic Control Plan would include provisions for construction truck marshaling to prevent congestion from construction traffic and associated impacts on emergency

services on roads leading to and from the project area. As necessary, this plan would include detours and provisions for clear signage, including for emergency vehicles to use during emergency response. A *less-than-significant* impact would occur.

Operations

All Build Alternatives

Operation of the new transit center would not impair or physically interfere with the *Marin Operational Area Emergency Operations Plan*, *Marin County Operational Area ERP*, and/or the *San Rafael LHMP*, as the proposed project would be required to comply with applicable regulations and adopted plans as a part of the City's project approval process. Additionally, operation of the proposed project would not increase susceptibility to the emergency events discussed in these plans and would not change Marin County's or the City's ability to activate emergency response actions for the emergency events described in these plans. The Golden Gate Bridge, Highway and Transportation District's Emergency Operations Plan would be updated to include the new facility. This plan is intended to provide direction and guidance for use in response to and recovery from emergency events and identifies coordination processes with relevant emergency management agencies (Golden Gate Bridge, Highway and Transportation District 2019). See Section 3.13, Public Services and Recreation, for a discussion of the potential impacts on public services, including emergency services. A *less-than-significant* impact would occur.

Mitigation Measures

No mitigation is required.

Impact HAZ-7: Expose People or Structures, Either Directly or Indirectly, to a Significant Risk of Loss, Injury or Death Involving Wildland Fires

The project area is not within a Very High Fire Hazard Severity Zone (CAL FIRE 2020). The project area is within a fully developed area of San Rafael. Therefore, potential impacts associated with exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, would be *less than significant*. Impacts related to wildfires are discussed further in Section 3.17, Wildfire.

Section 3.9

Hydrology and Water Quality

This section addresses hydrology and water quality impacts that may result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives. The following discussion addresses existing hydrology and drainage conditions of the project area and surroundings, including drainage patterns, runoff quantity and quality, the capacity of the existing storm drain infrastructure, and flood hazards. It considers applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from project implementation, as applicable. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.9.1 Existing Conditions

3.9.1.1 Regulatory Setting

Federal

Federal Clean Water Act

The proposed project is subject to federal permit requirements under the federal Clean Water Act (CWA). The primary goal of the CWA is to maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The United States Environmental Protection Agency (EPA) has delegated the administrative responsibility for portions of the CWA to state and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCBs) to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants into waters of the United States from any point source unless the discharge complies with an NPDES permit.

The Anti-degradation Policy under EPA's Water Quality Standards Regulations (48 Federal Register 51400, 40 Code of Federal Regulations 131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.

- Tier 2—Maintains and protects “high-quality” waters where existing conditions are better than necessary to support “fishable/swimmable” waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designated uses.
- Tier 3—Maintains and protects water quality in outstanding national resource waters. Water quality cannot be lowered in such waters except for certain temporary changes.

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in Section 303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired waterbodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop Total Maximum Daily Loads (TMDLs) for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers. Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands and coastal areas below the mean high tide. The U.S. Army Corps of Engineers administers the day-to-day program and reviews and considers individual permit decisions and jurisdictional determinations. The U.S. Army Corps of Engineers also develops policy and guidance and enforces Section 404 provisions.

States and authorized tribes where the discharge would originate are generally responsible for issuing water quality certifications under Section 401 of the CWA. Pursuant to CWA Section 401, an applicant for a Section 404 permit to conduct any activity that may result in discharge into navigable waters must provide a certification from the RWQCB that such discharge will comply with state water quality standards. A Section 401 water quality certification verifies compliance with water quality requirements.

National Flood Insurance Program

The Federal Emergency Management Agency’s (FEMA’s) primary missions are to reduce the loss of life and property and protect the nation from all hazards, including flooding. FEMA is responsible for administering the National Flood Insurance Program (NFIP). The NFIP enables property owners in participating communities to purchase insurance as protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages. In communities that participate in the NFIP, mandatory flood insurance purchase requirements apply to all properties within Zone A, which are communities subject to a 100-year flood event. In addition to providing flood insurance and reducing flood damages through floodplain management regulations, the NFIP identifies and maps the floodplains of Flood Insurance Rate Maps.

State

California Porter-Cologne Water Quality Control Act

SWRCB regulates water quality through the Porter-Cologne Water Quality Act of 1969 (Porter-Cologne Act), which contains a complete framework for the regulation of waste discharges to both surface waters and groundwater of the state. The Porter-Cologne Act (California Water Code Section 13000 et seq.) is the principal law governing water quality regulation in California. It established a

comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and groundwater and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act, the policy of the state is as follows:

- That the quality of all the waters of the state shall be protected,
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason, and
- That the state must be prepared to exercise its full power and jurisdiction to protect the quality of water in the state from degradation.

Through the SWRCB, the Porter-Cologne Act established nine RWQCBs that are charged with implementing its provisions and that have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrology regions. The SWRCB has numerous nonpoint-source¹ pollution-related responsibilities, including monitoring and assessment, planning, financial assistance, and management. The Porter-Cologne Act provides several options for enforcing waste discharge requirements and other orders.

The Porter-Cologne Act establishes a comprehensive program for the protection of beneficial uses of the waters of the state. California Water Code Section 13050(f) describes the beneficial uses of surface and groundwaters that may be designated by the state or regional boards for protection as follows: “Beneficial uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.” Waterbodies with substantial evidence indicating that the waterbody supports rare, threatened, or endangered species are identified as RARE. Twenty-three beneficial uses are now defined statewide.

San Francisco Bay Water Quality Control Plan

The *San Francisco Bay Basin (Region 2) Water Quality Control Plan* (Basin Plan) is the San Francisco Bay RWQCB’s master water quality control planning document for the San Francisco Bay Basin (San Francisco RWQCB 2019). The Basin Plan designates beneficial uses and water quality objectives for “waters of the state,” including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan established water quality objectives for total dissolved solids, mineral constituents, and turbidity on a watershed-by watershed basis within the region, while objectives for total and fecal coliform bacteria, nutrients (total nitrogen and total phosphorus), pH, dissolved oxygen, and un-ionized ammonia are set on a region-wide basis.

Phase II Small Municipal Separate Storm Sewer System Program

The Municipal Stormwater Permitting Program regulates stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s). Most of these permits are issued to a group of co-permittees

¹ According to EPA, “NPS (*nonpoint source*) pollution generally results from land runoff, precipitation, atmospheric deposition, drainage, seepage or hydrologic modification.” NPS pollution has many diffuse sources whereas point source pollution has a single, identified source (EPA 2020).

encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable, which is the performance standard specified in CWA Section 402(p). The management programs specify what stormwater best management practices (BMPs) will be used to address certain program areas. The program areas include public education and outreach, illicit discharge detection and elimination, construction and post-construction, and good housekeeping for municipal operations.

The NPDES permit is broken up into two phases: I and II. Phase I requires medium and large cities, or certain counties with populations of 100,000 or more, to obtain NPDES permit coverage for their stormwater discharges. Phase II requires regulated small municipal MS4s in urbanized areas, as well as small MS4s outside the urbanized areas that are designated by the permitting authority, to obtain NPDES permit coverage for their stormwater discharges. The City of San Rafael (City) is covered under the Phase II MS4 permit (Order WQ 2013-0001-DWQ NPDES No. CAS000004 as amended by order WQ 2015-0133-EXEC, Order WQ 2016-0069-EXEC, Order WQ 2018-0001-EXEC, and order WQ 2018-0007-EXEC). As a Phase II implementing city, the City should enforce development of a Stormwater Management Plan containing pre- and post-construction BMPs. The Golden Gate Bridge, Highway and Transportation District is considered a non-traditional small MS4 permittee and is also covered under Order No. 2013-0001-DWQ.

The RWQCB regulates discharges to waters through issuance of NPDES permits for point-source discharges for contaminants and waste discharge requirements for nonpoint-source discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues.

NPDES General Permit for Construction Activities

The SWRCB has issued and periodically renews a statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit (Order No. 2009-0009-DWQ, NPDES No. CAR000002, as amended by 2010-0014-DWQ and 2012-0006-DWQ) was adopted in 2009. The construction permitting is administered by the SWRCB, while the post-construction permitting is administered by the RWQCB. Development projects typically result in the disturbance of soil that requires compliance with the Construction General Permit. This statewide General Construction Permit regulates discharges from construction sites that disturb 1 or more acres of soil.

By law, all stormwater discharges associated with construction activity where clearing, grading, and excavation results in soil disturbance of at least 1 acre of total land area must comply with the provisions of this Construction General Permit and develop and implement an effective Stormwater Pollution Prevention Plan (SWPPP). The SWPPP is required to contain a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP is required to list BMPs the discharger would use to protect stormwater runoff and the placement of those BMPs. Examples of BMPs include temporary vegetation, silt fences, and vegetative filter strips. Additionally, the SWPPP must contain the following elements: a visual monitoring program, a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs, and a sediment monitoring plan if the site

discharges directly to a waterbody listed on the 303(d) list for sediment. Construction General Permit Section A describes the elements that must be contained in a SWPPP. A project applicant must submit a Notice of Intent to the SWRCB to be covered by the Construction General Permit and prepare the SWPPP before beginning construction. SWPPP implementation starts with the commencement of construction and continues through project completion. Upon project completion, the applicant must submit a Notice of Termination to the SWRCB to indicate that construction is completed.

For construction activities that would result in the disturbance of 1 or more acres, permittees must develop, implement, and enforce a program to reduce pollutant runoff in stormwater. This includes: (1) a program to prevent illicit stormwater discharges; (2) structural and non-structural BMPs to reduce pollutants in runoff from construction sites; and (3) prevention of discharges from causing or contributing to violations of water quality standards. Permittees are required to review construction site plans to determine potential water quality impacts and ensure proposed controls are adequate. These include preparation and submission of an Erosion and Sediment Control Plan with elements of a SWPPP, prior to issuance of building or grading permits.

NPDES Municipal Regional Permit Post-Construction Stormwater Quality Requirements

The City is a permittee under the NPDES Municipal Regional Permit and has the authority to administer Section E.12 regarding post-construction stormwater controls. The provisions require the installation of post-construction BMPs for new development as part of the federal NPDES program and the setting of standards for their implementation. The intent of these regulations is to rigorously control the quality and quantity of stormwater runoff from any new development that creates or replaces impervious area over 10,000 square feet (or 5,000 square feet for high water quality risk sites), so that receiving waters downstream are not adversely affected.

To comply with these requirements, projects meeting these criteria are required to install water quality stormwater runoff BMPs that filter or treat rainfall runoff generated from storm events up to approximately the 85th percentile rainfall event (or approximately the 1-inch storm event) before discharging into storm drains or natural drainage systems. Projects are required to capture 100 percent of rainfall runoff from new impervious surfaces and to treat it in post-construction stormwater systems. Projects are required to implement Low-Impact Development techniques such as harvesting and re-use, infiltration, evapotranspiration, and bioretention.

Industrial General Permit

The SWRCB has issued a statewide General Industrial Activities Stormwater Permit (Industrial Permit) for projects that do not require an individual permit for construction activities. The Industrial Permit (Order No. 2014-0057-DWQ) was adopted in 2014 and requires dischargers to develop and implement a SWPPP to reduce or prevent industrial pollutants in stormwater discharges, eliminate unauthorized non-storm discharges, and conduct visual and analytical stormwater discharge monitoring to verify the effectiveness of the SWPPP and submit an annual report. Industrial facilities such as manufacturers, landfills, mining, steam-generating electricity, hazardous waste facilities, transportation with vehicle maintenance, larger sewage and wastewater plants, recycling facilities, and oil and gas facilities are typically required to obtain Industrial Permit coverage. In the adoption of the Industrial Permit, the SWRCB recognized the need for a comprehensive training program to provide a statewide training specifically for individuals assisting

dischargers with compliance with this permit, standardized knowledge of implementing the Industrial Permit through training, and required quality assurance, sampling methods, and protocols for stormwater discharge sampling.

California Fish and Game Code Sections 1602

The California Department of Fish and Wildlife (CDFW) is a public trustee agency with a role in protecting water quality that is related to California Fish and Game Code Section 1602. CDFW coordinates with the SWRCB and uses the needs of fish and wildlife to inform water policy, legislation, and execution of water quality policy and management. CDFW participates in the development of high-profile water quality policies with statewide implications (e.g., Statewide Policies, Sacramento-San Joaquin River Delta) through coordination with regional and local agencies regarding water quality standards policy and permitting processes. In part, CDFW accomplishes this through ensuring compliance with Division 2, Chapter 6, Section 1602 of the California Fish and Game Code. CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife.

Local

~~Bay Conservation and Development Commission~~

~~The Bay Conservation and Development Commission (BCDC) has permitting authority for most projects in San Francisco Bay and along the shoreline, which is defined in the McAteer-Petris Act to include Bay waters up to the mean high water line and the area 100 feet landward of and parallel to the mean high water line of San Francisco Bay. Under the McAteer-Petris Act, an agency or individual must secure a permit from BCDC if it proposes to place fill, dredged sediment, or dredged materials in San Francisco Bay or certain tributaries within BCDC jurisdiction. Most activities within the 100-foot shoreline band are also subject to a permit from BCDC. The type of permit issued depends on the nature and scope of the proposed activities. Construction of those elements of the proposed project within BCDC's jurisdiction would require a Major Permit under the McAteer-Petris Act.~~

~~City of San Rafael General Plan 2040~~

~~The City of San Rafael General Plan 2020~~

~~The City of San Rafael General Plan 2020 contains the following goals and policies that are applicable to the proposed project (City of San Rafael 2016):~~

~~Air and Water Quality Element~~

~~**Policy AW-7. Local, State and Federal Standards.** Continue to comply with local, state, and federal standards for water quality.~~

~~**AW-7a. Countywide Stormwater Program.** Continue to participate in the countywide stormwater program and comply with its performance standards.~~

~~**AW-7b. Stormwater Runoff Measures.** Continue to incorporate measures for stormwater runoff control and management in construction sites.~~

~~**AW-7c. Water Quality Improvements in Canal and Other Waterways.** Support water quality improvement efforts in the San Rafael Canal, creeks, and drainageways in accordance with standards of the State Water Quality Control Board or any agencies with jurisdiction.~~

Policy AW-8. Reduce Pollution from Urban Runoff. Address non-point source pollution and protect receiving waters from pollutants discharged to the storm drain system by requiring Best Management Practices quality.

- Support alternatives to impervious surfaces in new development, redevelopment, or public improvement projects to reduce urban runoff into storm drain system, creeks, and the Bay.
- Require that site designs work with the natural topography and drainages to the extent practicable to reduce the amount of grading necessary and limit disturbance to natural water bodies and natural drainage systems.
- Where feasible, use vegetation to absorb and filter fertilizers, pesticides and other pollutants.

Policy AW-9. Erosion and Sediment Control. Establish development guidelines to protect areas that are particularly susceptible to erosion and sediment loss.

On August 2, 2021 the City Council adopted *San Rafael General Plan 2040*. Various general plan elements contain goals and policies related to hydrology and water quality that are applicable to the proposed project (City of San Rafael 2021a). These policies and programs, including those that address flooding and sea level rise, are summarized below.

Land Use Element

Goal LU-1. Well-Managed Growth and Change. Grow and change in a way that serves community needs, protects the environment, improves fiscal stability, and enhances the quality of life.

- **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...

(d) The project has incorporated design and construction measures to adequately mitigate exposure to hazards, including flooding, sea level rise, and wildfire.

Conservation and Climate Change Element

Goal C-3. Clean Water. Improve water quality by reducing pollution from urban runoff and other sources, restoring creeks and natural hydrologic features, and conserving water resources.

- **Policy C-3.1. Water Quality Standards.** Continue to comply with local, state and federal water quality standards.
- **Policy C-3.2. Reduce Pollution from Urban Runoff.** Require Best Management Practices (BMPs) to reduce pollutants discharged to storm drains and waterways. Typical BMPs include reducing impervious surface coverage, requiring site plans that minimize grading and disturbance of creeks and natural drainage patterns, and using vegetation and bioswales to absorb and filter runoff.
 - **Program C-3.2C. Construction Impacts.** Continue to incorporate measures for stormwater runoff control, management, and inspections in construction projects and require contractors to comply with accepted pollution prevention planning practices. Provisions for post-construction stormwater management also should be included.
- **Policy C-3.3. Low Impact Development.** Encourage construction and design methods that retain stormwater on-site and reduce runoff to storm drains and creeks.

Safety and Resilience Element

Goal S-3. Resilience to Flooding and Sea Level Rise. Recognize, plan for, and successfully adapt to the anticipated effects of increased flooding and sea level rise.

- **Policy S-3.4: Mitigating Flooding and Sea Level Rise Impacts** Consider and address increased flooding and sea level rise impacts in vulnerable areas (see Figure 8-3) in development and capital projects, including resiliency planning for transportation and infrastructure systems.

- **Program S-3.4A: Development Projects.** Where appropriate, require new development, redevelopment projects, and substantial additions to existing development to consider and address increased flooding and sea level rise impact, and to integrate resilience and adaptation measures into project design.
- **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.
 - **Program S-3.8A: Storm Drainage Improvements.** Consistent with Countywide and regional stormwater management programs, require new development with the potential to impact storm drainage facilities to complete hydrologic studies that evaluate storm drainage capacity, identify improvements needed to handle a 100-year storm, and determine the funding needed to complete those improvements.
 - **Program S-3.8B: Green Infrastructure Guidelines.** Evaluate potential measures to more sustainably manage stormwater, erosion, and improve water quality associated with urban runoff. This includes improvements such as rain gardens and permeable pavement, which attenuate flooding downstream and provide ecological benefits.

San Rafael General Plan 2040

The City is currently working on the Draft San Rafael General Plan 2040. The Draft San Rafael General Plan 2040 contains the following goals and policies that would be applicable to the proposed project (City of San Rafael 2020).

Conservation and Climate Change Element

Policy C-1.1: Wetlands Preservation. Require appropriate public and private wetlands preservation, restoration and/or rehabilitation through the regulatory process. Support and promote acquisition of fee title and/or easements from willing property owners.

Policy C-1.6: Creek Protection. Protect and conserve creeks as an important part of San Rafael’s identity, natural environment, and green infrastructure. Except for specific access points approved per Policy C-1.7 (Public Access to Creeks), development-free setbacks shall be required along perennial and intermittent creeks (as shown on Figure 6-2) to help maintain their function and habitat value. Appropriate erosion control and habitat restoration measures are encouraged within the setbacks, and roadway crossings are permitted.

Policy C-1.9: Enhancement of Creeks and Drainageways. Conserve or improve the habitat value and hydrologic function of creeks and drainageways so they may serve as wildlife corridors and green infrastructure to improve stormwater management, reduce flooding, and sequester carbon. Require creek enhancement and associated riparian habitat restoration/creation for projects adjacent to creeks to reduce erosion, maintain storm flows, improve water quality, and improve habitat value where feasible.

Policy C-3.1: Water Quality Standards. Continue to comply with local, state and federal water quality standards.

Policy C-3.2: Reduce Pollution from Urban Runoff. Require Best Management Practices to reduce pollutants discharged to storm drains and waterways. Typical BMPs include reducing impervious surface coverage, requiring site plans that minimize grading and disturbance of creeks and natural drainage patterns, and using vegetation and bioswales to absorb and filter runoff.

Policy C-3.3: Low Impact Development. Encourage construction and design methods that retain stormwater on-site and reduce runoff to storm drains and creeks.

Policy C-3.4: Green Streets. Design streets and infrastructure so they are more compatible with the natural environment, mitigate urban heat island effects, and have fewer negative impacts on air and water quality, flooding, climate, and natural habitat.

Safety and Resilience Element

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.

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.

Marin County Flood Control and Water Conservation District

The Marin County Flood Control and Water Conservation District was formed in 1955 by an Act of the State Legislature found in Chapter 68 of the State Water Code. The Board of Supervisors sits as Board of the district and the district is staffed by the Department of Public Works. The boundaries of the district are contiguous with those of the County of Marin and eight zones have been established to address specific watershed flooding problems. Each zone has an advisory board of residents that reviews zone budgets and master plans and advises the district board on these matters. The district also maintains precipitation and stream gauges, publishes Creek Rating Tables, and oversees the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) and FEMA Flood Insurance programs.

Marin County Stormwater Pollution Program

The City is a member agency of the MCSTOPPP, which aims to prevent stormwater pollution, protect and enhance water quality in creeks and wetlands, preserve beneficial uses of local waterways, and comply with state and federal regulations. As a member agency, the City implements the San Rafael Urban Runoff Pollution Prevention Ordinance and funds the countywide MCSTOPPP, which provides for coordination and consistency of approaches among local stormwater programs. The San Rafael Urban Runoff Pollution Prevention Ordinance identifies stormwater BMPs, land development standards, and permitting requirements to ensure compliance with all appropriate regulations (MCSTOPPP 2020).

Furthermore, the San Rafael Sanitation District has implemented a Sewer System Management Plan to meet all RWQCB and SWRCB requirements. The Sewer System Management Plan aims to work cooperatively with local, state, and federal agencies to reduce, mitigate impacts of, and properly report any Sanitary Sewer Overflows that may affect water quality.

3.9.1.2 Environmental Setting

Surface Water and Groundwater

The project area is within the San Rafael Creek Watershed as shown in ~~The City of San Rafael General Plan 2020/2040~~, Figure 6-2. The San Rafael Creek Watershed is in the southern part of the city and encompasses 11 square miles. San Rafael Creek, south of the project area, The creek originates above Tamalpais Cemetery and flows through urbanized neighborhoods toward the San Rafael Canal, then enters San Rafael Bay in the vicinity of Pickleweed Park. The watershed's elevation ranges from approximately 1,100 feet in the hills to sea level at San Rafael Bay.

~~San Rafael Creek is south of the project area. San Rafael Creek drains a watershed of approximately 6.5 square miles with elevations ranging from sea level to approximately 1,100 feet. As a result of urbanization in the City, San Rafael Creek has been partitioned into two primary reaches: San Rafael Creek Canal and Mahon Creek. Existing drainage patterns identify that most of the project area drains south into San Rafael Creek before ultimately discharging into San Rafael Bay.~~

The project area, inclusive of the four alternatives, is within an urbanized and built-out area of Downtown San Rafael. Each of the alternative project sites considered in this analysis is developed with buildings, sidewalks, and asphalt parking areas, with minimal landscape vegetation. All runoff generated from the sites is directed toward stormwater drainage infrastructure that exists throughout the area. There are existing 18-inch and 48-inch storm drain main lines running west to east on 5th Avenue and two existing 14-inch storm drain lines running west to east on 3rd Street, east of the Sonoma-Marin Area Rail Transit (SMART) train tracks. Groundwater in the project area varies between 22 to 32 feet below the current ground surface. However, borings outside of but near the southern portion of the project area have recorded groundwater levels of 6 to 8 feet below the ground surface. In addition, borings made by the California Department of Transportation in the 1960s along the San Rafael Viaduct encountered groundwater between 4 and 6 feet below ground surface. Furthermore, the project area is not within a recognized groundwater basin.

Water Quality

The proposed project is within San Francisco Bay RWQCB jurisdiction. The concentration of pollutants in the surface runoff is determined by the quantity of a material in the environment and its characteristics. In an urban environment, the quantity of certain pollutants in the stormwater systems is generally associated with the intensity of land use. General hydrologic characteristics, land uses, and activities that involve pollutants have the greatest impact on water quality runoff. San Rafael Creek is 303(d) listed as impaired for diazinon and the San Francisco Bay Urban Creeks Diazinon TMDL was approved by EPA in 2007 (SWRCB 2018).

The RWQCB is charged with protecting all beneficial uses from pollution and nuisance that may occur as a result of waste discharges in the region. Beneficial use designations for any given waterbody do not rule out the possibility that other beneficial uses exist or have the potential to exist. Existing beneficial uses of San Francisco Bay identified in the Basin Plan include Industrial Service Supply, Industrial Process Supply, Commercial and Sport Fishing, Shellfish Harvesting, Estuarine Habitat, Fish Migration, Preservation of Rare and Endangered Species, Fish Spawning, Wildlife Habitat, Contact and Noncontact Water Recreation, and Navigation. Existing beneficial uses of San Rafael Creek identified in the Basin Plan include Warm and Cold Freshwater Habitat, Contact

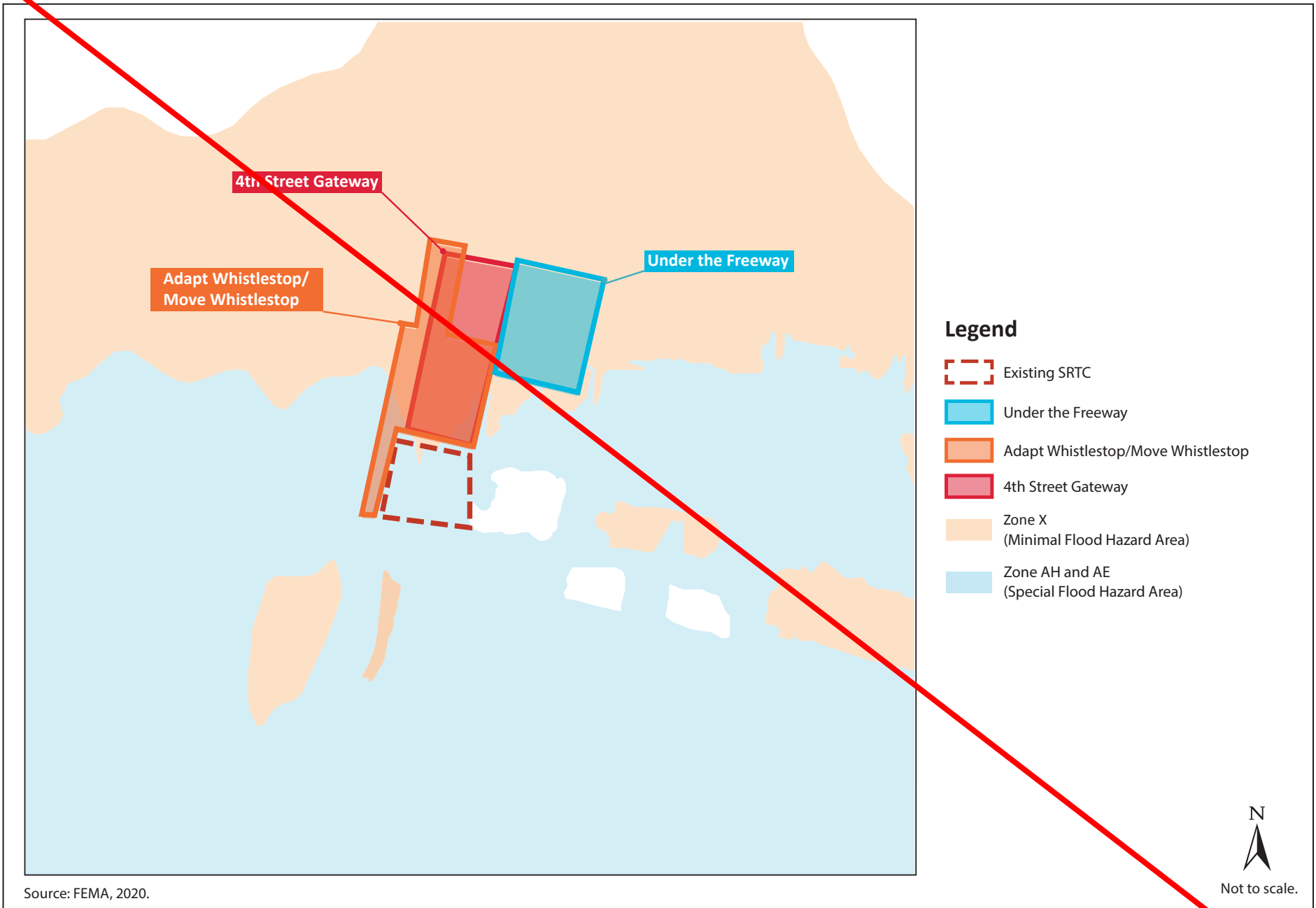
and Noncontact Water Recreation, and Wildlife Habitat. Existing beneficial uses that have not been formally designated in the Basin Plan are protected whether or not they are identified.

Floodplain

As shown on Figure 3.9-1, the existing San Rafael Transit Center is within FEMA Flood Zones AH and AE (EPA n.d.; FEMA 2020). The western portion of the site is within Zone AH, classified as an area inundated by a 1-percent annual chance (or 100-year) flood for which base flood elevations have been determined; flood depths range from 1 to 3 feet. The eastern portion of the project area is within Zone AE, classified as an area inundated by 1-percent annual chance flooding for which base flood elevations have been determined. The Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative are primarily within Zone X, classified as an area of minimal flood hazard with a 0.2-percent annual chance (or 500-year) flood. However, the southernmost portion of the project area is within Zone AH. The Under the Freeway Alternative is entirely within Zone X. It is anticipated that flooding and storm surges will become more intense in the coming years as a result of climate change, and it is possible that FEMA's figures may underestimate future flood conditions. Flooding frequency is expected to increase as climate change influences sea level rise. The existing transit center site was assessed for projected changes in inundation potential resulting from sea level rise using the Our Coast Our Future visualization tool, which displays data from the Coastal Storm Modeling System (Point Blue Conservation Service and United States Geological Survey 2017). This model presents projected flood conditions under various sea level rise elevation scenarios, including 0.8 foot, 1.6 feet, 2.5 feet, 3.3 feet, and 4.1 feet. Under existing conditions, the Our Coast Our Future model shows that the existing transit center does not face flood risk from a no-storm² or annual storm scenario. This model shows that the southern portion of the existing transit center would begin to experience partial, intermittent inundation from a no-storm scenario and an annual storm scenario at the 4.1-foot sea level rise scenario. During stronger storm events, the extent of flooding increases. The model shows that the existing transit center begins to face partial inundation from a 100-year (1 percent annual chance) storm at the 3.3-foot sea level rise scenario. The frequency and reach of inundation would increase as sea level rise increased.

~~The sites of the Move Whistlestop Alternative and other build alternatives vary in susceptibility to flooding based on their location relative to San Rafael Creek, which is south of the project area. The model shows that the southern portion of the Move Whistlestop and Adapt Whistlestop Alternatives would begin to experience inundation under no-storm and annual storm conditions at the 4.1-foot sea level rise scenario, similar to the existing transit center. The model shows that the 4th Street Gateway and Under the Freeway Alternatives would not experience inundation under no-storm or annual storm conditions at the 4.1-foot sea level rise scenario because they are farther from San Rafael Creek. The Move Whistlestop and Adapt Whistlestop Alternatives could be partially, intermittently inundated by a 100-year storm under the 3.3-foot of sea level rise scenario, similar to the existing transit center. The 4th Street Gateway and Under the Freeway Alternatives would have similar but relatively lower risk of inundation in a 100-year storm under the 3.3-foot sea level rise scenario because they are farther from San Rafael Creek.~~

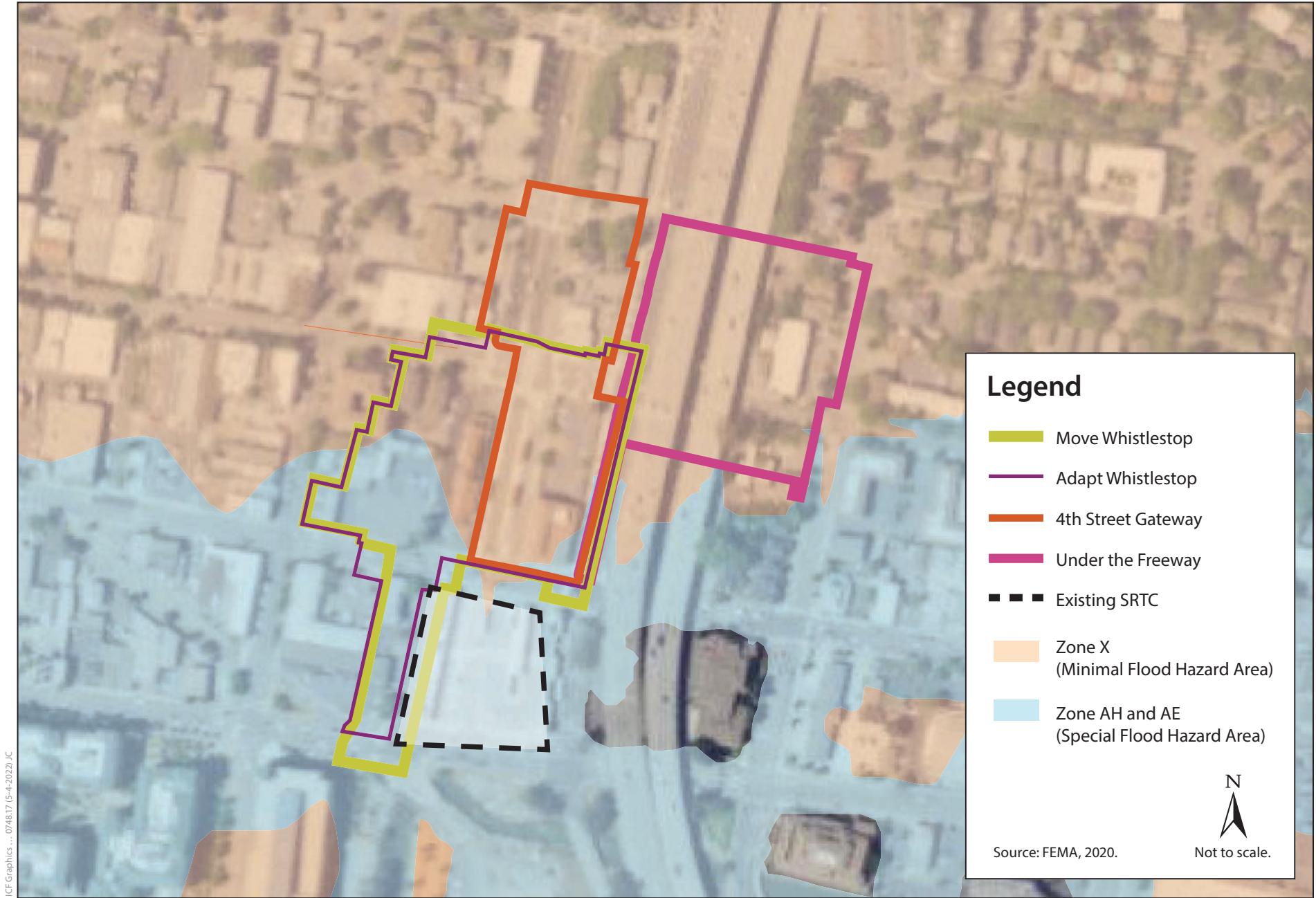
² A no-storm scenario considers potential flooding from daily tidal fluctuations.



ICF Graphics ... 074817 (2-23-2021).JIC



**Figure 3.9-1
FEMA Flood Zones**



ICF Graphics ... 074817 (5-4-2022).JC



**Updated Figure 3.9-1
FEMA Flood Zones**

3.9.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Hydrology and water quality impacts were analyzed for the proposed project area, as each alternative would have a nearly equivalent impact. Impacts for the build alternatives are presented together unless they differ substantially among alternatives. Information for this section was obtained through resources available online including *The City of San Rafael General Plan 2020-2040*, database maps, Urban Water Management Plan (MMWD 2016), and planning documents.

Technical information used to prepare this section was provided from the following resources:

- ~~City of San Rafael, *The City of San Rafael General Plan 2020-2040*~~ (City of San Rafael ~~2016~~2021a) and Environmental Impact Report (City of San Rafael ~~2004~~2021b)
- San Rafael Sanitation District *Sewer System Management Plan* (San Rafael Sanitation District 2015)
- Baseline Environmental Consulting, Phase 1 Environmental Site Assessment – San Rafael Transit Center Project (Baseline Environmental Consulting 2020)
- Parikh Consultants, Inc., Preliminary Geotechnical Design Recommendations, San Rafael Transit Center (Parikh 2020)

3.9.2.1 Methodology

Analysis of potential impacts related to hydrology and water quality was based on the existing and planned stormwater drainage systems and project elements were compared to baseline conditions, as described in Section 3.9.1.2, Environmental Setting, to conditions during construction and/or operations of the proposed project. The study area covered in the analysis consisted of the project area.

3.9.2.2 Thresholds of Significance

The following California Environmental Quality Act Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to hydrology and water quality.

Would the proposed project:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 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 that would
 - result in substantial erosion or siltation on or off site?

- substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site?
- create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- impede or redirect flood flows?
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

3.9.2.3 Impacts

Impact HYD-1: Violate Any Water Quality Standards or Waste Discharge Requirements or Otherwise Substantially Degrade Surface or Ground Water Quality

Construction

Move Whistlestop Alternative

The proposed project would disturb more than 1 acre of land and must comply with the requirements of the NPDES Construction General Permit, which controls water pollution by regulating point and non-point sources that discharge pollutants into receiving waters. Project construction would occur over approximately 18 months and could result in additional sources of polluted runoff that would have short-term impacts on water quality through activities such as clearing and grading, stockpiling of soils and materials, construction equipment, paving, and painting. Grading, excavation, and other earthmoving activities would have the potential to cause substantial erosion and result in sediment transport to roadways or watercourses via storm drains. Additional construction activities could result in soil compaction and wind erosion impacts that could adversely affect soils and reduce the revegetation potential at specific locations. If erosion is not prevented or contained during construction, sediments and pollutants including oil, litter, solvents, and dust could be conveyed off site and into San Rafael Creek and San Rafael Bay waters, resulting in water quality degradation and the subsequent violation of water quality standards. This impact would be potentially **significant**. Mitigation Measure MM-HYD-CNST-1 would be implemented to reduce this impact to a less-than-significant level.

Mitigation Measure MM-HYD-CNST-1 would include the preparation and implementation of a SWPPP and participation with the Construction General Permit. The SWPPP would contain site-specific BMPs implemented to control pollutants in stormwater discharge.

In addition, Chapter 9.30, Urban Runoff Pollution Prevention, of the San Rafael Municipal Code regulates grading, drainage, and erosion. This chapter contains requirements regarding discharge and construction site stormwater runoff control.

Although small amounts of construction-related dewatering are covered under the Construction General Permit, the San Francisco Bay RWQCB has regulations specific to dewatering activities that typically involve reporting and monitoring requirements. In the event of dewatering during construction activities or before dewatering to surface water via a storm drain, the contractor would

obtain coverage under the NPDES Construction General Permit from the San Francisco Bay RWQCB. Coverage under the Construction General Permit typically includes dewatering activities as authorized non-stormwater discharges, provided that dischargers prove the quality of water to be adequate and not likely to affect beneficial uses. All requirements of dewatering would be met to ensure water quality is not affected.

In the event groundwater is encountered during construction, dewatering discharge methods would include options for discharge to surface water via a storm drain in compliance with waste discharge requirements to ensure that any discharges would be within the capacity of existing facilities and would not require the construction or expansion of existing facilities. Waste discharge requirements also include regulations specific to dewatering activities requirements. If it is found that the groundwater does not meet water quality standards, it must either be treated as necessary prior to discharge so that all applicable water quality objectives (as designated in the Basin Plan) are met or hauled off site instead for treatment and disposal at an appropriate waste treatment facility that is permitted to receive such water. For water to be discharged to San Francisco Bay, the contractor would be required to notify the San Francisco Bay RWQCB and comply with the board's requirements related to the quality of water and discharges.

Implementation of MM-HYD-CNST-1 and compliance with the San Rafael Municipal Code and Water District requirements would minimize the potential impacts of project construction effects on water quality.

Therefore, construction of the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Potential impacts from construction activities would be ***less than significant with mitigation***.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant with mitigation***.

4th Street Gateway Alternative

The 4th Street Gateway Alternative construction impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant with mitigation***.

Under the Freeway Alternative

The Under the Freeway Alternative construction impacts would be similar to the impacts discussed for the Move Whistlestop Alternative above. However, the Under the Freeway Alternative would also require Section 401 and Section 404 CWA permits due to the required work in Irwin Creek. The area of impact on the creek would include 23,600 square feet of temporary impacts and 11,900 square feet of permanent impacts. As stated in Mitigation Measure MM-CNST-BIO-5, the project proponent would comply with any regulatory requirements determined as part of the state (Section 401 Water Quality Certification or waste discharge requirements, Lake and Streambed Alteration Agreement) and federal (Section 404 permit) processes for the work that would occur in Irwin Creek. With the implementation of Mitigation Measure MM-CNST-BIO-5, the impact would be ***less than significant with mitigation***.

Operations

Move Whistlestop Alternative

The project site has been previously developed with urban uses and does not include substantial vegetation or other pervious surfaces. Accordingly, implementation of the Move Whistlestop Alternative would not introduce new impervious surfaces to the area that could substantially increase the volume of runoff from the site. Notwithstanding, Move Whistlestop Alternative operation could contribute additional sources of polluted runoff such as pesticides, herbicides, oils, grease, debris, and other urban constituents to the stormwater drainage, which could flow into the City's stormwater system, San Rafael Creek, and San Rafael Bay. However, the Move Whistlestop Alternative is designed to have no negative impacts on downstream receiving waters related to stormwater pollutants through incorporation of stormwater treatment features. As described in Chapter 2, Project Description, the project design includes a total of seven bioscope vaults that would be installed at the southern portion of transit center drive aisles to treat runoff from the site prior to discharge into the existing storm drain infrastructure.

Furthermore, any project that includes site operation and maintenance has the potential to avoid or minimize impacts on receiving waters by changing the types and quantities of stormwater pollutants discharged from the site. The Move Whistlestop Alternative would reduce the volume of stormwater discharged downstream and the discharge of pollutants through the use of stormwater BMPs such as filters and bioscope vaults that remove pollutants combined with onsite retention of stormwater, which reduces the conveyance of any remaining pollutants. Additional post-construction design features would include:

- All new storm drain inlets and catch basins within the project site shall be marked with prohibitive language and/or graphical icons to discourage illegal dumping.
- Outdoor areas for storage of materials that may contribute pollutants to the stormwater conveyance system shall be covered and protected by secondary containment.
- Permanent trash container areas shall be enclosed to prevent offsite transport of trash, or drainage from open trash container areas shall be directed to the sanitary sewer system.

San Rafael General Plan 2040 contains Policy S-3.8, Storm Drainage Improvements, which encourages new development to consider green infrastructure for stormwater drainage. The Downtown San Rafael Precise Plan's Design Vision for Downtown San Rafael identifies 4th Street between Tamalpais Avenue and B Street as a corridor that "could...be an opportunity to integrate green infrastructure for utilities, stormwater and flood control" (City of San Rafael 2021c). Green infrastructure improvements suggested in these City plans would be considered during final design. All applicable design features would be incorporated into project development plans and construction documents and would be operational at the time of project occupancy.

The Move Whistlestop Alternative would not generate any point sources of wastewater or other liquid or solid water contaminants. All of the wastewater generated would be discharged into a local sanitary sewer system that would convey the flows into the San Rafael Sanitation District collection system and then to the Central Marin Sanitation Agency treatment facilities prior to discharge to San Rafael Bay or any other receiving water. All wastewater would be properly treated. This would reduce impacts and ensure pollutants from wastewater flows do not violate water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality.

As discussed above, the project applicant would be required to prepare a SWPPP and incorporate BMPs for post-construction conditions. Following compliance with NPDES and MS4 requirements, BMPs, MCSTOPPP, and relevant general plan policies and City requirements, project operations would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. No mitigation measures are required, and impacts would be *less than significant*.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative operation impacts would be the same as those of the Move Whistlestop Alternative outlined above. Project design features would include one bioscape vault, four stormwater filters, and one bioretention area installed at the southern portion of the transit center drive aisles to treat the site's water before being discharged into the existing storm drain infrastructure. Therefore, the impact would be *less than significant*.

4th Street Gateway Alternative

The 4th Street Gateway Alternative operation impacts would be the same as those of the Move Whistlestop Alternative outlined above. Project design features would include two bioscape vaults, four stormwater filters, and one bioretention area installed at the southern portion of the transit center drive aisles to treat the site's water before being discharged into the existing storm drain infrastructure. Therefore, the impact would be *less than significant*.

Under the Freeway Alternative

The Under the Freeway Alternative operation impacts would be the same as those of the Move Whistlestop Alternative outlined above. Project design features would include one bioretention area installed in the centermost drive aisle of the northern portion of the transit facility to treat the site's water before being discharged into the existing storm drain infrastructure. Therefore, the impact would be *less than significant*.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measures would be implemented. Refer to Mitigation Measure MM-BIO-CNST-5, Compensate for Temporary and Permanent Loss of Perennial Stream, in Section 3.3, Biological Resources.

MM-HYD-CNST-1: Prepare and Implement a Stormwater Pollution Prevention Plan

The proposed project will be required to implement a site-specific SWPPP that is consistent with the Construction General Permit. The SWPPP will include project construction features designed to protect the quality of stormwater runoff, known as BMPs. Construction BMPs could include, but not be limited to, the following:

- Minimization of disturbed areas to the portion of the project site necessary for construction
- Stabilization of exposed or stockpiled soils and cleared or graded slopes
- Establishment of permanent revegetation or landscaping as early as is feasible
- Removal of sediment from surface runoff before it leaves the project site by silt fences or other similar devices around the site perimeter

- Protection of all storm drain inlets on site or downstream of the project site to eliminate entry of sediment
- Prevention of tracking soils and debris off site through use of a gravel strip or wash facilities, which would be located at all construction exits from the project site
- Proper storage, use, and disposal of construction materials, such as solvents, wood, and gypsum
- Continual inspection and maintenance of all BMPs through the duration of construction
- Treatment requirements and operating procedures to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage

The SWPPP will also contain a site map(s) showing the construction perimeter, existing and proposed buildings, stormwater collection and discharge points, general pre- and post-construction topography, drainage patterns across the site, and adjacent roadways; a visual monitoring program; a chemical monitoring program for “non-visible” pollutants; and a sediment monitoring plan, should the site discharge directly into a waterbody listed on the 303(d) list for sediment. Section A of the Construction General Permit lists all elements that must be contained in a SWPPP. Once grading begins, the SWPPP must be kept on site and updated as needed while construction progresses.

Impact HYD-2: Substantially Decrease Groundwater Supplies or Interfere Substantially with Groundwater Recharge Such that the Project May Impede Sustainable Groundwater Management of the Basin

Construction and Operations

All Build Alternatives

The proposed project would not introduce new impervious surfaces on undeveloped land that would adversely affect groundwater recharge. The project site is developed with existing urban land use types and does not include vegetative cover that allows groundwater recharge on site. Accordingly, groundwater recharge would remain similar to existing conditions,

The Preliminary Geotechnical Design Recommendations (Parikh 2020) anticipate the project site would need to be excavated to 2 feet below ground surface. The depth of utility trenching is not known at this stage, but it is likely to be well above groundwater levels. However, the borings taken outside of but close to the southern portion of the project site, near Irwin Creek, have identified groundwater at 6 to 8 feet below the ground surface. In addition, borings made by the California Department of Transportation in the 1960s along the San Rafael Viaduct encountered groundwater between 4 and 6 feet below ground surface. As groundwater levels fluctuate seasonally, particularly near creeks, excavations for utility trenches may encounter groundwater in this area and may require dewatering, shoring, and other ground-stabilizing measures. If deemed necessary, construction-related dewatering would occur on a temporary basis and would not result in a loss of water that would substantially deplete groundwater supplies.

The Marin Municipal Water District (MMWD) provides water service to the City. MMWD’s primary water supply comes from seven rain-fed reservoirs and groundwater is not currently or planned to be used as a municipal water source supply by the MMWD. Groundwater resources would not be

used for project construction or operation. Accordingly, project implementation would not result in impacts on groundwater supplies within the City or MMWD. Therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HYD-3: Substantially Alter the Existing Drainage Pattern of the Site or Area, Including through the Alternation of the Course of a Stream or River or through the Addition of Impervious Surfaces, in a Manner that Would Result in Substantial Erosion or Siltation On or Off Site, Substantially Increase the Rate or Amount of Surface Runoff in a Manner that Would Result in Flooding On or Off Site, Create or Contribute Runoff Water that Would Exceed the Capacity of Existing or Planned Stormwater Drainage Systems or Provide Substantial Additional Sources of Polluted Runoff, or Impede or Redirect Flood Flows

Construction and Operations

Move Whistlestop Alternative

There are no natural drainage features (streams, creeks, swales or rivers) that would be affected by construction and operation of the Move Whistlestop Alternative.

During project construction, stormwater drainage patterns could be temporarily altered. However, as discussed above, BMPs would be implemented, as required in the project SWPPP, to minimize the potential for erosion or siltation in nearby storm drains and temporary changes in drainage patterns during construction. Therefore, potential erosion or siltation impacts during and following construction would be reduced to less-than-significant levels through compliance with the established regulatory framework.

The project site is currently developed and there are existing 18-inch and 48-inch storm drain main lines running west to east on 5th Avenue and two existing 14-inch storm drain lines running west to east on 3rd Street, east of the SMART train tracks. Proposed stormwater infrastructure for the Move Whistlestop Alternative would include a replacement storm drain main added along West Tamalpais Avenue between 2nd Street and through the 3rd Street intersection. Storm drain inlets and connections to existing storm drain mains would be added to the north side of the intersection of West Tamalpais Avenue and 2nd Street, the whole intersection of West Tamalpais Avenue and 3rd Street, along the north side of 3rd Street, and along the south side of 4th Street.

All proposed project improvements would connect to the existing storm drain system at new connection points and be modified to ensure effectiveness based on final site design. In compliance with local and regional regulations, the proposed project would be designed to minimize discharge from future operations and storm events.

As required by the San Francisco Bay RWQCB, the new stormwater drainage facilities would be planned and designed to satisfy the RWQCB's Municipal Regional Permit standards, and all other

applicable standards and requirements, which include ensuring that post-development flows do not exceed pre-development flows. The proposed project was designed to consider flood events consistent with San Rafael Municipal Code Title 18: Protection of Flood Hazard Areas. By maintaining stormwater flows at or below pre-development levels, the new stormwater drainage system would reduce the potential for both on- and offsite erosion effects.

The proposed project would not substantially increase runoff quantities, result in substantial erosion or siltation on or off site, or increase the rate of flooding on or off site. Runoff volumes would be similar to existing conditions and the Move Whistlestop Alternative would not exceed the capacity of existing or planned stormwater drainage systems. As discussed above, the project applicant would be required to apply for coverage under the NPDES Construction General Permit and prepare a SWPPP for the project site. The Construction General Permit would include implementation of BMPs to control potential construction-related pollutants. Following compliance with San Francisco Bay RWQCB, MS4 permit, NPDES, MCSTOPPP, and City requirements, project implementation would not result in substantial erosion or siltation on or off site, increase the rate or amount of surface runoff resulting in flooding on or off site, or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. Impacts would therefore be ***less than significant***.

Adapt Whistlestop Alternative

Proposed stormwater infrastructure for the Adapt Whistlestop Alternative would include storm drain inlets and connections to existing storm drain mains along the north side of the intersection of West Tamalpais Avenue and 2nd Street, the whole intersection of West Tamalpais Avenue and 3rd Street, along the north side of 3rd Street, and along the south side of 4th Street.

The Adapt Whistlestop Alternative construction and operation impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant***.

4th Street Gateway Alternative

Under the 4th Street Gateway Alternative, storm drain inlets and connections to existing storm drain mains would be added at locations between the SMART tracks and Heatherton Street, and along the north side of 3rd Street, the north side of 4th Street, and the south side of 5th Avenue. 4th Street Gateway Alternative construction and operation impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant***.

Under the Freeway Alternative

Proposed stormwater infrastructure for the Under the Freeway Alternative would include a replacement storm drain main added along Irwin Street from south of 4th Street to north of 5th Avenue. Storm drain inlets and connections to existing and proposed storm drain mains would be added to the west side of Irwin Street between 4th Street and 5th Avenue. The Irwin Creek stormwater drainage channel is along the western boundary of the site, adjacent to Hetherton Street. The Under the Freeway Alternative would construct new box culverts over Irwin Creek to bridge over the creek and connect the transit center to Hetherton Street. Accordingly, the box culverts would provide water quality protection by limiting direct runoff into the waterway. Consequently, Under the Freeway Alternative construction and operation impacts would be the

same as those of the Move Whistlestop Alternative. Therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HYD-4: In Flood Hazard, Tsunami, or Seiche Zones, Risk Release of Pollutants Due to Project Inundation

Construction and Operations

Move Whistlestop Alternative

The Move Whistlestop Alternative site is designated by FEMA as Zone X, which indicates minimal risk of flooding, but the southernmost portion of the site is within Zone AH, which indicates a 1-percent annual chance of flooding (FEMA 2020). Sea level rise modeling shows that the Move Whistlestop Alternative would not experience inundation under no-storm or annual storm conditions at the 4.1-foot sea level rise scenario. The Move Whistlestop Alternative could be partially, intermittently inundated by a 100-year storm at the 3.3-foot sea level rise scenario, similar to the existing transit center.

However, a system of levees has been constructed throughout the San Rafael Bay Front to contain floodwaters during significant rainstorms and/or coincident high tides to reduce potential flooding impacts in the City. Furthermore, policies in *San Rafael General Plan 2040* require elevated foundations in low-lying areas and flood-proofing buildings where sea level rise may result in inundation. Consistent with *San Rafael General Plan 2040*, the Move Whistlestop Alternative would incorporate design and construction measures to adequately reduce potential exposure to hazards including flooding and sea level rise and associated release of pollutants due to inundation. Accordingly, the potential for increased release of pollutants in a flood event would be less than significant.

As discussed in the *San Rafael General Plan 2040 & Downtown Precise Plan Final San Rafael General Plan 2020 General Plan Update Draft Environmental Impact Report*, the potential for significant damage from tsunami or seiche is very low, considering the variable tides, distance from the bay front levee, and short duration of a tsunami or seiche (City of San Rafael 2021b). The Move Whistlestop Alternative is not in a tsunami inundation area, as shown in the Tsunami Inundation Map for the San Rafael/San Quentin Quadrangle (California Emergency Management Agency et al. 2009). The alternative is not in a tsunami inundation area and is approximately 0.13 mile northwest of the tsunami inundation line.

Furthermore, as discussed above, construction-related stormwater BMPs would be implemented to minimize degradation of water quality associated with stormwater runoff or construction-related pollutants. In addition, construction and maintenance activities would comply with local stormwater ordinances, stormwater requirements established by MS4 requirements, and regional waste discharge requirements. Operation would comply with stormwater requirements established by MS4 requirements and MCSTOPPP, and onsite stormwater treatment features including bioscope vaults and filters would reduce potential stormwater pollution. Accordingly, Move Whistlestop Alternative construction and operation impacts pertaining to risk release of pollutants due to project inundation would be *less than significant*.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative site is designated by FEMA as Zone X, which indicates minimal risk of flooding, but the southernmost portion of the site is within Zone AH, which indicates a 1-percent annual chance of flooding (FEMA 2020). The alternative is not in a tsunami inundation area and is approximately 0.15 mile northwest of the tsunami inundation line. Sea level rise modeling shows that the Adapt Whistlestop Alternative would not experience inundation under no-storm or annual storm conditions at the 4.1-foot sea level rise scenario. Sea level rise modeling shows that the Adapt Whistlestop Alternative could be partially, intermittently inundated by a 100-year storm at the 3.3-foot sea level rise scenario during stronger storm events, similar to the existing transit center.

Policies in San Rafael General Plan 2040 require elevated foundations in low-lying areas and flood-proofing buildings where sea level rise may result in inundation. Consistent with San Rafael General Plan 2040, the Adapt Whistlestop Alternative would incorporate design and construction measures to adequately reduce potential exposure to hazards including flooding and sea level rise and associated release of pollutants due to inundation. Similar to the Move Whistlestop Alternative, construction and operation impacts pertaining to risk release of pollutants due to project inundation would be *less than significant*.

4th Street Gateway Alternative

A majority of the 4th Street Gateway Alternative site is designated by FEMA as Zone X, which is outside of the 100-year floodplain and indicates minimal risk of flooding. However, the southernmost portion of the site is within Zone AH, which is inside the 100-year floodplain and indicates a 1-percent annual chance of flooding (FEMA 2020). The site is approximately 0.18 mile northwest of the Tsunami Inundation Line. Sea level rise modeling shows that the 4th Street Gateway Alternative would not experience inundation under no-storm or annual storm conditions at the 4.1-foot sea level rise scenario. The 4th Street Gateway Alternative would have a similar but relatively lower risk of inundation than the Move Whistlestop Alternative (preferred alternative) in a 100-year storm at the 3.3-foot sea level rise scenario because it is farther from San Rafael Creek.

Policies in San Rafael General Plan 2040 require elevated foundations in low-lying areas and flood-proofing buildings where sea level rise may result in inundation. Consistent with San Rafael General Plan 2040, the 4th Street Gateway Alternative would incorporate design and construction measures to adequately reduce potential exposure to hazards including flooding and sea level rise and associated release of pollutants due to inundation. Similar to the Move Whistlestop Alternative, construction and operation impacts pertaining to risk release of pollutants due to project inundation would be *less than significant*.

Under the Freeway Alternative

The Under the Freeway Alternative site is designated by FEMA as Zone X, which indicates minimal risk of flooding (FEMA 2020). The alternative is not in a tsunami inundation area and is approximately 0.17 mile north of the tsunami inundation line. As with the 4th Street Gateway Alternative, sea level rise modeling shows that the Under the Freeway Alternative would not experience inundation under no-storm or annual storm conditions at the 4.1-foot sea level rise scenario. The Under the Freeway Alternative would have a similar but relatively lower risk of inundation than the Move Whistlestop Alternative (preferred alternative) in a 100-year storm under the 3.3-foot sea level rise scenario because it is farther from San Rafael Creek.

Policies in San Rafael General Plan 2040 require elevated foundations in low-lying areas and flood-proofing buildings where sea level rise may result in inundation. Consistent with San Rafael General Plan 2040, the Under the Freeway Alternative would incorporate design and construction measures to adequately reduce potential exposure to hazards including flooding and sea level rise and associated release of pollutants due to inundation. Similar to the Move Whistlestop Alternative, construction and operation impacts pertaining to risk release of pollutants due to project inundation would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact HYD-5: Conflict with or Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan

Construction and Operations

All Build Alternatives

Groundwater is not used as a water supply by MMWD and the proposed project is not within a recognized groundwater basin, so no Sustainable Groundwater Management Plan applies. Furthermore, the project area is previously developed and does not contain permeable surfaces that provide for groundwater recharge.

During construction, stormwater management BMPs would be implemented to control construction site runoff and to reduce the discharge of pollutants to storm drain systems from stormwater and other nonpoint-source runoff, as required by Mitigation Measure MM-HYD-CNST-1. Compliance with permit requirements and implementation of water quality control measures and BMPs would ensure that water quality standards would be achieved, including the water quality objectives that protect designated beneficial uses of surface and groundwater, as defined in the Basin Plan. Construction runoff would also comply with the appropriate water quality objectives for the region. The NPDES Construction General Permit also requires stormwater discharges not to contain pollutants that cause or contribute to an exceedance of any applicable water quality objectives or water quality standards, including designated beneficial uses.

Project design incorporates post-construction stormwater management features including bioscope vaults and filters to treat the site's water prior to discharge into exiting storm drain infrastructure. Therefore, the proposed project would not be a substantial source of pollutants that would result in significant impacts on surface water or groundwater quality. Additionally, the proposed project would implement and comply with the SWPPP and NPDES permit. Therefore, the proposed project would not conflict with a water quality control plan or groundwater management plan and *no impact* would occur.

Mitigation Measures

No mitigation is required.

This section describes the applicable regulatory and environmental setting for land use, existing and proposed land uses within and around the project area for the San Rafael Transit Center Replacement Project (proposed project), and the potential for the proposed project and other build alternatives to divide an existing community or conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.10.1 Existing Conditions

3.10.1.1 Regulatory Setting

There are no federal or state laws or regulations pertaining to land use and planning that are relevant to the proposed project. The following regional and local policies and long-term transportation improvements are relevant to the proposed project.

Regional

Plan Bay Area

The Metropolitan Transportation Commission (MTC) acts as a regional transportation planning agency and as the region's metropolitan planning organization. Due to its designation, MTC is responsible for the Regional Transportation Plan (RTP), a compilation of plans for mass transit, highway, freight, bicycle, and pedestrian facilities. MTC also reviews applications from local agencies for state and federal grants for transportation projects to determine their compatibility with the RTP. MTC and Association of Bay Area Governments (ABAG) adopted *Plan Bay Area 2040* in 2013, which was subsequently updated in 2017 (MTC and ABAG 2017).

Plan Bay Area 2040 is the integrated land use/transportation plan and demographic/economic forecast for the nine-county San Francisco Bay Area region. This plan coordinates housing plans, open space conservation efforts, economic development strategies, and transportation investments. Specifically, to reduce greenhouse gas (GHG) emissions, *Plan Bay Area 2040* promotes compact, mixed-use, infill development within walkable/bikeable neighborhoods close to public transit, jobs, schools, shopping, parks, recreation, and other amenities. Local jurisdictions voluntarily identified Priority Development Areas (PDAs) as appropriate locations for these types of neighborhoods. PDAs are eligible for capital infrastructure funds, planning grants, and technical assistance. The adopted *Plan Bay Area 2040* estimates that approximately 80 percent of the region's future housing needs may be met within PDAs. The strategy of focusing growth within PDAs maximizes travel choices, reduces dependency on driving, takes advantage of existing infrastructure capacity, and reduces pressure to develop open space. The proposed project is within the Downtown San Rafael PDA (MTC 2021).

As part of ongoing updates every 4 years, MTC and ABAG are expected to adopt *Plan Bay Area 2050* in fall 2021 (ABAG and MTC 2020).

Regional and Local

San Rafael Transit Center Relocation Study

The purpose of the 2017 *San Rafael Transit Center Relocation Study* was to identify transit center solutions to address the near-term and long-term needs of transit riders, operators, and agencies in Downtown San Rafael while accommodating implementation of the Sonoma-Marín Area Rail Transit (SMART) system. The study identified an interim solution to maintain transit connectivity while also allowing for the extension of SMART to Larkspur (City of San Rafael et al. 2017).

Golden Gate Bridge, Highway and Transportation District Short-Range Transit Plan

The Golden Gate Bridge, Highway and Transportation District (District) is a Special District of California encompassing the city and county of San Francisco; the entirety of Marin, Sonoma, and Del Norte Counties; most of Napa County; and portions of Mendocino County. As of July 1, 2019, public transit service provided by the District includes 28 regional bus routes, four ferry routes, and paratransit service. The District also operates seven local bus routes under contract with Marin County Transit District. Federal transportation statutes require that MTC, in partnership with state and local agencies, develop and periodically update a long-range RTP and a Transportation Improvement Program, which implements the RTP by programming federal funds to transportation projects contained in the RTP. To execute these planning and programming responsibilities, MTC requires that each transit operator in its region that receives federal funding through the Transportation Improvement Program prepare, adopt, and submit to MTC a short-range transit plan. The District's current *Short-Range Transit Plan* addresses fiscal years 2018/19 through 2027/28. Within this plan, the District identifies that the existing San Rafael Transit Center will be replaced by a new facility at a nearby site (Golden Gate Bridge, Highway and Transportation District 2019).

San Rafael Downtown Station Area Plan

The *San Rafael Downtown Station Area Plan* (Downtown SAP), approved in 2012, was developed to focus on development within a 0.5-mile-radius area around the planned Downtown San Rafael SMART station. It sets the stage to create a more vibrant, mixed-use, livable area supported by a mix of transit opportunities, including passenger rail service. The plan supports the vision of creating a transit-oriented, walkable, and active enrollment in the SMART station area by limiting the amount of parking provided to encourage transit use, walking, and bicycling instead of personal vehicle use. The Downtown SAP includes the following goals for an integrated transit center located within the project area (City of San Rafael 2012):

- Locate bus transit operations in close proximity to the Downtown San Rafael SMART station and provide improved access to the station.
- Provide a safe and convenient transfer experience for passengers connecting between rail and bus transit.
- Provide a location that has adequate space to serve the existing and projected bus service, while also providing operating flexibility and travel time benefits to bus routes.

- Provide a comfortable experience for waiting passengers that includes enhanced amenities and integrates the Whistlestop site if possible.
- Ensure that the facility location and configuration fits within the larger context of Downtown.

San Rafael Design Guidelines

In 2019, the City of San Rafael (City) has adopted general residential and non-residential design guidelines to assist design professionals and homeowners in planning out projects. During project review and approval, the guidelines are used by staff and the City Design Review Board to evaluate the quality of project design and make recommendations regarding design review approval or denial. The guidelines provide a framework of design principles that builds on the strength of the existing character of an area and that strives to improve the visual unity of the area. They span topics such as parking, landscaping, lighting, building form, material and colors, and pedestrian circulation, among other topics. The design guidelines are ~~contained~~ referenced in the Community Design Element of the ~~Draft San Rafael General Plan 2040~~ (City of San Rafael ~~2020a~~ 2021).

City of San Rafael General Plan 2020

~~The City of San Rafael General Plan 2020, adopted in 2004, includes the following 16 elements: Land Use, Housing, Neighborhoods, Community Design, Economic Vitality, Circulation (transportation), Infrastructure, Governance, Sustainability, Culture and the Arts, Parks and Recreation, Safety, Noise, Open Space, Conservation, and Air and Water Quality. This section addresses the four elements in The City of San Rafael General Plan 2020 that apply to land use: Land Use, Community Design, Circulation, and Sustainability. The remaining elements are addressed within the relevant topical sections of this draft EIR (City of San Rafael 2016).¹~~

Land Use Element

~~The Land Use Element seeks to support the vision to revitalize Downtown to include high-quality buildings, redevelopment of underutilized and vacant lands, entertainment venues, and the construction of new homes. The Land Use Element includes two overarching goals for land use and planning in San Rafael: Growth to Enhance Quality of Life (Goal 1), and Balance and Diversity (Goal 2). The Land Use Element includes the following policies applicable to the proposed project:~~

- ~~**LU-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. Project-related traffic will not cause the level of service established in the Circulation Element to be exceeded;~~
 - ~~b. Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed;~~
 - ~~c. Environmental review of needed circulation improvement projects has been completed;~~
 - ~~d. The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation Element to be exceeded, or the findings set forth in Policy C-5 have been made; and~~

¹Since adoption in 2004, amendments to *The City of San Rafael General Plan 2020* have been made by resolutions adopted by the San Rafael City Council. These amendments were incorporated into *The City of San Rafael General Plan 2020* and it was reprinted on April 28, 2017.

e.—Sewer, water, and other infrastructure improvements will be available to serve new development by the time the development is constructed.

LU-2a. Development Review. Through the development and environmental review processes, ensure that policy provisions are evaluated and implemented. The City may waive or modify any policy requirement contained herein if it determines that the effect of implementing the same in the issuance of a development condition or other approvals would be to preclude all economically viable use of a subject property.

LU-23. Land Use Map and Categories. Land use categories are generalized groupings of land uses and titles that define a predominant land use type (see Exhibit 11). All proposed projects must meet density and [floor area ratio] standards (see Exhibits 4, 5, and 6) for that type of use, and other applicable development standards. Some listed uses are conditional uses in the zoning ordinance and may be allowed only in limited areas or under limited circumstances. Maintain a Land Use Map that illustrates the distribution and location of land uses as envisioned by General Plan policies (see Exhibit 11).

Most of the project area west of U.S. Highway 101 (US 101) is identified with the Hetherton Office (32–65 units per acre) land use designation under the general plan; the southernmost block of the project area is identified with the Public/Quasi-Public land use designation; and, to the east of US-101, the blocks and portion of blocks are identified as Residential Office (15–32 units per acre) and Retail Office (15–32 units per acre). The Hetherton Office designation is intended to support ground-floor retail uses, personal service, food service, and live/work uses. The Residential Office designation is intended to promote residential, office, and mixed-use residential/office uses and serve as a transitional area between Downtown zoning districts and nearby residential uses. The Retail Office designation is intended to support retail and service uses, offices, and residential uses. Additional detail regarding *The City of San Rafael General Plan 2020* land use designation is addressed under Section 3.10.1.2, Environmental Setting, below.

Community Design Element

The Community Design Element addresses the physical form of the natural environment and the built form of the City. The overarching goal for this element is to have its best natural and built features preserved and strengthened to enhance the attractiveness and livability of the City (Goal 7). The Community Design Element includes the following policies applicable to the proposed project:

CD-1: City Image. Reinforce the City's positive and distinctive image by recognizing the natural features of the City, protecting historic resources, and by strengthening the positive qualities of the City's focal points, gateways, corridors and neighborhoods.

CD-1c. Way-Finding Signage. Prepare and implement an attractive citywide way-finding sign program to direct people to the City's cultural resources, public facilities, parks and other important destinations.

CD-1c. Landscape Improvement. Recognize that landscaping is a critical design component. Encourage maximum use of available landscape area to create visual interest and foster sense of the natural environment in new and existing developments. Encourage the use of a variety of site appropriate plant materials.

CD-8. Gateways. Provide and maintain distinctive gateways to identify City entryways.

CD-8a. Gateways. Evaluate each of the gateways defined on the design element maps to determine what natural, architectural, signage or landscape treatments should further establish these locations as identifiable gateways within the City, and implement the desired improvements as part of the City's Capital Improvement program.

CD-10. Nonresidential Design Guidelines. Recognize, preserve and enhance the design elements that contribute to the economic vitality of commercial areas. Develop design guidelines to ensure that new nonresidential and mixed-use development fits within and improves the immediate neighborhood and the community as a whole.

CD-10a. Visual Compatibility. Ensure that new structures are visually compatible with the neighborhood and encourage neighborhood-gathering places. Guidelines may address screening of service functions, materials and detailing, screening of roof equipment, lighting, landscaping, outdoor café seating and pedestrian amenities.

CD-17. Street Furnishings. Encourage appropriate benches, trash containers, street lighting, public art, and other street furnishings. Select styles compatible with individual neighborhoods and the Downtown to strengthen their identities.

CD-17a. Street Furnishings. Provide street furnishings that are consistent with applicable design style. Work with neighbors and businesses to fund program.

CD-19. Lighting. Allow adequate site lighting for safety purposes while controlling excessive light spillover and glare.

CD-19a. Site Lighting. Through the design review process, evaluate site lighting for safety and glare on proposed projects.

CD-19b. Lighting Plan. Require new development and projects making significant parking lot improvements or proposing new lighting to prepare a lighting plan consistent with the Design Guidelines for review by City planning staff.

CD-21. Parking Lot Landscaping. Provide parking lot landscaping to control heat build-up from pavement, reduce air pollution, provide shade cover for vehicles and soften the appearance of the parking lot. Emphasize the use of trees, and limit the height of shrub plantings so as to avoid creating security problems.

CD-21b. Parking Lot Landscape Enforcement. Require that newly installed parking lot landscaping be maintained and replaced as needed. Assure that landscaping is thriving prior to expiration of the required 2-year maintenance bond.

Circulation Element

The Circulation Element addresses San Rafael's key circulation improvement strategy to create a safe and well-managed transportation network that provides greater choice for the traveler and limits, or even reduces, congestion on the City's roads. This element includes several guiding goals: A Leadership Role in Transportation (Goal 12); Mobility for All Users (Goal 13); A Safe and Efficient Street System (Goal 14); Connections Between Neighborhoods (Goal 15); Bikeways (Goal 16); Pedestrian Paths (Goal 17); and Adequate Parking (Goal 18). The Circulation Element includes the following policies applicable to the proposed project:

C-1. Regional Transportation Planning. Actively coordinate with other jurisdictions, regional transportation planning agencies, and transit providers to expand and improve local and regional transportation choice. Work cooperatively to improve transit and paratransit services, achieve needed highway corridor improvements, and improve the regional bicycling network. As part of this effort, support implementation of Marin County's 25-Year Transportation Vision.

C-3. Seeking Transportation Innovation. Take a leadership role in looking for opportunities to be innovative and experiment with transportation improvements and services.

C-3a. Transportation Technology. Use the most effective technologies in managing the City's roadways and congestion. For example, support timed connections at transit hubs, and promote the use of transportation information systems.

C-14. Transit Network. Encourage the continued development of a safe, efficient, and reliable regional and local transit network to provide convenient alternatives to driving.

C-14a. Transit Network. Support Countywide efforts to sustain and expand Marin County's transit network. Work with neighborhoods, employers, transit providers, transportation planning agencies and funding agencies to improve and expand regional transit to and from adjacent counties, increase local transit services, and provide responsive paratransit services.

C-17. Regional Transit Options. Encourage expansion of existing regional transit connecting Marin with adjacent counties, including basic service, express bus service, new commuter rail service, and ferry service...

C-17a. SMART. Support the following design features for SMART commuter service within San Rafael:

- 1) Establish stations in Downtown and in the Civic Center that will serve as multi-modal commuter transit hubs.
- 2) Design stations and rail crossings safe for pedestrians and with minimal impacts on roadway traffic.
- 3) Support crossings at grade through Downtown and strongly advocate for trains that are of a length that they avoid blocking traffic at an intersection.
- 4) Ensure that new development adjacent to the rail line is set back a safe distance and adequately attenuates noise.
- 5) Encourage high density transit-oriented development in the vicinity of the rail stations.
- 6) Include noise mitigation as described in policy N-9 (Sonoma Marin Area Rail Transit).
- 7) Provide a north/south bike/pedestrian path on or adjacent to the railroad right-of-way.

C-17b. SMART Right-of-Way. Maintain the SMART right-of-way for rail service.

C-20. Intermodal Transit Hubs. Support efforts to develop intermodal transit hubs in Downtown and at the Civic Center to provide convenient and safe connections and support for bus, rail, shuttle, bicycle, and pedestrian users, as well as automobile drivers using transit services. Hubs should include secure bicycle parking and efficient drop-off and pick-up areas without adversely affecting surrounding traffic flow. Reference the Downtown Station Area Plan and the Civic Center Station Area Plan, which address and present recommendations for transportation and access improvements to transit within a 0.5-mile radius of the two SMART stations.

C-20a. Transit Hubs. Work with Marin County, the Marin County Transit District, SMART Commission, the Golden Gate Bridge Transportation District, and other regional agencies to ensure that intermodal transit hubs are designed to be convenient and safe for San Rafael users. Work with SMART on the design of the new rail stations and the transit center interaction with the rail service.

Sustainability Element

The Sustainability Element is San Rafael's guiding strategy to actively adapt to ongoing changes within the community and in the environment. This element includes two overarching goals for sustainability in San Rafael: Sustainable Communities (Goal 25); and Highly Resource Efficient Operations (Goal 26). The Sustainability Element includes the following policies applicable to the proposed project:

SU-2. Promote Alternative Transportation. Decrease miles traveled in single-occupant vehicles.

SU-2d. SMART. Encourage continued funding, development and use of SMART, which will provide residents and employees of San Rafael an additional transportation alternative to single-occupant vehicles.

SU-6. Resource Efficiency in Site Development. Encourage site planning and development practices that reduce energy demand, support transportation alternatives and incorporate resource- and energy-efficient infrastructure.

SU-6a. Site Design. Evaluate as part of development review, proposed site design for energy-efficiency, such as shading of parking lots and summertime shading of south-facing windows.

San Rafael Zoning Code

The City of San Rafael Ordinance, Title 14 of the San Rafael Municipal Code, is the primary document that implements the general plan. Most of the project area west of US 101, which corresponds with the Hetherton Office land use designation under *The City of San Rafael General Plan 2020*, is zoned Hetherton Office (HO) under the zoning ordinance. The southernmost block of the project area is zoned Public/Quasi-Public (P/QP). To the east of US 101, the blocks and portion of blocks identified as Residential Office are similarly zoned Residential/Office (R/O), while those portions of the project area designated as Retail Office land use are zoned Commercial/Office (C/O).

Title 14 of the City's zoning code (Chapters 14.05 and 14.09) describes the standards of the HO, R/O, C/O, and P/QP zoned areas as follows:

HO zoned areas:

1. The HO district is at the eastern edge of Downtown adjacent to US-101. The district has a wide variety of uses from the Whistlestop Senior Center and the transit center to small and medium-sized offices and stores. An unused railroad right of way planned as a future transitway bisects the district, and there are a number of underutilized lots.
2. The HO district is expected to become a major office area because of its proximity to the transit center and 4th Street retail and services, and visibility from and access to US-101. New large-scale office development is encouraged to strengthen Downtown's standing as a business and financial center. On the ground floor, office, business-support retail, general retail for parcels that front 4th Street, personal service uses, and restaurants are encouraged. Parking structures are allowed and should have commercial uses on the ground floor. Limits on shops protect 4th Street retail businesses. Residential and live/work is permitted on the upper floors on 4th Street, and on the ground floor and above elsewhere.
3. The HO district is intended to become an elegant entryway into Downtown. Development will be large scale with off street parking and should include landmark design elements supportive of the district's gateway role. Buildings typically range from three to five stories with upper stories stepped back. Plazas, public art, and ground floor retail are encouraged along 4th Street between Hetherton Street and 4th Street.

R/O zoned areas:

1. The R/O district is a transitional area between the Downtown zoning districts and nearby residential areas. This district promotes residential, office, and mixed-use residential/office projects. This district also provides limited retail and personal service uses that support residential and office uses and are compatible with such uses. Gasoline service stations are allowed along major arterials such as 2nd Street.
2. This district is characterized by lower development intensity than in the Downtown zoning districts. The R/O district is also intended to be less intense in terms of evening and weekend activity than the Downtown zoning districts.

C/O zoned area:

1. The C/O district promotes retail, office, mixed retail/office/residential uses, and cultural facilities. The C/O district is different from the Downtown zoning districts in that it provides greater opportunity for office and financial uses in first-floor locations. Residential units are promoted to provide evening and weekend activity, increase the City's supply of housing, and support Downtown activities and uses.

P/QP zoned area:

1. The P/QP zone is intended to provide sites for governmental, educational, public safety, public utility, residential, and public transportation facilities, as well as to provide site opportunities for recreation and nonprofit community service facilities.

Local Plans under Review

The following local plans are undergoing public review. These are addressed for informational purposes and are not evaluated under Section 3.10.2.3, Impacts.

San Rafael General Plan 2040, Draft for Public Review

The City is currently working on ~~adopted~~ the Draft *San Rafael General Plan 2040* in August 2021, the product of a 3-year process that engaged residents and businesses throughout the City. The City Council authorized the plan update in 2017. One of the premises of the update was that the basic content of *The City of San Rafael General Plan 2020* should be carried forward. Building from *The City of San Rafael General Plan 2020*, ~~the~~ *San Rafael General Plan 2040* is structured into 13 specific elements, including an updated Housing Element and updated Community Design and Preservation Element (City of San Rafael 2020a~~2021~~). A Notice of Preparation of an EIR for the *San Rafael General Plan 2040* was filed on March 29, 2019, and a Draft EIR was released for public review in January 2021. The plan will not be finalized until the draft EIR is published, comments are reviewed and responded to, and a final EIR is approved by the City Council. Under the Draft *San Rafael General Plan 2040*, the entirety of the project area is identified as the Downtown Mixed-Use land use designation.

This section addresses the three elements in *San Rafael General Plan 2040* that apply to land use: Land Use, Community Design and Preservation, and Mobility. Relevant policies from these elements are listed below.

Land Use Element

The Land Use Element includes three overarching goals for land use and planning in San Rafael: Well-Managed Growth and Change (Goal LU-1), A Complete Community (Goal LU-2), and Distinctive Neighborhoods (Goal LU-3). The Land Use Element includes the following policies applicable to the proposed project:

- **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.
- o **Program LU-1.2A: Development Review.** Implement Policy LU-1.2 through the development review and environmental review processes. The City may modify the requirements associated with this policy if it determines that its application as stated would preclude all economically viable use of a subject property.
- **Policy LU-2.1: Land Use Map and Categories.** Use the General Plan Map as the framework for future land use decisions (see Figure 3-1). 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.

The Land Use Element designates the project area as Downtown Mixed-Use; more precise land use designations are made in the *Downtown San Rafael Precise Plan* (City of San Rafael Community Development Department 2021).

Community Design and Preservation Element

The Community Design and Preservation Element addresses the key characteristics that contribute to the City’s identity and image. The overarching goal for this element is to have its best natural and built features preserved and strengthened to enhance the attractiveness and livability of the City (Goal CDP-1). The Community Design Element includes the following policies applicable to the proposed project:

- **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-2.1: Neighborhoods, Districts, and Centers.** Strengthen San Rafael’s identity as a community of unique centers, neighborhoods, corridors, and districts. Design decisions should maintain Downtown as a historic, walkable center; preserve the integrity and character of residential neighborhoods; and improve the appearance and function of mixed use districts such as the North San Rafael Town Center.
- **Policy CDP-2.2: Downtown Urban Design.** Enhance the design qualities that make Downtown San Rafael a unique and special place, including its traditional street grid, street trees, walkable scale, historic building stock, and varied architecture.
- **Policy CDP-2.6: Gateways.** Provide distinctive, attractively designed gateways into the city and its major districts. Gateways should optimally convey a sense of arrival, reinforce a positive image of the city, and help define a unique identity for individual districts.
- **Policy CDP-3.2: Street Furnishings.** Use street furniture and pavement materials to create a more attractive city, particularly in commercial districts. Seating, trash receptacles, streetlights, art, and other street furnishings should be compatible with—and strengthen—the identity of San Rafael’s business districts and neighborhoods while supporting “green streets” and low impact development principles.

- **Policy CDP-3.6: Wayfinding and Directional Signage.** Encourage the use of consistent graphic conventions and logos for City signs, including gateway signs and wayfinding signs.
- **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-4.9: 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 CDP-4.10: Landscape Design.** Encourage—and where appropriate require—privately owned and maintained landscaping that conserves water, contributes to neighborhood quality, complements building forms and materials, improves stormwater management and drainage, and enhances the streetscape. Natural elements such as plants should be an integral part of site development and should enhance the built environment while supporting water conservation goals.
- **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.
- **Policy CDP-5.1: Historic Buildings and Areas.** Preserve buildings and areas with special and recognized historic, architectural or aesthetic value, including but not limited to those on the San Rafael Historical/Architectural Survey. New development and redevelopment should respect architecturally and historically significant buildings and areas.

Mobility Element

The Mobility Element addresses San Rafael’s key mobility improvement strategy to create a safe and well-managed transportation network that provides greater choice for the traveler and limits, or even reduces, congestion on the City’s roads. This element includes several guiding goals: Regional Leadership in Mobility (Goal M-1); Improved Transportation Efficiency and Access (Goal M-2); Cleaner Transportation (Goal M-3); High Quality, Affordable Public Transit (Goal M-4); Safe, Attractive Streets that Connect the Community (Goal M-5); Safe Walking and Cycling (Goal M-6); and Well Managed Parking (Goal M-7). The Mobility Element includes the following policies applicable to the proposed project:

- **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-2.7: Proposed Mobility Improvements.** Use Table 10-1 (Proposed Mobility Improvements) as the basis for transportation network improvements over the next 20 years. These improvements are intended to balance the City’s goals of managing congestion, reducing vehicle miles traveled, and enhancing mobility and safety. Specific improvements will be implemented as conditions require and will be refined during the design phase. Table 10-1 may

be amended as needed to reflect other design solutions and priorities, subject to City Council approval. Improvements will be implemented through the Capital Improvements Program using a variety of funding sources and may be subject to further environmental review.

- **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-4.2: Regional Transit Options.** Encourage expansion of regional transit connecting Marin with adjacent counties, including basic and express bus service, rail, and ferry service.
- **Policy M-4.3: SMART Improvements.** Maximize the potential benefits of Sonoma Marin Area Rail Transit (SMART) while minimizing potential conflicts between SMART trains, adjacent land uses, bicycle and pedestrian movement, and vehicle traffic circulation. City plans and programs related to SMART should be periodically evaluated based on changes in funding, operating costs, ridership, and other factors impacting service levels.
- **Policy M-4.7: Intermodal Transit Hubs.** Support efforts to develop intermodal transit hubs in downtown and North San Rafael to provide safe, convenient connections for all travelers. Such hubs should include secure bicycle parking, EV charging stations, and efficient drop-off and pick-up areas and create a positive experience for those arriving in San Rafael.

~~Draft~~ Downtown San Rafael Precise Plan

The ~~City adopted the Draft Downtown San Rafael Precise Plan (Downtown Precise Plan)~~ is part of the broader effort to update ~~The City of San Rafael General Plan 2020~~ and is taking place concurrent with development of ~~San Rafael General Plan 2040~~ in August 2021. The ~~ongoing Downtown Precise Plan~~ is an effort to assess the vision laid out for Downtown, analyzes current conditions, and identifies ~~growth and development opportunities for the next 20 years.~~ The ~~Downtown San Rafael Precise Plan~~ Downtown Precise Plan covers the Downtown San Rafael PDA and adjacent West End neighborhood and provides zoning-level development standards for new development and reinvestment, as well as updated design direction to improve architectural quality, streetscape, and historic preservation. The plan includes priority projects associated with the SMART station under Chapter 8, Implementation. These projects, which relate to this proposed project, include the following (City of San Rafael ~~Community Development Department 2020~~ 2021):

8A.1.1. Downtown Gateway Improvements. First/last mile improvements for SMART Station and Transit Center (pedestrian, bicycle, lighting, wayfinding). Downtown intersection improvements (traffic signals, roundabouts, and/or turn lane modifications).

8A.1.2. Transit Center Relocation. Implement the San Rafael Transit Center relocation project on site selection by the Golden Gate Bridge, Highway and Transportation District (District). Evaluate and implement necessary circulation and wayfinding improvements on surrounding streets to support the new function.

8A.1.8. Fourth Street Improvements. Pedestrian, bicycle, and vehicular circulation improvements on Fourth Street on the following segments, as described in Section 6.3: Street Transformations: - Fourth Street between H and E Streets - Fourth Street between E Street and Lincoln Avenue - Fourth Street between Tamalpais and Hetherton Streets - Fourth Street between Irwin and Grand Streets.

8A.1.10. Tamalpais Avenue West Improvements. Pedestrian, bicycle, and vehicular circulation improvements on Tamalpais Avenue on the following segments, as described in Section 6.3: Street Transformations: - Tamalpais Avenue between Second and Third Streets - Tamalpais Avenue between Third and Fourth Streets - Tamalpais Avenue between Fourth Street and Mission Avenue.

8A.2.1. Transit Plaza. Reconfigure Tamalpais Avenue between Fourth Street and Fifth Avenue to create a plaza designed to accommodate pedestrian and bicycle movement, temporary activities, and

allowing emergency vehicular access as needed. Improve Walter Lane to enable it to function as a pedestrian passage.

The *Downtown San Rafael Precise Plan* also establishes a “form-based code” that replaces traditional land use designations in the Downtown area with an updated code based on building form, size, and design. The form-based code designates most of the project site west of U.S. Highway 101 (US-101) (excluding the area south of 2nd Street) as T5MS (Main Street), which has the following design intent:

A walkable, urban neighborhood environment with large footprint, high-intensity mixed-use buildings in close proximity to the multimodal transit station, with neighborhood-serving shopping and services.

The project area east of US-101 and south of 2nd Street is designated as T5N, which is a high-density designation with the following design intent:

A walkable neighborhood environment of large footprint, high-intensity mixed-use buildings, supporting and within short walking distance of neighborhood shopping, services, and transit.

The T5MS and T5N designations allow building height ranges of 70–90 feet (approximately 6 to 8 stories) and 50–70 feet (approximately 4 to 6 stories), respectively.

San Rafael Zoning Code and Downtown Zoning District

The City of San Rafael Ordinance, Title 14 of the San Rafael Municipal Code, is the primary document that implements the general plan. The Downtown zoning district, which includes the project area, has been updated to align with the designations made in the *Downtown San Rafael Precise Plan* in August 2021. As stated above, most of the project area west of US-101 corresponds with the T5MS (Main Street) zoning designation consistent with the *Downtown San Rafael Precise Plan*’s form-based code. The project area east of US-101 is designated as T5N. See above for a description of the form-based code designations.

3.10.1.2 Environmental Setting

The proposed project would replace the existing San Rafael Transit Center, which is between 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street. Figure 2-1, in Chapter 2, Project Description, shows the location of current San Rafael Transit Center and the regional vicinity. As shown on Figure 2-2 and described in detail in Chapter 2, the four build alternatives—Move Whistlestop Alternative, Adapt Whistlestop Alternative, 4th Street Gateway Alternative, and Under the Freeway Alternative—are each within 500 feet of the existing San Rafael Transit Center and bordered by a mix of office, residential, and retail uses. Together, the four build alternative project sites compose the project area. The footprint of each alternative would be approximately 3 acres in size, with exact footprint and boundaries dependent on the alternative chosen. The details regarding the specific location and boundaries of each build alternative are described in Chapter 2 and further addressed below.

Project Area

Land uses surrounding the project area include retail, office, residential, and commercial uses in the southern portion of Downtown San Rafael. The exact bordering uses of the project area vary slightly under each build alternative. US-101 runs north and south, adjacent to and above the project area (depending on the alternative). East of the project area is a mix of residential and commercial uses.

San Rafael Creek, which flows from west to east draining into San Rafael Bay, lies south of the project area and 2nd Street. Irwin Creek, a tributary of San Rafael Creek, runs underneath US-101. To the west of the project area is a mix of restaurants and retailers. To the north of the project area are commercial uses.

According to the San Rafael General Plan 2040, The City of San Rafael General Plan 2020 Land Use Map, most of the project area west of US 101 is designated as Hetherton Office, with the southernmost portion south of 2nd Street designated as Public/Quasi-Public Downtown Mixed-Use. The 1.5 blocks of the project area east of US 101 are designated as Retail Office and Residential Office. The Downtown San Rafael Precise Plan designates the project area as the T5MS and T5N land use and zoning designations, described above in Section 3.10.1.1, Regulatory Setting. The existing parcel numbers, addresses, and land uses within the project area are described in Chapter 2.

Under existing zoning, the project area is classified into the following designations: HO, P/QP west of US 101, and R/O and C/O east of US 101. Additional project land use and zoning detail is provided below for each build alternative.

Move Whistlestop Alternative

The site is generally between West Tamalpais Avenue to the west and Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south; see Figure 2-4 for the site plan. Additional improvements are included to shift West Tamalpais Avenue to the east from 2nd Street to 4th Street. This modification would align West Tamalpais Avenue with the block to the north and include construction of a bike path and sidewalk improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street. From 2nd Street to 3rd Street, this improvement would extend into space occupied by the existing transit center and from 3rd Street to 4th Street, this improvement would extend onto the existing west sidewalk along West Tamalpais Avenue. As shown on the Figure 2-4 site plan, to support the proposed navigation and pedestrian improvements at this location, this site encompasses Tamalpais Avenue and its adjacent sidewalks from 2nd Street to 4th Street, the western adjacent parcels from 3rd Street to 4th Street, and the adjacent sidewalk east of Tamalpais Avenue from 4th Street to 5th Street.

With a dominant land use and zoning designation of Downtown Mixed-Use (T5MS) and zoning designation of HO, this project site and the surrounding area are primarily composed of commercial uses that are one to two stories in height. The southernmost extent of this project site extends into the land use and zoning designation of Downtown Mixed-Use (T5N) and zoning designation of P/QP. This alternative site includes several parcels and is currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the SMART tracks, and the Citibank building with its affiliated parking lot. Surrounding the project site are retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants and retail facilities to the west.

Adapt Whistlestop Alternative

The site is generally between West Tamalpais Avenue to the west, Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south. As shown on the Figure 2-5 site plan, to support the proposed navigation and pedestrian improvements at this location, this site encompasses the southeast corner of the intersection of Tamalpais Avenue and 4th Street for bicycle parking, and West Tamalpais Avenue between 3rd Street and 5th Avenue for on-street parking and loading improvements. This alternative would also include the construction of a bike path and pedestrian

improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street; construction of these facilities would extend into privately owned parcels between 3rd Street and 4th Street and would extend onto the west sidewalk of West Tamalpais Avenue between 2nd Street and 3rd Street.

~~With a dominant land use and zoning designation of HO and land use designation of Downtown Mixed-Use (T5MS), this project site and the surrounding area are primarily composed of commercial uses that are one to two stories in height. The southernmost extent of this project site extends into the land use and zoning designation of P/QP.~~ This alternative site crosses several parcels and is currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the SMART tracks, and the Citibank building with its affiliated parking lot. Surrounding the project site are retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants and retail facilities to the west.

4th Street Gateway Alternative

The 4th Street Gateway Alternative site is a two-block site that extends across 4th Street. It is bounded by 5th Avenue to the north, Hetherton Street and US-101 to the east, 3rd Street to the south, and West Tamalpais Avenue to the west. As shown on Figure 2-6, to support the proposed pedestrian improvements and parking at this location, this site encompasses the SMART station and tracks, as it extends to West Tamalpais Avenue, but does not propose any alterations of tracks.

~~With a land use and zoning designation of Downtown Mixed-Use (T5MS) and zoning designation of HO,~~ this project site and the surrounding area are primarily composed of commercial uses that are one to two stories in height. The northern portion of this project site, between 4th Street and 5th Street, is currently occupied by offices and retail uses and associated parking. The southern portion of this project site, between 3rd Street and 4th Street, is referred to as the “Citibank parcel” because it is occupied by a Citibank and off-street parking. To the west of the Citibank parcel are the SMART tracks, which align the western portion of the southern section of the project site. Adjacent to the tracks is the Whistlestop building and a café. Surrounding the project site are retail and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants and retail facilities to the west.

Under the Freeway Alternative

This project site is primarily beneath US-101 and bounded by 5th Avenue to the north, Irwin Street to the east, and Hetherton Street to the west. As shown on the Figure 2-7 site plan, to support the proposed navigation and pedestrian improvements at this location, this site encompasses a southern portion of the 5th Avenue right-of-way along with a northeastern portion of the 4th Street right-of-way and the adjacent parcel to its south, between US-101 and Irwin Street.

~~With~~ ~~Of the parcels not owned by the California Department of Transportation, the~~ dominant zoning designations of R/O and C/O and ~~the~~ land use designations of ~~is~~ Retail Office and Residential Office Downtown Mixed-Use (T5N); this project site and the surrounding area are primarily composed of retail and office uses that are one to two stories in height. As mentioned, much of the site is beneath US-101. Beneath US-101, this project site is currently occupied by park-and-ride lots maintained and operated by the California Department of Transportation and Irwin Creek, which flows parallel to US-101. Being a public road right-of-way, these lots are not subject to the City’s land use and zoning designations. Between 4th Street and 5th Street, the site is currently occupied by a bike shop, several office buildings, and off-street parking. A single-family residence is at 1011 Irwin Street. The

parcels south of and adjacent to 4th Street are currently occupied by retail including a dry cleaners and restaurant. Surrounding this project site are residential offices to the north, residences to the east, retail and offices to the south, and retail uses, restaurants, and residential offices to the west.

3.10.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Land use impacts were analyzed for the project area rather than specific build alternatives because the location of each build alternative would experience a nearly equivalent impact for each resource considered here. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.10.2.1 Methodology

The California Environmental Quality Act (CEQA) requires that an EIR consider whether a proposed project may conflict with any applicable land use plan, policy, or regulation that was adopted for the purpose of avoiding or mitigating an environmental impact. This environmental determination differs from the larger policy determination of whether a proposed project is consistent with a jurisdiction's general plan or other land use plan, policy, or regulation. The former determination, which is intended for consideration in a CEQA document, is based on, and limited to, a review and analysis of environmental effects. The latter determination, by comparison, is made by the decision-making body of the jurisdiction and is based on the jurisdiction's broad discretion to assess whether a proposed project would conform to the policies and objectives of its general plan/land use plan as a whole. In addition, the broader consistency determination considers all evidence in the record concerning the project characteristics, its desirability, and its economic, social, and other non-environmental effects.

Evaluation of the proposed project's potential to conflict with land use plans, policies, and regulations is based on the regional and local plans, policies, and regulations identified in Section 3.10.1.1, Regulatory Setting, above, and impacts and mitigation are presented on a per-plan, -policy, and -regulation basis. Given that construction of the proposed project, regardless of alternative, would be temporary (approximately 30 months), potential construction land use impacts would be temporary. Therefore, this analysis focuses on operational impacts. In addition, given that each project site is within Downtown San Rafael, the following analysis applies to each of the four alternatives equally unless otherwise noted.

Conflicts of a project with land use policies do not, in and of themselves, constitute significant environmental impacts. Policy conflicts are considered environmental impacts only when the policies themselves were adopted for the purpose of avoiding or mitigating an environmental effect. Such conflicts constitute significant environmental impacts only when the resulting direct environmental effects are significant.

3.10.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to land use and land use planning.

Would the proposed project:

- Physically divide an established community?
- 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?

3.10.2.3 Impacts

Impact LUP-1: Physically Divide an Established Community

This impact considers the proposed project's potential to result in a land use impact by physically dividing a community through construction and operation. The physical division of an established community typically refers to the construction of a linear feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local bridge, that would affect mobility within an existing community or between a community and an outlying area.

Construction

All Build Alternatives

Proposed project construction would begin in ~~2023 or 2024~~2025 and last 18 months. During construction, the selected build alternative would require demolition of existing uses, completion of necessary utility infrastructure, all civil and vertical structure work, and vertical structure finishing and inspections. Construction staging and parking where needed would be required to comply with all City requirements. While construction of each build alternative could temporarily affect sidewalks and intersections for project site improvements, these impacts would be minor and temporary. Construction of the proposed project would be limited to the individual project site and corresponding parcels and would not physically divide Downtown San Rafael. Therefore, the impact would be *less than significant*.

Operations

All Build Alternatives

The proposed project does not involve the construction of any linear feature, such as an interstate highway or railroad tracks, and would not remove any means of access or divide an established community. As addressed under the project objectives (refer to Chapter 2), the proposed project is needed to preserve and enhance the functionality and effectiveness of the transit center. By providing new bus bays, paratransit access, pick-up/drop-offs and shuttle curb spaces, bicycle parking facilities, pedestrian weather protection and seating, public art, security, wayfinding signage, and a service building, the proposed project would make it easier for people to travel throughout the community, City, and region.

Proposed improvements, such as new crosswalks and egress points to existing roadways and infrastructure, would not introduce new physical divisions. Instead, the proposed project features would provide better multi-modal connectivity between the project area and local or regional destinations.

Given that the proposed project would not introduce any physical barriers to the project area or surrounding area and would improve connectivity within the community through proposed

improvements, the impact would be ***less than significant***. No mitigation measures would be required.

Mitigation Measures

No mitigation is required.

Impact LUP-2: 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

Plan Bay Area 2040

As discussed in Section 3.10.1.1, Regulatory Setting, *Plan Bay Area 2040* promotes compact, mixed-use, infill development within walkable/bikeable neighborhoods close to public transit, jobs, schools, shopping, parks, recreation, and other amenities to reduce GHG emissions and adverse health impacts; increase housing opportunities, employment opportunities, access to affordable housing, and non-automotive mode share and the effectiveness of the transportation system; and focus development within the existing urban footprint. The proposed project would provide for improved service and access to regional transit, which is intended to reduce reliance on automobiles. This would in turn result in reduced GHG emissions and adverse health impacts and would focus development within the existing urban footprint. This fundamental project feature is consistent with the goals of *Plan Bay Area 2040*. Therefore, impacts of the proposed project build alternatives related to conflicts with *Plan Bay Area 2040* would be ***less than significant***.

San Rafael Transit Center Relocation Study

The project proposes to relocate the existing San Rafael Transit Center consistent with the study. The *San Rafael Transit Center Relocation Study* determined that the transit center should be relocated nearby, which the proposed project, by creating a new transit center within 500 feet of the existing site, would do. Therefore, impacts of the proposed project build alternatives related to conflicts with the *San Rafael Transit Center Relocation Study* would be ***less than significant***.

Golden Gate Bridge, Highway and Transportation District Short-Range Transit Plan

The project proposes to construct a new transit center within 500 feet of the existing San Rafael Transit Center. The District's *Short-Range Transit Plan* identifies that the existing San Rafael Transit Center would be replaced by a new facility at a nearby site (Golden Gate Bridge, Highway and Transportation District 2019). By developing any one of the four build alternatives, the proposed project would be consistent with the District's *Short-Range Transit Plan*. Therefore, impacts of the proposed project related to conflicts with the District's *Short-Range Transit Plan* would be ***less than significant***.

San Rafael Downtown Station Area Plan

While the Downtown SAP primarily focuses on land use development surrounding the SMART station, it also includes five goals for an integrated transit center vision. These are identified under Section 3.10.1.1 above. Each of the build alternatives would provide new bus bays, paratransit access, pick-up/drop-offs and shuttle curb spaces, bike parking facilities, pedestrian weather protection and

seating, new pedestrian walkways and crosswalks, public art, security, wayfinding signage, and a service building. As such, the proposed project would meet the plan's five goals for an integrated transit center that: (1) is close to the San Rafael SMART station, (2) provides access to the station and a safe and convenient transfer experience for passengers, (3) has adequate space to serve the existing and projected bus service, (4) provides a comfortable experience for waiting passengers, and (5) fits within the larger context of Downtown. For the Under Freeway Alternative, it should be noted that it would meet the overall Downtown SAP vision slightly less than the other alternatives because it is about one block away from the SMART station, thus increasing the distance required for pedestrians to travel during a transfer. Conversely, both the Move Whistlestop Alternative and the Adapt Whistlestop Alternative would have increased Downtown SAP vision consistency in that they both would be at least partially integrated into the existing Whistlestop site. Overall, by developing any one of the four build alternatives, the proposed project would be consistent with the Downtown SAP. Therefore, impacts of the proposed project related to conflicts with the Downtown SAP would be *less than significant*.

San Rafael Design Guidelines

While the City's design guidelines were intended as an interim document until *The City of San Rafael General Plan 2020* Community Design Element was released, they have not been updated or replaced since their initial adoption. The proposed project would still undergo review by City staff and the City Design Review Board as part of project approvals. This iterative process would provide opportunities for the proposed project to make modifications as recommended by the City as it seeks to improve the visual unity of the area. Through review and approval by City staff and the City Design Review Board, the proposed project would be consistent with the design guidelines. Therefore, impacts of the proposed project build alternatives related to conflicts with the *San Rafael Design Guidelines* would be *less than significant*.

~~City of San Rafael General Plan 2020~~ 2040

Move Whistlestop Alternative

Development of the proposed project is subject to ~~*The City of San Rafael General Plan 2020*~~ *San Rafael General Plan 2040* guidelines and policies. ~~As addressed in Chapter 2, the proposed project would require general plan amendments to support the project land use.~~ Related to the Land Use Element, the parcels under the Move Whistlestop Alternative are currently designated as *Downtown Mixed-Use* in anticipation of the transit center relocation. Therefore, a transit center at this location would conform with the general plan. Any future use or development of the site due to the proposed project would conform with City procedures for entitlements, zoning, and land use.

Therefore, the impact related to consistency with the policies in *San Rafael General Plan 2040* identified in Section 3.10.1.1 would be *less than significant*. Other resource sections in this EIR discuss the consistency of the Move Whistlestop Alternative with other *San Rafael General Plan 2040* policies. Section 3.4, Cultural Resources, discusses the consistency of the proposed project with relevant policies from the Community Design and Preservation Element. Section 3.14, Transportation, discusses consistency of the Move Whistlestop Alternative with relevant policies from the Mobility Element. ~~Hetherton Office land use would be modified to Public/Quasi-Public land use under this alternative. However, this change alone would not generate an impact on the environment. The Move Whistlestop Alternative would provide new bus bays, paratransit access, pick-up/drop-offs and shuttle curb spaces, bicycle parking facilities, pedestrian weather protection~~

and seating, new pedestrian walkways and crosswalks, public art, security, wayfinding signage, and a service building. By supporting alternate modes of transit, regional transportation access, and design features for SMART service, the Move Whistlestop Alternative would not conflict with *The City of San Rafael General Plan 2020 Circulation Element* or *Sustainability Element*. Design and approval of the Move Whistlestop Alternative would be subject to additional review per the Community Design Element prior to project approval by City planning staff. Consequently, while the Move Whistlestop Alternative would require a land use change to support Public/Quasi-Public land use under this alternative, this change as addressed in this draft EIR would not result in a significant impact on the environment. Therefore, the impact would be ***less than significant***.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant***.

4th Street Gateway Alternative

The 4th Street Gateway Alternative impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant***.

Under the Freeway Alternative

The Under the Freeway Alternative impacts would be the same as those of the Move Whistlestop Alternative outlined above. would result in a land use change from Residential Office and Commercial Office to Public/Quasi-Public. However, the impacts of this change would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant***.

Downtown San Rafael Precise Plan and Downtown Zoning Code District

Move Whistlestop Alternative

Since publication of the Draft EIR in August 2021, the City adopted the *Downtown San Rafael Precise Plan*, which aligns the Downtown zoning district with the new form-based code. As addressed in Chapter 2, the proposed project would require zoning amendments to support the project land use. The parcels are currently zoned HO would be modified to P/QPT5MS and T5N under the Move Whistlestop Alternative. The Downtown San Rafael Precise Plan designates transit stations as acceptable uses in these zones. However, this change alone would not generate an impact on the environment. Therefore, while the Move Whistlestop Alternative would result in a change of the zoning code to support Public/Quasi-Public Use under this alternative, this change as addressed in this draft EIR would not result in a significant impact on the environment. Therefore, the impact would be ***less than significant***.

Adapt Whistlestop Alternative

The Adapt Whistlestop Alternative impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be ***less than significant***.

4th Street Gateway Alternative

The 4th Street Gateway Alternative impacts would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

Under the Freeway Alternative

The Under the Freeway Alternative ~~would result in a zoning code change from R/O and C/O to P/QP. However, the impacts of this change~~ would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

This section addresses potential noise impacts that may result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project). This section describes the regulatory and environmental setting for noise in the project area, analyzes effects related to noise that would result from implementation of the proposed project and other build alternatives, and provides mitigation measures to reduce the effects of any potentially significant impacts. The noise study area includes areas within a half-mile radius of the project area. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.11.1 Fundamentals of Noise and Vibration

3.11.1.1 Noise

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air. Noise can be defined as unwanted sound. Sound is characterized by various parameters that include the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient sound. The decibel (dB) scale is used to quantify sound intensity. Because sound pressure can vary enormously within the range of human hearing, the logarithmic decibel scale is used to keep sound intensity numbers at a convenient and manageable level.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1-dB changes in sound levels, when exposed to steady, single-frequency (pure-tone) signals in the mid-frequency (1,000 Hertz to 8,000 Hertz) range. It is widely accepted, however, that people are able to begin to detect sound level changes of 3 dB for typical noisy environments. Furthermore, a 10-dB increase is generally perceived as a doubling of loudness. Therefore, doubling sound energy (e.g., doubling the volume of traffic on a highway), which would result in a 3-dB increase in noise, is generally perceived as a detectable, but not substantial, increase in sound level.

The human ear is not equally sensitive to all frequencies in the entire spectrum, so noise measurements are weighted more heavily for frequencies to which humans are sensitive in a process called “A-weighting.” Because humans are less sensitive to low-frequency sound than to high-frequency sound, A-weighted decibel (dBA) levels deemphasize low-frequency sound energy to better represent how humans hear. Table 3.11-1 summarizes typical A-weighted sound levels.

Table 3.11-1. Typical A-Weighted Sound Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	—110—	Rock band
Jet flyover at 1,000 feet		
	—100—	
Gas lawnmower at 3 feet		
	—90—	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	—80—	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower, 100 feet	—70—	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	—60—	
		Large business office
Quiet urban daytime	—50—	Dishwasher in next room
Quiet urban nighttime	—40—	Theater, large conference room (background)
Quiet suburban nighttime		
	—30—	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	—20—	
		Broadcast/recording studio
	—10—	
	—0—	

Source: Caltrans 2013

mph = miles per hour

Different types of measurements are used to characterize the time-varying nature of sound. These measurements include the equivalent sound level (L_{eq}), the minimum and maximum sound levels (L_{min} and L_{max}), percentile-exceeded sound levels (L_{xx}), the day-night sound level (L_{dn}), and the community noise equivalent level (CNEL). Below are brief definitions of these measurements and other terminology used in this section.

- **Sound:** A vibratory disturbance created by a vibrating object, which, when transmitted by pressure waves through a medium such as air, is capable of being detected by a receiving mechanism, such as the human ear or a microphone.
- **Noise:** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **Ambient noise:** The composite of noise from all sources near and far in a given environment exclusive of particular noise sources to be measured.
- **Decibel (dB):** A unitless measure of sound. A sound level measurement in dB describes the logarithmic ratio of a measured sound pressure level to a reference sound pressure level of 20 micropascals.

- **A-Weighted Decibel (dBA):** An overall frequency-weighted sound level that approximates the frequency response of the human ear.
- **Maximum and Minimum Sound Levels (L_{\max} and L_{\min}):** The maximum or minimum sound level measured during a specified interval.
- **Equivalent Sound Level (L_{eq}):** L_{eq} represents an average of the sound energy occurring over a specified period. In effect, L_{eq} is the steady-state sound level containing the same acoustical energy as the time-varying sound that actually occurs during the same period. The duration of the measurement is commonly indicated in the subscript; for example, a 1-hour L_{eq} sound level would be indicated as dBA $L_{\text{eq}}(1\text{h})$.
- **Exceedance sound level (L_{xx}):** The sound level exceeded “XX” percent of the time during a sound level measurement period. For example, L_{90} is the sound level exceeded 90 percent of the time, and L_{10} is the sound level exceeded 10 percent of the time. L_{90} is typically considered to represent the ambient noise level.
- **Day-night level (L_{dn}):** The energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels occurring during the period from 10:00 p.m. to 7:00 a.m.
- **Community noise equivalent level (CNEL):** The energy average of the A-weighted sound levels occurring during a 24-hour period with 5 dB added to the A-weighted sound levels occurring during the period from 7:00 p.m. to 10:00 p.m. and 10 dB added to the A-weighted sound levels occurring during the period from 10:00 p.m. to 7:00 a.m.

L_{dn} and CNEL values rarely differ by more than 1 dB. As a matter of practice, L_{dn} and CNEL values are considered to be equivalent. In general, human sound perception is such that a change in sound level of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving sound level.

For a point source, such as a stationary compressor, sound attenuates based on geometry at rate of 6 dB per doubling of distance. For a line source, such as free-flowing traffic on a freeway, sound attenuates at a rate of 3 dB per doubling of distance. Atmospheric conditions including wind, temperature gradients, and humidity can change how sound propagates over distance and can affect the level of sound received at a given location. The degree to which the ground surface absorbs acoustical energy also affects sound propagation. Sound that travels over an acoustically absorptive surface such as grass attenuates at a greater rate than sound that travels over a hard surface such as pavement. The increased attenuation is typically in the range of 1 to 2 dB per doubling of distance. Barriers, such as buildings and topography that block the line of site between a source and receiver, also increase the attenuation of sound over distance.

Auditory and non-auditory effects can result from excessive or chronic exposure to elevated noise levels. Auditory effects of noise on people can include temporary or permanent hearing loss. Non-auditory effects of exposure to elevated noise levels include sleep disturbance, speech interference, and psychological effects such as annoyance. Land use compatibility standards for noise typically are based on research related to these non-auditory effects.

3.11.1.2 Vibration

In contrast to airborne sound, groundborne vibration is not a phenomenon that most people experience every day. Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. The background vibration velocity level in residential areas is usually much lower than the threshold of human perception. Most perceptible indoor vibration is caused by sources within buildings, such as mechanical equipment while in operation, people moving, or doors slamming. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Dynamic construction equipment, such as pile drivers, can create vibrations that radiate along the surface and downward into the earth. These surface waves can be felt as groundborne vibration. Vibration can result in effects that range from annoyance to structural damage. Variations in geology and distance result in different vibration levels with different frequencies and displacements.

Groundborne vibration can be expressed in terms of root-mean-square (RMS) vibration velocity to evaluate human response to vibration levels. RMS is defined as the average of the squared amplitude of the vibration signal. The vibration amplitude is expressed in terms of vibration decibels (VdB), which use a reference level of 1 micro-inch per second. Vibration can also be measured by peak particle velocity (PPV), defined as the maximum instantaneous peak of the vibration signal in inches per second.

Table 3.11-2 summarizes typical vibration levels generated by construction equipment at a reference distance of 25 feet and other distances.

Updated Table 3.11-2. Vibration Source Levels for Construction Equipment

Equipment	PPV at 25 Feet	PPV at 50 Feet	PPV at 75 Feet	PPV at 100 Feet
Impact pile driver	1.518	0.054	0.2920	0.190
Auger drill	0.089	0.032	0.017	0.011
Hoe ram	0.089	0.032	0.017	0.011
Large bulldozer	0.089	0.032	0.017	0.011
Loaded trucks	0.076	0.027	0.015	0.010
Jackhammer	0.035	0.012	0.007	0.004
Small bulldozer	0.003	0.001	0.001	< 0.001

Source: FTA 2018

3.11.2 Existing Conditions

3.11.2.1 Regulatory Setting

Federal

Noise Control Act of 1972

The Noise Control Act of 1972 (Public Law 92 574) established a requirement for all federal agencies to administer their programs in a manner that promotes an environment that is free of

noise that jeopardizes public health or welfare. The U.S. Environmental Protection Agency (EPA) was given the following responsibilities.

- Providing information to the public regarding the identifiable effects of noise on public health and welfare
- Publishing information on the levels of environmental noise to protect the public health and welfare with an adequate margin of safety
- Coordinating federal research and activities related to noise control
- Establishing federal noise emission standards for selected products distributed in interstate commerce

U.S. Environmental Protection Agency Standards for Environmental Noise

In 1974, EPA published *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*, a comprehensive document that identifies noise levels consistent with the protection of public health and welfare against hearing loss, annoyance, and activity interference.

In response to the requirements of the Noise Control Act, EPA identified indoor and outdoor noise limits to protect public health and welfare. Outdoor L_{dn} limits of 55 dB and indoor L_{dn} limits of 45 dB were identified as desirable for protecting against speech interference and sleep disturbance in residential areas and at educational and health care facilities. The sound-level criterion for protecting against hearing damage in commercial and industrial areas is identified as the 24-hour L_{eq} value of 70 dB (both outdoors and indoors). Based on attitudinal surveys, EPA determined that a 5-dB increase in L_{dn} or L_{eq} is the minimum required for a change in community reaction (EPA 1974).

The Noise Control Act also directed federal agencies to comply with applicable federal, state, interstate, and local noise control regulations. Although EPA was given a major role in disseminating information to the public and coordinating with federal agencies, each federal agency retained authority to adopt noise regulations pertaining to agency programs. EPA can, however, require federal agencies to justify their noise regulations in terms of Noise Control Act policy requirements.

Key federal agencies that have adopted noise regulations and standards are listed below.

- Housing and Urban Development: Noise standards for federally funded housing projects
- Federal Aviation Administration: Noise standards for aircraft
- Federal Highway Administration: Noise standards for federally funded highway projects
- Federal Transit Administration (FTA): Noise standards for federally funded transit projects
- Federal Railroad Administration: Noise standards for federally funded rail projects

Federal Transit Administration Standards for Construction Noise

FTA has developed methods for evaluating construction noise levels, which are discussed in the *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018). The manual does not contain standardized criteria for assessing construction noise impacts but provides guidelines for suggested noise limits for residential uses exposed to construction noise to describe levels that may result in a negative community reaction. These guidelines are summarized in Table 3.11-3.

Table 3.11-3. Federal Transit Administration Construction Noise Impact Guidelines

Land Use	1-hour L_{eq} (dBA), Day	1-hour L_{eq} (dBA), Night
Residential	90	80
Commercial	100	100
Industrial	100	100

Source: FTA 2018

Thresholds for construction noise may also be set at the local level according to expected hours of equipment operation and the noise limits specified in the noise ordinances of the applicable jurisdictions.

Federal Transit Administration Standards for Transit Noise

The U.S. Department of Transportation has implemented and published impact assessment procedures and criteria pertaining to noise based on the above standards. Noise impact criteria have been adopted by FTA to assess noise contributions and potential impacts from rapid transit sources on the existing environment. Noise impact criteria defined in the FTA manual are based on the objective of maintaining a noise environment considered acceptable for land uses that are noise sensitive. For noise from transit operations, FTA's three land use categories are as follows:

- **Category 1:** Tracts of land where quiet is an essential element in their intended purpose, such as outdoor amphitheaters, concert pavilions, and national historic landmarks with significant outdoor use
- **Category 2:** Residences and buildings where people normally sleep, including homes, hospitals, and hotels
- **Category 3:** Institutional land uses (schools, places of worship, libraries) with use typically during the daytime and evening. Other uses in this category can include medical offices, conference rooms, recording studios, concert halls, cemeteries, monuments, museums, historical sites, parks, and recreational facilities.

Noise exposure values are reported as the L_{dn} for residential land uses (Category 2) or hourly equivalent sound level ($L_{eq}[h]$) for other land uses (Categories 1 and 3). Commercial and industrial uses are not included in the vast majority of cases because they are generally considered compatible with higher noise levels. Exceptions would include commercial uses with a feature that receives substantial outdoor use, such as a playground, or uses that require quiet as an important part of their function, such as recording studios.

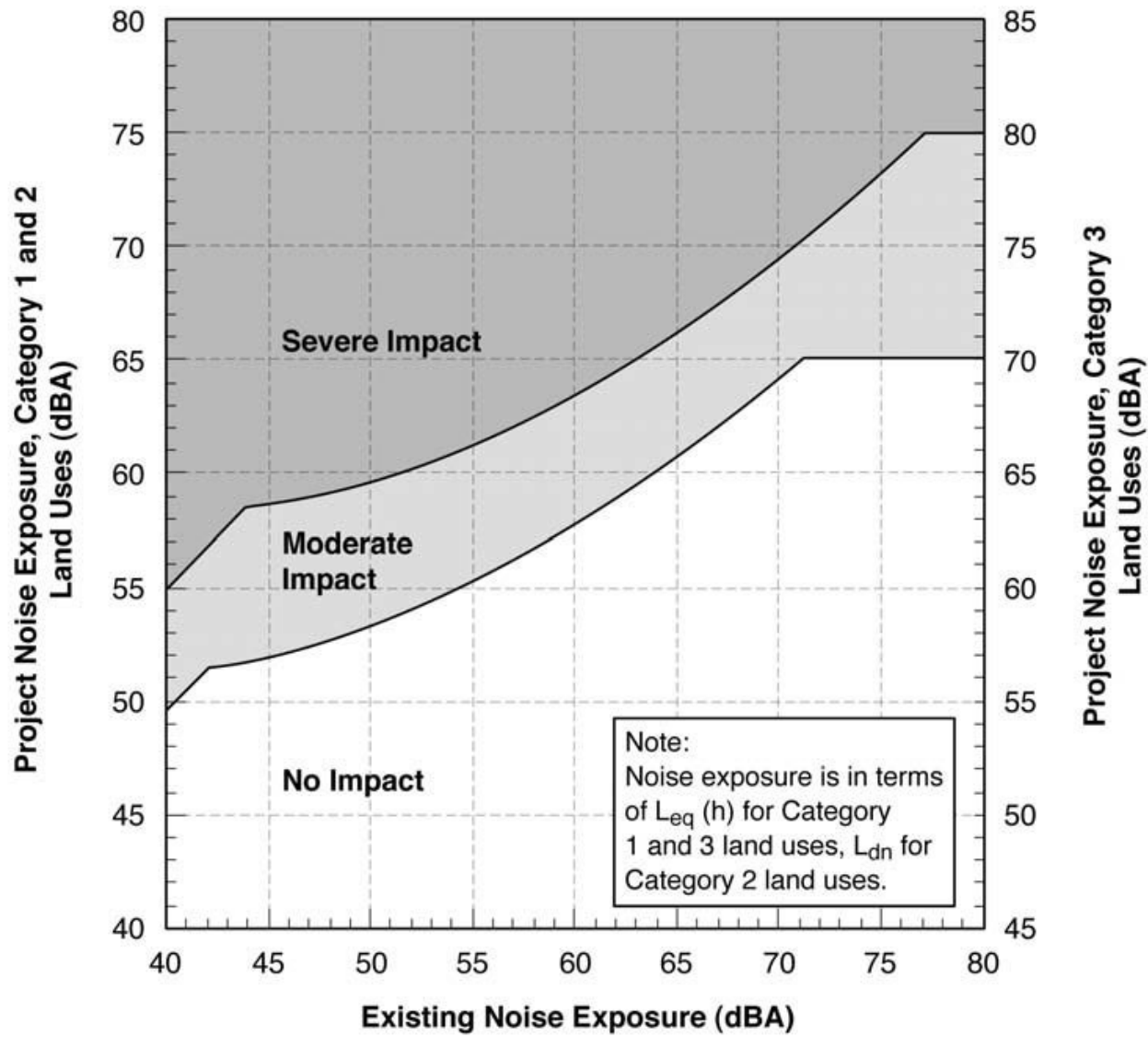
In the FTA manual, the noise impact criteria for construction and operation of rapid transit facilities consider a project's contribution to existing noise levels using a sliding scale based on land uses affected. The criteria correspond to heightened community annoyance due to the introduction of a new transit facility relative to existing ambient noise conditions.

Noise impacts are assessed by comparing existing outdoor exposures with future project-related outdoor noise levels, as illustrated on Figure 3.11-1. The criterion for each degree of impact is based on a sliding scale that is dependent on the existing noise exposure and the increase in noise exposure due to a project. The noise impact categories are as follows:

- **No Impact:** A project, on average, will result in an insignificant increase in the number of instances where people are "highly annoyed" by new noise.

- **Moderate Impact:** The change in noise is noticeable to most people but may not be enough to cause strong, adverse community reactions.
- **Severe Impact:** A significant percentage of people would be highly annoyed by the noise, perhaps resulting in vigorous community reaction.

Note that the proposed project's contribution relative to existing noise levels follows a sliding scale according to the level of existing noise exposure. The justification for this sliding scale is that people who are already exposed to high levels of noise in the ambient environment should be expected to tolerate smaller increases in noise in their community compared to locations where existing noise exposure is relatively low. For example, according to Figure 3.11-1, a project contribution of 59 dBA L_{dn} would be considered a Severe Impact at a Category 2 receiver with an existing noise exposure of up to 50 dBA L_{dn} , whereas a project contribution of 69 dBA L_{dn} would result in a Severe Impact at a Category 2 receiver with an existing noise exposure of up to 70 dBA L_{dn} .



Source: Federal Transit Administration, 2018.



Figure 3.11-1
 Federal Transit Administration Noise Impact Criteria

State

California Noise Control Act

The California Noise Control Act was enacted in 1973. In preparing its general plan noise element, a city or county must identify local noise sources and analyze and quantify to the extent practicable current and projected noise levels from various sources, including highways and freeways; passenger and freight railroad operations; ground rapid transit systems; commercial, general, and military aviation and airport operations; and other stationary ground noise sources.

The *State of California General Plan Guidelines* (Governor's Office of Planning and Research 2017) provides noise compatibility guidelines for land use planning according to the existing community noise levels; however, these guidelines offer no information regarding construction noise. The state has also published its *Model Community Noise Ordinance* (California Office of Noise Control 1977), which provides guidance to cities and counties on how to develop a community noise ordinance.

California Department of Transportation Vibration Standards

The California Department of Transportation (Caltrans) provides guidelines regarding vibration associated with construction and operation of transportation infrastructure. Table 3.11-4 provides the Caltrans vibration guidelines for potential damage to different types of structures.

Groundborne vibration and noise can also disturb people. Numerous studies have been conducted to characterize the human response to vibration. In general, people are more sensitive to vibration during nighttime hours when sleeping than during daytime waking hours. Table 3.11-5 provides the Caltrans guidelines regarding vibration annoyance potential (expressed here as peak particle velocity [PPV]).

Table 3.11-4. Caltrans Vibration Guidelines for Potential Damage to Structures

Structure Type and Condition	Maximum Peak Particle Velocity (PPV, in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Extremely fragile historic buildings	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Caltrans 2020:Table 19

Note: Transient sources create a single, isolated vibration event (e.g., blasting or the use of drop balls). Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.
in/sec = inch per second

Table 3.11-5. Caltrans Guidelines for Vibration Annoyance Potential

Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

Source: Caltrans 2020:Table 20

Note: Transient sources create a single, isolated vibration event (e.g., blasting or drop balls). Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

in/sec = inch per second

Local

San Rafael General Plan 2040

California requires that a noise element be included in the general plan of each county and city in the state. The City of San Rafael (City) adopted *San Rafael General Plan 2040* in August 2021. The noise element establishes the local government's goals, objectives, and policies related to noise control. The Noise Element of ~~The City of San Rafael General Plan 2020-2040~~ (City of San Rafael 2021a~~2016~~) establishes goals and policies for ensuring that existing and proposed land uses are compatible with their noise environments. Therefore, the ~~City of San Rafael (City)~~ has adopted quantitative exterior noise compatibility criteria for various land uses. The purpose of these criteria is to reduce the potential adverse noise effects of new developments on people, including sleep disturbance, interference with speech communication, and the general sense of dissatisfaction that is often associated with high noise exposure.

Land use compatibility noise standards are included in the City's Noise Element (see Table 3.11-6 below). According to the Noise Element as outlined under ~~Goal 31~~Policy N-1.2, Maintaining Acceptable Noise Levels, noise levels up to 60 dBA L_{dn} are considered acceptable for all new residential projects. In common outdoor areas in Downtown, mixed-use residential, and high-density residential districts, up to 65 dBA L_{dn} is allowed if determined acceptable through development review. ~~New nonresidential projects development are is not permitted to increase noise levels in a residential area by more than 3 dB L_{dn} , or in a non-residential or mixed-use district area by more than 5 dB L_{dn} , or create noise impacts that would increase noise levels to more than 65-70 dBA L_{dn} for office and retail uses or 70 dBA L_{dn} for industrial uses.~~

Noise measurements were taken in May 2019 to provide a baseline for updated noise policies. Noise levels varied from 47 to 74 dBA L_{dn} through the City. Residential areas had a noise level of 60 dBA L_{dn} or below; Downtown San Rafael had just over 70 dBA L_{dn} . The City's noise compatibility guidelines have been adapted from state guidelines and specify acceptable noise levels based on land uses. Future residential uses, schools, and library uses around the Downtown Sonoma-Marín Area Rail Transit (SMART) station and proposed project would likely be required to incorporate extensive sound proofing to achieve required interior noise levels of 45 dBA.

Updated Table 3.11-6. Land Use Compatibility Standards for New Development

Land Use	Exterior Noise Exposure to the Site L_{dn} (dB)						
	50	55	60	65	70	75	80
Residential, Hotels, Motels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arena, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Other Outdoor Recreation and Cemeteries							
Office and Other Commercial Uses							
Industrial, Manufacturing, Utilities, Agriculture							

Land Use	Interior L_{dn}	Exterior Noise Exposure, L_{dn} (dBA)						
		50	55	60	65	70	75	80
Residential, Single-family, Duplex, Mobile Homes	45 ¹							
Residential, Multiple family	45 ¹							
Transient Lodging, Motels, Hotels	45 ¹							
Schools, Libraries, Churches, Hospitals, Nursing Homes	45 ¹							
Auditoriums, Concert Halls, Amphitheaters	--							
Sports Arena, Outdoor Spectator Sports	--							
Playgrounds, Neighborhood Parks	--							
Other Outdoor Recreation and Cemeteries	--							
Office and Other Commercial Uses	50							
Industrial, Manufacturing, Utilities, Agriculture	--							

Source: City of San Rafael 2016.

	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
	Conditionally Acceptable: <u>New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and the needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. Specific land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features included in the design.</u>
	Normally Unacceptable: <u>New construction or development should generally be discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.</u>
	Clearly Unacceptable: New construction of development <u>clearly</u> generally should not be undertaken.

Source: City of San Rafael 2021a.

¹ Noise level requirement with closed windows, mechanical ventilation, or other means of ventilation shall be provided per Chapter 12 Section 1205 of the Building Code.

The following goals and policies from *The City of San Rafael General Plan 2020*¹ Noise Element pertain to noise and relate to the proposed project (City of San Rafael 2016):

Goal 31: Acceptable Noise Levels. It is the goal of San Rafael to have acceptable noise levels. Excessive noise is a concern for many residents of San Rafael. These concerns can be managed with

¹ The City is in the process of updating its general plan, which was adopted in 2004 to provide guidance until 2020. At the time of this document's preparation, the City had prepared reports containing background information on specific topics that will be included in the revised *San Rafael General Plan 2040*, which will extend planning guidance until 2040.

proper mitigation or through the implementation of the noise ordinance. The City of San Rafael recognizes the issue of noise and has standards to protect people from excessive, unnecessary and unreasonable noises from any and all sources in the community.

N-1. Noise Impacts on New Development. Protect people in new development from excessive noise by applying noise standards in land use decisions. Apply the Land Use Compatibility Standards (see Exhibit 31) to the siting of new uses in existing noise environments. These standards identify the acceptability of a project based on noise exposure. If a project exceeds the standards in Exhibit 31, an acoustical analysis shall be required to identify noise impacts and potential noise mitigations. Mitigation should include the research and use of state-of-the-art abating materials and technology.

N-2. Exterior Noise Standards for Residential Use Areas. The exterior noise standard for backyards and/or common usable outdoor areas in new residential development is up to L_{dn} of 60 dB. In common usable outdoor areas in Downtown, mixed-use residential, and high-density residential districts, up to L_{dn} of 65 dB may be allowed if determined acceptable through development review.

N-3. Planning and Design of New Development. Encourage new development to be planned and designed to minimize noise impacts from outside noise sources.

N-4. Noise from New Nonresidential Development. Design nonresidential development to minimize noise impacts on neighboring uses.

N-5. Traffic Noise from New Development. Minimize noise impacts of increased off-site traffic caused by new development. Where the exterior L_{dn} is 65 dB or greater at a residential building or outdoor use area and a plan, program, or project increases traffic noise levels by more than 3 dB, reasonable noise mitigation measures shall be included in the plan, program or project.

N-6. Traffic Noise. Attempt to minimize traffic noise through land use policies, law enforcement, and street improvements.

N-8. Sonoma Marin Area Rail Transit. If a commuter rail service or other use is developed along the Sonoma Marin Area Rail Transit right-of-way, minimize noise impacts on existing development.

N-9. Nuisance Noise. Minimize impacts from noise levels that exceed community sound levels.

Draft City of San Rafael General Plan 2040

The City is in the process of updating *The City of San Rafael General Plan 2020* with the *San Rafael General Plan 2040* in progress. Policies currently under review for the in the Noise Element include the following (City of San Rafael 20202021a):

Goal 31N-1: Acceptable Noise Levels. Protect the public from excessive unnecessary, and unreasonable noise. Excessive noise is a concern for many residents of San Rafael. This concern can be addressed through the implementation of standards to protect public health and reduce noise conflicts in the community, including the Noise Ordinance.

- **Policy N-1.1: Land Use Compatibility Standards for Noise.** Protect people from excessive noise by applying noise standards in land use decisions. The Land Use Compatibility standards in [Table 9-23.11-6] are adopted by reference as part of this General Plan and shall be applied in the determination of appropriate land uses in different ambient noise environments.
- **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 9-23.11-6]. (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-1.3: Reducing Noise Through Planning and Design.** Use a range of design, construction, site planning, and operational measures to reduce potential noise impacts.
- **Policy N-1.4: Sound Walls.** Discourage the use of sound walls when other effective noise reduction measures are available. Vegetation, berms, and the mitigation measures in Policy N-3 are the preferred methods of absorbing sound along roads, rail, and other transportation features. Where there are no other feasible options (for example, along many sections of US Highway 101), the City will review and comment on sound wall design. Sound walls should be aesthetically pleasing, regularly maintained, and designed to minimize the potential displacement of sound.
- **Policy N-1.5: Mixed Use.** Mitigate the potential for noise-related conflicts in mixed use development combining residential and nonresidential uses.
- **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-1.7: Aviation-Related Noise.** To the extent allowed by federal and state law, ensure that the noise impacts of any changes in facilities or operations are considered when granting or modifying use permits at the San Rafael Airport in North San Rafael and the heliport in East San Rafael (see Noise Contours for San Rafael Airport and Heliport in Appendix I). (See also Program M-1.4B on drones).
- **Policy N-1.8: Train Noise.** Work with Sonoma Marin Area Rail Transit (SMART) to minimize noise and vibration associated with train service and to reduce the potential for impacts on nearby residences.
- **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-1.10: City-County Coordination.** Coordinate with the County of Marin to consider and mitigate noise impacts when activities in one jurisdiction may affect the other.
- **Policy N-1.11: Vibration.** Ensure that the potential for vibration is addressed when transportation, construction, and nonresidential projects are proposed, and that measures are taken to mitigate potential impacts.

San Rafael Municipal Code

The City's Municipal Code also contains noise regulations. Chapter 8.13, Noise, of the City's Municipal Code contains noise limitations and exclusions for land uses within the City in order to maintain noise levels that are not detrimental to the health and welfare of people. The noise ordinance addresses noise limits that would constitute a noise disturbance, primarily as measured at residential land uses. The City's Municipal Code regulations below would be applicable to the proposed project. General noise limits are outlined in Table 3.11-7.

8.13.040 – General noise limits.

A summary of general noise limits is included in Table 3.11-7. In the case where two or more noise limits apply, the more restrictive noise limit will take precedence.

Table 3.11-7. General Noise Limits

Property type or zone	Daytime limits	Nighttime Limits
Residential	60 dBA Intermittent 50 dBA Constant	50 dBA Intermittent 40 dBA Constant
Mixed-use	65 dBA Intermittent 55 dBA Constant	55 dBA Intermittent 44 dBA Constant
Multifamily residential (interior sound source)	40 dBA Intermittent 35 dBA Constant	35 dBA Intermittent 30 dBA Constant
Commercial	65 dBA Intermittent 55 dBA Constant	65 dBA Intermittent 55 dBA Constant
Industrial	70 dBA Intermittent 60 dBA Constant	70 dBA Intermittent 60 dBA Constant
Public Property	Most restrictive noise limit applicable to adjoining private property	Most restrictive noise limit applicable to adjoining private property

Source: San Rafael Municipal Code Title 8.13 (Ord. 1789 § 3 (part), 2002)

8.13.050 Standard exceptions to general noise limits

A summary of standard exceptions is included in Table 3.11-8 below.

Table 3.11-8. Standard Exceptions to General Noise Limits

Type of Activity	Maximum Noise Level	Days/Hours Permitted
Construction	90 dBA	Mon–Fri 7:00 a.m.–6:00 p.m. Sat 9:00 a.m.–6:00 p.m. Sun, Holiday—prohibited or as otherwise set by City approval
Residential Power Equipment and Construction Activities Undertaken by Residential Property Owners	90 dBA	Mon–Fri 8:00 a.m.–8:00 p.m. Sat, Sun, Holiday 9:00 a.m.–6:00 p.m.
Sound performances	80 dBA measured 50 feet or more from property plane, or as excepted by permit approval	Every day 10:00 a.m.–10:00 p.m., or as excepted by permit approval
Refuse Collection	95 dBA	Residential or mixed-use property: Mon–Sat 6:00 a.m.–9:00 p.m. Industrial or commercial property: Daily 4:00 a.m.–9:00 p.m.

Source: San Rafael Municipal Code Title 8.13 (Ord. 1789 § 3 (part), 2002)

8.13.060 – Exceptions allowed with permit

- A. In addition to the standard exceptions permitted pursuant to Section 8.13.050 of this chapter, the director of community development or his designee may grant a permit allowing an exception from any or all provisions of this chapter where the applicant can show that a diligent investigation of available noise abatement techniques indicates that immediate compliance with the requirements of this chapter would be impractical or unreasonable, or that no public detriment will result from the proposed exception. Any such permit shall be issued with

appropriate conditions to minimize the public detriment caused by the permitted exceptions. Any such permit shall be of such duration, as approved by the director of community development or his designee, up to a maximum period of six (6) months, but shall be renewable upon a showing of good cause, and shall be conditioned by a schedule for compliance and details of methods therefor in appropriate cases. At the discretion of the director of community development or his designee, an exception permit may be issued and reissued for successive short periods of time in order to allow monitoring of the adverse noise impacts of the excepted activity, and additional conditions may be imposed upon reissuance of the permit, if the director of community development or his designee determines that such additional conditions are necessary to mitigate noise impacts from the excepted activity to a level he deems acceptable under all the circumstances.

- B. Any application for an exception permit under this section shall be accompanied by a fee to be set by resolution of the city council.
- C. Prior to granting any permit under this section, the director of community development or his designee shall provide at least ten (10) calendar days' written notice to all property owners within three hundred feet (300') of the property for which the application is made, and shall consider any objections to the granting of such permit received before issuance of the permit.
- D. Any person aggrieved with the decision of the director of community development or his designee may appeal to the city council, by writing filed with the city clerk within five (5) business days after the date of such decision; however, such decision shall not stay the effective date of the permit.

8.13.070 – Exemptions

- 1. Aerial warning devices which are required by law to protect the health, safety and welfare of the community;
- 2. Emergency vehicle responses and all necessary equipment utilized for the purpose of responding to an emergency, or necessary to restore, preserve, protect or save lives or property from imminent danger of loss or harm;
- 3. Aviation, railroad, and public transit operations;
- 4. The operation of any municipal or public utility vehicles;
- 5. Public safety training exercises conducted between the hours of eight a.m. (8:00 a.m.) and eight p.m. (8:00 p.m.);
- 6. Uses established through any applicable discretionary review process containing specific noise conditions of approval and/or mitigation measures;
- 7. Work on capital improvements, or repairs on public property by employees or contractors of the city;
- 8. Vehicle noise subject to regulation under the California Vehicle Code;
- 9. Emergency repair work performed by, or at the request of, a property owner on his or her private property, where the delay required to obtain an exception permit under this chapter would result in substantial damage, personal injuries, or property loss to the owner, provided that such emergency work shall be subject to such reasonable conditions as may be imposed by authorized city employees to mitigate the noise level of the activity.
- 10. Portable generator used during emergencies or utility power outages per manufacturer's recommendations.
- 11. Stationary generator installed and used during emergencies, utility power outages or routine testing per manufacturer's recommendations. Routine testing for stationary generators shall be conducted between the hours of ten a.m. (10:00 a.m.) and four p.m. (4:00 p.m.).

3.11.2.2 Environmental Setting

Noise Sources in the Project Area

The proposed project is along the eastern limit of Marin County in the heart of Downtown San Rafael. Existing noise sources in the project area include traffic (primarily from U.S. Highway 101 [US-101] and Downtown commuting traffic), locomotive horns and rail car movements from the SMART Train passing through San Rafael Train Station, bus traffic to and from the existing transit center, and aircraft overflights. The nearest airport to the proposed project area is the San Rafael Airport (also called Marin Ranch Airport), a small, privately owned airport approximately 3 miles north of the project area. The areas immediately surrounding the project area include a mix of the following uses: residential/office, commercial/office, mixed use, and street retail characteristic of a Downtown urban area.

Noise Measurements

Noise-sensitive land uses in the project area consist primarily of single- and multifamily residences, mixed-use buildings with residential uses, schools, churches, and outdoor recreational areas. Other land uses in the project area include retail, office, and commercial uses, which are typically considered to be less sensitive to noise. The existing ambient noise environment in the project area is characteristic of an urban environment (e.g., highway and local vehicular traffic, train operations, people walking, aircraft overflights, commercial noise). Noise from vehicular traffic traveling on the nearby US-101, major roadways (e.g., Hetherton Street), and the existing transit center are the dominant noise sources in the project area.

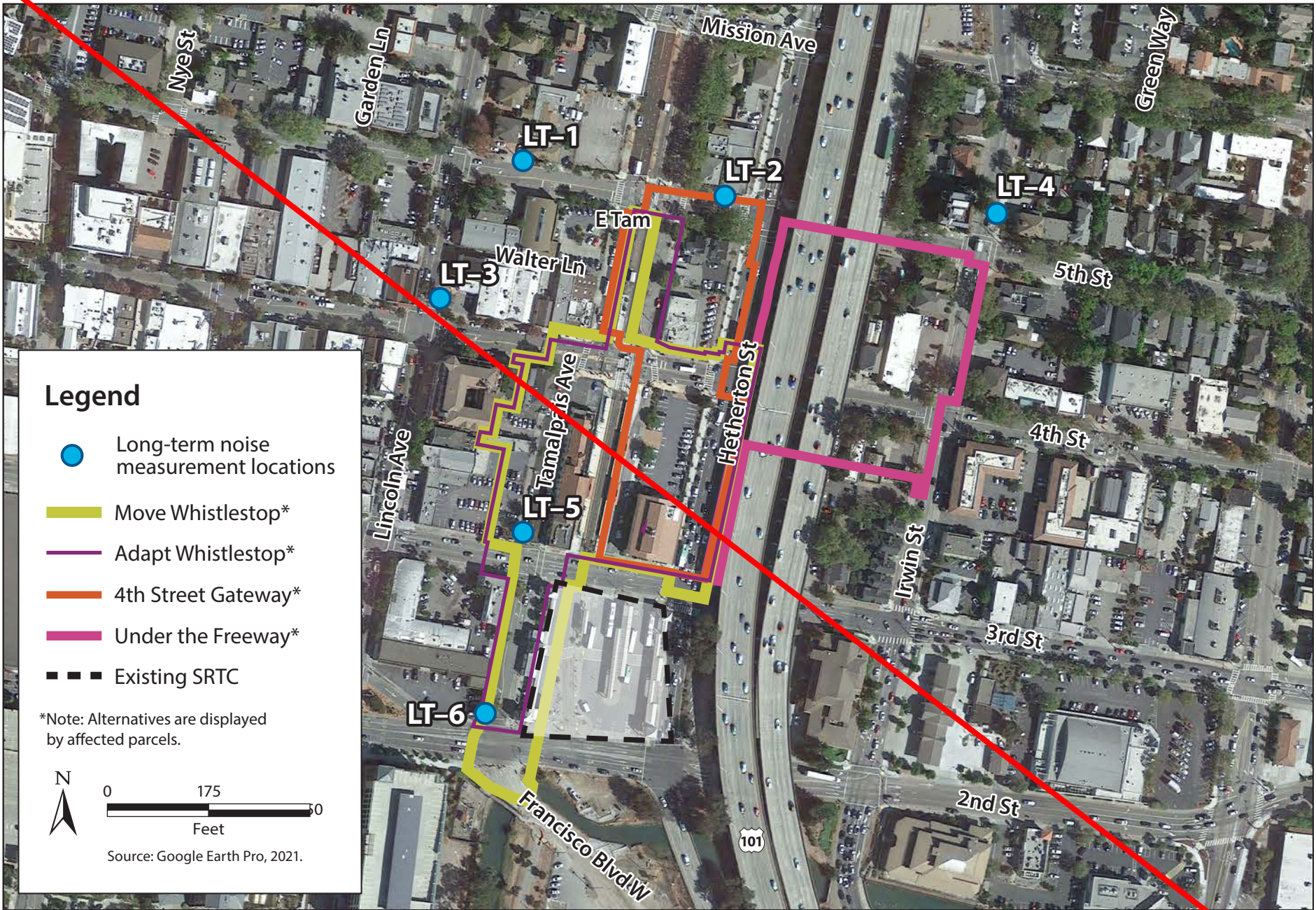
To quantify existing ambient noise levels in the project area, long-term (24-hour) ambient noise measurements were conducted between Monday, November 30 and Wednesday, December 2, 2020. Measurements were conducted at locations adjacent to the project area. Four long-term (LT) measurement locations were selected to capture noise levels in areas that are sensitive to noise or representative of ambient levels at the property line of the project area (see Figure 3.11-2). Piccolo II meters were installed at LT sites LT-1, LT-2, and LT-4 and one Piccolo I meter was installed at LT-3. Conditions were clear at time of installation with little to no wind and temperatures ranging from 45 to 57 degrees Fahrenheit. During installation of LT-2 and LT-3, there was audible utility construction taking place on 5th Avenue between Grand Avenue and Irwin Street.

Additional LT measurements were taken adjacent to the existing transit center to characterize ambient noise levels that included activity and bus movements through the existing facility. These measurements were taken from Tuesday, February 9 to Thursday, February 11, 2021. Site LT-5 was near the northwest corner of the existing transit center, and site LT-6 was near the southwest corner. Buses were observed to generate distinctive engine and rumbling sounds while operating in and around the station, but generally noise from buses was not observed to be noticeably higher than ambient traffic noise from surrounding streets.

The locations of the noise measurement sites are shown on Figure 3.11-2. Table 3.11-9 summarizes the results of the noise measurement survey. For the complete dataset of measured noise levels, see [Appendix J.1 of the Final EIR](#).

Table 3.11-9. Long-Term Noise Measurements Near the Project Area and the Existing Transit Center

Site	Site Description	Date and Time	Daytime Average Leq (dBA)	Nighttime Average Leq (dBA)	Loudest Daytime Hour Leq (dBA)	Quietest Daytime Hour Leq (dBA)	L _{dn} (dBA)
LT-1	Located between the intersections of Lincoln Avenue/Tamalpais Avenue and 5th Avenue/Lincoln Avenue northwest of the project area, in front of the shared office and teen rehabilitation center building at 1104 Lincoln Avenue.	Start: Monday, November 30, 2020, at 12:47 p.m. End: Wednesday, December 2, 2020, at 9:01 a.m.	66.6	60.7	71.1 8:00 a.m.	61.0 9:00 p.m.	68.8
LT-2	Located between the intersections of Tamalpais Avenue/5th Avenue and 5th Avenue/Hetherston Street north of the project area in front of the San Rafael Auction Gallery on 634 5th Avenue.	Start: Monday, November 30, 2020, at 12:32 p.m. End: Wednesday, December 2, 2020, at 9:05 a.m.	75.2	70.3	77.8 3:00 p.m.	70.3 9:00 p.m.	78.1
LT-3	Located near the southwest corner of 4th Street and Lincoln Avenue, north and west of the project area.	Start: Monday, November 30, 2020, at 1:04 p.m. End: Wednesday, December 2, 2020, at 9:25 a.m.	72.9	67.4	78.1 4:00 p.m.	65.9 9:00 p.m.	75.1
LT-4	Located east of US-101 between the intersections of Mission Avenue and Irwin Street and Irwin Street/5th Avenue along Irwin Street in front of law offices.	Start: Monday, November 30, 2020, at 12:20 p.m. End: Wednesday, December 2, 2020, at 9:15 a.m.	78.8	70.3	88.0 5:00 p.m.	74.2 3:00 p.m.	79.5
LT-5	Located near the intersection of Tamalpais Avenue and 3rd Street, near the northwest corner of the existing transit center.	Start: Tuesday, February 9, 2021, at 12:00 p.m. End: Thursday, February 11, 2021, at 12:00 p.m.	70.8	65.9	76.3 6:00 p.m.	64.8 9:00 p.m.	73.6
LT-6	Located near the intersection of Tamalpais Avenue and 2nd Street, near the southwest corner of the existing transit center.	Start: Tuesday, February 9, 2021, at 12:00 p.m. End: Thursday, February 11, 2021, at 12:00 p.m.	72.2	67.0	74.6 7:00 a.m.	67.1 9:00 p.m.	74.7



Legend

- Long-term noise measurement locations
- ▬ Move Whistlestop*
- ▬ Adapt Whistlestop*
- ▬ 4th Street Gateway*
- ▬ Under the Freeway*
- Existing SRTC

*Note: Alternatives are displayed by affected parcels.

N

0 175 300

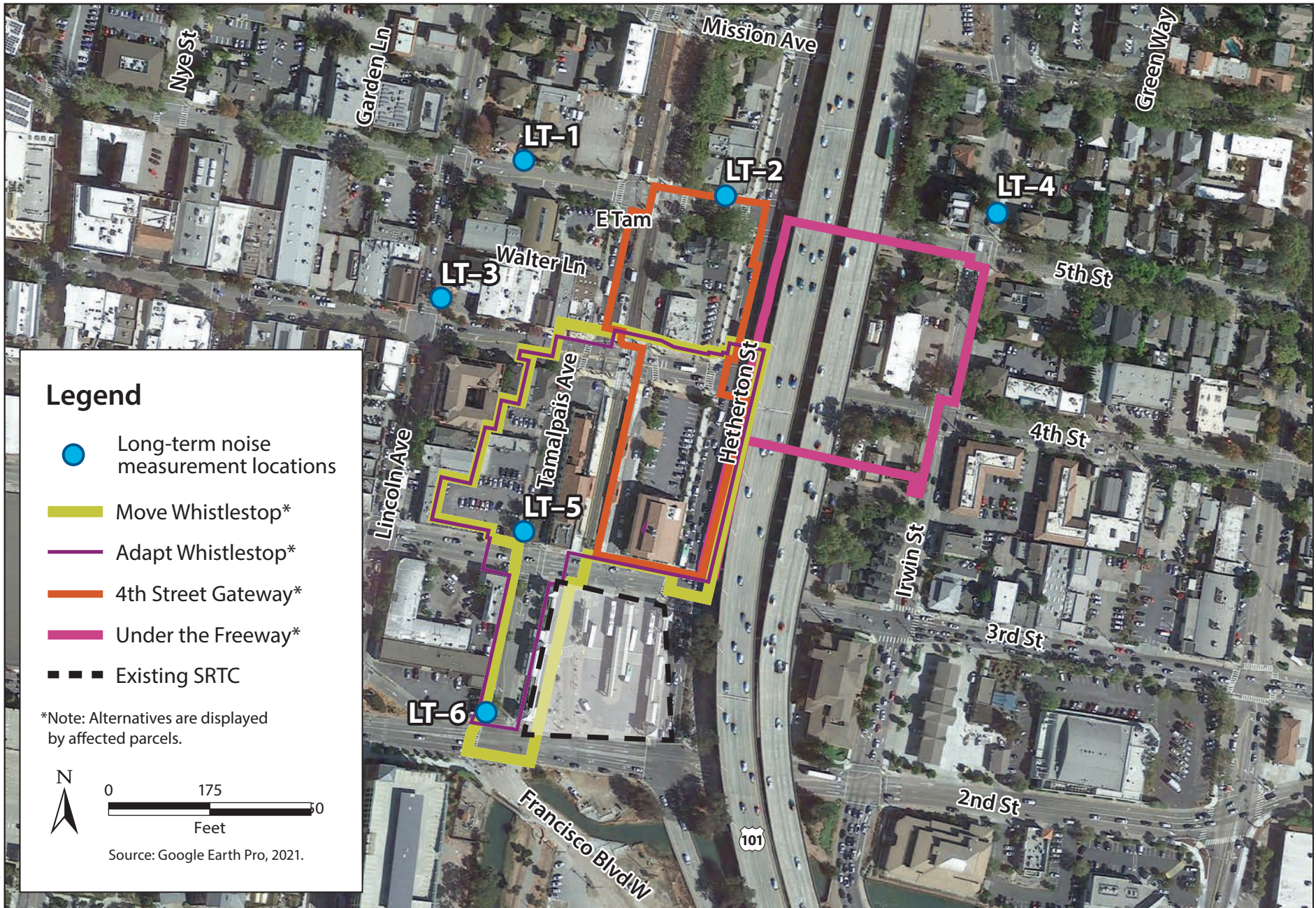
Feet

Source: Google Earth Pro, 2021.

ICF Graphics ... 074817 (6/24/21) AB



**Figure 3.11-2
Noise Measurement Locations**



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Updated Figure 3.11-2
Noise Measurement Locations

Alternatives for the Noise Analysis

The four build alternatives presented in the project description (Move Whistlestop Alternative, Adapt Whistlestop Alternative, 4th Street Gateway Alternative, and Under the Freeway Alternative) would have similar construction requirements. Construction is expected to ~~occur in 2023 or 2024~~ begin in 2025 and would last up to 18 months. As displayed in Table 3.11-10, all four build alternatives are adjacent to a mix of residential and commercial land uses.

Updated Table 3.11-10. Alternatives Land Uses

Alternative	Land Uses within 500 feet
Move Whistlestop	North: Hetherton office and multifamily residential districts/office East: commercial/office South: public/quasi-public zoning district West: multifamily residential districts/office, retail, mixed-use The nearest residence is directly adjacent to the west of this alternative
Adapt Whistlestop	North: Hetherton office and multifamily residential districts/office East: commercial/office South: public/quasi-public zoning district West: multifamily residential districts/office, retail, mixed-use The nearest residence is directly adjacent to the west of this alternative
4th Street Gateway	North: Hetherton office East: residential/office, and commercial/office South: The existing San Rafael Transit Center West: multifamily residential districts/office, Hetherton office The nearest residence is approximately 50 feet north of this alternative.
Under the Freeway	North: residential/office and multifamily residential uses East: residential/office, commercial/office, and single-family residential South: commercial/office West: Hetherton office (including the Downtown San Rafael SMART station and the existing San Rafael Transit Center) The nearest residence is approximately 50 feet east of this alternative.

Sources: Google Maps 2021; City of San Rafael 2021b

Surrounding Noise-Sensitive Land Uses

Some land uses are more sensitive to noise impacts than others. Consistent with the Governor's Office of Planning and Research's *State of California General Plan Guidelines*, noise-sensitive receptors are defined in this document as residential land uses, schools, open spaces, nursing homes, hospitals, convalescent homes, and churches (Governor's Office of Planning and Research 2017). Potential noise-related impacts on biological resources are disclosed in Section 3.3, Biological Resources. In addition, the Golden Gate Bridge, Highway and Transportation District considers hotels, motels, libraries, and cemeteries to be noise-sensitive receptors. As noted, sensitivity to noise may vary with the source of the noise and the land use context. An important way of predicting a human reaction to a new noise environment is to compare it with the existing ambient noise level. In general, the more a new noise source exceeds the previously existing ambient noise level, the less acceptable the new noise will be judged by those hearing it. The noise analysis in this section accounts for the Downtown urban environment and close proximity of the project area to US-101,

the existing transit center, and the SMART train station. Therefore, the existing ambient noise level is louder than non-urban uses.

Existing noise-sensitive land uses in the vicinity of the project area include residences, hotels, motels, schools, libraries, churches, hospitals, nursing homes, playgrounds, neighborhood parks, cemeteries, and other outdoor recreation (see Table 3.11-11 for a full list of surrounding sensitive receptors). These sensitive land uses are divided into Categories 1, 2, or 3 per the FTA standard for transit noise, as described in Section 3.11.2.1.

Vibration-Sensitive Historic Buildings

Historic buildings are also considered potentially sensitive to vibration according to the FTA manual. Section 3.4, Cultural Resources, identified ~~four~~ five built environmental resources that qualify as historic sites for the purposes of California Environmental Quality Act (CEQA) review: 1011 Irwin Street, 709–711 4th Street, 927 Tamalpais Avenue, 633 5th Avenue, and 637 5th Avenue. As further described in Section 3.4, depending on the build alternative, cultural resources would either be relocated or removed.

The Move Whistlestop Alternative would involve the demolition of ~~the historic building at two historic-aged buildings: 927 Tamalpais Avenue. An older building of no historic status at 703–705 4th Street would also be demolished, and 927 Tamalpais Avenue (Barrel House).~~ As described in Section 3.4.1.2, neither of the historic-aged buildings proposed for demolition under this alternative qualifies as a historic resource under CEQA. This alternative would utilize the existing alley that runs adjacent to the east façade of 709–711 4th Street as a vehicular circulation path. The Move Whistlestop Alternative proposes to relocate the Whistlestop building at 930 Tamalpais Avenue, which does not qualify as a CEQA historic resource, to the west side of Tamalpais Avenue. The relocated Whistlestop building would be in the vicinity of the historic buildings at 709–711 4th Street. Furthermore, the alternative would not alter the physical features that allow 709–711 4th Street to convey its historical significance.

The Adapt Whistlestop Alternative would occur adjacent to one historic building: the circa 1889 commercial building at 709–711 4th Street. The Adapt Whistlestop Alternative would involve similar project activities as the Move Whistlestop Alternative. Project activities would not result in a substantial adverse change in the significance of 709–711 4th Street.

The 4th Street Gateway Alternative plans to relocate buildings at 633 5th Avenue and 637 5th Avenue prior to or during construction to accommodate transportation facilities. However, there is no currently identified receiving site for either building and the method for relocation has not yet been determined.

The Under the Freeway Alternative contains one historic building: a residence at 1011 Irwin Street. The City has evaluated the residence as eligible for listing in the National Register of Historic Places and California Register of Historical Resources due to its hipped-roof cottage. This alternative would demolish this historical resource, thus destroying all the characteristics that qualify it for inclusion in the National Register of Historic Places and California Register of Historical Resources. As described further in Section 3.4, the demolition of 1011 Irwin Street would therefore be considered a substantial adverse change in the significance of the resources.

Table 3.11-11. Sensitive Receptors within 0.5 Mile of the Alternatives

Sensitive Receptor Type	Name	Address
Category 1		
Outdoor Amphitheatre	Forest Meadows Amphitheatre	890 Belle Avenue
Category 2		
Residential	Various	All surrounding zoning that falls into the following categories: Any zoning with an “R” and Downtown residential zoning including but not limited to the following: 4SRC, HO, CSMU, 2/3 MUE, 2/3, 2/3 MUW, WEV, and 5/MR/O.
Hospitals	Marin Treatment Center, Inc	1466 Lincoln Avenue
	Kaiser Permanente San Rafael Medical Center	99 Montecillo Road
Hotel	Panama Hotel	4 Bayview Street
Senior Homes	Goldenaires Senior Citizens	618 B Street
	San Rafael Commons	302 4th Street
	Aldersly Retirement Community	326 Mission Avenue
	Senior Assistance, LLC	14 Tierra Vista Way
	Home Safety Bath’s	448 Du Bois Street
	Greenwood Assisted Living	233 West End Avenue
	San Rafael Healthcare & Wellness Centre	1601 5th Avenue
Category 3		
Churches	Trinity Community Church	1675 Grand Avenue
	Lincoln Hill Community Church	1411 Lincoln Avenue
	Thailao Baptist Church	1411 Lincoln Avenue
	St. Paul’s Episcopal Church	1123 Church Street
	Church of Saint Raphael/Mission San Rafael Arcangel	1104 5th Avenue
	El Renuevo De Jehova Los Arcangeles	calle San Rafael 613 los Arcángeles García, N, L
	First Church of Christ Scientist	1618 5th Avenue
	Church of the Open Door	1104 5th Avenue
	Victory Christian Center	555 Francisco Boulevard E
	Trinity Lutheran Church	333 Woodland Avenue

Sensitive Receptor Type	Name	Address
Schools	Saint Raphael School	1100 5th Avenue
	Madrone High School	185 Mission Avenue
	San Rafael High School	150 3rd Street
	Coleman Elementary School	800 Belle Avenue
	Dominican University of California	50 Acacia Avenue
	Parkside Children's Center	51 Albert Park Lane
Parks and Open Spaces	Mountain Park	
	Beach Park	200 Yacht Club Drive
	Boyd Memorial Park Playground	341 Laurel Place
	Albert Park	155 Andersen Drive
	City Plaza	Plaza in former Court Street right-of-way
	Falkirk	Lower portion of site only; includes historic mansions/lawns. Excludes 8-acre upper open space.
	Marin Tennis Club	925 Belle Avenue
Cultural Resources	John F. Allen Athletics Complex and Kennelly Field	890 Belle Avenue
		709-711 4th Street
		633 5th Avenue
Libraries		637 5th Avenue
	San Rafael Public Library	1100 E Street

Source: Google Maps 2021

3.11.3 Environmental Impacts

This section describes the environmental impacts associated with noise that would result from implementation of the proposed project. It describes the methods used to determine the effects of the proposed project and lists the thresholds used to conclude whether an impact would be significant. Impacts for the build alternatives are presented together unless they differ substantially among alternatives. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts are provided.

3.11.3.1 Methodology

Construction Noise

The noise study area includes areas within a half-mile radius of the project area. The assessment of potential construction noise levels was based on methodology developed by FTA (2018) and construction noise criteria from applicable local guidance (such as local general plan documents or noise ordinances). Noise levels produced by commonly used construction equipment are shown in Table 3.11-12. Individual types of construction equipment are expected to generate maximum noise levels ranging from 80 to 90 dBA at a distance of 50 feet. The construction noise level at a given

receiver location depends on the type of construction activity and the distance and shielding between the activity and noise-sensitive receivers.

Updated Table 3.11-12. Commonly Used Construction Equipment Noise Emission Levels

Equipment	Typical Noise Level (dBA) 50 Feet from Source
Heavy truck	84
Excavator	85
Bulldozer	85
Pump	81
Generator	81
Mixer	80
Grader	85
Compactor	82
Impact hammer (hoe ram)	90
Back-hoe	80
Crane	83
Drill rig	85
Pavement saw	90

Source: FTA 2018

The construction equipment used would vary by component or construction phase of the proposed project and would involve the use of excavators, bulldozers, heavy trucks, pumps, generators, graders, compactors, impact hammers, and other heavy equipment. The source levels used to calculate noise exposure are based on the L_{max} of equipment noise levels developed by FTA. Usage factors for construction noise are used in the analysis to develop reasonable worst-case L_{eq} noise exposure values. The L_{eq} value accounts for the energy-average of noise over a specified interval (usually 1 hour), and usage factors represent the amount of time a type of equipment is used during a typical interval.

Potential noise levels resulting from construction of the proposed project were evaluated by combining the noise levels of the two loudest pieces of equipment that would likely operate at the same time (for example, an excavator, bulldozer, and truck being operated simultaneously during the site preparation phase) and applying the appropriate usage factor (percentage of time equipment is in operation) to each piece of equipment. Sound levels from construction activities are calculated as a function of distance from the source(s), based on point-source attenuation over hard (i.e., acoustically reflective) ground, noting that 6 dB of reduction per doubling of distance can be assumed over hard ground.

Construction Haul Truck Noise

Construction haul truck noise is assessed qualitatively based on the likelihood of a noticeable increase in traffic noise at sensitive land uses along proposed project haul routes. It is assumed that all build alternatives would have the same construction schedule and on-road equipment fleet.

Based on the average number of trips per day during construction for other projects in the Bay Area utilizing the California Emissions Estimator Model (CalEEMod), as described in detail in Section 3.2, Air Quality, it is conservatively estimated that up to 12 one-way daily trips would be made by haul trucks during construction. These trucks are assumed to access or leave the station option sites by

way of Lincoln Avenue or Hetherton Street, connecting to 3rd Street or Mission Avenue to access US-101.

A substantial increase in noise from haul trucks during construction would occur if a project-related increase of 3 dB (L_{dn}) or more would occur where the existing and/or resulting noise levels are in any category other than “acceptable,” according to the land use compatibility chart.

Operational Noise

Alternative Bus Operations

The noise and vibration assessment was conducted in accordance with the FTA *Transit Noise and Vibration Impact Assessment Manual* guidelines (described in Section 3.11.2.1). The FTA manual specifies that criteria are applied for a comparison between future project noise and existing noise, and not between future project noise and projections of future “no-build” noise exposure.

Following FTA guidelines, a screening assessment was used to select applicable receptors that are located within the FTA screening distance of 250 feet of the alignment for a busway with intervening buildings (described in Section 3.10, Land Use and Planning). Receptors were selected from land uses within this screening distance to represent sensitive land uses identified along the corridor. Existing noise levels for receptor locations were taken from results of the noise-monitoring program conducted in the area. Project buses were assumed to operate at up to 30 miles per hour. Calculated project noise levels were then compared with the “moderate impact” and “severe impact” criteria based on the existing ambient conditions recorded for a given receptor location.

Transit Center

Stationary equipment associated with the proposed project, such as backup generators and heating, ventilation, and air-conditioning (HVAC) equipment, could potentially result in noticeable levels of noise at nearby sensitive land uses. Sound level specifications for building equipment are unknown. As such, the analysis assumes typical equipment source levels at a reference distance of 50 feet. These types of equipment would be required to comply with the San Rafael Municipal Code and the Noise Element of ~~The City of San Rafael General Plan 204020~~ and were considered in the analysis.

Vehicle Traffic

To determine whether the proposed project would result in a substantial permanent increase in ambient noise levels from traffic, model calculations were developed to determine the change in project-related traffic volumes along segments adjacent to the build alternatives. An increase of 3 dB would be considered a noticeable increase in noise levels relative to existing conditions. Ambient noise levels obtained from sound level monitoring are also considered to determine whether an increase in traffic along a given roadway segment would result in a noticeable increase in noise levels, based on all sources of noise present in the area.

Traffic noise modeling for existing conditions and Year 2040 conditions was conducted using standard acoustical methods. For the assessment of project-level traffic noise impacts, p.m. peak hour traffic volumes were used to determine traffic noise levels under existing and Year 2040 conditions. The model assumes that the proposed project would alter traffic circulation on local streets but would not generate traffic, as the proposed project would not change the amount of bus service provided and new vehicle trips are not assumed to be generated by the proposed project.

Although the proposed project would improve the efficiency of bus operations and create operational flexibility for bus movements into and out of the transit center, no future expansion of transit service is currently programmed or planned and thus cannot be reasonably forecasted.

Construction Vibration

Potential vibration impacts during construction were evaluated using the construction vibration modeling methods recommended by the U.S. Department of Transportation, along with construction equipment data provided by the project engineering team. Reasonable worst-case construction vibration levels are provided and compared to the Caltrans vibration guidelines for damage and annoyance (refer to Tables 3.11-4 and 3.11-5).

Vibration source levels for a variety of typical construction equipment types are shown in Table 3.11-2. Source levels are shown in terms of PPV at 25 feet, 50 feet, 75 feet, and 100 feet, based on FTA guidelines.

The potential for damage to adjacent architectural resources from project-related construction vibration was investigated, in addition to the modeled noise- and vibration-sensitive receivers discussed above. Using assumptions provided by the project engineers and the FTA methodology, as outlined above, the potential for construction vibration damage to historic structures was analyzed.

3.11.3.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to noise and vibration.

Would the proposed project result in:

- Generation of 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?
- Generation of excessive groundborne vibration or groundborne noise levels?
- Placement of project-related activities in the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, resulting in exposure of people residing or working in the project area to excessive noise levels?

The City of San Rafael Municipal Code states that noise from construction equipment outside of the daytime hours of 7:00 a.m. to 6:00 p.m. would be prohibited unless approved by the City. Potential noise impacts at noise-sensitive uses from temporary use of construction equipment may occur where noise from a construction site exceeds 90 dBA L_{eq} during daytime hours, or 55 dBA L_{eq} during nighttime hours (based on the City noise limit for mixed use development).

A project is considered to contribute to a significant cumulative impact if future (Year 2040) traffic noise levels would result in an increase of 3 dB relative to future no-project conditions at a location where traffic noise exceeds 60 L_{dn} . A 3-dB increase in the ambient noise level is a noticeable increase (Caltrans 2020).

Note that there would be no impacts related to the influence of noise from aircraft or airports for the proposed project. The nearest two airports to the proposed project site are San Rafael Airport, a private airport, and Marin Ranch Airport, a public airport, directly east of San Rafael Airport, both approximately 3 miles north of the project area. The proposed project would not add sensitive uses that would potentially be affected by aircraft noise. Therefore, there would be no impact, and this topic related to aircraft noise at public airports or private airstrips is not discussed further in this section.

3.11.3.3 Impacts

Impact NOI-1: Generation of 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

Construction

To characterize the overall noise level of the worst-case noise condition during a given phase of construction, the two loudest pieces of equipment were assumed to operate simultaneously at the construction site perimeter at a receiver distance of 50 feet. Heavy equipment, such as excavators and trucks, were assumed to operate for up to 50 percent of a given hour during construction hours. Pumps and generators were assumed to operate up to 100 percent of the time during construction hours. Sound levels by project phase are shown in Table 3.11-13.

Updated Table 3.11-13. Construction Noise Levels by Activity and Distance to Allowable Sound Levels

Construction Activity	Equipment Used ^a	Combined Source Level at 50 Feet (Leq, dBA) ^b	Distance to Exceedance of Daytime Sound Level Limit of 90 dBA Leq (feet) ^c	Distance to Exceedance of Nighttime Sound Level Limit of 55 dBA Leq (feet) ^d
Demolition	Hoe ram, truck	88	40	2,200
Excavation	Excavator, drill bulldozer	85	30	1,600
Foundation	Grader, crane	84	25	1,400
Building construction	Grader, crane	84	25	1,400
Site improvements	Backhoe, concrete saw	87	40	2,100
Exterior closeout	Grader, crane	84	25	1,400

Note: Distance calculation does not include the effects, if any, of local shielding from walls, topography, or other barriers, which may further reduce sound levels.

^a The two loudest pieces of equipment that may operate in one location simultaneously.

^b Based on usage factors of 50 percent to 100 percent for the types of equipment used.

^c The maximum distance where the combined equipment level may potentially exceed the City daytime construction noise limit of 90 dBA Leq. Daytime is defined as the hours between 7:00 a.m. and 6:00 p.m. (9:00 a.m. to 6:00 p.m. on Saturdays).

^d The maximum distance where the combined equipment level may potentially exceed the City nighttime threshold of 55 dBA Leq. Nighttime is defined as the hours between 10:00 p.m. and 7:00 a.m. For the purpose of this analysis, it is

assumed construction done outside of City-allowed hours may be bound by this limit. The distances shown in this column assume temporary nighttime permits would be obtained, if nighttime work is determined to be necessary.

Move Whistlestop and Adapt Whistlestop Alternatives

The nearest residential units are in a mixed-use office and residential building adjacent to these project sites on the western side. The nearest portion of the excavation perimeter is about 10 feet from these residences. Construction noise levels could be as high as 102 dBA at a distance of 10 feet during site demolition, which would likely be the loudest phase of construction. A noise level of this magnitude would be readily noticeable above ambient levels at this location. Utility work may be required at night on an intermittent basis. This would exceed City nighttime noise limits at receptors up to 2,200 feet from work sites. This would include several residential units and mixed-use buildings adjacent to the project sites. This impact would be **significant** due to exceedance of the City daytime and nighttime noise limits during construction. Implementation of Mitigation Measure MM-NOI-CNST-1 would reduce this impact to a ***less-than-significant level with mitigation***.

4th Street Gateway Alternative

The nearest residential units are north of the project site at the intersection of 5th Avenue and Tamalpais Avenue. The nearest portion of the excavation perimeter is approximately 50 feet from these residences. Construction noise levels could be as high as 88 dBA at a distance of 50 feet during site demolition, which would likely be the loudest phase of construction. A noise level of this magnitude would be readily noticeable above ambient levels at this location, but would only occur where equipment is used near the perimeter of the construction site relative to the receiver of the noise. Additionally, heavy equipment use would be temporary and would cease once construction is complete.

Utility work may be required at night on an intermittent basis. This would exceed City nighttime noise limits at receptors up to 2,200 feet from work sites. This would include several residential units as near as approximately 50 feet from the northern boundary of the site. This impact would be **significant** due to a potential exceedance of the City nighttime noise limit during construction. Implementation of Mitigation Measure MM-NOI-CNST-1 would reduce this impact to a ***less-than-significant level with mitigation***.

Under the Freeway Alternative

The nearest residential units are east of the project site on Irwin Street. The nearest portion of the excavation perimeter is approximately 50 feet from these residences. Construction noise levels could be as high as 88 dBA at a distance of 50 feet during site demolition, which would likely be the loudest phase of construction. A noise level of this magnitude would be readily noticeable above ambient levels at this location. Utility work may be required at night on an intermittent basis. This would potentially exceed City nighttime noise limits at receptors 2,200 feet from work sites. This would include several mixed-use residential units as near as approximately 50 feet from the eastern boundary of the site. This impact would be **significant** due to a potential exceedance of the City nighttime noise limit during construction. Implementation of Mitigation Measure MM-NOI-CNST-1 would reduce this impact to a ***less-than-significant level with mitigation***.

Operations

All Build Alternatives

Bus Operations

The proposed transit center would provide bus service consistent with existing bus trip volumes and fleet assignments. The model also assumed that up to eight buses may idle engines for up to 3 minutes each in a given hour. The new transit center would be in an urban area with high levels of vehicle traffic and overall ambient noise levels would be influenced by vehicle traffic on surface streets and the adjacent elevated section of US-101, which would be less than 100 feet from the transit center under all build alternatives, including its current location.

Noise analysis results are shown in Table 3.11-14. The results indicate that transit center operations would result in an increase of 0.5 dB or less (in terms of L_{dn}) at all receiver locations across all four build alternatives. This is primarily due to the presence of existing traffic and train sources in the area, as recorded by monitoring. The noise from these sources would overshadow noise from the new transit center, similar to the noise environment observed at the existing transit center. Noise levels from the transit center would result in moderate impacts at the nearest receptors for the 4th Street Gateway and Under the Freeway Alternatives. There would be no severe impacts. Generally, FTA considers mitigation as a requirement only for severe impacts. Mitigation for moderate impacts may be considered on a case-by-case basis. Mitigation would not be acoustically feasible for this location, as any measure specific to either of the transit center locations would only provide up to 0.5 dB of noise reduction and would not mitigate vehicle noise from existing sources.

The greatest noise level increase from the transit center would be 0.5 dB. An increase of this magnitude would not be perceptible over existing ambient noise levels at these locations. Noise levels would not exceed the threshold for severe impacts as defined by FTA. Therefore, this impact is considered to be ***less than significant***. No mitigation is required.

Table 3.11-14. Predicted Noise Levels from Transit Center Bus Operations under Each Alternative

Receiver	Existing Ambient Level	Project Noise Level	Combined Level	Increase over Existing	Moderate Impact Threshold (Project Noise)	Severe Impact Threshold (Project Noise)	Impact?	Moderate Contour Distance (feet)	Severe Contour Distance (feet)
Move Whistlestop and Adapt Whistlestop Alternatives									
Nearest receptor	75.1	65.7	75.6	+0.5	66 L _{dn}	73 L _{dn}	None	58	27
LT-1	68.8	51.9	68.9	+ 0.1	64 L _{dn}	69 L _{dn}	None		
LT-2	78.1	52.9	78.1	0.0	66 L _{dn}	75 L _{dn}	None		
LT-3	75.1	54.6	75.1	0.0	66 L _{dn}	73 L _{dn}	None		
4th Street Gateway Alternative									
Nearest receptor	78.1	69.3	78.6	+0.5	66 L _{dn}	75 L _{dn}	Moderate	61	28
LT-1	68.8	53.4	68.9	+ 0.1	64 L _{dn}	69 L _{dn}	None		
LT-2	78.1	67.7	78.5	+ 0.4	66 L _{dn}	75 L _{dn}	Moderate		
LT-3	75.1	53.1	75.1	0.0	66 L _{dn}	73 L _{dn}	None		
Under the Freeway Alternative									
Nearest receptor	79.5	69.3	79.9	+ 0.4	66 L _{dn}	75 L _{dn}	Moderate	83	21
LT-4	79.5	62.4	79.6	+ 0.1	66 L _{dn}	75 L _{dn}	None		

Transit Center

Station platform noise sources would include a public announcement system and chiming sounds in ticket vending machines. Noise associated with these sources would occur for brief periods of time and is not likely to result in an exceedance of FTA or local standards. Sound levels from announcement systems would vary, as they are typically designed to automatically adjust volume levels to a few dB above ambient noise. Chiming sounds from ticket machines are designed to provide an audible prompt to the person using the machine and are not typically audible above ambient levels except in the area directly next to the machine. Noise associated with these sources would occur intermittently and for brief periods of time and would not result in an exceedance of FTA or local standards.

The new building in the project area would require HVAC systems. Although specific sound level data for this type of equipment are not available, typical HVAC equipment can produce sound levels in the range of about 70 dBA at 50 feet, depending on the size of the equipment. However, rooftop HVAC units would attenuate both vertically and horizontally relative to surrounding uses, and also would be shielded by the edge of the building. As such, noise from HVAC equipment is unlikely to be noticeable in the urban setting of the proposed project, given that average measured noise levels are 67 dBA L_{eq} and above in this area of the city. Although this equipment noise is likely to be overshadowed by noise from surrounding transit and traffic noise, the equipment is required to meet City noise standards and should not exceed the applicable noise limits at the property line (65 dBA during daytime hours or 55 dBA during nighttime hours for residential mixed-use properties). Because noise levels from the equipment are not known, the building engineer should confirm that City noise limits would be met. This impact is potentially **significant**. Implementation of Mitigation Measure MM-NOI-OP-2 would reduce this impact to a ***less-than-significant level with mitigation***.

Vehicle Traffic

The proposed project would not affect traffic volumes except for buses. While there would be no increase in traffic volumes, traffic may be recirculated such that there is an increase in traffic volumes on roadways in the vicinity as employees and visitors travel to and from the project area. Traffic noise increases with increasing traffic volumes. A 100-percent increase (i.e., a doubling) in volume of traffic equates to a 3-dB increase in noise. As discussed in the beginning of this section, an increase of 3 dB is just noticeable by the human ear and, as such, an increase of less than 3 dB is not considered to be a substantial increase.

Traffic noise levels were calculated using peak-hour traffic volume data provided by the project traffic consultant and standard acoustical methods.

As shown in Table 3.11-15, traffic noise levels along street segments in the vicinity of the project area would increase by up to 2 dB under both existing with-project conditions and future with-project conditions under all build alternatives. An increase of this magnitude would not be noticeable. Therefore, noise level increases from a redistribution of vehicle traffic are considered to be ***less than significant***. No mitigation is required.

Table 3.11-15. Increase in Traffic Noise Along Project Street Segments

Street	Segment Location	Existing versus No Project Increase, dB			Future versus No Project Increase, dB		
		4th Street Gateway Alternative	Move and Adapt Whistlestop Alternatives	Under Freeway Alternative	4th Street Gateway Alternative	Move and Adapt Whistlestop Alternatives	Under Freeway Alternative
Hetherton Street	2nd Street to 3rd Street	+2	+2	+2	+2	+2	+2
Hetherton Street	3rd Street to 4th Street	0	0	0	0	0	0
Hetherton Street	4th Street to 5th Avenue	0	0	0	0	0	0
Hetherton Street	5th Street to Mission Avenue	0	0	0	0	0	0
Irwin Street	2nd Street to 3rd Street	-2	-2	-2	-2	-2	-2
Irwin Street	3rd Street to 4th Street	0	0	0	0	0	0
Irwin Street	4th Street to 5th Avenue	0	0	0	0	0	0
Irwin Street	5th Street to Mission Avenue	0	0	0	0	0	0
Grand Avenue	2nd Street to 3rd Street	0	0	0	0	0	0
Grand Avenue	3rd Street to 4th Street	0	0	0	0	0	0
Grand Avenue	4th Street to 5th Avenue	0	0	0	0	0	0
Grand Avenue	5th Street to Mission Avenue	0	0	0	0	0	0
Lincoln Avenue	2nd Street to 3rd Street	0	0	0	0	0	0
Lincoln Avenue	3rd Street to 4th Street	0	+1	0	0	0	0
Lincoln Avenue	4th Street to 5th Avenue	0	0	0	0	0	0
Lincoln Avenue	5th Street to Mission Avenue	0	0	0	0	0	0
Tamalpais Avenue	2nd Street to 3rd Street	0	0	0	0	0	0
Tamalpais Avenue	3rd Street to 4th Street	+1	0	0	0	0	0
Lindaro Street	Anderson Drive to 2nd Street	0	0	0	0	0	0
Lindaro Street	2nd Street to 3rd Street	0	0	0	0	0	0
Cijos Street	3rd Street to 4th Street	+1	0	0	+1	0	0
Lootens Place	3rd Street to 4th Street	0	0	0	0	0	0
Tamalpais Avenue	5th Street to Mission Avenue	0	0	0	0	0	0
Tamalpais Avenue	4th Street to 5th Avenue	0	0	0	0	0	0
2nd Street	Hetherton Street to Irwin Street	0	0	0	0	0	0

Street	Segment Location	Existing versus No Project Increase, dB			Future versus No Project Increase, dB		
		4th Street Gateway Alternative	Move and Adapt Whistlestop Alternatives	Under Freeway Alternative	4th Street Gateway Alternative	Move and Adapt Whistlestop Alternatives	Under Freeway Alternative
3rd Street	Hetherton Street to Irwin Street	-2	-2	-2	-2	-2	-2
4th Street	Hetherton Street to Irwin Street	-1	-1	-1	-1	-1	-1
5th Street	Hetherton Street to Irwin Street	0	0	0	0	0	0
Mission Avenue	Hetherton Street to Irwin Street	0	0	0	0	0	0
2nd Street	Irwin Street to Grand Avenue	0	0	0	0	0	0
3rd Street	Irwin Street to Grand Avenue	-4	-4	-4	-4	-4	-4
4th Street	Irwin Street to Grand Avenue	0	0	0	0	0	0
5th Street	Irwin Street to Grand Avenue	0	0	0	0	0	0
Mission Avenue	Irwin Street to Grand Avenue	0	0	0	0	0	0
2nd Street	Lincoln Avenue to Hetherton Street	0	0	0	0	0	0
3rd Street	Lincoln Avenue to Hetherton Street	0	0	0	0	0	0
4th Street	Lincoln Avenue to Hetherton Street	0	0	0	0	0	0
5th Street	Lincoln Avenue to Hetherton Street	0	0	0	0	0	0
Mission Avenue	Lincoln Avenue to Hetherton Street	0	0	0	0	0	0
2nd Street	Lindaro Street to Lincoln Avenue	0	0	0	0	0	0
3rd Street	Lindaro Street to Lincoln Avenue	0	0	0	0	0	0
4th Street	Lootens Place to Lincoln Avenue	0	0	0	0	0	0
5th Street	Lootens Place to Lincoln Avenue	+1	0	0	+1	0	0
Mission Avenue	Nye Street to Mission Avenue	0	0	0	0	0	0

Mitigation Measures

Under any build alternative that is selected and constructed, the following measures would be implemented.

MM-NOI-CNST-1. Use Best Noise Control Practices During Construction

Best practices to minimize construction noise include the following:

- Limiting heavy equipment use to daytime hours not regulated by the City, between 7:00 a.m. and 6:00 p.m. Monday to Friday, and 9:00 a.m. to 6:00 p.m. on Saturday
- Locating stationary equipment (e.g., generators, pumps, cement mixers, idling trucks) as far as possible from noise-sensitive land uses
- Requiring that all construction equipment powered by gasoline or diesel engines have sound-control devices such as exhaust mufflers that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation
- Using equipment powered by electric motors instead of gasoline or diesel powered engines
- Preventing excessive noise by shutting down idle vehicles or equipment
- Using noise-reducing enclosures around noise-generating equipment
- Constructing barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (e.g., terrain, structures) to block sound transmission to noise-sensitive land uses. The barriers should be designed to obstruct the line of sight between the noise-sensitive land use and on-site construction equipment.
- Notifying adjacent residents in advance of construction work

MM-NOI-OP-2: Provide Acoustical Treatments for Mechanical Equipment as Needed to Comply with City Noise Standards

The applicant shall provide acoustical treatments as needed for the proposed HVAC equipment to ensure noise levels do not exceed the nighttime noise limit of 55 dBA L_{eq} at the property line. These limits are in accordance with the noise limitations specified in the City Municipal Code. Any required acoustical treatments can be specified by retaining a qualified acoustical consultant. Treatments may include, but are not limited to:

- Installing stationary equipment as far as possible from offsite noise-sensitive land uses and the property line to reduce noise levels at adjacent parcels
- Constructing enclosures around noise-generating mechanical equipment
- Placing barriers around the equipment
- Using mufflers or silencers on equipment exhaust fans
- Orienting or shielding equipment to protect sensitive uses to the greatest extent feasible

Impact NOI-2: Generation of Excessive Groundborne Vibration or Groundborne Noise Levels

Construction

All Build Alternatives

Construction of the proposed project would involve the use of construction equipment that could generate groundborne vibration. Typical vibration levels associated with construction equipment as a function of distance are shown in Table 3.11-16.

Table 3.11-16. Construction Equipment Vibration Levels by Distance

Distance (feet)	Bulldozer, Hoe Ram		Truck	
	VdB ^a	PPV ^b	VdB ^a	PPV ^b
10	99	0.352	98	0.300
15	94	0.191	92	0.164
20	90	0.124	88	0.106
25	87	0.089	86	0.076
30	85	0.068	83	0.058
35	83	0.054	81	0.046
40	81	0.044	79	0.038
45	79	0.037	78	0.031
50	78	0.031	77	0.027
55	77	0.027	75	0.023
60	76	0.024	74	0.020
63	75	0.022	74	0.019
65	74	0.021	73	0.018
70	74	0.019	72	0.016
75	73	0.017	71	0.015

^a RMS Velocity Level re 1 micro-inch per second

^b Peak particle velocity, inch per second

Groundborne vibration from heavy equipment such as a bulldozer or hoe ram could periodically exceed the FTA vibration criterion at nearby residences and historic buildings. As shown in Table 3.11-16, vibration levels from operation of a bulldozer or hoe ram would exceed the FTA criterion for annoyance of 0.04 inch per second PPV at 40 to 45 feet from a sensitive receptor. Vibration from heavy equipment would potentially be perceptible within building structures during short intervals when equipment is operated near structures.

Construction of the Move Whistlestop and Adapt Whistlestop Alternatives would require operation of heavy equipment near (possibly as close as 10 feet) a historic building at 709–711 4th Street. The results in Table 3.11-16 indicate that construction-induced vibration could exceed 0.08 inch per second PPV at 20 to 25 feet from the building structure, which would exceed Caltrans vibration criteria for fragile buildings. Therefore, vibration levels during use of heavy equipment would potentially exceed annoyance thresholds and building damage thresholds under the Move Whistlestop and Adapt Whistlestop Alternatives. This impact is therefore considered to be **significant**. Implementation of Mitigation Measure MM-NOI-CNST-3 would reduce these impacts to a **less-than-significant level with mitigation**.

Construction of the 4th Street Gateway and Under the Freeway Alternatives would also require use of heavy equipment near building structures, but these structures are of modern construction, and

operation of heavy equipment would not exceed the more stringent vibration standard of 0.5 inch per second PPV at a distance of 10 feet. Therefore, vibration levels during use of heavy equipment would not exceed annoyance thresholds or building damage thresholds under the 4th Street Gateway and Under the Freeway Alternatives and the impact would be *less than significant*.

Other historic buildings in the vicinity of the build alternatives would be relocated, depending on the selected alternative. The relocation of buildings would be addressed under Mitigation Measure MM-CULT-1, Prepare and Implement Relocation Plans.

Operations

All Build Alternatives

No conditions exist that would result in a significant vibration impact from rubber-tired vehicles. Operation conditions would be similar to existing conditions. As such, this vibration impact would be *less than significant*.

Mitigation Measures

Under any build alternative that is selected and constructed, the following measure would be implemented.

MM-NOI-CNST-3: Implement Vibration-Reducing Practices During Construction

During construction, the contractor shall employ best practices to reduce construction vibration at adjacent buildings such that vibration at the building façades does not exceed 0.08 inch per second. Measures that can be used to limit construction vibration include, but are not limited to, the following:

- Locating high-vibration-generating equipment as far as possible from buildings
- Using low-vibration equipment within 45 feet of buildings

A vibration control plan shall be prepared that will describe the specific methods that the contractor will use to control vibration. Because of the historic status of the 709–711 4th Street building, the plan shall provide additional detail on how construction vibration near this building will be addressed. The plan may include the following measures:

- A preconstruction survey of the building to document pre-existing damage such as plaster cracks, shifted foundation, and concrete cracks
- Real-time monitoring of ground vibration
- If vibration monitoring indicates an exceedance of 0.08 inch per second during construction, alternative low-vibration construction methods shall be used, such that any subsequent exceedance is avoided.

A designated complaint coordinator shall be responsible for handling and responding to any complaints received during such periods of construction. A reporting program shall be required that documents complaints received, actions taken, and the effectiveness of these actions in resolving disputes.

Section 3.12

Population and Housing

This section describes the environmental and regulatory setting for population and housing. It also describes impacts on population and housing that would result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives and mitigation for significant impacts where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.12.1 Existing Conditions

3.12.1.1 Regulatory Setting

Federal

There are no relevant federal regulations for population and housing.

State

Regional Housing Need Plan for the San Francisco Bay Area: 2015–2023

The Regional Housing Need Allocation process addresses the need for housing in communities throughout the state. To ensure that adequate housing is available for all income groups, the California Department of Housing and Community Development is responsible for determining the regional need in coordination with the Association of Bay Area Governments (ABAG), which is required to distribute the region's share of statewide need to the cities and counties within its jurisdiction. The objectives of the Regional Housing Need Allocation include increasing the supply, diversity, and affordability of housing; promote infill development and a more efficient land use pattern; promoting an improved intraregional relationship between jobs and housing; protecting environmental resources; and promoting socioeconomic equity. The purpose of the Regional Housing Need Allocation is to allocate a "fair share" of the Bay Area's projected housing need to the cities and counties by household income groups, which are categorized as very low, low, moderate, and above moderate.

Local

City of San Rafael General Plan 20202040

The City adopted the City of San Rafael General Plan 2020-2040 in August 2021 (City of San Rafael 2021). ~~(City of San Rafael 2016). This plan~~ provides a vision for long-range physical and economic development of the City of San Rafael (City), provides strategies and specific implementing actions, and establishes a basis for judging whether specific development proposals and public projects are consistent with the City's plans and policy standards. ~~The City of San Rafael General Plan 20202040's~~ contains a Housing Element, which includes trends and characteristics of the City's population as well as policies to address the City's housing needs for all income levels, and outlines specific

development steps and design guidelines to address housing needs. However, because ~~there are no existing residential units in the project area contains only one the project area residential unit (a single-family unit at 1011 Irwin Street)~~, and no residential housing is proposed as part of the proposed project, none of the population and housing goals and policies listed in the element relate to ~~population and housing for this~~ the proposed project.

~~While t~~The City is currently in the process of updating The City of San Rafael General Plan 2020 recently adopted its San Rafael General Plan 2040. ~~In addition,~~ the Housing Element is was not being updated as part of the update process, as it is for the 2015 to 2023 planning period.

San Rafael Downtown Station Area Plan

The City adopted the *San Rafael Downtown Station Area Plan* in June 2012 in accordance with Senate Bill 375, which required certain places to create sustainable communities strategies that combined transportation and land-use elements to help reduce greenhouse gas emissions. The plan provides a long-term strategy for the Downtown San Rafael station area through design guidelines that help to maximize transit ridership, sustain economic development and vitality, and ensure that the regional transit area fits into the context of the surrounding neighborhoods and improves connectivity. The *San Rafael Downtown Station Area Plan* contains the following goals and concepts related to population and housing that are applicable to the proposed project (City of San Rafael 2012):

Goal 4: Supply adequate parking for new housing and businesses while encouraging transit use, walking, and bicycling.

Goal 6: Enable new transit-oriented development characterized by increased activity, a mix of uses, and a strong sense of place.

Concept A: Explore allowing a height and/or [floor area ratio] bonus for developments that provide community benefits in the Plan Area.

Concept B: Explore removing maximum density requirements for residential uses in the Plan Area.

Concept D: Facilitate eventual reuse should the Bettini Transit Center be relocated.

~~Draft~~ Downtown San Rafael Precise Plan

The City ~~is in the process of updating~~ prepared the *Downtown San Rafael Precise Plan* (City of San Rafael Community Development Department 2020~~1~~) to accompany San Rafael General Plan 2040. The *Downtown San Rafael Precise Plan* contains the following principles and policies that are applicable to population and housing.

Principle 5: Enable mixed-use development in Downtown to increase housing, strengthen local businesses, and diversify the economy.

Principle 8: Promote housing access at all income levels and establish strategies to prevent homelessness, gentrification, and displacement.

Policy H-7, Protection of the Existing Housing Stock: Continue to protect existing housing from conversion to non-residential uses. Ensure that affordable housing provided through government subsidy programs, incentives, and deed restrictions remains affordable over the required time period, and intervene when possible to help preserve such housing.

Policy H-15, Infill Near Transit: Encourage higher densities on sites adjacent to a transit hub, focusing on the Priority Development Area surrounding the San Rafael Transit Center and future Downtown SMART station.

Policy EDI-3.1, Preventing Displacement: Prevent the displacement of lower income residents from their homes due to rising costs, evictions without cause, and other economic factors that make it difficult for people to stay in San Rafael.

3.12.1.2 Environmental Setting

This section provides a discussion of the existing conditions related to population and housing in the project area, within the jurisdictional boundary of the City, and within the jurisdictional boundary of Marin County.

Project Area

The existing San Rafael Transit Center operates regional and inter-county bus transit services and the existing transit center site does not contain any residential units or residents. Approximately eight individuals per day are employed on the site.

Population

The 2020 population of San Rafael was approximately 59,807, and the 2020 population of Marin County was 260,831 (California Department of Finance 2020). Between 2020 and 2040, the City's population is expected to increase by approximately 11.8 percent to 66,880 residents, with an average growth rate of 2.4 percent every 5 years. Table 3.12-1 presents the anticipated growth for both the City and Marin County.

Table 3.12-1. San Rafael and Marin County Population Growth Projections, 2020–2040

Year	City of San Rafael Population	Percent Change		Marin County Population	Percent Change	
		Incremental	Cumulative		Incremental	Cumulative
2020	59,807	—	—	260,831	—	—
2025	61,610	3.0	3.0	269,250	3.2	3.2
2030	64,220	4.2	7.4	274,530	2.0	5.3
2035	65,550	2.1	9.6	278,215	1.3	6.7
2040	66,880	2.0	11.8	282,670	1.6	8.4

Sources: California Department of Finance 2020; ABAG 2019

Housing

This section describes existing housing units and household characteristics in San Rafael and Marin County.

Housing Units

In 2020, there were 24,133 housing units in San Rafael (Table 3.12-2), an increase of 122 housing units compared with 2010. Approximately 95.9 percent of the housing units were occupied in 2020, compared with 94.8 percent in 2010. In Marin County, there were 112,516 housing units in 2020, up from 111,214 housing units in 2010. In 2020, approximately 6.7 percent of the housing units were vacant in Marin County compared with 7.2 percent in 2010 (California Department of Finance 2020).

Table 3.12-2. San Rafael and Marin County Housing Units, 2010 and 2020

	2010	2020
City of San Rafael		
Total Housing Units	24,011	24,133
Increase in Housing Units	—	122
Occupied Housing Units	22,764	23,154
Change in Occupied Housing Units		+390
Percent Occupied	94.8	95.9
Percent Vacant	5.2	4.1
Marin County		
Total Housing Units	111,214	112,516
Increase in Housing Units	—	1,302
Occupied Housing Units	103,210	104,975
Change in Occupied Housing Units		+1,765
Percent Occupied	92.8	93.3
Percent Vacant	7.2	6.7

Source: California Department of Finance 2020

Households

In 2020, there were 23,575 households¹ in San Rafael (ABAG 2019). As shown in Table 3.12-3, ABAG projects that the number of households in San Rafael will increase by approximately 8.4 percent between 2020 and 2040, with an average increase of approximately 1.7 percent every 5 years.

Average Household Size

The average household size in San Rafael was 2.49 people in 2020 (California Department of Finance 2020). The average household size is expected to increase to approximately 2.52 people per household by 2040 (ABAG 2019).

Table 3.12-3. San Rafael and Marin County Household Growth Projections, 2020–2040

Year	City of San Rafael Households	Percent Change		Marin County Households	Percent Change	
		Incremental	Cumulative		Incremental	Cumulative
2020	23,575	—	—	108,195	—	—
2025	24,135	2.4	2.4	109,375	1.1	1.1
2030	25,175	4.3	6.8	111,065	1.5	2.7
2035	25,410	0.9	7.8	111,350	0.3	2.9
2040	25,565	0.6	8.4	111,585	0.2	3.1

Source: ABAG 2019.

¹ Households are based on occupied housing units.

Employment

ABAG estimates that there will be an approximate 3.9-percent increase in the number of jobs in Marin County between 2020 and 2040, increasing from 129,900 to 134,960. The number of jobs in San Rafael is projected to increase by approximately 2.5 percent between 2020 and 2040 (ABAG 2019). In 2019, the unemployment rate was 2.3 percent in Marin County and 2.2 percent in San Rafael (California Employment Development Department 2020). Table 3.12-4 summarizes the projected 5-year incremental increases in the number of jobs in San Rafael and Marin County between 2015 and 2040.

Approximately 37 percent of the jobs in Marin County are in San Rafael. This trend is projected to continue until 2040. In 2019, the City had 41,473 jobs and 29,507 employed residents, a ratio of 1.41 jobs for every employed resident (U.S. Census Bureau 2019a, 2019b). This means that some employees who work in San Rafael live elsewhere and are in-commuting. However, over the past couple of years, Marin County has had a trend of having more employed residents than jobs, which indicates that residents of Marin County commute to other nearby counties for jobs. This trend is expected to continue through 2040.

Table 3.12-4. San Rafael and Marin County Employment Projections, 2020–2040

	2020	2025	2030	2035	2040
City of San Rafael	47,835	48,140	48,650	48,875	49,050
Marin County	129,900	131,120	133,480	134,650	134,960

Source: ABAG 2019

3.12.2 Environmental Impacts

This section describes the impact analysis related to population and housing for the proposed project. The section describes the methods used to determine the impacts of the proposed project and lists the thresholds used to conclude whether an impact would be significant. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany each impact discussion, where necessary and appropriate. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.12.2.1 Methodology

Identifying a project's impacts on population and housing involves a review of ABAG's Projections 2040, U.S. Census Bureau Data, California Department of Finance Data, California Employment Development Department Data, and ~~The City of San Rafael General Plan 2020-2040~~, then measuring the proposed project's population growth impact against the data. As the proposed transit center would be in the City of San Rafael and would serve the larger Marin County population, the study area for the impact analysis is the City of San Rafael and Marin County.

3.12.2.2 Thresholds of Significance

The following California Environmental Quality Act Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to existing population and housing.

Would the proposed project:

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

3.12.2.3 Impacts

Impact POP-1: 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)

Construction

All Build Alternatives

Construction of the proposed project would result in a temporary increase in the number of construction-related job opportunities in the local area. However, the opportunities provided by project construction would most likely not result in construction workers relocating their households to the project vicinity because these jobs would be temporary. It is expected that construction workers would be drawn from the construction labor force already residing in San Rafael and the surrounding communities. However, the construction jobs produced by this proposed project would be new jobs, and would slightly alter the balance of jobs to employed residents in San Rafael. This effect would not be permanent, and would not be expected to change the current ratio of 1.67 jobs per employed resident. Accordingly, employment opportunities provided by construction of the proposed project would not generate substantial population growth, and would result in a *less-than-significant impact*. No mitigation is required.

Operations

All Build Alternatives

Direct Population Growth

The proposed project does not include the development of housing or businesses, and therefore would not directly induce population. The proposed project would provide transit, bicycle, and pedestrian improvements consistent with multiple City planning documents including ~~The City of San Rafael General Plan 2020/2040~~, the Downtown San Rafael Precise Plan, San Rafael Climate Change Action Plan 2030 (City of San Rafael 2019), San Rafael Transit Center Relocation Study (City of San Rafael et al. 2017), Short-Range Transit Plan (Golden Gate Bridge, Highway and Transportation District 2019), San Rafael Bicycle and Pedestrian Master Plan (City of San Rafael 2018), and San Rafael Downtown Station Area Plan. As mentioned above, approximately eight individuals per day are currently employed in the project area. With implementation of the proposed project, the same eight employees would work in the project area. This would result in no net increase in the number of employees on site, and therefore would be an insignificant increase in the number of jobs

available in the City. In addition, the proposed project would be consistent with ABAG employment projections; therefore, the impact would be *less than significant*.

Indirect Population Growth

The proposed project would require the extension of certain utilities, which potentially could induce growth in adjacent areas. As explained in Chapter 2, Project Description, the proposed project would require connection to existing sewer, water, and power infrastructure to operate the planned restrooms, kitchenette, and building spaces. In addition, the proposed project would require the removal of existing storm drain infrastructure and would install new inlets, manholes, and bioretention facilities on site. However, in this instance, the proposed project is an infill development, and the project area is already developed with a mix of uses, including commercial or residential uses, and therefore would not induce growth in adjacent areas. Furthermore, the proposed project would not require the construction of any new roads. Therefore, impacts related to indirect population growth are considered *less than significant*. No mitigation is required.

Mitigation Measures

No mitigation is required.

Impact POP-2: Displace Substantial Numbers of Existing People or Housing, Necessitating the Construction of Replacement Housing Elsewhere

Move Whistlestop Alternative

This project site crosses several parcels and is currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the Sonoma-Marin Area Rail Transit (SMART) tracks, and the Citibank with its affiliated parking lot. There are no existing residential structures on the project site. The Move Whistlestop Alternative would not displace existing housing or people, necessitating the construction of replacement housing elsewhere. Therefore, there would be *no impact*. No mitigation is required.

Adapt Whistlestop Alternative

No existing residential structures are on the project site. The Adapt Whistlestop Alternative's impacts on displacing housing or people would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, there would be *no impact*.

4th Street Gateway Alternative

This project site is currently occupied by offices and retail (salons, check cashing services, and a bagel shop) and associated parking spaces. The Citibank building and parking lot currently occupy the existing portion of the site south of 4th Street. To the west of the Citibank parcel are the SMART tracks, and adjacent to the tracks are the Whistlestop building and Jackson Café. There are no existing residential structures on the project site. The 4th Street Gateway Alternative's impacts on displacing housing or people would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, there would be *no impact*.

Under the Freeway Alternative

This alternative would be underneath U.S. Highway 101 where there are park-and-ride lots, maintained and operated by the California Department of Transportation, in the vicinity of the existing transit center. In addition to the California Department of Transportation park-and-ride lots, north of 4th Street, the existing project site is currently occupied by offices, a bicycle shop, parking, a single-family residence at 1011 Irwin Street, and vacant storefronts; and south of 4th Street, the project site is currently occupied by retail and office uses. ~~There are no existing residential structures on the project site. While one single-family residence would be removed with implementation of the alternative, the project would not displace a substantial number of existing housing or people, nor would the removal necessitate construction of replacement housing elsewhere. The Under the Freeway Alternative's impacts on displacing housing or people would be the same as those of the Move Whistlestop Alternative outlined above. Therefore, the impact there would be~~ ***no impact less than significant.***

Mitigation Measures

No mitigation is required.

Section 3.13

Public Services and Recreation

This section describes the environmental and regulatory setting for public services and recreation, including schools, fire protection and emergency medical services, police protection, and parks. It also describes impacts on public services and recreation that would result from implementation of the San Rafael Transit Center Replacement Project (proposed project) and other build alternatives and mitigation for significant impacts where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.13.1 Existing Conditions

3.13.1.1 Regulatory Setting

There are no relevant federal or state regulations related to public services and recreation that pertain to the proposed project.

Local

~~The City of San Rafael General Plan 2020~~

The following goals and policies from *The City of San Rafael General Plan 2020* pertain to public services and recreation and relate to the proposed project (City of San Rafael 2016).

~~Goal 29: Parks and Recreation~~

~~It is the goal for San Rafael to have recreation facilities and programs, parks and playfields for all age groups throughout the community. San Rafael recognizes the essential nature of Parks and Recreational services to its residents. Numerous parks, public spaces, and playing fields are integral to the life of the City. Recreational facilities and playfield are well maintained and consistently upgraded. Attention to community need generates proposals for new facilities.~~

~~**Policy PR-1. Standards.** Maintain, and where possible exceed, a recreation standard of three acres of park and recreation facilities per 1,000 residents.~~

~~**Policy PR-15. Downtown Recreation.** Encourage the creation of recreational facilities and gathering places open to the public, such as plazas, green spaces, and unexpected places such as the alley improvements behind Art Works Downtown.~~

~~Goal 30: A Safe Community~~

~~It is the goal of San Rafael, as the first priority for city government, to provide excellent fire, public safety and paramedic services and to be prepared in the case of disaster or emergency. San Rafael residents deserve to feel safe and secure wherever they live, work and play.~~

~~**Policy S-26. Fire and Police Services.** Maintain adequate cost-effective fire protection, paramedic and police services. Minimize increases in service needs from new development through continued fire prevention and community policing programs.~~

~~**Policy S-27. Community Policing and Fire Service.** Actively promote Community Policing and Community Fire Servicing in order to facilitate closer relations between police and fire departments and neighborhood groups, businesses and residents.~~

Policy S-28. Paramedic Services. ~~Continue to seek adequate and cost-effective ways to provide accessible and reasonable emergency medical services.~~

Policy S-29. Effective Communication System. ~~Ensure that all City agencies with public safety responsibilities are provided with effective, reliable and robust emergency communications systems and equipment. The system and equipment should have adequate capacity and redundancy to ensure these agencies can accomplish their missions. Appropriate consideration should also be given to the communications needs of agencies that may be required to supply mutual aid to or from other jurisdictions.~~

Policy S-32. Safety Review of Development Projects. ~~Require crime prevention and fire prevention techniques in new development, including adequate access for emergency vehicles.~~

Policy S-33. Disaster Preparedness Planning. ~~Ensure disaster preparedness in cooperation with other public agencies and appropriate public interest organizations. Expand abilities of residents to assist in local responses to disasters.~~

Policy S-37. Functioning Public Utilities Following Earthquake. ~~Locate and construct vital public utilities as well as communication and transportation facilities in a way that maximizes their potential to remain functional during and after an earthquake.~~

Draft San Rafael General Plan 2040 and Downtown San Rafael Precise Plan

The City of San Rafael (City) ~~is currently working on the Draft~~adopted *San Rafael General Plan 2040* (City of San Rafael 2020a~~2021~~) in August 2021. This update to *The City of San Rafael General Plan 2020* is accompanied by a Draft *Downtown San Rafael Precise Plan*, which provides a roadmap to growth and development in the Downtown San Rafael neighborhood (City of San Rafael 2020b). Applicable policies from ~~the~~San Rafael General Plan 2040~~se plans~~ are listed below.

Goal CSI-3: Exceptional Public Safety Services. Provide and maintain exceptional fire, public safety, and paramedic 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 safety, fire prevention, and emergency access and response needs are considered and effectively addressed.
- **Policy CSI-3.4: Quality of Life Programming.** Maintain programs to proactively address quality of life issues, such as peace disturbances, loitering, littering, and vandalism. Focus on personal contact with residents and businesses and build positive relationships with all segments of the community.
- **Policy CSI-3.6: Mutual Aid.** Maintain mutual aid agreements for police and fire service with other jurisdictions and community service districts to ensure that the capacity exists to adequately respond to local emergencies.

Goal PROS-1: Quality Parks for All to Enjoy. Sustain high quality parks that meet the recreational needs of all those who live and work in San Rafael.

- **Policy PROS-1.1: Park Classification.** Maintain a system of community, neighborhood, pocket, and special use parks. These parks should be complemented by larger region-serving parks and open spaces, and by school recreation areas.
- **Policy PROS-1.2: Per Capita Acreage Standard.** Maintain a citywide standard of 4.0 acres of improved park and recreation land per 1,000 residents.

3.13.1.2 Environmental Setting

Fire Protection and Emergency Medical Services

Fire, paramedic, and emergency services in San Rafael are provided by the San Rafael Fire Department. The San Rafael Fire Department employs 69 uniformed emergency shift personnel, a fire chief, two administrative staff, an emergency manager, a household hazardous waste coordinator, and four part-time inspectors (City of San Rafael 2020e). The San Rafael Fire Department operates six fire stations throughout the City. Additionally, the San Rafael Fire Department has joint powers agreements and standard mutual aid agreements with other fire departments in Marin County, which minimize response times in fire emergencies (City of San Rafael 2020e). The closest two fire facilities that would serve all build alternatives are Fire Stations 51 and 52, which are both approximately 0.5 mile away.

During calendar year 2019, the San Rafael Fire Department reported that it responded to 27 residential structure fires and 27 non-residential structure fires. It also responded to 22 vehicle fires, 16 outdoor property fires, 16 wildland fires, and 28 dumpster/rubbish fires. There was a total of 10,980 calls for service, including 7,048 for rescue, emergency medical services, ambulances, and similar services. There were also 664 false alarms, 39 mutual aid responses, 185 hazardous response incidents, and 2,885 other incidents (animal rescue, smoke, etc.) (City of San Rafael 2020e).

The San Rafael Fire Department maintains a response time goal consistent with the National Fire Protection Association Standard 1710 to respond within 5 to 7 minutes following a call for service 90 percent of the time. New equipment and vehicles are periodically acquired to continue to meet this response time standard and to replace old equipment.

Police Protection

The San Rafael Police Department, headquartered at San Rafael City Hall, provides police services to the City. A new 44,000-square-foot Public Safety Center opened in August 2020 across the street from the existing facility. As of September 1, 2021, the San Rafael Police Department had a total of 67 full-time sworn personnel and 29 full-time non-sworn personnel, for a total staff of 96. ~~As of October 19, 2019, the San Rafael Police Department had a total of 60 full-time sworn personnel and 22 full-time nonsworn personnel, for a total staff of 82.~~ This equates to 10.2~~11.2~~ sworn personnel per 10,000 residents and 13.9~~16~~ total personnel per 10,000 residents (City of San Rafael 2020e). The closest police facility to the project area is the Public Safety Center, approximately 2,500 feet northwest of the project area.

The San Rafael Police Department is organized into two divisions: the Operations Division, which includes patrol, park rangers, Downtown foot beat, and traffic enforcement; and the Administrative Services Department, which includes records, dispatch personnel, training, crime prevention, community engagement, and detective units (City of San Rafael 2020e).

In ~~2019~~2020, the San Rafael Police Department received ~~21,735~~25,532 emergency calls and 21,079 ~~lower-priority~~76,874 administrative calls. This equates to an average of 1,035~~3,717~~ emergency calls a month or about 60~~124~~ per day. In total, the San Rafael Police Department receives between 800 and 1,000 calls per month. The San Rafael Police Department received a total of 38,877 calls for service in 2019, which was a 0.2-percent decrease from 2018 (City of San Rafael 2020e).

Schools

The City is served by three public school districts: the San Rafael Elementary School District, San Rafael High School District, and Miller Creek School District. The San Rafael Elementary School District and San Rafael High School District are operated collectively by San Rafael City Schools. Between these two districts, there are seven elementary schools, one middle school, one kindergarten through eighth grade school, and three high schools. In the 2018–2019 school year, the San Rafael Elementary School District had an enrollment of 4,614 students and the San Rafael High School District had an enrollment of 2,640 students. The Miller Creek School District operates in northern San Rafael and in nearby unincorporated areas. It contains three elementary schools and one middle school. Students matriculating from the Miller Creek School District attend Terra Linda High School, one of the three high schools in the San Rafael High School District. In the 2019–2020 school year, the Miller Creek School District had an enrollment of 2,024 students. Enrollment in San Rafael’s public elementary and middle schools in both districts remained stable during the years 2014 to 2019, with high school enrollment gradually increasing by 11.6 percent in this time.

Enrollment projections prepared by San Rafael City Schools for the San Rafael Elementary School and High School Districts in March 2014 anticipated a 15-percent increase in elementary school enrollment between 2014 and 2019 (about 700 students). This increase did not materialize. The district also forecast an increase of 12 percent in the high schools, which did occur. Forecasts prepared in 2014 anticipated an increase of about 400 students for Kindergarten through fifth grade, 400 students for grades 6 through 8, and 200 high school students between 2019 and 2026 (City of San Rafael 2020e).

The Miller Creek School District prepared its latest projections in 2017. Forecasts for the Miller Creek School District extend to the 2026–2027 school year, projecting relatively stable enrollment numbers during that period (City of San Rafael 2020e).

San Rafael public schools in the vicinity of the project area include James B. Davidson Middle School, Laurel Dell Elementary School, Madrone High School, and San Rafael High School. James B. Davidson Middle School is approximately 0.4 mile southwest of the project area. Laurel Dell Elementary School is approximately 0.5 mile southwest of the project area. Madrone High School and San Rafael High School are approximately 0.4 mile east of the project area.

Parks and Recreation Facilities

The City of San Rafael Recreation and Child Care Services Division of the Library and Recreation Department manages City-owned parks and recreational facilities in San Rafael. ~~The City of San Rafael General Plan 2020-2040~~ establishes a goal of ~~43~~ acres of park and recreation facilities per 1,000 residents (City of San Rafael ~~2016~~2021). The total area of parkland in the City is calculated by adding the total acres of developed park space to half of the total acres of recreational facilities at public schools. A 2019 report on the existing condition of parks and recreation indicates that there are approximately 244 acres of parks in San Rafael (including parks within the City limits and in the unincorporated areas of San Rafael). According to these data and the most recently reported population statistics, the City currently maintains a ratio of approximately 4.14 acres of parks per 1,000 residents within the city limits (City of San Rafael 2019a), which is above the goal of ~~43~~ acres of park and recreation facilities per 1,000 residents.

Existing bicycle paths in the vicinity of the project area include:

- Puerto Suello Bike Path: A class I north-south off-street trail that runs along the east side of Hetherton Street and has a southern terminus at 4th Street
- Mahon Creek Path: A class I east-west off-street trail that runs along San Rafael Creek and through the BioMarin campus
- Class III east-west bike route on 4th Street throughout the project area, with a gap between Hetherton Street and Irwin Street
- Class III north-south bike route on Lincoln Avenue with a northern terminus at 2nd Street
- Class III north-south bike route on Grand Avenue with a southern terminus at 5th Avenue

Parks closest to the project area include Albert Park, approximately 1,600 feet south, and Boyd Memorial Park, approximately 2,000 feet north.

Other Public Facilities

Other public facilities in the vicinity of the project area include the San Rafael Public Library and the San Rafael Community Center. The San Rafael Public Library is approximately 0.5 mile northwest of the project area. Existing library facilities in the City have been identified as insufficient to meet existing populations, and ~~the Draft~~ *San Rafael General Plan 2040* identifies the need to expand or relocate the main branch of the library system to meet demand. The San Rafael Community Center, which offers rental spaces for meetings and events as well as programs, classes, and activities for pre-school aged children, youth, and adults, is approximately 0.3 mile southwest of the project area.

3.13.2 Environmental Impacts

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Public services and recreation impacts were analyzed for the project area rather than specific build alternatives because the location of each build alternative would experience a nearly equivalent impact for each resource considered here. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.13.2.1 Methodology

The potential impacts associated with public services and recreation are evaluated on a quantitative and qualitative basis through coordination with respective service agencies. The study area for public services and recreation is the City of San Rafael. Significant impacts would occur if the proposed project would adversely affect the ability of service agencies to provide adequate service to the project area or to other existing service areas, resulting in the need for new facilities, the construction of which could cause significant environmental effects.

Identifying the project area's public services involved review of the following documents and sources of information:

- City of San Rafael website
- City of San Rafael planning documents:
 - Review of ~~The City of San Rafael General Plan 2020 and Draft~~ *San Rafael General Plan 2040*
- San Rafael Fire Department website

- San Rafael Police Department website

3.13.2.2 Thresholds of Significance

The following California Environmental Quality Act Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts on public services and recreation.

Would the proposed project:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:
 - a) Fire Protection?
 - b) Police Protection?
 - c) Schools?
 - d) Parks?
 - e) Other Public Facilities?
- 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?
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

3.13.2.3 Impacts

Impact PS-1: Result in Substantial Adverse Physical Impacts Associated with the Provision of New or Physically Altered Governmental Facilities or a 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 Following Public Services

Construction

All Build Alternatives

Fire Protection

Construction of the proposed project would not induce population growth in the City of San Rafael. Therefore, it would not be expected to substantially increase the demand for fire protection services and would not require new or physically altered fire protection facilities.

Project construction could affect emergency access near the project area on a temporary basis. Lane closures and construction-related changes to traffic patterns could delay or obstruct the movement

of emergency vehicles traveling near the project area. Implementation of a Traffic Control Plan for the duration of construction would include detours and clear signage provided to route traffic, including emergency vehicles, around construction areas. As discussed in Chapter 2, Project Description, this plan would follow the guidance contained in the California Manual on Uniform Traffic Control Devices on temporary closures of vehicle lanes, bicycle lanes, and sidewalks and appropriate detours for these facilities. This would ensure that adequate emergency access is maintained during construction. Accordingly, impacts related to construction activities would be ***less than significant***.

Police Protection

As discussed above in regard to fire protection services, construction of the proposed project would not induce population growth in the City. Therefore, the proposed project would not be expected to substantially increase the demand for police protection services and would not require new or physically altered police protection facilities.

Construction activities could temporarily obstruct the movement of emergency vehicles, including police vehicles, in and around the project site. Implementation of a Traffic Control Plan for the duration of construction would provide detours and clear signage to route traffic, including emergency vehicles, around construction areas as necessary and maintain adequate emergency access. As discussed in Chapter 2, Project Description, this plan would follow the guidance contained in the California Manual on Uniform Traffic Control Devices on temporary closures of vehicle lanes, bicycle lanes, and sidewalks and appropriate detours for these facilities. This impact would be ***less than significant***.

Schools

Construction of the proposed project would not directly induce population growth within the City. Construction employees would be expected to commute to the project area from their existing place of residence. Construction of the proposed project would not be expected to create school enrollment as a result of construction bringing new residents to the City. Therefore, the proposed project is not anticipated to result in increased school enrollment or require any new or modified school facilities. ***No impact*** would occur.

Parks

~~The City of San Rafael General Plan 2020~~2040 establishes a goal of ~~43~~ acres of park and recreation facilities per 1,000 residents (City of San Rafael ~~2016~~2021). Currently, the City exceeds its target ratio of park area to population, with approximately 4.14 acres of parks per 1,000 residents within the city limits (City of San Rafael 2019a). The nearest parks to the project area include Albert Park, 1,600 feet south, and Boyd Memorial Park, approximately 2,000 feet north. Construction of the proposed project would not restrict access to these or any other existing park facilities and would not physically affect parks. Construction of the proposed project would not induce temporary population growth in the City. Therefore, construction would not increase the use of park facilities in San Rafael and would not result in the deterioration of existing park facilities or in the need for new park facilities in order to maintain appropriate performance indicators.

Existing bicycle paths are described in Section 3.13.1.2, Environmental Setting. Construction of the proposed project may result in temporary conflicts with these existing bicycle facilities. This would be avoided to the extent feasible through the implementation of a Traffic Control Plan that addresses

circulation for transit, bicycles, pedestrians, and private vehicles. As discussed in Chapter 2, Project Description, this plan would follow the guidance contained in the California Manual on Uniform Traffic Control Devices on temporary closures of vehicle lanes, bicycle lanes, and sidewalks and appropriate detours for these facilities.

A *less-than-significant* is anticipated.

Other Public Facilities

Other public facilities in the vicinity of the project area include the San Rafael Public Library and the San Rafael Community Center. Construction of the proposed project would not induce population growth in the City and, therefore, would not result in increased demand for these or other nearby public facilities. No new public facilities would be required. *No impact* is anticipated.

Consequently, construction of the proposed project would not result in the need for new or altered facilities for fire protection, police protection, schools, parks, or other public services. Overall, the impact would be *less than significant*.

Operations

All Build Alternatives

Fire Protection

Operation of the new transit center would not be anticipated to increase the demand for fire protection and emergency services compared to existing conditions. The new transit center included in the proposed project would require a comparable amount of fire protection services to the existing transit center because it would be a similar size to the existing facility and would serve a similar ridership. The existing level of fire and emergency services provided by the City would be sufficient to service the new transit center without reducing the accessibility of fire services to other users in the City because operation of the new facility would not result in an increase local population that would increase demand for fire services. Replacement of the existing transit center may require the relocation of fire hydrants, but any affected hydrants would be replaced to meet their existing capacity. The proposed project is not anticipated to result in population growth and would therefore not induce additional demand for fire and emergency services that would result in the need for new or physically altered fire protection facilities. A *less-than-significant* impact would occur.

Police Protection

Operation of the proposed project would not result in increased demand for police services that would affect service ratios, response times, or other performance objectives compared to existing conditions. The new transit center included in the proposed project would require a comparable amount of police services to the existing transit center. The proposed project is not anticipated to result in population growth and would therefore not induce demand for police services that would result in the need for new or physically altered police facilities. A *less-than-significant* impact would occur.

Schools

Operation of the proposed project is not anticipated to induce population growth within the City because the existing workforce capacity in the City and Marin County would be sufficient to serve the new transit center and no new residents would be added. Therefore, the proposed project would not result in increased school enrollment. For the same reasons, existing school facilities would not be anticipated to deteriorate as a result of the proposed project and new or physically altered school facilities would not be required. **No impact** would occur.

Parks

~~The City of San Rafael General Plan 2020~~2040 establishes a goal of ~~43~~ acres of park and recreation facilities per every 1,000 residents (City of San Rafael ~~2016~~2021). Currently, the City's park and recreation facilities exceed this ratio, with a ratio of approximately 4.14 acres of parks per 1,000 residents within The city limits (City of San Rafael 2019a). None of the proposed project footprints would result in a loss of park space or other recreational facilities. The proposed project would not be anticipated to accelerate the deterioration of existing park and recreation facilities because it would not induce population growth or increase the number of employees in the City. Therefore, the proposed project would not result in the need for new or physically altered park facilities in order to maintain appropriate performance indicators for park space.

Existing bicycle paths are described in Section 3.13.1.2, Environmental Setting. Proposed bicycle path projects in the project area include a project that would install a Class IV bikeway along West Tamalpais Avenue through the project area and a project that would install a bikeway along 4th Street to create an east to west Downtown connection for bicyclists. Under the Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative, modifications would be made to the existing bicycle network. The Move Whistlestop Alternative and Adapt Whistlestop Alternative would construct the City's planned Class IV bicycle facility on Tamalpais Avenue between 2nd Street and 4th Street. Under the 4th Street Gateway Alternative, the existing Class I bicycle path on the west side of Hetherton Street would be removed between 4th Street and 5th Avenue and bicyclists would use 5th Avenue to connect from the Puerto Suello Bike Path to the planned Class IV facility on Tamalpais Avenue. No modifications to the existing bicycle network would be made under the Under the Freeway Alternative. Adequate bicycle access would be maintained under all build alternatives.

Overall, a **less-than-significant** impact on parks and recreational facilities would occur.

Other Public Facilities

The proposed project is not anticipated to induce population growth the existing workforce capacity in the City and Marin County would be sufficient to serve the new transit center and no new residents would be added. Therefore, the proposed project would not result in increased demand for these and other nearby public facilities. **No impact** is anticipated.

Consequently, operation of the proposed project would not result in the need for new or altered facilities for fire protection, police protection, schools, parks, or other public services. A **less-than-significant** impact would occur.

Mitigation Measures

No mitigation is required.

Impact PS-2: 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

All Build Alternatives

As discussed previously, the proposed project would not be anticipated to accelerate the deterioration of existing park and recreation facilities because it would not induce population growth in the City. Demand for parks and recreational facilities would not change and ***no impact*** would occur.

Mitigation Measures

No mitigation is required.

Impact PS-3: Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities that Might Have an Adverse Physical Effect on the Environment

All Build Alternatives

As discussed previously, none of the build alternative footprints include recreational facilities. None of the build alternatives would result in a loss of park space or other recreational facilities that would require construction of new recreational facilities or expansion of any existing recreational facilities.

The Move Whistlestop Alternative and Adapt Whistlestop Alternative would construct the City's planned Class IV bicycle facility on Tamalpais Avenue between 2nd Street and 4th Street. The 4th Street Gateway Alternative would add Class III bikeways on 5th Avenue between Hetherington Street and Tamalpais Avenue and on Tamalpais Avenue between 4th Street and 5th Avenue. The impacts of constructing these facilities would be minor and are included in the analysis of the Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative throughout this ~~Draft~~ Final Environmental Impact Report. Under the Move Whistlestop Alternative and Adapt Whistlestop Alternative, there would be no adverse physical effects from the construction of these bicycle facilities.

The Under the Freeway Alternative would not include the construction of any new bicycle facilities.

No other recreational facilities would be constructed or expanded. A ***less-than-significant*** impact would occur.

Mitigation Measures

No mitigation is required.

This section describes the regulatory setting and environmental setting for transportation resources in the vicinity of the proposed San Rafael Transit Center Replacement Project (proposed project). It also describes the impacts on transportation resources that would result from implementation of the proposed project and other build alternatives and mitigation measures that would reduce significant impacts, where feasible and appropriate. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.14.1 Existing Conditions

3.14.1.1 Regulatory Setting

Federal

Americans with Disabilities Act of 1990

The Americans with Disabilities Act of 1990 (revised 2010) is a landmark civil rights law that prohibits discrimination based on disability. Titles I, II, III, and V of the act have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination on the basis of disability in “places of public accommodation” (businesses and non-profit agencies that serve the public) and “commercial facilities” (other businesses). The regulation includes Appendix 3.3-A to Part 36 (Standards for Accessible Design; U.S. Department of Justice 2010), which establishes minimum standards for ensuring accessibility for the disabled when designing and constructing a new facility or altering an existing facility, including roadways, parking lots, and sidewalks. Examples of key guidelines include detectable warnings for pedestrians when entering traffic where there is no curb, a clear zone of 48 inches for the pedestrian travel way, and a vibration-free zone for pedestrians.

State

State Transportation Improvement Program

The California Transportation Commission administers transportation programming, which is the public decision-making process that sets priorities and funds projects that have been envisioned in long-range transportation plans. The California Transportation Commission commits expected revenues for transportation projects over a multi-year period. The State Transportation Improvement Program (STIP) is a multi-year capital improvement program for transportation projects both on and off the State Highway System. The STIP is funded with revenues from the State Highway Account and other funding sources. STIP programming typically occurs every 2 years and the STIP ID for the proposed project is MRN170013.

California Transportation Plan 2050

California Transportation Plan 2050 was adopted in February 2021. The plan, which is overseen by the California Department of Transportation (Caltrans), serves as a blueprint for California's transportation system as defined by goals, policies, and strategies to meet the state's future mobility needs. The eight goals defined in the plan fall into three categories: improving access and safety; fostering a prosperous economy, livable communities, and social equity; and practicing environmental stewardship. Each goal is tied to performance measures. In turn, members from regional and metropolitan planning agencies report these performance measures to Caltrans (Caltrans 2021).

CEQA Section 21099(b)(1) (Senate Bill 743)

The California Environmental Quality Act (CEQA), Section 21099(b)(1), requires that the California Governor's Office of Planning and Research develop revisions to the State CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." CEQA Section 21099(b)(2) states that upon certification of the revised State CEQA Guidelines for determining transportation impacts pursuant to section 21099(b)(1), automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In December 2018, the Office of Planning and Research published the *Technical Advisory on Evaluating Transportation Impacts in CEQA*, which identifies technical recommendations for assessing vehicle miles traveled (VMT), thresholds of significance, and mitigation measures that agencies can use while assessing transportation impacts for CEQA projects (OPR 2018). Beginning on July 1, 2020, the provisions of Senate Bill (SB) 743, Section 15064.3(c) went into effect statewide. However, CEQA Section 1099(b)(2) states that, "upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the Guidelines."

Although the Governor's Office of Planning and Research provides recommendations for adopting new VMT analysis guidance, lead agencies have the final say in designing their methodology. Lead agencies must select their preferred method of estimating and forecasting VMT, their preferred significance thresholds for baseline and cumulative conditions, and the mitigation strategies they consider feasible. Lead agencies must prove that their selected analysis methodology aligns with SB 743's goals to promote infill development, reduce greenhouse gases, and reduce VMT.

Regional and Local

Metropolitan Transportation Commission Plan Bay Area 2040

The Metropolitan Transportation Commission (MTC) is the transportation planning, financing, and coordinating agency for the nine-county San Francisco Bay Area, including Marin, Sonoma, Napa, Solano, Contra Costa, Alameda, Santa Clara, San Mateo, and San Francisco Counties. The MTC *Plan Bay Area 2040* is a state-mandated, integrated long-range transportation and land use plan created

in a joint effort by MTC and the Association of Bay Area Governments (ABAG). *Plan Bay Area 2040* was adopted in 2017 as a long-range Regional Transportation Plan and Sustainable Communities Strategy for the nine-county area. *Plan Bay Area 2040* also provides a roadmap for accommodating projected household and employment growth in the Bay Area by 2040 as well as a transportation investment strategy for the region. *Plan Bay Area 2040* details how the Bay Area can make progress toward the region's long-range transportation and land use goals while meeting greenhouse gas reduction targets set by the California Air Resources Board (MTC and ABAG 2017).

Plan Bay Area 2040 neither funds specific transportation projects nor changes local land use policies. Importantly, individual jurisdictions retain all local land use authority. However, *Plan Bay Area 2040* does set a roadmap for future transportation investments and identifies how to accommodate expected growth. Preparation of *Plan Bay Area 2050* was initiated in 2019 and the new plan is anticipated to be adopted by ABAG and MTC in the fall of 2021 (ABAG and MTC 2020).

Transportation Authority of Marin

The Transportation Authority of Marin (TAM) is a Joint Powers Agency established between Marin County and all cities within the county, including the City of San Rafael (City), to address Marin County's unique transportation issues and to fulfill the legislative requirements of California Propositions 111 and 116 (approved in June 1990). As the Congestion Management Agency for Marin County, TAM maintains the Congestion Management Plan (CMP) (TAM 2019).

As identified by TAM in the *2019 CMP Update* (TAM 2019), regional roadways within the project site vicinity that are part of the CMP network include both 2nd Street and 3rd Street between U.S. Highway 101 (US-101) and Marquard Avenue. Eleven of the proposed project's study area intersections are included in these segments of the CMP network. The CMP arterial LOS thresholds are consistent with those provided in the *Highway Capacity Manual* (HCM) (Transportation Research Board 2016). Even though SB 743 no longer considers traffic congestion a significant impact on the environment under CEQA, per the adopted CMP, local agencies (e.g., counties, cities, and towns) must consider the results of changing land use designations on the arterial LOS within the designated CMP network (TAM 2019).

City of San Rafael General Plan 2020

~~The City of San Rafael General Plan 2020 contains goals, policies, and programs that guide the City's land use and development policy. The plan addresses various state-mandated elements including, but not limited to, Circulation and Infrastructure; and Land Use, Community Design and Neighborhoods (City of San Rafael 2016).~~

~~The Circulation Element of The City of San Rafael General Plan 2020 contains a range of policies and implementation programs designed to maintain or improve transportation circulation within the City. Additionally, the Sustainability Element includes policies and implementation programs designed to maintain or improve use of alternative modes of transportation within the City to meet designated sustainability goals. Relevant policies and programs provided by the Circulation Element and the Sustainability Element include the following:~~

~~**Policy C-1. Regional Transportation Planning.** Actively coordinate with other jurisdictions, regional transportation planning agencies, and transit providers to expand and improve local and regional transportation choice. Work cooperatively to improve transit and paratransit services, achieve needed highway corridor improvements, and improve the regional bicycling network. As part of this effort, support implementation of Marin County's 25-Year Transportation Vision.~~

Program C-1a. Participation in CMA, MTC and Other Regional Transportation Planning Efforts. Continue to participate in and monitor activities of regional transportation planning agencies, including but not limited to the Transportation Authority of Marin and the Metropolitan Transportation Commission, and actively support implementation of Marin County's 25-Year Transportation Vision.

Policy C-3. Seeking Transportation Innovation. Take a leadership role in looking for opportunities to be innovative and experiment with transportation improvements and services.

Program C-3a. Transportation Technology. Use the most effective technologies in managing the City's roadways and congestion. For example, support timed connections at transit hubs, and promote the use of transportation information systems.

Policy C-4. Safe Roadway Design. Design of roadways should be safe and convenient for motor vehicles, transit, bicycles and pedestrians. Place highest priority on safety. In order to maximize safety and multimodal mobility, the City Council may determine that an intersection is exempt from the applicable intersection level of service standard where it is determined that a circulation improvement is needed for public safety considerations, including bicycle and pedestrian safety, and/or transit use improvements.

Program C-4a. Street Pattern and Traffic Flow. Support efforts by the City Traffic Engineer to configure or re-configure street patterns so as to improve traffic flow and turning movements in balance with safety considerations and the desire not to widen roads.

Program C-4b. Street Design Criteria to Support Alternative Modes. Establish street design criteria to the extent permitted by State law to support alternative transportation modes to better meet user needs and minimize conflicts between competing modes.

Program C-4c. Appropriate LOS Standards. At the time City Council approves a roadway improvement and safety exemption from the applicable LOS standard, the appropriate LOS will be established for the intersection.

Policy C-5. Traffic Level of Service Standards.

- A.—Intersection LOS. In order to ensure an effective roadway network, maintain adequate traffic levels of service (LOS) consistent with standards for signalized intersections in the A.M. and P.M. peak hours, i.e., LOS D Citywide except as noted for the Mission Avenue/Irwin Street (LOS F), and 3rd Street/Union Street (LOS E).
- B.—Exemptions. Signalized intersections at Highway 101 and Interstate 580 on-ramps and off-ramps are exempt from LOS standards because delay at these locations is affected by regional traffic and not significantly impacted by local measures.
- C.—Evaluation of Project Merits. In order to balance the City's objectives to provide affordable housing, maintain a vital economy and provide desired community services with the need to manage traffic congestion, projects that would exceed the level of service standards set forth above may be approved if the City Council finds that the benefits of the project to the community outweigh the resulting traffic impacts.

Program C-5a. LOS Methodology. Use appropriate methodologies for calculating traffic Levels of Service, as determined by the City Traffic Engineer.

Program C-5c. Exception Review. When the City Council finds that a project provides significant community benefits yet would result in a deviation from the LOS standards, the City Council may approve such a project through adoption of findings, based on substantial evidence, that the specific economic, social, technological and/or other benefits of the project to the community substantially outweigh the project's impacts on circulation, and that all feasible mitigation measures have been required of the project.

Policy C-8. Eliminating and Shifting Peak Hour Trips. Support efforts to limit traffic congestion through eliminating low occupancy auto trips or shifting peak hour trips to off-peak hours. Possible

means include telecommuting, walking and bicycling, flexible work schedules, car and vanpooling and other Transportation Demand Management approaches.

Policy C-9. Access for Emergency Services. Provide safe routes for emergency vehicle access so that that emergency services can be delivered when Highway 101 or 580 are closed or congested with traffic.

C-9b. Roadway Monitoring. Support local traffic monitoring and control approaches, such as closed-circuit cameras and high-tech traffic signal systems that can be used to relieve congestion around incident sites or support emergency vehicle access.

Policy C-11. Alternative Transportation Mode Users. Encourage and promote individuals to use alternative modes of transportation, such as regional and local transit, carpooling, bicycling, walking and use of low-impact alternative vehicles. Support development of programs that provide incentives for individuals to choose alternative modes.

Program C-11e. Reduction of Single Occupancy Vehicles. Encourage developers of new projects in San Rafael, including City projects, to provide improvements that reduce the use of single occupancy vehicles. These improvements could include preferential parking spaces for carpools, bicycle storage and parking facilities, and bus stop shelters.

Policy C-14. Transit Network. Encourage the continued development of a safe, efficient, and reliable regional and local transit network to provide convenient alternatives to driving.

Program C-14a. Transit Network. Support Countywide efforts to sustain and expand Marin County's transit network. Work with neighborhoods, employers, transit providers, transportation planning agencies and funding agencies to improve and expand regional transit to and from adjacent counties, increase local transit services, and provide responsive paratransit services.

Policy C-16. Transit Information. Encourage the development and dissemination of local and regional transit information to facilitate greater use of transit systems. This includes service, educational and promotional information. Support efforts to provide transit information in languages other than English as needed.

Program C-16a. Transit Information Dissemination. Encourage development and distribution of transit information through printed materials, kiosks, web sites, radio and television broadcasts, and other means. Provide transit information on the City's website, at City offices open to the public and through other dissemination means. Include transit access information on City meeting notices and in notices for City-permitted events, and encourage merchants to provide.

Policy C-17. Regional Transit Options. Encourage expansion of existing regional transit connecting Marin with adjacent counties, including basic service, express bus service, new commuter rail service, and ferry service.

Program C-17a. SMART. Support the following design features for SMART commuter service within San Rafael:

1. Establish stations in Downtown and in the Civic Center that will serve as multi-modal commuter transit hubs.
2. Design stations and rail crossings safe for pedestrians and with minimal impacts on roadway traffic.
3. Support crossings at grade through Downtown and strongly advocate for trains that are of a length that they avoid blocking traffic at an intersection.
4. Ensure that new development adjacent to the rail line is set back a safe distance and adequately attenuates noise.
5. Encourage high density transit-oriented development in the vicinity of the rail stations.
6. Include noise mitigation as described in policy N-9 (Sonoma Marin Area Rail Transit).

~~7. Provide a north/south bike/pedestrian path on or adjacent to the railroad right-of-way.~~

~~**Program C-17b. SMART Right-of-Way.** Maintain the SMART right-of-way for rail service.~~

~~**Policy C-18. Local Transit Options.** Support improvement and expansion of local transit options including local bus, shuttle and taxi services.~~

- ~~a) **Local Bus Service.** Support efforts to improve bus routing, frequency and stop amenities to meet local needs.~~
- ~~b) **Local Shuttles.** Support efforts to create shuttle services as they become feasible to serve specialized populations and areas of San Rafael. If rail service is developed, support shuttle service connections between rail stations and major employers.~~
- ~~c) **Other Local Transit.** Support Dial-A-Ride and taxi services serving San Rafael.~~

~~**Program C-18a. Improved Bus Stops.** Continue to support efforts to improve bus stops to provide a safe and convenient experience for riders. Allow commercial advertising to fund bus stop upgrades and maintenance.~~

~~**Program C-18b. Local Shuttle Program.** Should there be an increase in density in a potential service area or implementation of the SMART rail line, and if funding becomes available, investigate the feasibility of a local shuttle program to serve San Rafael.~~

~~**Policy C-19. Paratransit Options.** Encourage expansion of paratransit services as needed to serve specialized populations including seniors and persons with disabilities.~~

~~**Policy C-20. Intermodal Transit Hubs.** Support efforts to develop intermodal transit hubs in Downtown and at the Civic Center to provide convenient and safe connections and support for bus, rail, shuttle, bicycle, and pedestrian users, as well as automobile drivers using transit services. Hubs should include secure bicycle parking and efficient drop-off and pick-up areas without adversely affecting surrounding traffic flow. Reference the Downtown Station Area Plan and the Civic Center Station Area Plan, which address and present recommendations for transportation and access improvements to transit within a half mile radius of the two SMART stations.~~

~~**Program C-20a. Transit Hubs.** Work with Marin County, the Marin County Transit District, SMART Commission, the Golden Gate Bridge Transportation District, and other regional agencies to ensure that intermodal transit hubs are designed to be convenient and safe for San Rafael users. Work with SMART on the design of the new rail stations and the transit center interaction with the rail service.~~

~~**Policy C-26. Bicycle Plan Implementation.** Make bicycling and walking an integral part of daily life in San Rafael by implementing the San Rafael's Bicycle and Pedestrian Master Plan.~~

~~**Program C-26a Implementation.** Implement provisions of the Bicycle and Pedestrian Master Plan in conjunction with planned roadway improvements or through development or redevelopment of properties fronting on the proposed routes.~~

~~**Policy C-27. Pedestrian Plan Implementation.** Promote walking as the transportation mode of choice for short trips by implementing the pedestrian element of the City's Bicycle and Pedestrian Master Plan. In addition to policies and programs outlined in the Bicycle and Pedestrian Plan, provide support for the following programs:~~

~~**Program C-27a. Implementation.** Monitor progress in implementing the pedestrian-related goals and objectives of the Bicycle and Pedestrian Master Plan on an annual basis.~~

~~**Program C-27b. Prioritizing Pedestrian Improvements.** Develop a program for prioritizing the maintenance of existing pedestrian facilities based on pedestrian use and connectivity as well as maintenance need, and secure funding sources for its implementation.~~

~~**Program C-27c. Pedestrian Safety.** Consider new projects and programs to increase pedestrian safety.~~

Program C-27f. Disabled Access. Continue efforts to improve access for those with disabilities by complying with Federal and State requirements of the Americans with Disabilities Act (ADA). Seek to incorporate ADA improvements into street and sidewalk projects. Develop a program identifying street barriers to pedestrian access, and prioritize curb cut and ramp improvements.

Policy C-29. Better Use of Parking Resources. Improve use of existing parking and create new parking opportunities through innovative programs, public/private partnerships and cooperation, and land use policies.

Policy C-30. Downtown Parking. Optimize the use of parking spaces Downtown.

Policy C-32. Parking for Alternative Modes of Transportation. Use preferential parking as an incentive to encourage alternative modes of transportation.

Program C-32a. Preferential Parking. Consider zoning amendments to encourage the use of preferential parking for alternative vehicles such as carpools, low-emission vehicles, and bicycles in parking impacted business areas.

Policy SU-1. Land Use. Implement General Plan land use policies to increase residential and commercial densities within walking distance of high frequency transit centers and corridors.

Policy SU-2. Promote Alternative Transportation. Decrease miles traveled in single-occupant vehicles.

Program SU-2c. Bus Service. Support Marin Transit and the Transportation Authority of Marin in the planning, funding and implementation of additional transit services that are cost-effective and responsive to existing and future transit demand.

Program SU-2e. Sidewalk and Street Improvements. Continue to implement sidewalk and bicycle improvements in accordance with the adopted Bicycle and Pedestrian Master Plan and the Safe Routes to School program.

Draft San Rafael General Plan 2040

The City ~~adopted~~ is presently working on the Draft San Rafael General Plan 2040 on August 2, 2021 and released a draft for public review in October 2020 (City of San Rafael 2020a¹). The Mobility Element of the ~~Draft San Rafael General Plan 2040~~ contains a range of policies and implementation programs designed to maintain or improve transportation circulation within the City, ~~upon the document's approval~~. Relevant policies and programs provided by the Mobility Element include the following:

- **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.
 - **Program M-1.1A: Participation in Countywide and Regional Transportation Planning.** Actively participate in the planning activities of the Transportation Authority of Marin, the Metropolitan Transportation Commission, SMART, and other transportation agencies and support implementation of cost-effective regional plans and programs.
 - **Program M-1.1B: Public Information About Transportation.** Provide timely information and opportunities for public input on transportation issues and projects through workshops, neighborhood meetings, social media, staff reports, and other means.
- **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.

- **Program M-2.2B. Street Pattern and Traffic Flow.** Support efforts by the City Traffic Engineer to configure or re-configure street patterns to improve traffic flow and turning movements while prioritizing safety.
- **Policy M-2.4: Transportation Efficiency.** Undertake improvements that manage lane capacity, traffic flow, and intersections more efficiently.
 - **Program M-2.4B: Reducing Vehicle Idling.** Support transportation network improvements to reduce vehicle idling, including synchronized signal timing.
- **Policy M-2.5. Traffic Level of Service.** Maintain traffic LOS standards that ensure an efficient roadway network and provide a consistent basis for evaluating the transportation effects of proposed development projects on local roadways. These standards shall generally be based on the performance of signalized intersections during the a.m. and p.m. peak hours. Arterial LOS standards may be used in lieu of (or in addition to) intersection LOS standards in cases where intersection spacing and road design characteristics make arterial LOS a more reliable and effective tool for predicting future impacts.
 - A. Intersection LOS. LOS “D” shall be the citywide standard for intersections, except for intersections noted in the General Plan.
 - B. Arterial Standards. LOS “D” shall be the citywide standard for arterials, except for roadways noted in the General Plan.
 - C. Downtown Standards. Intersections and arterials within the boundaries of the Downtown San Rafael Precise Plan are not subject to LOS standards, recognizing their unique context, operation, and physical constraints, as well as their multi-modal character. Proactive measures shall be taken to address and manage Downtown congestion, evaluate and reduce the impacts of new development on the transportation network, and ensure the long-term functionality of streets and intersections. Traffic shall be monitored and evaluated to identify the need for improvements to ensure that Downtown streets adequately serve both local and regional traffic.
 - D. Additional Provisions for Roads Operating at LOS “E” or “F.” Where the adopted standard is LOS “E” or “F,” measures should be taken to avoid further degradation of traffic conditions. Projects impacting roads operating at LOS “F” may still be subject to requirements to offset those impacts as a condition of approval.
- **Program M-2.5B. Level of Service Exceptions.** Exceptions to LOS planning thresholds may be granted where both of the following circumstances apply:
 - A. The improvements necessary to attain the standards would conflict with other land use, environmental, community character, emission reduction, safety, housing, or economic development priorities.
 - B. Based on substantial evidence, the City Council finds that:
 - (i) The specific economic, social, technological, and/or other benefits of the project to the community substantially outweigh the project’s impacts on circulation.
 - (ii) All feasible mitigation measures have been required of the project including measures to reduce vehicle delay and measures to reduce Vehicle Miles Traveled (VMT); and
 - (iii) The project is consistent with and advances the Guiding Principles of General Plan 2040, including foundational principles such as maintaining great neighborhoods and a sense of community, and aspirational principles such as improving housing affordability, preparing for climate change, and sustaining a healthy tax base.
- **Policy M-2.7. Proposed Mobility Improvements.** Use Table 10-1 (Proposed Mobility Improvements) as the basis for transportation network improvements over the next 20 years.

The improvements shown are intended to balance the City's goals of managing congestion, reducing vehicle miles traveled, and enhancing mobility and safety. Specific improvements will be implemented as conditions require and will be refined during the design phase. Table 10-1 may be amended as needed to reflect other design solutions and priorities, subject to City Council approval. Improvements will be implemented through the Capital Improvements Program using a variety of funding sources and may be subject to further environmental review.

- **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-3.1: VMT Reduction.** Achieve State-mandated reductions in Vehicle Miles Traveled by requiring development and transportation projects to meet specific VMT metrics. In the event a proposed project does not meet these metrics, require measures to reduce the additional VMT associated with the project, consistent with thresholds approved by the City Council.
- **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, work schedules, pedestrian and bicycle improvements, ridesharing, and changes to project design to reduce trip lengths and encourage cleaner modes of travel.
 - **Program M-3.3B: Support for TDM.** Work cooperatively with governmental agencies, non-profits, businesses, institutions, schools, and neighborhoods to provide and support TDM programs.
- **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-3.7: Design Features that Support Transit.** For projects located in or near transit hubs such as Downtown San Rafael, incorporate design features that facilitate walking, cycling, and easy access to transit.
- **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.
 - **Program M-4.1C: Partnerships.** Encourage partnerships between local transit service providers to avoid redundancy, maximize coverage and efficiency, and improve transfers between transit systems.
 - **Program M-4.1D: Transit for Tourism.** Support efforts to provide effective transit options for visitors to West Marin and other County tourist destinations, in order to reduce regional traffic flow through San Rafael.
 - **Program M-4.1E: Transit Information.** Encourage the development and dissemination of information to facilitate transit use. This includes real-time, multi-lingual information on bus arrivals, departures, transfers, and routes. In addition, the City should include information on transit access on notices of City meetings and provide links to transit websites from its own website.
 - **Program M-4.1F: Public Health.** Work with transit service providers to effectively respond to service and design challenges associated with rider safety during and after public health emergencies.
- **Policy M-4.2: Regional Transit Options.** Encourage expansion of regional transit connecting Marin with adjacent counties, including basic and express bus service, rail, and ferry service.

- **Program M-4.2A: Regional Bus Service.** Support expansion of regional bus service to and from other Bay Area counties, including expanded express bus service along the 101 and 580 corridors, and continued bus and shuttle service to the region's airports.
- **Policy M-4.3: SMART Improvements.** Maximize the potential benefits of Sonoma Marin Area Rail Transit (SMART) while minimizing potential conflicts between SMART trains, adjacent land uses, bicycle and pedestrian movement, and vehicle traffic circulation. City plans and programs related to SMART should be periodically evaluated based on changes in funding, operating costs, ridership, and other factors impacting service levels.
 - **Program M-4.3A: Rail Safety.** Work with SMART to improve safety measures along the SMART tracks, reduce train noise, and avoid the blockage of intersections by trains.
 - **Program M-4.3B: Passenger Pickup and Drop-Off.** Work with SMART on plans to improve passenger pick-up and drop-off, connectivity between trains and buses, and provisions for passenger parking (see also Policy M-7.9 on parking for transit users).
 - **Program M-4.3C: Arrival Experience.** Create a welcoming experience for passengers arriving at the Downtown San Rafael and Civic Center stations, including wayfinding signage, easy transfers, and clearly marked, well lit pathways to nearby destinations.
 - **Program M-4.3D: Service Reliability.** Work with SMART to avoid disruptions of service during power outages and provide backup power to sustain operations during and after emergencies.
 - **Program M-4.3E: Downtown Crossings.** Continue to work with SMART to reduce congestion related to grade-level train crossings in Downtown San Rafael. Encourage SMART to assess the potential cost, as well potential funding sources, to elevate the tracks through Downtown.
- **Policy M-4.4: Local Transit Options.** Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.
 - **Program M-4.4A: Local Bus Service.** Support Marin Transit and Golden Gate Transit efforts to improve bus routing, frequency, and equipment, and to keep bus fares affordable.
 - **Program M-4.4B: Improved Bus Stops.** Support efforts to improve bus stops and shelters to provide a safe and pleasant experience for riders. Allow commercial advertising to fund bus shelter upgrades and maintenance.
 - **Program M-4.4C: Local Shuttle Programs.** Support efforts to create financially feasible shuttle, jitney, and circulator bus services to connect passengers arriving at the San Rafael Transit Center and SMART stations to their destinations.
- **Policy M-4.6: Paratransit Options.** Encourage expansion of paratransit and flexible route services as needed to serve specialized populations including seniors, students, and persons with disabilities.
 - **Program M-4.6A: Other Local Transit.** Support Dial-A-Ride, taxi, and transportation network company (TNC) services serving San Rafael.
 - **Program M-4.6B: Paratransit Service.** Support continued Whistlestop Wheels service and expanded regional paratransit services where needed.
- **Policy M-4.7: Intermodal Transit Hubs.** Support efforts to develop intermodal transit hubs in Downtown and North San Rafael to provide safe, convenient connections for all travelers. Such hubs should include secure bicycle parking, EV charging stations, and efficient drop-off and pick-up areas and create a positive experience for those arriving in San Rafael.
 - **Program M-4.7A: Transit Center Relocation.** Complete the relocation process for the San Rafael Transit Center. Design of the facility should consider the effects on local street congestion and the safety of those walking or bicycling to and from the facility. Continue to

work with transit service providers to coordinate schedules, transfers, and routing in a manner that is convenient for San Rafael travelers.

- **Program M-4.7B: First Mile/Last Mile Trips.** Work with TAM, transit agencies, neighborhood groups, and the local business community to improve options for “first mile/last mile” trips connecting regional transit hubs to nearby destinations.
- **Program M-4.7C: Implementation of Other Plans.** Implement the recommendations of the Downtown Precise Plan, the Downtown Station Area Plan, and the Civic Center Station Area Plan for coordination of transit services and improvement of connections between travel modes.
- **Program M-5.1B: Emergency Access Considerations.** Ensure that road redesign projects, including bicycle and pedestrian improvements, maintain evacuation capacity and emergency vehicle response time, particularly along designated evacuation routes.
- **Policy M-6.1: Encouraging Walking and Cycling.** Wherever feasible, encourage walking and cycling as the travel mode of choice for short trips, such as trips to school, parks, transit stops, and neighborhood services. Safe, walkable neighborhoods with pleasant, attractive streets, bike lanes, and sidewalks should be part of San Rafael’s identity.
 - **Program M-6.1A: Bicycle and Pedestrian Master Plan Implementation.** Maintain San Rafael’s Bicycle and Pedestrian Master Plan (BPMP) and update the Plan as required to ensure eligibility for grant funding. The BPMP should be a guide for investment in pedestrian and bicycle infrastructure, and for programs to make walking and cycling a safer, more convenient way to travel.
 - **Program M-6.1B: Station Area Plans.** Implement the pedestrian and bicycle improvements in the 2012 Downtown Station Area Plan and the 2012 Civic Center Station Area Plan.
- **Policy M-6.2: Pedestrian and Bicycle Safety.** Identify, prioritize, and implement pedestrian and bicycle safety improvements in order to reduce collisions and injuries, and eliminate fatalities.
 - **Program M-6.2A: Implementation of Safety Measures.** Implement pedestrian and bicycle safety measures as described in the 2018 BPMP, including ADA compliant curb ramps, curb extensions in business districts, median refuge islands, active warning beacons, painted bike “boxes” at intersections, and signal phasing adjustments in areas with high bicycle volumes.
 - **Program M-6.2B: Vision Zero.** Consistent with the BPMP, support a “Vision Zero” approach to safety among pedestrians and cyclists, with the goal of eliminating severe injuries and fatalities.
 - **Program M-6.2D: Safe Routes Programs.** Work collaboratively with local schools to implement Safe Routes to School programs. Explore similar programs to promote safe routes to parks, work, services, and transit, as well as safe routes for seniors.
- **Policy M-6.3: Connectivity.** Develop pedestrian and bicycle networks that connect residents and visitors to major activity and shopping centers, existing and planned transit, and schools. Work to close gaps between existing facilities. Funding and prioritization for projects should consider relative costs and benefits, including such factors as safety, number of potential users, and impacts on parking.
 - **Program M-6.3A: Implementation of Pathway Improvements.** Implement the major pedestrian and bicycle pathway, intersection, and lane improvements included in adopted City plans.
 - **Program M-6.3C: Bicycle Parking.** Create additional bicycle parking and storage capacity at the SMART stations and in Downtown San Rafael.
- **Policy M-6.7: Universal Design.** Design and construct bicycle and pedestrian facilities to serve people of all ages and abilities, including children, seniors, families, and people with limited mobility.

- **Program M-6.7A: ADA Compliance.** Continue efforts to improve access for those with disabilities, including compliance with Federal and State accessibility requirements.
- **Program M-6.7B: Best Practices.** Continue to construct bicycle and pedestrian facilities according to the most up-to-date local, state, and national best practices and design guidelines.
- **Policy M-7.1: Optimizing Existing Supply.** Optimize the use of the existing parking supply. Expand the supply where needed through innovative programs, public/private partnerships, and land use policies.
- **Policy M-7.4: Downtown Parking.** Maintain a sufficient number of Downtown parking spaces to meet demand and support local businesses.
- **Policy M-7.9: Parking for Transit Users.** Support regional efforts to fund and construct commuter parking along transit routes, near commuter bus pads, and near inter-modal commuter hubs in order to support use of transit. Parking areas should include secure parking for carpools, bicycles and other alternative modes and should minimize neighborhood impacts.
 - **Program M-7.9A: Commuter Parking.** Regularly evaluate the need for parking around the SMART stations and San Rafael Transit Center, as well as ways to meet that need.

Downtown San Rafael Precise Plan

The City adopted the *Downtown San Rafael Precise Plan with San Rafael General Plan 2040* on August 2, 2021 (City of San Rafael Community Development Department 2021). The *Downtown San Rafael Precise Plan* is a community-driven document that provides a more detailed plan for the Downtown area than *San Rafael General Plan 2040* and contains a range of policies and programs (referred to as principles and recommendations, respectively, in the document) designed to support safe and comfortable access for all travel modes within the Downtown area. Relevant principles and policies identified by the *Downtown San Rafael Precise Plan* include the following:

- **Policy 6.1.1: Design to provide both mobility and accessibility.** Given the nature of land uses and activities in Downtown, its transportation network should emphasize convenient accessibility (i.e., easily reaching a desired destination) over efficient mobility (i.e., moving a large number of people quickly). Downtown streets should be designed to ensure that they are readily accessible to and usable by all users, especially individuals with disabilities.
- **Policy 6.1.2: Design streets as civic spaces.** Downtown streets play a critical role in shaping urban environments, and should be designed as civic spaces where people want to spend time, and thus maximize their contribution to a vibrant, active public realm.
- **Policy 6.1.3: Design streets to support economic development.** Streets should be designed to efficiently move and transfer goods to serve Downtown businesses while attracting and serving customers.
- **Policy 6.1.4: Design streets to be adaptable.** A multitude of configurations are possible within a given street envelope, and street designs should be able to change as the needs of its users evolve over time. Interim design treatments can be used to demonstrate the effectiveness of design concepts while gradually adjusting user travel behaviors.
- **Policy 6.1.5: Design streets for safety.** The design of Downtown's streets should consider sources of multimodal conflicts to prioritize safety and minimize the potential for collisions. Streets should incorporate the needs of emergency service providers in street design to the satisfaction of the City Public Works Director and the City Fire Marshal in accordance with applicable emergency response standards. The design of the public realm should not impact nor restrict access to fire hydrants and building fire protection systems and connections.

- **Policy 6.1.6: Design streets as ecosystems.** Downtown streets should be designed as ecosystems where man-made systems interface with natural systems, and maximize opportunities to incorporate pervious pavements, bioswales, street trees, and other green infrastructure elements into street design.
- **Policy 6.1.7: Design streets to support economic development.** The Precise Plan recommends following industry best practices for street design, and recommends the following as guides:
 - The National Association of City Transportation Officials (NACTO) Urban Street Design Guide and Urban Bikeway Design Guide;
 - The United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG);
 - The California Manual on Uniform Traffic Control Devices (CA-MUTCD); and
 - The Caltrans Highway Design Manual.
- **Policy 6.2.1: Pedestrian Network Improvements.** The Precise Plan recommends the following improvements to enhance pedestrian movement and access in the Plan Area.
 - **Program 6.2.1.1: Fourth Street streetscape improvements.** Sidewalk widening, enhanced crosswalk treatments, lighting and wayfinding for the segment of Fourth Street from the SMART Station to B Street.
 - **Program 6.2.1.2: Tamalpais Avenue paseo.** Pedestrian and bicycle path improvements along Tamalpais Avenue for the gap in the north-south connector between Mission Avenue and Second Street.
 - **Program 6.2.1.6: Downtown Gateway sub-area pedestrian access improvements.** Sidewalk widening, enhanced crosswalk treatments, lighting and wayfinding on streets connecting to adjacent destinations.
 - **Program 6.2.1.7: US-101 freeway connector street enhancements.** Improvements to east-west streets are proposed, to mitigate the barrier that US-101 presents to pedestrian travel between the Montecito Plaza area and Downtown. Strategies may include wider sidewalks, crosswalk enhancements, improved lighting and signage, and public art.
- **Policy 6.2.2: Bicycle Network Improvements.** The Precise Plan recommends the following improvements to enhance bicycle usage and access in the Plan Area.
 - **Program 6.2.2.1: Tamalpais Avenue north-south gap connector.** Pedestrian and bicycle path improvements along Tamalpais Avenue are proposed to close the gap in the north-south connection between Mission Avenue and Second Street. Additional study is warranted to connect this north-south bikeway with the east-west bicycle facilities described below.
 - **Program 6.2.2.2: Downtown east-west connection.** The BPMP calls for an east-west connection in Downtown San Rafael that can comfortably accommodate people of all ages and bicycling ability. This is most commonly accomplished by providing a protected (i.e., dedicated and buffered) bicycle lane, which would require either elimination of on-street parking or conversion of a vehicle travel lane. Fifth Avenue is identified as a special study segment to monitor and evaluate as a location for potential future east-west bicycle improvements, particularly if parking demand declines over time due to changes in travel behavior. Peak weekday parking demand on Fifth Avenue, east of E Street, is much lower than along Fourth Street, with over a third of the blocks having vehicle parking occupancy levels less than 50 percent.
- **Policy 6.4.1: Maximize use of existing parking.** In a “park once” district, people are encouraged to park in one place and walk from one destination to another rather than driving and parking again. This approach requires sufficient off-street parking near high-demand destinations, parking and information technology to direct drivers to available parking, pricing

to encourage the use of off-street facilities, and a safe, high-quality pedestrian environment from parking facilities to and from destinations.

- **Policy 6.4.2: Parking information and technology.** Implementing parking and information technology to direct drivers to available parking is a key aspect of successful “park once” districts.
- **Policy 6.4.3: Zoning and development standards.** Adjusting parking requirements to “right size” off-street parking will both support the “park once” district and support Downtown development goals.
- **Policy 6.4.5: Additional public parking.** Given the cost and long-term commitment associated with providing additional public parking, all efforts to maximize use of existing parking should be undertaken before building new parking facilities.

City of San Rafael Bicycle and Pedestrian Master Plan Update

The *San Rafael Bicycle & Pedestrian Master Plan* (City of San Rafael 2018) update documents the conditions for bicycling and walking as of 2018 and outlines steps to improve safety, act on community needs, and improve the mobility options for San Rafael residents, workers, and visitors.

Proposed projects identified in the *San Rafael Bicycle & Pedestrian Master Plan* that are in the vicinity of the project area include those shown in Table 3.14-1.

Table 3.14-1. Proposed Bicycle and Pedestrian Projects in Central San Rafael

ID	Corridor/ Primary	Begin/At	End	Class/Type	Notes
D-1	Downtown east-west connection [commercial connector]	4th Street/ 2nd Street	Union Street	(to be determined)	Study the feasibility of an east-west bikeway through Downtown San Rafael that can comfortably accommodate people of all ages and bicycling ability.
D-2	West Tamalpais Ave. [north/south greenway]	2nd Street	Mission Avenue	Class IV	Convert West Tamalpais Avenue into a one-way street in the southbound direction; create a Class IV protected bikeway between West Tamalpais and SMART right-of-way.
D-8	2nd Street	US-101 under-crossing	Not applicable	Under-crossing	Study potential pedestrian improvements for US-101 undercrossing on 2nd Street, including walkway, lighting, and public art.
D-9	2nd Street	US-101 on-ramp	Not applicable	Intersection	Study pedestrian crossing improvements for 2nd Street at the US-101 on-ramp.
D-10	2nd Street	US-101 off-Ramp	Not applicable	Intersection	Study pedestrian crossing improvements for 2nd Street at the US-101 off-ramp.
D-13	Anderson Drive	Lindaro Street	Not applicable	Intersection	Create diagonal path through intersection to connect the Mahon Creek Connector to the Albert Park Path.

ID	Corridor/ Primary	Begin/At	End	Class/Type	Notes
D-18	Francisco Boulevard West	2nd Street	Andersen Drive	Class I	Extend SMART pathway from Downtown SMART station to existing Cal Park Hill Pathway.
D-19	Andersen Drive [north/ south greenway]	Francisco Boulevard West	Not applicable	Intersection	Realign Andersen Drive for at- grade rail crossing.
D-20	US-101 under- crossing	Not applicable	Not applicable	Intersection	Study potential lighting and public art at US-101 undercrossing, including at 3rd Street.
D-29	3rd Street	Heatherton Street	Not applicable	Intersection	Eliminate the left-turn pocket from 3rd Street onto Hetherton Street and add a leading pedestrian interval.

Source: City of San Rafael 2018

Downtown Parking/Wayfinding Study

Building from the 2012 *San Rafael Downtown Station Area Plan* vision for the 0.5-mile radius around the Downtown Sonoma-Marin Area Rail Transit (SMART) station, the goal of the *Downtown Parking/Wayfinding Study* is to develop policy goals to support a vibrant gateway area through parking and wayfinding in anticipation of future needs related to the SMART station. The study considers existing parking demands, future parking demand projections, future parking opportunities, and best management practices to provide specific parking and wayfinding recommendations. The recommendations are not enforceable, but rather provide guidance for the City as it plans for and manages parking in the Downtown area. Based on the projections, the study finds that the Downtown area will continue to operate with excess parking in both the near-term and the long-term conditions. Related to the proposed project, the study includes recommendations for new pedestrian bicycle parking in proximity of the SMART station (City of San Rafael 2017).

San Rafael Municipal Code

The San Rafael Municipal Code, which includes the Zoning Ordinance, contains sections related to transportation and parking. The City's parking standards, set forth in Chapter 14.18 of the Zoning Ordinance, outline requirements for off-street vehicle parking for new construction, additions, and change in occupancy. Chapter 5.8.1 of the Municipal Code sets forth trip reduction and travel demand requirements for large employers (100 or more employees) at the site (City of San Rafael 2020b).

3.14.1.2 Environmental Setting

This section describes the existing condition of the roadway, bicycle and pedestrian facilities, and transit service within the study area (Figure 3.14-1). It also presents information regarding existing traffic volumes and operations at study intersections.

Street System

Traffic volumes in the study area were obtained from traffic counts conducted in 2020 prior to the COVID-19 pandemic impacts on both the morning and afternoon peak hours. A detailed summary of the traffic volumes and LOS at intersections in the study area under existing (Year 2020) conditions can be found in the Transportation Summary Report prepared for the proposed project (Appendix ~~C~~ E).

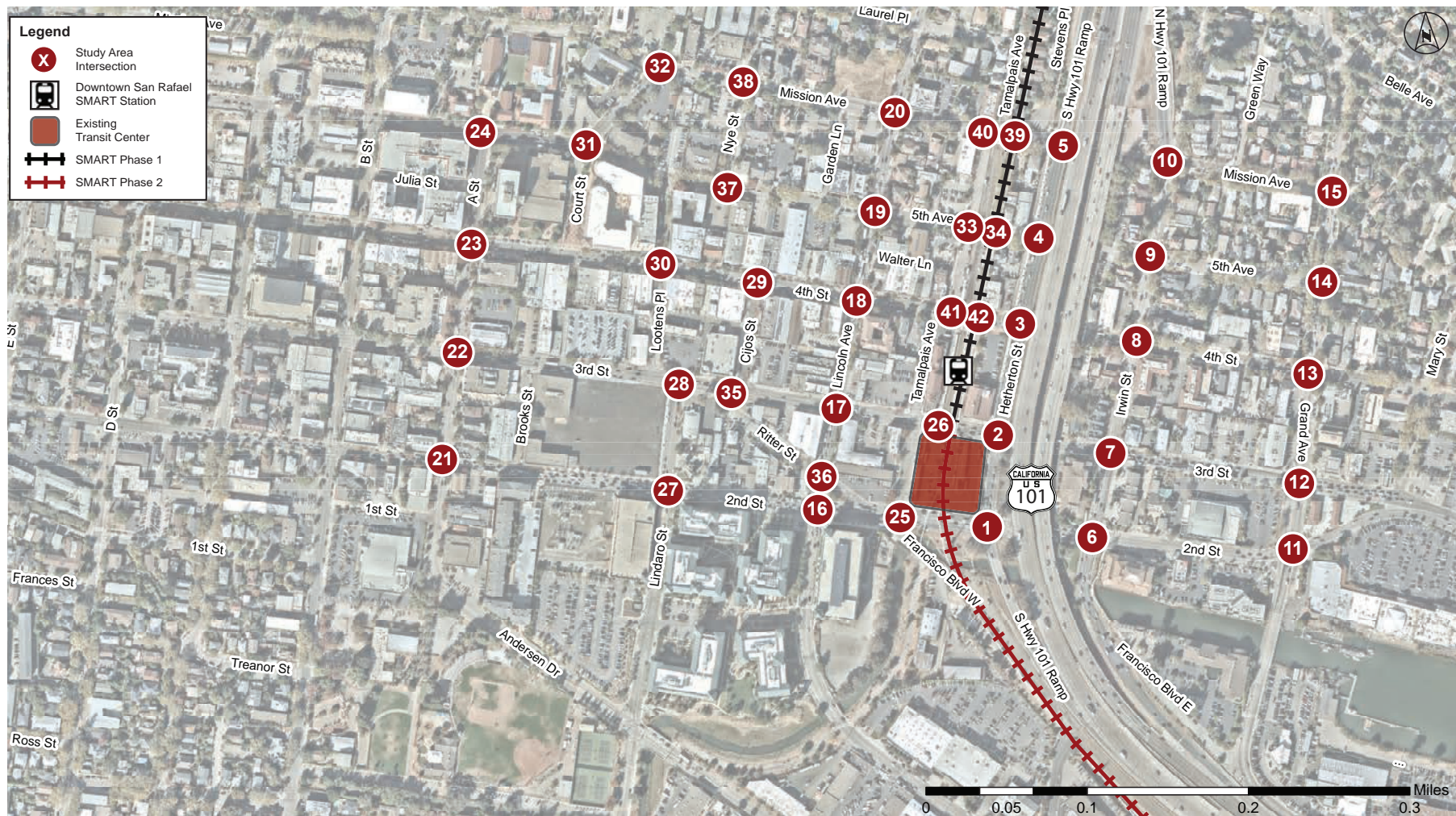
The results of the existing traffic conditions in the study area are presented in Table 3.14-2, below.

Updated Table 3.14-2. Existing Traffic Conditions – Corridor Travel Times

Route	a.m. Peak Hours	p.m. Peak Hours
3rd Street - Grand to A	03: 47 <u>38</u>	04:0 <u>1</u> 3
2nd Street - A to Grand	03: 41 <u>56</u>	05:0 <u>8</u> 11
4th Street westbound - Grand to A	03: 56 <u>46</u>	05:0 <u>5</u> 26
4th Street eastbound - A to Grand	03: 55 <u>4:06</u>	05:0 <u>7</u> 42
Irwin Street - US-101 to Mission	02: 17 <u>18</u>	03: 34 <u>40</u>
Hetherton Street - US-101 to 2nd Street	02:0 <u>5</u> 14	0 <u>2</u> 3:41 <u>14</u>

Source: Transportation Study Report (Appendix ~~C~~ E)

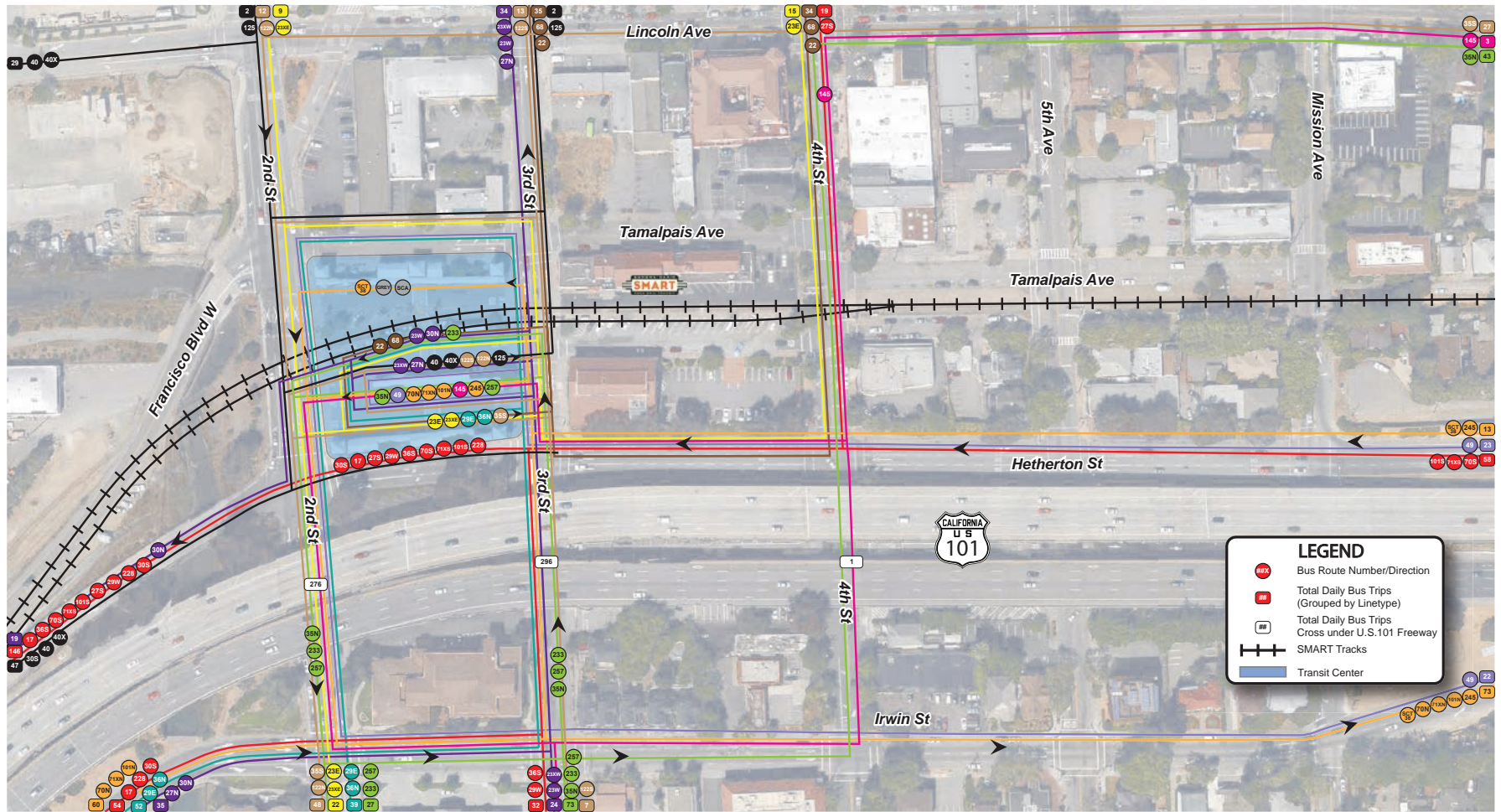
Travel times provided in minutes:seconds format.



Source: Kimley-Horn, 2021.



**Figure 3.14-1
Transportation Analysis Study Intersections**



Source: Kimley-Horn, 2021.



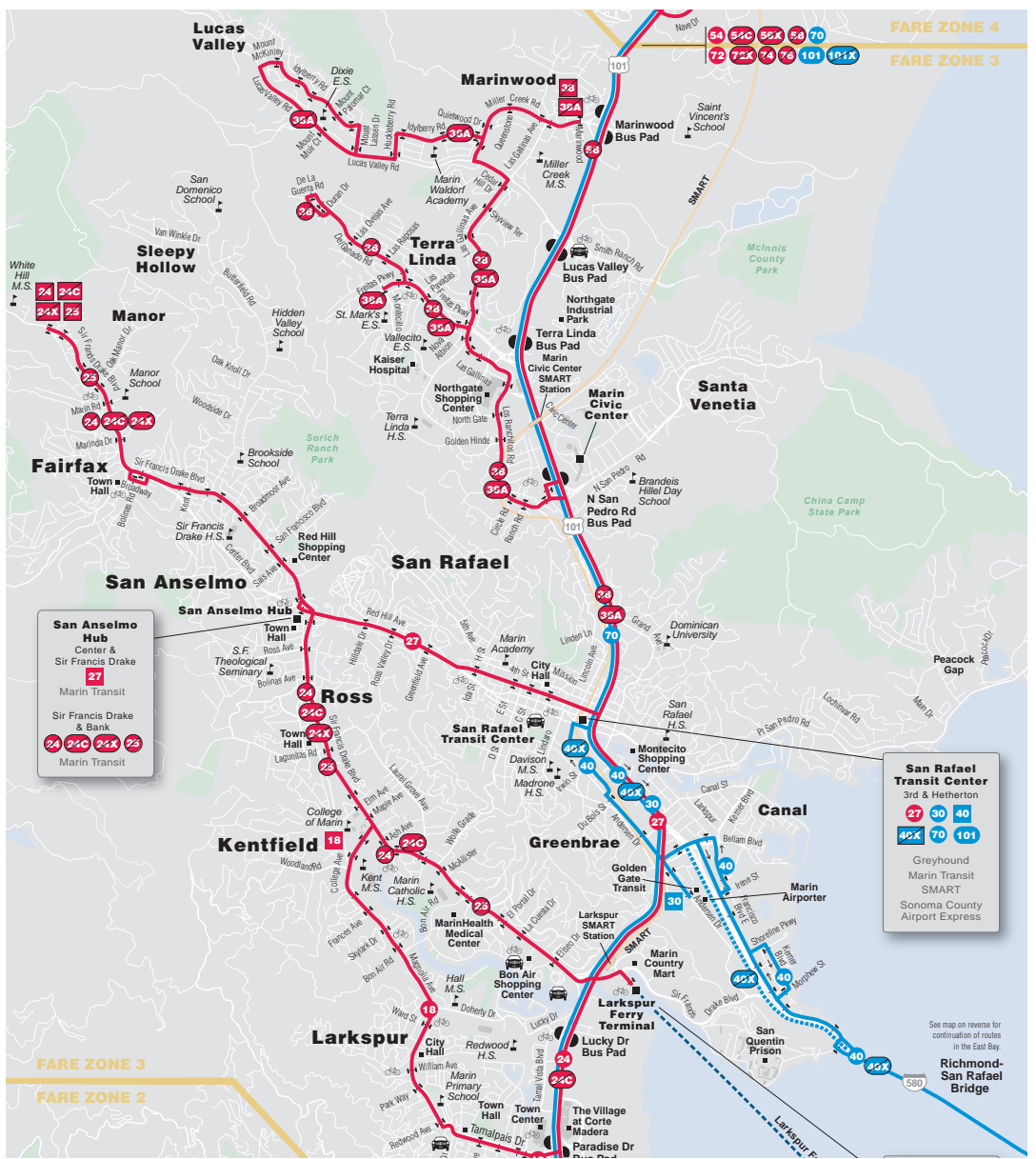
Figure 3.14-2
San Rafael Transit Center Bus Routing

- 54C Route Temporarily Suspended
Updated schedules at goldengate.org
- 54 Commute Routes
- 70 Regional Routes
- Limited Service
- 70 54 Bus Route Number
- 70 54 Bus Route Terminus
- Ferry Routes
- Other Ferry Routes
- Bus Stop
- Bus Pad
- Park & Ride
- Bike Rack
- Fare Zone Boundary

Novato
Redwood & Grant Transfer Point

511 Call 511 toll free for trip-planning assistance

rev. 2/20/2013

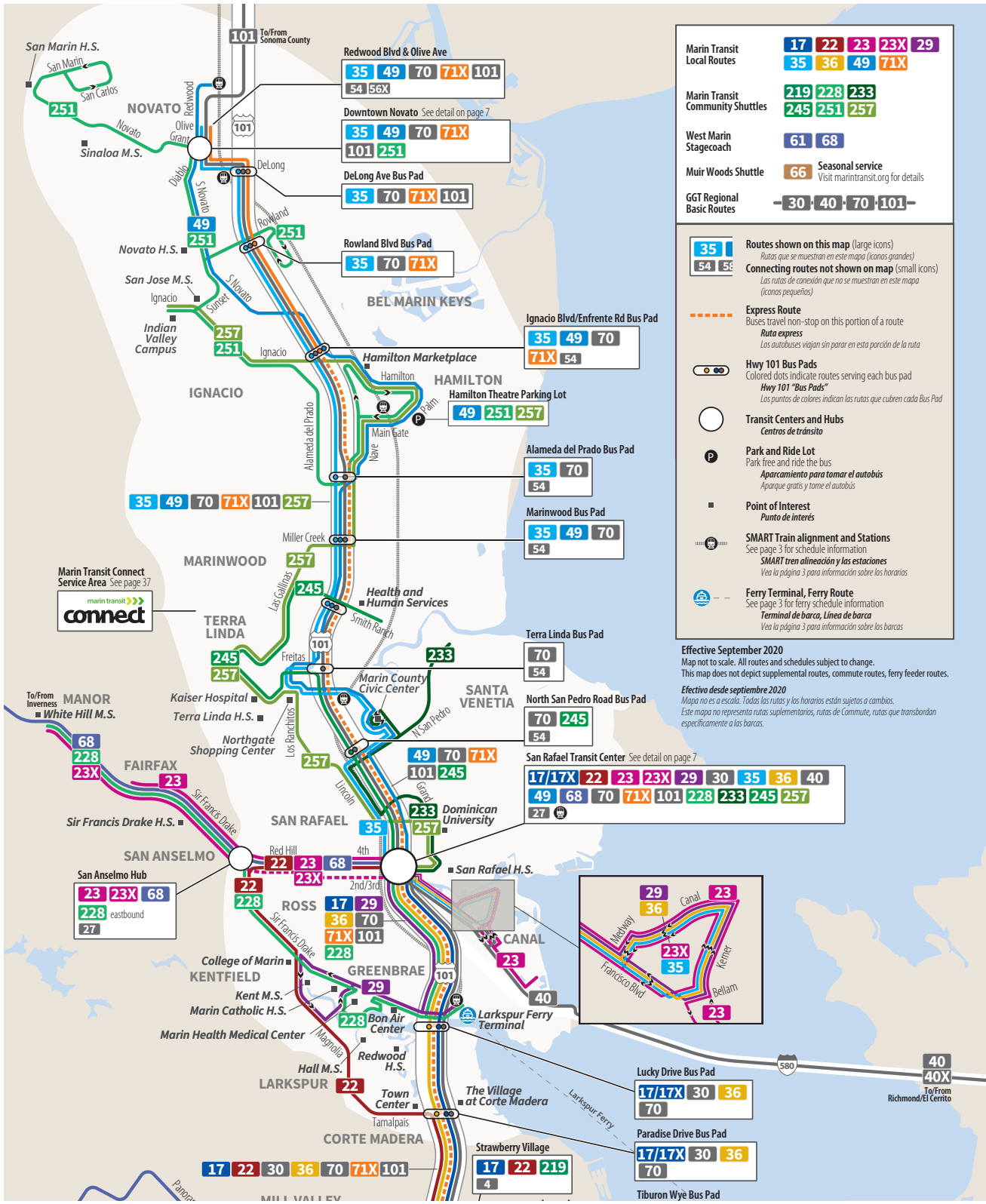


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Source: Kimley-Horn, 2021.



Figure 3.14-3
Golden Gate Transit System Map



- Marin Transit Local Routes: 17, 22, 23, 23X, 29, 35, 36, 49, 71X
- Marin Transit Community Shuttles: 219, 228, 233, 245, 251, 257
- West Marin Stagecoach: 61, 68
- Muir Woods Shuttle: 66 (Seasonal service. Visit marintransit.org for details)
- GGT Regional Basic Routes: 30, 40, 70, 101

35 Routes shown on this map (large icons)
Rutas que se muestran en este mapa (iconos grandes)

54 **56** Connecting routes not shown on map (small icons)
Las rutas de conexión que no se muestran en este mapa (iconos pequeños)

Express Route
 Buses travel non-stop on this portion of a route
Ruta express
 Los autobuses viajan sin parar en esta porción de la ruta

Hwy 101 Bus Pads
 Colored dots indicate routes serving each bus pad
Hwy 101 "Bus Pads"
 Los puntos de colores indican las rutas que cubren cada Bus Pad

Transit Centers and Hubs
Centros de tránsito

Park and Ride Lot
 Park free and ride the bus
Aparcamiento para tomar el autobús
 Aparque gratis y tome el autobús

Point of Interest
Punto de interés

SMART Train alignment and Stations
 See page 3 for schedule information
SMART tren alineación y las estaciones
 Vea la página 3 para información sobre los horarios

Ferry Terminal, Ferry Route
 See page 3 for ferry schedule information
Terminal de barca, Línea de barca
 Vea la página 3 para información sobre los barcos

Effective September 2020
 Map not to scale. All routes and schedules subject to change. This map does not depict supplemental routes, commute routes, ferry feeder routes.

Efectivo desde septiembre 2020
 Mapa no es a escala. Todos las rutas y los horarios están sujetos a cambios. Este mapa no representa rutas suplementarios, rutas de Commute, rutas que transbordan específicamente a las barcas.

Graphics: 0748.17 (10-11-2021) JC

Source: Kimley-Horn, 2021.



Figure 3.14-4
Marin Transit System Map

Existing Transit Services

The existing transit center facility is serviced by Golden Gate Transit, Marin County Transit District (Marin Transit), SMART, Sonoma County Transit, Sonoma County Airport Express, and Greyhound. The existing transit center has 17 bus bays on site with amenities including bus shelters with benches and trash receptacles, wayfinding, driver facilities, customer service kiosks, retail space, and real-time arrival and departure displays. Although most bus bays are located off-street, there are on-street bus bays on Hetherton Street. Existing pick-up/drop-off space is on West Tamalpais Avenue. Prior to the extension of SMART to Larkspur, the transit center included space for taxis off-street. Taxis were relocated to West Tamalpais Avenue with the SMART extension project.

The analysis in Section 3.14.2.3, Impacts, is based on existing transit conditions before the COVID-19 pandemic. Existing bus routing at the transit center is shown on Figure 3.14-2 and reflects conditions prior to March 2020. Since the pandemic, some services, such as Sonoma County Transit, no longer serve the transit center.

Golden Gate Transit

Golden Gate Transit primarily serves Marin and Sonoma Counties, and also provides commute service to San Francisco and Contra Costa County. Golden Gate Transit provides service to San Rafael Transit Center through the following routes: Route 27, Route 30, Route 40/40X, Route 70, and Route 101. Figure 3.14-3 shows the Golden Gate Transit service map for Marin County.

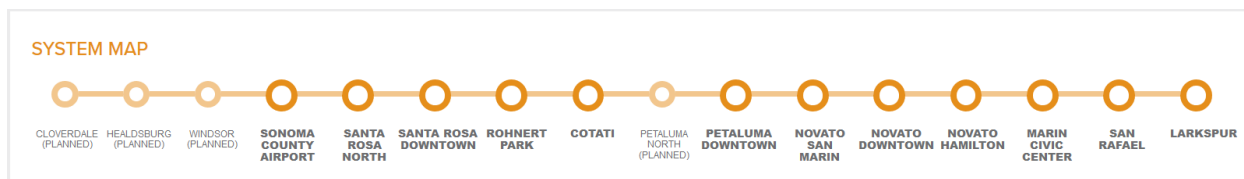
Marin Transit

Marin Transit primarily serves Marin County and provides service to San Rafael Transit Center through the following routes: Route 17, Route 22, Route 23/23X, Route 29, Route 35, Route 36, Route 49, Route 68, Route 71/71X, Route 122, Route 125, Route 145, Route 228, Route 233, Route 245, and Route 257. Figure 3.14-4 shows the Marin Transit service map.

SMART

SMART is a passenger-rail service linking Marin and Sonoma Counties. The San Rafael SMART station is at 3rd Street between West and East Tamalpais Avenue. This stop serves as a transfer point for bus riders at San Rafael Transit Center. SMART service terminates to the south at Larkspur Ferry Terminal and to the north at Sonoma County Airport. Figure 3.14-5 shows the existing and planned SMART system stations.

Figure 3.14-5. SMART System Map



Sonoma County Transit

Sonoma County Transit provides transit locally within Sonoma County, and also provides select routes connecting to regional destinations. The agency provided one route (Route 38) that

terminated at San Rafael Transit Center; this route has been suspended during the COVID-19 pandemic and Sonoma County Transit has yet to establish a reopening date.

Sonoma County Airport Express

Sonoma County Airport Express provides scheduled transportation from Sonoma County to San Francisco International Airport (SFO) and Oakland International Airport (OAK). The airport express has scheduled stops at San Rafael Transit Center. ~~This service was temporarily suspended during the COVID-19 pandemic but was reinstated on May 3, 2021.~~

Greyhound

Greyhound is an intercity bus carrier serving destinations nationwide. Currently, Greyhound stops at San Rafael Transit Center once a day.

Ridership and Transfer Activity

A summary of daily boardings for Golden Gate Transit and Marin Transit services at San Rafael Transit Center is provided in Table 3.14-3. The transit center experiences 4,440 daily boardings on weekdays, not including ridership on airport coach service, Greyhound buses, and Sonoma County Transit Route 38. The busiest routes at the transit center are Marin Transit Routes 35 and 36. Golden Gate Transit Routes 40, 70, and 101 and Marin Transit Route 17 also have strong ridership at the transit center.

Table 3.14-3. Daily San Rafael Transit Center Bus Ridership

Route	Average Daily Boardings
Marin Transit Route	
17	384
22	192
23	234
23X	43
29	140
35	835
36	515
49	204
68	39
71X	167
122	47
125	3
145	45
228	79
233	34
245	79
257	65

Route	Average Daily Boardings
Golden Gate Transit Route	
27	86
30	181
31	18
40	366
44	7
70	336
101	341
Total	4,440

Source: Marin Transit 2017; District 2019

The Transportation Summary Report prepared for the proposed project found that on a daily basis, 35 percent of daily bus boardings at the transit center are transfers. This percentage is based only on transfers that can be tracked through fares; this includes either recorded uses of paper transfer tickets or transfers recorded in the Clipper system. Riders not utilizing transfer tickets or Clipper to make transfer movements are not captured in this analysis.

The largest driver of transfer activity is transfers between east-west bus routes and north-south bus routes providing service along US-101. Route 35 is the greatest generator of transfer activity, accounting for 569 transfers to or from that route. Transfer activity at the transit center peaks between 4 p.m. and 5 p.m., with 167 transfers occurring during that hour alone. Morning peak activity occurs between 7 a.m. and 9 a.m., with an average of 136 transfers occurring per hour during that period. The high level of transfers suggests the need to ensure that the transit center facilitates this activity. Strong transfer pairs should be located near each other to minimize transfer times. The transit center operates on a pulse system,¹ with multiple routes having coordinated arrival and departure times within a 5-minute pulse period.

To complete the Transportation Summary Report for the proposed project, on-board survey data were used to assess modes of access for passengers not making a transfer. With the limited number of surveys received, this information should be considered approximate. Half of all passengers boarding a bus at the transit center arrive by walking, making pedestrian connections to the transit center a critical element of a new transit center. Six percent of passengers access the transit center by bicycle; providing adequate bicycle parking and providing connectivity to the San Rafael bicycle network would support improved access for these riders.

At the time of the transit ridership data collection for this proposed project (2017), SMART had recently opened its initial operating segment and had yet to extend to Larkspur. At the time, the SMART system observed an average of 2,100 weekday boardings; detailed station level ridership information was not made available. Anecdotally, the Downtown San Rafael Station is known to be one of the busiest in the system. It is anticipated that SMART transfer activity has changed since the period of data collection in 2017. With the extension of SMART to Larkspur, Route 31 was eliminated, which, at the time of the data collection, was the route with the highest level of transfer

¹ A pulse transit system establishes timed transfers between multiple routes in one location (or, in some cases, multiple locations) where buses wait for each other in order to allow passengers to transfer between them. In a pulse transit system, a transfer will often only mean a few minutes' wait.

activity with SMART at the San Rafael Transit Center. It is expected that SMART transfer activity to other routes will increase as SMART ridership increases.

Existing Pedestrian Facilities

The transit center is within Downtown San Rafael, which has high levels of pedestrian activity. The 4th Street corridor represents the primary commercial corridor in the Downtown area, with a number of businesses and shopping destinations, particularly west of Lincoln Avenue. Other important generators of pedestrian activity in the area include San Rafael High School (on the north side of 3rd Street east of US-101) and the BioMarin campus at the southwest corner of Lincoln Avenue and 2nd Street.

Most roadways in the study area, with the exception of portions of the south side of 2nd Street and the east side of Hetherton Street, include sidewalks. Crosswalks are provided at nearly all legs of each intersection, except for at certain locations along 2nd Street and 3rd Street. The crosswalk across the south leg of the Hetherton Street and 3rd Street intersection was recently removed by the City and replaced by a new crosswalk across the east leg of the same intersection. Signalized crosswalks are currently provided across both 4th Street and 5th Avenue at West and East Tamalpais Avenue.

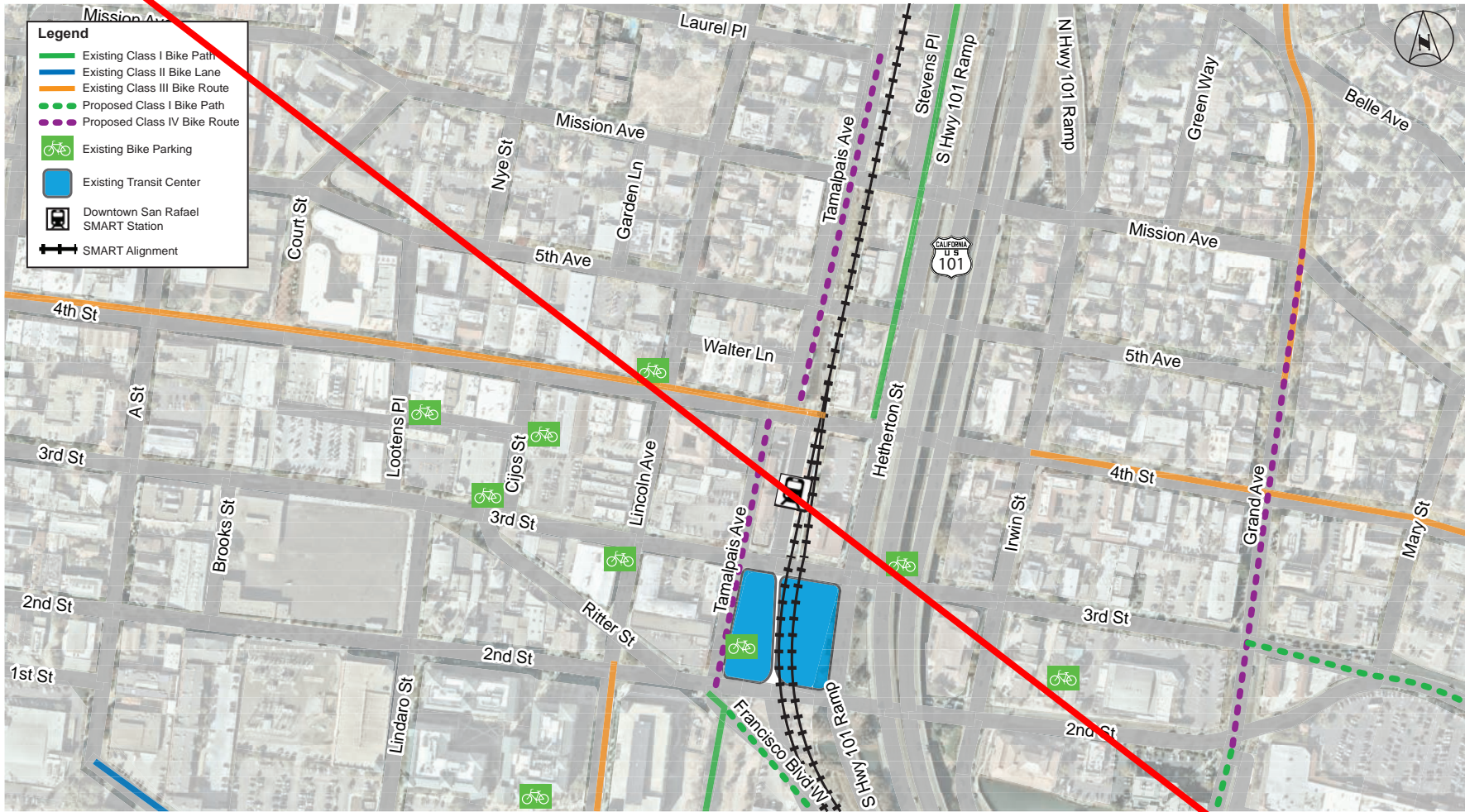
Intersection pedestrian counts were collected for the preparation of the proposed project Transportation Summary Report in January 2020 during the morning peak hours (7 a.m. to 9 a.m.) and the evening peak hours (4 p.m. to 6 p.m.) concurrent with the vehicle data collection. The busiest intersections for pedestrian travel in the study area were recorded as 3rd Street and Tamalpais Avenue (229 pedestrians in the morning peak hours and 276 pedestrians in the evening peak hours) and 4th Street and Lincoln Avenue (151 pedestrians in the morning peak hours and 312 pedestrians in the evening peak hours). A detailed description of pedestrian volumes for all study intersections during peak hours is summarized in the Transportation Summary Report.

Existing Bicycle Facilities

The following bicycle facilities are close to the project area and are shown on Figure 3.14-6:

- Puerto Suello Bike Path: A class I north-south off-street trail that runs along the east side of Hetherton Street and has a southern terminus at 4th Street
- Mahon Creek Path: A class I east-west off-street trail that runs along San Rafael Creek and through the BioMarin campus
- Class III east-west bicycle route on 4th Street throughout the study area, with a gap between Hetherton Street and Irwin Street
- Class III north-south bicycle route on Lincoln Avenue with a northern terminus at 2nd Street
- Class III north-south bicycle route on Grand Avenue with a southern terminus at 5th Avenue
- Two-way Class IV north-south cycle track on Francisco Boulevard West with a northern terminus at 2nd Street

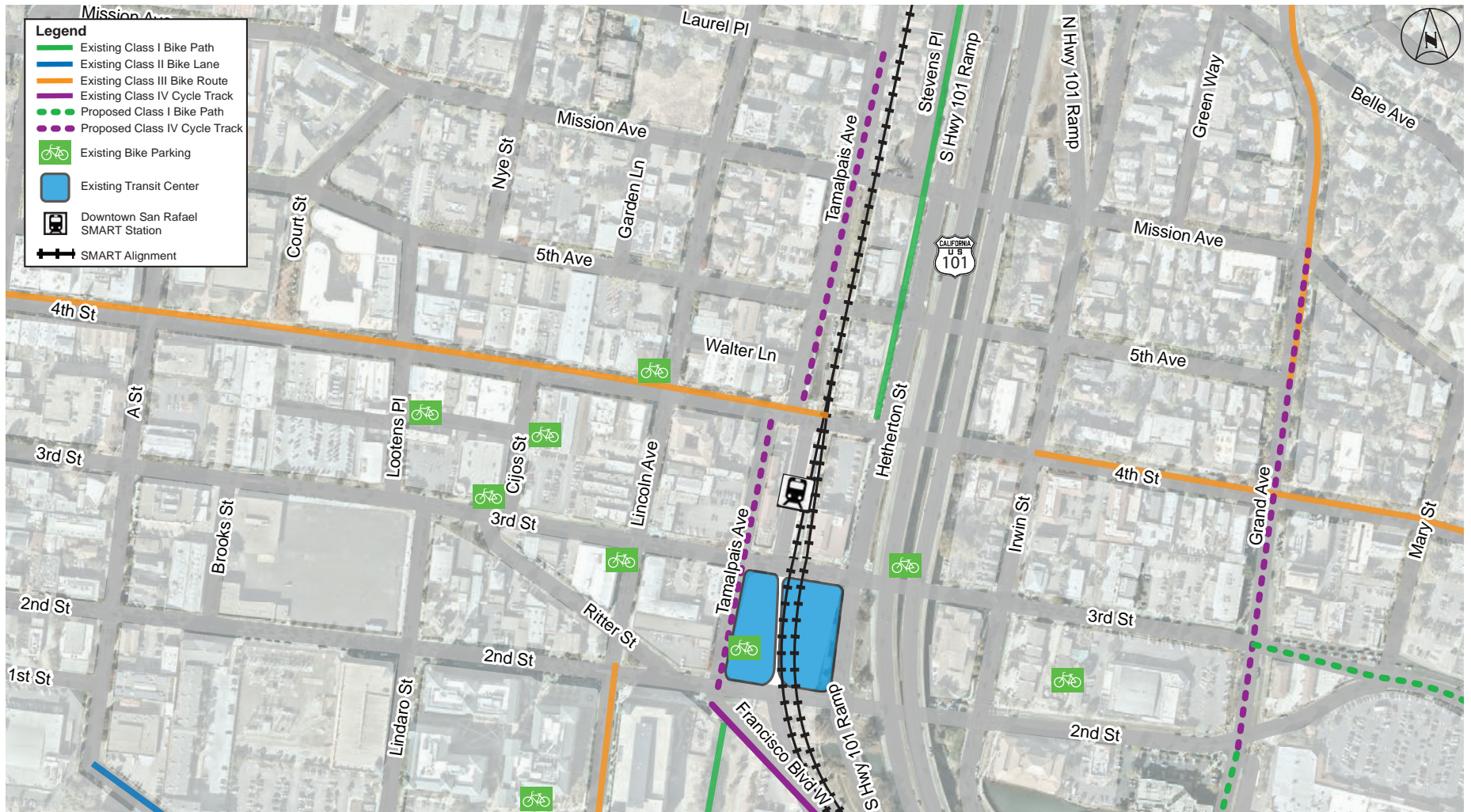
Existing bicycle parking at the existing transit center consists of two racks with a capacity for eight bicycles each. Additionally, there are 10 U-shaped bicycle racks and four bicycle lockers along the east side of West Tamalpais Avenue, immediately north of 4th Street.



Source: Kimley-Horn, 2021.

Graphics ... 0748.17 (3-11-2021).JC





Source: Kimley-Horn, 2022.



Updated Figure 3.14-6
Bicycle Connectivity Existing and Future

3.14.2 Environmental Impacts

Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.14.2.1 Methodology

With the implementation of SB 743 in July 2020, automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, is no longer considered a significant impact on the environment. Instead, lead agencies must prove that their selected analysis methodology aligns with SB 743's goals to promote infill development, reduce greenhouse gases, and reduce VMT.

The Transportation Study Report prepared for the proposed project included a review of existing local regulations related to transportation, VMT, and how proposed changes in roadway conditions would potentially affect hazards and emergency access in the study area. Forecasting software was used to model future conditions of the no-build and build alternatives under Existing (Year 2020) and Year 2040 conditions. The modeling completed in the Transportation Summary Report was used to determine when changes associated with the proposed project may conflict with applicable transportation plans, policies, or regulations and to determine if the implementation of the proposed project would affect VMT in the study area. A detailed description of modeling completed for the transportation analysis can be found in the Transportation Summary Report completed for the proposed project (Appendix [EE](#)).

The Transportation Summary Report also includes a detailed safety analysis of pedestrian, bicycle, and vehicular safety around the existing and proposed project alternatives. The safety analysis identifies pedestrian and bicycle treatments included with each of the project alternatives to address safety needs. It also provides a safety assessment for each of the alternatives that considers pedestrian-vehicle conflicts and pedestrian and bicycle circulation in the vicinity of the transit center site.

Existing Conditions Data Collection

The transportation analysis of existing conditions is based on data collected by the project team and information provided by Golden Gate Transit, Marin Transit, the City of San Rafael, TAM, and SMART.

The project team collected turning movement volumes during a.m. and p.m. peak hours, including bicycle and pedestrian volumes, at 42 study intersections in January 2020. These represent conditions prior to the impact of the coronavirus pandemic.

All transit information documented and analyzed in this report reflects pre-COVID-19 conditions. Golden Gate Transit, Marin Transit, and SMART provided information on existing transit routes and schedules for pre-COVID-19 conditions.

MTC provided Clipper transfer data, which were supplemented by farebox data provided by Golden Gate Transit and Marin Transit to determine transfer activity at the existing transit center.

Golden Gate Transit and Marin Transit provided on-board survey data, which were used to determine activity patterns at the existing transit center and modes of access and egress.

3.14.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to transportation and traffic.

Would the proposed project:

- Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?
- Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?

State CEQA Guidelines Section 15064.3, Subdivision (b), refers to guidelines relating to analyzing potential impacts using VMT as a threshold of significance. These guidelines went into effect in the City of San Rafael on July 1, 2020. Therefore, a detailed discussion of LOS and traffic congestion is not included in this analysis but is provided in the Transportation Summary Report prepared for the proposed project (Appendix ~~C~~E). LOS and traffic congestion are only discussed in this analysis when changes associated with the proposed project may conflict with any applicable transportation plan, policy, or regulation that was adopted for the purpose of avoiding or mitigating congestion impacts.

3.14.2.3 Impacts

Impact TRA-1: Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities

Construction

All Build Alternatives

For all build alternatives, construction would occur within dense urban settings surrounded by a mix of land uses including commercial, retail, civic/institutional, and residential uses. Construction can be expected to occur at any of the four build alternative locations. Section 3.14.1.1, Regulatory Setting, provides a summary of the applicable plans, ordinances, and policies establishing performance of the circulation system for the regional, county, and City jurisdictions where the build alternatives would be located.

To reduce construction-related impacts, such as access disruption and traffic congestion, on adjacent land uses and roadways, a Traffic Control Plan, as described in Chapter 2, Project Description, would be implemented. The Traffic Control Plan would minimize obstructions at all major thoroughfares, which would help to ensure continued traffic access to the project area and nearby properties. The Traffic Control Plan would be developed in coordination with the City of San Rafael, emergency providers, and transit in the region and include provisions for construction truck marshaling to prevent congestion from construction traffic on roads leading to and from the project area. As necessary, this plan would include detours and provisions for clear signage. Therefore, with

regard to potentially conflicting with a program, plan, ordinance, or policy addressing the circulation system during construction, including transit, roadway, bicycle, and pedestrian facilities, a ***less-than-significant*** impact would occur.

Operations

Move Whistlestop Alternative

As shown in Table 3.14-4, the preferred Move Whistlestop Alternative would be generally consistent with existing transportation regulations and policies included in ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~ and the Downtown San Rafael Precise Plan. This is because the Move Whistlestop Alternative is a transit-supportive project that would construct new transit facilities adjacent to the existing transit center. The proposed transit facilities would not directly result in increased transit service compared to service at the existing transit center. However, the proposed facilities would improve the efficiency of bus operations and create operational flexibility for movements into and out of the transit center. Therefore, the improvements may simplify future expansion of transit service; however, no expansion of transit services is currently planned. While not a part of this proposed project, future improvements in transit service would be anticipated to result in trips shifting from automobile to public transit, thereby reducing vehicle traffic on the regional roadway network.

Once operational, the Move Whistlestop Alternative would ~~generally~~ result in a reduction in the average vehicle delay at the congested intersections under Year 2020 conditions. This reduction in average intersection delay would be consistent with policies and programs of ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~ identified in Table 3.14-4. Additionally, ~~despite some localized~~ relative to existing traffic delay occurring under Year 2020 conditions, operations of ~~all build alternatives~~ the Move Whistlestop Alternative would ~~generally~~ improve travel time along most corridors in the study area and would be consistent with traffic standards identified in ~~The City San Rafael General Plan 2040~~. Network-wide vehicular delay and travel time would remain substantially unchanged or even decrease with this alternative under Year 2020 conditions, consistent with policies and programs of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040 identified in Table 3.14-4.

As shown in Table 3.14-4, the Move Whistlestop Alternative would be consistent with the regional plans of the MTC, TAM, and the City, and would support transit services in Marin County. While the findings of the Transportation Summary Report (Appendix ~~CE~~) did identify some minor inconsistencies with Policy C-5 of ~~The City of San Rafael General Plan 2020~~ for this alternative under Year 2040 conditions, including increased delays at ~~5th Street~~ Mission Avenue and ~~Court Street~~ Grand Avenue during the p.m. hours peak hour, congestion in the project vicinity under the Move Whistlestop Alternative would be similar or improved ~~under~~ compared to Year 2040 conditions: without the proposed project. Additionally, Policy M.2-5 of ~~the Draft San Rafael General Plan 2040~~ has superseded Policy C-5 ~~upon approval and would exempt~~ now exempts intersections and arterials within the boundaries of Downtown San Rafael from LOS or congestion consistency analysis. Network-wide vehicular delay and travel time would decrease with this alternative under Year 2040 conditions, consistent with policies and programs of San Rafael General Plan 2040 identified in Table 3.14-4.

The Transportation Summary Report (Appendix ~~CE~~) also found minor inconsistencies with Policy ~~C-29~~ (Better Use of Existing Parking) of ~~The City of San Rafael General Plan 2020~~ and Policy M-7.1

(Optimize Existing [Parking] Supply) of the ~~Draft San Rafael General Plan 2040~~, however, and Policy 6.4.5 (Additional Public Parking) of the Downtown San Rafael Precise Plan because of the removal of on-street parking spaces. The Move Whistlestop Alternative would add on-street parking spaces on West Tamalpais Avenue between 2nd Street and 3rd Street. Parking availability in the project vicinity would be optimized according to existing use patterns following the completion of project construction and would benefit from improved transit access associated with project implementation. Therefore, the Move Whistlestop Alternative would not substantially conflict with any applicable transportation plan, policy, or regulation, and the impact would be **less than significant**. No mitigation is required.

Adapt Whistlestop Alternative

Impacts from the Adapt Whistlestop Alternative related to transportation regulations and policies shown in Table 3.14-4 would generally be consistent with impacts associated with the Move Whistlestop Alternative, described above.

As described in detail in the Transportation Summary Report (Appendix ~~CE~~) prepared for the proposed project, the Adapt Whistlestop Alternative would not include any geometric changes or forecasted roadway conditions that would significantly conflict with transportation regulations and policies identified in ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~ and the Downtown San Rafael Precise Plan. While the findings of the Transportation Summary Report did identify some minor inconsistencies with Policy C-5 of ~~The City of San Rafael General Plan 2020~~ for this alternative under Year 2040 conditions, including increased delays at ~~5th Street, Mission Avenue and Court Street~~ Grand Avenue during the p.m. hours peak hour, congestion in the project vicinity under the Adapt Whistlestop Alternative would be similar or improved ~~under compared to Year 2040 conditions. Additionally, Policy M.2-5 of~~ without the ~~Draft proposed project. Network-wide vehicular delay and travel time would remain substantially unchanged or even decrease with this alternative, consistent with policies and programs of San Rafael General Plan 2040 would supersede~~ identified in Table 3.14-4. Additionally, Policy M.2-5 of San Rafael General Plan 2040 has superseded Policy C-5 upon approval and would exempt ~~now exempts~~ intersections and arterials within the boundaries of Downtown San Rafael from LOS or congestion consistency analysis.

The Transportation Summary Report also found minor inconsistencies with Policy C-29 (Better Use of Existing Parking) of ~~The City of San Rafael General Plan 2020~~ and Policy M-7.1 (Optimize Existing [Parking] Supply) of the ~~Draft San Rafael General Plan 2040~~ and Policy 6.4.5 (Additional Public Parking) of the Downtown San Rafael Precise Plan because of the removal of on-street parking spaces, similar to the Move Whistlestop Alternative; however, parking the Adapt Whistlestop Alternative would add on-street parking spaces on West Tamalpais Avenue between 2nd Street and 3rd Street. Parking availability in the project vicinity would be optimized according to existing use patterns following the completion of project construction and would benefit from increases in transit access associated with project implementation. Therefore, the Adapt Whistlestop Alternative would not substantially conflict with any applicable transportation plan, policy, or regulation, and the impact would be **less than significant**. No mitigation is required.

4th Street Gateway Alternative

According to the findings of the Transportation Summary Report (Appendix ~~CE~~), the 4th Street Gateway Alternative would result in multiple inconsistencies with ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~. These inconsistencies would result from

~~increased intersection delays, longer corridor travel times, and gridlock conditions under Year 2040 conditions that would conflict with Policy C-5 of *The City of San Rafael General Plan 2020* and therefore result in a **significant** impact related to the implementation of this plan. Additionally, the forecasted Year 2040 conditions associated with the 4th Street Gateway Alternative would be inconsistent with Program M-2.4B of the Draft *San Rafael General Plan 2040*. The 4th Street Gateway Alternative would be inconsistent with Program M-2.4B, as it would substantially increase vehicle idling time in the project vicinity under Year 2040 conditions; that would conflict with Program M-2.4B of *San Rafael General Plan 2040*. The 4th Street Gateway Alternative would also be partially inconsistent with Program M-2.2B and Policy M-2.5 of the Draft *San Rafael General Plan 2040*, due to the substantial increases in vehicle idling time in the project vicinity under Year 2040 conditions and the removal of the southbound right-turn from Hetherston Street to 4th Street. However, the 4th Street Gateway Alternative remains partially consistent with Program M-2.2B, as it supports efforts of the City Traffic Engineer to prioritize safety in the project vicinity while configuring and reconfiguring street patterns. Additionally, while the 4th Street Gateway Alternative would result in substantial increases in vehicle idling time in the project vicinity under Year 2040 conditions, this alternative would not be subject to LOS standards due to the Policy M-2.5(c) Downtown Standards, resulting in partial consistency with the policy. This alternative would also result in minor inconsistencies with Policy 6.4.5 (Additional Public Parking) of the *Downtown San Rafael Precise Plan* because of the removal of on-street parking spaces, as described for the Move Whistlestop and Adapt Whistlestop Alternatives.~~

The alternative's inconsistencies with ~~*The City of San Rafael General Plan 2020* and Draft *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan*~~ would interfere with the implementation of future land use development and long-term roadway improvements identified by these plans. Mitigation for these inconsistency impacts is considered infeasible due to the existing level of development in the City and the planned future development identified in ~~*The City of San Rafael General Plan 2020* and Draft *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan*~~.

Therefore, impacts associated with the 4th Street Gateway Alternative would remain **significant and unavoidable** under Year 2040 conditions.

Under the Freeway Alternative

Impacts from the Under the Freeway Alternative on transportation regulations and policies shown in Table 3.14-4 would generally be consistent with impacts associated with the Move Whistlestop Alternative, described above.

As described in detail in the Transportation Summary Report (Appendix ~~CE~~) prepared for the proposed project, the Under the Freeway Alternative would not include any geometric changes or forecasted roadway conditions that would significantly conflict with transportation regulations and policies identified in ~~*The City of San Rafael General Plan 2020* and Draft *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan*~~. While the findings of the Transportation Summary Report did identify some minor inconsistencies with Policy C-5 of *The City of San Rafael General Plan 2020* for this alternative under Year 2040 conditions, ~~including allowing intersections to continue to operate with high levels of delay, the Under the Freeway Alternative would not result in additional delays at intersections under Year 2040 conditions and would generally improve congestion in the project vicinity. Additionally, this policy has now been superseded by Policy M.2-5 of the Draft *San Rafael General Plan 2040* would supersede Policy C-5 upon approval and would exempt, which~~

exempts intersections and arterials within the boundaries of Downtown San Rafael from LOS or congestion consistency analysis.

The Transportation Summary Report also found minor inconsistencies with Policy ~~C-29 (Better Use of Existing Parking)~~ of ~~The City of San Rafael General Plan 2020~~ and Policy M-7.1 (Optimize Existing [Parking] Supply) of ~~the Draft San Rafael General Plan 2040~~ and Policy 6.4.5 (Additional Public Parking) of the *Downtown San Rafael Precise Plan* because of the removal of on-street parking spaces, similar to the Move Whistlestop Alternative; however, the Under the Freeway Alternative contains additional minor inconsistencies in relation to Program-4.3 (Arrival Experience) and Policy M-4.7 (Intermodal Transit Hub), and substantial inconsistencies with Policy M-7.9 (Parking for Transit Users) and Program M-7.9A (Commuter Parking) of ~~the Draft San Rafael General Plan 2040~~.

As described in Section 3.1, Aesthetics, the Under the Freeway Alternative would create a transit center that does not have the same pedestrian-scale feeling as the other three build alternatives. While implementation of the planned aesthetic treatments for the Under the Freeway Alternative would improve the aesthetics associated with the area under the freeway, this alternative would result in a lower positive experience for transit users arriving in the City, resulting in only partial consistency with Program M-4.3 (Arrival Experience) and Policy M-4.7 (Intermodal Transit Hub) of ~~the Draft San Rafael General Plan 2040~~. Additionally, the Under the Freeway Alternative would be located in an area under the freeway that is currently being utilized as a Caltrans park-and-ride lot and as additional parking for the existing SMART stations and San Rafael Transit Center.

Replacement parking has yet to be located for the lots that would be lost due to this alternative, and any replacement parking identified may not be in Downtown San Rafael, resulting in **significant** impacts related to the implementation of Policy M-7.9 (Parking for Transit Users) and Program M-7.9A (Commuter Parking) of ~~the Draft San Rafael General Plan 2040~~. Mitigation for these parking policy inconsistencies and/or replacement parking within Downtown San Rafael may be infeasible due to the existing level of development in the City and the planned future development identified in ~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~. Therefore, impacts associated with inconsistency with parking policies for the Under the Freeway Alternative would remain **significant and unavoidable** under Year 2040 conditions.

Mitigation Measures

No feasible mitigation measures have been identified.

Level of consistency key: ○ = Not consistent; ● = Partially consistent; ● = Consistent

Updated Table 3.14-4. Consistency with Applicable Transportation Goals and Policies

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
MTC's Plan Bay Area 2040	Plan Bay Area 2040 provides a roadmap for accommodating projected household and employment growth in the Bay Area by 2040 as well as a transportation investment strategy for the region. Plan Bay Area 2040 details how the Bay Area can make progress toward the region's long-range transportation and land use goals while meeting greenhouse gas reduction targets set by the California Air Resources Board. Plan Bay Area 2040 does not fund specific transportation projects or changes local land use policies.	●	●	●
Draft San Rafael General Plan 2040	<p>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.</p> <p>Program M-1.1A: Participation in Countywide and Regional Transportation Planning. Actively participate in the planning activities of the Transportation Authority of Marin, the Metropolitan Transportation Commission, SMART, and other transportation agencies and support implementation of cost-effective regional plans and programs.</p> <p>Program M-1.1B: Public Information About Transportation. Provide timely information and opportunities for public input on transportation issues and projects through workshops, neighborhood meetings, social media, staff reports, and other means.</p> <p>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.</p> <p>Program M-2.2B. Street Pattern and Traffic Flow. Support efforts by the City Traffic Engineer to configure or re-configure street patterns to improve traffic flow and turning movements while prioritizing safety.</p> <p>Policy M-2.4: Transportation Efficiency. Undertake improvements that manage lane capacity, traffic flow, and intersections more efficiently.</p>	●	●	●
		●	●	●
		●	○	●
		●	○	●

Level of consistency key: ○ = Not consistent; ◐ = Partially consistent; ● = Consistent

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	<p>Program M-2.4B: Reducing Vehicle Idling. Support transportation network improvements to reduce vehicle idling, including synchronized signal timing.</p>	●	○	●
	<p>Policy M-2.5. Traffic Level of Service. Maintain traffic LOS standards that ensure an efficient roadway network and provide a consistent basis for evaluating the transportation effects of proposed development projects on local roadways. These standards shall generally be based on the performance of signalized intersections during the a.m. and p.m. peak hours. Arterial LOS standards may be used in lieu of (or in addition to) intersection LOS standards in cases where intersection spacing and road design characteristics make arterial LOS a more reliable and effective tool for predicting future impacts.</p>			
	<p>A. Intersection LOS. LOS “D” shall be the citywide standard for intersections, except for intersections noted in the General Plan.</p>			
	<p>B. Arterial Standards. LOS “D” shall be the citywide standard for arterials, except for roadways noted in the General Plan.</p>			
	<p>C. Downtown Standards. Intersections and arterials within the boundaries of the Downtown San Rafael Precise Plan are not subject to LOS standards, recognizing their unique context, operation, and physical constraints, as well as their multi-modal character. Proactive measures shall be taken to address and manage Downtown congestion, evaluate and reduce the impacts of new development on the transportation network, and ensure the long-term functionality of streets and intersections. Traffic shall be monitored and evaluated to identify the need for improvements to ensure that Downtown streets adequate serve both local and regional traffic.</p>	●	◐	●
	<p>D. Additional Provisions for Roads Operating at LOS “E” or “F.” Where the adopted standard is LOS “E” or “F,” measures should be taken to avoid further degradation of traffic conditions. Projects impacting roads operating at LOS “F” may still be subject to requirements to offset those impacts as a condition of approval.</p>			

Level of consistency key: ○ = Not consistent; ● = Partially consistent; ● = Consistent

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	<p>Policy M-2.7. Proposed Mobility Improvements. Use Table 10-1 (Proposed Mobility Improvements) as the basis for transportation network improvements over the next 20 years. The improvements shown are intended to balance the City’s goals of managing congestion, reducing vehicle miles traveled, and enhancing mobility and safety. Specific improvements will be implemented as conditions require and will be refined during the design phase. Table 10-1 may be amended as needed to reflect other design solutions and priorities, subject to City Council approval. Improvements will be implemented through the Capital Improvements Program using a variety of funding sources and may be subject to further environmental review.</p>	●	●	●
	<p>Policy M-3.1: VMT Reduction. Achieve State-mandated reductions in Vehicle Miles Traveled by requiring development and transportation projects to meet specific VMT metrics. In the event a proposed project does not meet these metrics, require measures to reduce the additional VMT associated with the project, consistent with thresholds approved by the City Council.</p>	●	●	●
	<p>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, work schedules, pedestrian and bicycle improvements, ridesharing, and changes to project design to reduce trip lengths and encourage cleaner modes of travel.</p>	●	●	●
	<p>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.</p>	●	●	●
	<p>Policy M-3.7: Design Features that Support Transit. For projects located in or near transit hubs such as Downtown San Rafael, incorporate design features that facilitate walking, cycling, and easy access to transit.</p>	●	●	●
	<p>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.</p>	●	●	●
	<p>Program M-4.1C: Partnerships. Encourage partnerships between local transit service providers to avoid redundancy, maximize coverage and efficiency, and improve transfers between transit systems.</p>	●	●	●

Level of consistency key: ○ = Not consistent; ● = Partially consistent; ● = Consistent

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	Program M-4.1D: Transit for Tourism. Support efforts to provide effective transit options for visitors to West Marin and other County tourist destinations, in order to reduce regional traffic flow through San Rafael.	●	●	●
	Program M-4.1E: Transit Information. Encourage the development and dissemination of information to facilitate transit use. This includes real-time, multi-lingual information on bus arrivals, departures, transfers, and routes. In addition, the City should include information on transit access on notices of City meetings and provide links to transit websites from its own website.	●	●	●
	Program M-4.1F: Public Health. Work with transit service providers to effectively respond to service and design challenges associated with rider safety during and after public health emergencies.	●	●	●
	Policy M-4.2: Regional Transit Options. Encourage expansion of regional transit connecting Marin with adjacent counties, including basic and express bus service, rail, and ferry service.	●	●	●
	Program M-4.2A: Regional Bus Service. Support expansion of regional bus service to and from other Bay Area counties, including expanded express bus service along the 101 and 580 corridors, and continued bus and shuttle service to the region's airports.	●	●	●
	Policy M-4.3: SMART Improvements. Maximize the potential benefits of Sonoma Marin Area Rail Transit (SMART) while minimizing potential conflicts between SMART trains, adjacent land uses, bicycle and pedestrian movement, and vehicle traffic circulation. City plans and programs related to SMART should be periodically evaluated based on changes in funding, operating costs, ridership, and other factors impacting service levels.	●	●	●
	Program M-4.3A: Rail Safety. Work with SMART to improve safety measures along the SMART tracks, reduce train noise, and avoid the blockage of intersections by trains.	●	●	●
	Program M-4.3B: Passenger Pickup and Drop-Off. Work with SMART on plans to improve passenger pick-up and drop-off, connectivity between trains and buses, and provisions for passenger parking (see also Policy M-7.9 on parking for transit users).	●	●	●
	Program M-4.3C: Arrival Experience. Create a welcoming experience for passengers arriving at the Downtown San Rafael and Civic Center stations, including wayfinding signage, easy transfers, and clearly marked, well lit pathways to nearby destinations.	●	●	○

Level of consistency key: ○ = Not consistent; ● = Partially consistent; ● = Consistent

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	Program M-4.3E: Downtown Crossings. Continue to work with SMART to reduce congestion related to grade-level train crossings in Downtown San Rafael. Encourage SMART to assess the potential cost, as well potential funding sources, to elevate the tracks through Downtown.	●	●	●
	Policy M-4.4: Local Transit Options. Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.	●	●	●
	Program M-4.4A: Local Bus Service. Support Marin Transit and Golden Gate Transit efforts to improve bus routing, frequency, and equipment, and to keep bus fares affordable.	●	●	●
	Program M-4.4B: Improved Bus Stops. Support efforts to improve bus stops and shelters to provide a safe and pleasant experience for riders. Allow commercial advertising to fund bus shelter upgrades and maintenance.	●	●	●
	Program M-4.4C: Local Shuttle Programs. Support efforts to create financially feasible shuttle, jitney, and circulator bus services to connect passengers arriving at the San Rafael Transit Center and SMART stations to their destinations.	●	●	●
	Policy M-4.6: Paratransit Options. Encourage expansion of paratransit and flexible route services as needed to serve specialized populations including seniors, students, and persons with disabilities.	●	●	●
	Program M-4.6A: Other Local Transit. Support Dial-A-Ride, taxi, and transportation network company (TNC) services serving San Rafael.	●	●	●
	Program M-4.6B: Paratransit Service. Support continued Whistlestop Wheels service and expanded regional paratransit services where needed.	●	●	●
	Policy M-4.7: Intermodal Transit Hubs. Support efforts to develop intermodal transit hubs in Downtown and North San Rafael to provide safe, convenient connections for all travelers. Such hubs should include secure bicycle parking, EV charging stations, and efficient drop-off and pick-up areas and create a positive experience for those arriving in San Rafael.	●	●	○
	Program M-4.7A: Transit Center Relocation. Complete the relocation process for the San Rafael Transit Center. Design of the facility should consider the effects on local street congestion and the safety of those walking or bicycling to and from the facility. Continue to work with transit service providers to coordinate schedules, transfers, and routing in a manner that is convenient for San Rafael travelers.	●	●	●

Level of consistency key: ○ = Not consistent; ● = Partially consistent; ● = Consistent

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	Program M-4.7B: First Mile/ Last Mile Trips. Work with TAM, transit agencies, neighborhood groups, and the local business community to improve options for “first mile/ last mile” trips connecting regional transit hubs to nearby destinations.	●	●	●
	Program M-4.7C: Implementation of Other Plans. Implement the recommendations of the Downtown Precise Plan, the Downtown Station Area Plan, and the Civic Center Station Area Plan for coordination of transit services and improvement of connections between travel modes.	●	●	●
	Program M-5.1B: Emergency Access Considerations. Ensure that road redesign projects, including bicycle and pedestrian improvements, maintain evacuation capacity and emergency vehicle response time, particularly along designated evacuation routes.	●	●	●
	Policy M-6.1: Encouraging Walking and Cycling. Wherever feasible, encourage walking and cycling as the travel mode of choice for short trips, such as trips to school, parks, transit stops, and neighborhood services. Safe, walkable neighborhoods with pleasant, attractive streets, bike lanes, and sidewalks should be part of San Rafael’s identity.	●	●	●
	Program M-6.1A: Bicycle and Pedestrian Master Plan Implementation. Maintain San Rafael’s Bicycle and Pedestrian Master Plan (BPMP) and update the Plan as required to ensure eligibility for grant funding. The BPMP should be a guide for investment in pedestrian and bicycle infrastructure, and for programs to make walking and cycling a safer, more convenient way to travel.	●	●	●
	Program M-6.1B: Station Area Plans. Implement the pedestrian and bicycle improvements in the 2012 Downtown Station Area Plan and the 2012 Civic Center Station Area Plan.	●	●	●
	Policy M-6.2: Pedestrian and Bicycle Safety. Identify, prioritize, and implement pedestrian and bicycle safety improvements in order to reduce collisions and injuries, and eliminate fatalities.	●	●	●
	Program M-6.2A: Implementation of Safety Measures. Implement pedestrian and bicycle safety measures as described in the 2018 BPMP, including ADA compliant curb ramps, curb extensions in business districts, median refuge islands, active warning beacons, painted bike “boxes” at intersections, and signal phasing adjustments in areas with high bicycle volumes.	●	●	●
	Program M-6.2B: Vision Zero. Consistent with the BPMP, support a “Vision Zero” approach to safety among pedestrians and cyclists, with the goal of eliminating severe injuries and fatalities.	●	●	●

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Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	Policy M-6.3: Connectivity. Develop pedestrian and bicycle networks that connect residents and visitors to major activity and shopping centers, existing and planned transit, and schools. Work to close gaps between existing facilities. Funding and prioritization for projects should consider relative costs and benefits, including such factors as safety, number of potential users, and impacts on parking.	●	●	●
	Program M-6.3A: Implementation of Pathway Improvements. Implement the major pedestrian and bicycle pathway, intersection, and lane improvements included in adopted City plans.	●	●	●
	Program M-6.3C: Bicycle Parking. Create additional bicycle parking and storage capacity at the SMART stations and in Downtown San Rafael.	●	●	●
	Policy M-6.7: Universal Design. Design and construct bicycle and pedestrian facilities to serve people of all ages and abilities, including children, seniors, families, and people with limited mobility.	●	●	●
	Program M-6.7A: ADA Compliance. Continue efforts to improve access for those with disabilities, including compliance with Federal and State accessibility requirements.	●	●	●
	Program M-6.7B: Best Practices. Continue to construct bicycle and pedestrian facilities according to the most up-to-date local, state, and national best practices and design guidelines.	●	●	●
	Policy M-7.1: Optimizing Existing Supply. Optimize the use of the existing parking supply. Expand the supply where needed through innovative programs, public/private partnerships, and land use policies.	○	○	○
	Policy M-7.4: Downtown Parking. Maintain a sufficient number of Downtown parking spaces to meet demand and support local businesses.	●	●	●
	Policy M-7.9: Parking for Transit Users. Support regional efforts to fund and construct commuter parking along transit routes, near commuter bus pads, and near inter-modal commuter hubs in order to support use of transit. Parking areas should include secure parking for carpools, bicycles and other alternative modes and should minimize neighborhood impacts.	●	●	○
	Program M-7.9A: Commuter Parking. Regularly evaluate the need for parking around the SMART stations and San Rafael Transit Center, as well as ways to meet that need.	●	●	○

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Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
<p><u>Downtown San Rafael Precise Plan</u></p>	<p><u>Policy 6.1.1: Design to provide both mobility and accessibility. Given the nature of land uses and activities in Downtown, its transportation network should emphasize convenient accessibility (i.e., easily reaching a desired destination) over efficient mobility (i.e., moving a large number of people quickly). Downtown streets should be designed to ensure that they are readily accessible to and usable by all users, especially individuals with disabilities.</u></p>	●	●	●
	<p><u>Policy 6.1.2: Design streets as civic spaces. Downtown streets play a critical role in shaping urban environments, and should be designed as civic spaces where people want to spend time, and thus maximize their contribution to a vibrant, active public realm.</u></p>	●	●	●
	<p><u>Policy 6.1.3: Design streets to support economic development. Streets should be designed to efficiently move and transfer goods to serve Downtown businesses while attracting and serving customers.</u></p>	●	●	●
	<p><u>Policy 6.1.4: Design streets to be adaptable. A multitude of configurations are possible within a given street envelope, and street designs should be able to change as the needs of its users evolve over time. Interim design treatments can be used to demonstrate the effectiveness of design concepts while gradually adjusting user travel behaviors.</u></p>	●	●	●
	<p><u>Policy 6.1.5: Design streets for safety. The design of Downtown's streets should consider sources of multimodal conflicts to prioritize safety and minimize the potential for collisions. Streets should incorporate the needs of emergency service providers in street design to the satisfaction of the City Public Works Director and the City Fire Marshal in accordance with applicable emergency response standards. The design of the public realm should not impact nor restrict access to fire hydrants and building fire protection systems and connections.</u></p>	●	●	●
	<p><u>Policy 6.1.6: Design streets as ecosystems. Downtown streets should be designed as ecosystems where man-made systems interface with natural systems, and maximize opportunities to incorporate pervious pavements, bioswales, street trees, and other green infrastructure elements into street design.</u></p>	●	●	●

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Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	<p><u>Policy 6.1.7: Design streets to support economic development. The Precise Plan recommends following industry best practices for street design, and recommends the following as guides:</u></p>			
	<ul style="list-style-type: none"> • <u>The National Association of City Transportation Officials (NACTO) Urban Street Design Guide and Urban Bikeway Design Guide;</u> 	●	●	●
	<ul style="list-style-type: none"> • <u>The United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG);</u> 			
	<ul style="list-style-type: none"> • <u>The California Manual on Uniform Traffic Control Devices (CA-MUTCD); and</u> 			
	<ul style="list-style-type: none"> • <u>The Caltrans Highway Design Manual</u> 			
	<p><u>Policy 6.2.1: Pedestrian Network Improvements. The Precise Plan recommends the following improvements to enhance pedestrian movement and access in the Plan Area.</u></p>	●	●	●
	<p><u>Program 6.2.1.1: Fourth Street streetscape improvements. Sidewalk widening, enhanced crosswalk treatments, lighting and wayfinding for the segment of Fourth Street from the SMART Station to B Street.</u></p>	●	●	●
	<p><u>Program 6.2.1.2: Tamalpais Avenue paseo. Pedestrian and bicycle path improvements along Tamalpais Avenue for the gap in the north-south connector between Mission Avenue and Second Street.</u></p>	●	●	●
	<p><u>Program 6.2.1.6: Downtown Gateway sub-area pedestrian access improvements. Sidewalk widening, enhanced crosswalk treatments, lighting and wayfinding on streets connecting to adjacent destinations.</u></p>	●	●	●
	<p><u>Program 6.2.1.7: US-101 freeway connector street enhancements. Improvements to east-west streets are proposed, to mitigate the barrier that US-101 presents to pedestrian travel between the Montecito Plaza area and Downtown. Strategies may include wider sidewalks, crosswalk enhancements, improved lighting and signage, and public art.</u></p>	●	●	●
	<p><u>Policy 6.2.2: Bicycle Network Improvements. The Precise Plan recommends the following improvements to enhance bicycle usage and access in the Plan Area.</u></p>	●	●	●
	<p><u>Program 6.2.2.1: Tamalpais Avenue north-south gap connector. Pedestrian and bicycle path improvements along Tamalpais Avenue are proposed to close the gap in the north-south connection between Mission Avenue and Second Street. Additional study is warranted to connect this north-south bikeway with the east-west bicycle facilities described below.</u></p>	●	●	●

Level of consistency key: ○ = Not consistent; ● = Partially consistent; ● = Consistent

Plan	Policy/Program	Move Whistlestop and Adapt Whistlestop Alternatives	4th Street Gateway Alternative	Under the Freeway Alternative
	<p><u>Program 6.2.2.2: Downtown east-west connection. The BPMP calls for an east-west connection in Downtown San Rafael that can comfortably accommodate people of all ages and bicycling ability. This is most commonly accomplished by providing a protected (i.e., dedicated and buffered) bicycle lane, which would require either elimination of on-street parking or conversion of a vehicle travel lane. Fifth Avenue is identified as a special study segment to monitor and evaluate as a location for potential future east-west bicycle improvements, particularly if parking demand declines over time due to changes in travel behavior. Peak weekday parking demand on Fifth Avenue, east of E Street, is much lower than along Fourth Street, with over a third of the blocks having vehicle parking occupancy levels less than 50 percent.</u></p>	●	●	●
	<p><u>Policy 6.4.1: Maximize use of existing parking. In a “park once” district, people are encouraged to park in one place and walk from one destination to another rather than driving and parking again. This approach requires sufficient off-street parking near high-demand destinations, parking and information technology to direct drivers to available parking, pricing to encourage the use of off-street facilities, and a safe, high-quality pedestrian environment from parking facilities to and from destinations.</u></p>	●	●	●
	<p><u>Policy 6.4.2: Parking information and technology. Implementing parking and information technology to direct drivers to available parking is a key aspect of successful “park once” districts.</u></p>	●	●	●
	<p><u>Policy 6.4.3: Zoning and development standards. Adjusting parking requirements to “right size” off-street parking will both support the “park once” district and support Downtown development goals.</u></p>	●	●	●
	<p><u>Policy 6.4.5: Additional public parking. Given the cost and long-term commitment associated with providing additional public parking, all efforts to maximize use of existing parking should be undertaken before building new parking facilities.</u></p>	○	○	○

Impact TRA-2: Conflict or Be Inconsistent with CEQA Guidelines §15064.3, Subdivision (b)

State CEQA Guidelines Section 15064.3, Subdivision (b), specifies applicable criteria for analyzing transportation impacts. Specifically, it states the following:

Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements.

Construction

All Build Alternatives

Construction of the build alternatives would result in construction-related lane closures that could temporarily interfere with traffic circulation in the project area and cause roadway users to use alternate routes or circumvent the project area. The potential for construction to interfere with circulation and preferred routes in the project area would temporarily and intermittently result in minor increases in VMT in the project vicinity. As described in Chapter 2, Project Description, a Traffic Control Plan would be implemented to minimize obstructions at all major thoroughfares, which would help to ensure continued traffic access to the project area and reduce potential for traffic detours to result in increased VMT. As necessary, this plan would include detours and provisions for clear signage in areas identified in the Traffic Control Plan where temporary obstructions warrant changes to traffic circulation. A *less-than-significant* impact would occur.

Operations

All Build Alternatives

As discussed previously in regard to potential impacts related to programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, the proposed transit facilities would not directly result in increased transit service compared to service at the existing transit center. While not a part of this proposed project, future improvements in transit service would be anticipated to result in trips shifting from automobile to public transit, thereby reducing vehicle traffic on the regional roadway network and reducing overall VMT. This reduction in VMT associated with a shift from automobile to transit would inherently be greater than any VMT increase that may result from additional bus service or pick-up/drop-off activity at the transit center. While there would be localized vehicle traffic (and associated VMT) traveling to/from the proposed transit center, the existing transit center is close to the proposed new transit center alternative sites and would result in a negligible change in VMT to the new facilities. Consistent with the provisions of State CEQA Guidelines Section 15064.3, Subdivision (b), the proposed project would not increase VMT; therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact TRA-3: Substantially Increase Hazards Due to a Geometric Design Feature (e.g., Sharp Curves or Dangerous Intersections) or Incompatible Uses (e.g., Farm Equipment)

Construction

Move Whistlestop and Adapt Whistlestop Alternatives

During construction, the introduction of construction equipment, materials, and personnel has the potential to temporarily increase hazards in the project area, as these uses tend to be incompatible with typical Downtown travel and activities. All construction activities associated with these build alternatives would comply with all construction standard provisions, including federal, state, and local railroad and roadway safety standards established by the Federal Transit Administration, Caltrans, and all applicable City and county agencies responsible for maintenance of train and vehicle traffic. As a result, during construction these build alternatives would not substantially increase hazards due to design features or incompatible uses, and impacts would be *less than significant*.

4th Street Gateway Alternative

The 4th Street Gateway Alternative would redistribute traffic making southbound right turns from Hetherton Street to 4th Street. This would result from the removal of the right-turn movement at that location and the removal of transit traffic along East Tamalpais Avenue between 3rd Street and 4th Street. The 4th Street Gateway Alternative construction impacts would be the same as those of the Move Whistlestop and Adapt Whistlestop Alternatives outlined above. Therefore, the impact would be *less than significant*.

Under the Freeway Alternative

The Under the Freeway Alternative would not include any geometric changes to the network other than the location of transit center driveways. The Under the Freeway Alternative construction impacts would be the same as those of the Move Whistlestop and Adapt Whistlestop Alternatives outlined above. Therefore, the impact would be *less than significant*.

Operations

Move Whistlestop and Adapt Whistlestop Alternatives

Operations of the Move Whistlestop and Adapt Whistlestop Alternatives' transit center and associated transit movements would also comply with all geometric standard provisions, including federal, state, and local railroad and roadway safety standards, and all applicable City and county agency regulations responsible for maintenance of train and vehicle traffic. Operation conditions of the Move Whistlestop and Adapt Whistlestop Alternatives would redistribute existing traffic on Tamalpais Avenue between 3rd Street and 4th Street to other roadways in the project area and would convert this section of Tamalpais Avenue to transit-only. A pick-up/drop-off curb would be placed on a new drive aisle west of Tamalpais Avenue, accessed via 3rd Street. This would eliminate conflicts between autos using the pick-up/drop-off space and cyclists on Tamalpais Avenue, planned to be part of the Countywide North-South Greenway. It also provides for a pedestrian path of travel between the pick-up/drop-off area and all transit services that does not require crossing 3rd or 4th Streets. This reflects a change in the pick-up/drop-off location that was shown in the Draft EIR in

order to eliminate that conflict and enhance safety. The Move Whistlestop and Adapt Whistlestop Alternatives would improve pedestrian and bicycle safety by reducing pedestrian-vehicle conflicts, placing the transit center closest to the primary destination of Downtown San Rafael, locating all transit services within the same block to limit conflicts for transferring passengers, and providing a high-quality bicycle facility to close a critical gap in the City's bicycle network. Therefore, the Move Whistlestop and Adapt Whistlestop Alternatives would be consistent with the operation of the existing transit center and would not substantially increase hazards due to design features or incompatible uses, resulting in *less-than-significant* impacts.

4th Street Gateway Alternative

The 4th Street Gateway Alternative would redistribute traffic making southbound right-turns from Hetherton Street to 4th Street. This would result from the removal of the right-turn movement at that location and the removal of transit traffic along East Tamalpais Avenue between 3rd Street and 4th Street. This alternative would reduce the number of driveway and vehicle conflicts on the south side of 4th Street; however, it would introduce a larger pedestrian crossing on the north side of 4th Street across the transit center driveway. The 4th Street Gateway Alternative operation impacts would be the same as those of the Move Whistlestop and Adapt Whistlestop Alternatives outlined above. Therefore, the impact would be *less than significant*.

Under the Freeway Alternative

The Under the Freeway Alternative would not include any geometric changes to the network other than the location of transit center driveways. This alternative would shift the transit center north of 3rd Street, reducing pedestrian-vehicle conflicts for pedestrians traveling north into Downtown. However, it would increase pedestrian activity at 4th Street and Irwin Street and at 4th Street and Hetherton Street and would introduce a driveway on Irwin Street, affecting pedestrian movement. The Under the Freeway Alternative operation impacts would be the same as those of the Move Whistlestop and Adapt Whistlestop Alternatives outlined above. Therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact TRA-4: Result in Inadequate Emergency Access

Construction

All Build Alternatives

Construction of all build alternatives would result in construction-related lane closures that could temporarily interfere with the emergency response access in the vicinity of the project area. The potential for construction to interfere with the emergency response actions outlined in these plans would be temporary and intermittent. As described in Chapter 2, Project Description, a Traffic Control Plan would be implemented to minimize obstructions at all major thoroughfares, which would help to ensure continued emergency access to the project area and nearby properties. The Traffic Control Plan would be developed in coordination with emergency providers that provide services to the project area and include provisions for construction truck marshaling to prevent congestion from construction traffic on roads leading to and from the project area. As necessary, this

plan would include detours and provisions for clear signage, including for emergency vehicles to use during emergency response. A *less-than-significant* impact would occur.

Operations

Move Whistlestop, Adapt Whistlestop, and Under the Freeway Alternatives

Operation impacts of the Move Whistlestop, Adapt Whistlestop, and Under the Freeway Alternatives are not anticipated to increase delays at existing SMART at-grade crossings in the project vicinity and therefore would have no impact on emergency access in this regard. The Move Whistlestop, Adapt Whistlestop, and Under the Freeway Alternatives operations would not increase SMART train frequency, gate-downtime, or the number of at-grade crossings in the project area. Additionally, emergency vehicles traveling on streets that cross the SMART at-grade crossings would experience similar access and delays under proposed project conditions compared to existing conditions.

Despite some localized traffic delay impacts under Year 2020 and Year 2040 conditions, emergency vehicle response times are a function of travel along the entire path from their base to the incident location. The proposed project is a transit-supportive project that would not increase VMT as a result of new trips and would generally reduce congestion in the Downtown San Rafael area. This broad-based congestion improvement is expected to more than offset the localized traffic delays identified under Year 2020 and Year 2040 conditions, resulting in a net improvement in emergency response times. As a result of these changes associated with Move Whistlestop, Adapt Whistlestop, and Under the Freeway Alternatives operations, impacts related to emergency vehicle access and emergency response times would be *less than significant*.

4th Street Gateway Alternative

In regard to operations of the 4th Street Gateway Alternative, the existing roadway network surrounding the existing and proposed transit center enables emergency vehicle access to all areas. Emergency vehicles often identify and use multiple routes dependent on the time of day and traffic conditions. Peak-hour traffic congestion generally does not result in delays for emergency vehicles, which have the right-of-way and often utilize multilane major arterials, such as 2nd Street, 3rd Street, 4th Street, Hetherton Street, and Irwin Street for access in Downtown San Rafael. Additionally, operations of the 4th Street Gateway Alternative are not anticipated to increase delays at existing SMART at-grade crossings in the project area and therefore would have no impact on emergency access in this regard. Therefore, despite some localized traffic delay impacts under Year 2020 and Year 2040 conditions, emergency vehicle access in the vicinity of the 4th Street Gateway Alternative site would experience *less-than-significant* impacts.

Mitigation Measures

No mitigation is required.

Section 3.15

Tribal Cultural Resources

This section evaluates the potential impacts on tribal cultural resources related to the construction and operation of the San Rafael Transit Center Replacement Project (proposed project) and other build alternatives. This section also describes the existing conditions at the project area as well as the regulatory framework for this analysis. The impacts of the proposed project are generally analyzed at a project level. Impacts resulting from implementation of the proposed project are described. Mitigation measures, where applicable, are also described. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.15.1 Existing Conditions

3.15.1.1 Regulatory Setting

This section provides a summary of the tribal cultural resources plans and policies of the City of San Rafael (City) as well as regional and state agencies that have policy and regulatory control over the project site.

State

Archaeological, paleontological, and historical sites are protected under to a variety of state policies and regulations, as enumerated under the California Public Resources Code (PRC). Tribal cultural resources, which are recognized as nonrenewable resources, receive additional protection under the California Environmental Quality Act (CEQA).

- PRC Section 5024 requires state agencies to identify and protect state-owned resources that meet the listing criteria of the National Register of Historic Places, including significant tribal cultural resources. It further specifically requires the California Department of Transportation to inventory state-owned structures in its rights-of-way. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the State Historic Preservation Officer before altering, transferring, relocating, or demolishing state-owned historical resources that are listed or eligible for listing in the National Register of Historic Places or registered or eligible for registration as California Historical Landmarks.
- PRC Sections 5097.9–5097.991 provide protection to Native American historical and cultural resources as well as sacred sites. These sections also identify the powers and duties of the Native American Heritage Commission (NAHC) and require notification of descendants when Native American human remains are discovered. They also provide for the treatment and disposition of human remains and associated grave goods.
- PRC Section 21084.2 outlines the key points of Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014), which establishes a formal consultation process for California Native American tribes as part of CEQA. This section equates significant impacts on tribal cultural resources with significant environmental impacts.

Assembly Bill 52

Tribal cultural resources were originally identified as a distinct CEQA environmental category with the adoption of AB 52 in September 2014. For all projects that are subject to CEQA and received a notice of preparation, notice of negative declaration, or mitigated negative declaration on or after July 1, 2015, AB 52 requires the lead agency on a proposed project to consult with the geographically affiliated California Native American tribes. The legislation creates a broad new category of environmental resources, “tribal cultural resources,” which must be considered under CEQA. AB 52 requires a lead agency to not only consider the resource’s scientific and historical value but also whether it is culturally important to a California Native American tribe.

AB 52 defines tribal cultural resources as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included in or determined to be eligible for inclusion in the California Register of Historical Resources; included in a local register of historical resources, as defined in PRC Section 5020.1(k); or determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria of PRC Section 5024.1(c) (CEQA Section 21074).

The California Register of Historical Resources criteria for the listing of resources, as defined in PRC Section 5024.1(c), are the following:

1. The resource is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. The resource is associated with the lives of persons important in our past.
3. The resource embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
4. The resource has yielded, or may be likely to yield, information important in prehistory or history.

AB 52 also sets up an expanded consultation process. For projects initiated after July 1, 2015, lead agencies are required to provide notice of the proposed projects to any tribe that is traditionally and culturally affiliated with the geographic area that requested to be informed by the lead agency, following PRC Section 21018.3.1(b). If, within 30 days, a tribe requests consultation, the consultation process must begin before the lead agency can release a draft environmental document. Consultation with the tribe may include a discussion regarding the type of review necessary, the significance of tribal cultural resources, the significance of the project’s impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. The consultation process will be deemed concluded when either (1) the parties agree to mitigation measures or (2) any party concludes, after a good-faith effort, that an agreement cannot be reached. Any mitigation measures agreed to by the tribe and lead agency must be recommended for inclusion in the environmental document. If a tribe does not request consultation, or to otherwise assist in identifying mitigation measures during the consultation process, a lead agency may still consider mitigation measures if the agency determines that a project will cause a substantial adverse change to a tribal cultural resource.

Local

Marin County Ordinance 1589

The Marin County Code of Ordinances includes Ordinance 1589, which outlines procedures related to protecting archaeological resources in the county. Such protection procedures include the following:

- Requirement of a permit to excavate an Indian midden (Section 5.32.020)
- Designation of a liaison agency between institutions of higher learning or an association and the department of public works for the purpose of the study of Indian relics of archaeological significance (Section 5.32.030)
- Requirement of permits to excavate Indian middens to follow formats approved by the director of public works and to note that the excavation is for either archaeological or nonarchaeological purposes (Section 5.32.040)
- Requirement for the director of public works or designee to send the application for excavation to the liaison agency and, within 5 days of receipt, for the liaison agency to inform the director of public works if the midden is of archaeological significance; only non-archaeological midden sites will be issued a permit (Section 5.32.050)
- If the midden requesting permit for excavation is certified to have archaeological significance, allowance for the director of public works to issue a permit with certain conditions (Section 5.32.060)
- Requirement for actions done under an issued permit to follow the permit's terms and conditions (Section 5.32.070)
- Requirement that persons in violation of the chapter's provisions are guilty of a misdemeanor and shall incur punishments as listed under Section 1.04.270; violations that occur on multiple days will each be considered as separate violations per day (Section 5.32.090)

The conditions of Section 5.32.050 are:

- A. Prior to nonarchaeological excavation or removal of materials from the middens, the permittee shall not excavate for a period of sixty days in order to allow archaeological excavation of the site.
- B. The permittee or owner of the property shall be required to grant a license for the excavation, identification, and classification of artifacts and proper scientific analysis of materials having historical or archaeological significance to recognized institutions of higher learning or associations having as their major purpose the study of Indian relics and other sites having archaeological value. The terms of the license shall be such as are agreed to by the prospective licensee and property owner. (Ord. 1825 § 2, 1971: Ord. 1589 § 6, 1967)

Chapter 2.19 of the San Rafael Municipal Code, Archaeological Resources Projection

The City's municipal code outlines the duties of the Planning Commission, which oversees the implementation of an ordinance regarding archaeological resources.

2.19.010 - Purpose.

Certain lands and geographic areas within the city of San Rafael contain significant archeological resources, which include deposits and remains of the local Native Americans and other early inhabitants. These deposits and remains represent an important part of the early history of San Rafael and the culture of the Native American community. Without proper regulations and monitoring, continued excavation and grading activities within the city could significantly impact these resources.

In recognizing the importance of protecting significant archeological resources, the city of San Rafael has determined to:

(a) Establish a procedure for identifying, when possible, archeological resources and potential impacts to such resources prior to authorizing excavation and grading activities; (b) Provide valuable information and direction to property owners in the community in order to make them aware of these resources; (c) Implement measures that would preserve and protect valuable archeological resources, when there is a potential for encountering such resources; (d) Establish a procedure which would ensure that appropriate advisory agencies and organizations are contacted and consulted, when there is a probability that archeological resources could be encountered during an activity involving grading, excavation, and/or construction; (e) Establish and implement specific protection and preservation measure in the event archeological resources are encountered during grading, excavation and/or construction. (Ord. 1772 § 2 (part), 2001)

2.19.020 - Archeological sensitivity map.

Geographic areas of archeological sensitivity shall be depicted on a citywide map. This map shall be prepared by an archeologist and shall be maintained by and kept on file with the city department of community development. This map shall:

(a) Identify sensitivity level based on the criteria adopted by council resolution; (b) Be used as a reference by the city whenever considering or analyzing projects involving excavation and grading; and (c) Be reviewed and updated periodically as new information becomes available. (Ord. 1772 § 2 (part), 2001)

2.19.030 - Procedures and regulations for archeological resource protection.

Specific procedures and regulations shall be implemented by the city to ensure the protection of archeological resources as adopted by council resolution. (Ord. 1772 § 2 (part), 2001)

~~The City of San Rafael General Plan 2020 and Draft San Rafael General Plan 2040~~

~~In 2004, the City adopted *The City of San Rafael General Plan 2020* in order to guide future planning efforts and development in the city. *The City of San Rafael General Plan 2020* includes the following goal and policies related to the protection of built and archaeological resources (City of San Rafael 2016):~~

~~**Goal 28, Protected Cultural Heritage:** It is the goal for San Rafael to have protected and maintained historic buildings and archaeological resources as part of San Rafael's cultural heritage.~~

~~**CA-15. Protection of Archaeological Resources.** Recognize the importance of protecting significant archaeological resources by: identifying, when possible, archaeological resources and potential impacts on such resources; providing information and direction to property owners in order to make them aware of these resources; implementing measures to preserve and protect archaeological resources.~~

~~**CA-15a. Archeological Resources Ordinance.** Continue to implement the existing Archeological Resources Ordinance.~~

~~The City is in the process of updating *The adopted City of San Rafael General Plan 2020/2040* in August 2021. Published in October 2020, the *Draft San Rafael General Plan 2040* includes goals and policies under the Community Design and Preservation Element relating to cultural resources. The plan~~

includes the Goal CDP-5, “Protect and maintain the city’s historic and archaeological resources,” and the following policies (City of San Rafael ~~2021:5-29-5-35~~~~2020:5-25-5-33~~):

- **Policy CDP-5.1:** Preserve buildings and areas recognized in the city’s architectural survey
- **Policy CDP-5.2:** Maintain and update the city’s historic resource inventory
- **Policy CDP-5.3:** Encourage historic or architectural conservation districts
- **Policy CDP-5.4:** Develop financial incentives for historic resource stewardship and maintenance
- **Policy CDP-5.5:** Encourage adaptive reuse redevelopment
- **Policy CDP-5.6:** Ensure integrity protections to historic resources
- **Policy CDP-5.7:** Maintain historic properties
- **Policy CDP-5.8:** Encourage local preservation advocacy
- **Policy CDP-5.9:** Encourage historic preservation education
- **Policy CDP-5.10:** Utilize historic resources for economic benefits
- **Policy CDP-5.11:** Acknowledge the sustainability component of historic preservation
- **Policy CDP-5.12:** Ensure a culturally inclusive approach to historic preservation efforts
- **Policy CDP-5.13:** Protect archaeological resources
- **Policy CDP-5.14:** Protect Native American resources through coordination with Native American community ambassadors

3.15.1.2 Environmental Setting

Information about the existing environmental setting, ethnographic lifeways, and the post-contact history of Native Americans who traditionally inhabited the vicinity of the project area is provided in Section 3.4, Cultural Resources.

3.15.2 Environmental Impacts

This section describes the impact analysis related to tribal cultural resources for the proposed project. It describes the methods and thresholds used to determine whether an impact would be significant. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany each impact discussion, as applicable. Four different build alternatives, the Move Whistlestop Alternative, the Adapt Whistlestop Alternative, the 4th Street Gateway Alternative, and the Under the Freeway Alternative—which are all in Downtown San Rafael within 500 feet of the existing transit center—are being evaluated. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.15.2.1 Methodology

Archaeological Resources in the Project Area

To identify the presence of previously recorded archaeological resources, including those potentially considered tribal cultural resources, ICF conducted a record search on May 21, 2020, at the Northwest Information Center (NWIC) in Rohnert Park, California, a part of the California Historic

Resource Information System. Three previously recorded archaeological resources were identified within the study area, which is limited to the footprints of the four alternatives being considered, during the records search. All three resources (P-21-000113/CA-MRN-84, P-21-000114/CA-MRN-85, and P-21-002833/CA-MRN-711/H) are ~~prehistoric-precontact~~ shell middens that have been leveled down to the ground surface. Some historical artifacts have been observed in two of the sites (P-21-000114/CA-MRN-85, and P-21-002833/CA-MRN-711/H). These are described in Table 3.15-1.

Table 3.15-1. Previously Recorded Archaeological Resources within the Study Area

P-Number	Trinomial	Description
P-21-000113	CA-MRN-84	Originally recorded by N.C. Nelson in 1907 as the site of a “quite large” shellmound that “exists no longer.” At the time, Richard Thompson remembered unearthing mortars, pestles, charmstones, and bone needles (Baker and Shoup 2014). 2014 shovel test and augur survey observed black shell midden-type soil [REDACTED] [REDACTED] ¹ ; however, subsequent testing was restricted and inconclusive (Kaptain and Jones 2012; Shoup 2014).
P-21-000114	CA-MRN-85	Originally recorded by Nelson in 1907; he took ethnographic accounts of the mound, now covered by a house on a perceptible rise of shell material, that was said to have been 20 feet high and rich in artifacts and human remains. A survey in 2008 noted dark gray midden, shell, and no human remains. Testing in 2008 and 2014 found 40–60 centimeters of shell midden containing prehistoric precontact artifacts (Shoup and Baker 2014a). Historic-era artifacts were also recorded mixed into some trenches: [REDACTED] [REDACTED] [REDACTED] (Kaptain and Jones 2012; Roop 1991; Shoup 2014).
P-21-002833	CA-MRN-711/H	Testing in 2011 and 2014 discovered a highly disturbed prehistoric precontact deposit [REDACTED] consisting of chert debitage and cores, an obsidian biface fragment (circa 614 years before present), patches of disturbed shell midden, human bone, and historic artifacts. A small lens of an intact shell midden was discovered [REDACTED] [REDACTED], likely redeposited elements or sparse scatters related to less-intense prehistoric-precontact uses (Shoup and Baker 2014b). 2014 monitoring [REDACTED] was negative [REDACTED] [REDACTED] (Shoup 2014).

The NWIC record search results are included in Appendix G1.

Native American Consultation

To determine sensitivity for Native American resources within the project area, consultation with NAHC and local Native American groups was conducted.

NAHC was contacted on October 16, 2018, with a request for the following information:

- CEQA Tribal Consultation List (AB 52)

¹ Confidential information has been redacted in this section and is not shown in ~~strikeout~~.

- Identification by NAHC of any Native American resources within the subject lands that are listed in the Sacred Lands File

A response from NAHC was received on October 29, 2018, and stated that a search of the Sacred Lands File did not identify any sites; however, the letter specified that the area is sensitive for potential tribal resources.

The response from NAHC included the following list of individuals and tribal representatives who might have an interest in the proposed project:

- Gene Buvelot, Federated Indians of Graton Rancheria
- Greg Sarris, Chairperson, Federated Indians of Graton Rancheria

These individuals were contacted to initiate consultation under AB 52 if desired. Certified letters were mailed via priority mail on November 7, 2018. No responses were received from any of the contacts at the time. This outreach fulfilled the obligations of a lead agency under AB 52, and as no response was received in the stipulated timeframe set by the statute, the AB 52 process was concluded.

On February 8, 2022, as the Golden Gate Bridge, Highway and Transportation District proceeded with the preparation of the Final EIR, the District sent a courtesy follow-up letter informing the Federated Indians of Graton Rancheria of the status of the project. The District received a response on March 25, 2022, and held a meeting with the tribe on August 26, 2022. As a result of this meeting, the District has clarified that a tribal member be present for the training envisioned under MM-CULT-CNST-5 and any mention of street names for the discussion of archaeological sites has been removed in the Final EIR.

3.15.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to tribal cultural resources.

Would the proposed project:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:
 - 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)?
 - 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

3.15.2.3 Impacts

Impact TCR-1: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource, Defined in Public Resources Code § 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 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 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 § 5024.1

Construction

Construction of any of the build alternatives would likely affect tribal cultural resources including. Two pre-contact archaeological sites [REDACTED]

[REDACTED] Such resources have the potential to be considered tribal cultural resources. The presence of these resources suggests that ground disturbance associated with project construction has the potential to encounter as-yet-undocumented pre-contact archaeological resources, which can also be considered tribal cultural resources, and would result in potentially significant impacts. These impacts would be reduced to a less-than-significant level with the implementation of the mitigation measures outlined below.

All build alternatives would involve the removal of existing storm drain infrastructure and the installation of new inlets, manholes, and bioretention facilities. Utilities, including traffic signal poles, streetlights, and fire hydrants, would need to be relocated and/or removed.

Move Whistlestop Alternative/Adapt Whistlestop Alternative/4th Street Gateway Alternative

Project activities near these build alternative project sites would occur within the site boundary of [REDACTED] a buried cultural resource. [REDACTED]

[REDACTED] As a result, his impact would be significant impacts could occur on archaeological resources due to project construction activities under these three alternatives. However, implementation of Mitigation Measures MM-CULT-CNST-4, MM-CULT-CNST-

5, MM-CULT-CNST-6, and MM-CULT-CNST-7 (as described in Section 3.4, *Cultural Resources*) would ensure that impacts related to tribal cultural resources would be ***less than significant with mitigation***.

Under the Freeway Alternative

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Construction of the Under the Freeway Alternative would include ground disturbance [REDACTED] [REDACTED] of buried cultural resources, which have the potential to be considered a tribal cultural resources. This impact would be **significant**. However, implementation of MM-CULT-CNST-4, MM-CULT-CNST-5, MM-CULT-CNST-6, and MM-CULT-CNST-7 (as described in Section 3.4, *Cultural Resources*) would ensure that impacts related to tribal cultural resources would be ***less than significant with mitigation***.

Operations

All Build Alternatives

Operation of the San Rafael Transit Center, under any build alternative, would not include ground disturbance and is therefore not anticipated to result in impacts on any tribal cultural resource.

Mitigation Measures

Under any build alternative that is selected and constructed, four mitigation measures have been proposed (as described in Section 3.4, Cultural Resources) to reduce the impacts on tribal cultural resources to a *less-than-significant* level:

MM-CULT-CNST-4: Develop and Implement an Archaeological Testing Plan

MM-CULT-CNST-5: Conduct Cultural Resource and Tribal Cultural Resource Awareness Training Prior to Project-Related Ground Disturbance and Stop Work if Archaeological Deposits are Encountered During Ground-Disturbing Activities

MM-CULT-CNST-6: Develop and Implement a Tribal Cultural and Archaeological Monitoring Plan

MM-CULT-CNST-7: Comply With State Laws Relating to Human Remains

Section 3.16

Utilities and Service Systems

This section provides background information on utilities and service systems, including water supply, wastewater and stormwater systems, solid waste, and energy. The analysis considers increased demand on water supply, wastewater and stormwater treatment and disposal systems, and solid waste collection and disposal systems that may result from the San Rafael Transit Center Replacement Project (proposed project) and other build alternatives. In addition, the analysis considers whether the proposed project would result in the wasteful use of energy, which is covered in more detail in Section 3.5, Energy. Detailed information regarding stormwater and drainage is covered in Section 3.9, Hydrology and Water Quality. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.16.1 Existing Conditions

3.16.1.1 Regulatory Setting

State

California Energy Commission

The California Energy Commission regulates the provision of natural gas and electricity within the state. The California Energy Commission is the state's primary energy policy and planning agency and has five major responsibilities: forecasting future energy needs and keeping historical energy data, licensing thermal power plants 50 megawatts or larger, promoting energy efficiency through appliance and building standards, developing energy technologies and supporting renewable energy, and planning for and directing the state response to energy emergencies.

California Integrated Waste Management Board

The California Integrated Waste Management Board is the state agency designated to oversee, manage, and track California's 76.5 million tons of waste generated each year. It is one of the six agencies under the umbrella of the California Environmental Protection Agency. The California Integrated Waste Management Board develops laws and regulations to control and manage waste; enforcement authority is typically delegated to the local government. The board works jointly with local government to implement regulations and fund programs.

Pursuant to the California Integrated Solid Waste Management Act of 1989, all cities in California are required to reduce the amount of solid waste disposed of in landfills. Contracts that include work that will generate solid waste, including construction and demolition debris, have been targeted for participation in source-reduction, reuse, and recycling programs. Contractors are urged to manage solid waste to divert waste away from disposal in landfills (particularly Class III landfills) and to maximize source reduction, reuse, and recycling of construction and demolition debris.

Wastewater

In the project area, wastewater is regulated by the agencies listed below.

- State Water Resources Control Board
- San Francisco Bay Regional Water Board
- California Department of Pesticide Regulation
- California Department of Toxic Substances Control

Local

City of San Rafael General Plan 2020

The Land Use, Infrastructure, and Sustainability Elements of *The City of San Rafael General Plan 2020* contain the following policies and programs that are applicable to the proposed project (City of San Rafael 2016a).

Policy LU-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:

e. Sewer, water, and other infrastructure improvements will be available to serve new development by the time the development is constructed.

Program LU-2a Development Review. Through the development and environmental review processes, ensure that policy provisions are evaluated and implemented. The City may waive or modify any policy requirement contained herein if it determines that the effect of implementing the same in the issuance of a development condition or other approvals would be to preclude all economically viable use of a subject property.

Policy I-3 Availability of Utilities. Promote the availability of reliable and reasonably priced utilities necessary for businesses and residences to prosper.

Program I-3a Capacity Management. Work with the Central Marin Sanitation Agency and San Rafael Sanitation District to ensure completion of a Capacity Management Alternative Study to determine the scope of needed improvements, costs, and expected benefits to avoid excess of water treatment capacity.

Program I-3b Water Supply Impacts. Work with Marin Municipal Water District to meet the projected water demand and to ensure reduction of existing and projected water supply impacts.

Policy I-10 Sewer Facilities. Existing and future development needs should be coordinated with responsible districts and agencies to assure that facility expansion and/or improvement meets Federal and State standards and occurs in a timely fashion.

Policy SU-5 Reduce Use of Non-Renewable Resources. Reduce dependency on nonrenewal resources.

Program SU-5d Water Efficiency Programs. Develop and implement water efficiency and conservation programs to achieve a 30% reduction in water use by 2020, including water efficient landscape regulations, PACE financing, water audits, upgrades upon resale, education and outreach. **Program SU-5e Water Recycling.** Support the extension of recycled water distribution infrastructure. Require the use of recycled water where available.

Policy SU-10 Zero Waste. Reduce material consumption and waste generation, increase resource re-use and composting of organic waste, and recycle to significantly reduce and ultimately eliminate landfill disposal.

Program SU-10a Zero Waste. Implement and monitor the progress of actions contained in the Zero Waste Goal and Zero Waste Strategic Plan.

Program SU-10e Recycling. Encourage efforts to promote recycling, such as encouraging businesses to recycle building and other materials, promoting composting by restaurants, institutions and residences, and supporting Marin Conservation Corps' work to promote recycling.

Program SU-10g Recycling for Apartments and Nonresidential Buildings. Encourage recycling facilities and programs for apartment and nonresidential buildings. Consider the cost and benefits of expanding recycling facilities and programs for apartment and nonresidential buildings.

Program SU-10h Demolition Waste. Study ways to actively encourage greater recycling and reuse of demolition waste.

Policy SU-13 Monitor Sustainability Objectives and Indicators. Monitor success in achieving sustainability objectives and greenhouse gas reductions.

Program SU-13b Future Development and Capital Improvements. Evaluate future development applications and the City's Capital Improvement Program against compliance with the Sustainability Element and the GHG Emissions Reduction Strategy.

Draft San Rafael General Plan 2040

The City of San Rafael (City) is in the process of updating ~~The adopted City of San Rafael General Plan 2020/2040 in August 2021. Published in October 2020, the public review draft San Rafael General Plan 2040~~ includes goals and policies relevant to utilities ~~under in the following elements:~~ Land Use Element; Neighborhoods Element; Parks, Recreation, and Open Space Element; Safety and Resilience Element; and Community Services and Infrastructure Element. See below for relevant goals and policies ~~(City of San Rafael 2021) (City of San Rafael 2020a):~~

Land Use Element

- **Policy LU-1.2: Development Timing.** Allow new development only when adequate infrastructure is available, consistent with the following:... c) Sewer, water, 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.

Neighborhoods Element

- **Policy NH-2.6: Neighborhood Sustainability.** Adapt existing buildings, energy, and transportation systems to reduce the neighborhood's carbon footprint, improve energy self-sufficiency, phase out gas-powered utilities and vehicles, reduce overhead wires and service lines, increase awareness of natural systems, and improve environmental health.

Parks, Recreation, and Open Space Element

- **Policy PROS-3.9: Utilities in Open Space.** Discourage large-scale utility infrastructure such as electric transmission lines, large wind turbines, and cellular phone towers in local open space areas. Where such facilities already exist, or where there are no other siting options, utilities should be located and designed to minimize harm to avian life and the area's environmental and visual quality.

Safety and Resilience Element

- **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-2.4: Post-Earthquake Inspections.** Require post-earthquake inspections of critical facilities and other impacted buildings and restrict entry into compromised structures as appropriate. Following a major earthquake, inspections shall be conducted as necessary in conjunction with other non-city public agencies and private parties to ensure the structural integrity of water storage facilities, storm drainage structures, sewer lines and treatment facilities, transmission and telecommunication facilities, major roadways, bridges, elevated freeways, levees, canal banks, and other important utilities and essential facilities.

Community Services and Infrastructure Element

Goal CSI-4: Reliable, Efficiently Managed Infrastructure. Support reliable, cost-effective, well-maintained, safe and resilient infrastructure and utility services.

- **Policy CSI-4.9: Wastewater Facilities.** Ensure that wastewater collection, treatment and disposal infrastructure is regularly maintained and meets projected needs. Improvements should be programmed to meet state and federal standards, respond to sea level rise and seismic hazards, repair and replace aging or leaking pipes, and protect environmental quality.
- **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 MMWD, and additional use of reclaimed water where supply (“purple pipe”) is available.
- **Policy CSI-4.2: Adequacy of City Infrastructure and Services.** As part of the development review process, require applicants to demonstrate that their projects can be adequately served by the City’s infrastructure. All new infrastructure shall be planned and designed to meet the engineering standards of the City and various local service and utility providers.
- **Policy CSI-4.14: Utility Undergrounding.** Continue to pursue undergrounding of overhead utility lines, and support maintenance and replacement programs to reduce wildfire hazards.
- **Policy CSI-4.9: Wastewater Facilities.** Ensure that wastewater collection, treatment and disposal infrastructure is regularly maintained and meets projected needs. Improvements should be programmed to meet state and federal standards, respond to sea level rise and seismic hazards, repair and replace aging or leaking pipes, and protect environmental quality.
- **Policy CSI-4.17: Reducing Landfilled Waste Disposal.** Reduce landfilled waste disposal and related greenhouse gas emissions by reducing material consumption; requiring curbside collection and composting of organic materials; increasing recycling, re-use, and resource recovery; and encouraging the use of recyclable goods and materials.
- **Policy CSI-4.18: Waste Reduction Advocacy and Education.** Work with other cities and the County of Marin to advocate for programs and legislation to reduce waste and share waste reduction responsibilities with the manufacturers of consumer products.

~~Draft~~ Downtown San Rafael Precise Plan

~~As part of the updated general plan process, the City is preparing the~~ The City adopted the Downtown San Rafael Precise Plan in August 2021. The City released a public review draft of the document in December 2020. The Downtown San Rafael Precise Plan includes Chapter 8, Implementation. The following action is relevant to utilities (City of San Rafael Community Development Department 2020b2021).

Chapter 8, Implementation

- **Recommended Action C. Utility Infrastructure.** Downtown has sufficient capacity in its utility infrastructure systems to support the additional uses proposed by the Precise Plan. The Plan recommends the implementation of planned infrastructure upgrades, and to consider strategies to adapt to climate change and its related impacts.

San Rafael Climate Change Action Plan 2030

The *San Rafael Climate Change Action Plan 2030* was adopted in 2019, and is a tool to develop programs and actions needed to reduce greenhouse gas emissions. San Rafael's first ever Climate Change Action Plan was adopted in 2009 and since then the plan has been updated to the 2030 document. The plan includes energy and water conservation strategies to reduce San Rafael's impacts on climate change (City of San Rafael 2019b).

California Green Building Standards Code

In 2019, Ordinance No. 1974 of the San Rafael Municipal Code amended the building code regulations adopting the 2019 edition of the California Green Building Standards (CalGreen) Code. The purpose of the code is to improve public health and safety through effective building construction and design and also to do so in a sustainable way emphasizing energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality (City of San Rafael 2019c).

Marin Municipal Water District

Marin Municipal Water District (MMWD) wrote Title 13, Water Service Condition and Water Conservation Measures, Chapter 13.02, Water Conservation and Dry Year Water Use Reduction Program, to provide a water conservation plan to maximize the water supply during periods of relatively normal rainfall and minimize the effect of a shortage of water on the district's consumers during an extended dry-weather period (drought) for all new construction as well as certain remodels and landscape rehabilitations.

Ordinance Number 426, amending Title 13, became effective on February 1, 2016, and added an element to Title 13 requiring applicants for new water service or applicants requesting an expansion of water service for a substantial remodel of a residential or commercial project to install a graywater recycling system on site. This requirement supports ongoing efforts to reduce demand on the potable water system (MMWD 2016).

3.16.1.2 Environmental Setting

All build alternatives are within Downtown San Rafael. Each alternative is within 500 feet north of the existing San Rafael Transit Center and is bordered by a mix of office and retail uses. Although there are multiple build alternatives, due to the close proximity of all build alternatives and similar site features, they are hereafter referred to as the "proposed project." Each project site would slightly vary in site area and location, but would remain relatively the same for utilities unless otherwise noted.

Water Supply

MMWD supplies water to the eastern corridor of Marin County from north of the Golden Gate Bridge up to but not including Novato. MMWD services the incorporated cities and town of San Rafael, Mill Valley, Fairfax, San Anselmo, Ross, Larkspur, Corte Madera, Tiburon, Belvedere, and Sausalito. MMWD's service area covers approximately 147 square miles and 190,000 customers, using approximately 61,800 active service connections. Surface water supplies come from local reservoirs and supplies imported from the Sonoma County Water Agency (MMWD 2017).

MMWD operates seven reservoirs, including Alpine, Bon Tempe, Kent, Lagunitas, and Phoenix Lake, and two reservoirs, Nicasio and Soulajule, outside of the MMWD area. In total, these reservoirs have a capacity of 79,566 acre-feet (25,927 million gallons) and an estimated yield of 29,020 acre-feet (9,456 million gallons) per year. Therefore, MMWD has limited storage capacity, with existing storage capacity able to serve 2 years of demand. During droughts, MMWD has historically been able to meet water demands during extreme droughts through rationing, conservation, and increased imports from the Sonoma County Water Agency. MMWD prepared the *Water Resources Plan 2040* to evaluate different resiliency alternatives for water supply planning decisions moving forward. The plan researched five different alternatives to improve MMWD's water supply availability and reliability and will focus on implementing one alternative in the future. Currently, MMWD has sufficient supply to meet demands until 2040. However, as climate change continues to alter storm patterns and potential flooding, MMWD will need to evaluate and improve upon water supply storage capabilities (MMWD 2017).

Wastewater

The San Rafael Sanitation District serves the Central San Rafael area, which includes the project area. The district maintains 32 pump station and 13 miles of pressurized sewer pipes, and cleans 132 miles of sewer pipelines. The water is then transported for treatment to the Central Marin Sanitation Agency, which is the largest wastewater treatment facility in Marin County and meets and exceeds all federal and state regulatory requirements (City of San Rafael n.d., 2016b). The Central Marin Sanitation Agency is a joint powers agency made of Ross Valley Sanitary District, Sanitary District No. 2 of Marin County, the City of Larkspur, and the San Rafael Sanitation District (CMSA 2019). On average, this treatment facility treats approximately 6 billion gallons of wastewater each year from households and businesses in central Marin County, which then gets released, equating to approximately 6 billion gallons each year that is released back into San Francisco Bay (City of San Rafael 2016b). In the 2019 fiscal year, the Central Marin Sanitation Agency treated 13.3 million gallons per day and 4.8 billion gallons of wastewater (CMSA 2019).

Stormwater

The San Rafael stormwater system is designed to convey stormwater away from urban areas to local creeks and rivers, and ultimately to the San Francisco Bay. The City is in a Phase II Small Municipal Separate Storm Sewer System. See Section 3.9, Hydrology and Water Quality, for further information regarding stormwater.

Solid Waste

Marin Sanitary Service provides weekly garbage, recycling, and composting services to commercial customers in San Rafael and would service the project area. Marin Sanitary Service also operates the Resource Recovery and Recycling Plant and a transfer station where waste from commercial collectors is hauled by transfer trucks to Redwood Landfill. The project area is serviced by the Redwood Landfill in northern Marin County, which is permitted to accept 2,310 tons of material daily (Waste Management 2021). Redwood Landfill, Inc. applied to the Marin County Environmental Health Services Department for a Revised Solid Waste Facilities Permit to expand capacity of a 222.5-acre landfill. The project was approved and increased capacity of the landfill to 26.1 million cubic yards, facilitating expected capacity until at least 2037 (County of Marin 2020).

Natural Gas and Electricity

Pacific Gas and Electric provides natural gas and electric services to the project area (MCE 2021). With a relatively mild Mediterranean climate and strict energy-efficiency and conservation requirements, California has lower energy consumption rates than other parts of the country. According to the U.S. Energy Information Administration, California's total energy consumption is the second-highest in the nation but per-capita energy consumption in 2018 ranked the fourth-lowest due to energy efficiency programs and the mild climate of California (U.S. Energy Information Administration 2020).

See Section 3.5, Energy, for additional details regarding energy at and near the project area.

3.16.2 Environmental Impacts

3.16.2.1 Methodology

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. As such, utilities and service systems were analyzed for the proposed project in general terms, as utilities are expected to have the same effects in each build alternative. Impacts on water supply, wastewater and stormwater systems, solid waste, and energy were evaluated based on reviewing *The City of San Rafael General Plan 2020/2040*, MMWD, and Central Marin Sanitation Agency document and plans.

3.16.2.2 Thresholds of Significance

The following California Environmental Quality Act Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to utilities and service systems.

Would the proposed project:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?
- Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 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?
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

3.16.2.3 Impacts

Impact UT-1: Require or Result in the Relocation or Construction of New or Expanded Water, Wastewater Treatment, or Stormwater Drainage, Electric Power, Natural Gas, or Telecommunications Facilities, the Construction or Relocation of Which Could Cause Significant Environmental Effects

All Build Alternatives

Construction

The proposed project would entail the construction of 17 bus bays, a customer service facility, and other transit, pedestrian, and bicycle improvements.

Construction is estimated to take up to 18 months and would include mobilization, demolition, utility work, vertical structures work, finishing, and inspections. The proposed transit center facilities would require connection to existing sewer, water, and power infrastructure to operate the planned restrooms, Golden Gate Bridge, Highway and Transportation District (District) offices, staff kitchen, customer support area, and public lobby. The proposed facility would also require modifications to existing stormwater infrastructure. In addition, the proposed project would provide wireless internet capabilities for District operation facilities and passengers.

Water

Water would be required for construction during the following activities: dust control, concrete mixing, equipment and site cleanup, irrigation for the establishment of plants and landscaping, and water line testing and flushing. Given the scale of the proposed project, additional water demand during the temporary, short-term construction phase is expected to be minimal and existing water facilities would adequately cover this temporary demand for water. Temporary onsite water tanks and water trucks would provide water for fire water support, dust suppression, and construction needs through an agreement with municipal or private suppliers. Drinking water and water for sanitation facilities would be trucked into the project area.

Stormwater

The construction of the proposed project would not substantially modify the existing stormwater drainage patterns at the project area. The project area is in an urban area, is fully paved, and would not add any additional impervious surface area to the project sites. Although the proposed project would require the removal of existing storm drain infrastructure and the installation of new inlets, manholes, and bioretention facilities, the stormwater volume and sheet flow direction and volume would not be altered. As the proposed project would disturb more than 1 acre, it would require coverage under the state's Construction General Permit. Coverage under this permit requires developing and complying with a stormwater pollution prevention plan, which would include best management practices and recommendations that would prevent environmental effects related to stormwater drainage. The stormwater pollution prevention plan would include erosion control best management practices. See Section 3.9, Hydrology and Water Quality, for further discussion of drainage in the project area.

Wastewater

Construction of the proposed project would not generate a substantial amount of wastewater. During construction, a local sanitation company would provide and maintain appropriate sanitation facilities (i.e., portable toilets). If necessary, additional temporary facilities would be placed at specific construction locations.

Electricity, Natural Gas, and Telecommunications

Construction of the proposed project would require electricity for construction equipment and generator use. The proposed project would require new connections to existing electricity, natural gas, and telecommunication lines in the vicinity of the project area. However, due to the urban nature of the proposed project, new connections would suffice to fill project need and no additional electric power, natural gas, or telecommunications facilities would need to be constructed to accommodate the proposed project. See Section 3.5, Energy, for additional details regarding energy uses in the project area.

Based on the analysis above, construction of the proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; therefore, this impact would be **less than significant**. No mitigation is required.

Operations

Operation of the proposed project would generate minimal water, wastewater, stormwater, and energy needs. As the proposed project would be replacing the existing transit center, the overall increased demand for these services would be minimal. The proposed project would utilize the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) green building certification system as a tool for evaluating and measuring achievements in sustainable design. The proposed project's new construction and substantial renovation goal would be to achieve, at a minimum, LEED® Gold certification for the customer service building, which would represent an improvement in energy efficiency compared to the existing facility. Additionally, the proposed project would include the installation of solar panels on site. There would be the same number of employees on site as for the current transit center, consisting of seven customer service staff and one security guard. Daily commuters would only be generating water and wastewater needs by using water fountains and restroom facilities on site.

Electrical facility needs at the transit center and platforms include ticketing and fare collection machines and real-time transit information signs. Additional electrical requirements and infrastructure may be needed for onsite charging of future battery electric buses at the transit center bus bays. However, because the preferred technology for fleetwide rollout of zero-emission buses has not yet been determined, these utility needs would be incorporated in a future project. Fleetwide rollout of zero-emission buses, along with related infrastructure to support the zero-emission fleet, is a separate planning initiative that is outside the scope of the proposed project. The District would implement the fleetwide rollout in a manner that is consistent with CEQA and any additional energy and utility needs for the fleetwide rollout would be addressed as part of that initiative. No new natural gas or telecommunication facilities would be required to fulfill energy needs for the operation of the proposed project. See Section 3.5, Energy, for additional details regarding operational energy needs.

As the proposed project would not require the relocation, construction, or expansion of water, wastewater treatment, or stormwater drainage facilities, and no natural gas or telecommunication facilities are required, the proposed project would have a *less than significant* impact.

Mitigation Measures

No mitigation is required.

Impact UT-2: Have Sufficient Water Supplies Available to Serve the Project and Reasonably Foreseeable Future Development During Normal, Dry, and Multiple Dry Years

All Build Alternatives

Construction

As discussed above, water quantities used for the proposed project are expected to be minimal. The majority of water use would take place during construction. Water demand during construction would be minimal and temporary and would be served utilizing the same infrastructure and sources as those during project operation. Sufficient water supplies are available to serve the proposed project during construction, and this impact would be *less than significant*.

Operations

Operation of the proposed project is not anticipated to require an increase in water compared to the existing transit center. There would be an equivalent number of employees on the project area compared to the current number of employees operating the existing transit center. On an annual basis, employees would be expected to consume the same amount of water for daily activities. The proposed project is anticipated to receive the same volume of visitors as the existing facility that would continue to utilize bathroom and water fountain facilities.

The use of water is expected to be minimal, and no new or expanded entitlements to supply the proposed project during construction or operation are anticipated. This impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact UT-3: Result in a Determination by the Wastewater Treatment Provider, Which Serves or May Serve the Project That It Has Adequate Capacity to Serve the Project's Projected Demand in Addition to the Provider's Existing Commitments

All Build Alternatives

Construction

As discussed previously, the proposed project would be relocating the existing transit center to another location in Downtown San Rafael and would provide traffic, transit, pedestrian, and bicycle

improvements. Demolition and construction activities for the proposed project would result in a temporary increase in wastewater generation as a result of onsite construction workers. Wastewater generation during construction would be minimal and temporary. In addition, construction workers typically use portable toilets and sinks, which do not flow to the wastewater conveyance system. Therefore, sufficient wastewater treatment capacity is available to serve the proposed project during construction and this impact would be *less than significant*.

Operations

As the proposed project's uses would be moved from the old transit center to a new project site, and ridership capacity is expected to remain consistent, additional operational wastewater use is not expected for activities such as hand-washing, toilet flushing, and bus washing. There would be a negligible increase in operational wastewater. Furthermore, the proposed project would not include design features that would generate substantial additional wastewater. Therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact UT-4: 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; and Comply with Federal, State, and Local Management and Reduction Statutes and Regulations Related to Solid Waste

All Build Alternatives

Construction

Demolition and construction activities for the proposed project would result in a temporary increase in solid waste generation. Solid waste generation would occur periodically during construction. However, the increase would be minimal and temporary. In addition, the proposed project would comply with the latest 2019 CALGreen Code, which has been adopted by the City of San Rafael Municipal Code, which was adopted through Ordinance No. 1974. Per CALGreen Code requirements, at least 65 percent of construction waste generated for new construction projects must be diverted. In addition, a construction waste management plan must be prepared (CalRecycle 2020). Through compliance with the CALGreen Code, as verified by the City of San Rafael, the proposed project would not generate solid waste in excess of state or local standards or of the capacity of local infrastructure during construction and would not conflict with solid waste regulations. This impact would be *less than significant*.

Operation

The Redwood Landfill would serve the proposed project and is approximately 14 miles north of the project area. This landfill has a capacity of 26.1 million cubic yards and is expected to have remaining capacity until at least 2037 (County of Marin 2020). Currently, the Redwood Landfill is permitting to accept 2,310 tons of material daily (Waste Management 2020).

As the proposed project's uses would be moved from the existing transit center to the new project area, maintaining the same number of employees, an increase in solid waste is not anticipated. The proposed project would be required to comply with California Assembly Bill 341, which requires commercial and public entities that generate more than 4 cubic yards of waste to either subscribe to recycling services, self haul, or arrange for periodic pickup of recyclables. Furthermore, as of January 1, 2019, all business that generate 4 or more cubic yards of commercial solid waste per week must also enroll in services to collect organic waste (City of San Rafael 2019a).

Based on the analysis above, the proposed project would not generate solid waste in excess of state or local standards or of the capacity of local infrastructure during operation and would not conflict with solid waste regulations. Therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

This section addresses potential wildfire impacts that may result from implementation of the proposed San Rafael Transit Center Replacement Project (proposed project) and other build alternatives. The following discussion addresses existing wildfire hazard conditions of the project area and surroundings, considers applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from project implementation, as applicable. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project.

3.17.1 Existing Conditions

3.17.1.1 Regulatory Setting

Federal

Federal Wildland Fire Management Policy

The 1995 Federal Wildland Fire Management Report produced the first single comprehensive federal fire policy for the Departments of the Interior and Agriculture. That review was stimulated not only by the 1994 fire season with its 34 fatalities, but also by growing recognition of fire problems caused by fuel accumulation. The resulting 1995 Federal Fire Policy recognized, for the first time, the essential role of fire in maintaining natural systems.

In the aftermath of the uncontrolled spread of the Cerro Grande Prescribed Fire in May of 2000, the Secretaries of the Interior and Agriculture requested a review of the 1995 Federal Fire Policy and its implementation. The subsequent 2001 Federal Fire Policy and its implementation are founded on the following guiding principles:

- Firefighter and public safety is the first priority in every fire management activity.
- The role of wildland fire as an essential ecological process and natural change agent will be incorporated into the planning process.
- Fire management plans, programs, and activities support land and resource management plans and their implementation.
- Sound risk management is a foundation for all fire management activities.
- Fire management programs and activities are economically viable, based upon values to be protected, costs, and land and resource management objectives.
- Fire management plans and activities are based upon the best available science.
- Fire management plans and activities incorporate public health and environmental quality considerations.
- Federal, State, tribal, local, interagency, and international coordination and cooperation are essential.

- Standardization of policies and procedures among federal agencies is an ongoing objective.

Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 provides the legal basis for the Federal Emergency Management Agency's mitigation planning requirements for state, local, and tribal governments as a precursor to mitigation grant assistance. The Disaster Mitigation Act of 2000 requires that local governments prepare a Local Hazard Mitigation Plan that must be reviewed by the State Mitigation Officer, approved by the Federal Emergency Management Agency, and renewed every 5 years. The plan must include a planning process, a risk assessment, a mitigation strategy, and plan maintenance and updating procedures to identify the natural hazards, risks, and vulnerabilities of the area under the jurisdiction of the government. Natural hazards include earthquakes, tsunamis, tornadoes, hurricanes, flooding, and wildfires.

State

2018 Strategic Fire Plan for California

2018 Strategic Fire Plan for California (CAL FIRE 2018) is a cooperative effort between the California Department of Forestry and Fire Protection (CAL FIRE) and the Board of Forestry and Fire Protection. The goals that are critical to achieving the 2018 plan's vision revolve around fire prevention, natural resource management, and fire suppression efforts, as broadly construed. Major components include:

- Improving the availability and use of consistent, shared information about hazard and risk assessment;
- Promoting the role of local planning processes, including general plans, new development, and existing developments, and recognizing individual landowner/homeowner responsibilities;
- Fostering a shared vision among communities and multiple fire protection jurisdictions, including county-based and community-based plans, such as Community Wildfire Protection Plans (CWPP);
- Increasing awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management;
- Integrating implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers;
- Determining and seeking the needed level of resources for fire prevention, natural resource management, fire suppression, and related services; and
- Implementing needed assessments and actions for post-fire protection and recovery.

Fire Hazard Severity Zones: California Public Resources Code Sections 4201–4204

In 1965, California Public Resources Code (PRC) Sections 4201–4204 and Government Code Sections 51175–89 directed CAL FIRE to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as fire hazard severity zones (FHSZ), define the application of various mitigation strategies to reduce risk associated with wildland fires.

Senate Bill 1241

In 2012, Senate Bill 1241 added Section 66474.02 to Title 7, Division 2, of the California Government Code, commonly known as the Subdivision Map Act. The statute prohibits subdivision of parcels that are designated as Very High FHSZs or located in a State Responsibility Area (SRA), unless certain findings are made prior to approval of the tentative map. The statute requires that a city or county planning commission make three new findings regarding fire hazard safety before approving a subdivision proposal: (1) the design and location of the subdivision and its lots are consistent with defensible space regulations found in PRC Section 4290–91, (2) structural fire protection services will be available for the subdivision through a publicly funded entity, and (3) ingress and egress road standards for fire equipment are met per any applicable local ordinance and PRC Section 4290.

California Building Code and Fire Code

The California Code of Regulations, Title 24, is a compilation of building standards, including fire safety standards for residential and commercial buildings. The California Building Code standards serve as the basis for the design and construction of buildings in California; the California Fire Code is a component of the California Building Code. Typical fire safety requirements of the California Fire Code include the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas. The California Fire Code applies to all occupancies in California, except where more stringent standards have been adopted by local agencies.

State Fire Safe Regulations

The State Fire Safe Regulations section of Title 14 are being revised by the Board of Forestry and Fire Protection with basic wildfire protection standards for development in Very High FHSZs of both the SRA and the Local Responsibility Area (LRA) beginning July 1, 2021. These revisions feature stricter fire-safe building improvements and standards including but not limited to prohibiting future development that would be serviced by roads that do not meet current standards (including dead-end roads). Road modifications to meet this new standards include resurfacing, road widening, bridge improvements, and leveling grading and curves, which must all be up to standard between the property line and the nearest fire station (Rural County Representatives of California 2020). Stakeholder meetings are still taking place and updates will not be finalized until later in 2021. These final changes are anticipated to be effective July 1, 2021.

California's Wildfire and Forest Resilience Action Plan

The California Forest Management Task Force was created in 2018 to introduce a more holistic approach to forest management. *California's Wildfire and Forest Resilience Action Plan*, a comprehensive strategy of the Governor's Forest Management Task Force, was released in January 2021 in response to the 2020 fire season breaking numerous state records for the number of largest fires burning simultaneously. The plan is intended to accelerate efforts that "restore the health and resilience of California forests, grasslands and natural places; improve the fire safety of our communities; and sustain the economic vitality of rural forested areas" (California Forest Management Task Force 2021). The following goals are included:

- Goal 1: Increase the pace and scale of forest health projects
- Goal 2: Strengthen protection of communities

- Goal 3: Manage forests to achieve the State’s economic and environmental goals
- Goal 4: Drive innovation and measure progress

Local

Marin Operational Area Emergency Operations Plan

The Marin Operational Area (OA) Emergency Operations Plan is intended to address extraordinary emergency situations affecting Marin County, including wildfire disasters. The Marin OA includes all the cities/towns, special districts, and unincorporated areas within the county. Wildland fire hazards exist for approximately 85 percent of Marin County. In the event of a fire disaster, if two or more of the County’s local jurisdictions’ emergency operations centers are activated, the Marin OA will serve as the main point of contact for information transfer and support requests and will administer mutual aid requests (Marin County Sheriff’s Office of Emergency Services 2014).

Marin County Multi-Jurisdictional Local Hazard Mitigation Plan

The City of San Rafael (City) adopted the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in November of 2018. This plan assesses risks posed by natural hazards and includes a mitigation strategy for reducing the county’s risks. The County prepared the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in accordance with the requirements of the Disaster Mitigation Act of 2000.

San Rafael Local Hazard Mitigation Plan

The *San Rafael Local Hazard Mitigation Plan* was adopted by the City of San Rafael (City) in 2017 and was prepared to guide hazard mitigation planning to protect the people and property in San Rafael from natural disasters and hazard events including wildfires (City of San Rafael 2017).

Wildfire mitigation actions in this plan include:

42. Funding for Vegetation Management Coordinator Position
43. Create a City of San Rafael specific Community Wildfire Protection Plan (CWPP).
44. Create new strategic fuel interruption zones in WUI [wildland-urban interface] areas and maintain and expand existing fuel interruption zones already in place.
45. Juniper and Bamboo Clearing Program from Residential Properties within WUI.
46. Create new point specific wildfire prevention programs specifically targeting areas where homeless encampments are known to exist.

San Rafael Wildfire Prevention and Protection Action Plan

The San Rafael *Wildfire Prevention and Protection Action Plan* was approved by the City Council in August 2020. The document is intended to serve as a master planning guide to reduce the wildfire risk in the City. The document incorporates lessons learned from past wildfires, ongoing local and county efforts, existing plans, and public input. The plan includes 38 objectives related to vegetation management, safety, public education, wildland-urban interface map updates, fire roads, increasing Police Ranger staffing, improvement of emergency capabilities, improvement of infrastructure, enhancement of coordination between County fire agencies and programs, and more (City of San Rafael 2020a).

City of San Rafael Municipal Code, Chapter 4.12—Fire Ordinance

The Fire Ordinance, Chapter 4.12, Wildland-Urban Interface—Vegetation Management Standards, establishes a wildland-urban interface in the City of San Rafael, which is a designation of a Very High FHSZ, ~~and specific vegetation management standards required to minimize the spread of fires from wildlands to structures and vice versa.~~ This ordinance also includes citywide vegetation management standards to minimize the spread of fires, which are required for all properties in the wildland-urban interface on or before August 1, 2021, and which will be required for properties outside the wildland-urban interface by April 1, 2022.

City of San Rafael General Plan 2020

The Safety Element of *The City of San Rafael General Plan 2020*, adopted in 2004, contains the following goals and policies that are applicable to the proposed project (City of San Rafael 2016).

Goal 30: A Safe Community. It is the goal of San Rafael, as the first priority for city government, to provide excellent fire, public safety and paramedic services and to be prepared in the case of disaster or emergency. San Rafael residents deserve to feel safe and secure wherever they live, work and play.

S-14. Hazardous Materials Storage, Use and Disposal. Enforce regulations regarding proper storage, 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.

S-21a. Local Hazard Mitigation Plan. Prepare and adopt a local/multi-hazard mitigation plan, which includes addressing rise in sea level and measures for disaster preparedness and adaptation.

S-26. Fire and Police Services. Maintain adequate cost-effective fire protection, paramedic and police services. Minimize increases in service needs from new development through continued fire prevention and community policing programs.

S-26a. Public Safety Training. Provide and encourage public safety employee training to ensure team members' skills remain current. Encourage and support new employees to join programs, such as Urban Search and Rescue and disaster relief training programs (CERT).

S-26b. Vehicle and Equipment Maintenance. Maintain and upgrade vehicles and equipment as necessary.

S-26c. Fire Prevention and Safe Design. Through the development review process, require review by Fire Department and Police Department for fire prevention and safe design.

S-27c. Community Fire Servicing. Continue to provide health and fire safety outreach programs to community groups.

S-30. Maintenance and Landscaping for Fire Safety. Encourage, where appropriate, special planting, removal and maintenance programs to reduce potential fire hazards in the hills, wildland areas and urban interface areas.

S-30a. Fire Hazard Maps. As part of the City's Fire Hazard Program, maintain maps identifying potential fire hazard areas in San Rafael.

S-30b. Fire Protection Ordinance. Continue to implement Wildlife Urban Interface (WUI) standards within the Ordinance to reduce fire hazards in areas in the urban interface area.

S-31. New Development in Fire Hazard Areas. Design new development located on or adjacent to natural hillsides to minimize fire hazards to life and property.

S-31a. New Development. Through the development review process, require appropriate mitigation measures such as fire preventive site design, landscaping and building materials, and the use of fire suppression techniques such as sprinklering.

S-32. Safety Review of Development Projects. Require crime prevention and fire prevention techniques in new development, including adequate access for emergency vehicles.

S-32a. Safe Buildings. Continue to review development applications to insure that landscaping, lighting, building siting and design, emergency access, adequate water pressure and peakload storage capacity, and building construction materials reduce the opportunity for crime and fire hazards.

S-33c. Neighborhood Disaster Preparedness. Continue to coordinate neighborhood disaster response preparedness planning efforts through Fire and Police Department programs and through coordination with the American Red Cross, American Heart Association and other community groups. Provide technical assistance as needed to review adequacy of neighborhood disaster plans.

S-35b. Mutual Aid Agreements. Continue to explore the feasibility of mutual aid agreements that provide public safety personnel in times of emergency.

S-38. Building Code and Fire Code Update. Continue updating the Building and Fire Codes as necessary to address earthquake, fire and other hazards and support programs for the identification and abatement of existing hazardous structures.

S-39. Public Safety Facilities. Ensure that public safety facilities are designed and constructed adequately to efficiently operate paramedic, fire and police services, including in times of disaster.

S-40. Outreach. Encourage educational outreach to promote awareness and caution among residents regarding disaster preparedness of possible natural hazards, including soil conditions, earthquakes, flooding, and fire hazards. Establish an outreach program, including establishing programs. Publicize disaster plans by neighborhood.

S-40a. City's Website. Manage and update the Fire Department's website to provide information and links to meet the fire servicing needs of the community.

Draft City of San Rafael General Plan 2040

The City is in the process of updating The adopted City of San Rafael General Plan 2020/2040 in August 2021. Published in October 2020, the public review Draft San Rafael General Plan 2040 includes goals and policies relevant to wildfire under the following elements, which resemble the previous general plan: the Land Use Element; Neighborhoods Element; Conservation and Climate Change Element; Parks, Recreation, and Open Space Element; Safety and Resilience Element; Mobility Element; Community Services and Infrastructure Element; and Equity, Diversity, and Inclusion Element (City of San Rafael 2020/2021).

Neighborhoods Element

- **Policy NH-1.12: Hazard Resilience Develop Downtown development and adaptation strategies that improve resilience to sea level rise, wildfire, and other natural hazards.**

Safety Element

Goal S-1: A Safer, More Resilient City Minimize San Rafael's vulnerability to the impacts of hazards and emergencies.

- **Policy S-1.2: Location of Future Development Permit development only in those areas where potential danger to the health, safety, and welfare of the community can be adequately mitigated. Land uses and densities should take environmental hazards such as earthquakes, flooding, slope stability, sea level rise, and wildfires into consideration.**

Goal S-4: A Fire-Safe Community Minimize injury, loss of life, and damage to property resulting from wildland fire hazards.

- **Policy S-4.1: Wildfire Hazards Continue vegetation management and maintenance programs to reduce the destructive potential of wildfires.**
- **Policy S-4.2: Fire Resilience in Developed Areas Improve the resilience of neighborhoods and business districts to wildfire hazards.**
- **Policy S-4.3: New Development in Fire Hazard Areas Design new development to minimize fire hazards. Densities, land uses, and site plans should reflect the level of wildfire risk and evacuation capacity at a given location.**

Goal S-6: Emergency Preparedness Improve disaster preparedness, resiliency, response, and recovery.

- **Policy S-6.1: Disaster Preparedness Planning Conduct disaster prevention and preparedness planning in cooperation with other public agencies and public interest organizations**

Community Services and Infrastructure Element

Goal CSI-3: Exceptional Public Safety Services Provide and maintain exceptional fire, public safety, and paramedic 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.**

Draft Downtown San Rafael Precise Plan

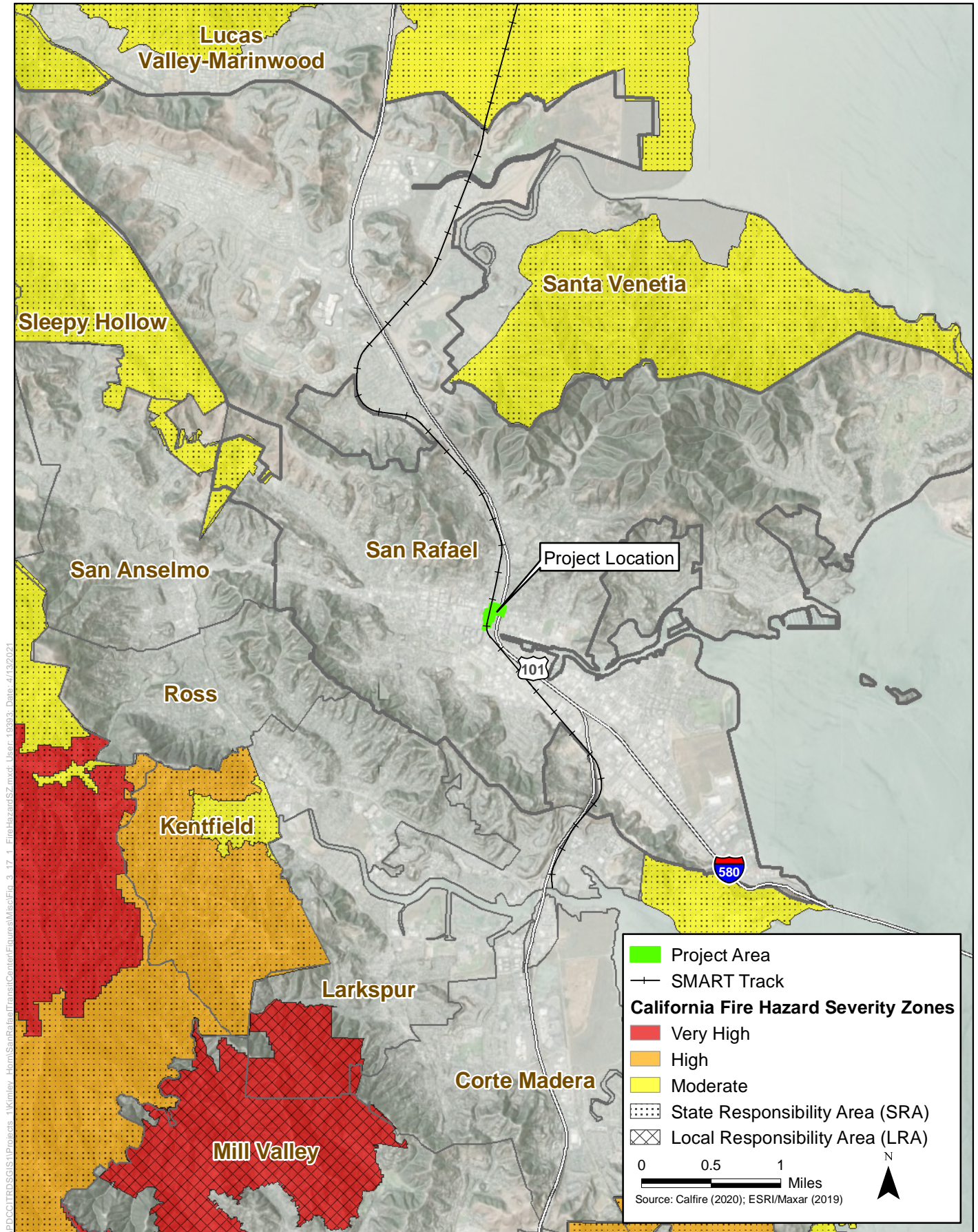
~~The~~As part of the updated general plan process, the City of San Rafael is preparing ~~adopted~~ the *Downtown San Rafael Precise Plan* in August 2021. ~~The City released a public review draft of the document in December 2020.~~ The *Downtown San Rafael Precise Plan* includes chapters relevant to wildfire safety and response. Chapter 2, Existing Conditions, discusses the parts of Downtown that are at risk for wildfire. Chapter 3, Design Principles and Guiding Policies, principle 7, discusses strategies for managing wildfire risks. ~~The main objective of principle 7's main objective is~~ to “Develop growth and adaptive strategies to increase Downtown’s resilience to climate change” (City of San Rafael Community Development Department 2020e2021).

3.17.1.2 Environmental Setting

A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. A wildland-urban interface is an area where urban development is in proximity to open space or wildland areas. The potential for wildland fires represents a hazard where development is adjacent to open space or close to wildland fuels or designated FHSZs. The City of San Rafael has a Mediterranean climate, which is typically characterized by mild winters and dry summers with the highest temperatures of the year occurring in July and August. The arid climate of the City and Marin County, especially during the summer and fall, can dry out vegetation and cause dry brush to be prone to fires caused by lightning strikes and spontaneous combustion. Steep hillsides and varied topography within portions of the county also contribute to the risk of wildland fires. Topography in the county is typical of mountains in the Coast Ranges where they abruptly rise upward from the shoreline to more than 200 feet in elevation. Fires that occur in wildland-urban interface areas may affect natural resources as well as life and property.

CAL FIRE has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program. These maps place areas of the state into different FHSZs, based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses (see Figure 3.17-1). As part of this mapping system, land where CAL FIRE is responsible for wildland fire protection and generally located in unincorporated areas is classified as an SRA. Where local fire protection agencies, such as the San Rafael Fire Department (SRFD), are responsible for wildfire protection, the land is classified as an LRA. Due to the urban location of the proposed project in Downtown San Rafael, the proposed project is not within or close to an LRA. The closest FHSZ is classified as a moderate SRA, and is approximately 2 miles west of the project area (California Department of Technology 2020). On a local level, the City has a wildland-urban interface, which are areas where homes have been built near lands prone to wildfire. According to the wildland-urban interface map, the project area is not within the wildland-urban interface. However, the project area is approximately 0.2 mile south of the wildland-urban interface (City of San Rafael 2007).

Urban and wildfire, paramedic, and emergency services in San Rafael are provided by SRFD. See Section 3.13, Public Services, of this ~~draft~~ Final Environmental Impact Report (EIR) for further information on the SRFD.



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Figure 3.17-1
Fire Hazard Severity Zones near the Project Alternatives

3.17.2 Environmental Impacts

3.17.2.1 Methodology

Four different build alternatives, which are all in Downtown San Rafael within 500 feet of the existing transit center, are being evaluated. Wildfire impacts were analyzed for the proposed project in regard to all alternatives, as the specific location for each alternative would experience a nearly equivalent impact. The study area for wildfire consists of the project area and area within a half-mile radius of the proposed project with consideration of the closest SRA or VHFHSZ zones. Analysis of potential impacts related to wildfire was based on the ability of fire personnel to adequately serve the existing and future population of the four build alternatives, as well as federal, state, and local regulations regarding wildfire. Impacts for the build alternatives are presented together unless they differ substantially among alternatives. Information for this section was obtained through resources available online, including ~~The City of San Rafael General Plan 2020~~2040, database maps, CAL FIRE resources, planning documents, and the SRFD website.

3.17.2.2 Thresholds of Significance

The following California Environmental Quality Act Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to wildfire.

If located in or near SRAs or lands classified as Very High FHSZs, would the proposed project:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 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?
- 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 on the environment?
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

3.17.2.3 Impacts

Impact WILD-1: Substantially Impair an Adopted Emergency Response Plan or Emergency Evacuation Plan

Construction

All Build Alternatives

Construction activities for the proposed project would include mobilization, demolition, tree removal, utility work, civil and vertical structures work, and vertical structures finishing and inspection. In addition, improvements to existing utility infrastructure would occur. All construction and development would occur in already-developed urban areas of Downtown.

As mentioned above in Section 3.17.1.2, Environmental Setting, the project area is not in a Very High FHSZ within an LRA or within a Moderate, High, or Very High SRA. The nearest LRA to this site is approximately 3 miles south. The closest SRAs are Moderate zones and are approximately 1.5 miles north and 2 miles northwest of the project area (CAL FIRE 2020). Marin County has adopted an emergency operations plan developed by the Marin County Sheriff's Office of Emergency Services to respond to large-scale disasters throughout the county (Marin County Sheriff's Office of Emergency Services 2014).

During construction and where feasible, staging for the proposed project has the potential to affect adjacent sidewalks and streets in front of construction areas. If this is the case, traffic control would be employed to reroute pedestrians around the sidewalk construction area and signage would be posted to direct pedestrians and drivers. For temporary lane closures due to sidewalk and/or curb ramp repairs, coordination with San Rafael Public Works, SRFD, and the San Rafael Police Department (SRPD) would be conducted. Because traffic control, signage, and coordination with the appropriate agencies (as needed) would be employed, potential impacts on emergency response or evacuation plans or routes would be less than significant.

No revisions to the adopted Marin OA Emergency Operations Plan or local hazard plans would be required as a result of the proposed project. Therefore, construction of the proposed project would not impair or physically interfere with an adopted emergency response or evacuation plan and the impact would be *less than significant*.

Operations

All Build Alternatives

Operation of the proposed project would not extend beyond the operational activities of the existing transit center. The transit center would be relocated in an effort to improve transit connectivity. For the Move Whistlestop Alternative and the Adapt Whistlestop Alternative, the portion of West Tamalpais Avenue between 3rd and 4th Streets would be closed for vehicles but would be accessible by emergency vehicles. The proposed project would continue to accommodate existing bus service volumes on a daily basis. Maintenance for the buses would be performed off site, and the new location would continue to operate at the same capacity in Downtown. Therefore, operation of the proposed project would not hinder or impair any local emergency response or evacuation plan and the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact WILD-2: 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

Construction

All Build Alternatives

As identified by CAL FIRE and discussed above, the project area is in an urban area and is not within or adjacent to an FHSZ in an LRA or SRA, or a wildland-urban interface area. The City of San Rafael, however, is susceptible to wildfire and does have some Moderate SRA zones in the undulating, more rural areas of the City, with the nearest zone approximately 1.5 miles north of the project area. In addition, according to the wildland-urban interface map, the project area is approximately 0.2 mile south of the wildland-urban interface (City of San Rafael 2007). All new construction is expected to follow fire management goals, rules, and regulations established by the City of San Rafael Municipal Code, ~~The City of San Rafael General Plan 20202040~~, SRFD, and SRPD. Due to level terrain, moderate Mediterranean climate in Marin County, and urban development surrounding the project area, construction workers in the project area would not be directly exposed to wildfire pollutant or heightened wildfire risk. Compliance with established procedures, rules, and regulations would further reduce potential impacts related to exposure of people to a significant risk of loss, injury, or death from wildfires to ***less-than-significant*** levels.

Operations

All Build Alternatives

The majority of the project area would be composed of impervious surface area like the existing transit center. The trees and minimal vegetation on site would be contained in planters or controlled areas and would be properly maintained. No hazardous materials such as fuel or other fire risk items would be stored on site. As a result, the risk of operation of the proposed project to expose people to a significant risk of loss, injury, or death from wildfires would be ***less than significant***.

Mitigation Measures

No mitigation is required.

Impact WILD-3: 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 on the Environment

Construction

All Build Alternatives

The proposed transit center facilities would require connection to existing utilities to operate the planned restrooms, kitchenette, and building spaces. Additional electrical requirements and

infrastructure may be needed for onsite charging of future battery electric buses at the transit center bus bays. However, because the preferred technology for fleetwide rollout of zero-emission buses has not yet been determined, these utility needs would be incorporated into a project. Fleetwide rollout of zero-emission buses, along with related infrastructure to support the zero-emission fleet, is a separate planning initiative that is outside the scope of the proposed project. The District would implement the fleetwide rollout in a manner that is consistent with CEQA and any additional energy and utility needs for the fleetwide rollout would be addressed as part of that initiative. The proposed project would require the removal of existing storm drain infrastructure and the installation of new inlets, manholes, and bioretention facilities. Utilities, including traffic signal poles, streetlights, and fire hydrants, would need to be relocated and/or removed. All aforementioned utility changes would occur within the project area, and impacts associated with development are analyzed throughout this document. No offsite improvements would be required that would exacerbate fire risks. Additionally, SRFD, as part of the City's process, will review all plans for adequate fire suppression, fire access, and emergency evacuation. Adherence to standard City policies would reduce potential impacts to a level of *less than significant*.

Operations

All Build Alternatives

As described above, all new facilities and utility upgrades would occur within the project area and would not pose additional fire risks or impacts on the environment. Therefore, the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

Impact WILD-4: Expose People or Structures to Significant Risks, Including Downslope or Downstream Flooding or Landslides, as a Result of Runoff, Post-Fire Slope Instability, or Drainage Changes

Construction

All Build Alternatives

As stated above, the project area is within Downtown San Rafael, on flat terrain surrounded by urban uses and residential office uses. The proposed project would not exacerbate wildfire risks or hazards due to the location of the project area, and using already developed land on a flat site. In addition, the proposed project would require the removal of existing storm drain infrastructure and the installation of new inlets, manholes, and bioretention facilities. Although there would be utility improvements, the proposed project would use existing drainages in Downtown San Rafael and would not enact any drainage changes, as there are no natural drainage courses on site. Therefore, the proposed project would not result in significant new risks due to post-fire downstream flooding, landslides, slope instability, or drainage changes. Therefore, the impact would be *less than significant*.

Operations

All Build Alternatives

The project area would be on flat terrain and the majority of the area would be composed of impervious surfaces. Therefore, the proposed project would not expose people or structures to significant risks related to slope, flooding, or landslides and the impact would be *less than significant*.

Mitigation Measures

No mitigation is required.

4.1 Cumulative Impacts

An environmental impact report (EIR) is required to examine cumulative impacts. California Code of Regulations Section 15130(a)(1) defines a cumulative impact as consisting “of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.” The analysis of cumulative impacts need not provide the same level of detail as that for project-specific impacts, but it shall “reflect the severity of the impacts and their likelihood of occurrence” (per California Code of Regulations Section 15130(b)). The California Environmental Quality Act (CEQA) Guidelines Section 15065 states that a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects that are individually limited but cumulatively considerable. As defined in State CEQA Guidelines Section 15065(a)(3), *cumulatively considerable* means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” The cumulative impacts analysis in an EIR must analyze either a list of past, present, and probable future projects or a summary of projections contained in an adopted general plan or related planning document.

4.1.1 Approach and Methodology

State CEQA Guidelines Section 15130(b) states that the discussion of cumulative impacts should include:

- Either (1) a list of past, present, and probable future projects producing related or cumulative impacts or (2) a summary of projections contained in an adopted general plan or similar document, or in an adopted or certified environmental document, that described or evaluated conditions contributing to a cumulative impact
- A discussion of the geographic scope of the area affected by the cumulative impact
- A summary of expected environmental effects to be produced by these projects
- Reasonable, feasible options for mitigating or avoiding the project’s contribution to any significant cumulative effects

As described in the Approach to Impact Analysis section in Chapter 3, the San Rafael Transit Center Replacement Project (proposed project) would have no impact on mineral resources or agricultural and forestry resources. Because the proposed project would have no impact, it cannot contribute to any potential cumulative impacts and these resource areas are not discussed further in the cumulative impact analysis.

4.1.2 Projections/Regional Growth Characteristics

The City of San Rafael (City) ~~is in the process of updating The City of adopted San Rafael General Plan 2020-2040 and the drafting the Downtown San Rafael Precise Plan (Downtown Precise Plan) in~~

~~August 2021, a new plan for the Downtown San Rafael neighborhood.~~ Growth forecasts ~~for in the~~ *Draft Downtown San Rafael Precise Plan* include the addition of 2,200 residential units, 698,000 square feet of non-residential use, and 2,000 jobs to the Downtown San Rafael Area. These projections are based on the addition of an assisted living facility, multiple residential and commercial developments, a hotel, and a public safety center.

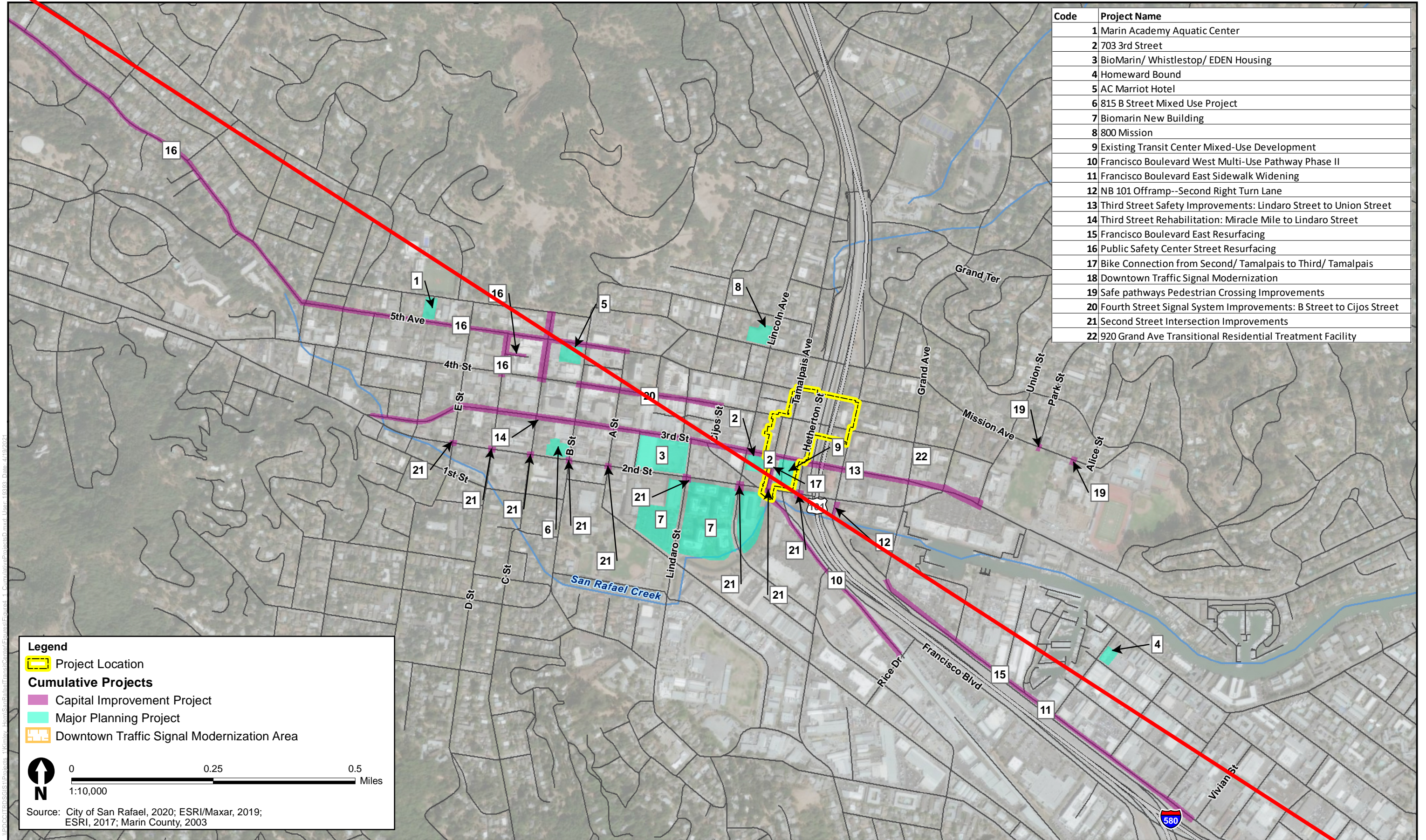
The Association of Bay Area Governments' (ABAG) projections of land use and population growth were used to estimate overall growth in the City and Marin County. By 2040, the City's population is projected to grow approximately 10.7 percent from its population in 2015, from 60,440 residents to 66,880 residents. Marin County's population is projected to grow approximately 7.8 percent from its population in 2015, from 262,305 residents to 282,670 residents (ABAG 2018).

4.1.3 Projects Considered

Reasonably foreseeable future projects are defined as the projects that have been adopted or have otherwise demonstrated likelihood to occur based on documentation from project sponsors.

The types of projects considered in this analysis include development projects within 1 mile of the project area, public projects from the City and Marin County's Capital Improvement Programs, and updates to regional plans and policies that include public transportation.

Table 4-1 presents the projects considered and includes their applicable jurisdictions, potential impact areas, estimated construction schedules, and distance from the proposed project. Cumulative projects are illustrated on Figure 4-1. Project information listed in Table 4-1 is based on information supplied by the City of San Rafael and Marin County, available environmental documents, and information posted on agency websites.



Code	Project Name
1	Marin Academy Aquatic Center
2	703 3rd Street
3	BioMarin/ Whistlestop/ EDEN Housing
4	Homeward Bound
5	AC Marriot Hotel
6	815 B Street Mixed Use Project
7	Biomarin New Building
8	800 Mission
9	Existing Transit Center Mixed-Use Development
10	Francisco Boulevard West Multi-Use Pathway Phase II
11	Francisco Boulevard East Sidewalk Widening
12	NB 101 Offramp--Second Right Turn Lane
13	Third Street Safety Improvements: Lindaro Street to Union Street
14	Third Street Rehabilitation: Miracle Mile to Lindaro Street
15	Francisco Boulevard East Resurfacing
16	Public Safety Center Street Resurfacing
17	Bike Connection from Second/ Tamalpais to Third/ Tamalpais
18	Downtown Traffic Signal Modernization
19	Safe pathways Pedestrian Crossing Improvements
20	Fourth Street Signal System Improvements: B Street to Cijos Street
21	Second Street Intersection Improvements
22	920 Grand Ave Transitional Residential Treatment Facility

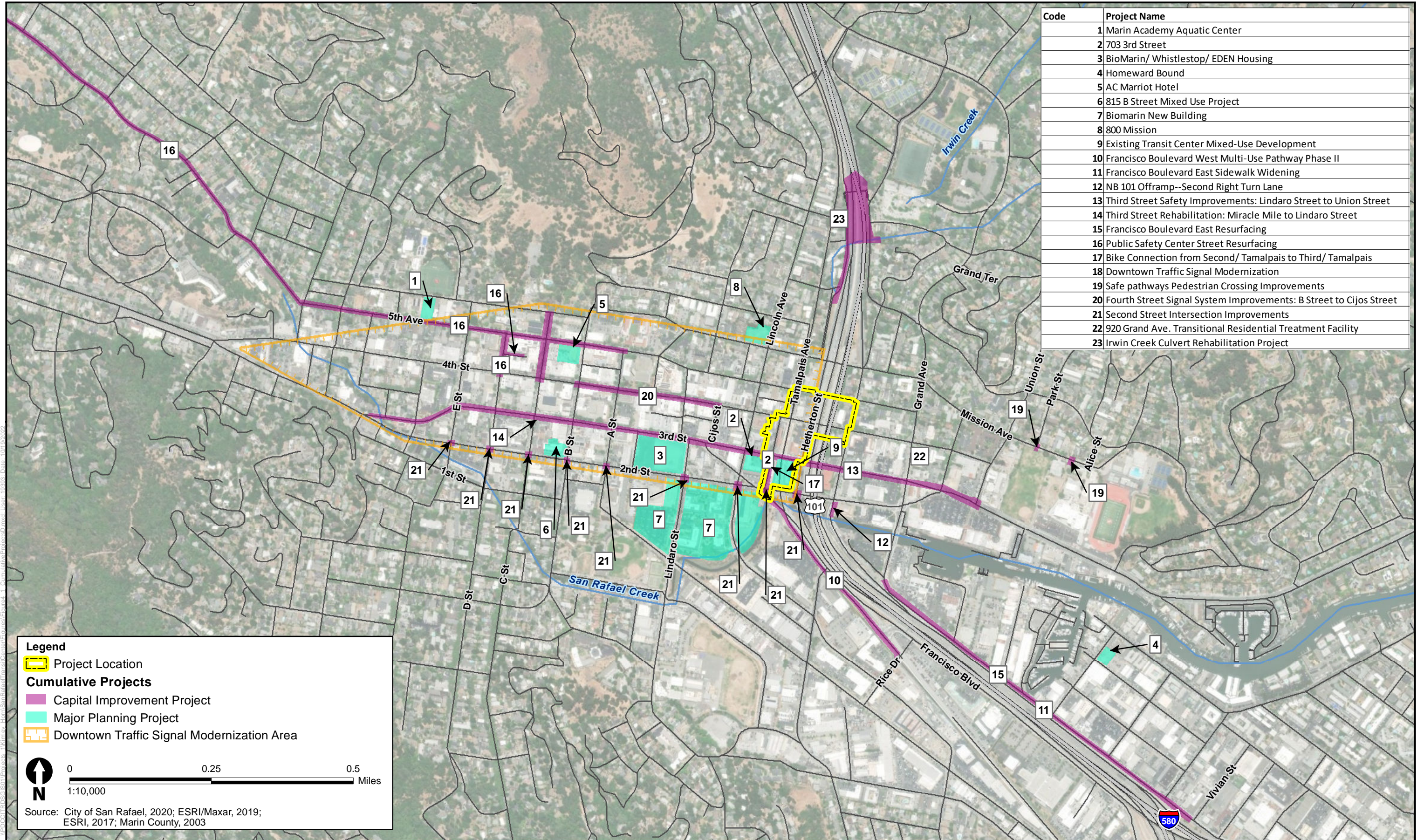
Legend

- Project Location
- Cumulative Projects**
- Capital Improvement Project
- Major Planning Project
- Downtown Traffic Signal Modernization Area

0 0.25 0.5
1:10,000 Miles

Source: City of San Rafael, 2020; ESRI/Maxar, 2019; ESRI, 2017; Marin County, 2003

Figure 4-1
San Rafael Transit Center - Cumulative Projects



Code	Project Name
1	Marin Academy Aquatic Center
2	703 3rd Street
3	BioMarin/ Whistlestop/ EDEN Housing
4	Homeward Bound
5	AC Marriot Hotel
6	815 B Street Mixed Use Project
7	Biomarin New Building
8	800 Mission
9	Existing Transit Center Mixed-Use Development
10	Francisco Boulevard West Multi-Use Pathway Phase II
11	Francisco Boulevard East Sidewalk Widening
12	NB 101 Offramp--Second Right Turn Lane
13	Third Street Safety Improvements: Lindaro Street to Union Street
14	Third Street Rehabilitation: Miracle Mile to Lindaro Street
15	Francisco Boulevard East Resurfacing
16	Public Safety Center Street Resurfacing
17	Bike Connection from Second/ Tamalpais to Third/ Tamalpais
18	Downtown Traffic Signal Modernization
19	Safe pathways Pedestrian Crossing Improvements
20	Fourth Street Signal System Improvements: B Street to Cijos Street
21	Second Street Intersection Improvements
22	920 Grand Ave. Transitional Residential Treatment Facility
23	Irwin Creek Culvert Rehabilitation Project

Legend

- Project Location

Cumulative Projects

- Capital Improvement Project
- Major Planning Project
- Downtown Traffic Signal Modernization Area

0 0.25 0.5 Miles
1:10,000

Source: City of San Rafael, 2020; ESRI/Maxar, 2019; ESRI, 2017; Marin County, 2003

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Updated Figure 4-1
Cumulative

Table 4-1. Projects Considered in the Cumulative Impacts Analysis

Project #	Project Title	Estimated Construction Schedule	Approximate Distance from Project Area (feet)
1	Marin Academy Aquatic Center	Spring 2021 to spring 2022	3,500
2	703 3rd Street	TBD	Adjacent
3	BioMarin/Whistlestop/EDEN Housing	2021 to 2028	1,000
4	Homeward Bound	2021 to 2022	3,000
5	AC Marriot Hotel	Fall 2019 to fall 2021	2,000
6	815 B Street Mixed Use Project	2019 to 2021	1,800
7	BioMarin New Building	TBD	750
8	800 Mission	TBD	700
9	Existing Transit Center Future Mixed-Use Development	TBD	Adjacent
10	Francisco Boulevard West Multi-Use Pathway Phase II	Early 2020 to early 2021	350
11	Francisco Boulevard East Sidewalk Widening	Summer 2020 to summer 2021	1,600
12	NB 101 Offramp: Second Right Turn Lane	Early 2021 to early 2022	700
13	Third Street Safety Improvements: Lindaro Street to Union Street	Summer 2021 to summer 2022	Adjacent
14	Third Street Rehabilitation: Miracle Mile to Lindaro Street	Summer 2021 to summer 2022	700
15	Francisco Boulevard East Resurfacing	2021 to 2022	1,600
16	Public Safety Center Street Resurfacing	2021 to 2022	2,000
17	Bike Connection from Second/Tamalpais to Third/Tamalpais	2020 to 2021	Adjacent
18	Downtown Traffic Signal Modernization	Summer 2020 to summer 2021	N/A
19	Safe pathways Pedestrian Crossing Improvements	Spring 2021 to summer 2021	2,000
20	Fourth Street Signal System Improvements: B Street to Cijos Street	2022 to 2023	1,600
21	Second Street Intersection Improvements	2022 to 2023	Adjacent
22	920 Grand Ave Transitional Residential Treatment Facility	2021 to 2023	1,100
<u>23</u>	<u>US-101 Irwin Creek Culvert Rehabilitation Project</u>	<u>2022 to 2023</u>	<u>500</u>
23	General Plan 2040: General Plan Update and <i>Downtown Precise Plan</i>	Under review	N/A
24	Parks and Recreation Master Plan	TBD	N/A

Project #	Project Title	Estimated Construction Schedule	Approximate Distance from Project Area (feet)
25	Golden Gate Bridge, Highway and Transportation District Zero-Emission Bus Rollout Plan	Phased rollout through 2040	N/A

Sources: City of San Rafael 2020a, 2020b, 2020c; County of Marin 2020; District 2021 CIP = Capital Improvement Program; FY = Fiscal Year; NB = northbound

4.1.3.1 Planned Development Projects

Development projects planned within 1 mile of the project area are discussed in the following sections.

Marin Academy Aquatic Center

Marin Academy proposes to replace and relocate its existing aquatic center with a new 25-yard by 33-meter uncovered swimming pool; a two-story, 2,256-square-foot support building (restrooms, indoor and outdoor showers, changing and office areas, mechanical equipment, and chemical storage areas); concrete decking; site lighting and landscaping; perimeter metal fencing and courtyard walls; bleacher seating; public address system; and light-emitting-diode-illuminated scoreboard on two adjacent Downtown parcels with a combined lot area of 18,737 square feet. Construction is anticipated to begin in spring 2021 and to be completed in the spring of 2022.

703 3rd Street

This project proposes to redevelop and consolidate two contiguous Downtown parcels currently developed with existing one- and two-story commercial buildings and associated surface parking. The project proposes to construct a six-story, 73-foot-tall, mixed-use building with 120 rental units or apartments above a 969-square-foot commercial space and 121 garage parking spaces, including 112 mechanical parking lifts. The project was presented to and approved by the City Council on October 7, 2019. The project's construction schedule is not yet finalized.

BioMarin and Whistlestop/EDEN Housing Project

BioMarin, in conjunction with Whistlestop/EDEN Housing, submitted a planning application for a proposed development on 999 3rd Street in Downtown San Rafael. The project site, between 2nd and 3rd Streets (at the corner of Lindaro Street), is approximately 133,000 square feet in size. The Whistlestop/EDEN Housing would be developed on a 15,000-square-foot portion of the property at the northwestern corner of the site (Brooks Street and 3rd Street). The Whistlestop/EDEN Housing component proposes a six-story, 70-foot-tall building with a senior center on the first two floors and 67 senior housing units on the upper four stories. BioMarin also proposes to construct two four-story, 72-foot-tall buildings for the purposes of laboratory, research and development, and general office space.

The San Rafael City Council approved the environmental document for this project on March 23, 2020. Whistlestop is anticipated to pursue the development of its portion of the project in 2021 or 2022, while BioMarin has 10 years through the adoption of a Development Agreement to pursue the construction of its portion of the project.

Homeward Bound Project

This project is a request by Homeward Bound for a General Plan Amendment, Zoning Amendment, and Use Permit for the following:

- General Plan Amendment to extend the high-density residential land use designation of the adjacent site such that it would include the entire 190 Mill Street property
- Zoning Map Amendment to extend the existing high-density residential zoning of the adjacent site such that it would include the entire 190 Mill Street property
- Use Permit to allow expansion of the existing emergency shelter

Separately, as a by-right project under Assembly Bill 2162, the project would include development of a 32-unit supportive housing project. This project was approved by the City Council on April 6, 2020, and construction is scheduled to commence in 2021 and be completed in 2022.

AC Marriott Hotel

The AC Marriot Hotel project is at 1201 5th Avenue and was approved on April 23, 2019. The City authorized the demolition of an existing 10,600-square-foot office building, associated tree removal, and construction of a 54-foot-tall, 140-room hotel building and associated parking and landscape improvements. The project also includes a rooftop lounge area. The City's most recent construction timeline estimated that construction would begin in August 2020 and conclude in the fall of 2021.

815 B Street Mixed Use Project

The project proposes to construct a four-story, mixed-use building with 41 residential units or apartments above 1,939 square feet of commercial retail space on four adjacent Downtown lots (at the northwest corner of B Street and 2nd Street) with a combined area of approximately 23,800 square feet. The project also proposes 48 garage parking spaces behind the commercial retail space. Vehicular and pedestrian access to the project is proposed along B Street and a secondary means of access for residents would be along 2nd Street. The project proposes to demolish all three existing structures on site, including a single-story, 4,500-square-foot commercial building at the corner of B Street and 2nd Street and two two-story, Victorian-era residences along 2nd Street, one of which is a local cultural resource. This project is currently under construction.

BioMarin New Building

BioMarin is proposing to develop a new office building on Parcel 1 of the San Rafael Corporate Center campus at 755 Lindaro Street. BioMarin acquired ownership of the campus in 2014 and is the sole owner and the largest tenant of the campus, where it maintains its corporate headquarters. This proposed new structure would be a four-story, 72,396-square-foot office building on parcel 1 and include a Phase II expansion to the six-story parking structure at 788 Lincoln Avenue with approximately 312 additional stalls on six levels, including 41 stalls on grade. With the additional parking garage expansion, there would be a total of 978 parking spaces in the six-level parking structure.

The proposed building and parking structure and associated site developments will be designed to be compatible with the architectural character of the current campus and in compliance with the established design, planning, and development goals of the City of San Rafael. The project will meet California Green Building Standards Code mandatory measures plus Tier 1 voluntary measures in

accordance with San Rafael standards for sustainability and efficiency, and will be designed to minimize impacts on the site and surrounding areas. The project's construction schedule is not yet finalized.

800 Mission Avenue Project

This project includes the construction of a four-story assisted living facility with 77 assisted living bedrooms or suites and 88 beds over 40 garage parking spaces. The project proposes one floor of memory care services. On July 10, 2018, the Planning Commission with the recommendation of the Design Review Board approved the project with conditions. Construction is anticipated to be completed in 2024.

Existing Transit Center Future Mixed-Use Development

The Golden Gate Bridge, Highway and Transportation District (District) would relocate the existing transit center and dispose of the property where existing facilities are located between 2nd Street, 3rd Street, Tamalpais Avenue, and Hetherton Street. ~~The Draft San Rafael General Plan 2040, which is expected to be adopted in 2021,~~ designates the site as "Downtown Mixed Use" (City of San Rafael 2020~~41~~) in anticipation of the transit center relocation. Any future use or development of the site would conform with City procedures for entitlements, zoning, and land use. For purposes of this EIR, it is assumed that the existing site would likely be sold and developed as some form of a mixed-use project, subject to more detailed design and approvals and subsequent CEQA review.

4.1.3.2 Public Projects

This section discusses publicly funded projects from the City's Capital Improvement Program (Fiscal Years 2020–2021 to 2022–2023) (City of San Rafael 2020a) and Marin County's Capital Improvement Program (Fiscal Years 2020–2021 to 2024–2025) (County of Marin 2020) within 1 mile of the project area.

Francisco Boulevard West Multi-Use Pathway Project, Phase II

In 2019, the City partnered with Sonoma-Marin Area Rail Transit (SMART) to complete construction of a multi-use pathway along Francisco Boulevard West between Andersen Drive and Rice Drive parallel to the railroad tracks as part of Phase I of this project. Phase II will install a bicycle pathway on Francisco Boulevard West between 2nd Street and Rice Drive by converting the roadway to a one-way southbound street, allowing the City to repurpose the other travel lane on the roadway into a bicycle pathway. This project completes the regional bicycle facility from Larkspur to Downtown San Rafael. The project is slated to receive funding for construction in Fiscal Year 2020–2021.

Francisco Boulevard East Sidewalk Widening

The existing sidewalk along Francisco Boulevard East is utilized daily by pedestrians and bicyclists that must navigate the congestion of fire hydrants and power poles. This project will install an 8-foot-wide sidewalk/bicycle pathway on Francisco Boulevard East between Vivian Street and Grand Avenue. This project was partially funded prior to the adoption of the current City Capital Improvement Program in June 2020 and is slated to receive additional construction funding in Fiscal Year 2020–2021.

NB 101 Offramp—Second Right Turn Lane

This project includes the installation of a second right-turn lane from the northbound Central San Rafael off-ramp onto 2nd Street. Construction for this improvement will be funded by the California Department of Transportation in conjunction with a bridge replacement project scheduled to start in early 2021.

Third Street Safety Improvements: Lindero Street to Union Street

Funded in part by a California Department of Transportation Highway Safety Improvement Program grant, this project will install new wheelchair ramps, modify traffic signals, install a new communications network, and rehabilitate the asphalt pavement. Planning and design of this project was funded prior to the adoption of the current City Capital Improvement Program and construction funding is anticipated in Fiscal Year 2021–2022.

Third Street Rehabilitation: Miracle Mile to Lindero Street

The City received major allocation from the Transportation Authority of Marin through the Measure A program to rehabilitate 3rd Street. In 2019, the City completed a Feasibility Study for the 3rd Street corridor. Since then, the corridor has been subdivided into two City projects, with this project covering Miracle Mile to Lindero Street. The Third Street Safety Improvements project will make roadway improvements from Lindero Street to Union Street. The intent of the improvements is to provide congestion relief and safety improvements along 3rd Street. Planning and design of this project was funded prior to the adoption of the current City Capital Improvement Program and construction funding is anticipated in Fiscal Year 2021–2022.

Francisco Boulevard East Resurfacing

This project includes removal of the existing asphalt and resurfacing Francisco Boulevard East from Vivian Way to Grand Avenue. Adjustment of utility covers and installation of new striping is included in the scope of work. Construction funding is anticipated in Fiscal Year 2020–2021.

Public Safety Center Street Resurfacing

With the new Public Safety Center nearing completion and portions of the roadways surrounding the Public Safety Center to be converted to two-way traffic, this project will resurface with either asphalt or slurry seal the following: C Street (Mission Avenue to 4th Street), D Street (5th Avenue to 4th Street), 5th Avenue (A Street to Ray Court), and Via Sessi. The project scope will also include installation of a retaining wall at the end of Via Sessi and installation of a concrete bulb-out on the southwest corner of D Street at 5th Avenue. Construction funding is anticipated in Fiscal Year 2020–2021.

Bike Connection from Second/Tamalpais to Third/Tamalpais

Beginning in summer 2020, the City will install a bicycle cycle-track on Francisco Boulevard West between Rice Drive and 2nd Street. This project will consider improvements on Tamalpais Avenue between 2nd and 3rd Streets to receive cyclists exiting the cycle-track on the south side of 2nd Street.

Downtown Traffic Signal Modernization

The traffic signals in the Downtown San Rafael area play a critical role in keeping traffic moving. The Innovative Developments to Enhance Arterials grant-funded project will improve traffic signal equipment throughout the Downtown area at many busy intersections. This project received funding prior to the adoption of the current City Capital Improvement Program.

Safe Pathways Pedestrian Crossing Improvements

Pedestrian crosswalk improvements near schools are important safety projects for the City. This project will create painted bulb-outs and install rectangular, rapid-flashing beacons at four crosswalks at Mission Avenue/Park Street, Mission Avenue/Alice Street, 5th Avenue/River Oaks Road, and Knight Drive/Ashwood Court. Construction funding is anticipated in Fiscal Year 2020–2021.

Fourth Street Signal System Improvements: B Street to Cijos Street

4th Street is the heart of the Downtown Business District conveying pedestrians, bicyclists, and motorists through San Rafael. The existing traffic signal system needs to be updated to meet current design standards and ensure reliability of the system for all types of users. Construction funding is anticipated in Fiscal Year 2022–2023.

Second Street Intersection Improvements

2nd Street is a major thoroughfare through Downtown San Rafael. This project will rehabilitate critical intersections and includes pavement resurfacing, wheelchair ramps, and traffic signal upgrades with new communication equipment. Planning and design funding is scheduled for Fiscal Year 2020–2021 and construction funding is anticipated in Fiscal Year 2022–2023.

920 Grand Ave Transitional Residential Treatment Facility

As reported in Fiscal Year 2018–2019, cost estimates to convert the facility into a Transitional Residential Treatment facility ranged from \$4–\$5 million. Since that time, the Department of Health and Human Services has identified funds to cover most of the balance of the costs of the project through the current fiscal year budget savings. In the April 2019 budget hearings, the Marin County Board of Supervisors authorized the project to proceed as originally envisioned for a Transitional Residential Treatment facility. Staff will work to develop a project plan and schedule starting in Fiscal Year 2019–2020. This project was listed as a priority in the Marin County Fiscal Year 2020–2021 to Fiscal Year 2024–2025 Capital Improvement Plan (County of Marin 2020).

Irwin Creek Culvert Rehabilitation Project

This project, sponsored by the California Department of Transportation, includes culvert rehabilitation for five of the eight culverts that make up the Irwin Creek culvert system that crosses and runs adjacent to US-101 in San Rafael, between the southbound US-101 Central San Rafael off-ramp and the US-101 Linden Lane underpass. The stated purpose of the project is to preserve the structural integrity of the Irwin Creek culvert system to prevent highway segment failures. The project's Initial Study/Mitigated Negative Declaration, certified in November 2019, projected that construction would start in summer 2022 and conclude in fall 2023.

4.1.3.3 Updates to Plans and Policies

This section discusses updates to plans and policies that have jurisdiction over the project area.

~~San Rafael General Plan 2040 and Downtown Precise Plan Update~~

~~This includes the changes in land use proposed by the *San Rafael General Plan 2040*, as well as capital projects and new or modified policies relating to topics such as transportation, housing, resource management, and safety. It also includes the *Downtown Precise Plan*, now underway. The *Downtown Precise Plan* implements the community's vision to create opportunities for reinvestment and future development in the Downtown area that is feasible, predictable, and consistent with the community's priorities and aspirations. Growth forecasts for this plan include the addition of 2,200 residential units, 698,000 square feet of non-residential use, and 2,000 jobs. These projections are based on the addition of an assisted living facility, multiple residential and commercial developments, a hotel, and a public safety center. The City is presently working on the *San Rafael General Plan 2040* and released a draft for public review in October 2020. The *San Rafael General Plan 2040* is expected to be approved and implemented in 2021 or 2022.~~

Parks and Recreation Master Plan

In consultation with the Parks and Recreation Commission, the City will review the conditions of all parks and playground structures to understand deficiencies and where future improvements should be focused to meet current codes and Americans with Disabilities Act regulations. This assessment will become part of a Parks and Recreation Master Plan. This plan is set to receive planning/design funding in Fiscal Year 2020–2021.

Golden Gate Bridge, Highway and Transportation District Zero-Emission Bus Rollout Plan

The District adopted its Zero-Emission Bus Rollout Plan in May 2021. Implementation of this plan is expected to occur gradually, with 100 percent of the fleet required to consist of zero-emission buses by 2040. The plan outlines the schedule for replacing the District's existing fleet with zero-emission buses, the anticipated sources of funding for the rollout, and the plan for training District staff on protocols associated with the zero-emission fleet rollout.

4.1.4 Cumulative Impacts Analysis

The following discussion presents the cumulative impacts of the proposed project, organized by resource area. There is the potential for cumulative construction impacts where cumulative projects and the proposed project overlap in location or are adjacent (affecting the same resource/receptor but potentially at different times), or if they overlap in time (affecting the same resource/receptor at the same time).

4.1.4.1 Aesthetics

Cumulative impacts are those resulting from past, present, and reasonably foreseeable future actions, combined with the potential visual impacts of the proposed project. The combined visual effect of the proposed project and other development projects planned, recently in construction, or currently in construction would contribute to change in the visual character of the project area. Implementation of ~~*The City of San Rafael General Plan 2020*~~, *San Rafael General Plan 2040*, and

~~Downtown Vision~~ Downtown San Rafael Precise Plan will contribute to growth and redevelopment within and surrounding the project area, resulting in a cumulative visual impact. Once implemented, these plans will improve existing transportation corridors with repaving street surfaces and redeveloping parcels within and near the Downtown area. The proposed project will contribute to redevelopment in the area in addition to the approved Marin Academy Aquatic Center, 703 3rd Street, BioMarin/Whistlestop/EDEN Housing, AC Marriot Hotel, 815 B Street Mixed Use Project, BioMarin New Building, and 800 Mission Avenue Project, and future development of the existing transit center site, which would contribute to cumulative impacts.

The proposed project is driven by implementation of ~~The City of San Rafael General Plan 2020-2040~~ and the ~~San Rafael-Downtown San Rafael Precise Plan-Community Plan~~ to improve local access, create a transportation center in the Downtown area, create public plazas, and add connectivity for future land uses in the vicinity. All alternatives would contribute to the same cumulative visual impacts. Temporary construction activities associated with the proposed project would not result in a cumulatively considerable contribution to visual impacts because of their relatively short-term duration. The planned redevelopment in the Downtown area would alter the existing visual character of the area in the long term and would be visible from the project area by changing existing land uses. The proposed project would contribute to the addition of transportation infrastructure, landscaping, and plaza-like spaces. Roadway users, residents, businesses, and recreationists will see undeveloped areas within the landscape gradually transition and infill to mixed-use, commercial, and residential development, including the associated utility infrastructure needed to support it. Redevelopment and roadway improvements will also increase ambient atmospheric lighting and glare in the area by developing unlit areas with lit buildings, redeveloping areas with a higher number of light sources (e.g., replacing a one-story building with a multiple-story building), and adding reflective surfaces to areas that are currently undeveloped or not as densely developed. The proposed project would contribute incrementally to these cumulative impacts related to planned and proposed redevelopment in the area, but it would not substantially alter the existing visual landscape or degrade the visual quality of the project area, and is likely to result in beneficial cumulative impacts by creating public spaces that are landscaped and attractive streetscapes. In addition, it would comply with local regulations and policies that facilitate the redevelopment of these areas.

However, the 4th Street Gateway Alternative and Under the Freeway Alternative would both have a contribution would be potentially cumulatively considerable contribution to aesthetic impacts due to their potential to affect historic buildings and increase nuisance light and glare. Implementation of Mitigation Measure MM-CULT-CNST-1 (Prepare and Implement Relocation Plans) ~~would relocate~~ would ensure that historic buildings affected by the 4th Street Gateway Alternative and the Under the Freeway Alternative are relocated or, if relocation is not feasible, that the features of the buildings are retained in an onsite interpretive display commemorating the historical significance of the demolished building (refer to Mitigation Measure MM-CULT-CNST-3). ~~historic structures affected by the 4th Street Gateway Alternative and the Under the Freeway Alternative, ensuring that the visual integrity of these structures are retained within the City, and~~ Additionally, Mitigation Measure MM-AES-OP-3 (Apply Minimum Lighting Standards) would ensure lighting impacts are minimized, reducing the proposed project's contribution to cumulative effects on visual resources to **a less-than-cumulatively considerable level with mitigation.**

4.1.4.2 Air Quality

The cumulative geographic context for air quality is the San Francisco Bay Area Air Basin (SFBAAB). The cumulative geographic context for health risks is the immediate vicinity of the project area (i.e., within 1,000 feet). The cumulative geographic context for odors is the City.

Conflict With or Obstruct Implementation of the Applicable Air Quality Plan

As discussed in Section 3.2, the proposed project would support the goals of the Bay Area Air Quality Management District's (BAAQMD's) 2017 Clean Air Plan, would include all applicable control measures, and would not conflict with 2017 Clean Air Plan implementation. The purpose of the 2017 Clean Air Plan is to improve regional air quality in the air basin; therefore, the analysis and less-than-significant finding are inherently cumulative. Consequently, this impact would not be cumulatively considerable. For these reasons, the proposed project, in combination with past, present, and reasonably foreseeable future projects, would not result in a significant cumulative impact related to air quality plan consistency. The cumulative impact would be ***less than significant***.

Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for Which the Project Region Is a Nonattainment Area for an Applicable Federal or State Ambient Air Quality Standard

As discussed in Section 3.2, BAAQMD has identified project-level thresholds to evaluate criteria pollutant impacts (Table 3.2-6 in Section 3.2). In developing these thresholds, BAAQMD considers levels at which project emissions are cumulatively considerable. As noted in BAAQMD's *California Environmental Quality Act Air Quality Guidelines*:

In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is unnecessary.

Consequently, exceedances of project-level thresholds would be cumulatively considerable, and the cumulative impact would be significant. As discussed in Section 3.2, Air Quality, the proposed project would not contribute a significant level of air pollution such that regional air quality within the SFBAAB would be degraded. Accordingly, the proposed project's contribution to a cumulative criteria pollutant emissions impact would be ***less than significant***.

Expose Sensitive Receptors to Substantial Pollutant Concentrations

As discussed in Section 3.2, health risk impacts associated with construction and operation of the proposed project were evaluated in a Health Risk Assessment. According to BAAQMD's *California Environmental Quality Act Air Quality Guidelines*, combined risk and concentration levels should be determined from all nearby diesel particulate matter (DPM) and inhalable fine particle (PM_{2.5}) sources within 1,000 feet of a project site, respectively, and these combined risk and concentration levels should be compared to BAAQMD's cumulative thresholds.

The proposed project would generate DPM and PM_{2.5} during construction activities and from relocating diesel-powered buses. There are existing nearby DPM and PM_{2.5} sources within 1,000 feet of the project area, which, along with the proposed project, could contribute to a cumulative health risk for existing sensitive receptors adjacent to and within the project area (see Figure 3.2-1 in

Section 3.2). This is a potentially **significant** cumulative impact. BAAQMD data files and distance multipliers provided by BAAQMD were used to estimate the background impacts and concentrations for existing stationary, roadway, and rail sources. The combined risks from mitigated construction and operation of the proposed project and ambient sources are summarized in the tables below.

As shown in Tables 4-2 through 4-5, cancer risk and chronic non-cancer chronic risk would be below BAAQMD thresholds; however, the cumulative annual PM_{2.5} concentrations would exceed the BAAQMD threshold for all alternatives. It should be noted that the annual PM_{2.5} concentrations from background sources exceed the cumulative threshold without any project-related emissions.

Table 4-2. Maximum Mitigated Cumulative Health Risks for the Move Whistlestop Alternative

Source ^a	Maximum Affected Residential Receptor		
	Cancer Risk (per million)	Non-Cancer Hazard Index ^c	Annual PM _{2.5} Concentration (µg/m ³) ^d
Contribution from Existing Sources for Cancer Risk Scenario 1			
Stationary ^a	4.29	0.02	-
Roadway ^b	62.54	-	0.58
Rail ^b	1.31	-	0.004
Existing Total	68.14	0.02	0.59
Contribution from Proposed Project for Cancer Risk Scenario 1			
Project Construction (1.5-year exposure duration)	0.36	0.0005	0.05
Project Operations (28.75-year exposure duration)	2.55	-	-
Existing + Construction + Operations	71.05	-	-
Existing + Construction	-	0.02	0.64
BAAQMD Cumulative Thresholds	100	10.0	0.8
Exceeds Thresholds?	No	No	No
Contribution from Existing Sources for Cancer Risk Scenario 2			
Stationary ^b	4.29	0.02	-
Roadway	44.10	-	0.95
Rail	1.11	-	0.001
Existing Total	49.50	0.02	0.95
Contribution from Proposed Project for Cancer Risk Scenario 2			
Project Operations (30-year exposure duration)	3.66	0.001	0.13
Existing + Operations	53.16	0.02	1.08
BAAQMD Cumulative Thresholds	100	10.0	0.8
Exceeds Thresholds?	No	No	Yes

See Appendix **DB** for detailed modeling files.

^a For existing stationary sources, the values represent the highest possible risk values of any maximally affected receptor among any build alternative.

^b The maximum affected receptor for Scenario 1 and Scenario 2 are at different locations; therefore, the existing roadway and rail source values are different and are associated with the maximally affected receptor for each scenario.

^c No data were available for chronic values for roadway and rails sources.

^d All stationary sources were gasoline-dispensing facilities and do generate PM_{2.5} emissions.

Table 4-3. Maximum Mitigated Cumulative Health Risks for the Adapt Whistlestop Alternative

Source ^a	Maximum Affected Residential Receptor		
	Cancer Risk (per million)	Non-Cancer Hazard Index ^c	Annual PM _{2.5} Concentration (µg/m ³) ^d
Contribution from Existing Sources for Cancer Risk Scenario 1			
Stationary ^a	4.29	0.02	-
Roadway ^b	62.54	-	0.58
Rail ^b	1.31	-	0.004
Existing Total	68.14	0.02	0.59
Contribution from Proposed Project for Cancer Risk Scenario 1			
Project Construction (1.5-year exposure duration)	0.37	0.004	0.05
Project Operations (28.75-year exposure duration)	2.55	-	-
Existing + Construction + Operations	71.06	-	-
Existing + Construction	-	0.02	0.64
BAAQMD Cumulative Thresholds	100	10.0	0.8
Exceeds Thresholds?	No	No	No
Contribution from Existing Sources for Cancer Risk Scenario 2			
Stationary ^b	4.29	0.02	-
Roadway	44.10	-	0.95
Rail	1.11	-	0.001
Existing Total	49.50	0.02	0.95
Contribution from Proposed Project for Cancer Risk Scenario 2			
Project Operations (30-year exposure duration)	3.66	0.001	0.13
Existing + Operations	53.16	0.02	1.08
BAAQMD Cumulative Thresholds	100	10.0	0.8
Exceeds Thresholds?	No	No	Yes

See Appendix B-D for detailed modeling files.

^a For existing stationary sources, the values represent the highest possible risk values of any maximally affected receptor among any build alternative.

^b The maximum affected receptor for Scenario 1 and Scenario 2 are at different locations; therefore, the existing roadway and rail source values are different and are associated with the maximally affected receptor for each scenario.

^c No data were available for chronic values for roadway and rails sources.

^d All stationary sources were gasoline-dispensing facilities and do generate PM_{2.5} emissions.

Table 4-4. Maximum Mitigated Cumulative Health Risks for the 4th Street Gateway Alternative

Source ^a	Maximum Affected Residential Receptor		
	Cancer Risk (per million)	Non-Cancer Hazard Index ^c	Annual PM _{2.5} Concentration (µg/m ³) ^d
Contribution from Existing Sources for Cancer Risk Scenario 1			
Stationary ^a	4.29	0.02	-
Roadway ^b	34.06	-	0.57
Rail ^b	2.88	-	0.004
Existing Total	41.24	0.02	0.57

Source ^a	Maximum Affected Residential Receptor		
	Cancer Risk (per million)	Non-Cancer Hazard Index ^c	Annual PM _{2.5} Concentration (µg/m ³) ^d
Contribution from Proposed Project for Cancer Risk Scenario 1			
Project Construction (1.5-year exposure duration)	1.26	0.001	0.15
Project Operations (28.75-year exposure duration)	3.31	-	-
Existing + Construction + Operations	45.81	-	-
Existing + Construction	-	0.02	0.72
BAAQMD Cumulative Thresholds	100	10	0.8
Exceeds Thresholds?	No	No	No
Contribution from Existing Sources for Cancer Risk Scenario 2			
Stationary ^b	4.29	0.02	-
Roadway	34.06	-	0.96
Rail	2.88	-	0.001
Existing Total	41.24	0.02	0.96
Contribution from Proposed Project for Cancer Risk Scenario 2			
Project Operations (30-year exposure duration)	4.65	0.001	0.12
Existing + Operations	45.89	0.02	1.08
BAAQMD Cumulative Thresholds	100	10.0	0.8
Exceeds Thresholds?	No	No	Yes

See Appendix **DB** for detailed modeling files.

^a For existing stationary sources, the values represent the highest possible risk values of any maximally affected receptor among any build alternative.

^b The maximum affected receptor for Scenario 1 and Scenario 2 are at different locations; therefore, the existing roadway and rail source values are different and are associated with the maximally affected receptor for each scenario.

^c No data were available for chronic values for roadway and rails sources.

^d All stationary sources were gasoline-dispensing facilities and do generate PM_{2.5} emissions.

Table 4-5. Maximum Mitigated Cumulative Health Risks for the Under the Freeway Alternative

Source ^a	Maximum Affected Residential Receptor		
	Cancer Risk (per million)	Non-Cancer Hazard Index ^c	Annual PM _{2.5} Concentration (µg/m ³) ^d
Contribution from Existing Sources for Cancer Risk Scenario 1			
Stationary ^a	4.29	0.02	-
Roadway ^b	44.54	-	0.97
Rail ^b	1.12	-	0.00
Existing Total	49.96	0.02	0.97
Contribution from Proposed Project for Cancer Risk Scenario 1			
Project Construction (1.5-year exposure duration)	2.18	0.002	0.27
Project Operations (28.75-year exposure duration)	3.84	-	-
Existing + Construction + Operations	55.98	-	-
Existing + Construction	-	0.02	1.24
BAAQMD Cumulative Thresholds	100	10	0.8

Source ^a	Maximum Affected Residential Receptor		
	Cancer Risk (per million)	Non-Cancer Hazard Index ^c	Annual PM _{2.5} Concentration (µg/m ³) ^d
Exceeds Thresholds?	No	No	Yes
Contribution from Existing Sources for Cancer Risk Scenario 2			
Stationary ^b	4.29	0.02	-
Roadway	34.06	-	0.96
Rail	2.88	-	0.001
Existing Total	41.24	0.02	0.96
Contribution from Proposed Project for Cancer Risk Scenario 2			
Project Operations (30-year exposure duration)	5.40	0.001	0.12
Existing + Operations	55.35	0.02	1.08
BAAQMD Cumulative Thresholds	100	10.0	0.8
Exceeds Thresholds?	No	No	Yes

See Appendix BD for detailed modeling files.

^a For existing stationary sources, the values represent the highest possible risk values of any maximally affected receptor among any build alternative.

^b The maximum affected receptor for Scenario 1 and Scenario 2 are at different locations; therefore, the existing roadway and rail source values are different and are associated with the maximally affected receptor for each scenario.

^c No data were available for chronic values for roadway and rails sources.

^d All stationary sources were gasoline-dispensing facilities and do generate PM_{2.5} emissions.

As shown in the tables above, each build alternative would be below the cancer risk and non-cancer chronic thresholds; however, each build alternative would exceed the BAAQMD cumulative threshold for annual PM_{2.5} concentrations. However, it should be noted that the annual PM_{2.5} concentrations for the existing background sources exceed BAAQMD's cumulative thresholds without the proposed project's contributions. Furthermore, the BAAQMD *California Environmental Quality Act Air Quality Guidelines* (BAAQMD 2017) state that if a project would exceed the project-level thresholds of significance, then the proposed project would result in a significant impact and would have a cumulatively considerable contribution. As discussed in Section 3.2, the proposed project's contributions of PM_{2.5} concentrations would be below the project-level thresholds for all project build alternatives. Accordingly, the contribution of the proposed project's emissions would not be cumulatively considerable. This impact would therefore be ***less than significant***.

Result in Other Emissions (Such as Those Leading to Odors) Adversely Affecting a Substantial Number of People

Each build alternative would result in less-than-significant odor impacts. Construction activities would generate odors from diesel exhaust, asphalt paving, and the use of architectural coatings and solvents, but activities would be temporary and would not result in nuisance odors that would violate BAAQMD's Regulation 7. In addition, future project activities are not associated with the operation of odor-generating facilities. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a significant cumulative odor impact. The cumulative impact would be ***less than significant***.

4.1.4.3 Biological Resources

Given the proposed project's location in an urban area, the cumulative impacts analysis was limited to the immediate vicinity of the proposed build alternatives and Irwin Creek, immediately downstream of the project area. As discussed in Section 3.3, Biological Resources, the dominant land use in the project area is commercial development. Twenty-four~~five~~ projects have been proposed or are approved for construction in the immediate vicinity of the project area (Table 4-1). Past, current, and future projects that result in the loss of biological resources contribute to cumulative biological impacts. Construction of the proposed project would add to those cumulative impacts.

All build alternatives have the potential to affect special-status or non-special-status roosting bats, nesting migratory birds, protected wetlands, and native wildlife nursery sites. Impacts that result in the mortality of bats or migratory birds would contribute to the cumulative loss of populations of these animals. The cumulative loss of roosting and nesting habitat (which are also considered native wildlife nursery sites) would contribute to a general decline of these habitats in the project vicinity, resulting in the loss or displacement of wildlife that would have to compete for suitable habitats with existing adjacent populations. With Mitigation Measures MM-BIO-CNST-1: Conduct Environmental Awareness Training for Construction Employees, MM-BIO-CNST-2: Conduct Preconstruction Surveys for Bats and Implement Protective Measures, and MM-BIO-CNST-6: Conduct a Preconstruction Survey for Nesting Birds and Implement Protective Buffers Around Active Nests to avoid or minimize potential effects on roosting bats and migratory birds, the loss of structures that provide suitable bat roosting habitat and the loss of vegetation that provides suitable nesting habitat, when combined with other impacts on habitat and special-status species from other past, present, and future projects, would not be considerable.

The Under the Freeway Alternative would result in permanent and temporary losses of wetland (Irwin Creek), which would contribute to the cumulative loss of wetlands in the project vicinity. The Irwin Creek Rehabilitation Project would include work in the Irwin Creek channel to implement culvert improvements, temporarily affecting waters potentially subject to regulation by the U.S. Army Corps of Engineers, San Francisco Regional Water Quality Control Board, and California Department of Fish and Wildlife and contributing to cumulative biological impacts. Water quality impacts, such as increased turbidity and chemical runoff, could result from construction under all alternatives and could extend downstream of the immediate project area; however, implementation of water quality protection measures and construction site best management practices would avoid these impacts. Mitigation Measures MM-BIO-CNST-1, MM-BIO-CNST-3: Install Orange Construction Fencing Between the Construction Area and Adjacent Sensitive Biological Resources, MM-BIO-CNST-4: Conduct Periodic Biological Monitoring, and MM-BIO-CNST-5: Compensate for Temporary and Permanent Loss of Perennial Stream would minimize and mitigate potential effects on wetlands from the Under the Freeway Alternative and the contribution to cumulative impacts on wetlands would not be considerable.

4.1.4.4 Cultural Resources

The project is proposed in San Rafael's Downtown commercial district, an area where several past, present, and reasonably foreseeable projects have already occurred or would occur in the future. The cumulative projects generally constitute new development and transportation facility improvements. Some cumulative projects are within or adjacent to the boundaries of the project area, while others are dispersed throughout Downtown San Rafael, some more than 0.25 mile to the west of the project area.

Regarding built-environment historical resources, none of the cumulative projects would involve direct, physical changes to the ~~properties~~ individual built-environment resources within the project area. It is anticipated that the cumulative projects could result in changes to the settings of those built-environment historical resources, as well as resources near the project area from which the proposed project would be visible. However, these changes in setting would be minor in nature and would be consistent with the degree of urban development that has already occurred in the resources' setting across the 20th and early 21st centuries. The significance of any of the historical resources in the project area is not premised on it possessing an intact and cohesive visual or functional relationship with nearby properties. Likewise, and reciprocally, the significance of nearby offsite historical resources does not appear to be premised on the resource having an intact and cohesive visual or functional relationship with the project area. Such changes would not combine to result in a significant cumulative impact on individual built-environment historical resources.

Furthermore, the cumulative projects in combination with the project would not result in discernible changes to the East Downtown Core Historic District, which extends into the project area and contains buildings that would be demolished by the project. Only one cumulative project would also overlap with the East Downtown Core Historic District: the Fourth Street Signal System Improvements project. This project would replace existing street signals along the 4th Street corridor, which would involve upgrades to common, modern streetscape features that do not contribute to the significance of the East Downtown Core Historic District; the new signaling equipment would be similar in visual character to the equipment currently in place within the district. As a result, the Fourth Street Signal System Improvement project would not alter the defining characteristics of the East Downtown Core Historic District and would not combine with the proposed project to diminish the historic district's defining sense of concentration, linkage, and continuity in a manner that materially impairs the district's significance. Therefore, the impact would be **less than significant**. No mitigation is required.

The cumulative context for archaeological resources and human remains includes urban development projects and transportation and streetscape improvements occurring in or within 1,000 feet of the project area, which together could lead to ground-disturbing activities that could result in impacts on archaeological resources and human remains. The past, present, and reasonably foreseeable future projects within and surrounding the project area include projects that will require ground disturbance during project construction and therefore have the potential to affect archaeological resources and human remains. Taken together, the proposed project and the identified cumulative projects have the potential to result in an overall cumulative impact on archaeological resources and/or human remains.

The project area is considered sensitive for archaeological resources. Additionally, numerous archaeological sites including human burials have been recorded within 0.25 mile of the project area. Implementation of Mitigation Measures MM-CULT-CNST-4 through MM-CULT-CNST-7 recommend archaeological testing and monitoring, cultural resource training, and compliance with laws regarding human remains. These measures would reduce cumulative impacts of the proposed project on archaeological resources and human remains to less-than-significant levels.

With implementation of mitigation measures, the contribution from the proposed project to impacts on archaeological resources and human remains would be reduced to less-than-considerable levels. The impact would be **less than significant after mitigation**; therefore, the proposed project's contribution to the cumulative impact would be less than cumulatively considerable.

4.1.4.5 Energy

The cumulative geographic context for energy is the service area of Marin Clean Energy (MCE) and Pacific Gas and Electric Company (PG&E) (i.e., electric and natural gas service area), which comprises several counties in the north and east Bay Area, and the larger Northern California area, respectively.

Continued growth throughout MCE's and PG&E's service areas could contribute to ongoing increases in demand for electricity and natural gas. These anticipated increases would be countered, in part, as state and local requirements related to renewable energy become more stringent and energy efficiency increases. The extent to which cumulative development through 2025, the proposed project's buildout year, could result in the wasteful, inefficient, or unnecessary consumption of energy resources would depend on the specific characteristics of new development, which are not known at this time. As discussed previously, Senate Bill 100 obligates utilities to supply 100 percent carbon-free electricity by 2045; PG&E reached California's 2020 renewable energy goal 3 years ahead of schedule and is currently projected to meet the new SB 100 goal that calls for 60 percent renewable energy by 2030, also ahead of schedule. Similarly, MCE has outpaced the state in both its renewable and greenhouse gas (GHG)-free portfolio content. In addition, the Pavley standards are expected to increase average fuel economy to roughly 54.5 miles per gallon by 2025, thereby lowering the demand for fossil fuels. In May 2021, the District adopted its Zero-Emission Bus Rollout Plan, which outlines the schedule for replacing the District's existing fleet with zero-emission buses by 2040, the anticipated sources of funding, and the plan for training District staff on protocols associated with the zero-emission fleet rollout. In summary, it is anticipated that future energy users will become more efficient and less wasteful over time.

Similar to the proposed project, the cumulative projects would most likely include features that would reduce energy consumption and increase renewable energy generation. For these reasons, the proposed project in combination with past, present, and reasonably foreseeable future projects would not result in a significant cumulative impact related to the wasteful, inefficient, or unnecessary consumption of energy resources. The cumulative impact would be ***less than significant***. No mitigation is required.

4.1.4.6 Geology and Soils

Geology, Soils, and Seismicity

The proposed project, combined with past, present, and reasonably foreseeable future projects, would not result in a significant cumulative impact on geology and soils. In general, a project's potential impacts related to geology and soils are individual and localized, depending on the project site and underlying soils. Each project requires different levels of excavation, cut-and-fill work, and grading, which would affect local geologic conditions in different ways; therefore, the geographic context for geology and soils is site-specific. As each project would be required to complete a site-specific detailed geotechnical investigation as required by the California Building Code, the *Marin Countywide Plan*, the San Rafael Municipal Code, and ~~The City of San Rafael General Plan 2020, 2040~~, each project would be provided with site-specific design recommendations, which would reduce each project's impacts to a less-than-significant level. Similar seismic safety standards would also apply to the reasonably foreseeable future projects. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result

in a significant cumulative geology and soils impact. The cumulative impact would be ***less than significant***. No mitigation is required.

Paleontological Resources

Because the geologic units present in the project area, Holocene alluvium, Holocene intertidal deposits, and the Franciscan Formation, have very low likelihood to contain significant paleontological resources, it is unlikely that there would be a cumulative impact on paleontological resources. As such, the proposed project, combined with past, present, and reasonably foreseeable future projects shown in Table 4-1 and on Figure 4-1, is unlikely to result in a cumulatively considerable contribution to a cumulative impact on paleontological resources. Impacts would be ***less than significant***.

4.1.4.7 Greenhouse Gas Emissions

GHG emissions and climate change are exclusively cumulative impacts; there are no non-cumulative GHG emissions impacts from a climate change perspective. Climate change is the result of cumulative global emissions. No single project, when considered in isolation, can cause climate change because a single project's emissions are not enough to change the radiative balance of the atmosphere. Because climate change is the result of GHG emissions and GHGs are emitted by innumerable sources worldwide, global climate change will have a significant cumulative impact on the natural environment as well as human development and activity. As such, GHGs and climate change are cumulatively considerable, even though the contribution may be individually limited. California Air Resources Board and BAAQMD methodology and thresholds are thus cumulative in nature. The proposed project would be consistent with statewide targets and with adopted plans and policies for reducing GHGs; therefore, impacts from the proposed project would be ***less than significant***.

4.1.4.8 Hazards and Hazardous Materials

The cumulative geographic context for hazards and hazardous materials is the project area and nearby properties in the immediate vicinity. Similar to the proposed project, reasonably foreseeable projects could result in construction impacts related to the routine transport, disposal, or handling of hazardous materials; intermittent use and transport of hazardous materials commonly used for construction; and transport of affected soil to and from sites. However, hazardous waste generated during construction of any project would be collected, properly characterized for disposal, and transported in compliance with regulations such as those described under Section 3.8.1.1, Regulatory Setting. Additionally, implementation of Mitigation Measure MM-HYD-CNST-1, Prepare and Implement Stormwater Pollution Prevention Plan, would contain BMPs to minimize potential impacts related to hazardous materials during construction. Hazardous materials are strictly regulated by local, state, and federal laws. Specifically, these laws are designed to ensure that hazardous materials do not result in a gradual increase of toxins to the environment. For each of the reasonably foreseeable projects under consideration, various project-specific measures (such as those identified for the proposed project) would be implemented as a condition of development approval to mitigate risks associated with exposure to hazardous materials. For these reasons, the proposed project, in combination with other past, present, and reasonably foreseeable future projects, would not result in a significant cumulative hazards or hazardous materials impact. The cumulative impact of the proposed project on hazards and hazardous materials would be ***less than significant***.

4.1.4.9 Hydrology and Water Quality

Future development within the San Rafael Creek Watershed would increase stormwater runoff and erosion runoff, which would increase the amount and rate of surface water runoff throughout the watershed. Cumulative impacts on water quality could occur due to erosion and sedimentation and/or from the release of nonpoint-source pollutants associated with cumulative development in Marin County and the City of San Rafael.

When the effects of the proposed project on water quality are considered in combination with the overall proposed project and potential effects of other cumulative projects, there would be the potential for cumulative impacts on surface and groundwater quality. The geographic area is fully developed. Buildout of cumulative projects would involve redevelopment of existing developed sites that contain substantial impervious surfaces. The incremental water quality impact contribution from implementation of the proposed project would be minor. The combined effects on water quality from the proposed project and other projects could result in a cumulatively significant impact. However, all future development projects would be required to comply with laws and regulations pertaining to water resources, including development of stormwater pollution prevention plans, water quality management plans, and source control/treatment control best management practices to prevent water quality degradation and reduce potential impacts to the maximum extent feasible.

Potential sources of flooding near the project area include San Rafael Creek and San Rafael Bay, runoff generated on site, and offsite runoff that passes through the project area. It is also anticipated that flooding and storm surge will likely become more intense in the coming years as a result of climate change. The system of onsite controls, as planned as required by existing regulations, serves to regulate flows off site, minimizing the proposed project's contribution to the volume and rate of downstream flow. The proposed project has been designed to be protected from flooding up to and including the 100-year flood event. Notwithstanding, cumulative development within the project area could increase the volume and rate of stormwater runoff. Such increases could cause localized flooding if the storm drainage capacity is exceeded or conveys excess flows to areas where flood storage may not be available. Generally, cumulative projects would occur in developed areas with existing impervious surfaces and would not be expected to substantially increase the amount of new impervious surfaces. All new development would be required to address stormwater management in a manner that ensures that flooding as a result of storm surges would not increase and flood flows would not be redirected to other areas not currently prone to flooding. All cumulative projects would be required to include stormwater management features, such as Low-Impact Development measures into project designs, to reduce flows to pre-project conditions.

Developments are required by the state and City to maximize hydrologic and water quality mitigation efforts and are reviewed by other jurisdictions for hydrologic impacts. Additionally, implementation of Mitigation Measure MM-HYD-CNST-1 would contain BMPs to minimize the proposed project's potential construction impacts related to water quality. With implementation of BMPs and compliance with applicable regulations pertaining to hydrology and water quality, the proposed project would not have cumulatively considerable impacts related to flooding, stormwater drainage, or water resources within the City. Impacts would be ***less than significant***.

4.1.4.10 Land Use and Planning

The proposed project would not conflict with any applicable land use regulations, land use policies, or land use planning documents. Although the proposed project involves improvements to roadway intersections and bicycle and pedestrian facilities, these improvements would occur in the existing right-of-way and parcels within Downtown San Rafael and would not include construction of any new roadways or other substantial infrastructure improvements that would restrict access or otherwise divide an established community. Therefore, the proposed project would not contribute toward any cumulative impacts in these regards. For these reasons, the proposed project would not contribute to a cumulative impact or result in land use conflicts. The proposed project would not affect land use policies; therefore, taken with past, present, and reasonably foreseeable projects, impacts are considered not cumulatively considerable and ***less than significant***, and no mitigation is required.

4.1.4.11 Noise and Vibration

The geographic scope of analysis for cumulative noise and vibration construction impacts, as well as stationary noise sources, encompasses reasonably foreseeable projects within approximately 1,000 feet of the project area. Beyond 1,000 feet, the contributions of noise from other projects would be greatly attenuated through both distance and intervening structures, and their contribution would be expected to be minimal.

Construction

Move Whistlestop and Adapt Whistlestop Alternatives

The nearest major planning projects in the project area are 703 3rd Street and the BioMarin/Whistlestop/EDEN Housing project. Other projects in the vicinity of the project area include bicycle connection between 2nd Street and 3rd Street, Third Street Rehabilitation: Miracle Mile to Lindaro Street, and 2nd Street intersection improvements. Construction of these projects could overlap with construction of the chosen build alternative. As described Section 3.11, Noise, for the Move Whistlestop and Adapt Whistlestop Alternatives, City daytime noise limits are likely to be exceeded at the nearest receptors during construction. These build alternatives would be near the major planning projects identified above, which may produce noise levels during construction that would be cumulatively higher if done during project construction. For the Move Whistlestop and Adapt Whistlestop Alternatives, this would contribute to a **significant** cumulative impact.

Therefore, construction of the Move Whistlestop and Adapt Whistlestop Alternatives would potentially contribute to a significant cumulative impact. Mitigation Measure MM-NOI-CNST-1 would reduce this impact to ***a less-than-significant level with mitigation***.

4th Street Gateway and Under the Freeway Alternatives

For the 4th Street Gateway or Under the Freeway Alternatives, heavy equipment would not exceed City construction noise limits during daytime hours. Nighttime work may be required during construction but only for utility work. As such, it is unlikely that the proposed project in combination with other planned projects would contribute to a significant cumulative impact for these two build alternatives, resulting in a less-than-significant impact.

Therefore, cumulative impacts for the 4th Street Gateway and Under the Freeway Alternatives would be *less than significant*. No mitigation is required.

Vibration

All Build Alternatives

Groundborne vibration from non-impact equipment is only perceptible within a localized area around the source of the vibration, generally at a distance of less than 50 feet. Vibration effects from the proposed project are not likely to combine with other planned projects in the area. As such, vibration from the proposed project is not expected to result in a cumulative impact. Impacts would be *less than significant*.

Vehicle Traffic

All Build Alternatives

The cumulative impacts analysis for operational noise focuses on changes in traffic patterns. Noise level estimates were based on average traffic volumes for p.m. peak-hour turning movement volumes for adjacent local roadways. A logarithmic comparison of traffic volumes among all four build alternatives was used to develop noise level increase values for roadway segments adjacent to Hetherton Street. The traffic noise analysis indicates that the redistribution of traffic under all build alternatives would not result in a noticeable increase in noise levels. The increase would be less than 1 decibel on nearly all segments, except for Hetherton Street between 2nd Street and 3rd Street, where there are no sensitive uses. For these reasons, vehicle traffic in combination with other projects is not expected to produce noise levels that would be cumulatively significant. Impacts would be *less than significant*.

Bus Operations

All Build Alternatives

The existing transit center's bus operations would be transferred to the new transit facility, and the proposed transit center is expected to generate a similar level of noise from buses and transportation operations. The proposed project is in an urban setting with a high level of existing ambient noise, and the increase in ambient noise introduced by the transit center is not expected to be noticeable. For these reasons, operation of the proposed project in combination with other projects is not expected to produce noise levels that would be cumulatively significant. Impacts would be *less than significant*.

4.1.4.12 Population and Housing

Direct Population Growth

The proposed project under all four alternatives does not propose any new housing units and would not directly induce population growth. Because the proposed project would not involve the construction of residential housing units and would not directly introduce any new residents, the proposed project falls within ABAG projections for the City and Marin County. Therefore, the proposed project would not result in a cumulatively considerable impact. The cumulative impact would be *less than significant*. No mitigation is required.

Indirect Population Growth

Indirect population growth is not anticipated because construction work would be temporary, construction workers would be drawn from the construction employment labor force already residing in San Rafael and the surrounding communities, and the proposed project would be considered infill development and would not require the construction of any new roads. For these reasons, the proposed project under all four build alternatives, in combination with other past, present, and reasonably foreseeable future projects, would not result in significant indirect population growth as a result of expansion of infrastructure. The cumulative impact would be *less than significant*. No mitigation is required.

4.1.4.13 Public Services and Recreation

The cumulative geographic context for public services and recreation (i.e., police and fire protection services, public school facilities, recreational facilities, or other public service facilities) is the City of San Rafael. A project that would result in unanticipated population growth (e.g., population growth beyond existing projections) may generate a corresponding increase in demand for public services, such as police and fire protection services, public school facilities, recreational facilities, or other public service facilities, that would exceed the existing capacities of these public services. The proposed project would not directly induce population growth in the City because the existing workforce capacity in the City and Marin County would be sufficient to serve the new transit center and no new residents would be added. Therefore, the proposed project would not result in a significant contribution to a cumulative increase in demand for public services and recreational facilities. The proposed project would not be anticipated to contribute to the accelerated deterioration of existing public service and recreational facilities and would not require new or physically modified facilities to be built. This impact would be *less than significant*.

4.1.4.14 Transportation

The cumulative geographic context for transportation is the project area and the study area reviewed in the Transportation Summary Report. The nearest major planning projects in this geographic area are the 703 3rd Street Project and the BioMarin/Whistlestop/EDEN Housing Project. Capital improvement projects in the vicinity of the project area include a bicycle connection between 2nd Avenue and 3rd Avenue, Third Street Rehabilitation: Miracle Mile to Lindaro Street, and 2nd Street intersection improvements. As described in Section 3.14, Transportation, all of the build alternatives would have the potential to interfere with traffic hazards, circulation, and emergency response during the construction period; however, these impacts would be temporary, intermittent, and less than significant. As such, coordination with regional transit agencies identified in the Construction Traffic Control Plan would make it unlikely that the proposed project, in combination with other planned projects in the area, would considerably contribute to a significant cumulative impact, resulting in a *less-than-significant* impact.

4.1.4.15 Tribal Cultural Resources

The project is proposed in San Rafael's Downtown commercial district, an area where several past, present, and reasonably foreseeable projects have already occurred or would occur in the future. The cumulative projects generally constitute new development and transportation facility improvements. Some cumulative projects are within or adjacent to the boundaries of the project area, while others are dispersed throughout Downtown San Rafael, some more than 0.25 mile to the west of the project area.

The cumulative context for tribal cultural resources includes urban development projects and transportation and streetscape improvements occurring in or within 1,000 feet of the project area, which together could lead to ground-disturbing activities that could result in impacts on tribal cultural resources. The past, present, and reasonably foreseeable future projects within and surrounding the project area include 11 projects that will require ground disturbance during project construction and therefore have the potential to affect tribal cultural resources. Taken together, the proposed project and the identified cumulative projects have the potential to result in an overall cumulative impact on tribal cultural resources.

The project area is considered sensitive for tribal cultural resources. Additionally, numerous archaeological sites, including human burials, have been recorded within 0.25 mile of the project area. Implementation of Mitigation Measures MM-CULT-CNST-4 through MM-CULT-CNST-7 would reduce cumulative impacts of the proposed project on tribal cultural resources to ***less-than-significant levels with mitigation***.

4.1.4.16 Utilities and Service Systems

The cumulative geographic contexts for utilities and service systems are the service territories of the utility providers. Over time, growth throughout the City will result in increased demand for water, wastewater treatment, solid waste disposal, natural gas, electricity, and telecommunications. Construction and the operation of proposed cumulative projects including the future mixed-use development at the exiting transit center site have the potential to induce growth and increase need for utilities. However, as part of the local entitlement process, projects are required to demonstrate ability to provide and obtain adequate utilities for their projects. Although the proposed project would aid the circulation of transit Downtown for commuters, the proposed project would not directly induce growth within the City. The proposed project would replace the existing transit center nearby to improve transit connectivity and would maintain the same number of employees and bus service. Therefore, the majority of increased usage of utilities would occur during construction and would be temporary. The increased usage of utilities compared to the existing transit center, if any, would be minimal. Therefore, implementation of the proposed project would not result in a cumulatively considerable contribution to impacts on water supply and wastewater, stormwater, or solid waste generation. Impacts would be ***less than significant***.

4.1.4.17 Wildfire

Table 4-1 lists the related projects that were considered in the cumulative impact analyses. As the proposed project would be replacing the existing transit center and would not increase development in the City, the incremental effects of the proposed project related to wildfire would be minimal. The proposed project would be required to comply with applicable requirements set forth by the Marin County Operational Area Emergency Response Plan, San Rafael Fire Department, San Rafael Police Department, and adherence to county and City regulations and hazard plans. In addition, no off-site improvements would be required that would exacerbate fire risks. Therefore, the proposed project would not result in incremental effects related to wildfire that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. The proposed project would not result in cumulatively considerable impacts related to or from wildfires. Impacts would be ***less than significant***.

5.1 Introduction

This chapter presents the alternatives analysis for the San Rafael Transit Center Replacement Project (proposed project), as required by the California Environmental Quality Act (CEQA). It includes a discussion of the CEQA requirements for an alternatives analysis and background information on how the alternatives evaluated in detail in this Environmental Impact Report (EIR) ~~considered in detailed analysis~~ were identified.

The concept development process included the identification of sites capable of meeting the program and the transfer needs of patrons; the development of design concepts to site the required transit facilities; an assessment of bus routing and circulation that allows for bus access and exit; the delineation of space for bicycle and pedestrian circulation internally and externally; and the identification of opportunities for supportive uses, urban design, and placemaking components. Concepts were then evaluated for their ability to meet the project objectives and based on feedback received from public outreach to the local communities.

This chapter compares the impacts of the Move Whistlestop Alternative, the preferred alternative, to the impacts of the other three build alternatives analyzed in detail in Chapter 3, Environmental Analysis, and the No-Project Alternative. In this chapter, the alternatives are evaluated for their comparative ability to minimize adverse environmental effects. The chapter evaluates the alternatives' impacts compared to existing environmental conditions and compared to the impacts of the preferred alternative. Finally, it describes other alternative concepts that were considered but eliminated from detailed consideration in this ~~Draft~~ EIR and the reasons for their elimination.

5.2 CEQA Requirements for Alternatives Analysis

The State CEQA Guidelines require the analysis of a reasonable range of alternatives to a proposed project or to the location of a project that would feasibly attain most of the basic objectives of the project and avoid or substantially lessen the significant effects of the project (State CEQA Guidelines Section 15126.6(a)). The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those potentially feasible alternatives necessary to foster informed public participation and an informed and reasoned choice by the decision-making body (State CEQA Guidelines Section 15126.6(f)). CEQA generally defines “feasible” to mean the ability to be accomplished in a successful manner within a reasonable timeframe, taking into account economic, environmental, social, technological, and legal factors. The following factors may also be taken into consideration when assessing the feasibility of alternatives: site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and the ability of the proponent to attain site control (State CEQA Guidelines Section 15126.6(f)(1)). An EIR need not consider an alternative whose impact cannot be reasonably ascertained and whose implementation is remote and speculative. Furthermore, an EIR need not consider every conceivable alternative but must consider a reasonable range of alternatives that will foster informed decision-making and public participation.

CEQA also requires the evaluation of a no-project alternative (State CEQA Guidelines Section 15126.6(e)). The analysis of a no-project alternative is based on the assumption that the proposed project would not be approved. In certain instances, the no-project alternative means “no build,” wherein the existing environmental setting is maintained. However, where failure to proceed with the project would not result in the preservation of existing environmental conditions, the no-project alternative should identify the practical result of the project’s non-approval rather than create and analyze a set of artificial assumptions to preserve the existing physical environment.

An environmentally superior alternative must also be identified among the alternatives considered. The environmentally superior alternative is generally defined as the alternative that would result in the least adverse environmental impact on the project site and affected environment. If a no-project alternative is found to be the environmentally superior alternative, the EIR must identify an environmentally superior alternative among the other alternatives (State CEQA Guidelines Section 15126.6(e)(2)).

State CEQA Guidelines Section 15126.6(c) also requires an EIR to identify and briefly discuss any alternatives that were considered by the lead agency but rejected as infeasible during the scoping process. In identifying alternatives, primary consideration was given to alternatives that would reduce significant impacts while still meeting most of the basic project objectives. Those alternatives that would have impacts identical to or more severe than those of the proposed project or would not meet most of the basic project objectives were rejected from further consideration.

5.3 Alternatives Selection

The goal of developing a set of possible alternatives is to identify other means for attaining the project objectives while substantially lessening or avoiding one or more of the significant environmental impacts potentially caused by the proposed project. The proposed project’s objectives and significant impacts and comments received during the public scoping period were considered in developing a reasonable range of alternatives for analysis, so that the alternatives analyzed meet most of the objectives and avoid or minimize at least one of the proposed project’s significant impacts.

5.3.1 Project Objectives

The Golden Gate Bridge, Highway and Transportation District (District), in coordination with the City of San Rafael (City), Marin County Transit District (Marin Transit), Transportation Authority of Marin (TAM), and Sonoma-Marín Area Rail Transit (SMART), plans to replace the transit center in Downtown San Rafael. The proposed project is needed primarily to replace the existing transit center following the loss of some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur. Specifically, the project objectives are to:

- Provide improved transit connectivity and ease of use in and around Downtown San Rafael.
- Enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services.
- Efficiently accommodate transit users and services, optimize operating costs, and improve transit desirability.

- Design a functional, attractive, cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.
- Provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.
- Provide a secure, safe, and inviting space for transit patrons.
- Create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety.
- Provide convenient, pedestrian connections to surrounding land uses.

5.3.2 Summary of Significant Impacts of the Move Whistlestop Alternative (Preferred Alternative)

The EIR did not identify any significant and unavoidable impacts of the Move Whistlestop Alternative. The EIR identified significant impacts that would be reduced to less-than-significant levels with mitigation in the resource areas of air quality, biological resources, cultural resources, energy, greenhouse gases (GHGs), hazards and hazardous materials, noise, and tribal cultural resources.

5.4 Alternatives Analysis

The following section describes the alternatives that were selected and evaluated in equal detail to the preferred alternative. The No-Project Alternative is required under State CEQA Guidelines Section 15126.6(e). The selected alternatives, which were developed by the project proponent with input from the local communities, were identified based on their ability to meet the needs of transit users and achieve the project objectives. The alternatives evaluated in equal detail to the preferred alternative are the following:

- ~~No-Project Alternative~~
- Adapt Whistlestop Alternative
- 4th Street Gateway Alternative
- Under the Freeway Alternative

The impacts of the Move Whistlestop Alternative, Adapt Whistlestop Alternative, 4th Street Gateway Alternative, and Under the Freeway Alternative are analyzed in Chapter 3, Environmental Analysis. Table 5-1 provides a comparison between the impacts of the preferred alternative, the Move Whistlestop Alternative, to the impacts of the build alternatives analyzed in equal detail and the No-Project Alternative.

5.4.1 No-Project Alternative

5.4.1.1 Description

The No-Project Alternative is based on what would reasonably be expected to occur if the proposed project is not implemented. Under the No-Project Alternative, the District would not relocate the transit center; it would remain at its current location in Downtown San Rafael between 2nd Street, 3rd Street, West Tamalpais Avenue, and Hetherton Street and continue to operate as it does currently.

The southward extension of SMART to Larkspur in late 2019 required the construction of two sets of tracks through the middle of the existing transit center site south of 3rd Street. The SMART tracks bisect the existing transit center, which required reconfiguration of platforms. These changes have led to reduced bus operations, site functionality, and capacity including eliminating existing bus and taxi staging platforms as well as some bicycle facilities; inhibiting some bus turning movements; increasing bus congestion within the transit center; increasing queuing on surrounding surface streets during train crossing events; and channelizing pedestrian circulation within the transit center area. Pedestrian access and transfer activity among the remaining platforms at the transit center has also been disrupted. The existing transit center is deficient in bus operations, connectivity between modes, and pedestrian safety. The 17 existing bus bays are fully utilized at peak times and provides limited opportunity for growth in transit service. Additionally, there is limited adjacent space available for provision of paratransit, pick-up/drop-off, maintenance vehicle, and shuttle curb space.

The No-Project Alternative would include the existing transit center, which has been compromised by the implementation of the SMART Phase 2 line. This facility would not meet the project objective to provide improved transit connectivity and ease of use in and around Downtown San Rafael. Connectivity and ease of use would not be improved. The No-Project Alternative would not improve local and regional transit use by enhancing the integration of multiple modes of the transportation network, including the SMART-bus connection. The existing transit center would remain separated from the SMART station by heavily traveled 3rd Street and would require users to navigate between stations. Other improvements to the safety, accessibility, and functionality of transit would not be achieved if the No-Project Alternative were implemented.

Additionally, the No-Project Alternative would not meet the transportation goals established in the *San Rafael Transit Center Relocation Study* (City of San Rafael et al. 2017), the *San Rafael Downtown Station Area Plan* (City of San Rafael 2012), the long-range *Strategic Vision Plan* (TAM 2017), or *Plan Bay Area 2040* (MTC and ABAG 2017). The No-Project Alternative would also not meet the goals proposed in the ~~Draft~~ *San Rafael General Plan 2040* (City of San Rafael 20212020a) and ~~Draft~~ *Downtown San Rafael Precise Plan* (City of San Rafael Community Development Department 20212020b).

5.4.1.2 Impacts

Aesthetics

Under the No-Project Alternative, there would be no change to the current views, visual character, daytime glare, and nighttime lighting. With respect to aesthetics, impacts under this alternative would be less than those of the Move Whistlestop Alternative.

Air Quality

No construction would occur with the No-Project Alternative. As a result, none of the short-term construction-related emissions resulting from the Move Whistlestop Alternative (preferred alternative) would occur. Mitigation measures are identified in this EIR that would reduce potential air quality impacts during project construction of the build alternatives to a less-than-significant level. The No-Project Alternative would not require mitigation to offset this impact. Therefore, impacts on air quality under this alternative would be less than those of the Move Whistlestop Alternative. Operational emissions under the No-Project Alternative would be similar to emissions analyzed for the Move Whistlestop Alternative and other build alternatives and would result in less-than-significant air quality impacts. The No-Project Alternative would not provide the decreased congestion associated with the Move Whistlestop Alternative. Therefore, the No-Project Alternative would not have the beneficial operational impacts on air quality identified for under this alternative would be less beneficial than those of the Move Whistlestop Alternative.

Biological Resources

The No-Project Alternative would avoid construction and operational impacts related to tree removal and potential disturbance to nesting birds and, therefore, impacts on biological resources under this alternative would be less than those of the Move Whistlestop Alternative.

Cultural Resources

Potential disruption to unknown historic, archaeological, and paleontological resources would not occur with this alternative because there would be no ground disturbance. Therefore, the construction impacts on cultural resources under this alternative would be less than those of the Move Whistlestop Alternative. Because operation of the transit center under the No-Project Alternative would involve the same activities as described for the preferred alternative and build alternatives as analyzed in Section 3.4, Cultural Resources, impacts would be the same under the No-Project Alternative.

Energy

The No-Project Alternative would not have temporary impacts on energy use from construction. The existing transit center is less energy efficient than the new facility that would be constructed under the Move Whistlestop Alternative. Therefore, construction of the No-Project Alternative would have less of an impact than the Move Whistlestop Alternative. However, oOperation of the No-Project Alternative would not have the beneficial impacts of the Move Whistlestop Alternative.

Geology and Soils

No construction would occur under the No-Project Alternative. Therefore, none of the geologic/soils impacts associated with construction and operation would occur. Mitigation measures are identified in this EIR that would reduce potential geology and soils impacts from construction of the build alternatives to a less-than-significant level. The No-Project Alternative would have no need for such mitigation. Therefore, the construction impacts on geology and soils would be less than those of the Move Whistlestop Alternative. Operation of the No-Project Alternative would consist of the same activities analyzed in Section 3.6, Geology and Soils, and therefore operational impacts generally would be the same as described for the preferred alternative and build alternative.

Greenhouse Gas Emissions

No new construction would occur with the No-Project Alternative. As a result, none of the short-term construction-related emissions resulting from the anticipated development would occur under this alternative. Therefore, impacts related to ~~greenhouse gas~~GHG emissions under this alternative would be less than those of the Move Whistlestop Alternative. There would be GHG emissions from continued operation of the existing transit center. Provisions of the 2017 Scoping Plan that apply to new buildings (discussed in detail in Section 3.7, Greenhouse Gas Emissions) would not apply to the continued use of the existing facility under the No Project Alternative. The existing transit center would continue to operate as it currently does, such that there would not be a conflict with applicable plans and policies. Operational impacts for the No-Project Alternative would be less than significant, as determined for the Move Whistlestop Alternative.

Hazards and Hazardous Materials

Under the No-Project Alternative, as there would be no construction, there would be no risk of exposure to potentially hazardous materials due to construction materials and ground disturbance. Operational risks related to hazards and hazardous materials under the No-Project Alternative would be similar to those of the Move Whistlestop Alternative. Therefore, impacts related to hazards and hazardous materials under this alternative would be less than those of the Move Whistlestop Alternative during construction and similar to those of the Move Whistlestop Alternative during operation.

Hydrology and Water Quality

Under the No-Project Alternative, the existing drainage patterns in the project area would be maintained. The No-Project Alternative would not result in temporary impacts on water quality related to construction. Therefore, impacts on hydrology and water quality under this alternative would be less than those of the Move Whistlestop Alternative.

Land Use and Planning

The No-Project Alternative would result in a continuation of the existing uses in the project area. This alternative would also be consistent with ~~The City of San Rafael General Plan 2020~~ and City zoning regulations. However, the No-Project Alternative would not be compatible with the vision for a replaced transit center contained in the *San Rafael Downtown Station Area Plan* (City of San Rafael 2012), TAM's *Strategic Vision Plan* (2017), or *Plan Bay Area 2040* (MTC and ABAG 2017). The No-Project Alternative would not be compatible with ~~the Draft San Rafael General Plan 2040~~ (City of San Rafael ~~2020a~~2021) and ~~Draft Downtown San Rafael Precise Plan~~ (City of San Rafael ~~Community Development Department 2020b~~2021). This would be a significant and unavoidable impact.

Noise and Vibration

With the No-Project Alternative, there would be no short-term construction noise impacts. Therefore, impacts related to noise and vibration under this alternative would be less than those of the Move Whistlestop Alternative. Operational impacts on noise and vibration under existing conditions, which would continue under the No-Project Alternative, are described in Section 3.11, Noise, and would be similar to those of the Move Whistlestop Alternative. The No-Project Alternative would not provide the decreased congestion associated with the Move Whistlestop Alternative, ~~which may result in increased noise compared to the.~~ Therefore, operational impacts on

~~noise under the No-Project Alternative would be less beneficial than those of the Move Whistlestop Alternative.~~

Population and Housing

The No-Project Alternative would result in the continuation of existing uses in the project area. There would be no effect on population growth or demand for housing. Therefore, the impacts on population and housing under this alternative would be equal to those of the Move Whistlestop Alternative.

Public Services and Recreation

Under the No-Project Alternative, there would be no ~~temporary~~ impacts on public service providers related to compromised access for emergency vehicles during construction and operation. Therefore, impacts on public services and recreation under this alternative would be less than those of the Move Whistlestop Alternative.

Transportation

Under the No-Project Alternative, the temporary impacts on traffic and transportation related to construction of the Move Whistlestop Alternative would not occur. Therefore, construction impacts on traffic and transportation under this alternative would be less than those of the Move Whistlestop Alternative. During operation, the No-Project Alternative would not provide the decreased congestion associated with the Move Whistlestop Alternative. It would also not have the beneficial impact of integration between transit modes. The No-Project Alternative would not provide additional bicycle or pedestrian connectivity in the project area and existing safety concerns for transit users transferring between transit modes would remain. The No-Project Alternative would not have the beneficial operational impacts on traffic and transportation that would occur under the Move Whistlestop Alternative. Additionally, the No-Project Alternative would not be compatible with the vision for a replaced transit center contained in the *San Rafael Downtown Station Area Plan* (City of San Rafael 2012), *TAM's Strategic Vision Plan* (2017), *Plan Bay Area 2040* (MTC and ABAG 2017), or ~~the Draft San Rafael General Plan 2040~~, including Program M-4.7A: Transit Center Relocation. With the No-Project Alternative the operational capacity constraints of the existing transit center would remain. Transit operators would be severely limited in their ability to add transit service or adjust schedules to meet future needs. Access to bus bays would remain constrained, which would ~~impact~~ impact flexibility in fleet composition and bus routing. This would likely constrain future transit service and bus network design. This impact would be significant and unavoidable under the No-Project Alternative.

Tribal Cultural Resources

Under the No-Project Alternative, there would be no potential impacts from disturbance to identified resources of tribal cultural significance or unanticipated discovery of tribal cultural resources. Therefore, the impact of this alternative on tribal cultural resources would be less than ~~those that~~ of the Move Whistlestop Alternative.

Utilities and Service Systems

Under the No-Project Alternative, there would be no impacts associated with construction, and impacts would therefore be less than under the No-Project Alternative. Operation of the ~~The No-~~

Project Alternative would result in the continuation of existing uses in the project area and would not require modification to any of the existing utilities and service systems at the existing transit center. ~~Therefore, i~~Operational impacts on utilities and service systems under this alternative would be ~~less than~~similar to those of the Move Whistlestop Alternative.

Wildfire

Given the location of the No-Project Alternative in relation to the location of the Move Whistlestop Alternative, the existing transit facility would have a comparable level of wildfire risk to that of the Move Whistlestop Alternative. Therefore, impacts from this alternative related to wildfires would be comparable to those of the Move Whistlestop Alternative.

5.4.2 Build Alternatives

The Adapt Whistlestop, 4th Street Gateway, and Under the Freeway Alternatives would vary in site area and location; specific features and facilities would vary. These alternatives share the following components:

- 17 straight-curb bus bays to accommodate transit, airport coach service, and Greyhound services at the transit center
- Provision of paratransit, pick-up/drop-off, maintenance vehicle, and shuttle curb space
- Provision of bicycle parking, including racks and lockers
- Minimum 9-foot-wide platforms adjacent to bus bays
- Platforms providing passenger amenities including weather protection (such as shelters or canopies) and seating
- Other features including public art, security, and wayfinding signage
- Provision of a roughly 3,000-square-foot building including customer service, public restrooms, driver relief facilities, small retail, maintenance, and security
- Existing transit center facility to be vacated; no plans for use of the site once vacated

Due to these shared features, the Adapt Whistlestop, 4th Street Gateway, and Under the Freeway Alternatives all generally meet the project objectives. Any variation in these alternatives' ability to meet the project objectives is discussed in the below descriptions.

5.4.2.1 Adapt Whistlestop Alternative

The site is generally between West Tamalpais Avenue to the west and Hetherton Street to the east, 4th Street to the north, and 3rd Street to the south. This alternative would include the construction of a bike path and pedestrian improvements on the west side of West Tamalpais Avenue from 2nd Street to 4th Street. See Figure 2-5 for the site plan. This alternative is on the same block as the existing SMART station. This alternative includes nine parcels currently occupied by the Whistlestop building, a café, a restaurant, parking spaces, the SMART tracks, and the Citibank building with its affiliated parking lot, also referred to as the "Citibank parcel." Surrounding the project site are retail, commercial, and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants, residential, and retail facilities to the west.

The Adapt Whistlestop Alternative would feature five platforms, A through E, and one District building. There would be 17 straight-curb bus bays to accommodate transit, airport coach service, and Greyhound services at the transit center.

The Whistlestop building (minus the Jackson Café) would be renovated or remodeled to serve as District customer service and operations building space. Some of the space within the building could be allocated for non-District uses. Tamalpais Avenue between 3rd and 4th Streets would be limited to buses only. Bus bays on the Citibank parcel would be accessed via driveways along 3rd and 4th Streets. The area on the southeast corner of the intersection of Tamalpais Avenue and 4th Street would be provided for bicycle parking. The area west of West Tamalpais Avenue between 3rd and 4th Streets (i.e., space not utilized by the relocated Whistlestop building) would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. The existing SMART pick-up/drop-off area on East Tamalpais Avenue would be removed and replaced with passenger pick-up/drop-off in a new access alley constructed to the west of West Tamalpais Avenue between 3rd Street and 4th Street. The new access alley would also contain maintenance vehicle parking for six District vehicles. The access alley would connect to a new driveway on 4th Street between Tamalpais Avenue and Lincoln Avenue that would replace the removed driveway on West Tamalpais Avenue to the condo complex at Lincoln Avenue and 4th Street for six vehicles on West Tamalpais Avenue between 4th Street and 5th Avenue. Fifty feet of shuttle parking would be provided on West Tamalpais Avenue between 3rd Street and 4th Street. Maintenance vehicle parking for six District vehicles would be provided on West and East Tamalpais Avenues between 4th Street and 5th Avenue. A new driveway would be installed on 4th Street between West Tamalpais Avenue and Lincoln Avenue to replace the removed driveway on West Tamalpais Avenue to the condo complex at Lincoln Avenue and 4th Street. Space would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. Construction of the bicycle path on Tamalpais Avenue from 2nd Street to 4th Street would reflect implementation of one of the City's planned bicycle infrastructure improvements. This bike path would connect to the Mahon Creek Path. Additionally, the Move Whistlestop Alternative would include new on-street parking on West Tamalpais Avenue between 2nd Street and 3rd Street. This alternative would generally meet the project objectives.

See Chapter 2, Project Description, for more detail on this alternative and Chapter 3, Environmental Analysis, for the detailed analysis of impacts due to construction and operation of the Adapt Whistlestop Alternative. The Adapt Whistlestop Alternative would lessen the following potentially significant impacts of the Move Whistlestop Alternative (the preferred alternative):

- Impact EN-1:** Section 3.5, Energy, determines that the preferred Move Whistlestop Alternative would have a potentially significant impact due to construction energy usage and consumption. This impact would be mitigated to a less-than-significant level with implementation of MM-GHG-CNST-1, which requires implementation of the Bay Area Air Quality Management District's (BAAQMD's) best management practices (BMPs) and applicable California Green Building Code requirements to reduce GHG emissions from construction. While the Adapt Whistlestop Alternative would also result in potentially significant impacts due to construction energy usage and consumption, as shown in Table 3.5-3, the Adapt Whistlestop Alternative (8,495 million British thermal units [BTUs]) would result in less energy consumption during construction than the Move Whistlestop Alternative (8,600 million BTUs), thereby lessening a potentially significant impact of the proposed project. Construction of this alternative would consume less energy than construction of the Move Whistlestop Alternative, as it is estimated to require fewer

truck hauling trips (i.e., less energy consumed in the form of diesel or gasoline) to remove debris.

- **Impact GHG-1:** Section 3.7, Greenhouse Gas Emissions, determines that the preferred Move Whistlestop Alternative would have a potentially significant impact due to the generation of GHG emissions during construction. This impact would be mitigated to a less-than-significant level with implementation of MM-GHG-CNST-1, which requires implementation of BAAQMD's BMPs and applicable California Green Building Code requirements to reduce GHG emissions from construction. While the Adapt Whistlestop Alternative would also result in potentially significant impacts related to the generation of GHG emissions during construction, as shown in Table 3.7-4, the Adapt Whistlestop Alternative would result in less GHG emissions than the Move Whistlestop Alternative, thereby lessening a potentially significant impact of the proposed project. All the build alternatives are similar in size, so it was conservatively assumed that they would have identical off-road construction equipment fleets; however, the Adapt Whistlestop Alternative would require a smaller amount of construction and demolition debris to be hauled off site.

5.4.2.2 4th Street Gateway Alternative

This alternative site is bounded by 5th Avenue, 3rd Street, Hetherton Street, and the SMART tracks, as well as curb space along West Tamalpais Avenue; see Figure 2-6 in Chapter 2, Project Description, for the site plan. North of 4th Street, the existing project site is currently occupied by offices and retail (salons and a bagel shop) and associated parking spaces. Citibank and its affiliated parking lot currently occupy the existing portion of the site south of 4th Street. To the west of the Citibank parcel are the SMART tracks, which align the western portion of the southern section of the project site. Adjacent to the tracks are the Whistlestop building and Jackson Café. Surrounding the project site are retail and office uses to the north, US-101 to the east, the existing San Rafael Transit Center to the south, and restaurants and retail facilities to the west.

The 4th Street Gateway Alternative would feature six platforms, A through F, and two District buildings. There would be three on-street bays located curbside on the west side of Hetherton Street between 4th Street and 5th Avenue. In order to accommodate these curbside bays, southbound right turns from Hetherton Street to 4th Street would be precluded. On the east side of both sites, space would be provided for public plazas, customer service, bicycle parking, and/or transit-supportive land uses.

Under this alternative, the District building would be one story and an estimated 3,000 square feet. It would include a driver break room with restrooms, District offices and customer support area with restrooms and a kitchen, and a public lobby with a service counter and restrooms.

This alternative would generally meet the project objectives; however, it would result in increased intersection delays, longer corridor travel times, and gridlock conditions and would not include the construction of the City's proposed bicycle facilities that would be constructed under the preferred alternative, meaning that it conflicts with the project objective to create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts. This alternative would also require the acquisition of additional parcels, which would increase project costs and result in this alternative less fully meeting the project objective to design a cost-effective facility.

See Chapter 2, Project Description, for more detail on this alternative and Chapter 3, Environmental Analysis, for the detailed analysis of impacts from the 4th Street Gateway Alternative. The 4th Street

Gateway Alternative would lessen the following potentially significant impacts of the Move Whistlestop Alternative (the preferred alternative):

- **Impact EN-1:** Section 3.5, Energy, determines that the preferred Move Whistlestop Alternative would have a potentially significant impact due to construction-related energy usage and consumption. This impact would be mitigated to a less-than-significant level with implementation of MM-GHG-CNST-1, which requires implementation of BAAQMD's BMPs and applicable California Green Building Code requirements to reduce GHG emissions from construction. While the 4th Street Gateway Alternative would also result in potentially significant impacts due to construction-related energy usage and consumption, as shown in Table 3.5-3, the 4th Street Gateway Alternative (8,526 million BTUs) would result in less energy consumption during construction than the Move Whistlestop Alternative (8,600 million BTUs), thereby lessening a potentially significant impact of the proposed project. Construction of this alternative would consume less energy than construction of the Move Whistlestop Alternative, as it is estimated to require fewer truck hauling trips (i.e., less energy consumed in the form of diesel or gasoline) to remove debris.
- **Impact GHG-1:** Section 3.7, Greenhouse Gas Emissions, determines that the preferred Move Whistlestop Alternative would have a potentially significant impact due to the generation of GHG emissions during construction. This impact would be mitigated to a less-than-significant level with implementation of MM-GHG-CNST-1, which requires implementation of BAAQMD's BMPs and applicable California Green Building Code requirements to reduce GHG emissions from construction. While the 4th Street Gateway Alternative would also result in potentially significant impacts due to the generation of GHG emissions during construction, as shown in Table 3.7-4, the 4th Street Gateway Alternative would result in less GHG emissions than the Move Whistlestop Alternative, thereby lessening a potentially significant impact of the proposed project.
- **Impact HAZ-3:** Section 3.8, Hazards and Hazardous Materials, determines that the preferred Move Whistlestop Alternative would have potentially significant impacts due to the proximity of this alternative to an existing or proposed school. Limited quantities of hazardous materials commonly used in construction and during routine maintenance activities may be required for project construction and transported past Saint Raphael School for delivery to or removal from the project site, resulting in a potentially significant impact that would be mitigated to a less-than-significant level with implementation of MM-HYD-CNST-1, which includes preparation and implementation of a stormwater pollution prevention plan (SWPPP). The SWPPP would include BMPs designed to ensure proper handling of hazardous materials utilized or encountered during construction activities and compliance with applicable regulations and policies. No schools are within 0.25 mile of the 4th Street Gateway Alternative. Therefore, while the Move Whistlestop Alternative has the potential to result in significant impacts, the 4th Street Gateway Alternative would result in no impact.
- **Impact NOI-1:** The preferred Move Whistlestop Alternative would have potentially significant impacts due to the exceedance of the City's daytime and nighttime noise limits during construction. As discussed in Section 3.11, Noise, mitigation would reduce this impact to a less-than-significant-level. The 4th Street Gateway Alternative would lessen the magnitude of this potentially significant impact. Under this alternative, construction noise levels would be less than under the Move Whistlestop Alternative during site demolition. Impacts from the exceedance of daytime noise limits would be avoided and impacts from the exceedance of nighttime noise limits would be less than for the Move Whistlestop Alternative. Mitigation

would still be required for impacts related to nighttime noise levels under the 4th Street Gateway Alternative, but the impact requiring mitigation would be of a lesser magnitude under this alternative due to its location farther from the sensitive receptors affected under the Move Whistlestop Alternative.

5.4.2.3 Under the Freeway Alternative

This alternative site is generally located beneath US-101 and bounded by 5th Avenue, south of 4th Street, Irwin Street, and Hetherton Street; see Figure 2-7 for the site plan. Underneath US-101 there are four park-and-ride lots, maintained and operated by the California Department of Transportation (Caltrans), in the vicinity of the existing transit center. Irwin Creek, underneath US-101, flows parallel to US-101. North of 4th Street the existing project site is currently occupied by offices and parking, and south of 4th Street the site is currently occupied by retail and offices. Surrounding the project site are residences and ~~trial~~ offices to the north; retail and residences to the east; retail and offices to the south; and retail uses, restaurants, and residential offices to the west.

The Under the Freeway Alternative would feature six platforms, A through F. The affiliated bus bays would be accessed via driveways on 4th Street, Irwin Street, and Hetherton Street. Internal circulation would be provided to allow buses accessing bays from either side of the site to egress on either side as well, which is critical given the diverse bus routing accessing the site. Space would be provided for public plazas, customer service, and/or transit-supportive land uses. This would require three bridges/viaducts over Irwin Creek to connect Hetherton Street to the bus bays.

Under this alternative, the District building would be one story and an estimated 3,000 square feet. It would include a driver break room with restrooms, District offices and customer support area with restrooms and a kitchen, and a public lobby with a service counter and restrooms.

This alternative would generally meet the project objectives; however, its location under the freeway would affect site visibility and partially conflict with the objective to provide a secure, safe, and inviting space for transit patrons. Additionally, this alternative would not include the construction of the City's proposed bicycle facilities that would be constructed under the preferred alternative, meaning that it less fully meets the project objective to create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts. Additionally, this alternative would result in bus services being located farther from the SMART platform than under the preferred alternative. Therefore, this alternative less fully meets the objective of bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services. This alternative would also require the acquisition of additional parcels, which would increase project costs and result in this alternative less fully meeting the project objective to design a cost-effective facility.

See Chapter 2, Project Description, for more detail on this alternative and Chapter 3, Environmental Analysis, for the detailed analysis of impacts from the Under the Freeway Alternative. The Under the Freeway Alternative would lessen the following potentially significant impacts of the Move Whistlestop Alternative (the preferred alternative):

- **Impact HAZ-3:** Section 3.8, Hazards and Hazardous Materials, determines that the preferred Move Whistlestop Alternative would have potentially significant impacts due to the proximity of this alternative to an existing or proposed school. Limited quantities of hazardous materials commonly used in construction and during routine maintenance activities may be required for

project construction and transported past Saint Raphael School for delivery to or removal from the project site, resulting in a potentially significant impact that would be mitigated to a less-than-significant level with implementation of MM-HYD-CNST-1, which includes preparation and implementation of a SWPPP. The SWPPP would include BMPs designed to ensure proper handling of hazardous materials utilized or encountered during construction activities and compliance with applicable regulations and policies. No schools are within 0.25 mile of the Under the Freeway Alternative. Therefore, while the Move Whistlestop Alternative has the potential to result in significant impacts, the Under the Freeway Alternative would result in no impact.

- **Impact NOI-1:** The preferred Move Whistlestop Alternative would have potentially significant impacts due to the exceedance of the City's daytime and nighttime noise limits during construction. As discussed in Section 3.11, Noise, mitigation would reduce this impact to a less-than-significant-level. The Under the Freeway Alternative would lessen the magnitude of this potentially significant impact. Under this alternative, construction noise levels would be less than under the Move Whistlestop Alternative during site demolition. Impacts from the exceedance of daytime noise limits would be avoided and impacts from the exceedance of nighttime noise limits would be less than those for the Move Whistlestop Alternative. Mitigation would still be required for impacts related to nighttime noise levels under the Under the Freeway Alternative, but the impact requiring mitigation would be of a lesser magnitude under this alternative due to its location farther from the sensitive receptors affected under the Move Whistlestop Alternative.

5.4.3 Comparison of Impacts of the Preferred Alternative and Other Alternatives

Table 5-1 provides a comparison of the impacts of the preferred alternative, which is the Move Whistlestop Alternative, to the impacts of the build alternatives and the No-Project Alternative. Note that minor variations in the magnitude of impacts among alternatives are not reflected in this table, which compares the general impact determinations provided in this EIR (i.e., no impact, less than significant, less than significant with mitigation, and significant and unavoidable).

Table 5-1. Comparison of Other Build Alternatives to the Preferred Alternative

Resource	Move Whistlestop Alternative (Preferred Alternative) Level of Impact	No-Project Alternative		Adapt Whistlestop Alternative		4th Street Gateway Alternative		Under the Freeway Alternative	
		Level of Impact	Comparison to Preferred Alternative	Level of Impact	Comparison to Preferred Alternative	Level of Impact	Comparison to Preferred Alternative	Level of Impact	Comparison to Preferred Alternative
Aesthetics	LTS	NI	<	LTS	=	LTS w/MM	>	LTS w/MM	>
Air Quality	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Biological Resources	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	>
Cultural Resources	LTS w/MM	NI	<	LTS w/MM	=	SU	>	SU	>
Energy	LTS w/MM	NI	< ^a	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Geology and Soils	LTS	NI	<	LTS	=	LTS	=	LTS	=
Greenhouse Gas Emissions	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Hazards and Hazardous Materials	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Hydrology and Water Quality ^b	<u>LTS w/MM</u>	NI	<	<u>LTS w/MM</u>	=	<u>LTS w/MM</u>	=	<u>LTS w/MM</u>	>
Land Use and Planning	LTS	SU	< ^a	LTS	=	LTS	=	LTS	=
Noise and Vibration	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	>	LTS w/MM	>
Population and Housing	LTS	NI	<	LTS	=	LTS	=	LTS	=
Public Services and Recreation	LTS	NI	<	LTS	=	LTS	=	LTS	=
Transportation	LTS	SU	> ^a	LTS	=	SU	>	SU	>
Tribal Cultural Resources	LTS w/MM	NI	<	LTS w/MM	=	LTS w/MM	=	LTS w/MM	=
Utilities and Service Systems	LTS	NI	<	LTS	=	LTS	=	LTS	=
Wildfire	LTS	NI	<	LTS	=	LTS	=	LTS	=

NI: No Impact

LTS: Less than Significant

LTS w/MM: Less than Significant with Mitigation

SU: Significant and Unavoidable

<: Impacts would be less than the impacts of the Move Whistlestop Alternative.

>: Impacts would be greater than the impacts of the Move Whistlestop Alternative.

=: Impacts would be equivalent to the impacts of the Move Whistlestop Alternative.

^a Under the No-Project Alternative, the beneficial transportation impacts of the Move Whistlestop Alternative would not occur.

^b This change is to correct a typographical error in the Draft EIR, not a change to impact significance between the Draft and Final EIRs.

5.4.4 Environmentally Superior Alternative

The State CEQA Guidelines require that an environmentally superior alternative be identified. The environmentally superior alternative is the alternative that would avoid or substantially lessen, to the greatest extent feasible, the environmental impacts associated with the project while feasibly obtaining most of the major project objectives. If the alternative with the least environmental impact is determined to be the no-project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The identification of the environmentally superior alternative results from a comparison of the impacts associated with each alternative to the preferred alternative, as shown in Table 5-1. Table 5-1 shows that the No-Project Alternative would avoid the construction-related impacts associated with the build alternatives. However, the No-Project Alternative would result in significant and unavoidable land use and transportation impacts related to continued operations at the existing transit center. In addition, the No-Project Alternative fails to meet most of the basic project objectives.

Comparing the build alternatives to the preferred alternative, the 4th Street Gateway Alternative and the Under the Freeway Alternative would have worsened impacts than the preferred alternative (Table 5-1), including significant and unavoidable impacts on cultural resources under the 4th Street Gateway Alternative and the Under the Freeway Alternative and significant and unavoidable impacts on transportation under the 4th Street Gateway Alternative. In contrast, there would be no significant and unavoidable impacts associated with the preferred alternative, the Move Whistlestop Alternative.

Therefore, of the build alternatives considered in equal detail to the preferred alternative, the Adapt Whistlestop Alternative would have the least environmental impacts and would meet the project objectives. The environmental impacts of the Adapt Whistlestop Alternative would be similar to or slightly less than the impacts identified for the preferred alternative, the Move Whistlestop Alternative. For these reasons, the Adapt Whistlestop Alternative is considered the Environmentally Superior Alternative.

5.4.5 Alternatives Considered but Eliminated from Further Analysis

The following alternatives were identified based on a review of previous documents prepared for the proposed project, including the *Environmental Scoping Report for the San Rafael Transit Center Replacement Project* (ICF 2019; see Appendix A) and the *San Rafael Transit Center Relocation Study* (City of San Rafael et al. 2017).

5.4.5.1 Two-Story Concept

This concept for the transit center would utilize the parcel across 3rd Street from the existing transit center and across the street from the SMART station as the ground level of a two-story transit center. In scoping, it was determined that the amount of ramping needed to deck over the ground-floor portion of the transit center would not fit within the identified parcel, and, therefore, work would need to extend over 3rd Street into the site of the existing transit center. The upper level would need to extend farther into the existing transit center site to accommodate the appropriate

number of bus bays, which would interrupt operation of the existing transit center while the new facility is being constructed.

This concept would include six bays on the ground level of the facility and 12 bays on the upper level of the facility. Pick-up and drop-off facilities would be provided on the ground level at the site of the existing transit center. Stairs and elevators would provide vertical circulation to access the upper level. The ramp leading to the upper level would be accessed via a driveway on Hetherton Street. The ramp down would egress onto Hetherton Street at the 3rd Street and Hetherton Street intersection. The signal at the 3rd Street and Hetherton Street intersection would need to be modified to accommodate an exclusive bus movement phase. Additional facilities, such as customer service, restrooms, retail, etc., could be provided on the upper level of the new transit center.

The primary advantages of this concept are that it concentrates transit activity at one location, enabling transfers between buses and SMART to all occur on one block. The main drawbacks are the challenges that come with a two-level structure: concerns around cost, safety, aesthetics, and constructability.

This alternative would meet the project objectives of providing improved transit connectivity and ease of use in and around Downtown San Rafael, enhancing local and regional transit use by bringing together multiple modes of transportation, and providing a secure, safe, and inviting space for transit patrons. This alternative would meet these objectives by constructing a single facility that would house expanded bus capacity as compared to the existing facility and provide a convenient connection to the SMART platform.

However, this alternative would not meet the project objective of a cost-effective facility, as construction of a two-story facility would result in additional expenses due to the more complex design. These costs would have implications on the operational economic success of the transit center, as it would take a longer amount of time to recoup the investment required for a two-story facility. This alternative could also raise accessibility concerns. Additionally, operations of this alternative would compromise efficiency due to the need for vertical circulation movement to access the second story, resulting in increased potential for operational impacts related to safety from the ramps becoming blocked or otherwise inaccessible. For these reasons, this alternative is eliminated from further analysis in this EIR.

5.4.5.2 Relocation to Between 4th Street and Mission Avenue

This alternative would include the relocation of the existing transit center to the space bordered by Mission Avenue, Hetherton Street, 4th Street, and the SMART. This concept would require the closure of 5th Avenue between Tamalpais Avenue and Hetherton Street to vehicle traffic. The alternative would also require dedication of East Tamalpais Avenue between 3rd Street and 5th Avenue. Under this alternative, 5th Avenue would be closed to vehicle traffic between Tamalpais Avenue and Hetherton Street to allow room for the new bus bays, requiring vehicle traffic to shift to other routes. A total of 20 bus bays would be provided, including two curbside bus bays on the east side of Tamalpais Avenue south of Mission Avenue and four curbside bus bays on the west side of Hetherton Street north of 5th Avenue. This alternative would include two driveways for buses to enter and exit the facility.

Transit users moving from some of the facility's bus bays would be required to cross 4th Street using a mid-block crosswalk to access the SMART platform. Additionally, there would be a limited number of bus routes that could be located on Tamalpais Avenue, across the SMART tracks from the

rest of the transit center. Transit users transferring from these bus routes to the main facility would be required to cross the SMART tracks to access the main transit center. The Puerto Suello bicycle path could be relocated to run adjacent to the SMART tracks, which would reduce conflicts across the path, eliminating its current crossing of 5th Avenue. This would also allow for bicycle parking adjacent to the bicycle path. Bicycles on the path would be able to cross 4th Avenue at the queue cutter signal or at Tamalpais Avenue to access the planned Tamalpais Avenue bicycle route.

This alternative meets the project objectives of providing improved transit connectivity, ease of use in and around Downtown San Rafael, and convenient, pedestrian connections to surrounding land uses. The transit center would be proximally located to the 4th Street corridor, which is home to San Rafael's central Downtown district. This alternative would enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services. As discussed, this alternative would also create a more accessible transit facility for all users by reducing the vehicular, rail, bicycle, and pedestrian conflicts associated with having a busy street intersect the transit center.

This alternative would not achieve the project objective of implementing a cost-effective facility, as the land acquisition required for this alternative would result in additional project cost and would displace numerous residences and businesses, resulting in additional impacts on population and housing. Additionally, the closure of 5th Avenue to vehicle traffic between Tamalpais Avenue and Hetherton Street was deemed infeasible by the City, due to the resulting traffic impacts. For the reasons discussed above, this alternative is eliminated from further analysis in this EIR.

5.4.5.3 Relocation to South of Francisco Boulevard West

This alternative would include the relocation of the existing transit center to a site between Lincoln Avenue, 2nd Street, Francisco Boulevard West, and Irwin Street. This concept would relocate the transit center's bus services, shifting them to the south of the existing transit center. The alternative would require acquisition of parcels along Francisco Boulevard West and would require conversion of a portion of the parking lot of the Sprouts and Staples shopping center. Transit users transferring between the facility's bus bays and the SMART station would be required to travel south across 3rd Street, 2nd Street, and Francisco Boulevard West.

This alternative would not meet the project objectives of providing improved transit connectivity, ease of use in and around Downtown San Rafael, and convenient, pedestrian connections to surrounding land uses. The transit center would be farther than the existing facility from the 4th Street corridor, which is home to San Rafael's central Downtown district. This alternative is also separated from the SMART station, making transfers between bus lines and SMART less convenient.

This alternative would not achieve the project objective of implementing a cost-effective facility, as this alternative would result in out-of-direction travel for nearly all bus routes, adding substantial delay for buses and congestion to nearby roadways. It would be outside of Downtown San Rafael, which is the origin and destination for many users of the transit center, making it inconvenient for many users. For the reasons discussed, this alternative is eliminated from further analysis in the EIR.

5.4.5.4 Across the Freeway

This concept is bounded by 5th Avenue to the north, Irwin and Hetherton Streets to the east, 3rd Street to the south, and Tamalpais Avenue to the west. This alternative could include a three-bay

transit island on Hetherton Street between 3rd and 4th Streets, and or could shift Hetherton Street to the west to allow for on-street bays on the east side of Hetherton Street between 3rd and 4th Streets. This concept incorporates the area underneath US-101, which would eliminate some existing Caltrans park-and-ride lot parking stalls and require covering Irwin Creek (a tributary of San Rafael Creek), across a portion of the block.

This alternative would not meet the project objective of improved transit connectivity and ease of use, the objective of bringing together multiple modes of the transportation network—including the SMART-bus connection, or the objective of reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety. Multiple bus platforms would be located under the freeway and would require transit users to cross Hetherton Street in order to reach the SMART station. Shifting Hetherton Street to the west would increase project costs and result in additional impacts on transportation. This alternative would also have additional impacts on biological resources due to covering Irwin Creek. For the reasons discussed, this alternative is eliminated from further analysis in the EIR.

5.4.5.5 North of 4th Street and Under the Freeway

This concept would occupy the entire block bounded by 5th Avenue to the north, Irwin Street to the east, 4th Street to the South, and Hetherton Street to the west. It is generally located beneath US-101, would eliminate some existing parking stalls in the Caltrans park-and-ride lot, and require covering Irwin Creek (a tributary of San Rafael Creek) across the full length of the block. While this concept could accommodate 17 bus bays within this block, site circulation would be limited, affecting bus operations, and it would require customer service, restrooms, and pick-up/drop-off functions to be located off site.

This alternative would not meet the project objective of improved transit connectivity and ease of use, the objective of bringing together multiple modes of the transportation network—including the SMART-bus connection, or the objective of reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety. The separation between this alternative and the SMART Station would require users to cross 4th Street and Hetherton Street to reach the SMART Station and pick-up/drop-off areas. Additionally, this alternative would not meet the project objectives of a secure, safe, and inviting space for transit patrons and improving transit desirability due to the lack of customer service space and restroom facilities. This alternative would not achieve the objective of efficiently accommodating transit services because it would limit site circulation for buses. This alternative would also have additional impacts on biological resources due to covering Irwin Creek. For the reasons discussed, this alternative is eliminated from further analysis in the EIR.

5.4.5.6 Existing Transit Center Plus Citibank Site

This alternative would use the eastern portion of the existing transit center and the Citibank site at the corner of Hetherton Street and 3rd Street. In this configuration, driveways would be located on 2nd, 3rd, and 4th Streets. A total of 17 bus bays would be provided. This alternative would provide two locations (one on each side of 3rd Street) for customer service or security space, with a total of 1,873 square feet of space provided. Four curbside bus bays would be located on Hetherton Street between 2nd Street and 3rd Street to accommodate routes coming to and from US-101. This alternative could include an overhead pedestrian crossing across 3rd Street to provide a grade-separated pedestrian connection between the two portions of the transit center, or the alternative could be implemented without the overhead pedestrian crossing and pedestrian activity shifted to the signalized crossing of 3rd Street at Hetherton Street.

This alternative would result in pedestrian safety and congestion concerns due to its location relative to existing congestion points, particularly related to driveways on congested roadways and the pedestrian crossing at 3rd Street. Therefore, this alternative would not meet the project objective of reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety. It would also fail to meet the project objective of efficiently accommodating transit users and services. For the reasons discussed, this alternative is eliminated from further analysis in the EIR.

6.1 Growth-Inducing Impacts

The California Environmental Quality Act (CEQA) requires a consideration of a project's capacity to induce growth. Growth inducement would occur if the amount of population or employment growth projected to occur as a result of the San Rafael Transit Center Replacement Project (proposed project) would exceed planned levels. Increased development and growth in an area are dependent on a variety of factors, including employment and other opportunities, availability of developable land, and availability of infrastructure, water, and power resources. The proposed project does not include the development of housing or businesses, and therefore would not directly induce population. The proposed project would provide transit, bicycle, and pedestrian improvements consistent with multiple City of San Rafael (City) planning documents including *The City of San Rafael General Plan 2020-2040*, *San Rafael Climate Change Action Plan*, *Downtown San Rafael Precise Plan*, and *San Rafael Downtown Station Area Plan*. Approximately eight individuals are currently employed at the existing transit center. With implementation of the proposed project, the same eight employees would work at the proposed transit center. This would result in no net increase in the number of employees, and therefore there would be no increase in the number of jobs available in the City as a result of the proposed project. The proposed project is in an area that is already heavily developed with a mix of uses, including commercial or residential uses. The proposed project would not require the construction of any new roads. Overall, the proposed project would not induce growth in the region surrounding the project area.

6.2 Significant and Unavoidable Environmental Consequences

Section 21067 of CEQA and Sections 15126(b) and 15126.2(b) of the State CEQA Guidelines require that an environmental impact report describe any significant impacts, including those that can be mitigated but not reduced to a less-than-significant level. Furthermore, where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should also be described.

6.2.1 Move Whistlestop Alternative (Preferred Project)

There would be no significant and unavoidable impacts under the Move Whistlestop Alternative.

6.2.2 No-Project Alternative

Impacts related to the following topics would remain significant and unavoidable with the implementation of mitigation under the No-Project Alternative.

- **Land Use and Planning:** 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
- **Transportation and Traffic:** Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities

6.2.3 Adapt Whistlestop Alternative

There would be no significant and unavoidable impacts under the Adapt Whistlestop Alternative.

6.2.4 4th Street Gateway Alternative

Impacts related to the following topics would remain significant and unavoidable with the implementation of mitigation under the 4th Street Gateway Alternative.

- **Cultural Resources:** Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5
- **Transportation and Traffic:** Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities

6.2.5 Under the Freeway Alternative

Impacts related to the following topics would remain significant and unavoidable with the implementation of mitigation under the Under the Freeway Alternative.

- **Cultural Resources:** Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5

6.3 Significant Irreversible Environmental Changes

CEQA requires evaluation of irretrievable resources to ensure that their use is justified. State CEQA Guidelines Section 15126.2(d) describes potential significant irreversible changes, including “use of nonrenewable resources during the initial and continued phases of a project.”

The Move Whistlestop Alternative would not commit future generations to specific uses that are incompatible with existing and reasonably foreseeable conditions. The proposed project would provide the same modes of transit services as the No-Project Alternative.

Under the No-Project Alternative, transit services would continue as provided by the existing transit center. The consumption of nonrenewable resources that can be attributed to the transit center’s operation would continue. Implementation of each of the four build alternatives would increase transit capacity and improve transit connectivity and ease of use. Each of the build alternatives would also bring together multiple modes of the transportation network and enable easier, safer transfers between modes than under the No-Project Alternative, lowering dependency on passenger vehicles and reducing associated fossil fuel use.

Construction of all four build alternatives would entail the one-time, irreversible, and irretrievable commitment of nonrenewable resources, such as labor required for planning, design, construction,

and operations; energy (fossil fuels used for construction equipment and transportation of workers and materials); and construction materials (such as lumber, sand, gravel, metals, and water). Although these expenditures would be irrecoverable, there is adequate supply of these resources to complete the proposed project without causing a significant environmental impact on the continued availability or supply of these resources. Chapter 3, Environmental Analysis, includes measures that would be implemented for the duration of construction to avoid unnecessary, inefficient, or wasteful use of energy resources.

Overall, the build alternatives would not result in significant irreversible environmental changes as compared to the No-Project Alternative. The transit center would provide improved but comparable transit services to the existing facility. Construction and operation of the proposed project would entail the irreversible and irretrievable commitment of energy and human resources, including labor required for planning, design, construction, and operations. Although irrecoverable, there is adequate supply of these resources, and their use in this proposed project would not affect their continued availability and supply for future projects.

Chapter 7

List of Preparers

The California Environmental Quality Act lead agency for this Environmental Impact Report (EIR) is the Golden Gate Bridge, Highway and Transportation District and the responsible agency is the City of San Rafael.

This EIR was prepared for the Golden Gate Bridge, Highway and Transportation District by ICF in partnership with Kimley-Horn, with specific technical analyses provided by Kimley-Horn. This chapter lists the primary individuals who prepared the EIR.

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7.2.5.1 Public Outreach

Public Engagement Lead

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Public Outreach Manager

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7.2.6 Parikh and Associates

7.2.6.1 Geology

Senior Project Engineer

Mark W. McKee, P.E., G.E.

Senior Principal

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7.2.7 VIA

7.2.7.1 Visual Simulations

Principal

Steve Line

Principal

Kate Howe

Architect

Justin Skoda

8.1 Chapter 1: Introduction

- City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. (page 6). Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf.
- City of San Rafael, Golden Gate Bridge, Highway and Transportation District, Marin County Transit District, Transportation Authority of Marin, Sonoma Marin Area Rail Transit, MTC, and Kimley-Horn. 2017. *San Rafael Transit Center Relocation Study*. March. Available: <https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/SRTC-Final-Report-Main-Report-3-14-17.pdf>.
- Metropolitan Transportation Commission. 2013. *Plan Bay Area: Strategy for a Sustainable Region*. Regional Transportation Plan and Sustainable Communities Strategy for the San Francisco Bay Area 2013–2040. July. Available: <http://files.mtc.ca.gov/library/pub/28536.pdf>. Accessed: February 25, 2021.
- Transportation Authority of Marin (TAM). 2017. *Getting Around Marin: Strategic Vision Plan*. Available: https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/TAM-SVP-GettingAroundMarin_072617.pdf.

8.2 Chapter 2: Project Description

- City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. (page 6). Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf.
- ~~————. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.~~
- ~~————. 2016. *City of San Rafael General Plan 2020 Land Use Map*. November 16. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2016/11/02a_exhibit_12_land_use_map_11x17.pdf.~~
- ~~————. 2020. *San Rafael General Plan 2040 Land Use Map – Draft*. October. Available: <https://www.cityofsanrafael.org/gp-2040-document-library/>.~~
- City of San Rafael, Golden Gate Transit, Marin Transit, Transportation Authority of Marin, Sonoma-Marin Area Rail Transit, Metropolitan Transportation Commission, and Kimley-Horn. 2017. *San Rafael Transit Center Relocation Study*. March. Available: <https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/SRTC-Final-Report-Main-Report-3-14-17.pdf>.

Metropolitan Transportation Commission and Association of Bay Area Governments (MTC and ABAG). 2017. *Plan Bay Area 2040*. Adopted July 26, 2017. Available: <https://www.planbayarea.org/plan-bay-area-2040>.

Transportation Authority of Marin (TAM). 2017. *Getting Around Marin: Strategic Vision Plan*. Available: https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/TAM-SVP-GettingAroundMarin_072617.pdf.

8.3 Chapter 3: Environmental Analysis

8.3.1 Section 3.1: Aesthetics

American Medical Association. 2016. *Human and Environmental Effects of Light Emitting Diode (LED) Community Lighting (CSAPH Report 2-A-16)*. Presented by: Louis J. Kraus, MD, Chair. Available: http://darksky.org/wp-content/uploads/bsk-pdf-manager/AMA_Report_2016_60.pdf. Accessed: July 24, 2020.

Aubé, M., J. Roby, and M. Kocifaj. 2013. Evaluating Potential Spectral Impacts of Various Artificial Lights on Melatonin Suppression, Photosynthesis, and Star Visibility. July 5. *PLOS (Public Library of Science) ONE*. 8(7). Available: <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0067798>. Accessed: July 24, 2020.

California Department of Transportation (Caltrans). 2019. *List of Eligible and Officially Designated State Scenic Highways*. Last updated July 2019. Available: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed: January 12, 2021.

City of San Rafael. 1993. ~~*Our Vision of Downtown San Rafael and Our Implementation Strategy: San Rafael Downtown Community Plan. San Rafael Downtown Community Plan. April.*~~ Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2017/10/Downtown-Vision-Implementation-Strategy-Full.pdf>.

———. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf. Accessed: August 18, 2020.

———. 2016. *The City of San Rafael General Plan 2020*. November. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP_2020_Reprint_04.28.2017-Combined_EE72817.pdf.

———. 2017. *“Good Design” Guidelines for Downtown*. Available: <https://www.cityofsanrafael.org/city-san-rafael-design-guidelines/>. Dated: February 5, 2017. Accessed: April 13, 2021. ———. 2018. *San Rafael Transit Center Relocation Guidance Report*. Dated: February 13, 2018. San Rafael, CA.

———. 2020a, 2021a. *San Rafael General Plan 2040. Draft, October* ~~Adopted August 2, 2021.~~ Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/> <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>. Accessed: January 5, 2021, 2021, 2022.

- . 2020b. *Downtown San Rafael Precise Plan*. Adopted August 2, 2021. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>. Accessed: January 21, 2022. April 13, 2021.
- Falchi, F., P. Cinzano, D. Duriscoe, C. C. M. Kyba, C. D. Elvidge, K. Baugh, B. A. Portnov, N. A. Rybnikova, and R. Furgoni. 2016. The New World Atlas of Artificial Night Sky Brightness. June 10. *Science Advances*. 2(6). Available: <http://advances.sciencemag.org/content/2/6/e1600377>. Accessed: July 24, 2020.
- Falchi, F., P. Cinzano, C. D. Elvidge, D. M. Keith, A. Haim. 2011. Limiting the Impact of Light Pollution on Human Health, Environment and Stellar Visibility. *Journal of Environmental Management* (2011), doi:10.1016/j.jenvman.2011.06.029. Available: <https://www.yumpu.com/en/document/view/6983159/limiting-the-impact-of-light-pollution-on-human-health-environment->. Accessed: July 24, 2020.
- Federal Highway Administration (FHWA). 2015. *Guidelines for the Visual Impact Assessment of Highway Projects*. (FHWA-HEP-15-029.) USDOT (US Department of Transportation). Washington, DC. January 2015.
- International Dark-Sky Association. 2010a. Seeing Blue. April. *Nightscape* 80:8–12.
- . 2010b. *Visibility, Environmental, and Astronomical Issues Associated with Blue-Rich White Outdoor Lighting*. May.
- . 2015. IDA Issues New Standards on Blue Light at Night. April. *Nightscape* 94:10.

8.3.2 Section 3.2: Air Quality

- Bay Area Air Quality Management District (BAAQMD). 2017a. *California Environmental Quality Act. Air Quality Guidelines*. May. Available: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: February 25, 2021.
- . 2017b. *Spare the Air, Cool the Climate: A Blueprint for Clean Air and Climate Protection in the Bay Area. Final 2017 Clean Air Plan*. Adopted April 19. Available: <https://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a-proposed-final-cap-vol-1-pdf.pdf?la=en>. Accessed: February 25, 2021.
- . 2020. *BAAQMD Health Risk Assessment Modeling Protocol*. December. Available: https://www.baaqmd.gov/~media/files/ab617-community-health/facility-risk-reduction/documents/baaqmd_hra_modeling_protocol_august_2020-pdf.pdf?la=en. Accessed: February 25, 2021.
- California Air Resources Board (CARB). 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. April. Available: <https://ww3.arb.ca.gov/ch/handbook.pdf>. Accessed: February 25, 2021.
- . 2010. *Estimate of Premature Deaths Associated with Fine Particle Pollution (PM_{2.5}) in California Using a U.S. Environmental Protection Agency Methodology*. August 31.
- . 2016. *Ambient Air Quality Standards*. May 4. Available: <https://ww2.arb.ca.gov/sites/default/files/2020-07/aaqs2.pdf>. Accessed: February 25, 2021.
- . 2017. EMFAC2017 Web Database, v1.0.2. Available: <https://arb.ca.gov/emfac/2017/>.

- . 2020a. Frequently Asked Questions: CARB Truck Rule Compliance Required for DMV Registration. Available: https://ww3.arb.ca.gov/msprog/truckstop/pdfs/sb1_faqeng.pdf. Accessed: February 25, 2021.
- . 2020b. *Carbon Monoxide & Health*. Available: <https://ww2.arb.ca.gov/resources/carbon-monoxide-and-health>. Accessed: February 25, 2021.
- . 2020c. *iADAM: Air Quality Data Statistics – Top 4 Summary* (2017–2019, Marin County, San Rafael Monitoring Station). Available: <https://www.arb.ca.gov/adam/topfour/topfour1.php>. Accessed: February 25, 2021.
- . 2020d. 2020 State Area Designations Regulations. Appendix C: Maps and Tables of Area Designations for State and National Ambient Air Quality Standards. Available: <https://ww3.arb.ca.gov/regact/2021/sad20/appc.pdf>. Accessed: February 25, 2021.
- . 2020e. Summaries of Historical Area Designations for State Standards (Alameda County). Available: <https://ww2.arb.ca.gov/our-work/programs/state-and-federal-area-designations/state-area-designations/summary-tables>. Accessed: March 16, 2020.
- California Department of Transportation (Caltrans). 2021. *California Transportation Plan 2050*. February. Available: <https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/ctp-2050-v3-a11y.pdf>. Accessed: February 25, 2021.
- City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf. Accessed: August 18, 2020.
- . 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>. ~~2016. *The City of San Rafael General Plan 2020*. November. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP_2020_Reprint_04.28.2017_Combined_EE72817.pdf. Accessed: February 25, 2021.~~
- Kimley-Horn. 2021. *San Rafael Transportation Center, Transportation Summary Report*. February.
- Marin County. 2008. *Hazardous Materials Area Plan*. Prepared by the Marin County Department of Public Works, Waste Management Division. June. Available: <https://www.marincounty.org/userdata/bs/agendas/080722/080722-16-PW-attach-REP.pdf>. Accessed: February 25, 2021.
- Office of Environmental Health Hazard Assessment (OEHHA). 2015. *Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments*. February. Available: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>. Accessed: February 25, 2021.
- Reşitoğlu, Ibrahim A. 2018. *NO_x Pollutants from Diesel Vehicles and Trends in Control Technologies*. Published November 5. DOI: 10.5772/intechopen.81112. Available: <https://www.intechopen.com/books/diesel-and-gasoline-engines/no-sub-x-sub-pollutants-from-diesel-vehicles-and-trends-in-the-control-technologies>. Accessed: February 25, 2021.

- San Joaquin Valley Air Pollution Control District. (SJVAPCD). 2015. Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party in Interest and Respondent, Friant Ranch, L.P. Available: <https://www.courts.ca.gov/documents/7-s219783-ac-san-joaquin-valley-unified-air-pollution-control-dist-041315.pdf>. Accessed: February 25, 2021.
- South Coast Air Quality Management District (SCAQMD). 2008. Final Localized Significance Threshold Methodology. Revised July. Available: <https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2>. Accessed: February 25, 2021.
- . 2015. Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and [Proposed] Brief of Amicus Curiae. Available: <https://www.courts.ca.gov/documents/9-s219783-ac-south-coast-air-quality-mgt-dist-041315.pdf>. Accessed: February 25, 2021.
- Transportation Authority of Marin. 2017. *Getting Around Marin: Strategic Vision Plan*. Available: https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/TAM-SVP-GettingAroundMarin_072617.pdf.
- United States Environmental Protection Agency (EPA). 2003. *Diesel Engine Exhaust; CASRN N.A.* February 28. Available: https://cfpub.epa.gov/ncea/iris/iris_documents/documents/subst/0642_summary.pdf#nameddest=woe. Accessed: February 25, 2021.
- . 2005. *Final Report: The National Morbidity, Mortality, and Air Pollution Study – Morbidity and Mortality from Air Pollution in the United States*. Available: https://cfpub.epa.gov/ncer_abstracts/index.cfm/fuseaction/display.highlight/abstract/2399/report/F. Accessed: February 25, 2021.
- . 2006. AP-42: Compilation of Air Emissions Factors. Available: <https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors>.
- . 2016. Health Effects of Ozone in the General Population. Available: <https://www.epa.gov/ozone-pollution-and-your-patients-health/health-effects-ozone-general-population>. Accessed: February 25, 2021.
- . 2020a. Ground-level Ozone Basics. Available: <https://www.epa.gov/ground-level-ozone-pollution/ground-level-ozone-basics#wwh>. Accessed: February 25, 2021.
- . 2020b. *Health and Environmental Effects of Particulate Matter (PM)*. Available: <https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm>. Accessed: February 25, 2021.
- . 2020c. Outdoor Air Quality Data. Monitor Values Reports (Carbon Monoxide, 2017–2019, Marin County). Available: <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>. Accessed: February 25, 2021.
- . 2020d. *Nonattainment Areas for Criteria Pollutants (Green Book) (Marin County)*. Available: <https://www.epa.gov/green-book>. Accessed: February 25, 2021.

8.3.3 Section 3.3: Biological Resources

- Brown, P. E., and E. D. Pierson. 1996. *Natural History and Management of Bats in California and Nevada*. Workshop sponsored by the Western Section of The Wildlife Society. November 13–15.
- California Department of Fish and Wildlife (CDFW). 2020a. *Special Animals List*. July. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline>.
- . 2020b. California Natural Diversity Database, RareFind 5, September. Search for special-status plants and animals on the San Rafael U.S. Geological Survey 7.5-Minute Quadrangle. Sacramento, CA.
- California Department of Food and Agriculture. 2021. *Encycloweediea*. Available: http://www.cdffa.ca.gov/plant/IPC/encycloweediea/weedinfo/wininfo_table-sciname.html. Accessed: March 9, 2021.
- California Fish Website 2022. California fish species. Pacific lamprey. Available: <https://calfish.ucdavis.edu/species/?uid=109&ds=698>. Accessed: May 12, 2022.
- California Invasive Plant Council (Cal-IPC). 2021. *Inventory of Invasive Plant Species of California*. Last revised: February 1, 2017. Available: <https://www.cal-ipc.org/plants/inventory/>. Accessed: March 9, 2021.
- California Native Plant Society (CNPS). 2020. *Inventory of Rare and Endangered Plants* (online edition, v8-03 0.39). Available: <http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>. Accessed: October 6, 2020.
- City of San Rafael. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/2016-City-of-San-Rafael-General-Plan-2020-November>. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>. Accessed: March 5, 2021.
- . 2020. *San Rafael General Plan 2040, Draft for Public Review*. October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>. Accessed: March 5, 2021.
- Marin County Community Development Agency. 2014. *Marin Countywide Plan*. November. Available: https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/county-wide-plan/cwp_2015_update_r.pdf?la=en.
- Moyle, P. 2002. *Inland Fishes of California*. Berkeley: University of California Press.
- Moyle, P. B., J. A. Israel, and S. E. Purdy. 2008. *Salmon, steelhead and trout in California. Status of an Emblematic Fauna*. UC Davis Center for Watershed Sciences.
- Moyle, P. B., R. M. Quiñones, J. V. Katz, and J. Weaver. 2015. *Fish Species of Special Concern in California*. Sacramento: California Department of Fish and Wildlife. www.wildlife.ca.gov.
- National Invasive Species Council. 2008. *2008–2012 National Invasive Species Management Plan*. Washington, DC.

- State Water Resources Control Board (SWRCB). 2019. *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*. April 2.
- . 2020. *Implementation Guidance for the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*. April.
- U.S. Fish and Wildlife Service (USFWS). 2020. IPaC Resource List for the project area. Unofficial list obtained for informational purposes only. Available: http://www.fws.gov/sacramento/es_species/Lists/es_species_lists.cfm. Accessed: August 2, 2020.
- University of California, Davis. 2021. California Fish Website. *Fish Species. Pacific Lamprey*. Available: <http://calfish.ucdavis.edu/species/?uid=109&ds=698>. Accessed: October 2, 2020.
- Western Bat Working Group. 2017. *Western Bat Species Regional Priority Matrix and Species Accounts*. Available: <http://wbwg.org/matrices/species-matrix> and <http://wbwg.org/western-bat-species/>. Accessed: August 12, 2020.
- Zeiner, D. C., W. F. Laudenslayer, Jr., and K. E. Mayer (eds.). 1990. *California's Wildlife. Volume III: Mammals*. California Statewide Wildlife Habitat Relationships System. Sacramento, CA: California Department of Fish and Game.

8.3.4 Section 3.4: Cultural Resources

- AECOM. 2014. Northwestern Pacific Railroad Segment, P-21-002618. Department of Parks and Recreation form, DPR 523L. February.
- Aerial Archives. 2020. Aerial Photos of Marin County. Available: <https://www.aerialarchives.com>. Accessed December 3, 2020.
- Alley, Bowen and Co. 1972. *History of Marin County, California Including its Geography, Geology, Topography and Climatography*. Charmaine Burdell Veronda Publishing. Petaluma, California.
- Austin, H., and F. Whitney. 1873. *Map of Marin County California*. A.L. Bancroft & Company.
- Baker, Suzanne and Daniel Shoup. 2014. Department of Parks and Recreation Site Record for CA-MRN-84 (P-21-000113). On file at the Northwest Information Center, Sonoma State University, CA.
- Baseline Environmental Consulting. 2020. *Phase I Environmental Site Assessment: San Rafael Transit Center Project, San Rafael, California*. Prepared for Kimley-Horn and Associates, Inc., Oakland, California. May.
- Baumhoff, M. A. 1978. Environmental Background. In *Handbook of North American Indians, Vol. 8; California*, R. F. Heizer, ed., pp. 16–24. Washington: Smithsonian Institution.
- Beck, Warren A. and Ynez D. Haas. 1974. *Historical Atlas of California*. University of Oklahoma Press Publishing. Norman, Oklahoma.
- Bennyhoff, J. 1986. The Emeryville Site, Viewed 93 Years Later. Pages 65–75 in G. S. Breschini and T. Haversat (eds.), *Symposium: A New Look at Some Old Sites. Archives of California Prehistory 6*. Salinas, CA: Coyote Press.

- . 1994. Central California Augustine: Implications for Northern California Archaeology. Pages 65–74 in R. E. Hughes (ed.), *Toward a New Taxonomic Framework for Central California Archaeology: Essays by James A. Bennyhoff and David A. Fredrickson. Contributions of the University of California Archaeological Research Facility 52*. Berkeley, CA.
- Bieling, D. G. 1998. *Archaeological Investigations at CA-MRN-254, the Dominican College Site, San Rafael, Marin County, California*. Holman and Associates, San Francisco, CA. Submitted to Dominican College, San Rafael, CA and to Davidon Homes, Walnut Creek, CA.
- California Department of Transportation (Caltrans). 1999. San Rafael Viaduct, P-21-002513. Department of Parks and Recreation form, DPR 523A, 523B, 523L, 523J. August.
- . 2018. Historic Bridge Inventory: Historical Significance—State Agency Bridges. September.
- City of San Rafael. 1986. *San Rafael Historical/Architectural Survey Final Inventory List of Structures and Areas*. Available: <https://www.cityofsanrafael.org/documents/city-san-rafael-historicalarchitectural-survey/>. Accessed: December 3, 2020.
- . 2015. “Historic Resources and Preservation.” Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/Historic-Preservation-Handout.pdf>. Accessed December 3, 2020.
- . 2016. *The City of San Rafael General Plan 2020*. Available: <https://www.cityofsanrafael.org/generalplan-2020/>. Accessed December 3, 2020.
- . 2016. *The City of San Rafael General Plan 2020*. Available: <https://www.cityofsanrafael.org/generalplan-2020/>. Accessed December 3, 2020.
- . 2020a. *San Rafael General Plan 2040 Draft for Public Review*. October. Available: <https://www.cityofsanrafael.org/gp-2040-document-library/>. Accessed: December 3, 2020.
- . 2020b. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.
- . 2020c. *Downtown San Rafael Precise Plan Historic Resources Inventory Summary Report*. Draft. December. Prepared with assistance from Garavaglia Associates and Opticos Design.
- . 2020d. 2020. “Sonoma Marin Area Rail Transit (SMART).” Available: <https://www.cityofsanrafael.org/departments/smart/>. Accessed: August 20, 2020.
- . 2021a. *Downtown San Rafael Precise Plan Historic Resources Inventory Summary Report*. Revised. May. Prepared with assistance from Garavaglia Associates and Opticos Design.
- . 2021b. *San Rafael General Plan 2040*. Adopted August 2. Available: <https://www.cityofsanrafael.org/gp-2040-document-library/>. Accessed: December 22, 2021.
- City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan*. Adopted August 2021. Prepared by: Opticos Design, Inc. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.
- DeGeorgey, Alex. 2010. NWP Railroad, CA-MRN-699H. Department of Parks and Recreation form, DPR 523A, 523J, 523L. NCRM. March.

- Dinh, Zack. 2015. "The Return of Passenger Rail in the North Bay." SPUR. July 29. Available: <https://www.spur.org/news/2015-07-29/return-passenger-rail-north-bay>. Accessed: January 12, 2022.
- Fanning, Branwell. 2007. *Images of America: Marin County*. Arcadia Publishing, Charleston, South Carolina.
- Fredrickson, D. A. 1973. *Early Cultures of the North Coast Ranges, California*. Ph.D. dissertation. Department of Anthropology, University of California, Davis.
- . 1994. Spatial and Cultural Units in Central California Archaeology. In *Toward a New Taxonomic Framework for Central California: Essays by James A. Bennyhoff and David A. Fredrickson*. Ed. Richard Hughes. Contributions of the University of California Archaeological Research Facility 15. Berkeley, CA.
- Garavaglia Architecture, Inc., Kara Brunzell, and Kai Morgan. 2020. East Downtown San Rafael Historic District. Department of Parks and Recreation form, DPR 523A, 523D, 523L.
- Garcia and Associates (GANDA). 2004a. *Historic Architectural Resources Technical Report for the Sonoma-Marin Area Rail Transit (SMART) Project*. Prepared for Parsons Brinckerhoff Quade & Douglas. Report on file, Sonoma Marin Area Rail Transit, Petaluma, California.
- . 2004b. 939 Tamalpais Avenue/703-705 4th Street, P-21-00002612. Department of Parks and Recreation form, DPR 523A, 523B. April.
- Hylkema, M. 2002. Tidal Marsh, Oak Woodlands, and Cultural Florescence in the Southern San Francisco Bay Region. Pages 205-231 in Jon M. Erlandson and Terry L. Jones (eds.), *Catalysts to Complexity: Late Holocene Societies of the California Coast*. Perspectives in California Archaeology 6, series editor J. E. Arnold. Institute of Archaeology, University of California, Los Angeles.
- ICF International. 2013. San Rafael Passenger Depot, Northwestern Pacific Railroad, P-21-00001015. Department of Parks and Recreation form, DPR 523L. April.
- JRP Historical Consulting. 2012. 930 Tamalpais Avenue. Department of Parks and Recreation form, DPR 523A, 523B, 523L. July 31.
- Kaptain, Neal and Tim Jones. 2012. *Historic Properties Survey Report, Archaeological Survey Report, and Extended Phase I Report for the Puerto Suello Hill Path to Transit Center Connector Project*, NMTPL 5043 (023). LSA Associates, Inc. On file, Northwest Information Center, report S-038714.
- Kelly, I. 1978. Coast Miwok. In California, edited by R.F. Heizer, pp.414-425. *Handbook of North American Indians*, vol. 8, William C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.
- Kyle, Douglas E., Mildred Brooke Hoover, Hero Eugene Rensch, Ethel Grace Rensch, and William N. Abeloe. 1990. *Historic Spots in California*. Stanford University Press. Stanford, California.
- Landecker, Cynthia. 2016. "San Rafael NWP Depot Historical Timeline." Prepared for San Rafael Heritage. February.
- Levy, JoAnn. 1976. *Marin County Almanac*. Thatcher Publications, Novato, California.

- Marin Economic Commission. 2007. Marin Profile: A Survey of Economic, Social Equity, and Environmental Indicators. Available: http://demographics.marin.org/PDFs/Marin_Profile_2007_final_all.pdf. Accessed: April 24, 2013.
- Marin History Museum. 2020. *Exhibitions*. Available: <https://www.marinhistory.org/exhibits>. Accessed: September 2020.
- Milliken, R., R. T. Fitzgerald, M. G. Hylkema, T. Origer, R. Groza, R. Wiberg, A. Leventhal, D. Bieling, A. Gottsfield, D. Gillette, V. Bellefemine, E. Strother, R. Cartier, and D. A. Fredrickson. 2007. Punctuated Culture Change in the San Francisco Bay Area. In T. L. Jones and K. Klar (eds.), *California Prehistory: Colonization, Culture, and Complexity*. Walnut Creek, CA: Altamira Press.
- Morgan, Kai and Kara Brunzell. 2020. 1011 Irwin Street. Department of Parks and Recreation form, DPR 523A, 523B, 523L. July.
- Pacific Coast Narrow Gauge. 2016. *North Pacific Coast Railroad*. Last revised April 20, 2016. Available: <http://www.pacificng.com/template.php?page=roads/ca/npc/index.htm>. Accessed: August 30, 2020.
- ProQuest Digital Sanborn Maps. 1894. Insurance Maps of San Rafael, California. New York: Sanborn Map Company. Sheet 13. Accessed via ProQuest.
- . 1907. Insurance Maps of San Rafael, Marin County, California. New York: Sanborn Map Company. Sheet 17. Accessed via ProQuest.
- . 1924. Insurance Maps of San Rafael, Marin County, California. New York: Sanborn Map Company. Sheet 19. Accessed via ProQuest.
- . 1950. Insurance Maps of San Rafael, Marin County, California. New York: Sanborn Map Company. Sheets 18 and 19. Accessed via ProQuest.
- Rice, S. R., T. C. Smith, R. G. Strand, D. L. Wagner, C. E. Randolph-Loar, R. C. Witter, and K. B. Clahan. 2002. *Geologic Map of the Novato 7.5" Quadrangle, Marin and Sonoma Counties, California*. Geological Survey, California Department of Conservation.
- Ringgold, C., and F. D. Stuart. 1852. General chart embracing surveys of the Farallones, entrance to the Bay of San Francisco, bays of San Francisco and San Pablo, Straits of Carquines and Suisun Bay and the Sacramento and San Joaquin rivers to the cities of Sacramento and San Joaquin, California. Jonathan T. Towers, Washington, DC.
- Robertson, Donald B. 1986. *Encyclopedia of Western Railroad History*. Vol. IV: California. Caldwell, Idaho: Caxton Printers, Ltd.
- Roop, William. 1991. *A Cultural Resources Evaluation of a Proposed Reclaimed Water Pipeline in the San Quentin Point, Corte Madera, Larkspur, Kentfield and San Rafael Areas*. Archaeological Resource Service. On file, Northwest Information Center, report S-016949.
- San Rafael Heritage. 2020. Northwestern Pacific Railroad Depot. Department of Parks and Recreation form, DPR 523A, 523B, 523L. January.

- Shoup, Daniel. 2014. *Extended Phase I Archaeological Survey Report, San Rafael Regional Transportation System Enhancements, City of San Rafael, Marin County, California*. Caltrans District 04, Federal Project No. CML 5043(036). Report for Caltrans and Kimley-Horn and Associates, Oakland, CA.
- Shoup, Daniel and Suzanne Baker. 2014a. Department of Parks and Recreation Site Record for CA-MRN-85 (P-21-000114). On file at the Northwest Information Center, Sonoma State University, CA.
- . 2014b. Department of Parks and Recreation Site Record for CA-MRN-711/H (P-21-002833). On file at the Northwest Information Center, Sonoma State University, CA.
- U.S. Coast and Geodetic Survey (USCGS). 1926. *United States - West Coast. San Francisco entrance, California*. Washington, DC.
- U.S. Geological Survey (USGS). 1897. *U.S. Geological Survey, Tamalpais Topographic Quadrangle Map*. Washington, DC.
- . 1941. *U.S. Geological Survey, Tamalpais Topographic Quadrangle Map*. Washington, DC.
- Vellanoweth, R. L. 2001. AMS Radiocarbon Dating and Shell Bead Chronologies: Middle Holocene Trade and Interaction in Western North America. *Journal of Archaeological Science* 28:941–950.
- Wagner, D. L., S. R. Rice, S. Bezore, C. E. Randolph-Loar, J. Allen, and R. C. Witter. 2002. Geologic Map of the Petaluma River 7.5" Quadrangle, Marin and Sonoma Counties, California. California Geological Survey, California Department of Conservation.
- Wickstrom, B. P. 1986. *An Archaeological Investigation of Prehistoric Sites CA-SON-1250 and CA-SON-1251, Southern Sonoma County, California*. Master's thesis, Department of Anthropology, Sonoma State University, Sonoma, Rohnert Park.

8.3.5 Section 3.5: Energy

- California Energy Commission (CEC). No date. *Gas Consumption by County—Marin County 2018*. Available: <https://ecdms.energy.ca.gov/gasbycounty.aspx>. Accessed: August 17, 2020.
- . 2020. Renewables Portfolio Standards –RPS. Available: <https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard>. Accessed: August 14, 2020.
- City of San Rafael. 2016. *The City of San Rafael General Plan 2020*. November. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>.
- . City of San Rafael. 2019. *San Rafael Climate Change Action Plan 2030*. April. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/Att-D-CCAP-2030-Final-Draft-4-23-19.pdf>.
- . 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>. ~~2020. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>~~

- Convert Units. 2021. Convert Megawatt hour to British thermal units. Available: <https://www.convertunits.com/from/MWh/to/Btu>. Accessed: March 9, 2021.
- Environment and Ecology. 2020. *Energy Units and Calculators*. Available: <http://environment-ecology.com/what-is-energy/90-energy-units-and-calculators.html>. Accessed: August 17, 2020.
- Marin Clean Energy (MCE). 2019. *2018 Power Content Label*. Available: https://www.mcecleanenergy.org/wp-content/uploads/2019/12/MCE-Power-Content-Label_2018.pdf. Accessed: August 17, 2020.
- . 2020. Marin Clean Energy. Available: <https://www.mcecleanenergy.org/>. Accessed: August 17, 2020.
- Marin Climate and Energy Partnership. 2020. *San Rafael Household Energy and Community Energy*. Available: <http://www.marintracker.org/>. Accessed: August 17, 2020.
- Pacific Gas and Electric Company (PG&E). 2018. 2018 Integrated Resource Plan. Available: https://www.pge.com/pge_global/common/pdfs/for-our-business-partners/energy-supply/integrated-resource-planning/2018-PGE-Integrated-Resource-Plan.pdf. Accessed: August 14, 2020.
- . 2019. *Where Your Electricity Comes From*. Available: https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2019/1019-Power-Content-Label.pdf. Accessed: August 17, 2020.
- U.S. Energy Information Administration. 2020a. Table P5B—Primary Energy Production Estimates, Renewable and Total Energy, in Trillion BTU, Ranked by State, 2018. Available: https://www.eia.gov/state/seds/sep_prod/pdf/P5B.pdf. Accessed: August 17, 2020.
- . 2020b. Table P5A—Primary Energy Production Estimates, Fossil Fuels and Nuclear Energy, in Trillion BTU, Ranked by State, 2018. Available: https://www.eia.gov/state/seds/sep_prod/pdf/P5A.pdf. Accessed: August 17, 2020.
- . 2020c. Table C11—Energy Consumption Estimates by End-Use Sector, Ranked by State, 2018. Available: https://www.eia.gov/state/seds/sep_sum/html/rank_use.html. Accessed: August 17, 2020.
- . 2020d. Table C14—Energy Consumption Estimates per Capita by End-Use Sector, Ranked by State, 2018. Available: https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_sum/html/rank_use_capita.html&sid=US. Accessed: August 17, 2020.
- . 2020e. *California State Energy Profile*. Available: <https://www.eia.gov/state/print.php?sid=CA>. Accessed: August 17, 2020.
- . 2020f. *Natural Gas Consumption by End Use—California*. Available: https://www.eia.gov/dnav/ng/ng_cons_sum_dcua_sca_a.htm. Accessed: August 17, 2020.

8.3.6 Section 3.6: Geology and Soils

- Association of Bay Area Governments (ABAG). 2020a. Shaking Hazard Map. Available: <http://resilience.abag.ca.gov/earthquakes/>. Accessed: August 11, 2020.

- . 2020b. Marin County Earthquake Hazard. Available: <http://resilience.abag.ca.gov/earthquakes/marin/>. Accessed: August 11, 2020.
- . 2020c. Resilience. Available: <http://resilience.abag.ca.gov/shaking/mmi/>.
- California Geological Survey. 2020a. The Alquist-Priolo Earthquake Fault Zoning (AP) Act. Available: <http://www.conservation.ca.gov/cgs/rghm/ap>. Accessed: August 23, 2020.
- . 2020b. Earthquake Zones of Required Investigation. Available: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>. Accessed: August 11, 2020.
- . 2020c. Landslide Inventory. Available: <https://maps.conservation.ca.gov/cgs/lsl/app/>. Accessed: August 18, 2020.
- . No date. California Geomorphic Provinces. Available: <http://www.csun.edu/~met23704/projects/geomorphic%20provinces.pdf>. Accessed: August 20, 2020.
- City of San Rafael. 2016. *The City of San Rafael General Plan 2020*. November. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>.
- . 2017. *The City of San Rafael General Plan 2020*. Exhibit 27, Geology and Stability. Available: <https://www.cityofsanrafael.org/generalplan-2020/>. Accessed: August 19, 2020.
- . 2020a1. *San Rafael General Plan 2040. Draft for Public Review. Adopted August 2021*. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>. <https://www.cityofsanrafael.org/departments/general-plan-2040/>. Accessed: January 6, 2021.
- . 2020b. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>. Accessed: January 6, 2021.
- Marin County Community Development Agency. 2007. *Marin Countywide Plan*. Map 2-11, Liquefaction Susceptibility Hazards. Available: <https://www.marincounty.org/depts/cd/divisions/planning/2007-marin-countywide-plan/plans-and-documents>. Accessed: August 12, 2020.
- Metropolitan Transportation Commission/Association of Bay Area Governments (MTC/ABAG). 2020. Hazard View Map. Available: <https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8>. Accessed: August 18, 2020.
- National Park Service. No date. Fossils and Paleontology: Paleontological Resource Monitoring. Available: <https://www.nps.gov/subjects/fossils/resource-monitoring.htm>. Accessed: August 31, 2020.
- Parikh Consultants, Inc. (Parikh). 2020. Preliminary Geotechnical Design Recommendation, San Rafael Transit Center, San Rafael, Marin County, California Job No. 2018-121-GEO. May 22, 2020.
- Society of Vertebrate Paleontology. 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Impact Mitigation Guidelines Revision Committee. Available: http://vertpaleo.org/Membership/Member-Ethics/SVP_Impact_Mitigation_Guidelines.aspx. Accessed: August 31, 2020.

- United States Geological Survey. 2020. U.S. Quaternary Faults. Available: <https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>. Accessed: August 11, 2020.
- University of California Museum of Paleontology. 2020. UCMP Advanced Search. Franciscan Formation. Available: <https://ucmpdb.berkeley.edu/advanced.html>. Accessed: August 31, 2020.
- . No date. Fossils: Window to the Past. Available: <https://ucmp.berkeley.edu/paleo/fossils/>. Accessed: August 31, 2020.
- Wagner, D. L., E. J. Bortugno, and R. D. McJunkin. 1991. Geologic Map of the San Francisco-San Jose Quadrangle, California, 1:250,000. Available: https://www.conservation.ca.gov/cgs/Documents/Publications/Regional-Geologic-Maps/RGM_005A/RGM_005A_SanFrancisco-SanJose_1991_Sheet1of5.pdf. Accessed: August 31, 2020.

8.3.7 Section 3.7: Greenhouse Gas Emissions

- Association of Bay Area Governments and Municipal Transit Commission (ABAG and MTC). 2020. *2050 Plan Bay Area, Plan*. Last Revised: November 4, 2020. Available: <https://www.planbayarea.org/plan-bay-area-2050-1>. Accessed: November 10, 2020.
- Bay Area Air Quality Management District (BAAQMD). 2017a. *California Environmental Quality Act. Air Quality Guidelines*. May. Available: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: February 25, 2021.
- . 2017b. *Spare the Air, Cool the Climate: A Blueprint for Clean Air and Climate Protection in the Bay Area. Final 2017 Clean Air Plan*. Adopted: April 19. Available: <https://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a-proposed-final-cap-vol-1-pdf.pdf?la=en>. Accessed: February 25, 2021.
- California Air Resources Board (CARB). 2017a. *California's 2017 Climate Change Scoping Plan*. November. Available: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed: February 25, 2021.
- . 2017b. *Short-Lived Climate Pollutant Reduction Strategy*. Available: https://ww2.arb.ca.gov/sites/default/files/2018-12/final_slcp_report%20Final%202017.pdf. Accessed: February 25, 2021.
- . 2018. *SB375 Regional Plan Climate Targets*. Available: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets#:~:text=CARB%20has%20set%20regional%20targets,health%20and%20air%20quality%20objectives>. Accessed: February 25, 2021.
- . 2019a. *GHG Global Warming Potentials*. Available: <https://ww2.arb.ca.gov/ghg-gwps>. Accessed: February 25, 2021.
- . 2019b. *California Greenhouse Gas Emission Inventory – 2020 Edition*. Last reviewed August 12. Available: <https://ww2.arb.ca.gov/ghg-inventory-data>. Accessed: February 25, 2021.

- California Department of Transportation (Caltrans). 2021. *California Transportation Plan 2040: Integrating California's Transportation Future*. Available: <https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/ctp-2050-v3-a11y.pdf>. Accessed: February 25, 2021.
- California Governor's Office of Planning and Research (OPR). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. Available: https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed: February 25, 2021.
- California Natural Resources Agency (CNRA). 2018. *Fourth Climate Change Assessment*. Statewide Summary Report. Available: https://www.energy.ca.gov/sites/default/files/2019-11/Statewide_Reports-SUM-CCCA4-2018-013_Statewide_Summary_Report_ADA.pdf. Accessed: February 25, 2021.
- City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. (page 6). Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf.
- . 2019. *San Rafael Climate Change Action Plan 2030*. April. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/Att-D-CCAP-2030-Final-Draft-4-23-19.pdf>. Accessed: February 25, 2021.
- . 2021. *San Rafael General Plan 2040. Adopted August 2021*. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.
- Intergovernmental Panel on Climate Change (IPCC). 2001. *Climate Change 2001: The Scientific Basis*. Available: <https://www.ipcc.ch/report/ar3/wg1/>. Accessed: February 25, 2021.
- . 2007. *Climate Change 2007: The Physical Science Basis*. Available: https://www.ipcc.ch/site/assets/uploads/2018/05/ar4_wg1_full_report-1.pdf. Accessed: February 25, 2021.
- . 2014. *Climate Change 2014: Synthesis Report*. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland, 151 pp. Available: https://ar5-syr.ipcc.ch/ipcc/ipcc/resources/pdf/IPCC_SynthesisReport.pdf. Accessed: February 25, 2021.
- . 2018. 2018. Summary for Policymakers. In: *Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty*. [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. In Press. Available: https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf. Accessed: February 25, 2021.
- Metropolitan Transportation Commission (MTC). 2013. *Plan Bay Area: Strategy for a Sustainable Region*. Regional Transportation Plan and Sustainable Communities Strategy for the San Francisco Bay Area 2013–2040. July. Available: <http://files.mtc.ca.gov/library/pub/28536.pdf>. Accessed: February 25, 2021.

- Metropolitan Transportation Commission and Association of Bay Area Governments (MTC and ABAG). 2017. *Plan Bay Area 2040*. Adopted July 26, 2017. Available: <https://www.planbayarea.org/plan-bay-area-2040>.
- National Public Radio (NPR). 2021. Biden Moves To Have U.S. Rejoin Climate Accord. Available: <https://www.npr.org/sections/inauguration-day-live-updates/2021/01/20/958923821/biden-moves-to-have-u-s-rejoin-climate-accord>. Accessed: February 25, 2021.
- Transportation Authority of Marin (TAM). 2017. *Getting Around Marin: Strategic Vision Plan*. Available: https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/TAM-SVP-GettingAroundMarin_072617.pdf.
- United Nations. 2018. *Emissions Gap Report 2018*. December 5. Available: <https://www.ipcc.ch/site/assets/uploads/2018/12/UNEP-1.pdf>. Accessed: February 25, 2021.
- United States Environmental Protection Agency (EPA). 2020. *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2018*. Available: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2018>. Accessed: February 25, 2021.

8.3.8 Section 3.8: Hazards and Hazardous Materials

- Baseline Environmental Consulting. 2020. *Phase I Environmental Site Assessment for the San Rafael Transit Center Project*. Prepared for Kimley-Horn and Associates, Inc., Oakland, CA.
- California Department of Forestry and Fire Protection (CAL FIRE). 2020. Fire Hazard Severity Zone Viewer. Available: <https://egis.fire.ca.gov/FHSZ/>. Accessed: July 31, 2019.
- California Department of Transportation (Caltrans). 2011. *California Airport Land Use Planning Handbook*. October. Available: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf>.
- California Environmental Protection Agency (Cal/EPA). 2020. About Us. Available: <https://calepa.ca.gov/about/>. Accessed: July 27, 2020.
- California Office of Emergency Services (OES). 2020a. About Us. Available: <https://www.caloes.ca.gov/Cal-OES-Divisions/About-Cal-OES>. Accessed: July 27, 2020.
- . 2020b. Hazardous Materials: Special Operations and Hazardous Materials Section. Available: <https://www.caloes.ca.gov/cal-oes-divisions/fire-rescue/hazardous-materials>. Accessed: July 27, 2020.
- City of San Rafael. 2016. *The City of San Rafael General Plan 2020: Safety Element*. November. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>.
- . 2017. *San Rafael Local Hazard Mitigation Plan*. June. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2018/01/City-of-San-Rafael-LHMP-Complete.pdf>.
- . 2020~~1~~^a. *San Rafael General Plan 2040. Draft, October. Adopted August 2021*. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>; <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

———. 2020b. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

———. 2021. ———. 2021b. San Rafael Fire Department. Available: <https://www.cityofsanrafael.org/departments/fire/>. Accessed: March 12, 2021.

Golden Gate Bridge, Highway and Transportation District. 2019. *Emergency Operations Plan*.

Marin County Planning Department. 1991. *Airport Land Use Plan, Marin County Airport Gross Field*. Adopted June 10. Available: <https://www.marincounty.org/~ /media/files/departments/cd/planning/currentplanning/publications/landuseplan/airport-land-use-plan--marin-county-airport-gross-field.pdf>.

Marin County Sheriff's Office of Emergency Services (OES). 2012. *Marin County Operational Area Emergency Recovery Plan (ERP)*. November. Available: <https://www.marinsheriff.org/assets/downloads/Marin-ERP-Final-BOS-Approved-11.13.2012.pdf>.

———. 2014. *Marin Operational Area Emergency Operations Plan*. Available: <https://www.marinsheriff.org/assets/downloads/OES/EOP-Final-Draft-10.14.2014.pdf>.

8.3.9 Section 3.9: Hydrology and Water Quality

Baseline Environmental Consulting. 2020. Phase 1 Environmental Site Assessment – San Rafael Transit Center Project.

California Emergency Management Agency, California Geological Survey, and University of Southern California. 2009. Tsunami Inundation Map for Emergency Planning, San Rafael Quadrangle/San Quentin Quadrangle. July. Available: <https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami Inundation SanRafaelSanQuentin Quads Marin.pdf>.

California Regional Water Quality Control Board, San Francisco Bay Region (San Francisco RWQCB). 2019. *San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan)*. Available: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/basinplan/web/docs/ADA_compliant/BP_all_chapters.pdf. Accessed: January 27, 2021.

City of San Rafael. 2004. *San Rafael General Plan 2020 General Plan Update Draft Environmental Impact Report*. February. Available: <https://www.cityofsanrafael.org/documents/draft-environmental-impact-report-august-2004/>. 2021a. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

———. 2021b. *San Rafael General Plan 2040 & Downtown Precise Plan Final EIR for the City of San Rafael*. State Clearinghouse Number 2019039167. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2021/06/FinalEIR_Combined_WithAppendix_05-21-2021-v2.pdf. ———. 2016. *The City of San Rafael General Plan 2020*. November. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>.

———. 2021c. *Downtown San Rafael Precise Plan*. Adopted August 2, 2021. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>. Accessed: January 21, 2022.

- . 2020. *San Rafael General Plan 2040 Draft for Public Review*. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/e4f46375-8-safetyandresilience.pdf>. Accessed: January 27, 2021.
- Federal Emergency Management Agency (FEMA). 2020. National Flood Hazard Layer FIRMette. Available: <https://msc.fema.gov/portal/search?AddressQuery=San%20Rafael%2C%20CA#searchresultsanchor>. Accessed: October 23, 2020.
- Marin County Stormwater Pollution Prevention Program (MCSTOPPP). 2020. *About MCSTOPPP*. Available: <https://mcstoppp.org/about/>. Accessed: October 23, 2020.
- Marin Municipal Water District (MMWD). 2016. *Urban Water Management Plan 2015 Update*. June. Available: <https://www.marinwater.org/sites/default/files/2020-09/2015%20UWMP%20Final%20Report.pdf>. Accessed: October 26, 2020.
- Parikh Consultants, Inc. (Parikh). 2020. Preliminary Geotechnical Design Recommendation, San Rafael Transit Center, San Rafael, Marin County, California Job No. 2018-121-GEO. May 22, 2020.
- Point Blue Conservation Service and United States Geological Survey. 2017. Our Coast Our Future Interactive Map. Available: <https://data.pointblue.org/apps/ocof/cms/index.php?page=flood-map>. Accessed: June 9, 2021.
- San Rafael Sanitation District. 2015. *Sewer System Management Plan*. October. Available: <https://www.cityofsanrafael.org/documents/sewer-system-management-plan/>. Accessed: October 23, 2020.
- State Water Resources Control Board. 2018. *2014/2016 California Integrated Report (Clean Water Act Section 303(d) List/305(b) Report)*. Available: https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml. Accessed: January 14, 2021.
- United States Environmental Protection Agency (EPA). No date. *Definitions of FEMA Flood Zone Designations*. Available: <https://snmapmod.snco.us/fmm/document/fema-flood-zone-definitions.pdf>. Accessed: October 26, 2020.
- . 2020. Basic Information about Nonpoint Source (NPS) Pollution. Available: <https://www.epa.gov/nps/basic-information-about-nonpoint-source-nps-pollution>. Accessed: March 18, 2020.

8.3.10 Section 3.10: Land Use and Planning

- Association of Bay Area Governments and Municipal Transit Commission (ABAG and MTC). 2020. *2050 Plan Bay Area, Plan*. Last Revised: November 4, 2020. Available: <https://www.planbayarea.org/plan-bay-area-2050-1>. Accessed: November 10, 2020.
- City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. Prepared by: Community Design + Architecture, Arup, Strategic Economics, and Dowling Associates. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf.
- . 2016. *The City of San Rafael General Plan 2020*. November. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>.

———. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available:

<https://www.cityofsanrafael.org/departments/general-plan-2040/>.

City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan*.

Adopted August 2021. Prepared by: Opticos Design, Inc. Available:

<https://www.cityofsanrafael.org/downtown-precise-plan/>.

———. 2020a. *San Rafael General Plan 2040*. Draft. October. Available:

<https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.

———. 2020b. *Downtown San Rafael Precise Plan*. December. Available:

<https://www.cityofsanrafael.org/downtown-precise-plan/>.

City of San Rafael, Golden Gate Bridge, Highway and Transportation District, Marin County Transit District, Transportation Authority of Marin, Sonoma Marin Area Rail Transit, MTC, and Kimley-Horn. 2017. *San Rafael Transit Center Relocation Study*. March. Available: <https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/SRTC-Final-Report-Main-Report-3-14-17.pdf>.

Golden Gate Bridge, Highway and Transportation District. 2019. *Short-Range Transit Plan, Fiscal Years 2018/19–2027/28*. Final Report. September. Prepared by the District's Planning Department with assistance from the Budget, Capital and Grants, Human Resources, and Marketing and Communications Departments. Available: <https://www.goldengate.org/assets/1/24/short-range-transit-plan-fy2019-2028.pdf>.

Metropolitan Transportation Commission (MTC). 2021. MTC Policy Map Explorer. Available:

<https://mtc.maps.arcgis.com/apps/View/index.html?appid=1b8fdd83aa564aa180a59e9b7c4583ca>. Accessed January 14, 2021.

Metropolitan Transportation Commission and Association of Bay Area Governments (MTC and ABAG). 2017. *Plan Bay Area 2040*. Adopted July 26, 2017. Available:

<https://www.planbayarea.org/plan-bay-area-2040>.

8.3.11 Section 3.11: Noise

California Department of Transportation (Caltrans). 2013. *Technical Noise Supplement to the Traffic Noise Analysis Protocol*. September. Available: <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf>.

———. 2020. *Transportation and Construction Vibration Guidance Manual*. April. <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf>.

California Governor's Office of Planning and Research. 2017. *State of California General Plan Guidelines*. July. Available: https://opr.ca.gov/docs/OPR_COMPLETE_7.31.17.pdf.

California Office of Noise Control. 1977. *Model Community Noise Ordinance*. Berkeley, CA: California Department of Health. April.

- City of San Rafael. 2016. *The City of San Rafael General Plan 2020*. November. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP_2020_Reprint_04.28.2017-Combined_EE72817.pdf.
- 2021a. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.
- . 2020. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.
- . 2021b. *San Rafael Zoning Map*. Available: <https://www.arcgis.com/apps/View/index.html?appid=f9a6eba03a8d44f5919bfef783f056c2>. Accessed: March 15, 2021.
- Federal Transit Administration (FTA). 2018. *Transit Noise and Vibration Impact Assessment Manual*. (FTA Report No. 0123.) Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf. Accessed: October 10, 2019.
- Google Maps. 2021. Available: <https://www.google.com/maps>. Accessed: March 15, 2021.
- United States Environmental Protection Agency (EPA). 1974. *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety*. EPA-550/9-74-004. March.

8.3.12 Section 3.12: Population and Housing

- Association of Bay Area Governments (ABAG). 2019. Projections 2040. Available: <http://projections.planbayarea.org/>. Accessed: August 18, 2020.
- California Department of Finance. 2020. Table 2: E-5 City/County Population and Housing Estimates. Available: <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>. Accessed: August 18, 2020.
- California Employment Development Department. 2020. Monthly Labor Force Data for Cities and Census Designated Places (CDP), Marin County—San Rafael. Available: <http://www.labormarketinfo.edd.ca.gov>. Accessed: August 18, 2020.
- City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf. Accessed: August 18, 2020.
- . 2016. *The City of San Rafael General Plan 2020*. November. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP_2020_Reprint_04.28.2017-Combined_EE72817.pdf. Accessed: January 6, 2021.
- . 2018. *San Rafael Bicycle & Pedestrian Master Plan*. 2018 update, July 31. Available: <https://www.cityofsanrafael.org/documents/san-rafael-bicycle-pedestrian-master-plan-2018-update/>.
- . 2019. *San Rafael Climate Change Action Plan 2030*. April. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/Att-D-CCAP-2030-Final-Draft-4-23-19.pdf>.

———. 2020. *Downtown San Rafael Precise Plan (Public Review Draft)*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>. Accessed: January 7, 2020-2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan*. Adopted August 2021. Prepared by: Opticos Design, Inc. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

City of San Rafael, Golden Gate Bridge, Highway and Transportation District, Marin County Transit District, Transportation Authority of Marin, Sonoma Marin Area Rail Transit, MTC, and Kimley-Horn. 2017. *San Rafael Transit Center Relocation Study*. March. Available: <https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/SRTC-Final-Report-Main-Report-3-14-17.pdf>.

Golden Gate Bridge, Highway and Transportation District. 2019. *Short-Range Transit Plan, Fiscal Years 2018/19–2027/28*. Final Report. September. Prepared by the District's Planning Department with assistance from the Budget, Capital and Grants, Human Resources, and Marketing and Communications Departments. Available: <https://www.goldengate.org/assets/1/24/short-range-transit-plan-fy2019-2028.pdf>.

U.S. Census Bureau. 2019a. ACS 5-Year Estimates, Means of Transportation to Work by Selected Characteristics for Workplace Geography: Marin County and San Rafael. Available: <https://data.census.gov/cedsci/>. Accessed: January 6, 2020.

———. 2019b. ACS 5-Year Estimates, Selected Economic Characteristics: Marin County and San Rafael. Available: <https://data.census.gov/cedsci/>. Accessed: January 6, 2020.

8.3.13 Section 3.13: Public Services and Recreation

City of San Rafael. 2016. *The City of San Rafael General Plan 2020*. November. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>.

———. 2019a. *Parks and Recreation Existing Conditions, San Rafael General Plan 2040 Background Report*. San Rafael, CA. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/04/Parks-and-RecreationReport-final.pdf>.

———. 2020a. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.

———. 2020b. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

———. 2020e. *Community Services Background Report, San Rafael General Plan 2040*. San Rafael, CA. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/04/CommunityServicesReport.pdf>.

———. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

———. 2021. *The City of San Rafael General Plan 2040 – Parks, Recreation, and Open Space Element*. San Rafael, CA. Available: <https://www.cityofsanrafael.org/gp-2040-document-library/>.

8.3.14 Section 3.14: Transportation

Association of Bay Area Governments and Municipal Transit Commission (ABAG and MTC). 2020. *2050 Plan Bay Area, Plan*. Last Revised: November 4, 2020. Available: <https://www.planbayarea.org/plan-bay-area-2050-1>. Accessed: November 10, 2020.

California Department of Transportation (Caltrans). 2021. *California Transportation Plan 2050*. February Available: <https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/ctp-2050-v3-a11y.pdf>.

California Governor's Office of Planning and Research (OPR). 2018. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. Available: https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed: March 16, 2021.

City of San Rafael. 2016. *The City of San Rafael General Plan 2020. Circulation Element*. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP-2020-Reprint-04.28.2017-Combined-EE72817.pdf>. Accessed: February 5, 2021.

———. 2017. *Downtown Parking/Wayfinding Study*. Final Report. August. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2017/08/San-Rafael-Wayfinding-Study-ES-and-Text.pdf>.

———. 2018. *San Rafael Bicycle & Pedestrian Master Plan*. 2018 update, July 31. Available: <https://www.cityofsanrafael.org/documents/san-rafael-bicycle-pedestrian-master-plan-2018-update/>. Accessed: February 5, 2021.

———. 2020a. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.

———. 2020b. *Municipal Code City of San Rafael, California*. Available: https://library.municode.com/ca/san-rafael/codes/code_of_ordinances?nodeId=TIT5TRRE. Accessed: February 5, 2021.

———. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan*. Adopted August 2021. Prepared by: Opticos Design, Inc. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

Golden Gate Bridge, Highway and Transportation District (District). 2019. *Short Range Transit Plan Fiscal Years 2018/19–2027/28*. Available: <https://www.goldengate.org/assets/1/24/short-range-transit-plan-fy2019-2028.pdf>. Accessed: March 16, 2021.

Marin Transit. 2017. *Marin Transit 2018-2027 Short Range Transit Plan*. Available: <https://marintransit.org/sites/default/files/projects/2019/2018-2027%20SRTP%20FINAL%202017-DEC.pdf>. Accessed: March 16, 2021.

- Metropolitan Transportation Commission and Association of Bay Area Governments (MTC and ABAG). 2017. *Plan Bay Area 2040*. Adopted July 26, 2017. Available: <https://www.planbayarea.org/plan-bay-area-2040>.
- Transportation Authority of Marin (TAM). 2019. *2019 CMP Update*. October Available: <https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2019/11/2019-FINAL-CMP-11-4-19.pdf>. Accessed: February 5, 2021.
- Transportation Research Board. 2016. *Highway Capacity Manual 6th Edition: A Guide for Multimodal Mobility Analysis*.
- U.S. Department of Justice. 2010. 2010 ADA Standards for Accessible Design. Available: <https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards.pdf>. Accessed: February 5, 2021.

8.3.15 Section 3.15: Tribal Cultural Resources

- Baker, Suzanne and Daniel Shoup. 2014. Department of Parks and Recreation Site Record for CA-MRN-84 (P-21-000113). On file at the Northwest Information Center, Sonoma State University, CA.
- City of San Rafael. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.
2016. *The City of San Rafael General Plan 2020*. Available: <https://www.cityofsanrafael.org/generalplan-2020/>. Accessed December 3, 2020.
- . 2020. *San Rafael General Plan 2040 Draft for Public Review*. October. Available: <https://www.cityofsanrafael.org/gp-2040-document-library/>. Accessed: December 3, 2020.
- Kaptain, Neal and Tim Jones. 2012. *Historic Properties Survey Report, Archaeological Survey Report, and Extended Phase I Report for the Puerto Suello Hill Path to Transit Center Connector Project*, NMTPL 5043 (023). LSA Associates, Inc. On file, Northwest Information Center, report S-038714.
- Roop, William. 1991. *A Cultural Resources Evaluation of a Proposed Reclaimed Water Pipeline in the San Quentin Point, Corte Madera, Larkspur, Kentfield and San Rafael Areas*. Archaeological Resource Service. On file, Northwest Information Center, report S-016949.
- Shoup, Daniel. 2014. *Extended Phase I Archaeological Survey Report, San Rafael Regional Transportation System Enhancements, City of San Rafael, Marin County, California*. Caltrans District 04, Federal Project No. CML 5043(036). Report for Caltrans and Kimley-Horn and Associates, Oakland, CA.
- Shoup, Daniel and Suzanne Baker. 2014a. Department of Parks and Recreation Site Record for CA-MRN-85 (P-21-000114). On file at the Northwest Information Center, Sonoma State University, CA.
- . 2014b. Department of Parks and Recreation Site Record for CA-MRN-711/H (P-21-002833). On file at the Northwest Information Center, Sonoma State University, CA.

8.3.16 Section 3.16: Utilities and Service Systems

California Department of Resources Recycling and Recovery (CalRecycle). 2020. Frequently Asked Question – California Green Building Standards Code. Available: <https://www.calrecycle.ca.gov/lgcentral/library/canddmodel/instruction/faq#CALGreen>. Accessed: August 25, 2020.

Central Marin Sanitation Agency (CMSA). 2019. *Popular Annual Financial Report*. Available: <https://www.cmsa.us/assets/documents/administrative/budget/FY19%20PAFR%20Web.pdf>. Accessed: August 23, 2020.

City of San Rafael. No date. *Sanitation District: Service Area*. Available: <https://www.cityofsanrafael.org/service-area/>. Accessed: August 23, 2020.

———. 2016a. *The City of San Rafael General Plan 2020, Land Use Element, Sustainability Element, and Infrastructure Element*. November. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/GP_2020_Reprint_04.28.2017_Combined_EE72817.pdf.

———. 2016b. Central Marin Sanitation Agency. Available: <https://www.cityofsanrafael.org/locations/central-marin-sanitation-agency/#:~:text=CMSA%20provides%20wastewater%20treatment%2C%20disposal,treatment%20facility%20in%20Marin%20County>. Accessed: August 23, 2020.

———. 2019a. *Mandatory Waste Management*. Available: <https://www.cityofsanrafael.org/mandatory-waste-management/>. Accessed: August 25, 2020.

———. 2019b. *San Rafael Climate Change Action Plan 2030*. April. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/Att-D-CCAP-2030-Final-Draft-4-23-19.pdf>.

———. 2019c. San Rafael Municipal Code, Ordinance No. 1974. November.

———. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan*. Adopted August 2021. Prepared by: Opticos Design, Inc. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.
 ———. 2020a. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.

———. 2020b. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

County of Marin. 2020. *Redwood Landfill Solid Waste Facilities Permit Environmental Impact Report*. Available: <https://www.marincounty.org/depts/cd/divisions/environmental-review/archived-eir-projects/redwood-landfill>. Accessed: August 31, 2020.

Marin Clean Energy (MCE). 2021. *MCE My community. My choice*. Available: <https://www.mcecleanenergy.org/>. Accessed: March 10, 2021.

- Marin Municipal Water District (MMWD). 2016. New Water Service Connections. Available: <https://www.marinwater.org/203/New-Water-Service-Connections#:~:text=MMWD's%20Board%20of%20Directors%20has,amount%20of%20graywater%20on%20site>. Accessed: August 23, 2020.
- . 2017. *Water Resources Plan 2040*. March. Pp. 2-1 through 2-3. Available: <https://www.marinwater.org/sites/default/files/2020-09/Water%20Resources%20Plan%202040.pdf>.
- U.S. Energy Information Administration. 2020. California. Available: <https://www.eia.gov/state/?sid=CA>. Accessed: August 25, 2020.
- Waste Management. 2020. *Redwood Landfill*. Available: <https://redwoodlandfill.wm.com/index.jsp>. Accessed: August 23, 2020.

8.3.17 Section 3.17: Wildfire

- California Department of Technology. 2020. *California Fire Hazard Severity Zone Viewer*. Last revised: January 2020. Available: <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>. Accessed: August 11, 2020.
- California Forest Management Task Force. 2021. *California's Wildfire and Forest Resilience Action Plan*. Available: <https://www.fire.ca.gov/media/ps4p2vck/californiawildfireandforestresilienceactionplan.pdf>. Accessed: February 24, 2021.
- California Department of Forestry and Fire Protection (CAL FIRE). 2018. *2018 Strategic Fire Plan for California*. Available: https://osfm.fire.ca.gov/media/5590/2018-strategic-fire-plan-approved-08_22_18.pdf. Accessed: August 24, 2020.
- . 2020. *Board of Forestry 2020 SRA Review: Proposed Changes*. Available: <https://calfire-forestry.maps.arcgis.com/home/webmap/viewer.html?webmap=73510b7d74ee410fbfd9e73725ddad04>. Accessed: August 11, 2020.
- City of San Rafael. 2007. *City of San Rafael Wildland-Urban Interface*. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/Wildland_Urban_Interface_Map.pdf. Accessed: August 16, 2020.
- . 2016. *The City of San Rafael General Plan 2020, Safety Element*. Reprinted in 2017. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/13-GP-2020-Safety-Element-Print-04.28.17-FINAL2.pdf>. Accessed: August 11, 2020.
- . 2017. *San Rafael Local Hazard Mitigation Plan*. June. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2018/01/City-of-San-Rafael-LHMP-Complete.pdf>.
- . 2020a. *Wildfire Prevention and Protection Action Plan*. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/03/Attachment-1.-San-Rafael-Wildfire-Prevention-and-Protection-Plan.pdf>. Accessed: August 20, 2020.
- . 2020b. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.

- . 2020c. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.
- . 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.
- City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan. Adopted August 2021*. Prepared by: Opticos Design, Inc. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.
- Marin County Sheriff's Office of Emergency Services. 2014. *Marin Operational Area Emergency Operations Plan*. Available: <https://www.marinsheriff.org/assets/downloads/OES/EOP-Final-Draft-10.14.2014.pdf>. Accessed: August 20, 2020.
- Rural County Representatives of California. 2020. *California Board of Forestry Unveils New Draft Fire Safe Regulations*. Available: <https://www.rcrcnet.org/california-board-forestry-unveils-new-draft-fire-safe-regulations>. Accessed: February 24, 2021.

8.4 Chapter 4: Cumulative Impacts

- Association of Bay Area Governments (ABAG). 2018. *Play Bay Area Projections 2040: A Companion to Plan Bay Area 2040*. November. Available: http://mtcmedia.s3.amazonaws.com/files/Projections_2040-ABAG-MTC-web.pdf.
- Bay Area Air Quality Management District (BAAQMD). 2017. *California Environmental Quality Act. Air Quality Guidelines*. May. Available: https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed: February 25, 2021.
- City of San Rafael. 2020a. *Capital Improvement Program, FY20/21–22/23*. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/06/7_Attachment-4-FY-2020-21-CIP-Full-Document.pdf.
- . 2020b. Major Planning Projects. Available: <https://www.cityofsanrafael.org/major-planning-projects-2/>. Accessed: March 16, 2021.
- . 2020c. Active Projects and Capital Improvement Program. Available: <https://www.cityofsanrafael.org/activeprojects/>. Accessed: March 18, 2021.
- . 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.
- . 2020d. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.
- County of Marin. 2020. *Capital Improvement Program, FY 2020–2021 (FY 2020–2021 to FY 2024–2025)*. June 23. Available: <https://www.marincounty.org/-/media/files/departments/ad/facilities-planning-and-development/capital-improvement-program/fy-2021-cip.pdf?la=en>.

8.5 Chapter 5: Alternatives to the Project

City of San Rafael. 2012. *San Rafael Downtown Station Area Plan*. Approved June 4. Available: https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/DTSR_SAP_Approved_Final-Draft.pdf. Accessed: March 18, 2021.

———. 2021. *San Rafael General Plan 2040*. Adopted August 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>.

City of San Rafael Community Development Department. 2021. *Downtown San Rafael Precise Plan*. Adopted August 2021. Prepared by: Opticos Design, Inc. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

———. 2020a. *San Rafael General Plan 2040*. Draft, October. Available: <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/12/FullGeneralPlan2040-November2020.pdf>.

———. 2020b. *Downtown San Rafael Precise Plan*. December. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>.

City of San Rafael, Golden Gate Bridge, Highway and Transportation District, Marin County Transit District, Transportation Authority of Marin, Sonoma Marin Area Rail Transit, MTC, and Kimley Horn. 2017. *San Rafael Transit Center Relocation Study*. March. Available: <https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/SRTC-Final-Report-Main-Report-3-14-17.pdf>. Accessed: December 14, 2020.

ICF. 2019. *Environmental Scoping Report for the San Rafael Transit Center Replacement Project*. San Jose, CA. Prepared for: Kimley-Horn and Associates, Inc.

Metropolitan Transportation Commission and Association of Bay Area Governments (MTC and ABAG). 2017. *Plan Bay Area 2040*. Adopted July 26, 2017. Available: <https://www.planbayarea.org/plan-bay-area-2040>. Accessed: March 18, 2021.

Transportation Authority of Marin (TAM). 2017. *Getting Around Marin: Strategic Vision Plan*. Available: https://2b0kd44aw6tb3js4ja3jprp6-wpengine.netdna-ssl.com/wp-content/uploads/2017/07/TAM-SVP-GettingAroundMarin_072617.pdf. Accessed: March 18, 2021.

8.6 Chapter 6: Other CEQA-Required Analysis

No references cited.

8.7 Chapter 9: Comments and Responses

City of San Rafael. 2021a. *San Rafael General Plan 2040*. Adopted August 2, 2021. Available: <https://www.cityofsanrafael.org/departments/general-plan-2040/>. Accessed: January 21, 2022.

———. 2021b. *Downtown San Rafael Precise Plan*. Adopted August 2, 2021. Available: <https://www.cityofsanrafael.org/downtown-precise-plan/>. Accessed: January 21, 2022.

City of San Rafael and Golden Gate Bridge, Highway and Transportation District (District). 2017. *Memorandum of Understanding between the Golden Gate Bridge, Highway and Transportation District and the City of San Rafael*. October 27.

Point Blue Conservation Service and United States Geological Survey. 2017. Our Coast Our Future Interactive Map. Available: <https://data.pointblue.org/apps/ocof/cms/index.php?page=flood-map>. Accessed: June 9, 2021.

9.1 Comments Received on the Draft Environmental Impact Report

This chapter includes the text of all comments received on the Draft Environmental Impact Report (EIR). The comment letters (i.e., commenters) have been numbered as shown in Table 9-1.

Table 9-1. List of Commenters

Letter #	Date of Comment	Organization	Commenter Name(s)
<i>State Agencies</i>			
1	October 12, 2021	California Department of Transportation	Mark Leong
2	October 27, 2021	California Department of Fish and Wildlife	Amanda Culpepper
3	November 3, 2021	California Department of Fish and Wildlife	Amanda Culpepper
<i>Local Agencies</i>			
4	September 3, 2021	County of Sonoma Permit & Resource Management Department	Tennis Wick, AICP, Director
5	October 11, 2021	City of San Rafael	Mayor Kate Colin; Jim Schultz
6	October 29, 2021	Transportation Authority of Marin	Anne Richman
<i>Organizations</i>			
7	September 9, 2021	Wilderness Bike Trails/ Transportation Alternatives for Marin	Patrick Seidler; Matthew Hartzell
8	September 15, 2021	League of Women Voters	Ann Wakeley
9	September 29, 2021	San Rafael Heritage	Linzy Klumpp
10	October 4, 2021	Transportation Solutions Defense and Education Fund	David Schonbrunn
11	October 8, 2021	Resilient Shore	Jeffrey Rhoads
12	October 11, 2021	Wilderness Bike Trails/ Transportation Alternatives for Marin	Patrick Seidler; Matthew Hartzell
13	October 12, 2021	Sustainable San Rafael	William Carney
14	Date Unknown	Canal Alliance and Voces de Canal	Omar Carrera; Marina Palma; Darlin Ruiz
15	November 3, 2021	Canal Alliance	Omar Carrera
<i>Individuals</i>			
16	September 15, 2021	N/A	Sprague Terplan
17	September 27, 2021	N/A	Annette Holloway

Letter #	Date of Comment	Organization	Commenter Name(s)
18	September 27, 2021	N/A	Jamie Mackie
19	September 30, 2021	N/A	Amy Glaza
20	September 30, 2021	N/A	Luana Miller
21	September 30, 2031	N/A	Stephen Spicer
22	October 1, 2021	N/A	Joseph Tassone
23	October 2, 2021	N/A	Stuart Brown
24	October 6, 2021	N/A	Leslie Simons
25	October 7, 2021	N/A	Philip Mooney
26	October 11, 2021	N/A	Fred Grange
<i>Public Meeting Comments</i>			
27	September 14, 2021	N/A	N/A
	September 15, 2021	N/A	N/A

9.2 Responses to Comments

The following sections include responses to each of the comments identified in the comment letters and identifies if revisions to the draft EIR were made. In responding to comments, the California Environmental Quality Act (CEQA) does not require a lead agency to conduct every test or perform all research, study, or experimentation recommended or demanded by a commenter. Rather, a lead agency need only respond to significant environmental issues and does not need to provide all information requested by reviewers, as long as a good-faith effort at full disclosure is made in the EIR (State CEQA Guidelines Sections 15088, 15204).

California Department of Transportation

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October 12, 2021

SCH #: 2018102042
GTS #: 04-MRN-2018-00209
GTS ID: 13098
Co/Rt/Pm: MRN/101/10.98

Raymond Santiago, Principal Planner
Golden Gate Bridge Highway
and Transportation District
1011 Andersen Drive
San Rafael, CA 94901

Re: San Rafael Transit Center Replacement Project Draft Environmental Impact Report (DEIR)

Dear Raymond Santiago:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the San Rafael Transit Center Replacement Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the August 2021 DEIR.

Project Understanding

1-1 The Golden Gate Bridge, Highway and Transportation District, in coordination with the City of San Rafael, Marin Transit, Transportation Authority of Marin (TAM), and Sonoma-Marín Area Rail Transit (SMART), proposes to replace the transit center in Downtown San Rafael. The proposed San Rafael Transit Center Replacement Project is needed primarily to preserve and enhance the functionality and effectiveness of the transit center following the implementation of the SMART Phase 2 line in Larkspur and the resulting loss of some of the transit center facilities. The new transit center would address short and long-term transit needs as well as improve transit usability for local residents and regional commuters. The project site is adjacent to US-101.

Right of Way (ROW)

1-2 The "Under the Freeway" alternative would have the most impact on State facilities and will require a ROW agreement with Caltrans. Please note that there are existing ROW use agreements for parking between 3rd and 4th streets. There is also a Park and

"Provide a safe and reliable transportation network that serves all people and respects the environment"

1-2
cont.

Ride lot from 3rd Street to Mission Avenue. This alternative may impact the State's ability to conduct future maintenance on US-101. Please clarify under this alternative if the State would have the ability to partially or completely close the transit center to facilitate maintenance activities and who would be responsible for additional costs incurred by this process.

1-3

Cultural Resources

Since significant impacts to tribal cultural resources are being reduced to "less than significant" without input from local tribes, Caltrans recommends that further outreach to local Native American tribes be conducted when drafting and implementing Cultural Resources and Tribal Cultural Resources mitigation measures. If this outreach is ongoing, Caltrans recommends details regarding outreach be included in the Cultural Resources and Tribal Cultural Resources section of the EIR.

1-4

Hydraulics

Section 3.9.1.2, Environmental Setting, Surface and Groundwater. Please note the document refers to the size of the San Rafael Creek watershed as 11 square miles, and then later as 6.5 square miles. This discrepancy should be resolved.

1-5

Lead Agency

As the Lead Agency, the Golden Gate Bridge Highway and Transportation District is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

1-6

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

1-7

Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto the ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating the State ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design

Raymond Santiago, Principal Planner
October 12, 2021
Page 3

1-7
cont.

Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

1-8

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Llisel Ayon at Llisel.Ayon@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please email LDIGR-D4@dot.ca.gov.

Sincerely,



MARK LEONG
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

9.2.1.1 Response to Comment Letter 1, California Department of Transportation

Comment 1-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the San Rafael Transit Center Replacement Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the August 2021 DEIR.

Project Understanding

The Golden Gate Bridge, Highway and Transportation District, in coordination with the City of San Rafael, Marin Transit, Transportation Authority of Marin (TAM), and Sonoma-Marín Area Rail Transit (SMART), proposes to replace the transit center in Downtown San Rafael. The proposed San Rafael Transit Center Replacement Project is needed primarily to preserve and enhance the functionality and effectiveness of the transit center following the implementation of the SMART Phase 2 line in Larkspur and the resulting loss of some of the transit center facilities. The new transit center would address short and long-term transit needs as well as improve transit usability for local residents and regional commuters. The project site is adjacent to US-101.

Response to Comment 1-1

The comment summarizes the context for the proposed project. The comment does not concern the adequacy of the EIR and no further response is required.

Comment 1-2

Right of Way (ROW)

The "Under the Freeway" alternative would have the most impact on State facilities and will require a ROW agreement with Caltrans. Please note that there are existing ROW use agreements for parking between 3rd and 4th streets. There is also a Park and Ride lot from 3rd Street to Mission Avenue. This alternative may impact the State's ability to conduct future maintenance on US-101. Please clarify under this alternative if the State would have the ability to partially or completely close the transit center to facilitate maintenance activities and who would be responsible for additional costs incurred by this process.

Response to Comment 1-2

This comment requests clarification whether the Under the Freeway Alternative would allow the state to partially or completely close the transit center for U.S. Highway 101 (US-101) maintenance and who would be responsible for the cost. As noted in the comment, a right-of-way agreement would be required for use of the state facility for the transit center. It is anticipated that the agreement would govern terms of access and eviction of the transit center uses. Based on previous discussions with the California Department of Transportation (Caltrans), it is anticipated that the state would retain the right to partially or completely close the transit center to facilitate maintenance activities, and the cost of temporary or permanent relocation of the transit center would be the responsibility of the Golden Gate Bridge, Highway and Transportation District (District) and/or other agency stakeholders.

Comment 1-3

Cultural Resources

Since significant impacts to tribal cultural resources are being reduced to “less than significant” without input from local tribes, Caltrans recommends that further outreach to local Native American tribes be conducted when drafting and implementing Cultural Resources and Tribal Cultural Resources mitigation measures. If this outreach is ongoing, Caltrans recommends details regarding outreach be included in the Cultural Resources and Tribal Cultural Resources section of the EIR.

Response to Comment 1-3

The comment recommends additional outreach to Native American tribes and additional documentation of outreach with the tribes. The District is complying with requirements of Assembly Bill (AB) 52 in reaching out to Native American tribes and keeping them apprised of project milestones. Tribal outreach efforts are documented in the Draft EIR in Sections 3.4, Cultural Resources, and 3.15, Tribal Cultural Resources.

Comment 1-4

Hydraulics

Section 3.9.1.2, Environmental Setting, Surface and Groundwater. Please note the document refers to the size of the San Rafael Creek watershed as 11 square miles, and then later as 6.5 square miles. This discrepancy should be resolved.

Response to Comment 1-4

The comment points to a discrepancy in the stated size of the San Rafael Creek Watershed. Section 3.9, Hydrology and Water Quality, has been revised in the Final EIR to correct this discrepancy and clarify the size of the San Rafael Creek Watershed (see page 3.9-10 of the Final EIR). The correct statistic for the size of the San Rafael Creek Watershed is 11 square miles.

Comment 1-5

Lead Agency

As the Lead Agency, the Golden Gate Bridge Highway and Transportation District is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Response to Comment 1-5

The comment provides information about mitigation requirements. This comment does not concern the adequacy of the EIR. No revisions to the Draft EIR are necessary.

Comment 1-6

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and

pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Response to Comment 1-6

The comment provides information about compliance requirements. The project would comply with all state and federal regulations regarding Americans with Disabilities Act compliance and providing equitable access. As described in Section 3.14, Transportation, of the EIR, a Traffic Control Plan addressing circulation for transit, bicycles, pedestrians, and private vehicles will be implemented during construction.

Comment 1-7

Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto the ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating the State ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Response to Comment 1-7

Chapter 2, Section 2.8, Approvals and Permits Required for the Preferred Alternative and Build Alternatives, lists approvals and permits required for the proposed project, including a Caltrans encroachment permit for each of the build alternatives. The Draft EIR stated that the Under the Freeway Alternative would be the only alternative requiring a Caltrans encroachment permit, but Section 2.8 of the Final EIR has been revised to state that all alternatives would require this permit, due to the modification of Hetherton Street. The project proponent will follow the steps outlined in this comment to obtain an encroachment permit, as required by the project's location and necessary traffic controls.

Comment 1-8

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Llisel Ayon at Llisel.Ayon@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please email LDIGR-D4@dot.ca.gov.

Response to Comment 1-8

Future correspondence will be routed to the contact information provided in this comment. The comment does not raise any issues about the adequacy of the EIR; therefore, no further response is required.

From: [Culpepper, Amanda\(Mandy\)@Wildlife](mailto:Culpepper_Amanda(Mandy)@Wildlife)
To: [Raymond Santiago](mailto:Raymond_Santiago)
Cc: [Day, Melanie@Wildlife](mailto:Day_Melanie@Wildlife)
Subject: RE: San Rafael Transit Center Relocation Project - State Clearinghouse #2018102042
Date: Wednesday, October 27, 2021 4:48:58 PM

Hi Raymond,

2-1

Thank you for reaching out. I reviewed the CEQA document for this project and determined that the CEQA mitigation measures as proposed were generally adequate to avoid and minimize impacts to biological resources to less than significant, and therefore did not provide an official public comment letter. Please let me know if you have specific items or concerns you would like to discuss with CDFW. I would be happy to have a meeting to provide specific input on the project, as needed.

Best,

Mandy

Amanda Culpepper ([she](#))

Environmental Scientist | Marin & Solano Counties

California Department of Fish and Wildlife

(707) 428-2075 | amanda.culpepper@wildlife.ca.gov

2825 Cordelia Road, Suite 100, Fairfield, CA 94534

CDFW is transitioning to the [Environmental Permit Information Management System \(EPIMS\)](#), an online system, for all Lake or Streambed Alteration (LSA) Notifications. **CDFW now only accepts standard and emergency Notifications through EPIMS.**

From: Raymond Santiago <RSantiago@goldengate.org>

Sent: Wednesday, October 27, 2021 4:11 PM

To: Day, Melanie@Wildlife <Melanie.Day@wildlife.ca.gov>

Subject: San Rafael Transit Center Relocation Project - State Clearinghouse #2018102042

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Dear Ms. Day,

I was attempting to contact someone from your office in regards to our San Rafael Transit Center Relocation project, State Clearinghouse #2018102042. We had previously worked with Deborah Waller and Karen Weiss, but have been informed that neither of them are currently with Fish & Wildlife. The reason I was trying to contact them is that we've recently released the Draft Environmental Impact Report for our project, and have not received any comments from your Department. The initial deadline for public comments was October 12th, but that has been extended to November 2nd (next Tuesday). As the project has potential impacts to Erwin Creek in San Rafael, we believe it is critical to receive input from Fish & Wildlife.

Please let me know if you have any questions or would like to discuss our request. You may reach me via e-mail at rsantiago@goldengate.org, or on my mobile phone (working from home since the pandemic) at (707) 416-3695.

Thank you very much for your attention.

Sincerely,

Raymond A. Santiago

Principal Planner

Golden Gate Bridge, Highway & Transportation District
1011 Andersen Drive
San Rafael, CA 95901-5318
rsantiago@goldengate.org
(415) 257-4443

9.2.2.1 Response to Comment Letter 2, California Department of Fish and Wildlife

Comment 2-1

Thank you for reaching out. I reviewed the CEQA document for this project and determined that the CEQA mitigation measures as proposed were generally adequate to avoid and minimize impacts to biological resources to less than significant, and therefore did not provide an official public comment letter. Please let me know if you have specific items or concerns you would like to discuss with CDFW. I would be happy to have a meeting to provide specific input on the project, as needed.

Response to Comment 2-1

The comment expresses support for the CEQA mitigation measures included in the Draft EIR to address potential impacts on biological resources. The comment does not raise any issues about the adequacy of the EIR; therefore, no further response is required.

From: [Culpepper, Amanda\(Mandy\)@Wildlife](mailto:Culpepper_Amanda(Mandy)@Wildlife)
To: [Raymond Santiago](#)
Cc: [Trisal, Shilpa](#)
Subject: San Rafael Transit Center Replacement Project DEIR
Date: Wednesday, November 3, 2021 11:56:07 AM

Dear Raymond,

Thank you for reaching out to CDFW to discuss our Notice of Preparation (NOP) comment letter, dated November 30, 2018, and the draft Environmental Impact Report (EIR) for the San Rafael Transit Center Replacement Project, State Clearinghouse number 2018102042.

3-1

We support the alternative that has the least impacts to fish and wildlife resources and consider avoiding Irwin Creek as a worthwhile approach to minimizing impacts to fish and wildlife resources. If substantial alteration to Irwin Creek would occur, a Lake or Streambed Alteration (LSA) Notification would be required, as identified in our NOP comment letter.

Please let us know if you have any questions, and thank you again for reaching out to CDFW.

Best,

Mandy

Amanda Culpepper ([she](#))

Environmental Scientist | Marin & Solano Counties

California Department of Fish and Wildlife

(707) 428-2075 | amanda.culpepper@wildlife.ca.gov

2825 Cordelia Road, Suite 100, Fairfield, CA 94534

CDFW is transitioning to the [Environmental Permit Information Management System \(EPIMS\)](#), an online system, for all Lake or Streambed Alteration (LSA) Notifications. **CDFW now *only* accepts Notifications through EPIMS.**

9.2.3.1 Response to Comment Letter 3, California Department of Fish and Wildlife

Comment 3-1

Thank you for reaching out to CDFW to discuss our Notice of Preparation (NOP) comment letter, dated November 30, 2018, and the draft Environmental Impact Report (EIR) for the San Rafael Transit Center Replacement Project, State Clearinghouse number 2018102042.

We support the alternative that has the least impacts to fish and wildlife resources and consider avoiding Irwin Creek as a worthwhile approach to minimizing impacts to fish and wildlife resources. If substantial alteration to Irwin Creek would occur, a Lake or Streambed Alteration (LSA) Notification would be required, as identified in our NOP comment letter.

Please let us know if you have any questions, and thank you again for reaching out to CDFW.

Response to Comment 3-1

The comment expresses support for alternatives that avoid Irwin Creek. Only the Under the Freeway Alternative would affect Irwin Creek. The preferred alternative (Move Whistlestop Alternative) and other build alternatives would avoid Irwin Creek. A Lake or Streambed Alteration Agreement would be prepared if the Under the Freeway Alternative were selected as the chosen alternative. The comment does not concern the adequacy of the EIR, and no revisions to the Draft EIR are required.



County of Sonoma
Permit & Resource Management Department

3 September 2021

via email to SRTC@goldengate.org

Raymond Santiago, Principal Planner
Golden Gate Bridge Highway and Transportation District
1011 Andersen Drive
San Rafael, California 94901

**RE: SAN RAFAEL TRANSIT CENTER EIR (COUNTY PPR21-0011)
APNS 011-279-07, 011-279-01, 014-121-14, 011-277-02, 011-277-01, 011-275-13, 011-275-05,
011-275-04, 011-275-01, 011-275-02, AND 011-275-03**

Dear Principal Planner Santiago:

Thank you for the opportunity to comment on the proposed San Rafael Transit Center EIR. Staff have determined the project to be consistent with the Sonoma County General Plan. Please see attached the General Plan Consistency Determination.

4-1

Thank you for your time and attention to this matter.

If you have any questions, please feel free to contact Eric Gage at 707-565-1391 or email at Eric.Gage@sonoma-county.org.

Sincerely,

Tennis Wick Digitally signed by Tennis Wick
Date: 2021.09.02 09:43:33
-07'00'

Tennis Wick, AICP
Director

Enclosure: General Plan Consistency Determination

cc: File No. PPR21-0011



GENERAL PLAN CONSISTENCY DETERMINATION

To: Golden Gate Bridge Highway and Transportation Dept.

From: Eric Gage, Planner III

Date: September 3, 2021

Project Applicant: Golden Gate Bridge Highway and Transportation Dept.

Project Name: San Rafael Transit Center DEIR (County PPR21-0011)

Project Location: City of San Rafael, APNs 011-279-07, 011-279-01, 014-121-14, 011-277-02, 011-277-01, 011-275-13, 011-275-05, 011-275-04, 011-275-01, 011-275-02, and 011-275-03

Project Description: The proposed project is to replace the existing transit center in San Rafael following the impact on transit center facilities following the implementation of SMART Phase 2 line to Larkspur. A new transit center would be located at the San Rafael SMART station, and would improve the desirability of transit in the region.

General Plan Consistency Determination: Consistent

Applicable General Plan Policies:

LU-11a: Encourage reduction in greenhouse gas emissions, including alternatives to use of gas-powered vehicles. Such alternatives include public transit, alternatively fueled vehicles, bicycle and pedestrian routes, and bicycle and pedestrian friendly development design.

LU-2c: Encourage public transit, ridesharing and van pooling, shortened and combined motor vehicle trips to work and services, use of bicycles, and walking. Minimize single passenger motor vehicle use.

CT-2b: Establish transfer facilities and supportive park-and-ride lots that provide convenient connection to the transit routes on Figure CT-2. Locate transit centers to avoid rerouting by buses, provide adequate off street parking, and provide convenient pedestrian access from activity centers.

CT-2g: Encourage and participate in joint efforts by the various transit operators to coordinate services by reducing route duplication, coordinating schedules to increase transfer potential, encouraging joint transit fare prepayment, joint marketing of transit services, and discounting fares for intersystem transfers.



Sonoma County Permit and Resource Management Department
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900
www.PermitSonoma.org



SAN RAFAEL TRANSIT CENTER EIR (COUNTY PPR21-0011)
TAMALPAIS AVENUE AND 4TH STREET

CT-2j: Support regional and commute bus service from Sonoma County to employment centers in San Francisco and Marin County.

Discussion

San Rafael had been the final stop for the southbound SMART commuter train until service began at the Larkspur station in 2019. The resulting reconfiguration of the train tracks and platforms negatively affected bus circulation. Pedestrian access and safety to the site and between platforms was also disrupted by the change in SMART service. For this reason the transit center is proposed to be relocated. This regional commuter project encourages reductions in single passenger vehicle use and greenhouse gas emissions. It also supports the coordination of services of various transit providers, and convenient connections to transit routes. For these reasons, the project is consistent with the goals and policies of the Sonoma County General Plan.



Sonoma County Permit and Resource Management Department
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900
www.PermitSonoma.org



9.2.4.1 Response to Comment Letter 4, County of Sonoma Permit & Resource Management Department

Comment 4-1

Thank you for the opportunity to comment on the proposed San Rafael Transit Center EIR. Staff have determined the project to be consistent with the Sonoma County General Plan. Please see attached the General Plan Consistency Determination.

Thank you for your time and attention to this matter.

If you have any questions, please feel free to contact Eric Gage at 707-565-1391 or email at Eric.Gage@sonoma-county.org.

Response to Comment 4-1

Future correspondence will be routed to the contact information provided in this comment. The comment does not raise any issues about the adequacy of the EIR; therefore, no further response is required.



October 11, 2021

Raymond Santiago, Principal Planner
Golden Gate Bridge, Highway & Transportation District
1011 Andersen Drive
San Rafael, CA 94903

**Subject: San Rafael Transit Center Relocation Project;
City of San Rafael's Comments on the Draft Environmental Impact Report (DEIR)**

Dear Mr. Santiago:

The City of San Rafael (City) has received the Notice of Availability (NOA) on the DEIR for the San Rafael Transit Center Relocation Project (SRTC). The NOA requests comments on the analysis of the DEIR within 60 days or no later than October 11, 2021. This letter encloses the City's comments on the DEIR.

Per the Memorandum of Understanding (MOU) between the City and the District (October 27, 2017), the City is a "Responsible Agency" in this environmental review process. Pursuant to CEQA Guidelines Section 15096, as a Responsible Agency, the City must independently review and comment on the CEQA document. On October 4, 2021, the San Rafael City Council received a report with staff-recommended comments on the DEIR and after receiving public comments, adopted a resolution that authorized the Mayor to sign a letter and forward these comments to District. Those comments are attached and incorporated by reference.

Pursuant to the City's role as a responsible agency, the City Council will ultimately need to make an independent determination regarding the EIR's adequacy for the City's use in its own decisions regarding the Transit Center Relocation Project. As the enclosed comments demonstrate, the City has identified several significant flaws in the analysis and omissions of critical information in the DEIR that render it fundamentally inadequate. The City requests that the District revise the Draft EIR to cure its inadequacies and then recirculate the revised Draft EIR for additional feedback and comment prior to finalizing the document.

This is a very important project for the City and we look forward to continuing to work with the District in hopes of finding the best possible solution for our community.

Sincerely,


Mayor Kate Colin


Jim Schutz, City Manager.

Attachments

1. City of San Rafael Comments on the SRTC-DEIR

**CITY OF SAN RAFAEL COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT**

October 8, 2021

General Comments

5-2 | 1. Overall, the DEIR is generally well written and thorough. The analysis is supported in most topics by solid supportive studies and credible substantial evidence. The DEIR analyzes all four site options (Build Alternatives) at an equivalent analysis level, which provides for clear CEQA clearance on all site options. However, the DEIR relies on certain incorrect assumptions and omits analysis and disclosure of certain traffic related impacts. These impacts need to be evaluated and appropriate mitigation measures incorporated into the Draft EIR. In addition, the DEIR needs to discuss whether the project will require the use of piles. If so, this may result in vibration related impacts. Finally, demolition of 927 Tamalpais Avenue under the Move Whistlestop alternative and Adapt Whistlestop alternative would result in significant impact on historic resources. Because these will be new impacts not previously identified in the DEIR, the DEIR will need to be revised and recirculated.

5-3 | 2. The DEIR should include a narrative about the current SRTC site. As the existing SRTC site would be sold as surplus with the development of any of the relocation Build Alternatives, it needs to be clear that the DEIR has not analyzed this site for redevelopment. Future redevelopment of the existing site would require its own review and CEQA clearance by the City of San Rafael.

5-4 | 3. The scope of topic areas studied in the DEIR were initially presented in the Notice of Preparation (NOP), which was published in late 2018. Following the NOP public review and comment period, GGBHTD consultants prepared the Environmental Scoping Report – San Rafael Transit Center Replacement Project (February 2019). This Scoping Report, which is provided as Appendix A of the DEIR, memorialized the topic areas for study in the DEIR. Essentially, the Scoping Report contains: the NOP; the list of agencies, organizations and individuals that provided comments on the NOP; and the site options/alternatives that were available at the time the NOP was published. While it includes a summary of NOP comments by topic area, the Scoping Report does not provide an explanation on how or if the NOP comments were used in finalizing the scope of study topics for the DEIR. Consequently, a number of the City’s recommendations for study outlined in its comments on the NOP (letter from City to GGBHTD dated November 8, 2018) were not included in the DEIR document. Not studied or addressed in the DEIR are the following:

- a. Sea level rise.
- b. Preparation and inclusion of computer-generated visual simulations
- c. Non-CEQA topic areas recommended for study (Fiscal Impacts of the Preferred Project and Alternatives).

Lastly, there is no explanation in the DEIR or the Scoping Report as to why information and studies requested as part of the NOP process were dismissed from further consideration in the final scoping and preparation of the DEIR.

5-5 | 4. Throughout the DEIR, the San Rafael General Plan 2020 (2007) and the Downtown San Rafael Station Area Plan (2012) are cited and used as the base for the document

CITY OF SAN RAFAEL COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT

October 8, 2021

5-5
cont.

analysis. On August 2, 2021, before the DEIR was released for publication, the City Council adopted the San Rafael General Plan 2040 and the Downtown Precise Plan (DTPP). Yet, throughout the DEIR, it is stated that these Plans are in draft form and unadopted. Essentially, these recently adopted documents succeed and replace the previous General Plan 2020 and the City Zoning Ordinance (DTPP includes site zoning and regulations exclusively for Downtown including the project study area). These plans and land use designations were in effect at the time of DEIR publication. CEQA Guidelines section 15125 provides that the “setting” or baseline for the DEIR is normally established at the time the Notice of Preparation (NOP) is published (October 2018). Therefore, per the CEQA Guidelines, it may be appropriate for the DEIR to cite and utilize documents that were in effect at that time. But Section 15125 and case law interpreting it allows that a lead agency should adjust those baseline assumptions where strict adherence to the NOP timing would not give the public and decision makers the most accurate and understandable picture practically possible of the project’s likely near-term and long-term impacts. The use of a General Plan that is no longer in effect as the base throughout a DEIR that was published after that General Plan was updated is confusing and fails to inform the public and decision makers of the true land use framework and regulation under which the project would be constructed and operating. At a minimum, the EIR must be revised with references to the current, adopted General Plan and zoning ordinance and analysis of the preferred project and alternatives’ consistency with the current plan and regulations.

5-6

The DEIR needs to do a better job in explaining: a) the CEQA Guidelines section that establishes the setting at the time the NOP is published; and b) what has transpired since the NOP was published, particularly since the DTPP tracked and documented the progress of the SRTC project. For this reason, it is recommended that the Introduction Section (Chapter 1) include a narrative on the transition to the General Plan 2040 and DTPP, acknowledgement that these Plans were adopted in August 2021, and a summary on what is different from the previous General Plan 2020/Downtown Station Area Plan. At minimum, links to the recently adopted plans should be included so the DEIR reader can easily go to those documents to review.

5-7

Some sections/chapters of the DEIR list pertinent/relevant policies and programs from both previous General Plan 2020/Downtown Station Area Plan and the recently adopted General Plan 2040/DTPP (e.g., Biological Resources). However, some sections/chapters cite only the former General Plan 2020/Downtown Station Area Plan (e.g., Air Quality). For consistency throughout the DEIR document, either both the former and recently adopted Plan policies and programs should be cited throughout the EIR sections or the text should be revised for the Final EIR to only reference the General Plan 2040/DTPP.

5-8

5. There is no mention in the DEIR about the Memorandum of Understanding (MOU) between the GGBHTD and the City of San Rafael (October 2017). The terms of the MOU require, among others, that GGBHTD meet and confer with the City Community Development Department concerning the consistency between the project and the former General Plan 2020, Downtown Station Area Plan and Zoning Ordinance. While the DEIR does an admirable job at citing and summarizing these documents in the

**CITY OF SAN RAFAEL COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT**

October 8, 2021

5-8
cont.

analysis, this work was siloed and did not involve direct communication with the Community Development Department. The Community Development Department reached out to GGBHTD staff in April 2020 to initiate this meet and confer process. However, GGBHTD staff rejected this request responding that it was too premature.

A. Executive Summary

5-9

1. See comment D.1 below regarding the Project Objectives Section 1.3).

5-10

2. For comments on individual impacts, findings and mitigation measures presented in the summary table, please defer to the comments below under the discussion of each topic section/chapter.

5-11

3. The impact summary table lists and presents the findings for all impacts identified in the DEIR. While recommended mitigation measures are clearly numbered, the impacts are not numbered. Please number all impacts under each topic area, which will provide easier and better referencing.

B. Chapter 1 – Introduction

5-12

1. See comments A.2 and A.3 above regarding the General Plan 2040, DTPP and the MOU. The Introduction section should incorporate narratives on these topics.

C. Chapter 2 – Project Description

5-13

1. The Project Objectives (Section 2.3) do not incorporate, reference, or consider the City's key design goals outlined in the San Rafael Transit Center Guidance Report (City of San Rafael, February 2018). This request was made to GGBHTD through comments on the NOP. The Project Objectives are very straightforward and clearly define the goals of GGBHTD but there is no mention of the City's goals for this important project. The City's five key design goals for this project are:

- a. Maximize 4th Street vitality;
- b. Clearly define the SRTC access routes;
- c. Improve utilization of the Caltrans right-of-way (under the US 101 overpass);
- d. Demonstrate sustainable design; and
- e. Preserve the Whistlestop building.

The General Plan 2040 and DTPP recognize the SRTC project as a "catalyst" site for the Downtown area, which is anchored by the public transit hub. As the City is one of several "partners" on the SRTC project, it is critical that the City's objectives for the project are cited. Please revise the EIR accordingly.

5-14

2. Table 2-1 (page 2-6 and 2-7) provides a good summary of the individual, assemblage of properties that cover each of the four Build Alternatives. However, the table needs to be revised to address the following:

- a. The land use for each parcel needs to be clearly stated. The current description of "mixed-use" is too generic. The reader will have a better understanding as to the site

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5-14
cont.

and surroundings by referencing the specific, developed use (e.g., retail, office, parking lot).

- b. The table references the former property zoning, which was in effect at the time the NOP was published. As noted above, the recent adoption of the General Plan 2040 and DTPP included a rezoning of Downtown properties to the new “Downtown Mixed-Use” (DMU) District. Please add a footnote explaining this recent change in zoning to minimize confusion.
- c. For the “Under the Freeway Alternative,” there is no reference to the two Caltrans properties. These properties need to be added to Table 2-1. Please add a note that the Caltrans properties are not assigned Assessor’s Parcel Numbers by the County Assessor’s Office and the City does not “zone” State property.

5-15

- 3. The description of the “Move Whistlestop Alternative” (Section 2.5, Preferred Alternative) is incomplete. First, it is unclear if the Whistlestop building will be downsized and restored (based on the building footprint shown on the site plan). The current building footprint is not original and there have been discussions and suggestions about downsizing the structure to its original footprint and design. Second, there is no discussion about the demolition of existing buildings (as there is in the description of the 4th Street Gateway). In addition to the Citibank building, two existing buildings on the West side of West Tamalpais Avenue (Trevor’s and Extreme Pizza) would be demolished. Building demolition/relocation and effected business also needs to be discussed in the description of the “Under the Freeway Alternative” (Section 2.6.4).

5-16

- 4. The description and layout of the “Under the Freeway Alternative” is not consistent with the preferred layout prepared by the City, which was provided to the GGBHTD in 2020. The City’s preferred layout included two, carefully designed “bridge’ spans over Irwin Creek to avoid any structural elements of the crossing to be placed/constructed within the creek channel. The description of this alternative states that three “bridges/viaducts” would be installed over Irwin Creek for vehicle access to this site from Hetherton Street. The details of this improvement are not explained, but in the Biological Resources section of the DEIR, it is noted that the crossings would be designed as “box culverts.”

It is understandable that GGBHTD had to modify the City’s preferred layout to address the project’s design criteria and operational needs of the SRTC, but the bridge span structures could have been part of this modified design. When this alternative was presented at a County of Marin hosted Multi-Agency meeting (meeting of the regulatory agencies) in 2020, it was indicated that a bridge span would be proposed in-lieu of box culverts. Rather, GGBHTD chose to go to a box-culvert crossing, which have far more environmental impacts.

5-17

- 5. Section 2.5.4 provides a good description of the “Disposition of the Existing Transit Center.” Please note that this element of the project applies to all four Build Alternatives.

5-18

- 6. Section 2.8 and Table 2-2 provides a summary and list of permit approvals/clearances required by other agencies. There is no mention of the executed MOU between the GGBHTD and City and the clear term of the MOU which affords the City the ultimate authority to decide on the preferred site alternative. Further, the project will require

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consideration by the “Planning Commission” and the “Design Review Board.” The DEIR needs to be revised to incorporate reference to these required reviews.

D. Aesthetics

5-19

1. The DEIR section includes a comprehensive list of pertinent policies from the San Rafael General Plan 2020 and the Downtown San Rafael Station Area Plan. Further, the analysis references the Good Design Guidelines for Downtown. However, there is no mention of the San Rafael Transit Center Guidance Report (February 2018), which includes several design recommendations related to aesthetics and the importance of facilitating an entry to Downtown San Rafael. Also, unlike other sections of the DEIR, this section does not include a list of General Plan 2040 and DTPP policies and programs that are pertinent to this topic area. Please add.

5-20

2. This chapter provides a detailed description of the visual changes that would result from the project. However, in its comments on the NOP, the City requested that computer-generated visual simulations be prepared depicting existing and proposed conditions. In-lieu of the requested simulations, architectural renderings have been prepared, which are illustrative only and do not accurately depict pre- and post-development conditions. Please revise these renderings to more accurately reflect pre and post development conditions. Other comments regarding these renderings:

- a. Figure 3.1-2 presents the existing and proposed view of the “Move Whistlestop Alternative.” The photo of the existing conditions does not align or correspond with the location of the proposed view rendering. The existing view shows the SMART tracks and existing Whistlestop building in the foreground, while the proposed rendering is a location that is further west along West Tamalpais Avenue). Please address.
- b. Figure 3.1-3 presents a rendering of the “Adapt Whistlestop Alternative” as viewed from 4th Street and West Tamalpais Avenue. Along West Tamalpais Avenue, there appears to be a block-like building mass, which is not explained or described. Is this an error or does this building mass represent the housing project approved for the 703 3rd Street site. Please revise.
- c. Figure 3.1-6 presents the existing and proposed view of the “4th Street Gateway Alternative” from the 4th and Hetherton Street intersection. As is the case with Figure 3.1-2, the view of the existing condition photo does not appear to correspond with the location in the proposed view rendering. Please revise.
- d. Figure 3.1-6 presents the existing and proposed view of the “Under the Freeway Alternative” from the Hetherton Street. As is the case with Figure 3.1-2, the view of the existing condition photo does not appear to correspond with the location in the proposed view rendering. The rendering appears to represent another location, perhaps near Irwin Street. Please revise.

5-21

3. To address the significant impact associated with the Under the Freeway Alternative resulting from the relocation of the historic structure at 1011 Irwin Street, the aesthetics discussion proposes Mitigation Measure MM-CULT-CNST-1, which is characterized as requiring the relocation and preservation of the structure. (Page 3.1-27.) The reader is referred to Section 3.4 for the discussion of cultural resource impacts and mitigation for the full text of the measure. There is no explanation provided in the aesthetics

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5-21 cont. discussion for how this measure would reduce the significant impact, however. Furthermore, MM-CULT-CNST-1 does not guarantee the relocation and preservation of historic structures. Rather, it acknowledges that relocation and preservation may not be feasible and the structures may be demolished instead. (Page 3.4-33.) Between the two discussions in aesthetics and cultural resources, there is no substantial evidence provided that demonstrates the implementation of MM-CULT-CNST-1 will, in fact, reduce the significant aesthetic impact associated with the removal of 1011 Irwin Street to a less-than-significant level for the Under the Freeway Alternative. The DEIR needs to be revised to include such evidence.

5-22 4. Mitigation Measure AES O-3 recommends application of minimum lighting standards. This measure should be expanded to require a) the installation of baffles or shields on lighting fixtures to minimize the exposure and the light source and glare; b) preparation of a pre-construction photometric analysis to demonstrate foot candle readings to eliminate "hot spots;" and c) completion of a post-installation lighting inspection (30-days following installation) to allow for adjustments in the intensity of and glare from lighting. The DEIR needs to be revised to include this information.

E. Biological Resources

5-23 1. The biological resources policies from the Marin Countywide Plan are listed in this section (pages 3.3-5 through 3.3-7). These policies should be deleted. The Marin Countywide Plan is applicable to properties within the unincorporated areas of Marin County and is not applicable to the SRTC study area.

5-24 2. The "Detailed table" on special-status animal species which is reference on Page 3.3-9 on special-status animal species is missing from Appendix D.

5-25 3. Pages 3.3-9 – cites that project area has the potential for the occurrence of 38 special-status plant species and 35 special status animal species. However, no special-status species surveys were conducted to confirm or dismiss this finding. The table missing from Appendix D will hopefully have additional information clarifying these conclusions. But the DEIR should be revised to include appropriate measures to ensure no inadvertent take as was recommended for roosting bats. Including for any aquatic species such as steelhead that could be of concern to regulatory agencies.

5-26 4. The EIR should provide a more thorough review of existing habitat in Irwin Creek, limitations on possible occupation and dispersal for aquatic species such as steelhead, and conclusion that it is not suitable for permanent occupation and necessary controls to avoid inadvertent take for any in-channel construction.

5-27 5. Page 3.3-11 lists the methodologies that would be implemented or employed during construction and as part of project operation. One of the listed methodologies states that Irwin Creek would be "de-watered" to construct three double box culverts for the "Under the Freeway Alternative." See comment D.4 above under the Project Description regarding the expectation that the crossings over Irwin Creek were to be designed as a bridge span rather than intrusive box culvert structures. That reach of the creek would

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5-27
cont.

have to be temporarily dewatered during construction, whether a culvert or bridge was installed. Both treatments would require disturbance to the creek banks and could result in materials spilling down into the water, which is why a construction zone like this has to be dewatered. However, the bridge treatment for these crossings would limit direct impacts and fills, which would be preferable to the regulatory agencies, even in this low quality location. Use of a bridge should be explored as an option and weighed against cost and benefit.

5-28

6. In the City's comments on the NOP, it was requested that GGBHTD initiate early consultation with the regulatory agencies to discuss the "Under the Freeway Alternative" and potential impacts to tidal wetlands. The EIR should specify whether consultation was initiated.

5-29

7. Mitigation Measure BIO CNST-5 (page 3.3-18) recommends compensation for temporary and permanent loss of perennial stream (Irwin Creek fill). The measure merely recommends mitigation amounts (e.g., 2:1 ratio of mitigation to impact area). This mitigation measure is not adequate in addressing the viability of achieving mitigation to a less-than-significant level. To test viability with the bridge span concept (which is far less impacting) off-site mitigation locations were identified by Jim Martin, the City's consulting biologist, based on input from the RWQCB representatives. This information was presented to the regulatory agencies in the County of Marin hosted Multi-agency Meeting (see attached memo). The purpose of this effort was to demonstrate minimal impacts using a bridge span and that mitigation could be achieved within proximity to this site. None of this information is attached or even referenced in the DEIR.

5-30

8. In the City's comments on the NOP, it was noted that several of the site options (alternatives) had the potential to damage or destroy mature trees (street trees referenced). The City requested that all significant trees within the project study area be identified to determine if they would be impacted or subject to removal. This section of the DEIR does not mention the tree resources within the study area. That information should be provided in the EIR and used to inform decision makers of the range of impacts.

F. Cultural Resources

5-31

1. The DEIR reports that per AB52, an offer of tribal consultation was initiated with the Federated Indians of Graton Rancheria (FIGR), but the DEIR author received no response. It is expected that the GGBHTD noticed the Federation on the publication of the DEIR. The Federation is typically very responsive to commenting on environmental documents and a 'no response' conclusion is not sufficient. The GGBHTD should reach out to FIGR to get a response and include that response in the EIR.

5-32

2. Marin County Ordinance 1589 is a County-adopted ordinance that is not applicable to the City of San Rafael. Please delete.

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5-33

3. Pages 3.4-6 and 3.4-7 appropriately cites the City's Archaeological Resource Protection Ordinance. However, not referenced or discussed is the implementing resolution, which outlines the protocols and procedures for addressing individual site review and assessment based on mapped archaeological sensitivity. As noted in the City's NOP comments, protection procedures outlined in City Council Resolution 10980 (2000) should be added to this DEIR narrative. Mitigation Measures CULT-CNST 4, 5, 6, and 7 should be revised to incorporate the City-adopted procedures and protocols outline in Resolution 10980.

4. This section of the DEIR includes an excellent narrative on the history and evolution of Downtown San Rafael, including the eras covering the start of the NWPRR service and the development of the US101 as a grade-separated highway. This narrative addresses the request made by the City as part of the NOP comment process.

The DEIR includes a list of buildings within the project study area that were recently assessed for historic resource significance. The correct source for this information is the Downtown San Rafael Precise Plan (DTPP) Historic Resources Inventory Summary Report (December 2020). This summary report was prepared by the City and utilized to assess and provide cultural resource review in the San Rafael General Plan 2040 Final EIR (2021). The DEIR author went one step further in this analysis by preparing new or updated "DPR" (State of CA Department of Park and Recreation) historic assessment forms for all buildings within the study area (DEIR Appendix F). This is helpful in that the DTPP Historic Resources Inventory Summary Report does not include DPR forms for all the inventoried buildings over 50 years in age within the project study area. These forms will supplement the City's DRR form inventory.

5-34

The DEIR concludes that the "4th Street Gateway Alternative" and the "Under the Freeway Alternative" would result in significant, unavoidable impacts to historic resources. The Build Alternatives would result in the demolition of 633 5th Avenue, 637 5th Avenue and 1011 Irwin Street, which have been determined to be historic resources.

The DEIR correctly states the status of the building at 927 Tamalpais Avenue (Trevor's, formerly the Barrel House). This building is identified under Category B in the summary report, which determined that it is eligible as a "contributing resource to a potential historic district." However, as a contributing resource to a potential historic district, demolition could compromise the formation of a district, which would result in a significant, unavoidable impact to historic resources. This building would be demolished under the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative." The DEIR finds that demolishing this structure would result in a less-than-significant impact, which conflicts with the City-assumed conclusion. Therefore, the historic resource impact finding for these two alternatives needs to be changed. As this is a new, significant impact, the DEIR requires a revision and recirculation per CEQA Guidelines Section 15088.5. If this assumption is incorrect, it needs to be explained by the EIR consultant why there is a difference in conclusions reached between the demolition of the 927 Tamalpais Avenue and the buildings that would be demolished under the "4th Street Gateway Alternative" and "under the Freeway Alternative" (933/937 5th Avenue and 1011 Irwin Street).

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G. Geology and Soils

1. For the most part, this DEIR section is well written and comprehensive. However, under all the potential impact statements that have been prepared, the findings are less-than-significant, and no mitigation is recommended. This topic area relies on the findings presented in the Preliminary Geotechnical Design Recommendations, Parikh (May 2020). This memorandum document is referred to throughout this section as “Geotechnical Recommendations,” which is included as DEIR Appendix H. This memorandum document provides a qualitative review of geotechnical conditions for all four Build Alternatives but relies solely on published documents for detailed information such as groundwater depths, and subsurface soil and geologic conditions. The memorandum document states that a detailed geotechnical investigation with subsurface borings will be conducted after the project site has been selected.

As part of comments on the NOP, the City requested that a comprehensive Geotechnical Investigation be completed for the DEIR to include subsurface borings and soil testing. This request was intentional given that portions of the study area are on landfill over bay mud and within the FEMA 100-year flood zone. Further, most of the study area is within an area of high seismic risk. Per the San Rafael General Plan 2020 geotechnical policies and procedures (General Plan 2020 Appendix F, Geotechnical Review), a comprehensive Geotechnical Investigation Report (including subsurface borings and soil testing) is required to be prepared at the time of development and environmental review. A deferral of preparation this investigation report to a future phase of the project, after it has been approved through the development and environmental review process, is not consistent with the General Plan 2020 and the CEQA Guidelines. A detailed Geotechnical Investigation Report is important at this stage as it would present site specific conditions and design recommendations based on these conditions. If design recommendations such as pile-driven pier construction is required for this project, it presents other direct or indirect impacts that require analysis in the DEIR.

At minimum, the DEIR impact findings in this section should have concluded, based on the information that was available through the Geotechnical Recommendations memorandum document that: a) the impacts are potentially significant until further study is completed; and b) mitigation must be included requiring a more detailed Geotechnical Investigation Report. Nonetheless, it is recommended that a Geotechnical Investigation Report be prepared and included in the DEIR. At minimum, mitigation measures should be added to the DEIR to require the preparation of this report when a specific site has been selected. New impacts and the introduction of new mitigation measures requires an updated DEIR with a recirculated public review period.

H. Greenhouse Gas Emissions

1. This DEIR section is well written and comprehensive; it relies on and incorporates the City’s Climate Action Plan (2030) and the City’s Qualified GHG Emissions Reduction Strategy.

5-35

5-36

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- 5-37 2. Modify Table 3.7-7 to reflect a 65% recycling requirement for construction/demolition waste.
- 5-38 3. Page 14 states:
“Section 3.7.1.1, *Regulatory Setting*, the City has adopted a qualified GHG emissions-reduction strategy: CCAP 2030. Because the City is not the lead agency for CEQA, this analysis does not rely on CCAP 2030 for tiering purposes. Rather, project consistency with applicable GHG reduction measures outlined in CCAP 2030 is discussed for informational purposes” Because the City will need to rely on a determination that the DEIR is consistent with the CCAP2030, the Draft EIR should be revised to include a complete consistency analysis with the CCAP. Please revise accordingly.

I. Hydrology and Water Quality

- 5-39 1. On page 3.9-6, the DEIR provides a narrative on the role and purpose of the Bay Conservation and Development Commission (BCDC). While the BCDC information in the narrative is complete, it should be eliminated as it is not relevant to the study area. The BCDC jurisdiction terminates at the mouth of San Rafael Creek, which is about two miles downstream from the project study area. Please revise the DEIR.
- 5-40 2. The list of General Plan 2040 policies and programs on pages 3.9-7 and 3.9-8 is incomplete. The list includes policies that are more pertinent to conservation rather than hydrology and water quality (creek and wetland protection). Further, not included are pertinent policies and programs from the Safety and Resilience Element, which address increased flooding and sea level rise. Please add data and analysis on inundation levels and incorporate appropriate mitigation measures into the EIR.
- 5-41 3. Mitigation Measure BIO CNST-5 requires the development of a Stormwater Pollution Prevention Plan (SWPPP) to address temporary construction and permanent operations water quality impacts. The Downtown San Rafael Precise Plan (DTPP) includes several suggested water quality measures to be incorporated into new development. Further, the DTPP recommends the implementation of “green infrastructure” along 3rd and 4th Streets within the study area, which would include measures such as permeable pavement. These measures need to be added to this DEIR mitigation measure.
- 5-42 4. This section provided limited to no discussion about sea level rise. Although not a topic area that is currently mandated for analysis by the CEQA Guidelines, there is a lot of information available about projected sea level rise in San Rafael’s central basin. Sources include the San Rafael General Plan 2040, Downtown San Rafael Precise Plan, and the certified FEIR that has been prepared for these plans. As part of the NOP process, the City requested that the DEIR assess the potential risk of projected sea level rise. Please add a discussion of sea level rise to this DEIR section.

J. Land Use and Planning

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5-43

1. On page 3.10-7 and 3.10-8 is a discussion of the City Zoning Ordinance. Referenced are four City zoning districts that cover the project study area. It should be noted that while these zoning districts existed and governed the study area at the time the NOP was published, the City has since rezoned Downtown properties to the Downtown Mixed-Use (DMU) District as part of the adoption of the Downtown San Rafael Precise Plan. A discussion of the San Rafael General Plan 2040 and Downtown San Rafael Precise Plan is provided further along in this DEIR section. The latter section needs to be revised to state that the DTPP includes a regulatory element, which is essentially a zoning ordinance for Downtown that replaced the previous zoning and much of the SRMC Title 14 (Zoning) regulations.

5-44

2. A discussion of the “Under the Freeway Alternative” is provided on page 3.10-11. This discussion notes that the dominant zoning classifications for this site option are the R/O and C/O Districts. This is not correct. Most of the property that encompasses this site option is owned by Caltrans, which has no zoning classification. As noted above under comment C.2.c, the Caltrans property is part of the public road right-of-way which the City does not zone. Please correct this discussion.

K. Noise

5-45

1. Page 3.11-20 includes a discussion of vibration-sensitive historic buildings within and adjacent to the study area. The 927 Tamalpais Avenue building (Trevor’s, formerly the Barrel House) is noted as not being a historic resource. However, as discussed in comment G.4 above, this building is a contributor to a potential historic district, so it is considered a potential historic resource. Please revise accordingly.

5-46

2. Pages 3.11-22 and 3.11-23 includes a discussion of sources of construction noise and vibration. The impact assessment is provided on pages 3.11-26 through 3.11-27. There is no mention in this discussion about the need for pile driving. Listed among the construction noise sources in Table 3.11-12 is a “drill rig,” which is common equipment associated with pile driving. Please clarify if pile driven piers will be used for construction and if so, the DEIR needs to assess the noise and vibration impacts associated with this activity and identify appropriate mitigation measures.

L. Population and Housing

5-47

1. On page 3.12-2, it is stated that the City is in the process of updating the Downtown San Rafael Precise Plan (DTPP), which is not correct. The DTPP is a new Plan under the umbrella of the updated San Rafael General Plan 2040. Please revise the DEIR accordingly.

5-48

2. Projected population, housing and employment projections for San Rafael are presented on page 3.12-3 through 3.1-5. As the DEIR relies on use of the San Rafael General Plan 2020, the projection information is correct. However, the recently adopted San Rafael General Plan 2040 and DTPP project slightly higher growth by 2040. The text in this section needs to acknowledge these more current Plan documents and that projected

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growth for City and the Downtown area is higher than previously planned. Please revise accordingly.

5-49

3. Regarding resident displacement, the discussion of the “Under the Freeway Alternative” is incorrect. This site option would result in the demolition of 1011 Irwin Street. This property is developed with a single-family residential structure, which is occupied/utilized as a residence. Therefore, the DEIR finding regarding the displacement of residents needs to be changed to be potentially significant impact and appropriate mitigation measure is required to off-set this impact.

M. Public Services and Recreation

5-50

1. Under the Local Regulatory Setting and Methodology sub-sections, the Downtown San Rafael Precise Plan (DTPP) is listed with the San Rafael General Plan 2040 resources. As the DTPP includes several recommendations related to public services and recreation within the public realm, it is critical that those recommendations be included to accompany the discussion of San Rafael General Plan 2040. Please see DTPP Figure 4.10 which presents the recommended framework of Downtown’s public realm design. Among the public realm design recommendations within the study area include the following, which are not addressed in the DEIR:
 - a. A SMART Transit Plaza along 4th Street between Tamalpais Avenue and Hetherton Street
 - b. Green civic space (lineal park) along Tamalpais Avenue between 5th Avenue and 2nd Street.

5-51

2. Page 3.13-3 needs to be revised to accurately reflect current police data: This paragraph should be changed as follows:

The San Rafael Police Department, headquartered at San Rafael City Hall, provides police services to the City. A new 44,000-square-foot Public Safety Center opened in August 2020 across the street from the existing facility. As of September 1st, 2021, the San Rafael Police Department had a total of 67 full-time sworn personnel and 29 full-time non-sworn personnel, for a total staff of 96. This equates to 11.2 sworn personnel per 10,000 residents and 16 total personnel per 10,000 residents (City of San Rafael 2020c). The closest police facility to the project area is the Public Safety Center, approximately 2,500 feet northwest of the project area. The San Rafael Police Department is organized into two divisions: the Operations Division, which includes patrol, park rangers, Downtown foot beat, and traffic enforcement; and the Administrative Services Department, which includes records, dispatch personnel, training, crime prevention, community engagement, and detective units (City of San Rafael 2020c). In 2020, the San Rafael Police Department received 23,532 emergency calls and 21,079 lower priority calls. This equates to an average of 3,717 emergency calls a month or about 124 per day

N. Transportation

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5-52

1. In general, the transit circulation time and the vehicular delays seem to improve with the Under the Freeway alternative simply because it is further away from the existing congestion along Hetherton Street, Second Street and Third Street. Staff concurs with the results shown in the report.

5-53

2. This section of the DEIR provides a detailed list of pertinent policies and programs from the recently adopted San Rafael General Plan 2040 Mobility Element. However, not included is a discussion of the Downtown San Rafael Precise Plan (DTPP), which was recently adopted in tandem with the adoption of the General Plan 2040. The DTPP includes many policies, goals and implementing measures related to mobility and the Downtown transportation network. A discussion of this Precise Plan needs to be included in this section.

3. The Draft EIR states that there are two justifications for replacing the existing transit center and states that:

a) following the impact on some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur.

And

b) A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for the local community and region.

However, the DEIR relies on outdated transportation data from 2015 and 2017. For example, the DEIR cites the following data:

5-54

- Golden Gate Transit Ridership from 2017 and Marin Transit Ridership from 2017
- Mode splits based on on-board surveys provided by Marin Transit (2017) and Golden Gate Transit (2015)
- Golden Gate Transit GFI, Marin Transit GFI, and MTC Clipper Data (each data source from October/November 2017)

According to Golden Gate's own [analysis](#) published July 21, 2021 and presented to the Board on July 22, 2021 concludes the following:

- Bus ridership is down 74% compared to pre pandemic levels.
- We reduced pre-COVID bus service by about 50%.
- Ferry ridership is down 93% compared to pre pandemic levels.
- Pre-pandemic, fares provided over 50% of ferry operating revenue.
- Bridge traffic is down 17.6%

Therefore, the Draft EIR needs to be revised to:

- reflect actual Existing Conditions at the Transit Center, not historic conditions.
- justify replacing the Transit Center based on actual Existing Conditions

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- reflect the uncertainty of continued SMART train operations after 2029
- incorporate District's recommendations to its own Board

5-55

4. The District should study demand changes over time and provide a better understanding of what future ridership might look like. This could impact overall bus routes/schedules, may change the space needed to accommodate bays and would provide more clarity on overall traffic impacts to nearby streets. The City Council previously provided comments on the ridership assumptions and asked for more information that demonstrates that the new transit center is actually needed. The EIR needs to include results of the demand changes over time.

5-56

5. Regarding the LOS and VMT analyses (presented in DEIR Appendix C), the LOS impact findings for the Build Alternatives are arguable. The document concludes that the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative" will result in a reduction in intersection delay. From a non-technical, common-sense standpoint, this finding does not seem supportable. Unlike the current transit center access points along 3rd and 2nd Streets (both arterials), transit center access under this alternative is being introduced along 4th Street. Introducing primary access along 4th Street may also create conflicts with both pedestrian and bicycle traffic, as well as local vehicle traffic. This would result in an impact that needs to be evaluated in the EIR. Please revise accordingly.

5-57

6. The DEIR concludes that the elimination/displacement of public parking to develop the "Under the Freeway Alternative" would result in a significant, unavoidable environmental impact (page 3-14.28). This finding is not substantiated and is no longer a stand alone CEQA-related impact. This conclusion is concerning for the following reasons:

- a. This DEIR finding relies on this parking displacement being inconsistent with *draft* General Plan 2040 Policy M-7.9 (Parking for Transit Users) and Program M-7.9a (Commuter Parking). Per the CEQA Guidelines, the DEIR is to rely on the plan documents that were adopted and in effect at the time the NOP was published/released (NOP memorializes the "setting" for analysis, which is discussed above under General Comments). Throughout the DEIR, it is clear and apparent that the document findings are based on consistency with the former General Plan 2020 policies and programs; use of the General Plan 2040 is exclusively referenced only here (and under no other DEIR impact statement) to reach an environmental finding. This approach is arbitrary and as a result may present the Under the Freeway Alternative in a more negative light than may be properly warranted.
- b. The CEQA Guidelines no longer consider the "displacement of parking" or "impacts to parking" to be an impact on the physical environmental. Parking as a topic area of impact was removed from the CEQA Initial Study Checklist approximately 15 years ago. This discussion and the link to environmental review needs to be revised to include context on why it is no longer a stand-alone CEQA impact.

5-58

7. The DEIR based the conclusion of significant impacts on the Transportation Summary Report (TSR). City staff made specific comments about the TSR and submitted them to Golden Gate Transit in writing. The comments included several significant gaps in the analysis. None of the comments were addressed in the DEIR. There were comments

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5-58
cont.

about the shortfalls of pedestrian trips assumptions, underplaying the impacts of bringing the pedestrian and bicycle activities towards Fourth Street, and the lack of recognition of vehicle storage and queuing in the heart of the pedestrian area of downtown. These concerns have not been addressed; indeed the City's comments have never been responded to. In summary the EIR needs to be revised to address the following:

- a. *The pedestrian analysis assumes a destination in the downtown to compare the alternatives. The report did not analyze destinations to the High School and to the Canal. The City has invested transportation dollars (Grand Avenue Bridge and E Francisco Boulevard Sidewalk) to encourage the arrivals of multimodal trips from the Canal. While it is difficult to capture and compare the overall pedestrian experience between the alternatives, the report fell short of describing the existing pedestrian safety issues that could be attributed to the legal and illegal crossings. The Gateway alternative suggests several driveways ensuring proper circulation for the busses without recognizing the detriment of the pedestrian experience. The Draft EIR needs to be revised to address existing pedestrian safety records and the association of it with numerous and large driveways.*
- b. *The report Non-Motorized Transportation Section 5.0 was built on incomplete assumptions of pedestrian circulation in general, and on similar inaccurate assumptions specific to the transit center. None of the assumptions made were introduced nor discussed with City staff prior to the preparation of these analysis. Staff mentioned this previously and indicated that major overhaul of the assumptions and the presentation of pedestrian comparisons of the pedestrian travel will be required. Staff was never contacted subsequent to providing these comments. The EIR will need to be revised to accurately reflect pedestrian circulation patterns.*
- c. *All alternatives result in circulation challenges caused by the short sizes of the blocks west of Heatherton Avenue. The block sizes were bisected by the SMART tracks leaving the City with short blocks affecting the ability to store vehicles leaves us with the challenge of clearing the tracks during excessive queuing times. The DEIR does not discuss the critical nature of queueing near railroads tracks. This is an environmental and safety issue that needs to be in the center of the considerations. The EIR needs to be revised to recognize the environmental disadvantages of having large vehicles, on short blocks, near at-grade rail tracks, and the potential impacts of gridlock near moving trains.*
- d. *The No-Build Alternative is presented as an alternative because CEQA mandates it to be part of the analysis. The report falls short of describing the existing conditions from a multimodal and functional point of view. Please revise the EIR to provide an accurate description as noted.*

5-59

8. The LOS data is presented using VISSIM numbers which are not consistent with the method used to calculate the LOS by the City. Please revise EIR to reflect methodology that is consistent with what the City uses.

5-60

9. Although the LOS is calculated through the model and is not the real LOS, the report offered no comparative summaries of the LOS impacts to allow decision makers to make informed decisions. Please revise the EIR to include comparative summaries.

**CITY OF SAN RAFAEL COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT**

October 8, 2021

5-61

10. Queueing is not typically an environmental issue. However, given the environment and the safety implication of queueing it needs to be included in the environmental assessment.

5-62

11. The DEIR failed to recognize the inadequacy of the design at Third and Hetherton intersection with both Whistlestop alternatives. The introduction of a second southbound right turn from Hetherton onto Third Street could be detrimental to vehicle and pedestrian safety and traffic flow. There are two major and fundamental issues with the second southbound right turn. The first is the addition of a significant exposure of pedestrians in the crosswalk. While there are no rules against the practice in general, local experience shows documented issues with it. The City eliminated a crosswalk on the south side of the same intersection to eliminate the vehicle pedestrian conflict after a series of accidents occurred there. The suggestion of adding the additional turn lane will likely be rejected by the City for many reasons. The second issue is the receiving block capacity in the westbound direction on Third Street is very limited. It is further constrained during the SMART train preemption. The impact of not having the block storage capacity is deflected onto the north/south crosswalk and the number three southbound lane on Hetherton. These are serious impacts under the threshold question of whether the project would “Substantially increase hazards due to a geometric design feature”. The City considers the option of creating congestion due to vehicles waiting to turn onto Third Street, effectively eliminating a southbound travel lane on Hetherton, to be an unsafe solution that will create significant traffic issues in this heavily travelled area of San Rafael. It is an inadequate and unsafe design that could potentially jeopardize pedestrian and vehicular safety. These impacts were not recognized by the TSR nor by the DEIR and the DEIR needs to be revised to adequately analyze these impacts.

4-63

12. The DEIR does not discuss the critical nature of queueing near railroads tracks. This is an environmental and safety issue that needs to be evaluated. The DEIR needs to recognize the environmental disadvantages of having large vehicles, on short blocks, near at-grade rail tracks, and the potential impacts of gridlock near moving trains. Please revise accordingly.

O. Wildfires

5-64

1. The City of San Rafael adopted the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in November of 2018. Page 3.17-4 needs to be revised to accurately reflect this change.

5-65

2. Fire Ordinance, Chapter 4.12 applies to the Wildland UI- however it also applies vegetation standards Citywide. Please revise page 3.17-4 accordingly.

P. Alternatives to the Project

**CITY OF SAN RAFAEL COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT**

October 8, 2021

- 5-66 1. Essentially, this DEIR section summarizes the document findings for the four Build Alternatives plus a “No Project Alternative.” As discussed above under comment C.1 (Project Description), the “Project Objectives” which are used to define the Project Alternatives need to include the City’s objectives and design goals for this project. The impact findings for each of the Build Alternatives (as well as Table 5-1) need to be updated based on the comments presented herein. For example, 927 Tamalpais Avenue (Barrel House) is a contributor to a potential historic district, so it is a potential historic resource. Demolition of this building under the “Move Whistlestop Alternative” and “Adapt Whistlestop Alternative” would result in the demolition of this building, which is a significant impact. The EIR needs to be revised as noted above. Each of the alternatives need to be reevaluated against the City’s objectives as well, to disclose the extent to which the alternatives do or do not meet those objectives in addition to the GGBHTD’s objectives.

- 5-67 2. As mentioned above, the analysis of the No-Build Alternative is inadequate. The report falls short of describing the existing conditions from a multimodal and functional point of view and overall does not evaluate the project with the same level of specificity as the other alternatives. Pursuant to CEQA section 15125.6(d) The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Instead, the DEIR provides a meaningful analysis for each of the proposed alternatives within the document but provides only a summary for the ‘No build’ alternative. The DEIR needs to be revised to provide an accurate description of existing conditions as mentioned above and needs to provide the same level of comparison provided for the other alternatives

- 5-68 3. The DEIR concludes that the “Environmentally Superior Alternative” is the “Adapt Whistlestop Alternative.” This finding is credible given that this Build Alternative would result in the least number of environmental impacts analyzed in the DEIR. However, like the “Move Whistlestop Alternative,” it would result in the demolition of a potential historic resource.

- 5-69 4. Additionally, as Table 5-1 illustrates, none of the alternatives would reduce environmental impacts as compared to the preferred project; at best they are the same as the preferred project and even worse for some categories of impacts. This conclusion suggests that the District did not adequately fulfill its obligation under CEQA to consider a range of reasonable alternatives, as the Guidelines require consideration of alternatives that would feasibly attain most of the project objectives *and would avoid or substantially lessen* any of the significant effects of the project. (Guidelines, § 15126.6, subd. (a).)

- 5-70 5. This section provides a very good and detailed summary of other alternatives that were considered and rejected.

Q. Other Non-CEQA Topics for Study Recommended as Part of the NOP Process

**CITY OF SAN RAFAEL COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE SAN RAFAEL TRANSIT CENTER RELOCATION PROJECT**

October 8, 2021

5-71

1. As part of the NOP process, the City requested that the fiscal Impacts of “the Project and Alternatives” be prepared concurrent and made available with the DEIR. A fiscal impacts assessment of the Build Alternatives has not been prepared.

5-72

2. Short-term and Long-term Parking Assessment. A very high-level assessment of parking is presented in DEIR Appendix C, the Transportation Summary Report. The parking assessment in this report merely identifies the number of parking spaces that would be eliminated under the Built Alternatives but does not include any measures to accommodate or retain parking.

Attachments

1. Memo prepared by Jim Martin 2019

ENVIRONMENTAL COLLABORATIVE

Consultation • Documentation • Restoration
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MEMORANDUM

TO: Mr. Paul Jensen
City of San Rafael
1400 Fifth Street
San Rafael, California 94901

FROM: Jim Martin
ENVIRONMENTAL COLLABORATIVE

DATE: 29 May 2019

SUBJECT: Summary of Regulatory Issues
Proposed San Rafael Transit Center Replacement Project
Interstate 101 Undercrossing Site along Irwin Creek

As you requested, I have prepared this memo to summarize the regulatory issues related to the possible relocation of the San Rafael Transit Center to an area beneath Interstate 101 (I-101) between Hetherton Street to the west, Irwin Street to the east, 4th Avenue to the south and 5th Avenue to the north. Most of site is developed or paved, with the freeway overpass structures occupying the western portion and paved parking under the northbound freeway lanes and buildings fronting on Irwin Street. However, a channelized reach of what is known as Irwin Creek flows in a southerly direction beneath the southbound. This drainage is a regulated waters¹ under the jurisdiction of the U. S. Army Corps of Engineers (Corps), the Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife (CDFW).

5-73

Between 4th and 5th Avenues, the active channel of Irwin Creek is from 30 to 40 feet in width, and is under tidal influence. It flows south, paralleling the east side of Hetherton Street to the confluence with San Rafael Creek, which is also partially under the I-101 overpass. Concrete wing walls extend approximately 15 feet upstream of the 4th Avenue overcrossing, which consists of two concrete box culverts. Shading from the freeway overpass and extensive asphalt paving that extends almost to the eastern top-of-bank to the drainage limits the growth of riparian trees and shrubs. Vegetation is limited to largely non-native ground covers, invasive sweet fennel and Bermuda buttercup, and a few shrubs along the east bank. **Figures 1 and 2**

¹ The Corps, RWQCB and CDFW have jurisdiction over regulated waters. Jurisdiction of the Corps is established through provisions of Section 404 of the Clean Water Act, which prohibits the discharge of dredged or fill material into "waters of the U.S." without a permit. The RWQCB jurisdiction is established through Section 401 of the Clean Water Act, which requires certification or waiver to control discharges in water quality whenever a Corps permit is required under Section 404 of the Clean Water Act, and State waters as regulated under the Porter-Cologne Act. Jurisdictional authority of the CDFW over wetland areas is established under Sections 1600-1607 of the State Fish and Wildlife Code, which pertains to activities that would disrupt the natural flow or alter the channel, bed or bank of any lake, river or stream.

5-73
cont.

show the existing conditions of the drainage at the 4th and 5th Avenue overcrossings.

A visit to the site on April 8, 2019 was attended by Nicole Fairley of the RWQCB, yourself, Bill Guerin the Director of the City's Public Works Department, Steve Kinsey, and myself. The purpose of the site visit was to briefly inspect existing conditions, review the regulatory authority of the RWQCB, and obtain input from the RWQCB on the feasibility of preliminary plans for the transit center use of the site.

During our site visit, Nicole confirmed that the drainage was a jurisdictional waters regulated by the RWQCB and that any fills or modifications to this reach of the creek would be subject to their review and authorization. She explained that the preferred policy of the RWQCB is to avoid modifications to jurisdictional waters. Where avoidance is not feasible, that they then prefer that direct and indirect impacts be minimized, and that compensatory mitigation be provided where impacts are unavoidable. That as part of the review process performed by the Corps and RWQCB, a finding must be made that the proposed modifications to jurisdictional waters are the Least Environmentally Damaging Practicable Alternative (LEDPA).

5-74

We reviewed the preliminary schematics for the Transit Center Relocation prepared by the Golden Gate Transportation District (see attached plans), which show the entire reach of Irwin Creek across the site to be culverted. Nicole indicated in reviewing the plans that a proposal to culvert the entire reach of Irwin Creek across the site would be unacceptable by the RWQCB. This is because the RWQCB could not make necessary findings that culverting the entire reach was the LEDPA available, and that there was no alternative for the Transit Center Project that didn't either completely avoid the creek or at most had a much more limited impact by culverting just a portion of this reach to provide access over it, such as a bridge structure. We discussed possible options for limiting potential impacts and providing compensatory mitigation for any unavoidable impacts. However, this would depend on final design, the extent of any fills or other modifications to regulated waters, and other factors that can't be fully understood or addressed at this time given the preliminary nature of the proposed project. We indicated to Nicole that at some point the City intends to present more refined plans at a Marin Project Coordination Meeting in the near future.

With appropriate refinement to the proposed Transit Center site under the I-101 overpass, use of this location does look possible from a regulatory agency permitting standpoint based on the preliminary information we received from RWQCB. Following refinement of project plans to minimize fills to the Irwin Creek channel and adhering to standard Best Management Practices would greatly reduce and control potential impacts to regulated habitat. Where permanent impacts could not be avoided due to fills and shading associated with a new bridge structure, compensatory mitigation could then be achieved by creating replacement habitat or other approaches acceptable to the regulatory agencies. Opportunities for achieving compensatory mitigation for any fills to the Irwin Creek channel may be available downstream, elsewhere in the watershed, and at other locations in East Marin County.

5-75

Similar projects involving bridge structures affecting jurisdictional waters that required regulatory agency review and approval, as well as compensatory mitigation, include the nearby San Rafael Creek Bridge Project that was part of the Second Street off-ramp for northbound I-101 and the new Bon Air Bridge over Corte Madera Creek in Larkspur. Information on each of these projects, their impacts on jurisdictional waters, and the mitigation required as part of the regulatory agency authorizations is summarized below. But both projects provide an indication that similar projects impacting jurisdictional waters can be mitigated through a careful process of design refinements to minimize potential impacts and by providing adequate compensatory mitigation that addresses concerns of the both the local community and regulatory agencies.

5-75
cont.

San Rafael Creek Bridge at I-101 Second Street Off-Ramp. This project will replace the San Rafael Creek bridge on the I-101 off-ramp to Second Street, located just downstream of the proposed Transit Center site. The existing reinforced concrete slab bridge will be removed and replaced by a two-span precast voided slab bridge supported by precast abutments and 24-inch cast-in-steel-shell (CISS) piles. The new bridge and ramp will be slightly realigned and widened to meet Caltrans standards. Project implementation will permanently impact approximately 24 linear feet (0.001 acre) of San Rafael Creek due to installation of twelve 24-inch CISS piles in the creek to support the bridge. It will also temporarily impact approximately 225 linear feet (0.38 acre) of the creek due to removal of the existing bridge piers and deck, installation and removal of the temporary bridge, installation of piers for the new bridge, and implementation of sediment and debris containment and control measures during construction. To mitigate for temporary impacts to the channel, Caltrans will restore temporarily disturbed areas to their previous or to an enhanced condition. For permanent impacts to San Rafael Creek, Caltrans is required to 1) remove all of the existing bridge piers to an elevation at least three feet below the existing channel bottom elevation and 2) excavate approximately 0.03 acres of upland area adjacent to the southwestern corner of the existing bridge that will then become new channel area spanned by the new bridge. Removal of the existing piers in the channel and excavation of approximately 0.03 acres of upland area adjacent to the southwestern corner of the bridge will result in an increase of approximately 0.03 acres of open channel habitat, which was considered sufficient compensatory mitigation by the regulatory agencies.

Bon Air Bridge Replacement. This project involves the replacement of the Bon Air Bridge over Corte Madera Creek in Larkspur. The City of Larkspur completed the environmental review for the project in 2012, which involved permits and authorizations from the Corps, U.S. Fish and Wildlife, CDFW, Bay Conservation and Development Commission, and the RWQCB. To address the temporary and permanent impacts of the project, five mitigation projects are to be completed before the end of bridge construction. Several components of the mitigation are intended to improve habitat for special-status species affected by the project. Mitigation includes: 1) installing low impact development/stormwater enhancements on Magnolia Lane by widening the planting area along the adjacent roadside ditch, providing curb cuts to allow street runoff to pass into bioswales for pretreatment before entering storm drains, and installing an underground infiltration system; 2) relocating the dog park in Piper Park to a new area east of the Central Marin Police Station and restoring the original dog park area as tidal marsh habitat with an educational overlook; and 3) improving public access to Corte Madera Creek by rehabilitating walkways and docks at Bon Air Landing Park and the public dock at the Marin Rowing Club.

5-76

I trust this provides you with the summary of the preliminary regulatory issues related to use of the I-101 undercrossing site along Irwin Creek. Please let me know if you have any questions regarding the above summary. I can be reached by phone at 510-393-0770 or email at beach127@aol.com.



Figure 1. View upstream of Irwin Creek from 4th Avenue at proposed site.



Figure 2. View downstream of Irwin Creek from 5th Avenue at proposed site.

San Rafael Transit Center Replacement Project

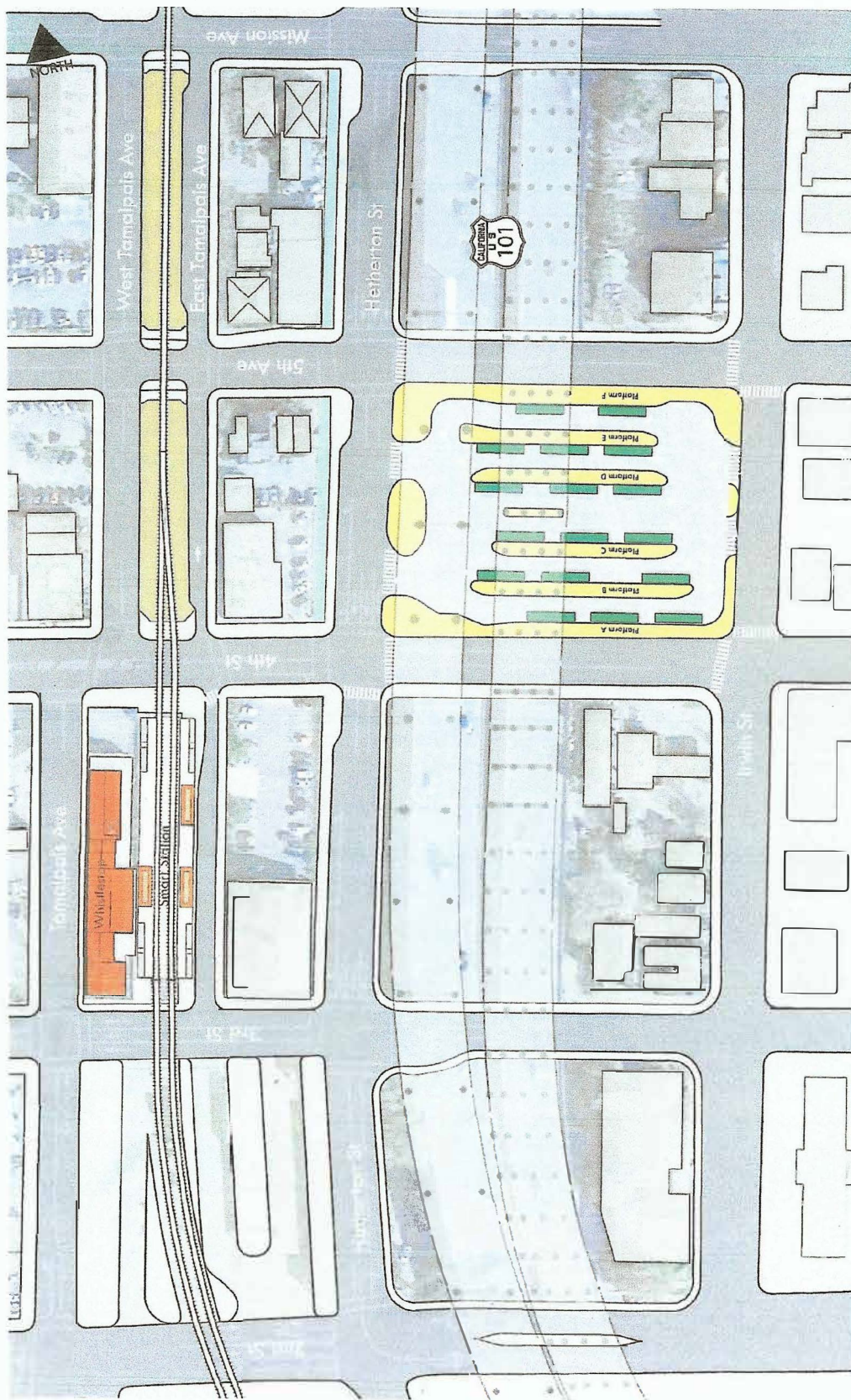


Figure 6
North of 4th Street Concept



9.2.5.1 Response to Comment Letter 5, City of San Rafael

Comment 5-1

The City of San Rafael (City) has received the Notice of Availability (NOA) on the DEIR for the San Rafael Transit Center Relocation Project (SRTC). The NOA requests comments on the analysis of the DEIR within 60 days or no later than October 11, 2021. This letter encloses the City's comments on the DEIR.

Per the Memorandum of Understanding (MOU) between the City and the District (October 27, 2017), the City is a "Responsible Agency" in this environmental review process. Pursuant to CEQA Guidelines Section 15096, as a Responsible Agency, the City must independently review and comment on the CEQA document. On October 4, 2021, the San Rafael City Council received a report with staff-recommended comments on the DEIR and after receiving public comments, adopted a resolution that authorized the Mayor to sign a letter and forward these comments to District. Those comments are attached and incorporated by reference.

Pursuant to the City's role as a responsible agency, the City Council will ultimately need to make an independent determination regarding the EIR's adequacy for the City's use in its own decisions regarding the Transit Center Relocation Project. As the enclosed comments demonstrate, the City has identified several significant flaws in the analysis and omissions of critical information in the DEIR that render it fundamentally inadequate. The City requests that the District revise the Draft EIR to cure its inadequacies and then recirculate the revised Draft EIR for additional feedback and comment prior to finalizing the document.

This is a very important project for the City and we look forward to continuing to work with the District in hopes of finding the best possible solution for our community.

Response to Comment 5-1

The comment expresses that the City of San Rafael (City) is a responsible agency in the environmental review process and that the City has concerns about some of the Draft EIR's disclosures and conclusions.

The District appreciates the City's detailed comments on the Draft EIR. In this chapter, the District has provided detailed responses to comments raised by the City. The District agrees that the project is a very important project for the community that relies on the critical services that the transit center provides and will enhance as a result of this project. Section 2.8 of the Final EIR has been further clarified to include the 2017 Memorandum of Understanding (MOU) with the City.

Per CEQA Section 15088.5, recirculation of an EIR is required if "significant new information is added to the EIR," such as identifying a new or worsened significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented or if the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. Based on the review of comments received and follow-up meetings conducted between the District and City staff on December 8, 2021, January 10, 2022, and February 17, 2022, no new or substantial increases in the severity of significant environmental impacts or new mitigation were identified. Furthermore, in reviewing the Draft EIR in light of the City's written comments and the follow-up meetings, the District has not found fatal flaws in the Draft EIR analysis or omissions of critical information that render it fundamentally inadequate. Please see responses to comments 5-2 through 5-76 below for responses to the City's specific

comments. The District appreciated the City's comments and the collaboration that has occurred since the Draft EIR to address the comments, including both numerous meetings with City staff and a report to City Council. The District believes that all comments consistent with CEQA requirements were addressed; however, no significant information was added to the Draft EIR and there is no requirement for recirculation.

Comment 5-2

1. Overall, the DEIR is generally well written and thorough. The analysis is supported in most topics by solid supportive studies and credible substantial evidence. The DEIR analyzes all four site options (Build Alternatives) at an equivalent analysis level, which provides for clear CEQA clearance on all site options. However, the DEIR relies on certain incorrect assumptions and omits analysis and disclosure of certain traffic related impacts. These impacts need to be evaluated and appropriate mitigation measures incorporated into the Draft EIR. In addition, the DEIR needs to discuss whether the project will require the use of piles. If so, this may result in vibration related impacts. Finally, demolition of 927 Tamalpais Avenue under the Move Whistlestop alternative and Adapt Whistlestop alternative would result in significant impact on historic resources. Because these will be new impacts not previously identified in the DEIR, the DEIR will need to be revised and recirculated.

Response to Comment 5-2

The comment acknowledges that the Draft EIR is well written and thorough and provides supportive studies and credible substantial evidence. It also expresses concern with certain analyses related to traffic, noise and vibration, and historic resources. The District has reviewed the comments raised and provided detailed responses. For issues related to traffic, please refer to the responses to comments 5-52 through 5-63. For issues related to pile driving and resulting vibration, please refer to the response to comment 5-46. For issues related to the demolition of 927 Tamalpais Avenue under the Move Whistlestop (proposed project) and Adapt Whistlestop Alternatives, please refer to the response to comment 5-34. Based on these responses, there are no new impacts not previously identified that would trigger the need to recirculate the Draft EIR.

Comment 5-3

2. The DEIR should include a narrative about the current SRTC site. As the existing SRTC site would be sold as surplus with the development of any of the relocation Build Alternatives, it needs to be clear that the DEIR has not analyzed this site for redevelopment. Future redevelopment of the existing site would require its own review and CEQA clearance by the City of San Rafael.

Response to Comment 5-3

The comment suggests that there should be additional information about the existing transit center site and the future use of this site.

Chapter 2, Project Description, of the Draft EIR included descriptions of these topics. Specifically, Section 2.5.4, Disposition of Existing Transit Center Site, provides a detailed discussion of the disposition of the existing transit center and what the assumptions are for the EIR.

Draft EIR Section 2.5.4 states that the "District does not have any planned use for the existing site/center once the proposed transit center is operational at a new location and there are no plans for the disposition of the site. Therefore, future development of the site is unknown at this time."

This section also states that “future development of the site would comply with CEQA, the Surplus Lands Act, and other applicable laws. For purposes of this Environmental Impact Report (EIR), it is assumed that the existing site would likely be sold and developed as some form of a mixed-use project, subject to more detailed design and approvals and subsequent CEQA review.” Depending on the future use of the site, the City’s specific role and responsibilities would need to be determined at that time.

Additionally, Chapter 4, Cumulative Impacts, of the Draft EIR analyzed the future development of the existing transit center as a related project. See Project #9 in Table 4-1, Projects Considered in the Cumulative Impacts Analysis.

Comment 5-4

3. The scope of topic areas studied in the DEIR were initially presented in the Notice of Preparation (NOP), which was published in late 2018. Following the NOP public review and comment period, GGBHTD consultants prepared the Environmental Scoping Report – San Rafael Transit Center Replacement Project (February 2019). This Scoping Report, which is provided as Appendix A of the DEIR, memorialized the topic areas for study in the DEIR. Essentially, the Scoping Report contains: the NOP; the list of agencies, organizations and individuals that provided comments on the NOP; and the site options/alternatives that were available at the time the NOP was published. While it includes a summary of NOP comments by topic area, the Scoping Report does not provide an explanation on how or if the NOP comments were used in finalizing the scope of study topics for the DEIR. Consequently, a number of the City’s recommendations for study outlined in its comments on the NOP (letter from City to GGBHTD dated November 8, 2018) were not included in the DEIR document. Not studied or addressed in the DEIR are the following:

a. Sea level rise.

b. Preparation and inclusion of computer-generated visual simulations

c. Non-CEQA topic areas recommended for study (Fiscal Impacts of the Preferred Project and Alternatives).

Lastly, there is no explanation in the DEIR or the Scoping Report as to why information and studies requested as part of the NOP process were dismissed from further consideration in the final scoping and preparation of the DEIR.

Response to Comment 5-4

The comment states that the Draft EIR may not adequately address some of the concerns raised in the City’s 2018 scoping letter, written in response to the Notice of Preparation (NOP). Pursuant to State CEQA Guidelines Section 15085, all comments received on the NOP were considered by the District and summarized in the Scoping Summary Report, included as Appendix A to the Draft EIR and posted on the District’s website following the close of the scoping period. The Scoping Summary Report provided the Purpose of the Scoping Report, Information on the Project, Project Schedule, Overview of the Environmental Process including purpose of the NOP and Scoping Process, and a report on the Scoping Meeting, and then organized the scoping comments by key issue areas/themes that were expressed in the scoping comments (such as Project Description and Design or Scope of Environmental Analysis), which included comments by resource type, project alternatives, funding/cost, and other comments.

The Scoping Summary Report was provided to appropriate subject-matter experts who prepared the environmental analysis for consideration in the development of the Draft EIR. Subject-matter experts reviewed comments for issues related to the scope of the analysis and resources to be evaluated, recommendations for methods and data to be used in the analysis, and suggested mitigation measures. Alternatives suggested during the scoping period were considered in the process of developing a reasonable range of alternatives to study in the Draft EIR. This explanation of how scoping comments were used in the Draft EIR has been added to Chapter 5, Alternatives to the Project, in the Final EIR. Therefore, the District followed State CEQA Guidelines requirements for considering comments on the NOP. Neither CEQA nor the State CEQA Guidelines require a lead agency to provide explanations on how the NOP comments were used in finalizing the scope of study topics for the Draft EIR.

Regarding the City's comment that the following topics included in the City's Scoping Letter were not addressed in the Draft EIR, please see detailed response below:

Sea Level Rise: The topic of sea level rise is addressed in several applicable sections in the Draft EIR. Section 3.7, Greenhouse Gas Emissions, notes sea level rise as a consequence of climate change (page 3.7-12 of the Final EIR). The susceptibility of each alternative project site to inundation due to sea level rise was assessed in Section 3.9, Hydrology and Water Quality (page 3.9-11 of the Final EIR). The Final EIR has been revised to include relevant *San Rafael General Plan 2040* policies that pertain to sea level rise. For additional details on sea level rise, please see the response to comment 5-42.

Preparation and Inclusion of Computer-Generated Visual Simulations: The Draft EIR included computer-generated visual simulations. A total of nine visual simulations from key views identified on Figure 3.3-1 were provided in Section 3.1, Aesthetics (Figures 3.1-2 through 3.1-11). These figures compare existing conditions and computer-generated simulations for the proposed project and build alternatives.

Non-CEQA Topic Areas Recommended for Study (Fiscal Impacts of the Proposed Project and Alternatives): A discussion of fiscal impacts is not required under CEQA and, therefore, is not included in the EIR (State CEQA Guidelines Section 15131(a)).

Comment 5-5

4. Throughout the DEIR, the San Rafael General Plan 2020 (2007) and the Downtown San Rafael Station Area Plan (2012) are cited and used as the base for the document analysis. On August 2, 2021, before the DEIR was released for publication, the City Council adopted the San Rafael General Plan 2040 and the Downtown Precise Plan (DTPP). Yet, throughout the DEIR, it is stated that these Plans are in draft form and unadopted. Essentially, these recently adopted documents succeed and replace the previous General Plan 2020 and the City Zoning Ordinance (DTPP includes site zoning and regulations exclusively for Downtown including the project study area). These plans and land use designations were in effect at the time of DEIR publication. CEQA Guidelines section 15125 provides that the "setting" or baseline for the DEIR is normally established at the time the Notice of Preparation (NOP) is published (October 2018). Therefore, per the CEQA Guidelines, it may be appropriate for the DEIR to cite and utilize documents that were in effect at that time. But Section 15125 and case law interpreting it allows that a lead agency should adjust those baseline assumptions where strict adherence to the NOP timing would not give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts. The use of a General Plan that is no longer in effect as the base throughout a DEIR that was published after that

General Plan was updated is confusing and fails to inform the public and decision makers of the true land use framework and regulation under which the project would be constructed and operating. At a minimum, the EIR must be revised with references to the current, adopted General Plan and zoning ordinance and analysis of the preferred project and alternatives' consistency with the current plan and regulations.

Response to Comment 5-5

The comment correctly states that State CEQA Guidelines Section 15125 provides that the “setting” or baseline for the Draft EIR is normally established at the time the NOP is published (for the proposed project, it was October 2018).

CEQA requires that an EIR rely on *adopted plans* as the basis for its analysis, not draft plans. At the time of preparation of the Draft EIR, *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan* were not adopted but the District anticipated they could be adopted before the San Rafael Transit Center Replacement Project was completed. Therefore, in addition to including policies from *The City of San Rafael 2020 General Plan*, the District included policies from the Draft *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan* throughout the Draft EIR in the environmental setting of each resource section. The Draft EIR reviewed the draft plans available on the City’s website and explained clearly in the Draft EIR that these documents were under preparation and had not yet been adopted. These City plans were adopted on August 2, 2021. The Draft EIR (distributed for public comment on August 11, 2021) was already in print when the City adopted *San Rafael General Plan 2040* on August 2, 2021.

By providing the public and decision-makers with an analysis of policies from both the current and future proposed general plans, the District ensured that both the proposed and adopted plans were analyzed in the Draft EIR.

The Final EIR has been revised to remove reference to *The City of San Rafael General Plan 2020* and to update references to the adopted *San Rafael General Plan 2040* to reflect it as the current general plan. Based on the analysis presented in the Final EIR, updating the policies to *San Rafael General Plan 2040* has not resulted in any new or worsened significant impacts that were not previously identified in the Draft EIR or a substantial increase in the severity of impacts that were studied in the Draft EIR.

Comment 5-6

The DEIR needs to do a better job in explaining: a) the CEQA Guidelines section that establishes the setting at the time the NOP is published; and b) what has transpired since the NOP was published, particularly since the DTPP tracked and documented the progress of the SRTC project. For this reason, it is recommended that the Introduction Section (Chapter 1) include a narrative on the transition to the General Plan 2040 and DTPP, acknowledgement that these Plans were adopted in August 2021, and a summary on what is different from the previous General Plan 2020/Downtown Station Area Plan. At minimum, links to the recently adopted plans should be included so the DEIR reader can easily go to those documents to review.

Response to Comment 5-6

Regarding item (a), a summary of the State CEQA Guidelines section that establishes the setting at the time of publication of the NOP is provided on page 3-2 of the Final EIR, which states that the

environmental setting in each resource area “provides an overview of the existing physical considerations of an environmental resource in the area at the time of, or prior to, the publication of the Notice of Preparation, which could be affected by implementation of the build alternatives.” As requested in the comment, the text has been updated in the Final EIR to include a reference to the specific section of the State CEQA Guidelines that includes this requirement. Providing the clarifying language for the State CEQA Guidelines section does not change the baseline used for the Draft EIR.

Item (b) requests that the Final EIR include a description of the update to *The City of San Rafael General Plan 2020* and how that process aligns with EIR development. At the time of preparation of the Draft EIR, *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan* were not adopted. The draft plans available at the time of the Draft EIR’s preparation were reviewed and the Draft EIR explained that these documents were under preparation and had not yet been adopted. The Draft *San Rafael General Plan 2040* and *Downtown San Rafael Precise Plan* were referenced throughout the Draft EIR in the environmental setting of each resource section. The Draft EIR, which was distributed for public comment on August 11, 2021, was in print when the City adopted *San Rafael General Plan 2040* on August 2, 2021.

The comment suggests that the EIR should include a discussion of the adopted general plan and precise plan. Chapter 1, Introduction, has been updated in the Final EIR to include a description of the City’s newly adopted *San Rafael General Plan 2040* and *Downtown San Rafael Precise Plan* and the use of these new plans in the EIR. The regulatory setting for each resource topic has been updated in the Final EIR to reflect the changes. Subsequent to this comment letter, the City provided the District with a summary of the primary changes between *The City of San Rafael General Plan 2020* and *San Rafael General Plan 2040* on January 24, 2022. This summary is included as Appendix B to the Final EIR. This document was used to update the Final EIR according to changes between the City’s 2020 and 2040 general plans.

Regarding the suggestion to include links to *The City of San Rafael General Plan 2020*, *San Rafael Downtown Station Area Plan* (Downtown SAP), *San Rafael General Plan 2040*, and *Downtown San Rafael Precise Plan*, the Final EIR has been updated to state that these plans can be found on the City’s website. Hyperlinks to these plans are not included in the EIR, as they may change and become inaccessible over time.

Comment 5-7

Some sections/chapters of the DEIR list pertinent/relevant policies and programs from both previous General Plan 2020/Downtown Station Area Plan and the recently adopted General Plan 2040/DTPP (e.g., Biological Resources). However, some sections/chapters cite only the former General Plan 2020/Downtown Station Area Plan (e.g., Air Quality). For consistency throughout the DEIR document, either both the former and recently adopted Plan policies and programs should be cited throughout the EIR sections or the text should be revised for the Final EIR to only reference the General Plan 2040/DTPP.

Response to Comment 5-7

The comment suggests that references to the City’s previous and current general plans should be consistent among sections. The Draft EIR text has been revised throughout to remove references to *The City of San Rafael General Plan 2020*. References to *San Rafael General Plan 2040* have been retained throughout the Final EIR and updated to reflect the City’s adoption of this plan in August 2021.

Comment 5-8

5. There is no mention in the DEIR about the Memorandum of Understanding (MOU) between the GGBHTD and the City of San Rafael (October 2017). The terms of the MOU require, among others, that GGBHTD meet and confer with the City Community Development Department concerning the consistency between the project and the former General Plan 2020, Downtown Station Area Plan and Zoning Ordinance. While the DEIR does an admirable job at citing and summarizing these documents in the analysis, this work was siloed and did not involve direct communication with the Community Development Department. The Community Development Department reached out to GGBHTD staff in April 2020 to initiate this meet and confer process. However, GGBHTD staff rejected this request responding that it was too premature.

Response to Comment 5-8

The comment suggests that the EIR should reference the 2017 MOU between the City and the District. The commenter acknowledges that the Draft EIR provided a good summary of the City's adopted plans. It also expresses concerns about engagement between the City and the District during the EIR process.

The District has entered into MOUs with the City of San Rafael, Sonoma-Marín Area Rail Transit (SMART), and Bay Area Toll Authority with regard to the development of the replacement transit center. The MOUs do not change the requirements of CEQA.

The MOU (City of San Rafael and District 2017) between the District and the City has the following provisions:

"The District and the City shall cooperate to develop and consider, to the extent feasible, an additional alternative for the replacement Transit Center, besides those identified in the March 2017 Report."

The District has worked extensively with the City to develop new alternatives, including the Under the Freeway Alternative, and to incorporate design changes to the alternatives under consideration in 2017.

"In planning and developing specific Project features, the District and the City shall meet and confer with the City's Community Development Department staff concerning consistency of the proposed Project with the City's General Plan, Station Area Plan, and Zoning Ordinance."

The District has held multiple meetings with City staff, including many at which Community Development Department staff and their consultants were present, to receive input on the project objectives, alternatives, and station features as well as to discuss the City's comments on the Draft EIR. At the Draft EIR stage, the District had not selected a proposed project or certified the EIR; rather, it analyzed a preferred alternative and three other build alternatives at an equal level of detail. Through the Draft EIR public review and comment process, the District sought input from the public and public agencies on the analysis presented in the Draft EIR. Once the District has reviewed, considered, and responded to all comments on the Draft EIR; prepared and certified a Final EIR; and approved the project, the District will commence the project design phase and continue to meet with the City's Community Development Department, as well as update City Council, during that process regarding consistency of the project design with approved City plans. At this point, the District will also determine what permits may be required.

“The parties agree that the selected alternative must be approved by the City Council.”

Once the District approves a project and certifies the EIR, the City, as a Responsible Agency, will have the opportunity to consider and adopt the EIR findings.

The following meetings were conducted with City staff, including members of the Community Development Department and the City’s consultants, between the project’s initiation in 2017 and release of the Draft EIR:

- Joint Project Team: January 16, 2018
- City Staff Interview: January 29, 2018
- Concept Development Workshop: May 4, 2018
- Concept Development Workshop: May 24, 2018
- Joint Project Team: July 27, 2018
- Alternatives Screening Meeting: May 30, 2019
- Alternatives Screening Meeting: June 7, 2019
- Joint Project Team: July 16, 2019
- Joint Project Team: February 23, 2021

In addition to meetings with City staff, the District has held five public meetings during the project development process, including a public scoping meeting for the Draft EIR, as described in Chapter 1 of the EIR.

The District also engaged with City staff following the close of the public comment period for the Draft EIR to discuss items raised in the City’s comment letter. At least seven meetings between December 2021 and October 2022 were held to discuss City comments, the analysis conducted in the Draft EIR, and comment resolutions. The District appreciates the City’s collaboration through this process.

In addition to the meetings outlined above, public outreach has included bilingual outreach activities at the existing transit center and Food Pantry. Additional outreach to businesses through the San Rafael Chamber of Commerce and San Rafael Business Improvements District has been done and over 100 email notifications were sent out to the community, neighborhood, and business organizations. Community members have completed over 1,000 online surveys in both English and Spanish. The project team has presented on the proposed project to the following organizations: the Canal Alliance, San Rafael High School English Learner Advisory Committee, San Rafael Heritage, San Rafael Chamber of Commerce, League of Women Voters, and District Bus Passengers Advisory Committee.

In Section 2.8 of the Draft EIR, the District acknowledges that the project would require site and design review from City’s Planning & Transportation Commission, Architectural Review Board, and City Council. Additionally, a grading permit and building permit from the City may be required. Section 2.8 has been further clarified in the Final EIR to mention that the District will comply with the 2017 MOU with the City. While the MOU is an agreement between the City and the District, it is not an adopted plan or policy that requires consistency or compliance analysis to satisfy the requirements of CEQA; however, at the request of the City, text regarding the MOU has been added

to the Final EIR in Section 2.8, Approvals and Permits Required for the Preferred Alternative and Build Alternatives.

Comment 5-9

A. Executive Summary

1. See comment D.1 below regarding the Project Objectives Section 1.3).

Response to Comment 5-9

Please refer to the response provided for comment 5-19.

Comment 5-10

2. For comments on individual impacts, findings and mitigation measures presented in the summary table, please defer to the comments below under the discussion of each topic section/chapter.

Response to Comment 5-10

Please refer to the responses provided to subsequent comments on specific chapters and sections of the Draft EIR (comments 5-12 through 5-72).

Comment 5-11

3. The impact summary table lists and presents the findings for all impacts identified in the DEIR. While recommended mitigation measures are clearly numbered, the impacts are not numbered. Please number all impacts under each topic area, which will provide easier and better referencing.

Response to Comment 5-11

The comment suggests that the EIR number each impact. Please see revisions throughout the Final EIR and in Tables ES-1 through ES-4, which have been revised to number the environmental impacts.

Comment 5-12

B. Chapter 1 – Introduction

1. See comments A.2 and A.3 above regarding the General Plan 2040, DTPP and the MOU. The Introduction section should incorporate narratives on these topics.

Response to Comment 5-12

Please refer to the responses provided for comments 5-5 and 5-8 related to *San Rafael General Plan 2040*, the *Downtown San Rafael Precise Plan*, and the MOU.

Comment 5-13

C. Chapter 2 – Project Description

1. The Project Objectives (Section 2.3) do not incorporate, reference, or consider the City's key design goals outlined in the *San Rafael Transit Center Guidance Report (City of San Rafael, February 2018)*. This request was made to GGBHTD through comments on the NOP. The Project Objectives are very

straightforward and clearly define the goals of GGBHTD but there is no mention of the City's goals for this important project. The City's five key design goals for this project are:

- a. Maximize 4th Street vitality;*
- b. Clearly define the SRTC access routes;*
- c. Improve utilization of the Caltrans right-of-way (under the US 101 overpass);*
- d. Demonstrate sustainable design; and*
- e. Preserve the Whistlestop building.*

The General Plan 2040 and DTPP recognize the SRTC project as a "catalyst" site for the Downtown area, which is anchored by the public transit hub. As the City is one of several "partners" on the SRTC project, it is critical that the City's objectives for the project are cited. Please revise the EIR accordingly.

Response to Comment 5-13

The comment provides feedback on the project objectives. The City's design goals, included in the City's 2018 San Rafael Transit Center Guidance Report, were reviewed and considered by the District. Following a process involving considerable deliberation and community and stakeholder input, including a one-on-one meeting with the City, the District, as the CEQA lead agency and owner and operator of the transit center, developed the following objectives that are presented in the Draft EIR:

- Provide improved transit connectivity and ease of use in and around Downtown San Rafael.
- Enhance local and regional transit use by bringing together multiple modes of the transportation network—including the SMART-bus connection—into a hub that affords transit users the safest, most efficient means of using bus and rail services.
- Efficiently accommodate transit users and services, optimize operating costs, and improve transit desirability.
- Design a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.
- Provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.
- Provide a secure, safe, and inviting space for transit patrons.
- Create a more accessible transit facility for all users by reducing vehicular, rail, bicycle, and pedestrian conflicts and improving safety.
- Provide convenient, pedestrian connections to surrounding land uses.

As required by CEQA Section 15124, EIR Section 2.3, Project Objectives, lists the objectives developed by the lead agency (the District) to assist it in developing "a reasonable range of alternatives to evaluate in the EIR" and aid it in preparing findings and related materials. These objectives are specific to the CEQA process and do not preclude the City from maintaining additional design goals for the project.

Additionally, some of the design goals suggested by the City are addressed in the project objectives, which were developed by the District to allow for the development of a comprehensive set of alternatives to study in the Draft EIR.

The San Rafael Transit Center Guidance Report was referenced in the development and screening of alternatives. The report was specifically referenced in public engagement materials prepared and distributed in the fall of 2020. City staff and other stakeholder agencies were involved throughout the development and screening of alternatives. To reflect that coordination and consideration, a reference to the City's San Rafael Transit Center Guidance Report has been added to Chapter 2 of the Final EIR and the City's guidance report has been added as Appendix C to the Final EIR for informational purposes.

Comment 5-14

2. Table 2-1 (page 2-6 and 2-7) provides a good summary of the individual, assemblage of properties that cover each of the four Build Alternatives. However, the table needs to be revised to address the following:

a. The land use for each parcel needs to be clearly stated. The current description of "mixed-use" is too generic. The reader will have a better understanding as to the site and surroundings by referencing the specific, developed use (e.g., retail, office, parking lot).

b. The table references the former property zoning, which was in effect at the time the NOP was published. As noted above, the recent adoption of the General Plan 2040 and DTPP included a rezoning of Downtown properties to the new "Downtown Mixed-Use" (DMU) District. Please add a footnote explaining this recent change in zoning to minimize confusion.

c. For the "Under the Freeway Alternative," there is no reference to the two Caltrans properties. These properties need to be added to Table 2-1. Please add a note that the Caltrans properties are not assigned Assessor's Parcel Numbers by the County Assessor's Office and the City does not "zone" State property.

Response to Comment 5-14

Regarding items (a) and (b), which pertain to land use and zoning of the project site, the land use designations listed in Table 2-1 of the Draft EIR are consistent with *The City of San Rafael General Plan 2020*. Table 2-1 lists land use and zoning designations as provided in City's general plan but is not intended to provide additional detail about the specific land uses on each parcel. Detailed information regarding existing land use is provided in Section 3.10, Land Use and Planning.

As requested, Table 2-1 has been updated in the Final EIR to be consistent with the land use and zoning designations in *San Rafael General Plan 2040* and provide an explanation that *San Rafael General Plan 2040* was adopted after the Draft EIR was printed. Additionally, a note has been added to the designations for the Under the Freeway Alternative to clarify that this alternative includes Caltrans park-and-ride properties and that the City does not provide zoning for state property.

Section 3.10, Land Use and Planning, has also been revised to acknowledge the project site's new land use designations, consistent with the recently adopted *San Rafael General Plan 2040*.

Comment 5-15

3. The description of the “Move Whistlestop Alternative” (Section 2.5, Preferred Alternative) is incomplete. First, it is unclear if the Whistlestop building will be downsized and restored (based on the building footprint shown on the site plan). The current building footprint is not original and there have been discussions and suggestions about downsizing the structure to its original footprint and design. Second, there is no discussion about the demolition of existing buildings (as there is in the description of the 4th Street Gateway). In addition to the Citibank building, two existing buildings on the West side of West Tamalpais Avenue (Trevor’s and Extreme Pizza) would be demolished. Building demolition/relocation and effected business also needs to be discussed in the description of the “Under the Freeway Alternative” (Section 2.6.4).

Response to Comment 5-15

Regarding the comment about downsizing and restoring the Whistlestop building, the alternatives would affect the Whistlestop building differently. The Move Whistlestop Alternative (proposed project) would require the Whistlestop building to be relocated and modified or removed and replaced with a new building. For the Adapt Whistlestop Alternative, the Whistlestop building would be renovated or remodeled to serve as District customer service and operations building space. In both alternatives, the existing building footprint does not align with the customer service needs of the District and the building would be downsized and otherwise modified. The 4th Street Gateway and Under the Freeway Alternatives would not modify the Whistlestop building.

The comment also suggests that additional information about the proposed demolition of existing buildings should be added to the descriptions of alternatives in Chapter 2, Project Description, as appropriate. Additionally, Table 2-1 in Chapter 2 has been revised in the Final EIR to indicate the buildings that would be removed or relocated.

Potential impacts related to the demolition of existing buildings are discussed throughout the impact analyses in the EIR in the appropriate resource sections, including Section 3.1, Aesthetics; Section 3.2, Air Quality; Section 3.4, Cultural Resources; Section 3.10, Land Use and Planning; and Section 3.11, Noise. Therefore, these text clarifications in Chapter 2 do not require additional environmental analyses or result in new or worsened impacts that were not previously addressed in the Draft EIR.

Comment 5-16

4. The description and layout of the “Under the Freeway Alternative” is not consistent with the preferred layout prepared by the City, which was provided to the GGBHTD in 2020. The City’s preferred layout included two, carefully designed “bridge” spans over Irwin Creek to avoid any structural elements of the crossing to be placed/constructed within the creek channel. The description of this alternative states that three “bridges/viaducts” would be installed over Irwin Creek for vehicle access to this site from Hetherton Street. The details of this improvement are not explained, but in the Biological Resources section of the DEIR, it is noted that the crossings would be designed as “box culverts.”

It is understandable that GGBHTD had to modify the City’s preferred layout to address the project’s design criteria and operational needs of the SRTC, but the bridge span structures could have been part of this modified design. When this alternative was presented at a County of Marin hosted Multi-Agency meeting (meeting of the regulatory agencies) in 2020, it was indicated that a bridge span would be

proposed in-lieu of box culverts. Rather, GGBHTD chose to go to a box-culvert crossing, which have far more environmental impacts.

Response to Comment 5-16

The City has provided five Under the Freeway Alternative layouts to the District since mid-2018, four of which were provided after the NOP scoping period in fall 2018. Between the scoping period in 2018 and the start of detailed environmental analysis in early 2020, the City and the District attended several Joint Project Team, executive leadership, and elected official meetings to identify the range of reasonable alternatives to evaluate in detail in the EIR. At the end of 2019, project stakeholders reached a consensus on the four alternatives to evaluate in detail in the EIR. This included agreement on the Under the Freeway Alternative that was modified from City-generated concepts in order to adhere to project design requirements.

While preparation of the Draft EIR was already underway in mid-2020, the District reviewed the City's July 2020 concept and found it had similar elements to previous City concepts that make the design infeasible. These elements were indicated to the City in communications about previous City-proposed alternatives and include inadequate or segmented customer service space, poor internal circulation for buses, First-In/First-Out bay limitations, a lack of maintenance vehicle parking, inability to accommodate any articulated buses, bus loading within the primary east-west pedestrian corridor, and unsafe bus turning maneuvers.

As the City suggests, bridges using precast prestressed reinforced concrete box beams can be utilized as an alternative. While both box beams and box culverts could be used, they each have limitations. The District anticipates that the precast prestressed reinforced concrete box beams would require deep foundations that would need to be installed by either drilling or driving piles. The method for installing the piles may have vertical clearance restrictions and constructability limitations due to the location of the US-101 viaduct above Irwin Creek and the proposed bridge locations. These constructability challenges may lead to substantially higher costs than for the box culvert option.

The foundations in question would be expected to be either driven pile or drilled pile; Continuous Flight Auger piles may also be possible. Standard auger-drilled piles would have to contend with the groundwater and the potential for a temporary casing to be necessary to keep the hole open. The pile length is expected to be around 40 to 60 feet deep and exceed the vertical clearance under the viaduct; therefore, if a limited-height pile-driving/drilling rig were able to fit under the viaduct, the piles would have to be spliced, which complicates the use of this construction method and increases the cost and risk. With the box beam approach, it is anticipated that it would require closure of one of the lanes on Hetherton Street during construction. In addition, in order to remove the existing box culvert at 4th Street, the contractor would still be required to encroach into the creek for that removal.

In summary, both box beam and box culvert alternatives may be feasible and both may cause environmental impacts similar to those presented in the Draft EIR. However, the precast prestressed reinforced concrete box beams design is anticipated to have a much higher cost and constructability constraints. Therefore, the box culvert crossing was considered the preferred design solution. If the Under the Freeway Alternative advances, the District will perform a feasibility study to better assess the different construction methods.

Comment 5-17

5. Section 2.5.4 provides a good description of the “Disposition of the Existing Transit Center.” Please note that this element of the project applies to all four Build Alternatives.

Response to Comment 5-17

The comment is noted. Section 2.6.1, Components Common to All Build Alternatives, in the project description of the Draft EIR states, “For all build alternatives, disposition of the existing transit center site and construction schedule would be the same as described in Section 2.5.4 and Section 2.5.5, respectively” (page 2-11 of the Final EIR). No revisions to the Draft EIR are necessary.

Comment 5-18

6. Section 2.8 and Table 2-2 provides a summary and list of permit approvals/clearances required by other agencies. There is no mention of the executed MOU between the GGBHTD and City and the clear term of the MOU which affords the City the ultimate authority to decide on the preferred site alternative. Further, the project will require consideration by the “Planning Commission” and the “Design Review Board.” The DEIR needs to be revised to incorporate reference to these required reviews.

Response to Comment 5-18

Text describing the MOU has been added to Section 2.8, Approvals and Permits Required for the Preferred Alternative and Build Alternatives, of the Final EIR.

The MOU does not require any specific approvals or permits and was therefore not listed in Section 2.8 of the Draft EIR. The MOU states that the “selected alternative must be approved by the City Council” (City of San Rafael and District 2017:2), not that the City has ultimate authority to decide on the preferred site alternative. At the City’s request, text has been added to Section 2.8 in the Final EIR to explain what the MOU includes. CEQA requires a lead agency to identify a preferred alternative in an EIR; doing so is important to providing a stable project description and allowing the public and decision-makers to make meaningful comments. The District identified the Move Whistlestop Alternative as the preferred alternative. The District anticipates formally confirming the selection of a preferred project alternative at the end of the Final EIR phase. The preferred alternative, at the time that it is selected by the District Board upon completion of the Final EIR, will be brought to the San Rafael City Council for approval.

Regarding the comment’s reference to project consideration by the Planning Commission and the Design Review Board, the first paragraph of Section 2.8 of the Draft EIR states, “The project proponent may also obtain a grading permit and building permit from the City of San Rafael and site and design review and approval from the City’s Planning & Transportation Commission, Architectural Review Board, and City Council.”

Comment 5-19*D. Aesthetics*

1. The DEIR section includes a comprehensive list of pertinent policies from the San Rafael General Plan 2020 and the Downtown San Rafael Station Area Plan. Further, the analysis references the Good Design Guidelines for Downtown. However, there is no mention of the San Rafael Transit Center Guidance

Report (February 2018), which includes several design recommendations related to aesthetics and the importance of facilitating an entry to Downtown San Rafael. Also, unlike other sections of the DEIR, this section does not include a list of General Plan 2040 and DTPP policies and programs that are pertinent to this topic area. Please add.

Response to Comment 5-19

Section 3.1, Aesthetics, of the Draft EIR provided the following text in Section 3.1.1.1, Regulatory Setting, to acknowledge the differences between the 2020 and 2040 general plans. *The City of San Rafael General Plan 2020* was the adopted general plan at the time the Draft EIR was prepared:

*The City of San Rafael General Plan 2020 contains the following policies pertaining to aesthetic resources that are relevant to the proposed project. There are no roadways within or near the project area that are designated in the general plan as a scenic highway or a route worthy of protection for maintaining and enhancing scenic viewsheds (City of San Rafael 2016). The City of San Rafael (City) is currently working on the Draft *San Rafael General Plan 2040*, which contains some of the same policies identified in the current general plan. However, a number of policies have been updated or removed to reflect the current conditions within or goals of the City (City of San Rafael 2020a).*

This section has been revised in the Final EIR to reflect the policies that are included in *San Rafael General Plan 2040*. Additionally, Section 3.1 has been revised to include policies from the *Downtown San Rafael Precise Plan* and design recommendations from the San Rafael Transit Center Relocation Guidance Report that pertain to aesthetic resources have also been added. These updates to policies would not result in any more severe visual impacts or new significant visual impacts that were not previously identified in the Draft EIR.

Comment 5-20

2. This chapter provides a detailed description of the visual changes that would result from the project. However, in its comments on the NOP, the City requested that computer-generated visual simulations be prepared depicting existing and proposed conditions. In-lieu of the requested simulations, architectural renderings have been prepared, which are illustrative only and do not accurately depict pre- and post-development conditions. Please revise these renderings to more accurately reflect pre and post development conditions. Other comments regarding these renderings:

a. Figure 3.1-2 presents the existing and proposed view of the “Move Whistlestop Alternative.” The photo of the existing conditions does not align or correspond with the location of the proposed view rendering. The existing view shows the SMART tracks and existing Whistlestop building in the foreground, while the proposed rendering is a location that is further west along West Tamalpais Avenue). Please address.

b. Figure 3.1-3 presents a rendering of the “Adapt Whistlestop Alternative” as viewed from 4th Street and West Tamalpais Avenue. Along West Tamalpais Avenue, there appears to be a block-like building mass, which is not explained or described. Is this an error or does this building mass represent the housing project approved for the 703 3rd Street site. Please revise.

c. Figure 3.1-6 presents the existing and proposed view of the “4th Street Gateway Alternative” from the 4th and Hetherton Street intersection. As is the case with Figure 3.1-2, the view of the existing condition photo does not appear to correspond with the location in the proposed view rendering. Please revise.

d. Figure 3.1-6 presents the existing and proposed view of the “Under the Freeway Alternative” from the Hetherton Street. As is the case with Figure 3.1-2, the view of the existing condition photo does not

appear to correspond with the location in the proposed view rendering. The rendering appears to represent another location, perhaps near Irwin Street. Please revise.

Response to Comment 5-20

Figures 3.1-2 through 3.1-11 reflect computer-generated visual simulations of proposed conditions for the alternatives. There was no need to create computer-generated visual simulations of existing conditions because actual photographs are more accurate in reflecting existing conditions.

The photo of the existing condition for Figure 3.1-2 has been updated in the Final EIR.

On Figure 3.1-5 in the Final EIR (Figure 3.1-3 in the Draft EIR), the block-like building mass reflects the approved housing project at 703 3rd Street. The photo of the existing condition for Figure 3.1-6 has been updated in the Final EIR.

It is presumed that comment (d) is referencing Figure 3.1-10 in the Final EIR (Figure 3.1-8 in the Draft EIR). The rendering location is taken from on top of the box culvert in approximately the middle of the creek. As it was not possible to take a photo from the middle of the creek to capture the existing condition, the closest location was utilized, which is along the east curb of Hetherton Street.

Comment 5-21

3. To address the significant impact associated with the Under the Freeway Alternative resulting from the relocation of the historic structure at 1011 Irwin Street, the aesthetics discussion proposes Mitigation Measure MM-CULT-CNST-1, which is characterized as requiring the relocation and preservation of the structure. (Page 3.1-27.) The reader is referred to Section 3.4 for the discussion of cultural resource impacts and mitigation for the full text of the measure. There is no explanation provided in the aesthetics discussion for how this measure would reduce the significant impact, however. Furthermore, MM-CULT-CNST-1 does not guarantee the relocation and preservation of historic structures. Rather, it acknowledges that relocation and preservation may not be feasible and the structures may be demolished instead. (Page 3.4-33.) Between the two discussions in aesthetics and cultural resources, there is no substantial evidence provided that demonstrates the implementation of MM-CULT-CNST-1 will, in fact, reduce the significant aesthetic impact associated with the removal of 1011 Irwin Street to a less-than-significant level for the Under the Freeway Alternative. The DEIR needs to be revised to include such evidence.

Response to Comment 5-21

The comment pertains to the aesthetic value of 1011 Irwin Street and the use of cultural resources mitigation measures for an impact identified in Section 3.1, Aesthetics, for the Under the Freeway Alternative. Section 3.1 has been revised in the Final EIR to clarify that the structure at 1011 Irwin Street does not stand out visually in the landscape as a building with overly unique features and that the public would not likely perceive this as a historically protected structure. Additionally, more information was added to the impact discussion to describe how the Under the Freeway Alternative would replace the currently disjointed land uses with a station and public space that provide a more unified visual setting that includes landscaping and provides greater aesthetic appeal over a larger area. As a result, removal of this building would not result in substantial visual impacts if the structure were not protected. However, the Final EIR identifies that removal of this building would conflict with zoning and other regulations governing scenic quality that are in place to protect

historic resources, resulting in a significant aesthetic impact. Therefore, from an aesthetics perspective, the Final EIR explains that, combined with the alternative improvements to visual quality and implementation of Mitigation Measure MM-CULT-CNST-1, which cross-references Mitigation Measure MM-CULT-CNST-3, the alternative would result in less-than-significant impacts from an aesthetics perspective. Text has also been added to clarify that this measure will ensure that the features of the building are retained in an onsite interpretive display commemorating the historical significance of the building should the building be demolished.

Comment 5-22

4. Mitigation Measure AES O-3 recommends application of minimum lighting standards. This measure should be expanded to require a) the installation of baffles or shields on lighting fixtures to minimize the exposure and the light source and glare; b) preparation of a pre-construction photometric analysis to demonstrate foot candle readings to eliminate "hot spots;" and c) completion of a post-installation lighting inspection (30-days following installation) to allow for adjustments in the intensity of and glare from lighting. The DEIR needs to be revised to include this information.

Response to Comment 5-22

The comment suggests revisions to Mitigation Measure MM-AES-OP-3. The mitigation measure already contains language to provide shielding (refer to the second sentence of the mitigation measure). However, Section 3.1, Aesthetics, has been revised in the Final EIR to reflect the remaining suggested additions. These additional performance metrics would not change the severity of previously identified visual impacts or result in new significant visual impacts.

Comment 5-23

E. Biological Resources

1. The biological resources policies from the Marin Countywide Plan are listed in this section (pages 3.3-5 through 3.3-7). These policies should be deleted. The Marin Countywide Plan is applicable to properties within the unincorporated areas of Marin County and is not applicable to the SRTC study area.

Response to Comment 5-23

References to the Marin Countywide Plan have been deleted from Section 3.3, Biological Resources.

Comment 5-24

2. The "Detailed table" on special-status animal species which is reference on Page 3.3-9 on special-status animal species is missing from Appendix D.

Response to Comment 5-24

This information was inadvertently left out of the Draft EIR. Section 3.3, Biological Resources, has been revised in the Final EIR to include the special-status plant and animal tables as Tables 3.3-1 and 3.3-2. The tables provide additional information regarding species addressed in the Draft EIR including listing status, geographic distribution, habitat requirements, blooming period (for plants), and likelihood to occur in the project area, but do not change any conclusions related to these

species presented in the Draft EIR. The information presented in Tables 3.3-1 and 3.3-2 of the Final EIR was considered in the development of the Draft EIR.

Comment 5-25

3. Pages 3.3-9 – cites that project area has the potential for the occurrence of 38 special-status plant species and 35 special status animal species. However, no special-status species surveys were conducted to confirm or dismiss this finding. The table missing from Appendix D will hopefully have additional information clarifying these conclusions. But the DEIR should be revised to include appropriate measures to ensure no inadvertent take as was recommended for roosting bats. Including for any aquatic species such as steelhead that could be of concern to regulatory agencies.

Response to Comment 5-25

This information was inadvertently left out of the document. Section 3.3, Biological Resources, has been revised in the Final EIR to include the special-status plant and animal tables as Tables 3.3-1 and 3.3-2. These tables contain information that explains why special-status plants and fish such as steelhead would not be present in the project area or affected by the project.

Section 3.3 addresses roosting bats and includes mitigation measures to address potential impacts on roosting bats. Section 3.3.1.2, Environmental Setting, provides information on the conservation status and ecology of pallid bats, discusses the need for protection of non-special-status bat roosting colonies, and summarizes the results of the field survey. The following information is provided under the heading *Pallid Bat and Roosting Colonies of Non-Special-Status Bats*:

During the field survey, the ICF wildlife biologist examined the US-101 bridge structures and buildings within the project area for potential bat roosting habitat and evidence of bat use (i.e., guano piles, urine staining). The southbound US-101 bridge structure does not have crevices or other spaces on the underside of the bridge that could be used by bats. Open seams on the outside of this structure are too exposed and would not provide suitable roosting habitat. The northbound bridge structure contains open seams and wood boxes on the underside of the structure that provide potential bat roosting habitat. No signs of bat use were observed under or around the potential roosting habitat. Only one building in the project area, a dry-cleaning business with a barrel tile roof, contained potential bat roosting habitat (bats could roost under the curved tiles). The biologist walked around a portion of this building and did not see evidence of bat use, but a thorough survey was not conducted. Pallid bat and colonies of non-special-status bats could roost in the northbound US-101 bridge structure or dry-cleaning business in the project area.

Impact BIO-1 in Section 3.3.2.3 notes that if the Under the Freeway Alternative is selected and constructed, Mitigation Measures MM-BIO-CNST-1 and MM-BIO-CNST-2 would be implemented to reduce potential impacts on pallid bat and roosting colonies of non-special-status bats. Mitigation Measure MM-BIO-CNST-1, Conduct Environmental Awareness Training for Construction Employees, clearly lists pallid bat and roosting colonies of bats as species that would be discussed during environmental awareness training. Mitigation Measure MM-BIO-CNST-2, Conduct Preconstruction Surveys for Bats and Implement Protective Measures, requires protective measures to be implemented prior to the removal of potential bat roosting habitat. These measures are sufficient to address potential impacts on roosting bats and no additional mitigation measures are required. No revisions to the Draft EIR are required. See the response to comment 5-26 for a description of why Irwin Creek does not provide suitable habitat for fish.

Comment 5-26

4. The EIR should provide a more thorough review of existing habitat in Irwin Creek, limitations on possible occupation and dispersal for aquatic species such as steelhead, and conclusion that it is not suitable for permanent occupation and necessary controls to avoid inadvertent take for any in-channel construction.

Response to Comment 5-26

The following text was added to the description of perennial streams under *Land Cover Types* in Section 3.3.1.2 in the Final EIR to explain why Irwin Creek does not provide suitable habitat for fish:

Due to poor water quality from landscaping and street runoff, lack of a natural channel due to channelization under US-101, and lack of riparian vegetation (cut tree stumps on the bank), Irwin Creek does not provide habitat for any special-status fish species. Steelhead may access the creek occasionally as strays from San Pablo Bay, but because there is poor migratory, spawning, and rearing habitat, it is likely they would return to the bay.

The rationale for why Irwin Creek does not provide suitable habitat for special-status fish is also included in Table 3.3-2, which has been added to Section 3.3 in the Final EIR. Because special-status species are not anticipated to occur in the creek, no impacts on special-status fish from in-channel construction are anticipated.

Comment 5-27

5. Page 3.3-11 lists the methodologies that would be implemented or employed during construction and as part of project operation. One of the listed methodologies states that Irwin Creek would be “dewatered” to construct three double box culverts for the “Under the Freeway Alternative.” See comment D.4 above under the Project Description regarding the expectation that the crossings over Irwin Creek were to be designed as a bridge span rather than intrusive box culvert structures. That reach of the creek would have to be temporarily dewatered during construction, whether a culvert or bridge was installed. Both treatments would require disturbance to the creek banks and could result in materials spilling down into the water, which is why a construction zone like this has to be dewatered. However, the bridge treatment for these crossings would limit direct impacts and fills, which would be preferable to the regulatory agencies, even in this low quality location. Use of a bridge should be explored as an option and weighed against cost and benefit.

Response to Comment 5-27

The design concept to use box culverts in the Under the Freeway Alternative is based on constructability constraints at the project site. The provision of bridges in lieu of culverts would significantly increase the cost of construction and would likely face similar constraints related to vertical clearance. Precast box culverts, as included in the Under the Freeway Alternative analyzed in the Draft EIR, would be able to be installed quickly, reducing the time that dewatering would be required during project construction. See the response to Comment 5-16.

Comment 5-28

6. In the City’s comments on the NOP, it was requested that GGBHTD initiate early consultation with the regulatory agencies to discuss the “Under the Freeway Alternative” and potential impacts to tidal wetlands. The EIR should specify whether consultation was initiated.

Response to Comment 5-28

All regulatory agencies with an interest in the project and/or project area were provided the NOP and Draft EIR for comment. There are no tidal wetlands in the project area and, therefore, no formal consultation with the regulatory agencies was necessary.

Section 3.3.1.2, Environmental Setting, describes stream and wetland resources, including Irwin Creek (see *Land Cover Types* heading). Section 3.3.1.1, Regulatory Setting, identifies permitting requirements related to streams and wetlands under the *Clean Water Act*, *Porter-Cologne Water Quality Control Act*, and *California Fish and Game Code* headings.

In its comment letter on the Draft EIR, the California Department of Fish and Wildlife stated the following:

“We support the alternative that has the least impacts to fish and wildlife resources and consider avoiding Irwin Creek as a worthwhile approach to minimizing impacts to fish and wildlife resources. If substantial alteration to Irwin Creek would occur, a Lake or Streambed Alteration (LSA) Notification would be required, as identified in our NOP comment letter.”

In response to the comment letter, Section 2.8, Approvals and Permits Required for the Preferred Alternative and Build Alternatives, has been revised in the Final EIR to include a Lake and Streambed Alteration Agreement as a permit likely to be required for the Under the Freeway Alternative.

Comment 5-29

7. Mitigation Measure BIO CNST-5 (page 3.3-18) recommends compensation for temporary and permanent loss of perennial stream (Irwin Creek fill). The measure merely recommends mitigation amounts (e.g., 2:1 ratio of mitigation to impact area). This mitigation measure is not adequate in addressing the viability of achieving mitigation to a less-than-significant level. To test viability with the bridge span concept (which is far less impacting) off-site mitigation locations were identified by Jim Martin, the City's consulting biologist, based on input from the RWQCB representatives. This information and presented to the regulatory agencies in the County of Marin hosted Multi-agency Meeting (see attached memo). The purpose of this effort was to demonstrate minimal impacts using a bridge span and that mitigation could be achieved within proximity to this site. None of this information is attached or even referenced in the DEIR.

Response to Comment 5-29

Ratios included in Mitigation Measure MM-BIO-CNST-5 are identified as the minimum ratio that could be implemented to reduce the impact to a less-than-significant level. The measure notes that the amount and location of actual compensation required by the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife will be determined through coordination with these agencies during the permitting process. The final mitigation ratio required by agencies to ensure the impact is less than significant could potentially be greater than 2:1; however, the 2:1 ratio is within the standard generally implemented for stream mitigation and particularly for urbanized streams such as Irwin Creek. Mitigation may include onsite or offsite compensation for the impacts on Irwin Creek, with the specific requirements to be determined through coordination during the project's permitting phase.

The Under the Freeway Alternative analyzed in the Draft EIR does not include a bridge (span) design for the reasons described in the response to comment 5-16. The Draft EIR presents the worst-case scenario given that the bridge design has not been finalized.

Comment 5-30

8. In the City's comments on the NOP, it was noted that several of the site options (alternatives) had the potential to damage or destroy mature trees (street trees referenced). The City requested that all significant trees within the project study area be identified to determine if they would be impacted or subject to removal. This section of the DEIR does not mention the tree resources within the study area. That information should be provided in the EIR and used to inform decision makers of the range of impacts.

Response to Comment 5-30

Trees observed in the study area during the project site visit are listed in Appendix F of the Final EIR (Appendix D of the Draft EIR). The City of San Rafael Tree Ordinance is listed in Section 3.3.1.1, Regulatory Setting. The City's tree ordinance does not require a formal arborist survey for projects but does require a permit from the City's department of public works prior to disturbance or removal of trees along public streets, sidewalks, and walkways or total removal of stumps and roots of trees removed for the project. The ordinance also requires protection from damage to trees retained in the project area.

This is described in the impact titled Impact BIO-5 in the Final EIR, "Conflict with Any Local Policies or Ordinances Protecting Biological Resources, Such as a Tree Preservation Policy or Ordinance," and Mitigation Measure MM-BIO-CNST-3 requires fencing around trees to be retained in the project area. Text was added to this impact discussion in the Final EIR to clarify that the project will obtain a City tree permit for tree removal prior to construction of the selected project alternative. Additionally, discussion in Section 2.8 has been expanded in the Final EIR to include the requirements to obtain a City tree permit. This clarification does not change conclusions regarding trees presented in the Draft EIR.

San Rafael General Plan 2040 includes programs to revise Chapter 11.12 of the Municipal Code, which includes the tree ordinance, to define protected and heritage trees and establish permit requirements and procedures. However, as of October 2022, these revisions to the Municipal Code have not yet been implemented and, therefore, are not analyzed in the Draft or Final EIR.

Comment 5-31

F. Cultural Resources

1. The DEIR reports that per AB52, an offer of tribal consultation was initiated with the Federated Indians of Graton Rancheria (FIGR), but the DEIR author received no response. It is expected that the GGBHTD noticed the Federation on the publication of the DEIR. The Federation is typically very responsive to commenting on environmental documents and a 'no response' conclusion is not sufficient. The GGBHTD should reach out to FIGR to get a response and include that response in the EIR.

Response to Comment 5-31

The comment pertains to the AB 52 process for the proposed project. Pursuant to AB 52 requirements, consultation was conducted and completed in 2018, when the tribe did not respond

to the District's initial invitation to participate in consultation. The results of this consultation were summarized in the Draft EIR in Section 3.4, Cultural Resources.

Additional communication and outreach with the Federated Indians of Graton Rancheria was undertaken following the publication of the Draft EIR. The District contacted the tribe with follow-up letters providing updated project information and held a meeting with representatives from the tribe on August 26, 2022.

Comment 5-32

2. Marin County Ordinance 1589 is a County-adopted ordinance that is not applicable to the City of San Rafael. Please delete.

Response to Comment 5-32

Section 3.4, Cultural Resources, has been revised in the Final EIR to remove references to Marin County Ordinance 1589. This deletion does not change conclusions presented in the Draft EIR.

Comment 5-33

3. Pages 3.4-6 and 3.4-7 appropriately cites the City's Archaeological Resource Protection Ordinance. However, not referenced or discussed is the implementing resolution, which outlines the protocols and procedures for addressing individual site review and assessment based on mapped archaeological sensitivity. As noted in the City's NOP comments, protection procedures outlined in City Council Resolution 10980 (2000) should be added to this DEIR narrative. Mitigation Measures CULT-CNST 4, 5, 6, and 7 should be revised to incorporate the City-adopted procedures and protocols outline in Resolution 10980.

Response to Comment 5-33

The comment suggests that reference to the implementing resolution for the City's Archaeological Resource Protection Ordinance should be added to the mitigation measures for potential impacts on archaeological resources included in Section 3.4, Cultural Resources. Mitigation Measures MM-CULT-CNST-4 through MM-CULT-CNST-7 have been revised to include reference to the *San Rafael General Plan 2040* policy that contains this implementing guidance, as appropriate. This deletion does not change the conclusions presented in the Draft EIR.

Comment 5-34

4. This section of the DEIR includes an excellent narrative on the history and evolution of Downtown San Rafael, including the eras covering the start of the NWPRR service and the development of the US101 as a grade-separated highway. This narrative addresses the request made by the City as part of the NOP comment process.

The DEIR includes a list of buildings within the project study area that were recently assessed for historic resource significance. The correct source for this information is the Downtown San Rafael Precise Plan (DTPP) Historic Resources Inventory Summary Report (December 2020). This summary report was prepared by the City and utilized to assess and provide cultural resource review in the San Rafael General Plan 2040 Final EIR (2021). The DEIR author went one step further in this analysis by preparing new or updated "DPR" (State of CA Department of Park and Recreation) historic assessment forms for all buildings within the study area (DEIR Appendix F). This is helpful in that the DTPP

Historic Resources Inventory Summary Report does not include DPR forms for all the inventoried buildings over 50 years in age within the project study area. These forms will supplement the City's DRR form inventory.

The DEIR concludes that the "4th Street Gateway Alternative" and the "Under the Freeway Alternative" would result in significant, unavoidable impacts to historic resources. The Build Alternatives would result in the demolition of 633 5th Avenue, 637 5th Avenue and 1011 Irwin Street, which have been determined to be historic resources.

The DEIR correctly states the status of the building at 927 Tamalpais Avenue (Trevor's, formerly the Barrel House). This building is identified under Category B in the summary report, which determined that it is eligible as a "contributing resource to a potential historic district." However, as a contributing resource to a potential historic district, demolition could compromise the formation of a district, which would result in a significant, unavoidable impact to historic resources. This building would be demolished under the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative." The DEIR finds that demolishing this structure would result in a less-than-significant impact, which conflicts with the City-assumed conclusion. Therefore, the historic resource impact finding for these two alternatives needs to be changed. As this is a new, significant impact, the DEIR requires a revision and recirculation per CEQA Guidelines Section 15088.5. If this assumption is incorrect, it needs to be explained by the EIR consultant why there is a difference in conclusions reached between the demolition of the 927 Tamalpais Avenue and the buildings that would be demolished under the "4th Street Gateway Alternative" and "under the Freeway Alternative" (933/937 5th Avenue and 1011 Irwin Street).

Response to Comment 5-34

To prepare the analysis of impacts on built-environment historical resources, ICF cultural resource staff members consulted with staff of the City's Planning Division between August 2018 and January 2021 to receive historical resource survey data, including findings of the *Downtown San Rafael Precise Plan Historic Resources Survey*. As described in Section 3.4, Cultural Resources, based on this consultation, the historical resources analysis in the Draft EIR relied upon information in the December 2020 draft of the summary report for the *Downtown San Rafael Precise Plan Historic Resources Survey*. However, a revised summary report was published in May 2021 that updated property ratings and expanded the boundary of the East Downtown Core Historic District.

The environmental impacts discussion in Section 3.4 has been revised in the Final EIR to present updated survey ratings and analyze the proposed East Downtown Core Historic District, based on the updated district boundary that overlaps the footprint of the Move Whistlestop and Adapt Whistlestop Alternatives.

The four buildings that would be demolished, be relocated, or undergo a change in the immediate setting under the Move Whistlestop and Adapt Whistlestop Alternatives are within the boundaries of the proposed East Downtown Core Historic District. The four buildings compose the district's easternmost end. 709–711 4th Street and 927 Tamalpais Avenue are identified as contributors to this district, whereas 703–705 4th Street is a non-contributor. The contributing status of the Whistlestop building at 930 Tamalpais Avenue has not been determined in existing documentation but the building will be treated as a contributor for the purposes of this analysis.

The threshold for determining if there is a significant impact on historical resources is "material impairment," which would occur if a project demolishes or alters in an adverse manner the physical characteristics that convey historical significance and justify a resource's identification as significant

in a historical resources survey. For historic districts, material impairment would be assessed relative to the significant concentration, linkage, or continuity of the contributing features that compose the district. Even if project activities were to demolish or substantially alter a single contributing resource, which would represent a significant impact on that individual resource if viewed in isolation, it is possible that those same activities would *not* represent material impairment of the significance of a larger district to which the building contributes. This would be the case if the activities do not substantially alter or erode the larger sense of concentration, linkage, or continuity that defines the district. The appropriate test is whether historically significant qualities and relationships across the entire district are altered. A district's sense of concentration, linkage, or continuity could be materially impaired, for instance, by demolitions within a largely intact and uninterrupted collection of contributing buildings, or by incompatibly scaled infill construction that interrupts the district's defining visual and spatial patterns or sense of historical development.

The site where activities associated with the Move Whistlestop and Adapt Whistlestop Alternatives would take place represents less than one city block at the easternmost end of the district's four-block-long primary axis along 4th Street. This site is furthermore somewhat separate from the core of the East Downtown Core Historic District. Eleven of the 17 buildings identified as contributing to the district are concentrated along 4th Street on the two city blocks between Lootens Place and Lincoln Avenue, whereas the city block east of Lincoln Avenue (which overlaps with the Move Whistlestop Alternative) contains only two contributing buildings: the aforementioned 709–711 4th Street and 927 Tamalpais Avenue. Although the Whistlestop building at 930 Tamalpais Avenue was not identified as a district contributor because it requires further evaluation, the building is also considered a district contributor for this analysis. These buildings are separated from the nearest district contributor by one half block, such that there exists a break in the locations of district contributors due to non-historic infill construction surrounding the Lincoln Avenue intersection. Furthermore, the East Downtown Core Historic District is not characterized by a continuous street wall of historic-aged contributing buildings but rather has a variegated character with numerous non-contributing or still-to-be-evaluated buildings interspersed among the identified contributors.

In consideration of the qualities of the proposed East Downtown Core Historic District, the Move Whistlestop and Adapt Whistlestop Alternatives would not materially impair the significance of the district. The qualities of concentration, linkage, and continuity within the district do not depend upon the presence of the one contributing building that would be demolished (927 Tamalpais Avenue), the Whistlestop building retaining its current location, or the presence of the non-contributing building at 703–705 4th Street, which would be demolished. The potential removal of the Whistlestop building and construction of a single-story customer service building would furthermore not reach the threshold of material impairment to the district. The following analysis provides greater detail regarding these qualities relative to the district's two identified areas of significance and character-defining features:

- **Criteria A/1 (significance for events):** The 2021 inventory report for the *Downtown San Rafael Precise Plan Historic Resources Survey* notes that the proposed East Downtown Core Historic District's significance relates to the growth of San Rafael's Downtown commercial district, beginning near San Rafael Archangel and the 19th-century courthouse, which lie near the intersection of 4th Street and A Street (west of the district boundary). The historic district reflects the expansion of the City's commercial activities through 1930, and contributors express a range of construction dates from the late 19th and early 20th centuries. Within this context, 927 Tamalpais Avenue (built in 1927) and 930 Tamalpais Avenue (built in 1929) were later additions to the Downtown commercial district and date to near the end of the era's significant

growth, at which point the commercial corridor along 4th Street had been established. The Move Whistlestop Alternative proposes to relocate the Whistlestop building across Tamalpais Avenue or remove it and construct a new building utilizing similar façades or architectural elements from structures currently on the Whistlestop site. The Adapt Whistlestop Alternative proposes to retain the building in its current location. If relocated or retained in its current location, the building would continue to convey this late era of development at the eastern end of the historic district, albeit in a new location across the street from its original location. Even if the Whistlestop building were demolished, at least 14 contributing buildings would remain unaltered within the district and would retain the significant physical features that convey Downtown San Rafael's gradual growth and historic commercial character, including their footprints, limited landscaping, façade treatments, ground-floor retail spaces, awnings and canopies, storefront designs, and other façade treatments.

Furthermore, because 703–705 4th Street, 927 Tamalpais Avenue, and 930 Tamalpais Avenue are along the edge of the district, their current arrangement does not link the core of the district along 4th Street to any related or successively constructed buildings farther to the east. Alterations to the eastern end of the proposed historic district proposed by the Move Whistlestop and Adapt Whistlestop Alternatives would not undermine a link in historic development patterns, nor would it substantially diminish the district's ability to convey the commercial development of Downtown San Rafael along the 4th Street corridor.

- **Criteria C/3 (significance for design/construction):** The 2021 inventory report also states that the proposed East Downtown Core Historic District generally contains architect-designed, one- and two-story commercial buildings expressing Victorian-era or early-20th-century architectural styles and filling the entirety of their lots. The architectural character of the proposed historic district, then, is variegated but linked through a series of aesthetic styles and commercial building types. As stated previously, the contributing buildings are not continuous along 4th Street but rather are interspersed with altered or newer infill buildings. The contributing building to be demolished under the Move Whistlestop and Adapt Whistlestop Alternatives, 927 Tamalpais Avenue, is a relatively small, single-story commercial building that does not have any side of its lot fronting directly onto 4th Street, which differentiates it from all other buildings within the district. As such, 927 Tamalpais Avenue currently does not add directly to the visual patterns along the district's primary 4th Street corridor, and demolition of the building would not affect those qualities. Furthermore, the relocated or retained Whistlestop building at 930 Tamalpais Avenue, which was altered after 1930 but retains some Mission Revival-style decorative features, would be anticipated to continue expressing elements of its architectural style and era of construction. The other building to be demolished, 703–705 4th Street, does not contribute to the district because of the past alterations it has sustained, and its demolition would not further erode the proposed historic district's architectural character. Even if the Whistlestop building were removed, numerous buildings within the historic district would remain and continue to convey the district's significant physical qualities through their extant form/massing, entryways, varied façade materials, window arrangements, rooflines, and other stylistic elements.

In conclusion, the demolition of 927 Tamalpais Avenue and 703–705 4th Street, in addition to the relocation, reuse, or potential demolition of 930 Tamalpais Avenue, would alter physical elements that support the historic character of the East Downtown Core Historic District along its eastern edge. However, these activities would not disrupt the significant qualities of continuity and linkage to the extent that the historic district would have a substantially diminished ability to convey its

significant physical development and architectural character. Therefore, the alternatives would not materially impair the significance of the East Downtown Core Historic District.

Based on this conclusion, the Move Whistlestop and Adapt Whistlestop Alternatives would continue to have a less-than-significant impact on built-environment resources. Therefore, there is no change to the impact conclusions identified in the Draft EIR for these alternatives.

Comment 5-35

G. Geology and Soils

1. For the most part, this DEIR section is well written and comprehensive. However, under all the potential impact statements that have been prepared, the findings are less-than-significant, and no mitigation is recommended. This topic area relies on the findings presented in the Preliminary Geotechnical Design Recommendations, Parikh (May 2020). This memorandum document is referred to throughout this section as "Geotechnical Recommendations," which is included as DEIR Appendix H. This memorandum document provides a qualitative review of geotechnical conditions for all four Build Alternatives but relies solely on published documents for detailed information such as groundwater depths, and subsurface soil and geologic conditions. The memorandum document states that a detailed geotechnical investigation with subsurface borings will be conducted after the project site has been selected.

As part of comments on the NOP, the City requested that a comprehensive Geotechnical Investigation be completed for the DEIR to include subsurface borings and soil testing. This request was intentional given that portions of the study area are on landfill over bay mud and within the FEMA 100-year flood zone. Further, most of the study area is within an area of high seismic risk. Per the San Rafael General Plan 2020 geotechnical policies and procedures (General Plan 2020 Appendix F, Geotechnical Review), a comprehensive Geotechnical Investigation Report (including subsurface borings and soil testing) is required to be prepared at the time of development and environmental review. A deferral of preparation this investigation report to a future phase of the project, after it has been approved through the development and environmental review process, is not consistent with the General Plan 2020 and the CEQA Guidelines. A detailed Geotechnical Investigation Report is important at this stage as it would present site specific conditions and design recommendations based on these conditions. If design recommendations such as pile-driven pier construction is required for this project, it presents other direct or indirect impacts that require analysis in the DEIR.

At minimum, the DEIR impact findings in this section should have concluded, based on the information that was available through the Geotechnical Recommendations memorandum document that: a) the impacts are potentially significant until further study is completed; and b) mitigation must be included requiring a more detailed Geotechnical Investigation Report. Nonetheless, it is recommended that a Geotechnical Investigation Report be prepared and included in the DEIR. At minimum, mitigation measures should be added to the DEIR to require the preparation of this report when a specific site has been selected. New impacts and the introduction of new mitigation measures requires an updated DEIR with a recirculated public review period.

Response to Comment 5-35

The comment expresses concern that the Draft EIR did not sufficiently disclose potential impacts with respect to geology, soils, and seismicity and did not include mitigation requiring completion of a detailed Geotechnical Investigation Report, consistent with the requirements of *The City of San*

Rafael General Plan 2020 (now *San Rafael General Plan 2040*). The comment states that a detailed Geotechnical Investigation Report is needed to analyze site-specific conditions and provide design recommendations based on these conditions. As the comment states, *San Rafael General Plan 2040* (City of San Rafael 2021a:Appendix F) requires that a Geotechnical Investigation and a Geotechnical Review be completed before design review for projects in critical use land use categories, to which transportation centers belong. Pile driving would not be required for the proposed project and build alternatives.

CEQA requires disclosure of potential impacts for sufficient environmental review and mitigation for any impacts that are potentially significant. The EIR analysis notes the presence of Bay Mud beneath artificial fill, as the comment acknowledges. The EIR further provides an analysis of potential impacts related to unstable soils or geologic units on pages 3.6-17 to 3.6-19, to seismic effects related to liquefaction on pages 3.6-13 and 3.6-14, to seismic densification on pages 3.6-14 and 3.6-15, and to lateral spreading on pages 3.6-15 and 3.6-16 of the Final EIR.

A preliminary geotechnical assessment was conducted for each of the build alternatives. This included reviewing geological maps, proximity to faults, as-built boring data already collected for other efforts, assessment of groundwater location, and potential for liquefaction. Preliminary recommendations were provided that were incorporated into the development of the build alternatives. The preliminary assessment did not identify any significant geotechnical issues and no impacts were identified based on the assessment.

As stated in the analysis, although the Geotechnical Recommendation provided preliminary recommendations to aid in the selection of an alternative, the alternative selected for implementation would still need to complete a site-specific detailed Geotechnical Investigation as required by the California Building Code, the San Rafael Municipal Code, and *San Rafael General Plan 2040*. The alternative would adhere to any recommendations resulting from the site-specific Geotechnical Investigation and implement geotechnical design treatments as recommended by the findings of this investigation. Adherence to these recommendations would ensure that project construction would not cause or exacerbate instabilities of soils and geologic units at the project site.

Because the project would complete a site-specific Geotechnical Investigation Report prior to completion of design review (during the 30 percent design phase), the project would be consistent with requirements of *San Rafael General Plan 2040* as well as requirements of the California Building Code and San Rafael Municipal Code. Therefore, there is no requirement for the preparation of a Geotechnical Investigation prior to the adoption of the Final EIR.

The regulatory setting of Section 3.6 was updated to refer to *San Rafael General Plan 2040* and reflect text changes in the general plan between the draft and final versions of *San Rafael General Plan 2040* on pages 3.6-5 to 3.6-7 of the Final EIR. The impact discussion in Section 3.6.2.3 was updated in the Final EIR to refer to the current general plan.

In addition, page 3.9-11 of the Final EIR discloses that the existing San Rafael Transit Center is within the Federal Emergency Management Agency 100-year flood zone and that portions of the project are also in the Federal Emergency Management Agency 100-year flood zones. The Move Whistlestop Alternative, Adapt Whistlestop Alternative, and 4th Street Gateway Alternative are primarily outside of the 100-year flood zone. The Under the Freeway Alternative is entirely outside of the 100-year flood zone. Flood impacts during construction and operation of each alternative are also disclosed in Section 3.9.

As required by State CEQA Guidelines Appendix G thresholds, the EIR analyzes whether the project would increase the rate or amount of surface runoff in a manner that would result in flooding on or off site; impede or redirect flood flows; or, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation to determine whether the project would have significant impacts related to hydrology including flooding. This analysis is provided on pages 3.9-19 to 3.9-21 of the Final EIR. No changes were made to the Draft EIR with respect to flood zones in response to this comment.

Comment 5-36

H. Greenhouse Gas Emissions

1. This DEIR section is well written and comprehensive; it relies on and incorporates the City's Climate Action Plan (2030) and the City's Qualified GHG Emissions Reduction Strategy.

Response to Comment 5-36

The comment pertains to Section 3.7, Greenhouse Gas Emissions, and states that the section is well written and comprehensive. The comment does not raise any environmental issues; therefore, no further response is required.

Comment 5-37

2. Modify Table 3.7-7 to reflect a 65% recycling requirement for construction/demolition waste.

Response to Comment 5-37

The comment indicates that Table 3.7-7 in the Draft EIR should be modified to reflect a 65 percent recycling requirement for construction/demolition waste. The comment does not specify the source for this requirement; however, it is presumed that the City may be referring to the California Green Building Standards Code, Title 24, Part 11, Section 5.408 (Nonresidential Mandatory Measures – Construction Waste Reduction, Disposal and Recycling). As stated in Table 3.7-7 on page 3.7-24 of the Final EIR, Mitigation Measure GHG-CNST-1 would require at least 50 percent recycling of construction and demolition waste, which is consistent with current Bay Area Air Quality Management District (BAAQMD) guidelines. The recycling goal is also consistent with measure WR-C3 (Construction & Demolition Debris and Self-Haul Waste) from the San Rafael Climate Change Action Plan (CCAP) from April 2019. Mitigation Measure GHG-CNST-1 has been revised in the Final EIR to indicate requirements contained in the California Green Building Standards Code for the recycling of construction and demolition waste would be implemented (see page 3.7-19 of the Final EIR). The following text has been added to Table 3.7-7 in the Final EIR to indicate that the California Green Building Standards Code requirements would also apply to the proposed project (see page 3.7-24 of the Final EIR):

Higher waste diversion requirements may also be applicable, such as the waste diversion requirements under the California Green Building Standards Code (i.e., Title 24, Part 11, Section 5.408.1) and/or local ordinances.

This revision does not change the conclusions related to greenhouse gases (GHGs) presented in the Draft EIR.

Comment 5-38

3. Page 14 states:

“Section 3.7.1.1, Regulatory Setting, the City has adopted a qualified GHG emissions-reduction strategy: CCAP 2030. Because the City is not the lead agency for CEQA, this analysis does not rely on CCAP 2030 for tiering purposes. Rather, project consistency with applicable GHG reduction measures outlined in CCAP 2030 is discussed for informational purposes” Because the City will need to rely on a determination that the DEIR is consistent with the CCAP2030, the Draft EIR should be revised to include a complete consistency analysis with the CCAP. Please revise accordingly.

Response to Comment 5-38

The comment indicates that the Draft EIR should be revised to include a complete consistency analysis with the CCAP; however, Table 3.7-7 starting on page 3.7-24 of the Final EIR includes an evaluation of the project’s consistency with applicable measures from the CCAP. Many measures from the CCAP are not applicable to the project because they require action to be taken by the City (e.g., increase residential organic waste diversion, replace older city vehicles with low-emitting vehicles). Such measures are not applicable to the project because the District, as the lead agency for the project, does not have the jurisdictional control that would be required to ensure consistency with or implement the measures. The District cannot influence residential waste diversion or vehicle purchasing decisions for City-owned vehicles in San Rafael.

To clarify this issue, Section 3.7.2.2, Thresholds of Significance, has been revised in the Final EIR as follows:

“As discussed in Section 3.7.1.1, Regulatory Setting, the City has adopted a qualified GHG emissions-reduction strategy: CCAP 2030. Because the City is not the lead agency for CEQA, this analysis does not rely on CCAP 2030 for tiering purposes. Rather, project consistency with applicable GHG reduction measures outlined in CCAP 2030 is discussed for informational purposes below. CCAP 2030 outlines state and local policies to reduce GHG emissions to meet the 2030 target of 40 percent below 1990 levels, consistent with SB 32’s target. To make significance findings under CEQA, GHG emissions from the proposed project are evaluated on a sector-by-sector (e.g., energy, mobile, and water) basis using the most applicable regulatory programs, policies, and thresholds recommended by BAAQMD, CARB, and OPR.”

Consequently, the EIR discusses only the CCAP measures that may have applicability to the project, as shown in Table 3.7-7. It is unclear what additional analysis or discussion the commenter would like to have added, because the CCAP measures applicable to the project are included in Table 3.7-7. The comment indicates that the City will rely on a determination of the EIR’s consistency with the CCAP. Pages 3.7-24 and 3.7-25 and Table 3.7-7 in the Final EIR provide a consistency analysis of the proposed project with applicable CCAP measures and analysis in the Draft EIR could be used to inform future decision-making.

Comment 5-39

1. Hydrology and Water Quality

1. On page 3.9-6, the DEIR provides a narrative on the role and purpose of the Bay Conservation and Development Commission (BCDC). While the BCDC information in the narrative is complete, it should be eliminated as it is not relevant to the study area. The BCDC jurisdiction terminates at the mouth of

San Rafael Creek, which is about two miles downstream from the project study area. Please revise the DEIR.

Response to Comment 5-39

The comment suggests that text on the Bay Conservation and Development Commission should be removed from the EIR. This section has been removed from the Final EIR.

Comment 5-40

2. The list of General Plan 2040 policies and programs on pages 3.9-7 and 3.9-8 is incomplete. The list includes policies that are more pertinent to conservation rather than hydrology and water quality (creek and wetland protection). Further, not included are pertinent policies and programs from the Safety and Resilience Element, which address increased flooding and sea level rise. Please add data and analysis on inundation levels and incorporate appropriate mitigation measures into the EIR.

Response to Comment 5-40

The Draft EIR included policies from *The City of San Rafael General Plan 2020* and Draft *San Rafael General Plan 2040*, which was not yet adopted at the time of the Draft EIR's preparation. The discussion has been updated in the Final EIR to reflect the adopted 2040 general plan and remove references to the 2020 general plan.

Comment 5-41

3. Mitigation Measure BIO CNST-5 requires the development of a Stormwater Pollution Prevention Plan (SWPPP) to address temporary construction and permanent operations water quality impacts. The Downtown San Rafael Precise Plan (DTPP) includes several suggested water quality measures to be incorporated into new development. Further, the DTPP recommends the implementation of "green infrastructure" along 3rd and 4th Streets within the study area, which would include measures such as permeable pavement. These measures need to be added to this DEIR mitigation measure.

Response to Comment 5-41

The comment suggests that the Final EIR revise Mitigation Measure MM-BIO-CNST-5 to include potential green infrastructure options. The Stormwater Pollution Prevention Plan (SWPPP) is a stand-alone mitigation measure based on the regulatory requirements of the National Pollutant Discharge Elimination System Construction General Permit, which is separate from the City's *Downtown San Rafael Precise Plan*. No revisions have been made to the mitigation measure. However, language regarding consideration of stormwater polices in *San Rafael General Plan 2040* and suggested improvements in the *Downtown San Rafael Precise Plan* as they relate to suggested stormwater and green infrastructure measures in the Downtown San Rafael area has been incorporated into the discussion in Section 3.9, Hydrology and Water Quality, in the Final EIR.

Comment 5-42

4. This section provided limited to no discussion about sea level rise. Although not a topic area that is currently mandated for analysis by the CEQA Guidelines, there is a lot of information available about projected sea level rise in San Rafael's central basin. Sources include the San Rafael General Plan 2040, Downtown San Rafael Precise Plan, and the certified FEIR that has been prepared for these plans. As

part of the NOP process, the City requested that the DEIR assess the potential risk of projected sea level rise. Please add a discussion of sea level rise to this DEIR section.

Response to Comment 5-42

Sea level rise is addressed in several applicable sections in the Draft EIR. Section 3.7, Greenhouse Gas Emissions, notes sea level rise as a consequence of climate change (page 3.7-12 of the Final EIR).

CEQA generally does not require that public agencies analyze the impact existing environmental conditions might have on a project's future users or residents, according to the California Supreme Court's decision in *California Building Industry Association v. Bay Area Air Quality Management District*. Therefore, in the context of sea level rise, Section 3.7 of the EIR analyzes the proposed project's contributions to GHG emissions, which are a primary cause of sea level rise. As stated in Section 3.7, operation of the proposed project is not expected to increase vehicle miles traveled (VMT) and would support the shift from automobiles to public transit. Additionally, the proposed project is a transit-supportive project and by its nature would encourage the use of public transit to reduce single-occupancy vehicle trips, VMT, and associated GHG emissions.

The analysis is not required to consider the effects of future sea level rise on the proposed project. Nevertheless, the analysis includes a discussion of the susceptibility of the existing transit center, the preferred alternative, and the build alternatives to inundation due to sea level rise in Section 3.9, Hydrology and Water Quality (page 3.9-11 of the Final EIR). The analysis revealed that flooding frequency is expected to increase as climate change influences sea level rise. The existing transit center site was assessed for projected changes in inundation potential resulting from sea level rise using the Our Coast Our Future visualization tool, which displays data from the Coastal Storm Modeling System (Point Blue Conservation Service and United States Geological Survey 2017). This model presents projected flood conditions under various sea level rise elevation scenarios, including 0.8 foot, 1.6 feet, 2.5 feet, 3.3 feet, and 4.1 feet. Under existing conditions, the Our Coast Our Future model shows that the existing transit center does not face flood risk from a no-storm or annual storm scenario. This model shows that the southern portion of the existing transit center would begin to experience partial, intermittent inundation from a no-storm scenario and an annual storm scenario at the 4.1-foot sea level rise scenario. During stronger storm events, the extent of flooding increases. The model shows that the existing transit center begins to face partial inundation from a 100-year (1 percent annual chance) storm at the 3.3-foot sea level rise scenario. The frequency and reach of inundation would increase as sea level rise increased. The sites of the Move Whistlestop Alternative and other build alternatives vary in susceptibility to flooding based on their location relative to San Rafael Creek, which is south of the project area. The model shows that the Move Whistlestop Alternative (proposed project) and build alternatives would not experience inundation under no-storm or annual storm conditions at the 4.1-foot sea level rise scenario. The Move Whistlestop and Adapt Whistlestop Alternatives could be partially, intermittently inundated by a 100-year storm under the 3.3-foot sea level rise scenario, similar to the existing transit center. The 4th Street Gateway and Under the Freeway Alternatives would have similar but relatively lower risk of inundation in a 100-year storm under the 3.3-foot sea level rise scenario because they are farther from San Rafael Creek.

As requested, information and policies related to sea level rise from *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan* have been added to the Final EIR in Section 3.9. The proposed project would comply with applicable policies related to sea level rise.

Comment 5-43

J. Land Use and Planning

1. On page 3.10-7 and 3.10-8 is a discussion of the City Zoning Ordinance. Referenced are four City zoning districts that cover the project study area. It should be noted that while these zoning districts existed and governed the study area at the time the NOP was published, the City has since rezoned Downtown properties to the Downtown Mixed-Use (DMU) District as part of the adoption of the Downtown San Rafael Precise Plan. A discussion of the San Rafael General Plan 2040 and Downtown San Rafael Precise Plan is provided further along in this DEIR section. The latter section needs to be revised to state that the DTPP includes a regulatory element, which is essentially a zoning ordinance for Downtown that replaced the previous zoning and much of the SRMC Title 14 (Zoning) regulations.

Response to Comment 5-43

Text throughout the Draft EIR that references *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan* has been revised and updated to reflect City's adoption of these plans in August 2021. Section 3.10.1.1 has been revised in the Final EIR to describe the new zoning designations contained in the *Downtown San Rafael Precise Plan* and identify the applicable zoning designations in the build alternative footprints. Most of this area is designated as T5MS (Main Street), which has the intent to facilitate a "walkable, urban neighborhood environment with large footprint, high-intensity mixed-use buildings in close proximity to the multimodal transit station, with neighborhood-serving shopping and services." A portion of the project area is designated as T5N, which is a high-density designation that has the intent to facilitate a "walkable neighborhood environment of large footprint, high-intensity mixed-use buildings, supporting and within short walking distance of neighborhood shopping, services, and transit" (City of San Rafael 2021b).

These updates to the City's zoning conventions do not result in any significant impacts related to inconsistencies with applicable zoning that were not already addressed in the Draft EIR.

Comment 5-44

2. A discussion of the "Under the Freeway Alternative" is provided on page 3.10-11. This discussion notes that the dominant zoning classifications for this site option are the R/O and C/O Districts. This is not correct. Most of the property that encompasses this site option is owned by Caltrans, which has no zoning classification. As noted above under comment C.2.c, the Caltrans property is part of the public road right-of-way which the City does not zone. Please correct this discussion.

Response to Comment 5-44

This comment suggests that Section 3.10, Land Use and Planning, should be revised to clarify the applicability of the City's zoning designations to Caltrans properties included in the footprint of the Under the Freeway Alternative. Section 3.10 has been revised to update the residential/office (R/O) and commercial/office (C/O) zoning designations to the T5N designation per the City's current zoning code and to clarify that this designation is present in the project area outside of the land owned by Caltrans, and that the land owned by Caltrans is not subject to City zoning. Please also see the response to comment 5-14, which addresses related revisions to Chapter 2, Project Description.

Comment 5-45

K. Noise

1. Page 3.11-20 includes a discussion of vibration-sensitive historic buildings within and adjacent to the study area. The 927 Tamalpais Avenue building (Trevor's, formerly the Barrel House) is noted as not being a historic resource. However, as discussed in comment G.4 above, this building is a contributor to a potential historic district, so it is considered a potential historic resource. Please revise accordingly.

Response to Comment 5-45

The proposed East Downtown Core Historic District boundary was updated after the Draft EIR noise analysis was completed.

Refer to the response to comment 5-34 for a description of the building at 927 Tamalpais Avenue. As described in that response, the demolition of this building under the Move Whistlestop Alternative would alter physical elements that support the historic character of the East Downtown Core Historic District along its eastern edge. However, these activities would not disrupt the significant qualities of continuity and linkage to the extent that the historic district would have a substantially diminished ability to convey its significant physical development and architectural character. Section 3.11 has been revised to be consistent with the revisions to Section 3.4, Cultural Resources.

Comment 5-46

2. Pages 3.11-22 and 3.11-23 includes a discussion of sources of construction noise and vibration. The impact assessment is provided on pages 3.11-26 through 3.11-27. There is no mention in this discussion about the need for pile driving. Listed among the construction noise sources in Table 3.11-12 is a "drill rig," which is common equipment associated with pile driving. Please clarify if pile driven piers will be used for construction and if so, the DEIR needs to assess the noise and vibration impacts associated with this activity and identify appropriate mitigation measures.

Response to Comment 5-46

The comment expresses concern about the potential use of pile driving as a part of project construction. No piles are expected to be driven as a part of project construction for any of the alternatives. Reference to the use of a drill rig has been removed from Tables 3.11-2, 3.11-12, and 3.11-13 in Section 3.11, Noise, of the Final EIR.

Comment 5-47

L. Population and Housing

1. On page 3.12-2, it is stated that the City is in the process of updating the Downtown San Rafael Precise Plan (DTPP), which is not correct. The DTPP is a new Plan under the umbrella of the updated San Rafael General Plan 2040. Please revise the DEIR accordingly.

Response to Comment 5-47

The comment points out that the *Downtown San Rafael Precise Plan* is incorrectly described as an update to a previous plan. Section 3.12, Population and Housing, has been revised in the Final EIR to clarify that the *Downtown San Rafael Precise Plan* is not an update to an existing plan and that, rather, it was developed to accompany *San Rafael General Plan 2040*. This clarification does not change any conclusions presented in the Draft EIR related to population and housing.

Comment 5-48

2. Projected population, housing and employment projections for San Rafael are presented on page 3.12-3 through 3.1-5. As the DEIR relies on use of the San Rafael General Plan 2020, the projection information is correct. However, the recently adopted San Rafael General Plan 2040 and DTPP project slightly higher growth by 2040. The text in this section needs to acknowledge these more current Plan documents and that projected growth for City and the Downtown area is higher than previously planned. Please revise accordingly.

Response to Comment 5-48

The population data, projections, and analysis provided in Section 3.12, Population and Housing, are based on the most readily available data provided by the California Department of Finance, U.S. Census Bureau, California Employment Development Department, and Association of Bay Area Governments Projections 2040 at the time the Draft EIR analysis was conducted. The analysis did not rely directly on the projections data provided in *The City of San Rafael General Plan 2020*. Furthermore, as noted in the section, the San Rafael Housing Element, which pertains to population and housing analysis, was not updated as part of *San Rafael General Plan 2040*, because the existing element covers 2015 to 2023. The project is not a growth-inducing project and replaces an existing transit center. Section 3.12 was revised to replace references to *The City of San Rafael General Plan 2020* with references to *San Rafael General Plan 2040*. The comment does not raise any issues about the adequacy of the EIR; therefore, no further revisions are required.

Comment 5-49

3. Regarding resident displacement, the discussion of the "Under the Freeway Alternative" is incorrect. This site option would result in the demolition of 1011 Irwin Street. This property is developed with a single-family residential structure, which is occupied/utilized as a residence. Therefore, the DEIR finding regarding the displacement of residents needs to be changed to be potentially significant impact and appropriate mitigation measure is required to off-set this impact.

Response to Comment 5-49

The impact analysis in Section 3.12, Population and Housing, has been revised in the Final EIR to include the residence at 1011 Irwin Street. Nonetheless, the impact would be less than significant, as the proposed project would not displace *substantial* numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. The Final EIR has been updated to reflect this addition.

Comment 5-50

M. Public Services and Recreation

1. Under the Local Regulatory Setting and Methodology sub-sections, the Downtown San Rafael Precise Plan (DTPP) is listed with the San Rafael General Plan 2040 resources. As the DTPP includes several recommendations related to public services and recreation within the public realm, it is critical that those recommendations be included to accompany the discussion of San Rafael General Plan 2040. Please see DTPP Figure 4.10 which presents the recommended framework of Downtown's public realm design. Among the public realm design recommendations within the study area include the following, which are not addressed in the DEIR:

- a. A SMART Transit Plaza along 4th Street between Tamalpais Avenue and Hetherton Street
- b. Green civic space (lineal park) along Tamalpais Avenue between 5th Avenue and 2nd Street.

Response to Comment 5-50

The comment suggests that the recommendations pertaining to public services and recreation included in the *Downtown San Rafael Precise Plan* be included in the Draft EIR analysis. The recommendations within the *Downtown San Rafael Precise Plan* provide a vision, rather than strict regulatory requirements, of what the Downtown area should look like. Nonetheless, during final project design, the design recommendations in the *Downtown San Rafael Precise Plan* would be considered to the extent feasible. The comment does not raise any issues about the adequacy of the EIR; therefore, no further response is required.

Comment 5-51

2. Page 3.13-3 needs to be revised to accurately reflect current police data: This paragraph should be changed as follows:

The San Rafael Police Department, headquartered at San Rafael City Hall, provides police services to the City. A new 44,000-square-foot Public Safety Center opened in August 2020 across the street from the existing facility. As of September 1st, 2021, the San Rafael Police Department had a total of 67 full-time sworn personnel and 29 full-time non-sworn personnel, for a total staff of 96. This equates to 11.2 sworn personnel per 10,000 residents and 16 total personnel per 10,000 residents (City of San Rafael 2020c). The closest police facility to the project area is the Public Safety Center, approximately 2,500 feet northwest of the project area. The San Rafael Police Department is organized into two divisions: the Operations Division, which includes patrol, park rangers, Downtown foot beat, and traffic enforcement; and the Administrative Services Department, which includes records, dispatch personnel, training, crime prevention, community engagement, and detective units (City of San Rafael 2020c). In 2020, the San Rafael Police Department received 23,532 emergency calls and 21,079 lower priority calls. This equates to an average of 3,717 emergency calls a month or about 124 per day.

Response to Comment 5-51

The comment states that information regarding the San Rafael Police Department in Section 3.13, Public Services and Recreation, of the Draft EIR needs to be updated. The information provided by the City was dated September 2021, which is after the Draft EIR was released in August 2021 for public review. The information contained in the Draft EIR provides the most up-to-date information that was available at the time the Draft EIR was written and released. However, Section 3.13 has been updated in the Final EIR to include the information provided in the City's comment (page 3.13-3 of the Final EIR).

Comment 5-52

N. Transportation

1. *In general, the transit circulation time and the vehicular delays seem to improve with the Under the Freeway alternative simply because it is further away from the existing congestion along Hetherton Street, Second Street and Third Street. Staff concurs with the results shown in the report.*

Response to Comment 5-52

The comment provides an observation about the results presented in Section 3.14, Transportation. The comment does not concern the adequacy of the EIR and no further response is required.

Comment 5-53

2. This section of the DEIR provides a detailed list of pertinent policies and programs from the recently adopted San Rafael General Plan 2040 Mobility Element. However, not included is a discussion of the Downtown San Rafael Precise Plan (DTPP), which was recently adopted in tandem with the adoption of the General Plan 2040. The DTPP includes many policies, goals and implementing measures related to mobility and the Downtown transportation network. A discussion of this Precise Plan needs to be included in this section.

Response to Comment 5-53

Relevant policies and programs identified in the *Downtown San Rafael Precise Plan* have been added to the regulatory setting of Section 3.14, Transportation, in the Final EIR. Additionally, Table 3.14-4 has been revised in the Final EIR to include these relevant policies and programs and Section 3.14.2.3 has been revised in the Final EIR to include consistency analyses for all alternatives under Impact TRA-1, *Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle, and Pedestrian Facilities*. The addition of *Downtown San Rafael Precise Plan* policies, programs, and relevant analysis does not result in new significant impacts and does not substantially increase in the severity of any environmental impacts studied in the EIR.

Comment 5-54

3. The Draft EIR states that there are two justifications for replacing the existing transit center and states that:

a) following the impact on some of the transit center facilities that resulted from the implementation of the SMART Phase 2 line to Larkspur.

And

b) A new transit center solution in Downtown San Rafael would address near-term and long-term transit needs while improving the desirability and usability of transit for the local community and region.

However, the DEIR relies on outdated transportation data from 2015 and 2017. For example, the DEIR cites the following data:

- *Golden Gate Transit Ridership from 2017 and Marin Transit Ridership from 2017*
- *Mode splits based on on-board surveys provided by Marin Transit (2017) and Golden Gate Transit (2015)*
- *Golden Gate Transit GFI, Marin Transit GFI, and MTC Clipper Data (each data source from October/November 2017)*

According to Golden Gate's own analysis published July 21, 2021 and presented to the Board on July 22, 2021 concludes the following:

- *Bus ridership is down 74% compared to pre pandemic levels.*

- *We reduced pre-COVID bus service by about 50%.*
- *Ferry ridership is down 93% compared to pre pandemic levels.*
- *Pre-pandemic, fares provided over 50% of ferry operating revenue.*
- *Bridge traffic is down 17.6%*

Therefore, the Draft EIR needs to be revised to:

- *reflect actual Existing Conditions at the Transit Center, not historic conditions.*
- *justify replacing the Transit Center based on actual Existing Conditions*
- *reflect the uncertainty of continued SMART train operations after 2029*
- *incorporate District's recommendations to its own Board*

Response to Comment 5-54

This comment indicates that transportation data in the analysis are outdated due to the impacts of the COVID-19 pandemic, based on current transportation data from 2021. Because the pandemic is a moment in time and temporary and the effects of the pandemic on circulation continue to evolve, the Draft EIR's use of pre-pandemic conditions represents the best information available to estimate post-pandemic travel patterns. This approach is also consistent with *San Rafael General Plan 2040*, which relies on pre-pandemic data and information.

The transit center is anticipated to have a lifespan of several decades and therefore needs to be designed to accommodate future growth as specified in *San Rafael General Plan 2040*. The City's travel demand forecast used in the 2040 General Plan Update Draft EIR forecasts a 15-percent increase in transit trips relative to pre-pandemic conditions among San Rafael workers and residents. This is similar to a 12-percent increase in transit trips countywide. Therefore, the design accounts for the anticipated future needs for transit, as envisioned in *San Rafael General Plan 2040*.

It is also noted that the transit center sizing is dependent on the amount of service (number of buses) that passes through the transit center and is not directly related to ridership levels. In a May 2021 presentation to the Marin County Transit District (Marin Transit) Board, Marin Transit staff indicated that the number of weekday bus trips through the transit center actually increased during the pandemic. Therefore, the need for a transit center of the size and configuration included in the project alternatives has remained, or even increased, given the size and flexibility constraints of the existing transit center.

Additionally, the changes in geometry from the addition of the SMART tracks had a permanent, continuing effect on the existing transit center and reduced the existing transit center's capacity, usability, and internal circulation. Many of these effects are independent of SMART train operations and are part of the reason that a new transit center is required.

The statistics referenced from the District Board presentation reflect statistics for the system as a whole and do not represent activities at the transit center. The greatest magnitude of change in ridership on District service is associated with express service to San Francisco and ferry service. Most of those services do not use the transit center. As noted in a November 1, 2021, letter received from Marin Transit General Manager Nancy Whelan, Marin Transit accounts for 80 percent of the daily trips at the transit center. Ridership on Marin Transit services has been much less affected by the pandemic, as essential workers have continued to rely on Marin Transit and other transit

services to access employment and other destinations. As of September 2021, Marin Transit ridership was rebounding to approach pre-pandemic levels, representing an 82-percent increase from the previous year. This reflects a pattern indicating a near-term return to pre-COVID ridership levels along with continued operation of pre-COVID service levels.

Comment 5-55

4. The District should study demand changes over time and provide a better understanding of what future ridership might look like. This could impact overall bus routes/schedules, may change the space needed to accommodate bays and would provide more clarity on overall traffic impacts to nearby streets. The City Council previously provided comments on the ridership assumptions and asked for more information that demonstrates that the new transit center is actually needed. The EIR needs to include results of the demand changes over time.

Response to Comment 5-55

This comment questions the future of transit ridership. The City's travel demand model used in the 2040 General Plan Update Draft EIR forecasts a 15-percent increase in transit trips among San Rafael workers and residents and a 12-percent increase in the overall quantity of transit trips countywide. As these estimates were the basis of circulation planning in *San Rafael General Plan 2040*, they represent the best estimates for future ridership and future ridership growth at the transit center. Regarding the continued need for a transit center, it is noted that Marin Transit has increased the total amount of local service by nearly 50 percent in the last 10 years. Both transit operators are well funded through dedicated revenue sources. There is no reason to expect that transit service levels would decrease in the future, and such a finding would be contrary to the findings and assumptions used in *San Rafael General Plan 2040*.

Comment 5-56

5. Regarding the LOS and VMT analyses (presented in DEIR Appendix C), the LOS impact findings for the Build Alternatives are arguable. The document concludes that the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative" will result in a reduction in intersection delay. From a non-technical, common-sense standpoint, this finding does not seem supportable. Unlike the current transit center access points along 3rd and 2nd Streets (both arterials), transit center access under this alternative is being introduced along 4th Street. Introducing primary access along 4th Street may also create conflicts with both pedestrian and bicycle traffic, as well as local vehicle traffic. This would result in an impact that needs to be evaluated in the EIR. Please revise accordingly.

Response to Comment 5-56

This comment pertains to the level of service (LOS) and VMT analyses referenced in Section 3.14 of the Draft EIR. The City questions the findings of these analyses and suggests a different characterization of impacts related to intersection delay. The project's Transportation Summary Report, which is Appendix E to the Final EIR (Appendix C to the Draft EIR), describes the inputs and the results of a detailed microsimulation analysis performed to calculate transportation network performance and delays. As described in the Transportation Summary Report and Section 3.14 of the EIR, the Move Whistlestop Alternative and Adapt Whistlestop Alternative would significantly reduce bus circulation on City streets in the congested area around the existing transit center, resulting in a reduction in intersection delay. 2nd Street is a highly congested arterial. The removal of extensive bus circulation and bus-turning movements at the transit center driveway would

improve operations on 2nd Street. Bus access to the transit center with the Move Whistlestop and Adapt Whistlestop Alternatives would occur at or near existing streets and driveways along 4th Street and would not introduce new hazards. The use of transit center driveways would be limited to professionally trained transit drivers. Unlike existing movements in and out of the Citibank driveway at 4th Street, all bus movements would be limited to right-in/right-out, which would reduce the potential for hazardous conflicts relative to the No-Project Alternative. There is no track record of incidents related to bus movements in or out of the existing transit center site and no reason to expect the creation of new safety hazards at the project driveways. Additional text regarding consideration of the circulation safety aspects of the project alternatives has been added to the Final EIR.

The proposed 4th Street, Move Whistlestop, and Adapt Whistlestop Alternatives would substantially reduce the number of vehicles crossing the sidewalk along the south side of 4th Street, improving pedestrian and bicycle safety. An analysis of the existing Citibank trip generation (based on the ITE Trip Generation Manual, 11th Edition) and existing auto volumes on both West and East Tamalpais Avenues at 4th Street compared against the proposed Move Whistlestop and Adapt Whistlestop Alternatives' bus trip generation showed that peak-hour trip volumes crossing the 4th Street sidewalk would decrease by over 100 peak hour trips in both the a.m. and p.m. peak hours. Additionally, existing left-turn movements from both East Tamalpais Avenue and the Citibank driveway would be removed and all bus movements into and out of the transit center and Tamalpais Avenue would be right-turn only. This would further reduce the number of conflicts that exist today. Furthermore, all vehicle movements across the 4th Street driveway would be made by professionally trained drivers with a proven safety record at the existing transit center. These factors all contribute to a reduction in conflicts and substantial benefit to vehicle, bicycle, and pedestrian safety with the project. The project would not result in any safety impacts.

Comment 5-57

6. The DEIR concludes that the elimination/displacement of public parking to develop the "Under the Freeway Alternative" would result in a significant, unavoidable environmental impact (page 3-14.28). This finding is not substantiated and is no longer a stand alone CEQA-related impact. This conclusion is concerning for the following reasons:

a. This DEIR finding relies on this parking displacement being inconsistent with draft General Plan 2040 Policy M-7.9 (Parking for Transit Users) and Program M-7.9a (Commuter Parking). Per the CEQA Guidelines, the DEIR is to rely on the plan documents that were adopted and in effect at the time the NOP was published/released (NOP memorializes the "setting" for analysis, which is discussed above under General Comments). Throughout the DEIR, it is clear and apparent that the document findings are based on consistency with the former General Plan 2020 policies and programs; use of the General Plan 2040 is exclusively referenced only here (and under no other DEIR impact statement) to reach an environmental finding. This approach is arbitrary and as a result may present the Under the Freeway Alternative in a more negative light than may be properly warranted.

b. The CEQA Guidelines no longer consider the "displacement of parking" or "impacts to parking" to be an impact on the physical environmental. Parking as a topic area of impact was removed from the CEQA Initial Study Checklist approximately 15 years ago. This discussion and the link to environmental review needs to be revised to include context on why it is no longer a stand-alone CEQA impact.

Response to Comment 5-57

This comment pertains to the impact determination related to the removal of commuter parking in the Under the Freeway Alternative analysis. Both 2020 and 2040 general plan policies were considered in the transportation analysis in the Draft EIR. The Draft EIR identified inconsistencies with the following commuter parking policies from *San Rafael General Plan 2040*:

Policy M-7.9: Parking for Transit Users. Support regional efforts to fund and construct commuter parking along transit routes, near commuter bus pads, and near inter-modal commuter hubs in order to support use of transit. Parking areas should include secure parking for carpools, bicycles and other alternative modes and should minimize neighborhood impacts.

Program M-7.9A: Commuter Parking. Regularly evaluate the need for parking around the SMART stations and San Rafael Transit Center, as well as ways to meet that need.

In regard to item (a) in the comment, while CEQA no longer considers the “displacement of parking” or “impact to parking” (absent secondary or indirect impacts that would occur as a result of the elimination of the parking), the elimination or displacement of public parking in this alternative resulted in a significant, unavoidable environmental impact because it is not consistent with policies from *San Rafael General Plan 2040* and there are no mitigation measures or alternative locations where the commuter parking could be replaced to allow for this alternative to comply with the policy. With the removal of the Caltrans park-and-ride lot spaces, the amount of commuter parking available would be reduced, in conflict with this *San Rafael General Plan 2040* policy. The City could elect to replace the affected commuter parking in another location should one be identified; however, the costs and any impacts of that replacement parking are not assumed in the project description or environmental analysis. Such an undertaking would not be a part of the proposed project and, therefore, the impact related to inconsistency with the *San Rafael General Plan 2040* commuter parking policy remains significant and unavoidable.

In meetings following the close of the Draft EIR’s public comment period, City staff suggested that the District might choose to put parking on the existing transit center site. However, doing so would affect the development potential of the existing transit center site and conflict with the MOU between the District and SMART, which states that the District will use the proceeds from the sale of the site to assist in funding the proposed project.

Comment 5-58

7. The DEIR based the conclusion of significant impacts on the Transportation Summary Report (TSR). City staff made specific comments about the TSR and submitted them to Golden Gate Transit in writing. The comments included several significant gaps in the analysis. None of the comments were addressed in the DEIR. There were comments about the shortfalls of pedestrian trips assumptions, underplaying the impacts of bringing the pedestrian and bicycle activities towards Fourth Street, and the lack of recognition of vehicle storage and queueing in the heart of the pedestrian area of downtown. These concerns have not been addressed; indeed the City’s comments have never been responded to. In summary the EIR needs to be revised to address the following:

a. The pedestrian analysis assumes a destination in the downtown to compare the alternatives. The report did not analyze destinations to the High School and to the Canal. The City has invested transportation dollars (Grand Avenue Bridge and E Francisco Boulevard Sidewalk) to encourage the arrivals of multimodal trips from the Canal. While it is difficult to capture and compare the overall pedestrian experience between the alternatives, the report fell short of describing the existing pedestrian safety issues that could be attributed to the legal and illegal crossings. The Gateway

alternative suggests several driveways ensuring proper circulation for the busses without recognizing the detriment of the pedestrian experience. The Draft EIR needs to be revised to address existing pedestrian safety records and the association of it with numerous and large driveways.

b. The report Non-Motorized Transportation Section 5.0 was built on incomplete assumptions of pedestrian circulation in general, and on similar inaccurate assumptions specific to the transit center. None of the assumptions made were introduced nor discussed with City staff prior to the preparation of these analysis. Staff mentioned this previously and indicated that major overhaul of the assumptions and the presentation of pedestrian comparisons of the pedestrian travel will be required. Staff was never contacted subsequent to providing these comments. The EIR will need to be revised to accurately reflect pedestrian circulation patterns.

c. All alternatives result in circulation challenges caused by the short sizes of the blocks west of Heatherton Avenue. The block sizes were bisected by the SMART tracks leaving the City with short blocks affecting the ability to store vehicles leaves us with the challenge of clearing the tracks during excessive queuing times. The DEIR does not discuss the critical nature of queueing near railroad tracks. This is an environmental and safety issue that needs to be in the center of the considerations. The EIR needs to be revised to recognize the environmental disadvantages of having large vehicles, on short blocks, near at-grade rail tracks, and the potential impacts of gridlock near moving trains.

d. The No-Build Alternative is presented as an alternative because CEQA mandates it to be part of the analysis. The report falls short of describing the existing conditions from a multimodal and functional point of view. Please revise the EIR to provide an accurate description as noted.

Response to Comment 5-58

This comment pertains to the pedestrian analysis, pedestrian circulation, and queueing at the SMART train tracks.

The transportation analysis provided in the Draft EIR does include an analysis of pedestrian trips to the high school as requested by the City. Pedestrian trips to the Canal neighborhood would follow a similar path of travel in the area immediately around the transit center alternatives and therefore would have identical findings to the analysis of the path of travel to the high school. Based on further discussion with the City, the District has performed additional safety analysis and findings have been included in the Final EIR.

The safety analysis included an analysis of existing collision patterns, including collisions that involved pedestrians and bicyclists. It identified a history of severe injury and fatal collisions adjacent to the existing transit center, reflecting the existing barriers to transit access. The analysis identified that all build alternatives included safety measures that result in improved safety relative to the No-Project Alternative. An analysis of pedestrian pathways identified that the Move Whistlestop Alternative provided the greatest benefit to pedestrian and bicycle safety for the following reasons:

- All transfers between transit services would occur on the same block, avoiding the need to cross any auto-serving streets, as exists with the No-Project Alternative and other build alternatives.
- It would reduce the number of vehicle-pedestrian conflicts on 4th Street relative to the No-Project Alternative and improve the safety of remaining conflicts by limiting all conflicts to professionally trained bus drivers making right-turn movements only.

- Along with the 4th Street Gateway Alternative, it would result in the shortest walking path with the fewest conflicts for pedestrians accessing Downtown San Rafael, the primary destination for the approximately half of transit center users who walk or bike to access the transit center.
- The realignment of Tamalpais Avenue would result in shorter crossing distances with better visibility relative to the Adapt Whistlestop Alternative.

The City comment references incomplete and inaccurate assumptions; however, no specific examples or further description of this assertion is included, nor was one previously provided by the City. A detailed pedestrian routing analysis for each of the improvement alternatives based on both pre-COVID count data and an assessment of changes to pedestrian paths of travel with the project were performed to develop pedestrian volumes used in the simulation modeling. The pedestrian routing analysis utilized existing and project future volumes and shifted pedestrian trips based on the location of the transit services in each of the build alternatives. Analysis of on-board survey data and pedestrian volumes indicated varying levels of pedestrian demand to destinations around the transit center, most prominently to Downtown San Rafael to the north and west of the existing transit center. Those existing patterns were utilized to shift crosswalk volumes at all applicable study intersections with each build alternative. This results in a significant reduction in pedestrian volumes crossing 3rd Street with all build alternatives. The Under the Freeway Alternative would result in an increase in pedestrian volumes across Hetherington Street.

The VISSIM model used for the transportation analysis did evaluate queuing throughout the study area. The analysis did not identify any safety hazards newly generated or exacerbated by the project alternatives as a result of queuing or other traffic circulation. The short blocks, frequent bus movements, railroad crossings, and high levels of congestion all exist today. Additional safety analysis and findings discussing the effect of the project alternatives on pedestrian safety have been included in the Transportation Summary Report (Appendix E of the Final EIR).

The Draft EIR included discussion of the existing and No-Project Alternative transit, bicycle, and pedestrian facilities in Section 3.14.1.2.

Comment 5-59

8. The LOS data is presented using VISSIM numbers which are not consistent with the method used to calculate the LOS by the City. Please revise EIR to reflect methodology that is consistent with what the City uses.

Response to Comment 5-59

This comment pertains to the LOS analysis. The VISSIM analysis was performed for informational purposes to compare the circulation of the different alternatives. An LOS analysis is not required by CEQA or by the City, as the project would not generate any new traffic trips and lies within the Downtown core. Additionally, the City's recently adopted Transportation Impact Analysis Guidelines specifically encourage the use of microsimulation analysis in areas with highly congested conditions and multimodal areas. Therefore, City-adopted guidelines support the analysis approach documented in the Transportation Summary Report (Appendix E of the Final EIR).

Comment 5-60

Topic: Transportation

9. Although the LOS is calculated through the model and is not the real LOS, the report offered no comparative summaries of the LOS impacts to allow decision makers to make informed decisions. Please revise the EIR to include comparative summaries.

Response to Comment 5-60

This comment suggests that the EIR should include more detailed discussion of LOS analysis. Automobile delay, as described solely by LOS or a similar measure of traffic congestion, is no longer considered to be an indicator of potentially significant impacts under CEQA. Therefore, the EIR does not need to include a comparative discussion of LOS modeling results. No revisions to the Draft EIR are required.

Comment 5-61

10. Queueing is not typically an environmental issue. However, given the environment and the safety implication of queueing it needs to be included in the environmental assessment.

Response to Comment 5-61

This comment pertains to queueing. Please see the response to comment 5-58.

Comment 5-62

11. The DEIR failed to recognize the inadequacy of the design at Third and Hetherton intersection with both Whistlestop alternatives. The introduction of a second southbound right turn from Hetherton onto Third Street could be detrimental to vehicle and pedestrian safety and traffic flow. There are two major and fundamental issues with the second southbound right turn. The first is the addition of a significant exposure of pedestrians in the crosswalk. While there are no rules against the practice in general, local experience shows documented issues with it. The City eliminated a crosswalk on the south side of the same intersection to eliminate the vehicle pedestrian conflict after a series of accidents occurred there. The suggestion of adding the additional turn lane will likely be rejected by the City for many reasons. The second issue is the receiving block capacity in the westbound direction on Third Street is very limited. It is further constrained during the SMART train preemption. The impact of not having the block storage capacity is deflected onto the north/south crosswalk and the number three southbound lane on Hetherton. These are serious impacts under the threshold question of whether the project would "Substantially increase hazards due to a geometric design feature". The City considers the option of creating congestion due to vehicles waiting to turn onto Third Street, effectively eliminating a southbound travel lane on Hetherton, to be an unsafe solution that will create significant traffic issues in this heavily travelled area of San Rafael. It is an inadequate and unsafe design that could potentially jeopardize pedestrian and vehicular safety. These impacts were not recognized by the TSR nor by the DEIR and the DEIR needs to be revised to adequately analyze these impacts.

Response to Comment 5-62

This comment expresses concern with the second southbound right-turn lane from Hetherton Street onto 3rd Street included with the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives. The second southbound right-turn lane was introduced to address a request by the City

during the early stages of the project regarding the need to increase capacity for that movement. However, based on the City's comments, the District has identified design modifications to the proposed project layout that fully control the conflict between pedestrians and the southbound right-turn movement and address the City's concern. The proposed configuration would include a signalized control for the right-turn lanes and the pedestrian phase, eliminating the vehicle-pedestrian conflict, providing a substantial safety benefit relative to no-build conditions. This solution was discussed with the City on February 17, 2022, along with examples of similar implementations and detailed traffic analysis results. Response from City staff at the meeting was positive about the proposed improvement. Chapter 1, Introduction, and Chapter 2, Project Description, of the Final EIR have been revised to describe these modified project features. Figures 2-4, 2-5, and 2-6 in the Final EIR contain updated site layouts for the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives, respectively. Traffic analysis included in the updated Transportation Summary Report reflects this proposed operation and indicates a significant benefit to circulation and reduction in congestion with the new design solution. Therefore, the proposed project would eliminate existing hazards and no project impact would be realized.

Comment 5-63

12. The DEIR does not discuss the critical nature of queueing near railroads tracks. This is an environmental and safety issue that needs to be evaluated. The DEIR needs to recognize the environmental disadvantages of having large vehicles, on short blocks, near at-grade rail tracks, and the potential impacts of gridlock near moving trains. Please revise accordingly.

Response to Comment 5-63

This comment pertains to queueing. Please see the response to comment 5-58.

Comment 5-64

O. Wildfires

1. The City of San Rafael adopted the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan in November of 2018. Page 3.17-4 needs to be revised to accurately reflect this change.

Response to Comment 5-64

Section 3.17.1.1, Regulatory Setting, has been updated in the Final EIR to include the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan. This plan provides information on risks posed by natural hazards and develops mitigation strategies for reducing Marin County's risks. The plan's mitigation goals aim to reduce the possibility of damages and losses resulting from earthquakes, liquefaction, dam failure, severe storms, tsunami, wildfire, and post-wildfire debris flow. The addition of this plan does not change the project area's susceptibility to wildfires. No change in conclusions related to wildfires would result.

Comment 5-65

2. Fire Ordinance, Chapter 4.12 applies to the Wildland UI- however it also applies vegetation standards Citywide. Please revise page 3.17-4 accordingly.

Response to Comment 5-65

Section 3.17.1.1, Regulatory Setting, has been updated in the Final EIR to clarify that the wildfire-related vegetation management standards in the City's Fire Ordinance apply citywide. This change would not change any conclusions presented for wildfires in the Draft EIR.

Comment 5-66*P. Alternatives to the Project*

1. Essentially, this DEIR section summarizes the document findings for the four Build Alternatives plus a "No Project Alternative." As discussed above under comment C.1 (Project Description), the "Project Objectives" which are used to define the Project Alternatives need to include the City's objectives and design goals for this project. The impact findings for each of the Build Alternatives (as well as Table 5-1) need to be updated based on the comments presented herein. For example, 927 Tamalpais Avenue (Barrel House) is a contributor to a potential historic district, so it is a potential historic resource. Demolition of this building under the "Move Whistlestop Alternative" and "Adapt Whistlestop Alternative" would result in the demolition of this building, which is a significant impact. The EIR needs to be revised as noted above. Each of the alternatives need to be reevaluated against the City's objectives as well, to disclose the extent to which the alternatives do or do not meet those objectives in addition to the GGBHTD's objectives.

Response to Comment 5-66

Summaries of the alternatives in Chapter 5, Alternatives to the Project, have been updated in the Final EIR to reflect the revisions made to the Chapter 3 resource sections. No impact determinations were modified, so no revisions to Table 5-1 are required. Regarding the example provided in this comment of the potential impacts of demolition of 927 Tamalpais Avenue, please refer to the response to comment 5-34. This impact was determined to be less than significant in the Draft EIR and remains less than significant. Please refer to the response to comment 5-13 for a complete response regarding the City's design goals and the District's project objectives. The District's project objectives listed in Section 2.3, Project Objectives, were used to develop and evaluate the alternatives considered. Please see the response to comment 5-13, which discusses how the Draft EIR considered the City's project design goals.

Comment 5-67

2. As mentioned above, the analysis of the No-Build Alternative is inadequate. The report falls short of describing the existing conditions from a multimodal and functional point of view and overall does not evaluate the project with the same level of specificity as the other alternatives. Pursuant to CEQA section 15125.6(d) The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. Instead, the DEIR provides a meaningful analysis for each of the proposed alternatives within the document but provides only a summary for the 'No build' alternative. The DEIR needs to be revised to provide an accurate description of existing conditions as mentioned above and needs to provide the same level of comparison provided for the other alternatives

Response to Comment 5-67

Existing conditions, which is the baseline against which the project impacts are compared, are described in the Draft EIR in Section 2.2, Project Background, and in each of the Chapter 3 resource

topics under Environmental Setting. Section 5.4.1.1, Description, provides a description of the No-Project Alternative, which is what is expected to occur into the future if the San Rafael Transit Center were not relocated and the project were not constructed. Chapter 5 describes the No-Project Alternative and the impacts of the No-Project Alternative in each of the resource areas analyzed, similar to that presented for the proposed project and the build alternatives.

The City does not provide evidence that the No-Project Alternative discussion was not factual or that any details were omitted in the description of the No-Project Alternative. The No-Project Alternative was evaluated against the project objectives, which include enhancing multiple modes of the transportation network and designing a functional, attractive, and cost-effective facility. The City's comment that the No-Project Alternative does not describe existing conditions from a multimodal and functional point of view is not accurate. The City does not provide evidence as to what multimodal and functional elements of the No-Project Alternative conditions were not provided in the Draft EIR. While the City states that an accurate description of existing conditions needs to be provided, it does not identify any specific inaccuracies provided in the Draft EIR.

The Draft EIR meets the requirements of CEQA Section 15125.6(d), as it provides detailed information regarding the No-Project Alternative. Additionally, Table 5-1 of the Draft EIR provides a matrix displaying the environmental impacts of each alternative including the No-Project Alternative.

Comment 5-68

3. The DEIR concludes that the "Environmentally Superior Alternative" is the "Adapt Whistlestop Alternative." This finding is credible given that this Build Alternative would result in the least number of environmental impacts analyzed in the DEIR. However, like the "Move Whistlestop Alternative," it would result in the demolition of a potential historic resource.

Response to Comment 5-68

This comment agrees with the determination that the Adapt Whistlestop Alternative is the environmentally superior alternative. The comment states that the Move Whistlestop and Adapt Whistlestop Alternatives would both result in impacts on two historic-aged buildings (703-705 4th Street and 927 Tamalpais Avenue [Barrel House]). As described in Section 3.4, Cultural Resources, these buildings do not qualify individually as an historical resource under CEQA and no significant impact would occur.

Comment 5-69

4. Additionally, as Table 5-1 illustrates, none of the alternatives would reduce environmental impacts as compared to the preferred project; at best they are the same as the preferred project and even worse for some categories of impacts. This conclusion suggests that the District did not adequately fulfill its obligation under CEQA to consider a range of reasonable alternatives, as the Guidelines require consideration of alternatives that would feasibly attain most of the project objectives and would avoid or substantially lessen any of the significant effects of the project. (Guidelines, § 15126.6, subd. (a).)

Response to Comment 5-69

The comment suggests that the build alternatives analyzed in the Draft EIR do not avoid impacts compared to the proposed project. It should be noted that Table 5-1 is not intended to capture the

full nuance of impacts described in the Draft EIR and the designations of “no impact,” “less than significant,” and “significant and unavoidable” may not reflect small differences in the degree of impact between alternatives.

CEQA Section 15126.6 requires that an EIR consider “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” Significant impacts, all of which are reduced to a less-than-significant level with mitigation, were identified for the Move Whistlestop Alternative (proposed project) in the following resource areas: air quality, biological resources, cultural resources, tribal cultural resources, energy, GHG emissions, hazards and hazardous materials, and noise.

CEQA Section 15126.6(b) states that the EIR “must identify ways to mitigate or avoid the significant effects that a project may have on the environment” (Public Resources Code Section 21002.1). While the Move Whistlestop Alternative would not result in any significant and unavoidable impacts, in the following resource topics, the alternatives would result in lesser impacts as compared to the proposed project, the Move Whistlestop Alternative:

- **Section 3.5, Energy:** Section 3.5 determines that the Move Whistlestop Alternative would have a potentially significant impact related to construction-related energy usage and consumption. This impact is mitigated to a less-than-significant level with the implementation of Mitigation Measure MM-GHG-CNST-1, which requires the implementation BAAQMD’s Best Management Practices to Reduce GHG Emissions from Construction. While the Adapt Whistlestop and 4th Street Gateway Alternatives would also result in potentially significant impacts related to construction-related energy usage and consumption, as shown in Table 3.5-3 of the Draft EIR, the Adapt Whistlestop Alternative (8,495 million British thermal units [BTUs]) and 4th Street Gateway Alternative (8,526 million BTUs) would result in less energy consumption during construction than the Move Whistlestop Alternative (8,600 million BTUs), thereby lessening a potentially significant impact of the proposed project. Construction of these alternatives would consume less energy than construction of the Move Whistlestop Alternative, as they are estimated to require fewer truck hauling trips (i.e., less energy consumed in the form of diesel or gasoline) to remove debris.
- **Section 3.7, Greenhouse Gas Emissions:** Section 3.7 determines that the Move Whistlestop Alternative would have a potentially significant impact related to the generation of GHG emissions during construction. This impact is mitigated to a less-than-significant level with implementation of Mitigation Measure MM-GHG-CNST-1, which requires the implementation of BAAQMD’s Best Management Practices to Reduce GHG Emissions from Construction. While the Adapt Whistlestop and 4th Street Gateway Alternatives would also result in potentially significant impacts related to the generation of GHG emissions during construction, as shown in Table 3.7-4, the Adapt Whistlestop Alternative and 4th Street Gateway Alternative would result in less GHG emissions than the Move Whistlestop Alternative, thereby lessening a potentially significant impact of the proposed project. All the build alternatives are similar in size, so it was conservatively assumed that they would have identical off-road construction equipment fleets; however, the Adapt Whistlestop Alternative would require a smaller amount of construction and demolition debris to be hauled off site.
- **Section 3.8, Hazards and Hazardous Materials:** As described on page 3.8-16 of the Final EIR under Impact HAZ-3, Saint Raphael School is within 0.25 mile of the Move Whistlestop and Adapt Whistlestop Alternatives. Limited quantities of hazardous materials commonly used in

construction and during routine maintenance activities may be required for project construction and transported past Saint Raphael School for delivery to or removal from the project site, resulting in a potentially significant impact that would be mitigated to a less-than-significant level with implementation of Mitigation Measure MM-HYD-CNST-1, which includes preparation and implementation of a SWPPP. The SWPPP would include best management practices designed to ensure proper handling of hazardous materials utilized or encountered during construction activities and compliance with applicable regulations and policies. No schools are within 0.25 mile of the Under the Freeway and 4th Street Gateway Alternatives. Therefore, while the Move Whistlestop and Adapt Whistlestop Alternatives have the potential to result in significant impacts, the 4th Street Gateway and Under the Freeway Alternatives would result in no impact.

- **Section 3.11, Noise:** As described on pages 3.11-26 and 3.11-27 of the Final EIR, construction noise levels for the Move Whistlestop Alternative could be as high as 102 A-weighted decibels at a distance of 10 feet (the distance to the nearest sensitive receptor) during site demolition. A noise level of this magnitude would be readily noticeable above ambient levels at this location and would constitute a potentially significant impact due to exceedance of the City daytime and nighttime noise limits during construction. As discussed in Section 3.11, mitigation would reduce this impact to a less than-significant-level.

The 4th Street Gateway Alternative and Under the Freeway Alternative would lessen the magnitude of this potentially significant impact. Under these alternatives, construction noise levels could be as high as 88 A-weighted decibels at a distance of 50 feet (the distance to the nearest sensitive receptor) during site demolition. Impacts from the exceedance of daytime noise limits would be avoided, and impacts from the exceedance of nighttime noise limits would be less than they would for the Move Whistlestop Alternative. Mitigation would still be required for impacts related to nighttime noise levels under the 4th Street Gateway Alternative and Under the Freeway Alternative, but the impact requiring mitigation is of a lesser magnitude under these alternatives due to their location farther from the sensitive receptors affected under the Move Whistlestop Alternative.

These alternatives thereby avoid or minimize significant impacts of the project. The build alternatives have generally similar impacts to the proposed project.

Comment 5-70

5. This section provides a very good and detailed summary of other alternatives that were considered and rejected.

Response to Comment 5-70

The comment expresses support for the discussion of alternatives considered but eliminated from further analysis in the Draft EIR. This comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are necessary.

Comment 5-71

Q. Other Non-CEQA Topics for Study Recommended as Part of the NOP Process 1. As part of the NOP process, the City requested that the fiscal Impacts of "the Project and Alternatives" be prepared

concurrent and made available with the DEIR. A fiscal impacts assessment of the Build Alternatives has not been prepared.

Response to Comment 5-71

The comment pertains to fiscal impacts of the proposed project. CEQA does not require an analysis of a project's fiscal impacts. This comment does not concern the adequacy of the EIR and no revisions to the EIR are required.

Comment 5-72

2. Short-term and Long-term Parking Assessment. A very high-level assessment of parking is presented in DEIR Appendix C, the Transportation Summary Report. The parking assessment in this report merely identifies the number of parking spaces that would be eliminated under the Built Alternatives but does not include any measures to accommodate or retain parking.

Response to Comment 5-72

The comment pertains to the parking spaces eliminated due to the proposed project. CEQA does not require an analysis of parking removal and does not consider parking removal as a CEQA impact. In response to the City's concern about on-street parking removal, the project description has been modified in the Final EIR to identify additional on-street replacement parking on West Tamalpais Avenue between 2nd Street and 3rd Street. This information has been added to Chapter 2, Project Description, and Section 3.14, Transportation, in the Final EIR.

Comment 5-73

As you requested, I have prepared this memo to summarize the regulatory issues related to the possible relocation of the San Rafael Transit Center to an area beneath Interstate 101 (I-101) between Hetherton Street to the west, Irwin Street to the east, 4th Avenue to the south and 5th Avenue to the north. Most of site is developed or paved, with the freeway overpass structures occupying the western portion and paved parking under the northbound freeway lanes and buildings fronting on Irwin Street. However, a channelized reach of what is known as Irwin Creek flows in a southerly direction beneath the southbound. This drainage is a regulated waters¹ under the jurisdiction of the U. S. Army Corps of Engineers (Corps), the Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife (CDFW).

Between 4th and 5th Avenues, the active channel of Irwin Creek is from 30 to 40 feet in width, and is under tidal influence. It flows south, paralleling the east side of Hetherton Street to the confluence with San Rafael Creek, which is also partially under the I-101 overpass. Concrete wing walls extend approximately 15 feet upstream of the 4th Avenue overcrossing, which consists of two concrete box culverts. Shading from the freeway overpass and extensive asphalt paving that extends almost to the

¹ The Corps, RWQCB and CDFW have jurisdiction over regulated waters. Jurisdiction of the Corps is established through provisions of Section 404 of the Clean Water Act, which prohibits the discharge of dredged or fill material into "waters of the U.S." without a permit. The RWQCB jurisdiction is established through Section 401 of the Clean Water Act, which requires certification or waiver to control discharges in water quality whenever a Corps permit is required under Section 404 of the Clean Water Act, and State waters as regulated under the Porter-Cologne Act. Jurisdictional authority of the CDFW over wetland areas is established under Sections 1600-1607 of the State Fish and Wildlife Code, which pertains to activities that would disrupt the natural flow or alter the channel, bed or bank of any lake, river or stream.

eastern top-of-bank to the drainage limits the growth of riparian trees and shrubs. Vegetation is limited to largely non-native ground covers, invasive sweet fennel and Bermuda buttercup, and a few shrubs along the east bank. Figures 1 and 2 show the exiting conditions of the drainage at the 4th and 5th Avenue overcrossings.

A visit to the site on April 8, 2019 was attended by Nicole Fairley of the RWQCB, yourself, Bill Guerin the Director of the City's Public Works Department, Steve Kinsey, and myself. The purpose of the site visit was to briefly inspect existing conditions, review the regulatory authority of the RWQCB, and obtain input from the RWQCB on the feasibility of preliminary plans for the transit center use of the site.

During our site visit, Nicole confirmed that the drainage was a jurisdictional waters regulated by the RWQCB and that any fills or modifications to this reach of the creek would be subject to their review and authorization. She explained that the preferred policy of the RWQCB is to avoid modifications to jurisdictional waters. Where avoidance is not feasible, that they then prefer that direct and indirect impacts be minimized, and that compensatory mitigation be provided where impacts are unavoidable. That as part of the review process performed by the Corps and RWQCB, a finding must be made that the proposed modifications to jurisdictional waters are the Least Environmentally Damaging Practicable Alternative (LEDPA).

Response to Comment 5-73

The comment summarizes the outcomes of a field visit to the Under the Freeway Alternative site. This comment does not concern the adequacy of the EIR and no revisions to the EIR are required. Additionally, the comment letter received from the California Department of Fish and Wildlife has been considered in the preparation of the Final EIR and has informed revisions to the Draft EIR where applicable.

Comment 5-74

We reviewed the preliminary schematics for the Transit Center Relocation prepared by the Golden Gate Transportation District (see attached plans), which show the entire reach of Irwin Creek across the site to be culverted. Nicole indicated in reviewing the plans that a proposal to culvert the entire reach of Irwin Creek across the site would be unacceptable by the RWQCB. This is because the RWQCB could not make necessary findings that culverting the entire reach was the LEDPA available, and that there was no alternative for the Transit Center Project that didn't either completely avoid the creek or at most had a much more limited impact by culverting just a portion of this reach to provide access over it, such as a bridge structure. We discussed possible options for limiting potential impacts and providing compensatory mitigation for any unavoidable impacts. However, this would depend on final design, the extent of any fills or other modifications to regulated waters, and other factors that can't be fully understood or addressed at this time given the preliminary nature of the proposed project. We indicated to Nicole that at some point the City intends to present more refined plans at a Marin Project Coordination Meeting in the near future.

With appropriate refinement to the proposed Transit Center site under the I-101 overpass, use of this location does look possible from a regulatory agency permitting standpoint based on the preliminary information we received from RWQCB. Following refinement of project plans to minimize fills to the Irwin Creek channel and adhering to standard Best Management Practices would greatly reduce and control potential impacts to regulated habitat. Where permanent impacts could not be avoided due to fills and shading associated with a new bridge structure, compensatory mitigation could then be achieved by creating replacement habitat or other approaches acceptable to the regulatory agencies.

Opportunities for achieving compensatory mitigation for any fills to the Irwin Creek channel may be available downstream, elsewhere in the watershed, and at other locations in East Marin County.

Response to Comment 5-74

The comment summarizes the findings of a desktop analysis of hydrology impacts related to the Under the Freeway Alternative site. This comment does not concern the adequacy of the EIR and no revisions to the EIR are required.

Comment 5-75

Similar projects involving bridge structures affecting jurisdictional waters that required regulatory agency review and approval, as well as compensatory mitigation, include the nearby San Rafael Creek Bridge Project that was part of the Second Street off-ramp for northbound I-101 and the new Bon Air Bridge over Corte Madera Creek in Larkspur. Information on each of these projects, their impacts on jurisdictional waters, and the mitigation required as part of the regulatory agency authorizations is summarized below. But both projects provide an indication that similar projects impacting jurisdictional waters can be mitigated through a careful process of design refinements to minimize potential impacts and by providing adequate compensatory mitigation that addresses concerns of the both the local community and regulatory agencies.

San Rafael Creek Bridge at I-101 Second Street Off-Ramp. This project will replace the San Rafael Creek bridge on the I-101 off-ramp to Second Street, located just downstream of the proposed Transit Center site. The existing reinforced concrete slab bridge will be removed and replaced by a two-span precast voided slab bridge supported by precast abutments and 24-inch cast-in-steel-shell (CISS) piles. The new bridge and ramp will be slightly realigned and widened to meet Caltrans standards. Project implementation will permanently impact approximately 24 linear feet (0.001 acre) of San Rafael Creek due to installation of twelve 24-inch CISS piles in the creek to support the bridge. It will also temporarily impact approximately 225 linear feet (0.38 acre) of the creek due to removal of the existing bridge piers and deck, installation and removal of the temporary bridge, installation of piers for the new bridge, and implementation of sediment and debris containment and control measures during construction. To mitigate for temporary impacts to the channel, Caltrans will restore temporarily disturbed areas to their previous or to an enhanced condition. For permanent impacts to San Rafael Creek, Caltrans is required to 1) remove all of the existing bridge piers to an elevation at least three feet below the existing channel bottom elevation and 2) excavate approximately 0.03 acres of upland area adjacent to the southwestern corner of the existing bridge that will then become new channel area spanned by the new bridge. Removal of the existing piers in the channel and excavation of approximately 0.03 acres of upland area adjacent to the southwestern corner of the bridge will result in an increase of approximately 0.03 acres of open channel habitat, which was considered sufficient compensatory mitigation by the regulatory agencies.

Bon Air Bridge Replacement. This project involves the replacement of the Bon Air Bridge over Corte Madera Creek in Larkspur. The City of Larkspur completed the environmental review for the project in 2012, which involved permits and authorizations from the Corps, U.S. Fish and Wildlife, CDFW, Bay Conservation and Development Commission, and the RWQCB. To address the temporary and permanent impacts of the project, five mitigation projects are to be completed before the end of bridge construction. Several components of the mitigation are intended to improve habitat for special-status species affected by the project. Mitigation includes: 1) installing low impact development/stormwater enhancements on Magnolia Lane by widening the planting area along the adjacent roadside ditch,

providing curb cuts to allow street runoff to pass into bioswales for pretreatment before entering storm drains, and installing an underground infiltration system; 2) relocating the dog park in Piper Park to a new area east of the Central Marin Police Station and restoring the original dog park area as tidal marsh habitat with an educational overlook; and 3) improving public access to Corte Madera Creek by rehabilitating walkways and docks at Bon Air Landing Park and the public dock at the Marin Rowing Club.

Response to Comment 5-75

The comment provides a summary of regional projects that involved creek crossings. This comment does not concern the adequacy of the EIR and no revisions to the EIR are required.

Comment 5-76

I trust this provides you with the summary of the preliminary regulatory issues related to use of the I-101 undercrossing site along Irwin Creek. Please let me know if you have any questions regarding the above summary. I can be reached by phone at 510-393-0770 or email at beach127@aol.com.

Response to Comment 5-76

The comment provides contact information. Relevant correspondence will be directed to the contact provided.



900 Fifth Avenue
Suite 100
San Rafael
California 94901

Phone: 415/226-0815
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Belvedere
James Campbell

Corte Madera
Charles Lee

Fairfax
Chance Cutrano

Larkspur
Dan Hillmer

Mill Valley
Urban Carmel

Novato
Eric Lucan

Ross
P. Beach Kuhl

San Anselmo
Brian Colbert

San Rafael
Kate Colin

Sausalito
Susan Cleveland-Knowles

Tiburon
Alice Fredericks

County of Marin
Damon Connolly
Katie Rice
Stephanie Moulton-Peters
Dennis Rodoni
Judy Arnold

October 29, 2021

Raymond Santiago, Principal Planner
Golden Gate Bridge, Highway and Transportation District
1011 Andersen Drive, San Rafael, CA 94901-5318

SUBJECT: Comment Letter on the Draft EIR for the San Rafael Transit Center
Relocation Project

Dear Mr. Santiago:

6-1

The Transportation Authority of Marin (TAM) has been an active partner along with the City of San Rafael, Marin Transit and SMART as the Bridge District leads the effort to develop the Draft Environmental Impact (EIR) Report for the San Rafael Transit Center Relocation Project. We are pleased the Bridge District has reached this significant milestone in the effort to identify an alternative site for a new transit center in downtown San Rafael. Creating a new transit center in central Marin is a significant undertaking that affects multiple stakeholders in the North Bay, including but not limited to, transit users, San Rafael residents, and surrounding communities and businesses. We look forward to continued robust outreach and communication as the project is developed.

6-2

Overall, TAM is supportive of a site configuration that best supports transit operations, while creating a welcoming and safe environment for all transit users, as well as for other pedestrians and travelers in the vicinity, and creates an attractive feature for the community. A new facility will likely be in service for many years to come, and it is imperative that it provide sufficient capacity and design features to support efficient transit use and operations in the long-term. The Whistlestop Alternatives seem to go farthest toward meeting those goals.

6-3

Furthermore, we strongly believe fully addressing the comments from stakeholders, including all partners on the project, is key to the successful design and construction of the new transit center. We encourage you to take the time to complete this step before finalizing the EIR.

The TAM Board and staff appreciate the opportunity to offer comments on the Draft EIR and the process moving forward. Please don't hesitate to contact us with any questions.

Sincerely,

Anne Richman
Executive Director

9.2.6.1 Response to Comment Letter 6, Transportation Authority of Marin

Comment 6-1

The Transportation Authority of Marin (TAM) has been an active partner along with the City of San Rafael, Marin Transit and SMART as the Bridge District leads the effort to develop the Draft Environmental Impact (EIR) Report for the San Rafael Transit Center Relocation Project. We are pleased the Bridge District has reached this significant milestone in the effort to identify an alternative site for a new transit center in downtown San Rafael. Creating a new transit center in central Marin is a significant undertaking that affects multiple stakeholders in the North Bay, including but not limited to, transit users, San Rafael residents, and surrounding communities and businesses. We look forward to continued robust outreach and communication as the project is developed.

Response to Comment 6-1

The comment expresses support for the proposed project. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 6-2

Overall, TAM is supportive of a site configuration that best supports transit operations, while creating a welcoming and safe environment for all transit users, as well as for other pedestrians and travelers in the vicinity, and creates an attractive feature for the community. A new facility will likely be in service for many years to come, and it is imperative that it provide sufficient capacity and design features to support efficient transit use and operations in the long-term. The Whistlestop Alternatives seem to go farthest toward meeting those goals.

Response to Comment 6-2

The comment expresses support for the Move Whistlestop and Adapt Whistlestop Alternatives. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 6-3

Furthermore, we strongly believe fully addressing the comments from stakeholders, including all partners on the project, is key to the successful design and construction of the new transit center. We encourage you to take the time to complete this step before finalizing the EIR.

Response to Comment 6-3

The comment expresses support for the public comment and response process. Comments pertaining to the adequacy of the EIR are addressed in this chapter, and revisions to the Draft EIR are provided in strikeouts and underlined text. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.



September 9, 2021

City of San Rafael

Kate Colin, Mayor

Bill Guerrin, Director of Public Works / Chief Engineer

Rafat Raie, Deputy Director of Public Works

Transportation Authority of Marin

Anne Richman, Executive Director

Bill Whitney, Project Manager

Sonoma Marin Area Rail Transit District

Farhad Mansourian, General Manager

Bill Gamlen, Chief Engineer

Golden Gate Bridge, Highway and Transportation District

Raymond Santiago, Principal Planner

Barbara Pahre, President, Board of Directors

Judy Arnold, Member, Board of Directors

Alice Fredericks, Member, Board of Directors

Patty Garbarino, Member, Board of Directors

Dennis Rodoni, Member, Board of Directors

Marin Transit Board of Directors

Damon Connolly, Member

Katie Rice, Member

Stephanie Moulton-Peters, Member

Eric Lucan, Member

Brian Colbert, Member

Dear San Rafael Transit Center Replacement Project Decision-Maker,

This letter is to convey WTB-TAM's strong support for either the "Move Whistlestop" alternative or the "Adopt Whistlestop" alternative for the new San Rafael Transit Center.

7-1

WTB-TAM recommends against adopting either the "Fourth Street Gateway" alternative or the "Under the Freeway" alternative.

We are pleased to see that the North South Greenway Class I multi-use path has been included in the "Move Whistlestop" and "Adopt Whistlestop" alternatives. As we are sure you are aware, the four block-long stretch of West Tamalpais Avenue between Second Street and Mission Avenue in Downtown San Rafael is one of the few gaps remaining on the North South Bikeway. Our two preferred Transit Center Relocation Project alternatives would cut that gap in half by extending the Greenway as far as Fourth Street. The design of the Greenway in these two alternatives—off the street, fully separated from vehicular traffic—is especially to be commended.

7-2

With that said, we would like to emphasize that the Greenway alignment in the "Move Whistlestop" and "Adopt Whistlestop" alternatives only makes sense assuming that significant changes are made to the existing land uses on the parcels fronting West Tamalpais Avenue between Second and Fourth Streets. Under existing conditions, five separate driveway curb cuts cross the western side of West Tamalpais Avenue between Second and Fourth Streets. Curb cuts are incompatible with multi-use paths.

The Downtown San Rafael Precise Plan shows that the block bounded by Second, Third, Tamalpais, and Lincoln is the site of a "pipeline project (entitled/under construction)". However, the block to its north (between Third and Fourth), however, is still listed as a "potential infill opportunity". We urge you to make sure that there is a plan to redevelop this block from its existing uses before moving forward with either the "Move Whistlestop" or "Adopt Whistlestop" alternatives.

7-3

Next, we would like to draw your attention to a design flaw in the "Move Whistlestop" and "Adopt Whistlestop" alternatives that we hope to see addressed. These alternatives currently designate the eastern side of West Tamalpais Avenue in the block north of Fourth Street as a "Pick Up / Drop Off" zone. However, this is in conflict

7-3
cont.

with the future route of the North South Greenway once this final two-block gap is closed.

The future Greenway will run along the east side of West Tamalpais Avenue from Fourth Street to Mission Avenue. You don't want to have people getting picked up and dropped off directly onto a busy multi-use path. We think that a Pick Up / Drop Off zone would make more sense either on the west side of West Tamalpais Avenue, or on East Tamalpais Avenue.

7-4

Finally, we would like to remind you that the existing pathway on Hetherton Street between Fourth Street and Mission Avenue is **not** the North South Greenway alignment and thus should not be considered a substitute for the future Greenway Alignment along West Tamalpais Avenue.

Thank you for your efforts, and please let us know if we can be of any more assistance.

Thank you

WTB-TAM (Transportation Alternatives for Marin)



Patrick Seidler, President



Matthew Hartzell, Director of Planning & Research

9.2.7.1 Response to Comment Letter 7, Wilderness Bike Trails/ Transportation Alternatives for Marin

Comment 7-1

WTB-TAM recommends against adopting either the “Fourth Street Gateway” alternative or the “Under the Freeway” alternative.

Response to Comment 7-1

The comment expresses opposition to the Fourth Street Gateway and Under the Freeway Alternatives. As stated in the Draft EIR, the Move Whistlestop Alternative has been identified as the District’s preferred alternative. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 7-2

We are pleased to see that the North South Greenway Class I multi-use path has been included in the “Move Whistlestop” and “Adopt Whistlestop” alternatives. As we are sure you are aware, the four block-long stretch of West Tamalpais Avenue between Second Street and Mission Avenue in Downtown San Rafael is one of the few gaps remaining on the North South Bikeway. Our two preferred Transit Center Relocation Project alternatives would cut that gap in half by extending the Greenway as far as Fourth Street. The design of the Greenway in these two alternatives—off the street, fully separated from vehicular traffic—is especially to be commended.

With that said, we would like to emphasize that the Greenway alignment in the “Move Whistlestop” and “Adopt Whistlestop” alternatives only makes sense assuming that significant changes are made to the existing land uses on the parcels fronting West Tamalpais Avenue between Second and Fourth Streets. Under existing conditions, five separate driveway curb cuts cross the western side of West Tamalpais Avenue between Second and Fourth Streets. Curb cuts are incompatible with multi-use paths.

The Downtown San Rafael Precise Plan shows that the block bounded by Second, Third, Tamalpais, and Lincoln is the site of a “pipeline project (entitled/under construction)”. However, the block to its north (between Third and Fourth), however, is still listed as a “potential infill opportunity”. We urge you to make sure that there is a plan to redevelop this block from its existing uses before moving forward with either the “Move Whistlestop” or “Adopt Whistlestop” alternatives.

Response to Comment 7-2

The comment expresses support for the Move Whistlestop and Adapt Whistlestop Alternatives and the bicycle facilities included in these alternative designs. The Move Whistlestop and Adapt Whistlestop Alternatives would remove all driveways on Tamalpais Avenue between 3rd Street and 4th Street and would relocate them to 3rd and 4th Streets. Thus, the proposed project would eliminate any driveways within that block, achieving the stated desire for a multi-use path without driveway conflicts on that block. Additionally, the approved 703 3rd Street project would reduce the number of driveways along Tamalpais Avenue between 2nd and 3rd Streets from two to one once constructed.

The comment does not concern the adequacy of the EIR and no further response is required.

Comment 7-3

Next, we would like to draw your attention to a design flaw in the “Move Whistlestop” and “Adopt Whistlestop” alternatives that we hope to see addressed. These alternatives currently designate the eastern side of West Tamalpais Avenue in the block north of Fourth Street as a “Pick Up / Drop Off” zone. However, this is in conflict with the future route of the North South Greenway once this final two-block gap is closed.

The future Greenway will run along the east side of West Tamalpais Avenue from Fourth Street to Mission Avenue. You don’t want to have people getting picked up and dropped off directly onto a busy multi-use path. We think that a Pick Up / Drop Off zone would make more sense either on the west side of West Tamalpais Avenue, or on East Tamalpais Avenue.

Response to Comment 7-3

This comment expresses concern with the proposed pick-up/drop-off location on West Tamalpais Avenue north of 4th Street. To address this comment, the description of the Move Whistlestop Alternative was revised in the Final EIR to relocate the pick-up/drop-off off street along a new driveway west of West Tamalpais Avenue, extending between 3rd Street and 4th Street. No pick-up/drop-off will be located along West Tamalpais Avenue with the Move Whistlestop Alternative. The description of the Adapt Whistlestop Alternative layout was also revised in the Final EIR to reflect the relocation of the pick-up/drop-off area. The Draft EIR has been revised to reflect these design changes in Chapter 2 of the Final EIR. See Figures 2-4 and 2-5 in the Final EIR for the revised layouts of the Move Whistlestop Alternative and Adapt Whistlestop Alternative.

Comment 7-4

Finally, we would like to remind you that the existing pathway on Hetherton Street between Fourth Street and Mission Avenue is not the North South Greenway alignment and thus should not be considered a substitute for the future Greenway Alignment along West Tamalpais Avenue.

Response to Comment 7-4

Existing bicycle infrastructure and proposed modifications to these existing facilities are described in Section 3.13, Public Services and Recreation. Proposed bicycle path projects in the project area include a project that would install a Class IV bikeway along West Tamalpais Avenue through the project area and a project that would install a bikeway along 4th Street to create an east to west Downtown connection for bicyclists. The Class IV bikeway along West Tamalpais Avenue is the greenway alignment mentioned in the comment.

The project alternatives are consistent with the City’s future Greenway Alignment along West Tamalpais Avenue. Under the Move Whistlestop Alternative and Adapt Whistlestop Alternative, the project would construct a portion of the City’s planned Class IV bicycle facility on West Tamalpais Avenue between 2nd Street and 4th Street. The other build alternatives would neither construct nor preclude construction of the future Greenway Alignment along Tamalpais Avenue. Therefore, all alternatives are consistent with planned improvements to the City’s bicycle network.



September 15, 2021

Mr. Raymond Santiago, Principal Planner
Golden Gate Bridge, Highway and Transportation District
1011 Andersen Drive
San Rafael CA 94901

Dear Mr. Santiago:

8-1

The League of Women Voters of Marin welcomes the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the San Rafael Transit Center Project. We very much appreciate the work the Golden Gate Bridge, Highway and Transportation District (GGBHTD) staff and their consultants have done preparing the report. Overall, the League concurs with the analysis and is supportive of either the Move Whistlestop Alternative or the Adapt Whistlestop Alternative.

8-2

One of the areas in which the report could improve is in the analysis of the conflicts between pedestrians and vehicles and buses and other vehicles. These conflicts are especially significant for the "Under the Freeway" Alternative where buses must enter and exit the transit center from heavily traveled Irwin and Hetherton Streets. Additionally, with this alternative, transit users will need to cross these busy streets to enter or leave the transit center and to transfer to and from the SMART train. (See Tables 5-4 and 5-5 in Transportation Summary Report, Appendix C). While the DEIR projects the rate of potential conflict, there is no analysis about the severity of that conflict, up to and including the possible death of pedestrians crossing Hetherton and Irwin Streets in the face of cars trying to cross before a signal change.

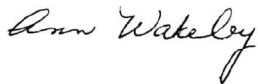
8-3

We also remain concerned that a Title VI equity analysis was not provided on the four alternatives and no build option. This is important because a significant number of users of the transit center are low-income minorities who reside in the Canal Neighborhood. There should be a statement in the DEIR about when a Title VI analysis will be provided to the public.

Once the Project Environmental Impact Report is certified and the GGBHTD Board and the City Council have agreed on an alternative site, the League looks forward to participating in a design process in which Marin County and San Rafael residents and transit center users will be able to provide input.

The League of Women Voters will continue to monitor this important project. We look forward to continuing to work with you and your project team.

Sincerely,



Ann Wakeley
President

CC: Mayor Kate Colin, City of San Rafael
San Rafael City Council
Marin County Board of Supervisors
Patty Garbarino, Board Member GGBHTD
Alice Fredericks, Board Member GGBHTD
Denis Mulligan, General Manager GGBHTD
Jim Schutz, San Rafael City Manager

9.2.8.1 Response to Comment Letter 8, League of Women Voters

Comment 8-1

The League of Women Voters of Marin welcomes the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the San Rafael Transit Center Project. We very much appreciate the work the Golden Gate Bridge, Highway and Transportation District (GGBHTD) staff and their consultants have done preparing the report. Overall, the League concurs with the analysis and is supportive of either the Move Whistlestop Alternative or the Adapt Whistlestop Alternative.

Response to Comment 8-1

The comment expresses support for the Move Whistlestop and Adapt Whistlestop Alternatives. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 8-2

One of the areas in which the report could improve is in the analysis of the conflicts between pedestrians and vehicles and buses and other vehicles. These conflicts are especially significant for the "Under the Freeway" Alternative where buses must enter and exit the transit center from heavily traveled Irwin and Hetherton Streets. Additionally, with this alternative, transit users will need to cross these busy streets to enter or leave the transit center and to transfer to and from the SMART train. (See Tables 5-4 and 5-5 in Transportation Summary Report, Appendix C). While the DEIR projects the rate of potential conflict, there is no analysis about the severity of that conflict, up to and including the possible death of pedestrians crossing Hetherton and Irwin Streets in the face of cars trying to cross before a signal change.

Response to Comment 8-2

This comment expresses concern about pedestrian safety, specifically in the Under the Freeway Alternative. The Draft EIR evaluated potential traffic and circulation conflicts, including potential traffic hazards for vehicles and pedestrians. Nevertheless, the District has performed additional safety analysis and findings have been included in the Final EIR. Please see the response to comment 5-58 for additional information on this analysis.

Comment 8-3

We also remain concerned that a Title VI equity analysis was not provided on the four alternatives and no build option. This is important because a significant number of users of the transit center are low-income minorities who reside in the Canal Neighborhood. There should be a statement in the DEIR about when a Title VI analysis will be provided to the public.

Response to Comment 8-3

CEQA does not require Title VI analysis as part of the environmental review process. The District will complete a Title VI analysis after project adoption. The comment does not concern the adequacy of the EIR and no revisions are required.

Comment 8-4

Once the Project Environmental Impact Report is certified and the GGBHTD Board and the City Council have agreed on an alternative site, the League looks forward to participating in a design process in which Marin County and San Rafael residents and transit center users will be able to provide input.

The League of Women Voters will continue to monitor this important project. We look forward to continuing to work with you and your project team.

Response to Comment 8-4

The comment expresses support for an ongoing and inclusive outreach process to support the proposed project. The District plans to continue its ongoing community engagement and outreach process (as summarized in Chapter 1, Section 1.3.1, Agency and Public Outreach, on page 1-3 of the Final EIR) through and following the conclusion of the environmental review process. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

SAN RAFAEL HERITAGE

P.O. BOX 150665, SAN RAFAEL, CALIFORNIA 94915



September 29, 2021

Golden Gate Bridge, Highway and Transportation District
 Raymond Santiago, Principal Planner SRTC@goldengate.org

Subject: Comments on San Rafael Transit Center Environmental Impact Report

9-1 San Rafael Heritage (SRH) has reviewed the Golden Gate Bridge, Highway and Transportation District (District) project EIR. While SRH does not state preference for any option at this time, it is committed to preservation and compatible utilization of the buildings on the city’s historic resources inventory located in the transit center project area. Of particular concern to SRH is the preservation and adaptive use of the Northwestern Pacific Railroad Depot (depot), AKA Whistlestop, now known as Vivalon.

The following are SRH comments to Chapter 3.4:

Page 9:

- 9-2 1. 1st PP: *“(both outside the project area)”* - The depot is now included as eligible for the “East Downtown Core” Historic District
- 9-3 2. 3rd PP: *“Further details ... are available in Appendix G”*. Since further details are not available in Appendix G this should be noted here.

Page 22:

- 9-4 1. 2nd PP: *“(Neither of these eligible districts overlaps with the CEQA study area.)”* The DTPP now includes the depot and taxi office. Refer to page 9 above.
- 9-5 2. *“E: Ineligible as local landmarks”* – “E” has been eliminated as a category. Coordinate with the updated historic resource inventory included with the recently adopted Downtown Precise Plan and 2040 General Plan for the rating of resources and proposed historic district boundaries.
- 9-6 3. 4th PP: 1011 Irwin Street – SRH does not consider this building significant.

9-7 Two project alternatives impact the character of Tamalpias Avenue. Bus operations will affect the depot building either in its current location or if relocated to the west side of the street. SRH is concerned that the operation of the transit center will adversely impact Tamalpias Avenue historic resources. Relocation of the depot and loss of two other resources will alter the character of Tamalpias Avenue.

Page 23: 2nd PP has several issues to be addressed:

- 9-8 1. 930 Tamalpais: SRH’s independent professional assessment of the building does not concur with the 2012 JRP Evaluation. The motivation of the landowner commissioning it was to have the site cleared for development of a multiuse building. SRH’s consultant reviewed the JRP evaluation findings and noted several inaccuracies, incomplete research and unsupported analysis leading to the conclusion that the building has no historic significance. SRH’s landmark application provides ample evidence of the building’s historic significance. SRH offers the following observations:

9-8
cont. Only once does the document note the presence of an original building elements; the arcade. The original buildings include 140 linear feet of the 1929 street façade; the façade was built as a single unit; the waiting room, the central passageway (SMP#1) and the baggage room. The evaluation only mentions in passing “... a series of arches on the first floor” referring to the waiting room and “The arches are mostly filled with metal entry doors, and eight-over-eight metal hopper windows...” which refers to the baggage wing. These comments do not acknowledge the historic portion of the building and it’s connecting passageway (raised shaped) Mission entrance arches.

9-9 2. The GGT DEIR reaches a conclusion of “diminished integrity” of the depot. The Downtown Precise Plan now includes the building in the eligible “East Downtown Core” Historic District and also upgraded the building to “C” status. In the recent DPR produced by ICF, SRH finds their conclusion to be subjective and not supported by the facts. The depot is the last remaining, highly visible feature of the development of San Rafael as a “railroad suburb”. When the Northwestern Pacific Railroad relocated to this building in the mid-1940s from Sausalito, this action increased its significance. The building’s C status can be improved to an A or B through appropriate and sensitive restoration to an agreed upon period of significance.

Page 24:

9-10 1. 3rd PP: (927 Tamalpais) “but has undergone alterations since its original recordation” - The façade and brick side walls of the original the taxi stand office are intact and have not been altered. There are many original elements extant. There is a cement-block addition at the rear which did not alter the original building.

9-11 2. 4th PP: (930 Tamalpais) SRH does not concur with this conclusion. The City of San Rafael Issue Paper (6/2010) stated the depot’s 1980s additions were “not found to compromise the historical character.”

9-12 Page 28: Section 3.4.2.3 Impacts: SRH has not identified a preferred option. As stated previously, SRH is committed to preservation of all historic resources in in the Transit Center Project area . Either adaptation or relocation will have an impact on Tamalpais Avenue’s historic character and as proposed will result in the loss of two buildings in the city’s historic resources inventory.

The following are SRH comments on each of the four alternatives:

Move Whistlestop Alternative:

- 9-13
1. This option may have a detrimental effect on the depot building’s status for national or state designation by reducing its “Aspects of Integrity” from the current five to three where a minimum of four are commonly required; However, this should not affect its placement on the local historic register.
 2. This alternative will require demolition of two historic buildings: 927 Tamalpais and 703-705 4th Street. The 4th Street building, originally the National Hotel, has been altered, however it could be improved with incentives as this building houses both small business and residential apartments.
 3. SRH requests mitigation measures be taken for any historic resource lost as a result of this station project. We recommend specific measures regarding the 927 Tamalpais and 703-705 4th Street, as currently the probability of their demolition seems high.
 4. If this option is selected SRH advocates:
 - (a) Preserving and repurposing the 1929 NWP Depot, which could include the 1940s Maintenance-of-Way and entry additions and the north end 1951/1987 additions; SRH would expect to

9-13
cont.

participate in determination of the period of historic significance prior to initiating the project design;

- (b) Incorporating an active use such as a café with an outdoor dining plaza facing 4th Street as proposed in SRH's May 2020 landmark application. This use program would have similarity to the repurposed NWP Depot and plaza in Mill Valley.

9-14

Adapt Whistlestop Alternative: This option has bus bays, shelters and trees against the west façade of the building. The depot's historic and visual significance justifies its treatment as a key civic point of interest and placemaking opportunity. The context created around the building is of considerable importance to its value as a civic space.

1. This alternative will require demolition of two historic structures: Refer to Items 2 and 3 above.
2. SRH assumes that the NWP Depot building will be utilized for transit and other compatible uses.

4th Street Gateway Alternative:

9-15

1. 633 and 637 Fifth Avenue: This alternative is of significant concern to SRH as these buildings would need to be moved or demolished. It would be difficult to secure a suitable site in the downtown area with the likely result of loss of these resources. The buildings are well maintained and contain small local businesses that are assets to San Rafael and should not be disturbed.
2. They are valuable for as an attractive gateway to Downtown from the southbound US 101 Central San Rafael exit. Integral to SRH concerns is that no plans are provided for mitigating the impact to these historic resources.

Under the Freeway Alternative:

9-16

1. 1011 Irwin Street – SRH does not believe this building is significant. In the City there are many “hipped roof cottages” in close proximity to each other that are better representations as this one stands alone. The brick entry staircase is not original and there is no discernable history attached.

9-17

To conclude, SRH requests that the NWP depot be fully restored to an agreed upon period of significance and placed in service with compatible uses. SRH also requests the building be submitted to the city for local landmark designation at completion of restoration, in recognition of special status and to protect the resource for future generations. Any restoration or alterations shall conform with the “Secretary’s Interior Standards” to improve suitability for inclusion on the national register and as a state historic resource. SRH maintains local landmark designation is the most protective and symbolically important to the local community. The final consideration of the status for this historic treasure is the value placed in it by the local community. It is beloved by San Rafael residents and it would be tragic not to honor it for its possibilities to become an inviting welcome to all who travel in our city.

SRH is committed to working with the district on achieving an exemplary environment around the Transit Center regardless of the alternative selected. We look forward to working directly with the district on this project.

Sincerely,



Linzy Klumpp, President
San Rafael Heritage

9.2.9.1 Response to Comment Letter 9, San Rafael Heritage

Comment 9-1

San Rafael Heritage (SRH) has reviewed the Golden Gate Bridge, Highway and Transportation District (District) project EIR. While SRH does not state preference for any option at this time, it is committed to preservation and compatible utilization of the buildings on the city's historic resources inventory located in the transit center project area. Of particular concern to SRH is the preservation and adaptive use of the Northwestern Pacific Railroad Depot (depot), AKA Whistlestop, now known as Vivalon.

Response to Comment 9-1

The comment concerns the preservation of historic resources potentially affected by the preferred alternative and build alternatives. Please see the responses to subsequent comments (comments 9-1 through 9-17) for responses to comments on specific resources.

Comment 9-2

The following are SRH comments to Chapter 3.4:

Page 9:

1. 1st PP: "(both outside the project area)" - The depot is now included as eligible for the "East Downtown Core" Historic District

Response to Comment 9-2

The existing conditions and environmental impacts discussions in Section 3.4, Cultural Resources, have been revised to reflect that the boundary of the East Downtown Core Historic District now extends into the CEQA study area for the project and contains buildings that would be altered by the project. Please refer to the response to comment 5-34 regarding additional analysis that addresses potential impacts on the East Downtown Core Historic District.

Comment 9-3

2. 3rd PP: "Further details ... are available in Appendix G". Since further details are not available in Appendix G this should be noted here.

Response to Comment 9-3

The comment correctly indicates that Appendix G in the Draft EIR (now Appendix I in the Final EIR) does not contain additional detail. The results of the records searches were redacted for confidentiality. Text in Section 3.4, Cultural Resources, has been revised to remove references to this appendix.

Comment 9-4

Page 22:

1. 2nd PP: "(Neither of these eligible districts overlaps with the CEQA study area.)" The DTPP now includes the depot and taxi office. Refer to page 9 above.

Response to Comment 9-4

The comment points to an inconsistency between the original and revised boundaries of the East Downtown Core Historic District. The EIR has been revised to remove this statement because the East Downtown Core Historic District boundary now extends into the CEQA study area for the project (see page 3.4-24 of the Final EIR).

Comment 9-5

2. *“E: Ineligible as local landmarks” – “E” has been eliminated as a category. Coordinate with the updated historic resource inventory included with the recently adopted Downtown Precise Plan and 2040 General Plan for the rating of resources and proposed historic district boundaries.*

Response to Comment 9-5

The comment pertains to updated information in the *Downtown San Rafael Precise Plan Historic Resources Survey*. The letter ratings proposed in the *Downtown San Rafael Precise Plan Historic Resources Survey* have been updated throughout Section 3.4, Cultural Resources, to correspond to the ratings reported in the May 2021 final *Downtown San Rafael Precise Plan Historic Resources Survey* report.

Comment 9-6

3. *4th PP: 1011 Irwin Street – SRH does not consider this building significant.*

Response to Comment 9-6

The comment pertains to the designation of 1011 Irwin Street as a CEQA historical resource. As lead CEQA agency, the District is utilizing the Department of Parks and Recreation (DPR) form completed by the City for the *Downtown San Rafael Precise Plan Historic Resources Survey* as evidence supporting that 1011 Irwin Street qualifies as a CEQA historical resource. No revision to the Draft EIR is necessary.

Comment 9-7

Two project alternatives impact the character of Tamalpais Avenue. Bus operations will affect the depot building either in its current location or if relocated to the west side of the street. SRH is concerned that the operation of the transit center will adversely impact Tamalpais Avenue historic resources. Relocation of the depot and loss of two other resources will alter the character of Tamalpais Avenue.

Response to Comment 9-7

The environmental impacts discussion in Section 3.4, Cultural Resources, has been revised to analyze the proposed East Downtown Core Historic District, based on the updated district boundary that overlaps the footprint of the Move Whistlestop and Adapt Whistlestop Alternatives, which encompasses Tamalpais Avenue and surrounding buildings (see page 3.4-24 of the Final EIR). The analysis of the Move Whistlestop and Adapt Whistlestop Alternatives has been revised to describe potential construction-related and operations-related impacts (see pages 3.4-32 through 3.4-39 of the Final EIR). The revised analysis supports the conclusion that neither alternative would result in a significant impact on the East Downtown Core Historic District.

Comment 9-8

Page 23: 2nd PP has several issues to be addressed:

1. 930 Tamalpais: SRH's independent professional assessment of the building does not concur with the 2012 JRP Evaluation. The motivation of the landowner commissioning it was to have the site cleared for development of a multiuse building. SRH's consultant reviewed the JRP evaluation findings and noted several inaccuracies, incomplete research and unsupported analysis leading to the conclusion that the building has no historic significance. SRH's landmark application provide sample evidence of the building's historic significance. SRH offers the following observations:

Only once does the document note the presence of an original building elements; the arcade. The original buildings include 140 linear feet of the 1929 street façade; the façade was built as a single unit; the waiting room, the central passageway (SMP#1) and the baggage room. The evaluation only mentions in passing "... a series of arches on the first floor" referring to the waiting room and "The arches are mostly filled with metal entry doors, and eight-over-eight metal hopper windows..." which refers to the baggage wing. These comments do not acknowledge the historic portion of the building and it's connecting passageway (raised shaped) Mission entrance arches.

Response to Comment 9-8

The EIR analysis in Section 3.4, Cultural Resources, does not exclusively depend upon the 2012 evaluation of 930 Tamalpais Avenue conducted by JRP Consulting. Rather, the Draft EIR contains an updated inventory form, contained in Appendix F of the Draft EIR (Appendix H of the Final EIR), that provides an assessment of 930 Tamalpais Avenue's significance and integrity by taking into consideration the findings of multiple past evaluations, including the 2012 JRP evaluation. The updated inventory form acknowledges limitations of the 2012 JRP evaluation and provides a new assessment of the building's integrity that considers the extant features listed in the comment. Like the 2012 JRP evaluation, the new evaluation also finds that 930 Tamalpais Avenue lacks a sufficient degree of integrity and does not meet the CEQA definition of a historical resource individually. No revision to the Draft EIR is necessary.

Comment 9-9

2. The GGT DEIR reaches a conclusion of "diminished integrity" of the depot. The Downtown Precise Plan now includes the building in the eligible "East Downtown Core" Historic District and also upgraded the building to "C" status. In the recent DPR produced by ICF, SRH finds their conclusion to be subjective and not supported by the facts. The depot is the last remaining, highly visible feature of the development of San Rafael as a "railroad suburb". When the Northwestern Pacific Railroad relocated to this building in the mid-1940s from Sausalito, this action increased its significance. The building's C status can be improved to an A or B through appropriate and sensitive restoration to an agreed upon period of significance.

Response to Comment 9-9

Please refer to the response to comment 5-34 regarding the revised analysis addressing the East Downtown Core Historic District, and the response to comment 9-5 regarding updated status codes.

Regarding the comments on ICF's DPR form that documents an updated evaluation of the Whistlestop building, the comment does not provide new information that would change the findings or the historical resource status of the building. The DPR form finds the building to have

historical significance, as supported by the information in the comment. However, the DPR form finds that the building's physical integrity has changed to the extent that it cannot convey its significance and is not eligible for historic register listing. Furthermore, the DPR form and the EIR analysis consider the historical resource status of the building as it currently is; anticipating a potential future condition and potential future historical resource status would be speculative and not supported by evidence.

Comment 9-10

Page 24:

1. 3rd PP: (927 Tamalpais) "but has undergone alterations since its original recordation" - The façade and brick side walls of the original the taxi stand office are intact and have not been altered. There are many original elements extant. There is a cement-block addition at the rear which did not alter the original building.

Response to Comment 9-10

The comment provides information about past modifications to the building at 927 Tamalpais Avenue. Appendix F of the Draft EIR (Appendix H of this Final EIR) contains an updated inventory form for 927 Tamalpais Avenue that provides additional detail on the building's alterations, which include the replacement of the front window sashes and the replacement or removal of original roof tiles. The updated evaluation of 927 Tamalpais Avenue that supports the EIR finds that the building lacks distinctive architectural character due to these alterations, in addition to its relatively modest design. The comment does not provide information that would alter the EIR's finding that the building does not qualify as a CEQA historical resource individually. However, Section 3.4, Cultural Resources, of the Draft EIR has been revised to present an analysis of the project's potential impacts on the East Downtown Core Historic District, of which 927 Tamalpais Avenue has been identified as a contributing resource (see page 3.4-32 through 3.4-36 of the Final EIR).

Comment 9-11

2. 4th PP: (930 Tamalpais) SRH does not concur with this conclusion. The City of San Rafael Issue Paper(6/2010) stated the depot's 1980s additions were "not found to compromise the historical character."

Response to Comment 9-11

The comment pertains to past modifications to the building at 930 Tamalpais Avenue. The updated inventory form for 930 Tamalpais Avenue contained in Appendix F of the Draft EIR (Appendix H of the Final EIR) includes a discussion of the 1980s' additions to the building. The inventory form specifically includes an analysis of the building's integrity and finds that the additions diminish its integrity of design, feeling, and association. The comment does not provide information that would alter the EIR's finding that the building does not qualify as a CEQA historical resource individually. No revision to the Draft EIR is necessary.

Comment 9-12

Page 28: Section 3.4.2.3 Impacts: SRH has not identified a preferred option. As stated previously, SRH is committed to preservation of all historic resources in in the Transit Center Project area. Either

adaptation or relocation will have an impact on Tamalpais Avenue's historic character and as proposed will result in the loss of two buildings in the city's historic resources inventory.

Response to Comment 9-12

The comment pertains to the potential impacts on historic-aged resources in the project area. Section 3.4, Cultural Resources, describes the historical resource status of buildings adjacent to Tamalpais Avenue (see pages 3.4-28 through 3.4-31 of the Final EIR). Please refer to the response to comment 9-7 regarding potential impacts on the historic character of Tamalpais Avenue, and to the response to comment 5-34 regarding impacts on the East Downtown Core Historic District.

Comment 9-13

The following are SRH comments on each of the four alternatives:

Move Whistlestop Alternative:

1. This option may have a detrimental effect on the depot building's status for national or state designation by reducing its "Aspects of Integrity" from the current five to three where a minimum of four are commonly required; However, this should not affect its placement on the local historic register.

2. This alternative will require demolition of two historic buildings: 927 Tamalpais and 703-705 4th Street. The 4th Street building, originally the National Hotel, has been altered, however it could be improved with incentives as this building houses both small business and residential apartments.

3. SRH requests mitigation measures be taken for any historic resource lost as a result of this station project. We recommend specific measures regarding the 927 Tamalpais and 703-705 4th Street, as currently the probability of their demolition seems high.

4. If this option is selected SRH advocates:

(a) Preserving and repurposing the 1929 NWP Depot, which could include the 1940s Maintenance-of-Way and entry additions and the north end 1951/1987 additions; SRH would expect to participate in determination of the period of historic significance prior to initiating the project design;

(b) Incorporating an active use such as a café with an outdoor dining plaza facing 4th Street as proposed in SRH's May 2020 landmark application. This use program would have similarity to the repurposed NWP Depot and plaza in Mill Valley.

Response to Comment 9-13

The comment provides feedback on the Move Whistlestop Alternative. Regarding the project's effects on 930 Tamalpais Avenue's (the Whistlestop building's) national or state designation status, the updated evaluation completed by ICF documents that the resource has diminished integrity and therefore is not eligible for listing in federal and state historical resource registers. Furthermore, the building has not previously been listed in the local historical resource register. No revision to the Draft EIR is necessary.

Regarding the demolition of 927 Tamalpais and 703-705 4th Street, the EIR demonstrates that neither building meets the requirements of a CEQA historical resource individually. The evaluations consider the eligibility of the resources at the current time; anticipating improved integrity and a different eligibility status in the future would be speculative.

CEQA requires mitigation measures be applied only when a substantial adverse change is identified in the significance of a historical resource. Section 3.4, Cultural Resources, currently includes mitigation measures for project alternatives that propose to demolish qualifying historical resources. Because neither 927 Tamalpais nor 703–705 4th Street qualify as historical resources individually, there is no significant impact on these resources, and no mitigation measures for impacts on these resources are necessary.

The commenter's interest in the preservation and reuse of 930 Tamalpais Avenue (Whistlestop building), interest in participating in the design process, and support of an active use design concept for the transit center are noted. Note that because the Whistlestop building does not currently qualify as a historical resource individually, there is no significant impact on the building under CEQA. Therefore, there is no need to adopt mitigation measures to address this less-than-significant impact.

Comment 9-14

Adapt Whistlestop Alternative: This option has bus bays, shelters and trees against the west façade of the building. The depot's historic and visual significance justifies its treatment as a key civic point of interest and placemaking opportunity. The context created around the building is of considerable importance to its value as a civic space.

- 1. This alternative will require demolition of two historic structures: Refer to Items 2 and 3 above.*
- 2. SRH assumes that the NWP Depot building will be utilized for transit and other compatible uses.*

Response to Comment 9-14

The comment provides feedback on the Adapt Whistlestop Alternative. The commenter's interest in the Whistlestop building's (930 Tamalpais Avenue's) potential for visual interest and placemaking is noted. As stated in Section 3.4, Cultural Resources, 930 Tamalpais Avenue does not qualify as a historical resource individually and the proposed project would have a less-than-significant impact on the East Downtown Core Historic District, which contains the building and its immediate surroundings. Please refer to Section 3.1, Aesthetics, for further discussion of the design characteristics of the Adapt Whistlestop Alternative.

Regarding item 1, the demolition of two built-environment resources, please refer to the response to comment 9-13.

Regarding item 2, the commenter correctly states that under the Adapt Whistlestop Alternative, 930 Tamalpais Avenue would contain transit-related uses, which may include a customer service and/or operations use. Refer to Chapter 2, Project Description, for further details. No revision to the Draft EIR is required.

Comment 9-15

4th Street Gateway Alternative:

- 1. 633 and 637 Fifth Avenue: This alternative is of significant concern to SRH as these buildings would need to be moved or demolished. It would be difficult to secure a suitable site in the downtown area with the likely result of loss of these resources. The buildings are well maintained and contain small local businesses that are assets to San Rafael and should not be disturbed.*

2. They are valuable for as an attractive gateway to Downtown from the southbound US 101 Central San Rafael exit. Integral to SRH concerns is that no plans are provided for mitigating the impact to these historic resources.

Response to Comment 9-15

The comment provides feedback on the 4th Street Gateway Alternative. The Move Whistlestop Alternative has been identified as the preferred alternative. Mitigation Measure MM-CULT-CNST-1 explains that relocation of historical resources within the project footprint may not be possible if a suitable receiving site cannot be found, which is consistent with comment 9-15. The analysis of the 4th Street Gateway Alternative has been revised to provide additional information to substantiate this conclusion. Additionally, contrary to the commenter's statement, Mitigation Measures MM-CULT-CNST-1, MM-CULT-CNST-2, and MM-CULT-CNST-3 are provided to mitigate the identified impact on these resources; however, the EIR discloses that the measures may compensate for the project's significant impact but would not reduce it to a less-than-significant level. This supports the EIR's finding of a significant and unavoidable impact on historical resources under the 4th Street Gateway Alternative. No revisions to the mitigation measures are required.

Section 3.1, Aesthetics, has been revised in the Final EIR to clarify that although the structures are well maintained, the buildings are within an area that is, overall, visually disjointed (see pages 3.1-35 and 3.1-36 of the Final EIR). This is because these buildings are surrounded by commercial buildings of varying age and transportation facilities, including US-101 and the rail line, that do not have the same quality as the historic structures. Although removal of these buildings would slightly detract from views, their removal would occur in conjunction with the removal of disjointed commercial uses along Hetherton Street and Tamalpais Avenue between 3rd Street and 5th Avenue. The 4th Street Gateway Alternative would replace the disjointed land uses with a station and public space that provide a more unified visual setting that includes landscaping and provides greater aesthetic appeal over a larger area. As a result, the project would create a greater sense of arrival with a more distinct gateway to Downtown San Rafael, and removal of this building would not likely result in substantial visual impacts if the structure were not protected. However, the Final EIR identifies that removal of this building would conflict with zoning and other regulations governing scenic quality that are in place to protect historic resources, resulting in a significant aesthetic impact. The Final EIR retains the Draft EIR's conclusion that implementation of Mitigation Measure MM-CULT-CNST-1, which cross-references Mitigation Measure MM-CULT-CNST-3, would result in less-than-significant impacts on aesthetics, because it would relocate and preserve this historic structure. Text has also been added to this mitigation measure to clarify that it will ensure that the features of the building are retained in an onsite interpretive display commemorating the historical significance of the buildings should the buildings be demolished.

Comment 9-16

Under the Freeway Alternative:

1. 1011 Irwin Street – SRH does not believe this building is significant. In the City there are many "hipped roof cottages" in close proximity to each other that are better representations as this one stands alone. The brick entry staircase is not original and there is no discernable history attached.

Response to Comment 9-16

The comment provides feedback on the Under the Freeway Alternative. Please refer to the response to comment 9-6 regarding the historical resource status of 1011 Irwin Street considered in the Draft EIR.

Comment 9-17

To conclude, SRH requests that the NWP depot be fully restored to an agreed upon period of significance and placed in service with compatible uses. SRH also requests the building be submitted to the city for local landmark designation at completion of restoration, in recognition of special status and to protect the resource for future generations. Any restoration or alterations shall conform with the "Secretary's Interior Standards" to improve suitability for inclusion on the national register and as a state historic resource. SRH maintains local landmark designation is the most protective and symbolically important to the local community. The final consideration of the status for this historic treasure is the value placed in it by the local community. It is beloved by San Rafael residents and it would be tragic not to honor it for its possibilities to become an inviting welcome to all who travel in our city.

SRH is committed to working with the district on achieving an exemplary environment around the Transit Center regardless of the alternative selected. We look forward to working directly with the district on this project.

Response to Comment 9-17

This comment provides input on future designation efforts and possible rehabilitation of the Whistlestop building. As described in Section 3.4, Cultural Resources, there are multiple records of surveys of the Whistlestop building. In order to clarify the record regarding the historical resource status of the depot building, ICF prepared an updated evaluation of this building for the San Rafael Transit Center Replacement Project Survey, which is included in Appendix H of the Final EIR (Appendix F of the Draft EIR). In consideration of the record of past evaluations, ICF found the building not to be eligible for listing in the California Register of Historical Resources due to diminished integrity, and not to qualify as a CEQA historical resource. Furthermore, the building has not previously been listed in the local historical resource register. This comment does not concern the adequacy of the EIR and no revision of the Draft EIR is necessary.

From: David Schonbrunn <David@Schonbrunn.org>
Sent: Monday, October 4, 2021 9:19 AM
To: Denis Mulligan <DMulligan@goldengate.org>
Subject: SRTC

Denis,

Over a year ago, I urged you to empower a public process, centered on a city advisory committee, to manage the development of alternatives for SRTC. You chose instead to go with a standard consultant-led approach.

10-1

The consequence of that choice, for me, is that--precisely as I had expected--I've completely lost touch with the project. I don't see any connection from the public process to the preferred alternative. As a result, I have made the decision to not review the EIR.

This tells me that the process failed. I don't believe it built community support for the project. I fail to understand why that wasn't completely predictable.

—David

David Schonbrunn, President
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9.2.10.1 Response to Comment Letter 10, Transportation Solutions Defense and Education Fund

Comment 10-1

Over a year ago, I urged you to empower a public process, centered on a city advisory committee, to manage the development of alternatives for SRTC. You chose instead to go with a standard consultant-led approach.

The consequence of that choice, for me, is that--precisely as I had expected--I've completely lost touch with the project. I don't see any connection from the public process to the preferred alternative. As a result, I have made the decision to not review the EIR.

This tells me that the process failed. I don't believe it built community support for the project. I fail to understand why that wasn't completely predictable.

Response to Comment 10-1

The comment expresses concern with the outreach and community engagement process. Outreach efforts through the publication of the Draft EIR are summarized Section 1.3.1, Agency and Public Outreach. Additionally, see the response to comment 5-8 for a description of past engagement with the City and the public throughout project development and preparation of the Draft EIR. This comment does not concern the adequacy of the EIR. No revisions to the Draft EIR are necessary.



415 578 2392
Admin@ResilientShore.org

828 Mission Avenue
San Rafael, CA 94901

October 8, 2021

Raymond Santiago, Project Manager
San Rafael Transit Center
Golden Gate Bridge Highway and Transportation District

Via Email

Reference: San Rafael Transit Center Environment Impact Report Public Comment

Raymond:

11-1

We take pleasure in having the opportunity to comment on the Golden Gate Bridge Highway and Transportation District (District) San Rafael Transit Center (Transit Center) Draft EIR. This project can be transformational for Downtown San Rafael, the North Bay and transit users. It can help mitigate climate change by encouraging transit use and active transportation, helping to reduce dependence on automobiles and reducing GHG emissions. It can provide a more convenient, safer, and higher quality environment for transit users. Robust transit use is essential to realization of the Downtown San Rafael Precise Plan.

11-2

San Rafael City Council's action on the Draft EIR in their October 4th meeting appeared to indicate a breakdown in direct communication between District and City policy makers. Potential Transit Center impacts on congestion, motor vehicle access to Downtown from US 101, pedestrian safety and appearance are major concerns for the City Council. There seems to be a divergence in opinion on the preferred location of the Transit Center. Perhaps this can be reconciled by having the decision makers meet and work out a mutually acceptable Transit Center location and key mitigations based on an understanding of needs and agreeing on a shared vision for the future.

We are concerned about the lack of a comprehensive forward planning vision including integration of all key transportation modes and adjacent transit-oriented land uses. Particularly troubling are statements made during City Council meeting suggesting a lack of commitment to the success of SMART.

Failure of the Transit Center to move forward in a mutually beneficial manner would be a disservice to transit users, the District, San Rafael, and citizens. Loss of this investment opportunity in Downtown San Rafael would be a tragedy. This would reflect poorly on the public's perception of the both the District and the City.

Below are our comments and recommendations:

Executive Summary

11-3

ES.7.1 Move Whistlestop Alternative (Preferred Project)

The Draft EIR concludes there are no unavoidable impacts associated with the Move Whistlestop Alternative.

Together we can do this.

— ResilientShore.org
A Non-Profit Project

11-3
cont.

We note impacts related to cultural resources, specifically three resources included in the San Rafael Historic Resource Inventory and located within a potential East Downtown Core Historic District along 4th Street and extending south along both sides of West Tamalpais. Two of the resources on the west side of West Tamalpais, the Barrelhouse/Taxi Stand Office, 927 West Tamalpais, and the altered National Hotel, 703-705 West Tamalpais, would be demolished. Relocation of the Northwestern Pacific Depot/Whistlestop building (NWP Depot), 930 Tamalpais Avenue, may impact its eligibility for listing on the National and/or California Registers.

Recommended Mitigation Measures:

1. Update the EIR to coordinate with the adopted San Rafael Historic Resource Inventory, Downtown Precise Plan and San Rafael General Plan 2040
2. As part of mitigation of resources to be demolished, restored and/or repurposed, prepare and submit historic documentation of the resources located within the selected alternative and publish findings as is customary with standard mitigation practices. This includes completion of measured drawings.
3. If either of the Whistlestop alternatives are implemented, Identify elements suitable for reuse in a repurposed NWP Depot. A possible example may include the bar and back bar in the Barrell House/Taxi Stand Building.
4. If either of the Whistlestop alternatives are implemented, restore the exterior of the NWP Depot to an agreed upon period of significance and apply for San Rafael local landmark designation. For these alternatives, full restoration of the arcade facing the SMART tracks is recommended as part of the building program. Transit Center programmatic requirements may exceed the available space of the building restoration. If this is the case, additions to the building should conform with Secretary of Interior Standards. While relocation of a building commonly diminishes its relationship to its historic context, the new location proposed in the move Whistlestop alternative would increase visibility of the arcade, one of the NWP Depot's primary distinguishing characteristics. The NWP Depot would be moved to the west, away from the SMART boarding platform that currently hides the arcade and impairs access to the building. As proposed, the orientation to the railroad would be maintained.
5. Involve key stakeholders in determination of the period of significance and design of a repurposed NWP Depot and public plaza areas.

11-4

The Whistlestop alternatives can result in a significant placemaking opportunity for the Transit Center and Downtown if well programmed, designed, implemented, maintained, and managed. Sensitive restoration of the NWP Depot building will likely result in the resource receiving an elevated A or B rating in the City's inventory. The outcome may be like the repurposed NWP Depot building and former terminal track area in downtown Mill Valley, particularly with a well-designed public plaza space extending to 4th Street, along West Tamalpais and around the building.

Cultural Resources

11-5

Page 3.4-24 Table 3.4-26

San Rafael Heritage and the City do not concur with ICF findings regarding the NWP Depot. The recently updated San Rafael Historic Resources Inventory rated the NWP Depot a C.

11-5
cont.

Recommended Mitigation Measures:

1. Modify the EIR to include the latest rating and proposed historic district boundaries.
2. Restore the NWP Depot building to an agreed upon period of significance resulting in it having a higher local rating, eligibility for local landmark designation if either of the Whistlestop alternatives are selected.

GHG and Resource Efficiency

Page 3.7-20 Conclusion

Preservation and reuse of the NWP Depot building and salvageable materials would conserve resources and reduce solid waste.

11-6

Any increased traffic delay related to the Transit Center project will increase airborne emissions.

Traffic analysis findings were not apparent in our admittedly quick review of the draft EIR. Providing this information in a summary form would be helpful in comparing the various alternatives.

Recommended Mitigation Measures:

1. Include diversion of solid waste and sequestration of carbon in attainment of LEED Gold Certification and to conform with BAAQMD regulations.
2. Summarize traffic analysis prepared for each alternative to provide information on Transit Center operation addressing motor vehicle congestion and delay, air quality and GHG emissions.

Climate Change and Flood Risk Resiliency

We did not see specific reference to these topics in the EIR and recommend consideration and mitigation of climate change impacts and flood risk the alternative transit center locations and the no build alternate.

11-7

Portions of the Around Whistlestop and Adapt Whistlestop alternatives are located within the Flood Insurance Rate Map (FIRM) Zone AE and subject to inundation in a 1% flood event. While the depth of the inundation is likely to be relatively low in a 1% event, based on the 2016 map, event variability and intensity is likely to increase due to climate change. Currently, event duration is likely to be relatively short term due to the influence of tidal cycles. The sites are in an area subject to both fluvial and maritime flooding. Projected sea level rise will directly impact all the sites due to their low elevations.

The San Rafael 2040 General Plan identifies policies and programs to address the impacts of climate change. Refer to the San Rafael General Plan 2040 adopted August 2, 2021, ESA San Rafael Sea Level Rise Adaptation Study, June 19, 2020, and the City of San Rafael Flood Risk & Sea Level Rise Adaptation Report for the San Rafael General Plan 2040, July 2020.

Specific Policies and Programs are in the Safety and Resilience Element of the General Plan. For Program S-3.6A Sea Level Rise Adaptation Plan (Adaptation Plan) see page 8-17.

Recommended Mitigation Measures:

11-7
cont.

1. Refer to the 2016 FIRM and San Rafael General Plan for goals, policies, and programs, and modify the EIR.
2. Design the facilities to reduce inundation vulnerability in a flood event.
3. Participate in the San Rafael Sea Level Rise and Watershed Adaptation Plan as a stakeholder and funder. The city currently lacks resources to initiate the planning process and will need benefiting stakeholders to partially fund the plan and EIR and provide input. This is in the public's interest to help protect critical regional transportation infrastructure.

Land Use and Planning

Pages 3.10-2 – 3.10-16 Regional and Local

11-8

The Downtown Precise Plan, San Rafael 2040 General Plan, San Rafael Zoning Code revisions and an updated Historic Resource Inventory have been adopted by the City Council since completion of the EIR Draft.

Recommended Mitigation Measure:

Revise the EIR to coordinate with above referenced documents.

Transportation

City of San Rafael General Plan 2020 (and additional referenced area plans), pages 3.14-3 – 3.14-13

The 2020 General Plan has been replaced by documents referenced above.

11-9

Mobility at the east end of Downtown San Rafael is constrained by the roadway network and proximity of the SMART railroad to US 101. Hetherton Street serves as the southbound collector distributor roadway for the freeway. It provides four right turn access points to Downtown San Rafael from southbound US 101 serving as the gateway from the north for motor vehicles. Recent initiation of SMART service has increased delay for vehicles moving east and west across the US 101/SMART corridor. Rail operations impact signal timing and have reduced queuing capacity between the Hetherton and West Tamalpias signals. This has increased congestion on Heatherton due to stopped westbound traffic blocking right turn movements. Community, city staff and City Council sensitivity has been heightened for any action that may increase congestion.

Transit use information needs to be updated as pre pandemic counts lack full relevancy due to evolving commute patterns.

We did not see detail analysis of the bus movements and their impacts on mobility for vehicles, pedestrians and active transportation users for each alternative including no build. This information is needed to quantify the impacts of Transit Center operations on various street segments, intersections and on pedestrians and active transportation users.

An analysis of pedestrian and active transportation movement to and from each alternative location including no build was not apparent in the draft EIR. An understanding of this and bus and motor vehicle conflicts is needed to better assess the impacts associated with each alternative.

11-9
cont.

The relationship and interdependency between the various transportation modes is not stated in the EIR. How important is proximity of the transit center to the SMART station and the north south greenway? What are the advantages and disadvantages to transit users and the District for a transit center location between Irwin and Hetherton (under the freeway) and one located west of Hetherton? What are the advantages and disadvantages of having transit center operations on the west side of the railroad? Are there joint advantages to the District and SMART for assemblage of land to accommodate a future combined transit hub with transit-oriented air rights development? This is a common occurrence in the EU, UK and Asia providing a financial tool to fund transportation capital investment such as elevating SMART through Downtown. Which alternatives provide the most convenient, safe, and pleasant transit user experiences?

The Move Whistlestop and Adapt Whistlestop alternatives indicate the routing of the north south greenway from Mission Avenue along Hetherton to 4th Street, west on 4th Street adjacent to the transit center and on the west side of West Tamalpais to 2nd Street. The alignment preferred by the bicycle community and shown in the Station Area Plan is on West Tamalpais from Mission Avenue to 2nd Street. This alignment reduces crossing conflicts between greenway users and right turning movements from Hetherton into Downtown at Mission Avenue, 5th Avenue and 4th Street.

An urban design concept supported by Sustainable San Rafael, Resilient Shore and others is to convert West Tamalpais into a shared street/plaza extending from Mission Avenue to 2nd Street. This would be utilized by all users and would be devoid of channelization and lane markings. The concept is based on similar conditions in the United Kingdom and European Union where all user behavior exhibits lower speed and greater caution in moving through a shared space with textured pavements, commonly brick or stone pavers. A concern with the conceptual designs is the demarcation of a class 4 bike way through the Transit Center. This may prove to be hazardous for pedestrians and encourage bicyclists and other wheeled personal transportation devices to operate at excessive speed.

Recommended Mitigation Measures:

1. Provide updated transit use information.
2. Revise the EIR to coordinate with above adopted City of San Rafael planning documents.
3. Update the EIR based on the latest available traffic and transit use data.
4. Provide traffic analysis showing bus movements and their impacts associated with each transit center location and the no build alternative.
5. Relocate the north south greenway alignment to West Tamalpais.
6. Provide an analysis of pedestrian and active transportation movement associated with each alternative and no build. Identify areas of conflict.
7. Rate the alternatives, including no build, for transit user safety, convenience, and quality of environment.
8. Involve local stakeholders in a deeper dive design process following environmental clearance and selection of the alternative to be implemented. Include a more nuanced consideration of the building program, plaza design, boundaries and use, and north-south greenway alignment.
9. Work with the City of San Rafael and SMART to develop a shared vision for the future of the Transit Center area.

11-10

Robust transit use, multi-use pathways, supportive land use and density are the building blocks of the walkable communities required to alleviate our chronic housing shortage, mitigate climate change, and

11-10
cont.

build a better Bay Area. Resilient Shore is committed to advocating for the best possible outcome for the Transit Center and stands ready to assist the District and City of San Rafael in achieving this goal. We are prepared to participate in the detail programming and design of the facility as it works through the project delivery process.

We look forward to working with you in the future and appreciate the District's efforts and community engagement opportunities.

Sincerely,

Jeffrey D. Rhoads
Executive Director
Resilient Shore

CC:

Mayor Pro Tem Maribeth Bushey, City of San Rafael
William Carney, Sustainable San Rafael
Mayor Kate Collin, City of San Rafael
Bill Guerin, Director of Public Works, City of San Rafael
Allison Judice, Director of Community Development, City of San Rafael
Linzy Klumpp, San Rafael Heritage
Amy Likover, Federation of San Rafael Neighborhoods
Rafat Rae, Assistant Director of Public Works, City Traffic Engineer, City of San Rafael
Jim Schutz, City Manager, City of San Rafael

9.2.11.1 Response to Comment Letter 11, Resilient Shore, Jeffrey Rhoads

Comment 11-1

We take pleasure in having the opportunity to comment on the Golden Gate Bridge Highway and Transportation District (District) San Rafael Transit Center (Transit Center) Draft EIR. This project can be transformational for Downtown San Rafael, the North Bay and transit users. It can help mitigate climate change by encouraging transit use and active transportation, helping to reduce dependence on automobiles and reducing GHG emissions. It can provide a more convenient, safer, and higher quality environment for transit users. Robust transit use is essential to realization of the Downtown San Rafael Precise Plan.

Response to Comment 11-1

The comment expresses support for the proposed project. This comment does not concern the adequacy of the EIR. No revisions to the Draft EIR are necessary.

Comment 11-2

San Rafael City Council's action on the Draft EIR in their October 4th meeting appeared to indicate a breakdown in direct communication between District and City policy makers. Potential Transit Center impacts on congestion, motor vehicle access to Downtown from US 101, pedestrian safety and appearance are major concerns for the City Council. There seems to be a divergence in opinion on the preferred location of the Transit Center. Perhaps this can be reconciled by having the decision makers meet and work out a mutually acceptable Transit Center location and key mitigations based on an understanding of needs and agreeing on a shared vision for the future.

We are concerned about the lack of a comprehensive forward planning vision including integration of all key transportation modes and adjacent transit-oriented land uses. Particularly troubling are statements made during City Council meeting suggesting a lack of commitment to the success of SMART.

Failure of the Transit Center to move forward in a mutually beneficial manner would be a disservice to transit users, the District, San Rafael, and citizens. Loss of this investment opportunity in Downtown San Rafael would be a tragedy. This would reflect poorly on the public's perception of the both the District and the City.

Response to Comment 11-2

The comment expresses concern about coordination between the District and the City. Coordination between the District and the City is ongoing, as described in Section 1.3.1, Agency and Public Outreach, and will continue into future project phases. The District identified the Move Whistlestop Alternative as the preferred alternative and anticipates formally selecting a preferred project at the end of the Final EIR phase. The preferred alternative, when it is selected by the District Board upon completion of the Final EIR, will be brought to the San Rafael City Council for approval.

Comment 11-3

Executive Summary

ES.7.1 Move Whistlestop Alternative (Preferred Project)

The Draft EIR concludes there are no unavoidable impacts associated with the Move Whistlestop Alternative.

We note impacts related to cultural resources, specifically three resources included in the San Rafael Historic Resource Inventory and located within a potential East Downtown Core Historic District along 4th Street and extending south along both sides of West Tamalpais. Two of the resources on the west side of West Tamalpais, the Barrelhouse/Taxi Stand Office, 927 West Tamalpais, and the altered National Hotel, 703-705 West Tamalpais, would be demolished. Relocation of the Northwestern Pacific Depot/Whistlestop building (NWP Depot), 930 Tamalpais Avenue, may impact its eligibility for listing on the National and/or California Registers.

Recommended Mitigation Measures:

- 1. Update the EIR to coordinate with the adopted San Rafael Historic Resource Inventory, Downtown Precise Plan and San Rafael General Plan 2040*
- 2. As part of mitigation of resources to be demolished, restored and/or repurposed, prepare and submit historic documentation of the resources located within the selected alternative and publish findings as is customary with standard mitigation practices. This includes completion of measured drawings.*
- 3. If either of the Whistlestop alternatives are implemented, identify elements suitable for reuse in a repurposed NWP Depot. A possible example may include the bar and back bar in the Barrell House/Taxi Stand Building.*
- 4. If either of the Whistlestop alternatives are implemented, restore the exterior of the NWP Depot to an agreed upon period of significance and apply for San Rafael local landmark designation. For these alternatives, full restoration of the arcade facing the SMART tracks is recommended as part of the building program. Transit Center programmatic requirements may exceed the available space of the building restoration. If this is the case, additions to the building should conform with Secretary of Interior Standards. While relocation of a building commonly diminishes its relationship to its historic context, the new location proposed in the move Whistlestop alternative would increase visibility of the arcade, one of the NWP Depot's primary distinguishing characteristics. The NWP Depot would be moved to the west, away from the SMART boarding platform that currently hides the arcade and impairs access to the building. As proposed, the orientation to the railroad would be maintained.*
- 5. Involve key stakeholders in determination of the period of significance and design of a repurposed NWP Depot and public plaza areas.*

Response to Comment 11-3

This comment addresses the historical resource status of 927 Tamalpais Avenue, 704–705 Tamalpais Avenue, and 930 Tamalpais Avenue (the Whistlestop building). As presented in Section 3.4, Cultural Resources, these buildings do not qualify as individual historical resources based on San Rafael Historic Resource Inventory ratings completed in the 1970s and 1980s. The analysis in the EIR relies upon subsequently prepared evaluations of the buildings, which support the conclusions in the previous evaluations that these buildings are not individually eligible for National Register of Historic Places or California Register of Historical Resources listing or otherwise qualify for historical resource status. Please refer to the response to comment 5-34 regarding potential impacts on the proposed East Downtown Core Historic District.

Regarding the first action suggested in the comment, Section 3.4 of the EIR has been revised to reflect the updated findings of the *Downtown San Rafael Precise Plan Historic Resources Survey*, including the proposed East Downtown Core Historic District (see pages 3.4-24 through 3.4-26 of the Final EIR). The regulatory setting and environmental setting sections in Section 3.4 of the Final EIR have further been revised to reflect new information on the adopted *San Rafael General Plan 2040* and *Downtown San Rafael Precise Plan*. The environmental setting section previously presented information on the San Rafael Historical/Architectural Survey, and no further revision is necessary.

Regarding the second action suggested in the comment, Mitigation Measure MM-CULT-CNST-2 requires historical documentation to be completed in the event that built-environment resources are demolished. Such documentation would be required for significant resources subject to a significant impact under the 4th Street Gateway and Under the Freeway Alternatives and therefore does not apply to all buildings that would undergo alterations as a result of the project. Mitigation Measure MM-CULT-CNST-2 has been revised to include the preparation of measured drawings as part of the documentation packages. However, this addition to the required documentation materials would not further reduce the project's impacts on built-environment historical resources and would not change the impact conclusions; the impact would remain significant and unavoidable. Furthermore, because neither the Move Whistlestop Alternative nor the Adapt Whistlestop Alternative would have a significant impact on built-environment resources, the application of mitigation measures is not required regarding 930 Tamalpais Avenue.

Application of the remaining three actions proposed by the commenter is not required because the EIR demonstrates that neither of the two alternatives that propose changes to the Whistlestop building would cause a significant impact on historical resources. This comment also provides input on future designation efforts and rehabilitation of the Whistlestop building. Please refer to the response to comment 9-17.

The commenter's support for stakeholder involvement in the proposed project's design process is noted. The District will continue to provide opportunities for the public to learn about and participate in the project development process.

Comment 11-4

The Whistlestop alternatives can result in a significant placemaking opportunity for the Transit Center and Downtown if well programmed, designed, implemented, maintained, and managed. Sensitive restoration of the NWP Depot building will likely result in the resource receiving an elevated A or B rating in the City's inventory. The outcome may be like the repurposed NWP Depot building and former terminal track area in downtown Mill Valley, particularly with a well-designed public plaza space extending to 4th Street, along West Tamalpais and around the building.

Response to Comment 11-4

This comment provides input on future designation efforts and possible rehabilitation of the Whistlestop building. The commenter's interest in the Whistlestop building's potential for placemaking is noted. This comment does not concern the adequacy of the EIR. No revision is necessary.

Comment 11-5

Cultural Resources

Page 3.4-24 Table 3.4-26

San Rafael Heritage and the City do not concur with ICF findings regarding the NWP Depot. The recently updated San Rafael Historic Resources Inventory rated the NWP Depot a C.

Recommended Mitigation Measures:

- 1. Modify the EIR to include the latest rating and proposed historic district boundaries.*
- 2. Restore the NWP Depot building to an agreed upon period of significance resulting in it having a higher local rating, eligibility for local landmark designation if either of the Whistlestop alternatives are selected.*

Response to Comment 11-5

Section 3.4, Cultural Resources, has been revised in the Final EIR to include the updated survey ratings, as presented in the May 2021 survey summary report (see pages 3.4-24 through 3.4-30 of the Final EIR). Please refer to the response to comment 5-34 regarding analysis of the East Downtown Core Historic District. These revisions did not change the conclusions presented in the Draft EIR.

This comment also provides input on future designation efforts and possible rehabilitation of the Whistlestop building. The commenter's support of restoration of the Whistlestop building is noted.

Comment 11-6

GHG and Resource Efficiency

Page 3.7-20 Conclusion

Preservation and reuse of the NWP Depot building and salvageable materials would conserve resources and reduce solid waste.

Any increased traffic delay related to the Transit Center project will increase airborne emissions.

Traffic analysis findings were not apparent in our admittedly quick review of the draft EIR. Providing this information in a summary form would be helpful in comparing the various alternatives.

Recommended Mitigation Measures:

- 1. Include diversion of solid waste and sequestration of carbon in attainment of LEED Gold Certification and to conform with BAAQMD regulations.*
- 2. Summarize traffic analysis prepared for each alternative to provide information on Transit Center operation addressing motor vehicle congestion and delay, air quality and GHG emissions.*

Response to Comment 11-6

Regarding the preservation of the NWP Depot building, also known as the Whistlestop building, several alternatives to the project have been identified and are discussed in Chapter 5, Alternatives to the Project, of the Draft EIR. The Adapt Whistlestop Alternative would include renovating or

remodeling the building but maintaining its current location. This alternative could result in the use of fewer resources and produce less solid waste than removing or relocating the existing Whistlestop building and constructing a new building in a different location.

From a GHG emissions standpoint, as documented in Table 5-1 of the Draft EIR, GHG emissions would be less than significant with mitigation for all alternatives. Regardless of whether the Whistlestop building is removed, Mitigation Measure MM-GHG-CNST-1 requires implementation of BAAQMD's best management practices, which include recycling at least 50 percent of construction waste or demolition materials.

Potential traffic delays at the project site are discussed in Section 3.14, Transportation. Page 3.14-45 of the Final EIR states that the project would not increase VMT and "would generally reduce congestion in the Downtown San Rafael area." Additionally, Table 3.14-4 indicates that the Move Whistlestop, Adapt Whistlestop, and Under the Freeway Alternatives would be consistent with Policy M-2.5, Traffic Level of Service, from *San Rafael General Plan 2040*, and the 4th Street Gateway Alternative would be partially consistent with this policy. This policy includes LOS standards for traffic congestion that intend to maintain an efficient roadway network and provide a consistent basis for evaluating the transportation effects of proposed development projects on local roadways. Traffic congestion and delay are not anticipated to be substantially affected by the project, and the effects of vehicle congestion on criteria pollutant or GHG emissions would likely be minor. Furthermore, Table 3.14-4 indicates that all build alternatives would be consistent with Policy M-3.1, VMT Reduction, from *San Rafael General Plan 2040*, which seeks to achieve state-mandated reductions in vehicle VMT. The reduction in VMT achieved by the project alternatives would be beneficial from a criteria pollutant and GHG emissions standpoint.

Regarding the items recommended by the commenter, the first includes diversion of solid waste and carbon sequestration "in attainment of [Leadership in Energy and Environmental Design] Gold Certification and to conform with BAAQMD regulations." As noted on page 3.7-19 of the Final EIR, the project would implement BAAQMD's best management practices from its *California Environmental Quality Act: Air Quality Guidelines*. These best management practices have been incorporated into the project through implementation of Mitigation Measure MM-GHG-CNST-1, which includes a requirement to recycle at least 50 percent of construction waste or demolition materials. Waste generated during operation of the proposed project would be subject to the City's Mandatory Recycling and Organics Law. Carbon sequestration is not included in the list of BAAQMD best management practices, and neither is the achievement of Leadership in Energy and Environmental Design Gold Certification; however, as noted on page 3.7-20 of the Final EIR, the proposed project would include landscaping features such as trees, shrubs, and bushes that would contribute to carbon sequestration. As such, the first item proposed in the comment would not be applicable to the proposed project and no revisions to the Draft EIR are necessary.

The second item recommended by the commenter is to "[s]ummarize traffic analysis prepared for each alternative to provide information on Transit Center operation addressing motor vehicle congestion and delay, air quality and GHG emissions." As noted above, discussion of vehicle congestion and delay is included in Section 3.14, Transportation. Criteria pollutant or GHG emissions related to vehicle congestion are anticipated to be minor because the project and its alternatives would be consistent or partially consistent with the *San Rafael General Plan 2040* LOS policy. Importantly, the project and its alternatives would also be consistent with the *San Rafael General Plan 2040* policy for reducing VMT and would have a net benefit for criteria pollutant and GHG

emissions. As such, the Draft EIR sufficiently addresses the topics raised in the comment and no revisions to the Draft EIR are necessary.

Comment 11-7

Climate Change and Flood Risk Resiliency

We did not see specific reference to these topics in the EIR and recommend consideration and mitigation of climate change impacts and flood risk the alternative transit center locations and the no build alternate.

Portions of the Around Whistlestop and Adapt Whistlestop alternatives are located within the Flood Insurance Rate Map (FIRM) Zone AE and subject to inundation in a 1% flood event. While the depth of the inundation is likely to be relatively low in a 1% event, based on the 2016 map, event variability and intensity is likely to increase due to climate change. Currently, event duration is likely to be relatively short term due to the influence of tidal cycles. The sites are in an area subject to both fluvial and maritime flooding. Projected sea level rise will directly impact all the sites due to their low elevations.

The San Rafael 2040 General Plan identifies policies and programs to address the impacts of climate change. Refer to the San Rafael General Plan 2040 adopted August 2, 2021, ESA San Rafael Sea Level Rise Adaptation Study, June 19, 2020, and the City of San Rafael Flood Risk & Sea Level Rise Adaptation Report for the San Rafael General Plan 2040, July 2020.

Specific Policies and Programs are in the Safety and Resilience Element of the General Plan. For Program S-3.6A Sea Level Rise Adaptation Plan (Adaptation Plan) see page 8-17.

Recommended Mitigation Measures:

- 1. Refer to the 2016 FIRM and San Rafael General Plan for goals, policies, and programs, and modify the EIR.*
- 2. Design the facilities to reduce inundation vulnerability in a flood event.*
- 3. Participate in the San Rafael Sea Level Rise and Watershed Adaptation Plan as a stakeholder and funder. The city currently lacks resources to initiate the planning process and will need benefiting stakeholders to partially fund the plan and EIR and provide input. This is in the public's interest to help protect critical regional transportation infrastructure.*

Response to Comment 11-7

The environmental setting section in Section 3.9, Hydrology and Water Quality, addresses sea level rise and impacts on flooding levels at the project site and discloses the flood zone designations for each alternative site, based on the 2016 Federal Emergency Management Act (FEMA) Flood Insurance Rate Map. On page 3.9-11 of the Final EIR, this section also states the following regarding the impacts of climate change on flood risk:

It is anticipated that flooding and storm surges will become more intense in the coming years as a result of climate change, and it is possible that FEMA's figures may underestimate future flood conditions. Flooding frequency is expected to increase as climate change influences sea level rise.

Section 3.9 has been revised to clarify risks related to sea level rise and add additional *San Rafael General Plan 2040* policies related to sea level rise (see pages 3.9-7 and 3.9-8 of the Final EIR). Please see the response to comment 5-42 for additional details regarding sea level rise.

Comment 11-8*Land Use and Planning*

Pages 3.10-2 – 3.10-16 Regional and Local

The Downtown Precise Plan, San Rafael 2040 General Plan, San Rafael Zoning Code revisions and an updated Historic Resource Inventory have been adopted by the City Council since completion of the EIR Draft.

Recommended Mitigation Measure:

Revise the EIR to coordinate with above referenced documents.

Response to Comment 11-8

The Draft EIR, including Section 3.10, Land Use and Planning, has been revised to reflect the adoption of *San Rafael General Plan 2040* and the *Downtown San Rafael Precise Plan*, and the updates to the Historic Resources Summary Report. As of the preparation of this document, revisions to the Zoning Code have not been formally updated.

Comment 11-9*Transportation*

City of San Rafael General Plan 2020 (and additional referenced area plans), pages 3.14-3 – 3.14-13

The 2020 General Plan has been replaced by documents referenced above.

Mobility at the east end of Downtown San Rafael is constrained by the roadway network and proximity of the SMART railroad to US 101. Hetherton Street serves as the southbound collector distributor roadway for the freeway. It provides four right turn access points to Downtown San Rafael from southbound US 101 serving as the gateway from the north for motor vehicles. Recent initiation of SMART service has increased delay for vehicles moving east and west across the US 101/SMART corridor. Rail operations impact signal timing and have reduced queuing capacity between the Hetherton and West Tamalpias signals. This has increased congestion on Heatherton due to stopped westbound traffic blocking right turn movements. Community, city staff and City Council sensitivity has been heightened for any action that may increase congestion.

Transit use information needs to be updated as pre pandemic counts lack full relevancy due to evolving commute patterns.

We did not see detail analysis of the bus movements and their impacts on mobility for vehicles, pedestrians and active transportation users for each alternative including no build. This information is needed to quantify the impacts of Transit Center operations on various street segments, intersections and on pedestrians and active transportation users.

An analysis of pedestrian and active transportation movement to and from each alternative location including no build was not apparent in the draft EIR. An understanding of this and bus and motor vehicle conflicts is needed to better assess the impacts associated with each alternative.

The relationship and interdependency between the various transportation modes is not stated in the EIR. How important is proximity of the transit center to the SMART station and the north south

greenway? What are the advantages and disadvantages to transit users and the District for a transit center location between Irwin and Hetherton (under the freeway) and one located west of Hetherton? What are the advantages and disadvantages of having transit center operations on the west side of the railroad? Are there joint advantages to the District and SMART for assemblage of land to accommodate a future combined transit hub with transit-oriented air rights development? This is a common occurrence in the EU, UK and Asia providing a financial tool to fund transportation capital investment such as elevating SMART through Downtown. Which alternatives provide the most convenient, safe, and pleasant transit user experiences?

The Move Whistlestop and Adapt Whistlestop alternatives indicate the routing of the north south greenway from Mission Avenue along Hetherton to 4th Street, west on 4th Street adjacent to the transit center and on the west side of West Tamalpais to 2nd Street. The alignment preferred by the bicycle community and shown in the Station Area Plan is on West Tamalpais from Mission Avenue to 2nd Street. This alignment reduces crossing conflicts between greenway users and right turning movements from Hetherton into Downtown at Mission Avenue, 5th Avenue and 4th Street.

An urban design concept supported by Sustainable San Rafael, Resilient Shore and others is to convert West Tamalpais into a shared street/plaza extending from Mission Avenue to 2nd Street. This would be utilized by all users and would be devoid of channelization and lane markings. The concept is based on similar conditions in the United Kingdom and European Union where all user behavior exhibits lower speed and greater caution in moving through a shared space with textured pavements, commonly brick or stone pavers. A concern with the conceptual designs is the demarcation of a class 4 bike way through the Transit Center. This may prove to be hazardous for pedestrians and encourage bicyclists and other wheeled personal transportation devices to operate at excessive speed.

Recommended Mitigation Measures:

- 1. Provide updated transit use information.*
- 2. Revise the EIR to coordinate with above adopted City of San Rafael planning documents.*
- 3. Update the EIR based on the latest available traffic and transit use data.*
- 4. Provide traffic analysis showing bus movements and their impacts associated with each transit center location and the no build alternative.*
- 5. Relocate the north south greenway alignment to West Tamalpais.*
- 6. Provide an analysis of pedestrian and active transportation movement associated with each alternative and no build. Identify areas of conflict.*
- 7. Rate the alternatives, including no build, for transit user safety, convenience, and quality of environment.*
- 8. Involve local stakeholders in a deeper dive design process following environmental clearance and selection of the alternative to be implemented. Include a more nuanced consideration of the building program, plaza design, boundaries and use, and north-south greenway alignment.*
- 9. Work with the City of San Rafael and SMART to develop a shared vision for the future of the Transit Center area.*

Response to Comment 11-9

In response to recommendations 1 and 3, the Draft EIR's use of pre-pandemic conditions represents the best available information to estimate post-pandemic travel patterns. The use of pre-pandemic transit and vehicle information is consistent with the analysis done in *San Rafael General Plan 2040*. Please see the response to comment 5-54 for additional information on the use of pre-pandemic transit and vehicle information.

In response to recommendation 2, the Final EIR has been revised to reference the City's newly adopted *San Rafael General Plan 2040* and *Downtown San Rafael Precise Plan*. Please see the response to comment 5-5 for additional information on how these plans are incorporated in the Final EIR. The revisions to the Draft EIR, as reflected in the Final EIR, related to these newly adopted plans did not result in the identification of any new significant impacts.

In response to recommendation 4, the *Transportation Summary Report*, included in the Final EIR as Appendix E (this report was Appendix C to the Draft EIR), analyzed the proposed bus movements for the preferred alternative, build alternatives, and the No-Project Alternative. This analysis found that the Move Whistlestop, Adapt Whistlestop, and Under the Freeway Alternatives would achieve reductions in transit travel time and variability in both existing and future conditions in both the morning and evening peak hours compared to the No-Project Alternative. The analysis found that the 4th Street Gateway Alternative would provide moderate benefits in existing transit conditions compared to the No-Project Alternative but that it would increase transit congestion and related transit travel time in future morning peak-hour conditions. Please refer to Section 3.0, Transit Conditions, within the *Transportation Summary Report* for the complete analysis.

In response to recommendation 5, the Move Whistlestop and Adapt Whistlestop Alternatives would install a portion of the planned North South Greenway on West Tamalpais Avenue between 2nd and 4th Streets, in the location preferred by the commenter. See the response to comment 7-4 for additional detail.

In response to recommendation 6, the *Transportation Summary Report* analyzed non-motorized transportation, including pedestrian and bicycle movements to key destinations in and around Downtown San Rafael under each of the proposed alternatives. Please refer to Section 5.0, Non-Motorized Transportation, within the *Transportation Summary Report* for the requested analysis. Furthermore, the District has performed additional safety analysis, and findings have been included in the Final EIR. The safety analysis identified that all build alternatives would improve safety relative to the No-Project Alternative through implementation of safety features as part of the project and by relocating the transit center to a location resulting in fewer pedestrian-vehicle conflicts along access pathways. The analysis also identified that the Move Whistlestop Alternative would provide the greatest benefits to safety by resulting in the fewest pedestrian-vehicle conflicts for the primary pedestrian movements and addressing existing safety challenges at intersections around the current transit center. Please see the response to comment 5-58 for additional information on this analysis.

In response to recommendation 7, the EIR process objectively evaluates each alternative for environmental impacts, but does not include a relative rating of the alternatives.

In response to recommendation 8, the District plans to engage local stakeholders and the community in the next phase of work to discuss key project features. Please see the response to

comment 5-8 for a discussion of past engagement and outreach with the City and public throughout project development and Draft EIR preparation.

In response to recommendation 9, the District is and will continue to work closely with the City and SMART during project development.

Comment 11-10

Robust transit use, multi-use pathways, supportive land use and density are the building blocks of the walkable communities required to alleviate our chronic housing shortage, mitigate climate change, and build a better Bay Area. Resilient Shore is committed to advocating for the best possible outcome for the Transit Center and stands ready to assist the District and City of San Rafael in achieving this goal. We are prepared to participate in the detail programming and design of the facility as it works through the project delivery process.

We look forward to working with you in the future and appreciate the District's efforts and community engagement opportunities.

Response to Comment 11-10

The comment expresses support for the proposed project. The comment does not concern the adequacy of the EIR; no revisions to the Draft EIR are required.



October 11, 2021

City of San Rafael

Ms. Kate Colin, Mayor

Mr. Bill Guerin, Director of Public Works / Chief Engineer

Mr. Rafat Raie, Deputy Director of Public Works

Transportation Authority of Marin

Ms. Anne Richman, Executive Director

Mr. Bill Whitney, Project Manager

Sonoma Marin Area Rail Transit District

Mr. Farhad Mansourian, General Manager

Mr. Bill Gamlen, Chief Engineer

Golden Gate Bridge, Highway and Transportation District

Mr. Raymond Santiago, Principal Planner

Ms. Barbara Pahre, President, Board of Directors

Ms. Judy Arnold, Member, Board of Directors

Ms. Alice Fredericks, Member, Board of Directors

Ms. Patty Garbarino, Member, Board of Directors

Mr. Dennis Rodoni, Member, Board of Directors

Marin Transit Board of Directors

Mr. Damon Connolly, Member

Ms. Katie Rice, Member

Ms. Stephanie Moulton-Peters, Member

Mr. Eric Lucan, Member

Mr. Brian Colbert, Member

Dear San Rafael Transit Center Relocation Project Decision-Maker,

On September 9, 2021, WTB-TAM sent a letter to the San Rafael Transit Center Relocation Project decision-makers voicing our support for the “Move Whistlestop” alternative and opposition to the “Fourth Street Gateway” and “Under the Freeway” alternatives, as described in the project Draft EIR. This is an addendum to that letter.

In our September letter, we expressed our support for the “Move Whistlestop” alternative’s inclusion of a new, sidewalk-level multi-use pathway on western side of West Tamalpais Ave. between Second St. and Fourth St. Currently, there is a gap in the North - South Greenway between Second St. and Mission Ave. The new pathway envisioned in the “Move Whistlestop” alternative would cut this gap in half.

Even with the Transit Center Relocation project completed, the gap in the North - South Greenway between Fourth St. and Mission Ave. will still require completion. It is because of this reason that WTB-TAM urged those involved to make a small design change to the “Move Whistlestop” alternative. The design change we asked for is to move the proposed “Pick-Up/Drop-Off Zone” on West Tamalpais Ave. between Fourth St. and Fifth St. from the east to the west side of street. This way, when the North - South Greenway is built between Fourth St. and Mission Ave., it will not conflict with the “Pick-Up/Drop-Off Zone.”

We have attached to this letter of addendum a drawing showing WTB-TAM’s proposed alignment for the North - South Greenway Class I Multi-Use Pathway between Fourth St. and Mission Ave. for your visual reference.

Thank you for your efforts, and please let us know if we can be of any more assistance.

WTB-TAM (Transportation Alternatives for Marin)



Patrick Seidler, President



Matthew Hartzell, Director of Planning & Research



- Legend**
- Feature Tree
 - Tree with Tree Well
 - Tree
 - Platform Seating
 - Bus Canopy
 - Landscaped Area
 - Bike Rack
 - Secure Bike Parking
 - Security Kiosk
 - Bike Path
 - Canopy Overhead
 - Feed Safety Barrier
 - Ticket Machine
 - Improved Paving
 - Typical Paving



9.2.12.1 Response to Comment Letter 12, Wilderness Bike Trails/Transportation Alternatives for Marin

Comment 12-1

On September 9, 2021, WTB-TAM sent a letter to the San Rafael Transit Center Relocation Project decision-makers voicing our support for the “Move Whistlestop” alternative and opposition to the “Fourth Street Gateway” and “Under the Freeway” alternatives, as described in the project Draft EIR. This is an addendum to that letter.

In our September letter, we expressed our support for the “Move Whistlestop” alternative’s inclusion of a new, sidewalk-level multi-use pathway on western side of West Tamalpais Ave. between Second St. and Fourth St. Currently, there is a gap in the North - South Greenway between Second St. and Mission Ave. The new pathway envisioned in the “Move Whistlestop” alternative would cut this gap in half.

Even with the Transit Center Relocation project completed, the gap in the North - South Greenway between Fourth St. and Mission Ave. will still require completion. It is because of this reason that WTB-TAM urged those involved to make a small design change to the “Move Whistlestop” alternative. The design change we asked for is to move the proposed “Pick-Up/Drop-Off Zone” on West Tamalpais Ave. between Fourth St. and Fifth St. from the east to the west side of street. This way, when the North - South Greenway is built between Fourth St. and Mission Ave., it will not conflict with the “Pick-Up/Drop-Off Zone.”

We have attached to this letter of addendum a drawing showing WTB-TAM’s proposed alignment for the North - South Greenway Class I Multi-Use Pathway between Fourth St. and Mission Ave. for your visual reference.

Thank you for your efforts, and please let us know if we can be of any more assistance.

Response to Comment 12-1

The comment suggests that the pick-up/drop-off area included in the Move Whistlestop Alternative layout should be relocated to avoid potential future conflicts with bicycle infrastructure. The Move Whistlestop Alternative layout has been revised to move the pick-up/drop-off area to a new driveway west of West Tamalpais Avenue, between 3rd Street and 4th Street. See the response to comment 7-3 for additional information.



October 12, 2021

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Raymond Santiago
 Principle Planner
 Golden Gate Transit District
 1011 Andersen Drive
 San Rafael, CA 94901

RE: San Rafael Transit Center DEIR Comments

Dear Raymond,

In our November 5, 2018 letter regarding Scoping for the San Rafael Transit Center EIR, Sustainable San Rafael requested that a number of issues be considered. We have now reviewed the Draft EIR, and the current 'build' alternatives that it analyzes, and find that most of the issues that we raised have been satisfactorily addressed.

13-1

We offer the following comments in the hope that they may inform and improve the ultimate design of the selected alternative. And we request that the Final EIR include responses to the remaining questions and requests noted below.

Our comments are grouped under key issues previously raised in our Scoping letter, which are numbered and italicized.

13-2

1. The EIR 'aesthetics' section should analyze the 'place-making' potential of each alternative as a key impact.

We find that the DEIR adequately addresses this issue and makes clear the significant differences in the potential of each alternative.

13-3

2. The EIR 'land use and planning' section should assess the impact of each alternative on the appeal of area 'opportunity sites' for development contributing to the 'gateway' quality of the area.

We request that the FEIR provide further analysis of how the opportunity sites identified in the Downtown Station Area Plan would be affected by the alternatives, including both positive and negative impacts on the development appeal of each site.

13-4

3. The potential of each concept to contribute to important public improvements surrounding it should also be assessed, including the north-south bike-pedestrian greenway along Tamalpais and the restoration of Irwin Creek under the freeway, both key elements of the 'gateway' district anchored by the project.

We request detailed contextual analysis of how bicycles can be safely incorporated into the heavily pedestrian Tamalpais plaza and greenway portions of the project with shared multi-use pathways, instead of the proposed 'bike-only' facilities that preclude pedestrians.

- 4.** *The EIR 'transportation and transit' section should clearly show how the various alternatives affect the timing and efficiency of bus service, as well as traffic on surrounding streets. Information should include the routing of buses and the numbers of passengers transferring among the various transit services, as well as those bound for downtown itself.*
- 13-5 We find that the DEIR Appendix C ('transportation') offers clear comparisons of the bus and traffic conditions resulting from each alternative, with the Whistlestop Block options slightly more advantageous in both regards by the 2040 design date (4% less daily aggregate bus times, and 3% less daily aggregate traffic delay), using General Plan 2040 growth projections. We also note the striking statistic that 50% of passengers arrive as pedestrians, underlining the critical importance of sustaining a walkable district.
- 5.** *The safety and amenity of passengers accessing the project needs to be paramount in the EIR 'transportation and transit' section.*
- 13-6 Although we believe that the DEIR adequately addresses the pedestrian access pros and cons of each alternative, we request that the FEIR include further comparison to operations at the existing Bettini Center, where for example, bus access over sidewalks has functioned for decades. We also request further information on how specific safety issues arising from the suggested additional right turn lane from Hetherton to 3rd could be addressed by eliminating the intersection's west crosswalk (replacing it with an east crosswalk) and prohibiting turns on red for both southbound and westbound traffic.
- 6.** *The EIR 'transportation and transit' section should assess the quality of access to the project for those arriving by car, including the provision or loss of drop-off and commuter parking facilities.*
- 13-7 We request that the FEIR include more detailed discussion of car and taxi drop-off zones, including the capacity and ease of use for each alternative. This discussion should include supplemental zones along West Tamalpais south of 3rd, and East Tamalpais north of 4th, better serving drop-off traffic approaching from both east and west. Enhanced pedestrian pathways from the park-and-ride lots under the freeway should also be discussed, together with restriping, repaving and perhaps reconfiguration to improve usage of the lots and pedestrian access to the East End of 4th Street.
- 7.** *The EIR needs to assess the flexibility of each concept for future expansion and likely changes in transit technologies and services.*
- 13-8 The FEIR would be strengthened by further discussion of the changes to mobility systems now underway or reasonably anticipated, and the capacity of each alternative to accommodate such changes.
- 8.** *The flexibility assessment should include the merits of securing public ownership of an expanded site, including ground-leasing development rights rather than selling existing public property.*
- 13-9

- 13-9 cont. | We request that the FEIR include discussion of retaining public ownership of the Bettini site by ground-leasing development rights.
- 13-10 | **9.** *The EIR ‘air quality’ and ‘noise’ sections should assess the impact of these factors on the passengers using the project facilities, and the ‘aesthetics’ section should assess the experiential and visual impacts of the project on its users, as well as its surroundings.*
- | We request further information on the noise and exhaust from the freeway that could make alternatives unpleasant and unhealthy places to wait, and what if any mitigations could lessen these impacts.
- 13-11 | **10.** *The EIR ‘cultural resources’ section should assess the significance of affected buildings, including potential reuse and modification that could enhance their character and contribution to the area.*
- | We find that the DEIR adequately addresses cultural resources, including creative rehabilitation of the former depot building.
- 13-12 | **11.** *The EIR ‘biological resources’ section should assess impacts both on existing resources (including street trees and creek-side zones) and on the future ability to restore and enhance those resources.*
- | We request that the FEIR discuss how the ‘gateway’ quality of the new transit center could be heightened by planting large street trees (like the London Plane trees now thriving on 5th Avenue) along Hetherton, Irwin and Tamalpais, and within the transit plaza itself.
- 13-13 | **12.** *The EIR ‘aesthetics’ section should assess the protection or loss of view corridors into downtown and to surrounding hillsides.*
- | We request that the FEIR elaborate on the potential that the 2-story depot building and open transit uses could provide a visual commons at San Rafael’s front door, which would avoid the walling off of downtown as adjacent blocks are developed with taller building. This could also help preserve the view corridor along Tamalpais and the train tracks from 2nd Street to Mission, keeping the city’s defining hillsides in view.
- 13-14 | Sustainable San Rafael also concurs with the City’s request that the FEIR provide further information regarding the impacts and potential mitigations of sea level rise for each alternative. In addition we ask that additional GHG mitigations be included sufficient to bring the project to zero net greenhouse gas emissions by 2045, in accordance with San Rafael’s Climate Action Plan 2030 as amended on September 20, 2021.
- 13-15 | Thank you and your team for a range of transit-friendly concepts and for supporting thoughtful public decision-making with a thorough FEIR.

Sincerely,

William Carney
President, Sustainable San Rafael

9.2.13.1 Response to Comment Letter 13, Sustainable San Rafael, William Carney

Comment 13-1

In our November 5, 2018 letter regarding Scoping for the San Rafael Transit Center EIR, Sustainable San Rafael requested that a number of issues be considered. We have now reviewed the Draft EIR, and the current 'build' alternatives that it analyzes, and find that most of the issues that we raised have been satisfactorily addressed.

We offer the following comments in the hope that they may inform and improve the ultimate design of the selected alternative. And we request that the Final EIR include responses to the remaining questions and requests noted below.

Our comments are grouped under key issues previously raised in our Scoping letter, which are numbered and italicized.

Response to Comment 13-1

The comment introduces the remaining comments and requests that responses be included in the Final EIR. This chapter of the Final EIR includes responses to all public comments submitted on the Draft EIR. Please see the subsequent responses to comments 13-2 through 13-15.

Comment 13-2

1. The EIR 'aesthetics' section should analyze the 'place-making' potential of each alternative as a key impact.

We find that the DEIR adequately addresses this issue and makes clear the significant differences in the potential of each alternative.

Response to Comment 13-2

The comment expresses support for the Draft EIR's analysis of aesthetic impacts of the alternatives. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are necessary.

Comment 13-3

2. The EIR 'land use and planning' section should assess the impact of each alternative on the appeal of area 'opportunity sites' for development contributing to the 'gateway' quality of the area.

We request that the FEIR provide further analysis of how the opportunity sites identified in the Downtown Station Area Plan would be affected by the alternatives, including both positive and negative impacts on the development appeal of each site.

Response to Comment 13-3

The comment suggests that additional analysis should be completed to assess how the proposed project may affect the development appeal of the City's designated "opportunity sites," included in the Downtown SAP. This analysis is not required under CEQA; a discussion of the potential for future development of nearby sites falls outside of the scope of CEQA analysis. The transit center would

provide improved multi-modal connectivity between the SMART station and bus services, which would be a benefit to travelers using these modes to reach Downtown San Rafael.

Comment 13-4

3. The potential of each concept to contribute to important public improvements surrounding it should also be assessed, including the north-south bike-pedestrian greenway along Tamalpais and the restoration of Irwin Creek under the freeway, both key elements of the 'gateway' district anchored by the project.

We request detailed contextual analysis of how bicycles can be safely incorporated into the heavily pedestrian Tamalpais plaza and greenway portions of the project with shared multi-use pathways, instead of the proposed 'bike-only' facilities that preclude pedestrians.

Response to Comment 13-4

As discussed in the response to comment 7-4, the Move Whistlestop and Adapt Whistlestop Alternatives would install a portion of the planned North South Greenway on Tamalpais Avenue. This includes the provision of dedicated bicycle space that would reduce or eliminate conflicts between cyclists and other modes as well as adjacent dedicated pedestrian spaces. Specific treatments for bicycle and pedestrian spaces will be further defined in subsequent project design phases.

Regarding potential impacts on restoration efforts along Irwin Creek, the District assumes that the comment is in reference to Caltrans' Irwin Creek Culvert Rehabilitation Project, which would repair five culverts that cross under or are adjacent to US-101 between the southbound US-101 Central San Rafael off-ramp and the US-101 Linden Lane underpass. This project has been added to the list of cumulative projects in the Final EIR (page 4-10 of the Final EIR). The footprint of Caltrans' project does not overlap with the footprint of the preferred alternative (Move Whistlestop Alternative) or build alternatives. Therefore, the proposed project would not preclude these restoration efforts. The Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives would not affect Irwin Creek. The Under the Freeway Alternative would include the construction of three bridges over Irwin Creek. The construction method and design of these bridges have not been decided upon, but these bridges are anticipated to affect Irwin Creek temporarily during construction. Potential impacts on Irwin Creek from construction and operation of the Under the Freeway Alternative are described in the Draft EIR.

Comment 13-5

4. The EIR 'transportation and transit' section should clearly show how the various alternatives affect the timing and efficiency of bus service, as well as traffic on surrounding streets. Information should include the routing of buses and the numbers of passengers transferring among the various transit services, as well as those bound for downtown itself.

We find that the DEIR Appendix C ('transportation') offers clear comparisons of the bus and traffic conditions resulting from each alternative, with the Whistlestop Block options slightly more advantageous in both regards by the 2040 design date (4% less daily aggregate bus times, and 3% less daily aggregate traffic delay), using General Plan 2040 growth projections. We also note the striking statistic that 50% of passengers arrive as pedestrians, underlining the critical importance of sustaining a walkable district.

Response to Comment 13-5

The comment references conclusions made in the *Transportation Summary Report* regarding the findings of the analysis of transit and traffic delay. It should be noted that the comment refers to daily delay, but the *Transportation Summary Report* only provides peak-hour data. The comment suggests that the Section 3.14, Transportation, should discuss impacts on the timing of bus service and describe the volume of passengers using bus services provided by the transit center. This information is provided in the *Transportation Summary Report*, which was attached to the Draft EIR as Appendix C. An updated version is included with the Final EIR as Appendix E.

Comment 13-6

5. The safety and amenity of passengers accessing the project needs to be paramount in the EIR 'transportation and transit' section.

Although we believe that the DEIR adequately addresses the pedestrian access pros and cons of each alternative, we request that the FEIR include further comparison to operations at the existing Bettini Center, where for example, bus access over sidewalks has functioned for decades. We also request further information on how specific safety issues arising from the suggested additional right turn lane from Hetherton to 3rd could be addressed by eliminating the intersection's west crosswalk (replacing it with an east crosswalk) and prohibiting turns on red for both southbound and westbound traffic.

Response to Comment 13-6

The comment requests that the Final EIR provide additional information regarding the existing transit center operations and the safety of the Hetherton Street and 3rd Street intersection with the additional right-turn lane on Hetherton Street.

The District completed a safety analysis of the existing transit center and proposed alternatives. Please see the response to comment 5-58 for additional detail on this analysis.

The District has identified design modifications to the proposed project layout that fully control the conflict between pedestrians and the southbound right-turn movement at the intersection of Hetherton Street and 3rd Street. The modified configuration would include a signalized control for the right-turn lanes and the pedestrian phase, eliminating the vehicle-pedestrian conflict, providing a substantial safety benefit relative to existing conditions. Please see the response to comment 5-62 for additional detail on this design modification, which applies to the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives. Figures 2-4, 2-5, and 2-6 in the Final EIR contain updated site layouts for the Move Whistlestop, Adapt Whistlestop, and 4th Street Gateway Alternatives, respectively.

Comment 13-7

6. The EIR 'transportation and transit' section should assess the quality of access to the project for those arriving by car, including the provision or loss of drop-off and commuter parking facilities.

We request that the FEIR include more detailed discussion of car and taxi drop-off zones, including the capacity and ease of use for each alternative. This discussion should include supplemental zones along West Tamalpais south of 3rd, and East Tamalpais north of 4th, better serving drop-off traffic approaching from both east and west. Enhanced pedestrian pathways from the park-and-ride lots

under the freeway should also be discussed, together with restriping, repaving and perhaps reconfiguration to improve usage of the lots and pedestrian access to the East End of 4th Street.

Response to Comment 13-7

The comment requests additional detail on the car and taxi drop-off zones and access to the park-and-ride lots under the freeway. In order to identify the amount of pick-up/drop-off space required, the project team conducted observations of pick-up/drop-off activity at the existing SMART station and transit center prior to the COVID-19 pandemic. Demand collected from the observations, increased to allow for future growth, was then analyzed using a queuing model to develop the minimum pick-up/drop-off space requirement that is necessary to handle anticipated pick-up/drop-off demands. Each build alternative analyzed in the Draft EIR provides a comparable level of pick-up/drop-off space, anticipated to accommodate approximately six vehicles concurrently. Pick-up/drop-off locations were placed to provide convenient access to the transit services with each of the project alternatives. The pick-up/drop-off location for the Move Whistlestop and Adapt Whistlestop Alternatives was modified based on comments received on the Draft EIR. It was relocated closer to the bus activities, avoiding the need for pedestrians being dropped off or picked up to cross 4th Street. This provides a better access location for those users and avoids a potential conflict with cyclists on West Tamalpais Avenue. The area provided for pick-up/drop-off is considered adequate based on the analysis performed. It can be easily accessed from both the west (via 2nd Street to Tamalpais Avenue to 3rd Street) or the east (via 3rd Street). An additional curb space noted as a taxi zone is located along 4th Street east of the SMART tracks, which can be easily accessed from the east as well. The specific signing and striping for the taxi zone, as well as the larger pick-up/drop-off zone, will be determined at a later stage of project design.

This change to the pick-up/drop-off zone will not introduce any new project impacts, as it will improve circulation and safety relative to the configuration included in the Draft EIR and reduce the potential for bicycle/auto conflicts.

Safety improvements for pedestrian paths of travel are further discussed in the supplemental safety analysis conducted for the existing transit center and proposed alternatives evaluated.

Comment 13-8

7. The EIR needs to assess the flexibility of each concept for future expansion and likely changes in transit technologies and services.

The FEIR would be strengthened by further discussion of the changes to mobility systems now underway or reasonably anticipated, and the capacity of each alternative to accommodate such changes.

Response to Comment 13-8

Analyzing future transportation center expansion outside of the proposed project is out of scope for the EIR. However, as required by CEQA, the EIR analyzed reasonably foreseeable projects in Chapter 4, Cumulative Impacts. This analysis considered development projects within 1 mile of the project area, public projects from the City and Marin County's Capital Improvement Programs, and updates to regional plans and policies that include public transportation.

See Section 4.1.3.2, Public Projects, for a description of reasonably foreseeable public projects (including projects that would improve nearby transportation infrastructure) and Section 4.1.4,

Cumulative Impacts Analysis, for a detailed analysis of how these projects would cumulatively contribute to impacts on specific CEQA resources.

Section 3.13, Public Services and Recreation, also discusses the City's planned improvements to bicycle infrastructure in San Rafael and how the footprints of the alternatives would affect those planned improvements.

The design of the transit center and its facilities is based on the current standard of practice. Additionally, one of the project objectives is to meet long-term service demands. Specific design elements will be addressed during final design based on input from the community and stakeholders. The build alternatives, particularly the preferred alternative, were developed with flexibility in mind to adapt to potential changes in how service is deployed or consumed. One example is the use of straight curbs at the bus bays instead of sawtooth bays to allow for flexibility to adapt in future changes to fleet size or driving technologies.

The Draft EIR adequately considered future improvements to the local transportation network and no revisions are required.

Comment 13-9

8. The flexibility assessment should include the merits of securing public ownership of an expanded site, including ground-leasing development rights rather than selling existing public property.

We request that the FEIR include discussion of retaining public ownership of the Bettini site by ground-leasing development rights.

Response to Comment 13-9

The comment suggests that the Final EIR should analyze the merits of expanding the District's ownership near the existing transit center site, rather than selling the existing transit center site and acquiring new land for the proposed project. This would conflict with the District's plans for the proposed project. The District does not plan to retain the existing transit center site and plans to use proceeds from the sale of the existing transit center site to fund the proposed project, which is not feasible with a ground-lease of the property. For purposes of the analysis in the Draft EIR, it was assumed that the existing site would likely be sold and developed as some form of a mixed-use project, subject to more detailed design and approvals and subsequent CEQA review.

Comment 13-10

9. The EIR 'air quality' and 'noise' sections should assess the impact of these factors on the passengers using the project facilities, and the 'aesthetics' section should assess the experiential and visual impacts of the project on its users, as well as its surroundings.

We request further information on the noise and exhaust from the freeway that could make alternatives unpleasant and unhealthy places to wait, and what if any mitigations could lessen these impacts.

Response to Comment 13-10

The commenter suggests that Section 3.1, Aesthetics; Section 3.2, Air Quality; and Section 3.11, Noise, should evaluate the effects of the environment and the project itself on passengers using proposed project facilities (i.e., future users). However, the California Supreme Court has held that

lead agencies are not required to analyze the impacts of the environment on a project's future users unless the project exacerbates existing environmental hazards (see *California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 369*) or when the legislature has indicated by specific California Public Resources Code sections (21096, 21151.8, 21155.1, 21159.21, 21159.22, 21159.23, and 21159.24) that specifically defined environmental hazards associated with airport noise and safety, school projects, certain kinds of infill housing, and transit priority projects must be addressed. The project is not considered a project where existing environmental hazards must be addressed.

The project area is currently influenced by pollutants and noise from vehicles on US-101 and other roadways; however, the project would not appreciably affect the existing concentrations of pollutants or noise. Because existing conditions relative to air quality and noise would not be exacerbated by the project, the EIR is not required under CEQA to evaluate any impacts that may occur on future users. No revisions to the Draft EIR are required.

For aesthetic resources, impacts on viewers are evaluated against existing conditions. For this project, the baseline for analysis is the present day, not a future point in time that includes proposed project conditions. In addition, the revised CEQA checklist no longer requires analyzing changes to visual character and quality in urbanized areas, but requires that the project be analyzed for consistency with applicable zoning and other regulations governing scenic quality. The analysis in the Draft EIR meets these requirements and no revisions are required to Section 3.1, Aesthetics.

Comment 13-11

10. The EIR 'cultural resources' section should assess the significance of affected buildings, including potential reuse and modification that could enhance their character and contribution to the area.

We find that the DEIR adequately addresses cultural resources, including creative rehabilitation of the former depot building.

Response to Comment 13-11

This comment concerns the identification and assessment of impacts on built-environment resources in Section 3.4, Cultural Resources, of the EIR. The comment is correct that Section 3.4 assesses the significance and CEQA historical resource status of built-environment resources in the CEQA study area. However, the EIR does not evaluate the effects of potential modifications that are not proposed as part of the project, which would be speculative. No revision is required to Section 3.4, Cultural Resources.

Comment 13-12

11. The EIR 'biological resources' section should assess impacts both on existing resources (including street trees and creek-side zones) and on the future ability to restore and enhance those resources.

We request that the FEIR discuss how the 'gateway' quality of the new transit center could be heightened by planting large street trees (like the London Plane trees now thriving on 5th Avenue) along Hetherton, Irwin and Tamalpais, and within the transit plaza itself.

Response to Comment 13-12

The comment pertains to potential effects on creeks and street trees. Section 3.3, Biological Resources, adequately addresses impacts on biological resources, including Irwin Creek, and requires adequate mitigation to address those impacts, as required by CEQA. Section 3.3 also adequately addresses the requirements for tree removal under the current City of San Rafael tree ordinance, which requires a permit from the San Rafael Public Works Department to approve the project. The permit does not require planting of trees to mitigate the loss of existing street trees; however, protection measures are required during construction to protect trees to be retained, which are included in the project mitigation.

Relative to the comment on the planting of street trees, Section 3.1, Aesthetics, describes how the installation of landscaping included in the proposed project would affect the visual quality of the project area. As described in Section 3.1, the preferred alternative (Move Whistlestop Alternative) and build alternatives would all include a substantial amount of landscaping compared to existing conditions, which would contribute to an attractive, pedestrian-scale environment with visually pleasing plaza spaces, streetscapes, and transportation facilities (see pages 3.1-32 through 3.1-37 of the Final EIR).

Comment 13-13

12. The EIR 'aesthetics' section should assess the protection or loss of view corridors into downtown and to surrounding hillsides.

We request that the FEIR elaborate on the potential that the 2-story depot building and open transit uses could provide a visual commons at San Rafael's front door, which would avoid the walling off of downtown as adjacent blocks are developed with taller building. This could also help preserve the view corridor along Tamalpais and the train tracks from 2nd Street to Mission, keeping the city's defining hillsides in view.

Response to Comment 13-13

The comment suggests that the Final EIR should provide additional description of views entering Downtown San Rafael related to the transit center. Section 3.1.2.3, Impacts, has been revised in the Final EIR to elaborate on the existing discussion of view corridors, as suggested by the commenter (see page 3.1-33 of the Final EIR).

This section was revised as follows to provide additional detail about view corridors:

However, as seen on Figure 3.1-5, the view to the south down West Tamalpais Avenue from 4th Street would open up under the Adapt Whistlestop Alternative and create more views toward the west of West Tamalpais Avenue, even though taller development associated with redevelopment occurring in the Downtown area would partially obscure this opened-up view corridor. As seen on Figure 3.1-2, views to the west from the intersection of 4th Street and West Tamalpais Avenue would be more screened by landscaping and the relocated alignment of West Tamalpais Avenue under the Move Whistlestop Alternative. Views from this vantage point to the east would likely open up more under the Move Whistlestop Alternative than under the Adapt Whistlestop Alternative, because views behind the existing Whistlestop building would become more apparent once the building is

relocated or demolished,² and there is no structure to obscure views (Figure 3.1-3). In addition, views of the hillsides from Hetherton Street may open up and become more prominent, as shown in the visual rendering on Figure 3.1-7. In addition, views of the hills from US-101 would not be affected because building heights and trees planted by these build alternatives would not obscure views of these features. Therefore, the Move Whistlestop Alternative and the Adapt Whistlestop Alternative would create a well-designed common area that helps preserve the view corridors along Tamalpais Avenue and the train tracks from 2nd Street to 5th Avenue, keeping the City's defining hillsides in view, to prevent the walling off of Downtown as adjacent blocks are redeveloped with taller buildings.

The revisions to Section 3.1.2.3 do not change the overall conclusion regarding impacts on the character and quality of public views of the site and its surroundings in a non-urbanized area, including scenic vistas. Therefore, impacts from conflicts with applicable zoning and other regulations governing scenic quality in an urbanized area, including scenic vistas, would be less than significant.

Comment 13-14

Sustainable San Rafael also concurs with the City's request that the FEIR provide further information regarding the impacts and potential mitigations of sea level rise for each alternative. In addition we ask that additional GHG mitigations be included sufficient to bring the project to zero net greenhouse gas emissions by 2045, in accordance with San Rafael's Climate Action Plan 2030 as amended on September 20, 2021.

Response to Comment 13-14

Regarding sea level rise, the EIR includes a discussion of sea level rise in Section 3.9.1.2, Environmental Setting. This discussion explains the relative risk of future inundation from projected sea level rise at each alternative site. This discussion has been revised and content moved to Section 3.9.2, Environmental Impacts, in the Final EIR to clarify the risks related to sea level rise. See the response to comment 5-42 for additional information regarding sea level rise.

The operational emissions associated with the project would be relatively minor and would likely continue to decrease in future years as a result of continued implementation of existing regulations and the adoption of new regulations. As shown in Table 3.7-5, on page 3.7-19 of the Final EIR, the project's total operational emissions would be 5.8 metric tons of carbon dioxide equivalent per year. Approximately 52 percent of those emissions are from electricity use; however, emissions from electricity will progressively decrease each year until reaching zero by 2045. As discussed on page 3.7-5 of the Final EIR, Senate Bill 100 mandates that all retail sellers of electricity procure eligible renewable energy resources for 100 percent of retail sales by 2045. Therefore, it is reasonable to conclude that, by 2045, electricity delivered to the project site would be completely from renewable sources. For water-related emissions (9 percent of total operational emissions), the same conclusion would apply, because electric power is used to extract, treat, convey, and distribute water. As such, water-related emissions would decrease with the increased prevalence in renewable energy sources.

² Should relocation become infeasible due to engineering or structural concerns, accessibility concerns, or feedback from the Community Design Advisory Group, the Whistlestop building could also be demolished and a new building constructed at the current location of 703-705 4th Street and 927 Tamalpais Avenue.

Approximately 28 percent of annual operational emissions are from waste sources. As noted on page 3.7-21 of the Final EIR, the project would support and comply with the state's current recycling requirements and the recycling goal from the California Air Resources Board's (CARB's) *Climate Change Scoping Plan*, consistent with 2030 goals. As additional regulations are adopted to address waste emissions in the post-2030 period, waste from project operations would be affected by any further goals legislated by CARB to reduce emissions further by 2045. Therefore, most types of project emissions would likely decrease in accordance with the state's existing efforts to achieve carbon neutrality.

In 2009, the City adopted its CCAP to reduce GHG emissions. As noted in Section 3.7, Greenhouse Gas Emissions, the proposed project would be consistent with all applicable measures in the City's CCAP; however, many measures from the CCAP are not applicable to the project because they require action to be taken by the City (e.g., increase residential organic waste diversion, replace older city vehicles with low-emitting vehicles). Such measures are not applicable to the project because the District, as the lead agency for the project, does not have the jurisdictional control required to implement these measures (i.e., the District cannot influence residential waste diversion or vehicle purchasing decisions for City-owned vehicles in San Rafael).

Achieving net zero emissions is not required for the proposed project and, at this time, there is no pathway to net zero emissions outlined in CARB's *Climate Change Scoping Plan*. As noted in Section 3.7, Greenhouse Gas Emissions, CARB's *Climate Change Scoping Plan* identifies specific measures to reduce GHG emissions and requires CARB and other state agencies to develop and enforce regulations and other initiatives for reducing GHGs. CARB's *Climate Change Scoping Plan* articulates a key role for local governments, recommending they establish GHG reduction goals for both their municipal operations and the community consistent with those of the state. Regarding the commenter's request for the inclusion of measures to attain zero net GHG emissions by 2045, it is not currently feasible or required to demonstrate that the proposed project would meet this milestone. The City of San Rafael's city council signed an emergency declaration in September 2021 that targets additional emissions reductions by 2030 and 2045. These citywide goals are not accompanied by specific emissions reductions strategies that apply to the proposed project. Many of the actions needed to reduce emissions would need to be enacted through policies and regulations at the state or federal level, and, without a documented pathway to achieve net zero emissions from CARB, it is not feasible for individual projects, including the proposed project, to attain net zero emissions.

Comment 13-15

Thank you and your team for a range of transit-friendly concepts and for supporting thoughtful public decision-making with a thorough FEIR.

Response to Comment 13-15

The comment provides general feedback on the alternatives and public process and does not pertain to the adequacy of the EIR. No further response is required.



Mayor Kate Colin. City of San Rafael
Members, San Rafael City Council

Re: Community Engagement in the San Rafael Transportation Center

April 19, 2021
Via Electronic Mail

Dear Esteemed Leaders of the **San Rafael Transportation Center Project**:

14-1 On behalf of Canal Alliance and Voces del Canal, a Canal resident leadership group, we write to express our support for the **San Rafael Transportation Center** and for the many ways this project represents an opportunity not only for our city and our region, but especially for the low-income and Latino transit riders who make up the majority of the ridership. We also want to strongly recommend that there can be an opportunity for greater equity in the design, analysis, and implementation of the project.

We are aligned on what we believe are common goals across stakeholders and decision-makers. We also agree on the need for a transit center that not only meets current and near-future public transportation needs, but also anticipates the kind of growth we are working toward in the city and the region. In particular, to serve the long-term needs of our communities ensure that the environmentally-friendly public transportation system offers the best, easiest, most affordable, and reliable option for mobility, a transit center needs to plan for a rise in demand that will result from increased housing, both affordable and low-income housing options.

14-2 Recently, Canal Alliance had the opportunity to host a presentation of the various alternatives by the GGBHTD's staff for the leadership team of Voces del Canal. It was a great opportunity to learn more about the project and the details of the proposed alternatives. However, it also provided an overwhelming amount of information for our participants to process, let alone provide immediate feedback on.

As we look at your materials and timeline, we see that there is still some time for us to partner and develop a process that provides capacity-building for our community leaders to understand the project and to then provide more informed and helpful recommendations and a set of priorities that we believe should guide the development of the transit center. In the meantime, we wanted to share with you some initial thoughts and reflections based on many years of working with our community and our community leaders on what we know are critical priorities from prior community development and transportation issues discussions. Below is a preliminary list based on what we know about our community and from discussions we have had about the future of transit in the Canal neighborhood and surrounding areas:

- Public Safety: street lighting, transit center lighting, multilingual signage, way-finding.
- Street Safety: traffic calming, wider crosswalks, safety lights at crosswalks.
- Wide Access: multi-generation family groups walking together (parent, stroller, children, grandparent).

14-2
cont.

- Bicycle Infrastructure: safe, easy access, free, bike sharing for Canal-to-downtown mobility,
- Restrooms: clean and well stocked secure.
- Affordability: concerned for raising fare rates.
- Reliability: accountability and reporting on delays
- Capacity: concern for a full a bus passing-up a passenger trying to get to work or health appointments.

We welcome an opportunity to have more time for us to build capacity and implement a short process that would allow more community members provide direct input. Relative to other stakeholder groups, our communities require greater support to feel confident in offering informed feedback, considering all the project's factors, inputs, benefits, liabilities, and the short and long-term impacts on the community, the city, and the region. Many other key stakeholder groups already benefit from that knowledge and have organized advocacy infrastructure and expertise to effectively communicate their opinions.

14-3

We feel it is important for the whole process to be grounded in and guided by the reality that the majority of riders are Latinos and low-income essential workers whose contributions are necessary to holding up our economy and leading our recovery. An equitable approach would recognize that they are people who rely on transit, and that such access is an essential element to accessing employment and making a living. Such an approach would also allow for great opportunities and investment in incorporating community participation more strategically and would be responsive to the context and the barriers to engagement faced by this group.

14-4

In addition to the priorities listed above, we want to note that there are significant drawbacks and dangers to some of the alternatives, which we can share with you in more detail. However, the highest concerns are that a transit center that is separated into different stations increases danger for pedestrians, complicates transfers, and can be confusing to riders. The downtown traffic is already heavy, confusing, and dangerous; adding hurried riders racing to catch a bus will only make conditions worse. A single-site option works best for all riders, and as noted above, crosswalk safety measures are a priority for any alternative.

While we need a transit center that meets the public transportation needs of today and the near-future, we also need a transit center that strategically and inclusively anticipates, plans for, and accounts for the kind of growth we are working toward in the city and the region.

The future of mobility is sustainable, equitable, affordable public transit alongside infrastructure that invites and inspires non-car means including walkable streets and a working-people's biking network. We look forward to partnering with you to develop plans that include a vision for transit for future generations in our communities.

Sincerely,



Omar Carrera
Chief Executive Officer
Canal Alliance



Marina Palma



Darlin Ruiz
Community Leaders
Voces del Canal

9.2.14.1 Response to Comment Letter 14, Canal Alliance and Voces del Canal, Omar Carrera

Comment 14-1

On behalf of Canal Alliance and Voces del Canal, a Canal resident leadership group, we write to express our support for the San Rafael Transportation Center and for the many ways this project represents an opportunity not only for our city and our region, but especially for the low-income and Latino transit riders who make up the majority of the ridership. We also want to strongly recommend that there can be an opportunity for greater equity in the design, analysis, and implementation of the project.

We are aligned on what we believe are common goals across stakeholders and decision-makers. We also agree on the need for a transit center that not only meets current and near-future public transportation needs, but also anticipates the kind of growth we are working toward in the city and the region. In particular, to serve the long-term needs of our communities ensure that the environmentally-friendly public transportation system offers the best, easiest, most affordable, and reliable option for mobility, a transit center needs to plan for a rise in demand that will result from increased housing, both affordable and low-income housing options.

Response to Comment 14-1

The comment expresses support for the project and emphasizes the importance of engaging the local community, particularly low-income and Latino transit users, in the project process. The comment also expresses that transit will become increasingly important as San Rafael grows due to housing expansion. One of the project objectives is to “design a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility.”

Chapter 1, Section 1.3.1, Agency and Public Outreach, of the EIR discusses past and planned community engagement on the proposed project (see page 1-3 of the Final EIR). The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 14-2

Recently, Canal Alliance had the opportunity to host a presentation of the various alternatives by the GGBHTD's staff for the leadership team of Voces del Canal. It was a great opportunity to learn more about the project and the details of the proposed alternatives. However, it also provided an overwhelming amount of information for our participants to process, let alone provide immediate feedback on.

As we look at your materials and timeline, we see that there is still some time for us to partner and develop a process that provides capacity-building for our community leaders to understand the project and to then provide more informed and helpful recommendations and a set of priorities that we believe should guide the development of the transit center. In the meantime, we wanted to share with you some initial thoughts and reflections based on many years of working with our community and our community leaders on what we know are critical priorities from prior community development and transportation issues discussions. Below is a preliminary list based on what we know about our community and from discussions we have had about the future of transit in the Canal neighborhood and surrounding areas:

- *Public Safety: street lighting, transit center lighting, multilingual signage, way-finding.*

- *Street Safety: traffic calming, wider crosswalks, safety lights at crosswalks.*
- *Wide Access: multi-generation family groups walking together (parent, stroller, children, grandparent).*
- *Bicycle Infrastructure: safe, easy access, free, bike sharing for Canal-to-downtown mobility,*
- *Restrooms: clean and well stocked secure.*
- *Affordability: concerned for raising fare rates.*
- *Reliability: accountability and reporting on delays*
- *Capacity: concern for a full a bus passing-up a passenger trying to get to work or health appointments.*

Response to Comment 14-2

The comment concerns public safety and access at the new transit center. As outlined in Section 3.1, Aesthetics, the project would be required to comply with several outdoor lighting policies in *San Rafael General Plan 2040* (such as Policies CDP-4.11 and C-1.19) and the City's Municipal Code. Section 3.10, Land Use and Planning, also outlines how the project would comply with applicable lighting policies. While wayfinding signage is part of the project design (page 2-11 of the Final EIR), the EIR does not specify if it is multilingual.

Pedestrian safety barriers are included in the project design at areas where there would be pedestrian-vehicle interaction, such as along the bus pick-up zones (Figures 2-4 through 2-7). Street safety measures for various modes of transportation (pedestrian, bicycles, and vehicular) are addressed in Section 3.14, Transportation.

The project would also be required to comply with applicable federal, state, and local policies pertaining to pedestrian and bicycle safety. Table 3.14-4 outlines the consistencies and few inconsistencies of each build alternative to transportation goals and policies. The project's objectives include "[p]rovid[ing] transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes" (page 2-5 of the Final EIR). This includes compliance with the Americans with Disabilities Act of 1990, which establishes minimum standards for ensuring accessibility in public spaces for all users (page 3.14-1 of the Final EIR).

The project would not change bus service frequency or vehicle size that would affect bus passenger capacity and throughput. The project would increase transit operations flexibility at the transit center that may allow for improved transit service, at the discretion of the transit operators; however, transit service changes are not included as part of the project.

Other project components mentioned in the comment, such as fare rates and restroom maintenance, do not pertain to CEQA resources and are therefore not addressed in the EIR. No revisions to the Draft EIR are necessary as a result of this comment.

Comment 14-3

We welcome an opportunity to have more time for us to build capacity and implement a short process that would allow more community members provide direct input. Relative to other stakeholder groups, our communities require greater support to feel confident in offering informed feedback, considering

all the project's factors, inputs, benefits, liabilities, and the short and long-term impacts on the community, the city, and the region. Many other key stakeholder groups already benefit from that knowledge and have organized advocacy infrastructure and expertise to effectively communicate their opinions.

We feel it is important for the whole process to be grounded in and guided by the reality that the majority of riders are Latinos and low-income essential workers whose contributions are necessary to holding up our economy and leading our recovery. An equitable approach would recognize that they are people who rely on transit, and that such access is an essential element to accessing employment and making a living. Such an approach would also allow for great opportunities and investment in incorporating community participation more strategically and would be responsive to the context and the barriers to engagement faced by this group.

Response to Comment 14-3

The District's public outreach efforts are detailed in Chapter 1, Section 1.3.1, Agency and Public Outreach. Since 2017, the District has held various workshops with community representatives including Canal Alliance and bilingual activities. The District has endeavored to perform adequate outreach to address public concerns throughout the initial project design phase. Initial design concepts were evaluated based on feedback received from public outreach to the local communities, which was summarized in Draft EIR Chapter 5, Alternatives (page 5-1 of the Final EIR). The District will continue to perform public outreach and engagement continuing into the design and construction phases of the project.

Comment 14-4

In addition to the priorities listed above, we want to note that there are significant drawbacks and dangers to some of the alternatives, which we can share with you in more detail. However, the highest concerns are that a transit center that is separated into different stations increases danger for pedestrians, complicates transfers, and can be confusing to riders. The downtown traffic is already heavy, confusing, and dangerous; adding hurried riders racing to catch a bus will only make conditions worse. A single-site option works best for all riders, and as noted above, crosswalk safety measures are a priority for any alternative.

While we need a transit center that meets the public transportation needs of today and the near-future, we also need a transit center that strategically and inclusively anticipates, plans for, and accounts for the kind of growth we are working toward in the city and the region.

Response to Comment 14-4

The comment expresses concern with the 4th Street Gateway and Under the Freeway Alternatives' design due to the separation between the SMART station and the bus bays. The commenter's concern for pedestrian safety at the split station design at the 4th Street Gateway and Under the Freeway Alternatives is acknowledged. The District has performed additional pedestrian safety analysis, and findings have been included in the Final EIR. The analysis found that the Move Whistlestop Alternative, which has been identified by the District as the preferred alternative, would provide the greatest benefit to pedestrian and bicycle safety for multiple reasons, including having transfers between transit services occur on the same block, as the commenter noted. Please see the response to comment 5-58 for additional information on this analysis. This is not a comment on the adequacy of the EIR and no revisions to the Draft EIR are required.



Raymond Santiago
Principal Planner
Golden Gate Bridge, Highway and Transportation District

Re: San Rafael Transit Center DEIR Comments

November 3, 2021, via Electronic Mail

Dear Raymond,

15-1 On behalf of Canal Alliance, I write to again express our strongest support for the San Rafael Transit Center and for the many ways this project represents an opportunity not only for our city and our region, but especially for the low-income and Latino transit riders who make up the majority of the ridership.

15-2 We remain aligned on what we believe are common goals across stakeholders and decision-makers. We also agree on the need for a Transit Center that not only meets current and near-future public transportation needs, but also anticipates the kind of growth we are working toward in the city and the region. To serve the long-term needs of our communities and ensure that the public transportation system offers the best, easiest, most affordable, and reliable option for mobility, the Transit Center needs to plan for the rise in demand that will result from increased housing, both affordable and low-income housing.

15-3 Further, we appreciate that the District has identified the 'Move Whistlestop Alternative' as its preferred alternative. Canal Alliance supports this decision, as this alternative responds to concerns shared by Canal residents during community meetings related to mobility, safety, and efficiency.

15-4 The history of community development, city planning, and transportation planning is full of examples of what typically happens in these kinds of project development processes: affluent constituents and resident groups who have access to means and resources are more successful in shaping and influencing the decision-making process while under-resourced communities are marginalized and their participation tokenized, at best.

15-4 In contrast to these historic tendencies, the San Rafael Transit Center project offered an opportunity to Canal community leaders and residents to understand the project and provide direct, informed input. We feel it is important for the whole process to be grounded in and guided by the reality that the majority of riders are Latinos and low-income essential workers whose contributions are necessary to holding up our economy and leading our recovery. This more equitable approach would recognize that they are people who rely on transit, and that such access is an essential element to accessing employment and making a living. Such an approach would also be responsive to the context and the barriers to engagement faced by this group and would demonstrate an intentional investment in more inclusive practices by incorporating community participation more strategically and democratically.

91 Larkspur Street
San Rafael, CA 94901
415.454.2640

canalalliance.org

15-4
cont.

We want to be completely clear in our message here: Canal residents will be the main users of the San Rafael Transit Center and we are reaching out to you, to represent their priorities, concerns, and opportunities in a way that is commensurate with the population as well as with their contribution to the economic success and ongoing recovery of the region. To continue to leave Canal residents out of the deliberations and decision-making is to again undermine the will of this community and the many gains we have made in trying to integrate the community and build trust across the city and county.

Sincerely,



Omar Carrera
Chief Executive Officer

9.2.15.1 Response to Comment Letter 15, Canal Alliance and Voces del Canal, Omar Carrera

Comment 15-1

On behalf of Canal Alliance, I write to again express our strongest support for the San Rafael Transit Center and for the many ways this project represents an opportunity not only for our city and our region, but especially for the low-income and Latino transit riders who make up the majority of the ridership.

Response to Comment 15-1

The comment expresses support for the proposed project. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 15-2

We remain aligned on what we believe are common goals across stakeholders and decision-makers. We also agree on the need for a Transit Center that not only meets current and near-future public transportation needs, but also anticipates the kind of growth we are working toward in the city and the region. To serve the long-term needs of our communities and ensure that the public transportation system offers the best, easiest, most affordable, and reliable option for mobility, the Transit Center needs to plan for the rise in demand that will result from increased housing, both affordable and low-income housing.

Response to Comment 15-2

The comment expresses the importance of a transit center that accommodates projected growth in San Rafael. To address future ridership, one of the proposed project's objectives (see Chapter 2, Section 2.3, Project Objectives) is to: "[d]esign a functional, attractive, and cost-effective facility that can meet long-term projected service levels and be implemented in an expeditious manner, so as to minimize the period of use of the interim facility." Projected future demand for public transit has been considered throughout project design. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 15-3

Further, we appreciate that the District has identified the 'Move Whistlestop Alternative' as its preferred alternative. Canal Alliance supports this decision, as this alternative responds to concerns shared by Canal residents during community meetings related to mobility, safety, and efficiency.

Response to Comment 15-3

The comment expresses support for the Move Whistlestop Alternative (the preferred alternative). The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 15-4

The history of community development, city planning, and transportation planning is full of examples of what typically happens in these kinds of project development processes: affluent constituents and

resident groups who have access to means and resources are more successful in shaping and influencing the decision-making process while under-resourced communities are marginalized and their participation tokenized, at best.

In contrast to these historic tendencies, the San Rafael Transit Center project offered an opportunity to Canal community leaders and residents to understand the project and provide direct, informed input. We feel it is important for the whole process to be grounded in and guided by the reality that the majority of riders are Latinos and low-income essential workers whose contributions are necessary to holding up our economy and leading our recovery. This more equitable approach would recognize that they are people who rely on transit, and that such access is an essential element to accessing employment and making a living. Such an approach would also be responsive to the context and the barriers to engagement faced by this group and would demonstrate an intentional investment in more inclusive practices by incorporating community participation more strategically and democratically.

We want to be completely clear in our message here: Canal residents will be the main users of the San Rafael Transit Center and we are reaching out to you, to represent their priorities, concerns, and opportunities in a way that is commensurate with the population as well as with their contribution to the economic success and ongoing recovery of the region. To continue to leave Canal residents out of the deliberations and decision-making is to again undermine the will of this community and the many gains we have made in trying to integrate the community and build trust across the city and county.

Response to Comment 15-4

The District welcomes all public input on the proposed project and will continue to engage the community in project development following the conclusion of the environmental review process.

The District's public outreach efforts are detailed in Chapter 1, Section 1.3.1, Agency and Public Outreach. Since 2017, the District has held various workshops with community representatives, including Canal Alliance, and bilingual activities. The District has endeavored to perform adequate outreach to address public concerns throughout the initial project design phase. Initial design concepts were evaluated based on feedback received from public outreach to the local communities, which was summarized in Draft EIR Chapter 5, Alternatives (page 5-1 of the Final EIR). The District will continue to perform public outreach and engagement continuing into the design and construction phases of the project.

Outreach conducted for the publication of the Draft EIR included a public meeting co-hosted by the Canal Alliance and facilitated in Spanish, to ensure that Canal residents had the opportunity to engage in this critical step of the environmental review process. The meeting was streamed via Facebook Live and is available on the Canal Alliance Facebook page at the following link:
<https://www.facebook.com/CanalAlliance.SanRafael/videos/592122478463859/>.

From: Sprague Terplan <sprague.terplan@gmail.com>
Sent: Wednesday, September 15, 2021 4:39 PM
To: SRTC <SRTC@goldengate.org>
Subject: Proposed New Transit Center Will Slow Service for Southbound Riders

To whom it may concern at the Golden Gate Bridge, Highway, and Transportation District,

As a regular Golden Gate Transit and Marin Transit rider, I am concerned that all of the proposed redesigns of the San Rafael Transit Center, with the exception of one, will worsen and slow bus travel for Golden Gate Transit and Marin Transit riders who are headed southbound. All of the proposals, with the exception of the 4th Street Gateway Alternative, eliminate bus stops directly fronting Hetherton Street and this will result in slower and less efficient service for many southbound riders.

The current transit center's platform A has southbound bus stops along Hetherton Street (for Golden Gate routes 30, 70, 101, and 27 and for several Marin Transit routes, including route 71). The current arrangement is very convenient for southbound riders, especially those on route 101 (an express, inter-county service that operates daily and provides the fastest connection between Novato and San Francisco) - but also for passengers on routes 70 and 71.

16-1

Too often, southbound 70 and 101 buses arrive late to the San Rafael Transit Center and they would be further slowed by having to turn off of Hetherton Street, having to yield for pedestrians in the crosswalk across 4th Street, and then enter the proposed new transit center. Upon departure, the southbound bus would then have to exit onto 3rd Street and continue on a circuitous route in order to finally return to Hetherton Street and Highway 101. Of course, even for those route 70, 71, and 101 buses that arrive on time to the new transit center, they will also have slower, more circuitous, and less efficient service in the vicinity of downtown San Rafael than the existing arrangement provides.

As a longtime Golden Gate Transit rider, since about 1980, who continues to regularly use both Golden Gate Transit and Marin Transit and regularly transfer at the San Rafael Transit Center, I recognize that this aspect of the proposed redesigns is a step backwards and will slow public transit service and inadvertently discourage and depress ridership.

I call on your agency to include stops on Hetherton Street in whichever proposed redesign you adopt

16-1
cont.

and to do everything within your power to ensure that bus riders, particularly southbound through-riders on your 70 and 101 routes, are not slowed or delayed by transit center redesign and resulting bus route realignments. If this is not taken into consideration in the redesign, I strongly encourage your agency to work with the city of San Rafael to install transit signal priority at Transit Center adjacent intersections and/or transit signal queue jumps to help compensate for the otherwise unavoidable delays to service that will result from poor transit center redesign. If this latter option is pursued, such signals must be in operation upon the opening of the new transit center or ridership will suffer delays.

Thank you very much,

Sprague Terplan
San Francisco

9.2.16.1 Response to Comment Letter 16, Sprague Terplan

Comment 16-1

As a regular Golden Gate Transit and Marin Transit rider, I am concerned that all of the proposed redesigns of the San Rafael Transit Center, with the exception of one, will worsen and slow bus travel for Golden Gate Transit and Marin Transit riders who are headed southbound. All of the proposals, with the exception of the 4th Street Gateway Alternative, eliminate bus stops directly fronting Hetherton Street and this will result in slower and less efficient service for many southbound riders.

The current transit center's platform A has southbound bus stops along Hetherton Street (for Golden Gate routes 30, 70, 101, and 27 and for several Marin Transit routes, including route 71). The current arrangement is very convenient for southbound riders, especially those on route 101 (an express, inter-county service that operates daily and provides the fastest connection between Novato and San Francisco) - but also for passengers on routes 70 and 71.

Too often, southbound 70 and 101 buses arrive late to the San Rafael Transit Center and they would be further slowed by having to turn off of Hetherton Street, having to yield for pedestrians in the crosswalk across 4th Street, and then enter the proposed new transit center. Upon departure, the southbound bus would then have to exit onto 3rd Street and continue on a circuitous route in order to finally return to Hetherton Street and Highway 101. Of course, even for those route 70, 71, and 101 buses that arrive on time to the new transit center, they will also have slower, more circuitous, and less efficient service in the vicinity of downtown San Rafael than the existing arrangement provides.

As a longtime Golden Gate Transit rider, since about 1980, who continues to regularly use both Golden Gate Transit and Marin Transit and regularly transfer at the San Rafael Transit Center, I recognize that this aspect of the proposed redesigns is a step backwards and will slow public transit service and inadvertently discourage and depress ridership.

I call on your agency to include stops on Hetherton Street in whichever proposed redesign you adopt and to do everything within your power to ensure that bus riders, particularly southbound through-riders on your 70 and 101 routes, are not slowed or delayed by transit center redesign and resulting bus route realignments. If this is not taken into consideration in the redesign, I strongly encourage your agency to work with the city of San Rafael to install transit signal priority at Transit Center adjacent intersections and/or transit signal queue jumps to help compensate for the otherwise unavoidable delays to service that will result from poor transit center redesign. If this latter option is pursued, such signals must be in operation upon the opening of the new transit center or ridership will suffer delays.

Response to Comment 16-1

The comment expresses concerns about delays in bus service resulting from the new layout of the preferred alternative (Move Whistlestop Alternative) and other build alternatives. The *Transportation Summary Report*, included in the Final EIR as Appendix E (Appendix C of the Draft EIR), evaluated bus circulation and the change in transit service delay for the No-Project Alternative and the build alternatives. For the future, Year 2040 conditions, the Under the Freeway Alternative and the two Whistlestop Alternatives would provide a reduction in transit travel time in both the a.m. and p.m. peak hours relative to the No-Build condition. The 4th Street Gateway Alternative would provide a benefit in the p.m. peak hour, but would result in a large increase in transit travel time in the a.m. peak hour, associated with increased congestion on several transit corridors. Please refer to Section 3.6, Transit Service – Bus Circulation Analysis Summary, in the *Transportation*

Summary Report for more information on the analysis results. Bus stops along Hetherton Street are not feasible in the two Whistlestop Alternatives due to conflicts with the southbound right-turn lane to 3rd Street. However, by relocating the transit center north of 3rd Street, the amount of bus circulation through congested City streets would be reduced and by placing several bus bays west of the SMART tracks, a number of buses would no longer have to cross the tracks. These factors combine to result in faster and more reliable bus service with those alternatives.

-----Original Message-----

From: Annette Holloway <acholloway@comcast.net>

Sent: Wednesday, September 1, 2021 12:33 PM

To: SRTC <SRTC@goldengate.org>

Subject: Plans for new SRTC

I have been looking at the plans for a new Transit Center, and have a couple comments

- 17-1 | 1. In several places there is reference to making an “online comment” but there is no link to that page. I have not been able to find it on the website, hence this email.
- 17-2 | 2. More importantly, as both a pre-COVID patron of the current Center and a resident of an area near downtown San Rafael, I can understand the need for changes to the site. In my quick perusal of the plans, I did not see anything addressing the need for additional parking. If part of the goal is to increase the use of public transit, you also need to address the need to access it.
The current parking areas will again be insufficient for patrons once ridership returns to pre-COVID levels. How can we take busses to SF, or the train to Santa Rosa if we can’t park somewhere near the Transit Center? The TC is not walking distance from my home, and there is no feeder bus line. Taking an Uber or a taxi to and from is unrealistic (due to cost and unreliability).
When I took the bus regularly to SF, I would often drive as far as Larkspur to find parking near a bus stop. If the goal is to keep people out of their cars, and off of 101, you need to have a place for us to leave them!
- 17-3 | 3. I hope that the new plans address the confusing situation where the train tracks, bus station and 101 south on-ramp collide. When I am driving east on 2nd St, it is still difficult to know where I could and should stop in different traffic conditions to be safe, and follow the law.
- 17-4 | 4. I have no opinion about which option for the new SRTC is preferable as I am not a civil engineer, traffic engineer, environmental engineer or city planner. I hope that people who are knowledgeable in these and other relevant areas are offering their comments.

Thank you,

Annette Holloway
Resident of San Rafael
415-302-1283

9.2.17.1 Response to Comment Letter 17, Annette Holloway

Comment 17-1

1. In several places there is reference to making an “online comment” but there is no link to that page. I have not been able to find it on the website, hence this email.

Response to Comment 17-1

The San Rafael Transit Center information page may be found at this URL: <https://www.goldengate.org/district/district-projects/san-rafael-transit-center/>. As stated on that page, the primary email address for sending online comments is SRTC@goldengate.org. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 17-2

2. More importantly, as both a pre-COVID patron of the current Center and a resident of an area near downtown San Rafael, I can understand the need for changes to the site. In my quick perusal of the plans, I did not see anything addressing the need for additional parking. If part of the goal is to increase the use of public transit, you also need to address the need to access it.

The current parking areas will again be insufficient for patrons once ridership returns to pre-COVID levels. How can we take busses to SF, or the train to Santa Rosa if we can't park somewhere near the Transit Center? The TC is not walking distance from my home, and there is no feeder bus line. Taking an Uber or a taxi to and from is unrealistic (due to cost and unreliability).

When I took the bus regularly to SF, I would often drive as far as Larkspur to find parking near a bus stop. If the goal is to keep people out of their cars, and off of 101, you need to have a place for us to leave them!

Response to Comment 17-2

The comment expresses concern regarding the availability of parking near the transit center site. As described in the response to comment 5-57, providing adequate parking is not a CEQA issue, but information on parking is provided in Section 6 of the *Transportation Summary Report*, which is appended to the Final EIR as Appendix E (this report was Appendix C of the Draft EIR). Please refer to the responses to comments 5-57 and 5-72 for additional information about the proposed project's effects on parking. This comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are necessary.

Comment 17-3

3. I hope that the new plans address the confusing situation where the train tracks, bus station and 101 south onramp collide. When I am driving east on 2nd St, it is still difficult to know where I could and should stop in different traffic conditions to be safe, and follow the law.

Response to Comment 17-3

The comment concerns vehicle circulation near the existing transit center. With the relocation of the transit center, bus traffic on 2nd Street would be reduced and the large driveways from the transit center to 2nd Street would be closed. This may help reduce confusion on 2nd Street. Other factors referenced, including the SMART tracks and the US-101 on-ramp, are not proposed for change as

part of the project. Lane designations and striping on 2nd Street are within the purview of the City and Caltrans, and are not related to the project. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 17-4

4. I have no opinion about which option for the new SRTC is preferable as I am not a civil engineer, traffic engineer, environmental engineer or city planner. I hope that people who are knowledgeable in these and other relevant areas are offering their comments.

Response to Comment 17-4

The comment expresses the commenter's lack of preference for any specific project alternative. Comments from agencies, organizations, and individuals and the responses to those comments are contained in this chapter. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

-----Original Message-----

From: JAMIE MACKIE <mackieisme@hotmail.com>

Sent: Friday, September 24, 2021 2:51 PM

To: SRTC <SRTC@goldengate.org>

Subject: SRTC DEIR Comment

18-1

I support the Move Whistlestop Alternative for the San Rafael Transit Center. However, I have two pieces of feedback on the DEIR.-The proposed pick-up/drop-off area on the east side of West Tamalpais Ave. north of 4th St. conflicts with the preferred route of bicyclists traveling through Downtown San Rafael. The frequent pulling in and out, as well as passenger doors being opened associated with pick-up/drop-off zones is incompatible with low-stress bicycle travel. This area should be located where it does not conflict with bicycle users.-The southbound dual right turn lane at the intersection of Hetherton St. and 3rd St. should be reduced to a single right turn lane. The proposed configuration is dangerous to pedestrians, as the City saw with the two deaths in 2014 and 2016 at the same intersection.

Jamie

Sent from my iPhone

9.2.18.1 Response to Comment Letter 18, Jamie Mackie

Comment 18-1

I support the Move Whistlestop Alternative for the San Rafael Transit Center. However, I have two pieces of feedback on the DEIR.-The proposed pick-up/drop-off area on the east side of West Tamalpais Ave. north of 4th St. conflicts with the preferred route of bicyclists traveling through Downtown San Rafael. The frequent pulling in and out, as well as passenger doors being opened associated with pick-up/drop-off zones is incompatible with low-stress bicycle travel. This area should be located where it does not conflict with bicycle users.-The southbound dual right turn lane at the intersection of Hetherton St. and 3rd St. should be reduced to a single right turn lane. The proposed configuration is dangerous to pedestrians, as the City saw with the two deaths in 2014 and 2016 at the same intersection.

Response to Comment 18-1

The comment expresses support for the Move Whistlestop Alternative. It also expresses concern with the location of pick-up/drop-off areas relative to bicycle facilities. Please see the response to comment 7-3 for a description of the relocated of pick-up/drop-off area. Regarding concerns with the southbound right-turn at the intersection of Hetherton Street and 3rd Street, please see the response to comment 5-62. The proposed modifications to signal operation at this intersection would benefit pedestrian safety.

From: amy glaza <amyglaza@yahoo.com>

Sent: Thursday, September 30, 2021 7:39 PM

To: SRTC <SRTC@goldengate.org>

Cc: kate.conlin@cityofsanrafael.org; Maribeth Bushey <maribeth.bushey@cityofsanrafael.org>; city.manager@cityofsanrafael.org

Subject: Community Feedback Regarding Moving the Bus Terminal

Hello,

I understand you are soliciting comments about this project.

I live in the Montecito area of San Rafael.

I have a few comments and questions about the bus terminal project.

I have viewed the most recent site location map and information on the website.

19-1

1-How will you ensure the "parklike" environment at the terminal does not become a congregating and sleeping area for our homeless population and for people coming to the area to conduct drug deals and pan handle?

19-2

2-I often feel traffic flow problems going from the West side to East side of the city are often overlooked. Have you ever tried commuting East on 2nd Street from D Street to get to the Whole Foods on the other side of the 101, which is near where I live? The lane designations make no sense for anyone who is local "Through Traffic". I feel I am taking my life into my hands making that negotiation during commute hours. Try it on a Friday after work and see. The lanes only make sense for people going North or South on 101. Let's stop acting like we are just a throughfare for people passing through our town and getting to their own communities. Let's make the East-West and West-East traffic flow into and out of downtown a priority.

19-3

3-Will you please make the Airporter and Taxi section feel separate and comfortable. Let's make visitors from out of town feel welcome and their navigation simple out of the hussle bussle of daily commuters. Also for those of us who fly often for work having a comfortable low congestion area is appreciated.

19-4

4-Is the homeless tent encampment going to stay under the bridge as it is now? This will certainly mean that "parklike" setting will be the new outdoor living room for the homeless population there.

5- **I think the idea of this transit center open space would work better in a smaller city with no homeless or crime issues.**

I am skeptical about the plan and would like to be proven wrong about this project. I simply feel it is too big and in the wrong location. Our population has exploded and really it should have been moved away from downtown. SMART Station yes, bus terminal for the entire region, no.

I'd rather see this project moved South 1 exit to be part of the new retail complex across from the post office. There could easily be a SMART stop added there as the tracks go nearby.

19-5

Or it could run the length of Francisco Blvd West. The bike lane that was added there has made that road nearly impassable and totally non-sensical to the businesses along there. The bike coalition really took the city for a ride on that project. Have you ever tried to drive down the length of it in both directions? I actually had to call 911 to report a big rig driving southbound on that road in front of Marshall's Department store in the WRONG lane. Here must have thought it was a one way street, I was nearly in a head on collision.

(I realize my location ideas are too late for consideration but thanks for listening.)

However, I do hope you will help me understand how the other issues I brought up are being handled. I'm sure I am not the only one to bring them up.

Thank you.

19-6

Ps: The East/West and West/East traffic flow into and out of the city is very important. Don't cut us off from our own downtown! As it is, I find myself more easily going from East San Rafael and turning North onto 101 to go to shop in Novato and avoiding my own downtown. Just to avoid all the train tracks, lights and buses. I want to be proud of our downtown, and not avoid it.

[Sent from Yahoo Mail on Android](#)

9.2.19.1 Response to Comment Letter 19, Amy Glaza

Comment 19-1

1-How will you ensure the “parklike” environment at the terminal does not become a congregating and sleeping area for our homeless population and for people coming to the area to conduct drug deals and pan handle?

Response to Comment 19-1

The comment concerns the conditions of homelessness in Downtown San Rafael. Addressing the presence of homeless individuals and dissuading illegal activities (such as drug trafficking) are not issues required to be discussed in CEQA documents. The commenter does not provide evidence showing a connection between such activities and environmental impacts that fall within the purview of a CEQA analysis. A detailed assessment of the existing and proposed conditions regarding public safety can be found in Section 3.13, Public Services and Recreation. This comment does not concern the adequacy of the EIR. No revisions to the Draft EIR are necessary.

Comment 19-2

2-I often feel traffic flow problems going from the West side to East side of the city are often overlooked. Have you ever tried commuting East on 2nd Street from D Street to get to the Whole Foods on the other side of the 101, which is near where I live? The lane designations make no sense for anyone who is local “Through Traffic”. I feel I am taking my life into my hands making that negotiation during commute hours. Try it on a Friday after work and see. The lanes only make sense for people going North or South on 101. Let’s stop acting like we are just a throughfare for people passing through our town and getting to their own communities. Let’s make the East-West and West-East traffic flow into and out of downtown a priority.

Response to Comment 19-2

The comment pertains to east- and westbound traffic through the project area. Lane designations and striping on 2nd Street are not within the District’s jurisdiction and are not related to the proposed project. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 19-3

3-Will you please make the Airporter and Taxi section feel separate and comfortable. Let’s make visitors from out of town feel welcome and their navigation simple out of the hussle bussle of daily commuters. Also for those of us who fly often for work having a comfortable low congestion area is appreciated.

Response to Comment 19-3

The comment concerns access to airport transportation options at the transit center. One project objective is to provide improved transit connectivity, including all transit services at the transit center. The project includes a number of elements to improve safety and the passenger experience, as noted in Chapter 2, Project Description. The comment does not concern adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 19-4

4-Is the homeless tent encampment going to stay under the bridge as it is now? This will certainly mean that “parklike” setting will be the new outdoor living room for the homeless population there.

5- I think the idea of this transit center open space would work better in a smaller city with no homeless or crime issues.

Response to Comment 19-4

The comment pertains to the presence of unhoused individuals in the Under the Freeway Alternative footprint. Please see the response to comment 19-1. The comment also expresses concern with the public space/plaza area proposed to be included in the project. All alternatives would include space for public plazas, customer service, bicycle parking, and/or transit-supportive land uses. These spaces are important to the transit center’s functionality for transit users. The transit center would be designed in a manner to promote safety by implementing Crime Prevention through Environmental Design best practices where possible, including open sight lines, lighting, and defensible space. The comment does not pertain to the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 19-5

I am skeptical about the plan and would like to be proven wrong about this project. I simply feel it is too big and in the wrong location. Our population has exploded and really it should have been moved away from downtown. SMART Station yes, bus terminal for the entire region, no.

I’d rather see this project moved South 1 exit to be part of the new retail complex across from the post office. There could easily be a SMART stop added there as the tracks go nearby.

Or it could run the length of Francisco Blvd West. The bike lane that was added there has made that road nearly impassable and totally non-sensical to the businesses along there. The bike coalition really took the city for a ride on that project. Have you ever tried to drive down the length of it in both directions? I actually had to call 911 to report a big rig driving southbound on that road in front of Marshall’s Department store in the WRONG lane. Here must have thought it was a one way street, I was nearly in a head on collision.

Response to Comment 19-5

The comment provides suggestions for alternative locations for the proposed project and expresses concerns about driver and pedestrian safety on roads near the project area.

As discussed in Chapter 5, Section 5.4.5, Alternatives Considered but Eliminated from Further Analysis, of the Final EIR, numerous alternatives were considered throughout the development of the proposed project, including alternatives that explored different project sites. The reasons for dismissal of these alternatives from detailed analysis in the EIR are described in Section 5.4.5.

The suggestion to move the transit center south from the existing location and add a SMART stop in this location would not meet the project objective to “provide improved transit connectivity and ease of use in and around Downtown San Rafael.”

The concerns expressed by the commenter about traffic and safety conditions on Francisco Boulevard West are outside of the scope of the proposed project, and the District does not have jurisdiction over the bicycle infrastructure along this roadway.

Comment 19-6

Ps: The East/West and West/East traffic flow into and out of the city is very important. Don't cut us off from our own downtown! As it is, I find myself more easily going from East San Rafael and turning North onto 101 to go to shop in Novato and avoiding my own downtown. Just to avoid all the train tracks, lights and buses. I want to be proud of our downtown, and not avoid it.

Response to Comment 19-6

The comment pertains to east- and westbound traffic in the project area. Please see the response to comment 19-2 for discussion of east and westbound traffic.

-----Original Message-----

From: LUANA MILLER <lmi3280257@aol.com>

Sent: Thursday, September 30, 2021 8:28 PM

To: SRTC <SRTC@goldengate.org>

Subject: Transit Center Relocation Draft EIR

20-1

Cancel the SMART train and save all the funds that must be disbursed continuously to support it and the problems it creates which are never ending!

Sent from my iPhone

9.2.20.1 Response to Comment Letter 20, Luana Miller

Comment 20-1

Cancel the SMART train and save all the funds that must be disbursed continuously to support it and the problems it creates which are never ending!

Response to Comment 20-1

The comment expresses concern with the SMART train. The comment does not concern the adequacy of the EIR. No revisions to the Draft EIR are necessary.

-----Original Message-----

From: Stephen Spicer <spspice@comcast.net>
Sent: Thursday, September 30, 2021 7:59 PM
To: SRTC <SRTC@goldengate.org>
Subject: Transit Center Relocation Draft EIR

Comments - Re: Airporters

21-1

I have been frustrated with the change of schedule, lack of access and relocation of the Airporters, especially Marin to Anderson compared to the past where they stopped at the transit center. There may be extenuating circumstances but it is so much more convenient and integrated with downtown, right off the freeway and taxis at the current and hopefully new center!

Thanks,
Steve

Stephen Spicer...sent from iPad

cell 415 717 1012

9.2.21.1 Response to Comment Letter 21, Stephen Spicer

Comment 21-1

I have been frustrated with the change of schedule, lack of access and relocation of the Airporters, especially Marin to Anderson compared to the past where they stopped at the transit center. There may be extenuating circumstances but it is so much more convenient and integrated with downtown, right off the freeway and taxis at the current and hopefully new center!

Response to Comment 21-1

The comment concerns access to airport transportation options at the transit center. As stated in Chapter 2, Section 2.6.1, Components Common to All Build Alternatives, all four build alternatives would include airport coach services in the 17 new straight-curb bus bays (page 2-11 of the Final EIR). The preferred alternative (Move Whistlestop Alternative) and build alternatives include a space for airport transportation at the new transit center. Airport transportation services are operated by private entities that are responsible for identifying routes, stops, and schedules. The comment does not concern adequacy of the EIR and no revisions are necessary.

From: Joseph B. Tassone <jtassone@marincatholic.org>

Sent: Friday, October 1, 2021 9:23 AM

To: SRTC <SRTC@goldengate.org>

Subject: Transit Center Relocation Draft EIR

22-1

I think this is a huge misuse of funds. There are very few problems that would be rectified by moving the station 1 block. It will also cause traffic and more CO2 in building the new station. Please dont do it. We have no idea how much need there is for mass transit after the changes from Corona

--

Joe Tassone

Marin Catholic High School

Foundations of History I
AP Macro Economics

"You may choose to look the other way but you can never say again that you did not know."

- [William Wilberforce](#)

"If to be feelingly alive to the sufferings of my fellow-creatures is to be a fanatic, I am one of the most incurable fanatics ever permitted to be at large."

- [William Wilberforce](#)

9.2.22.1 Response to Comment Letter 22, Joseph Tassone

Comment 22-1

I think this is a huge misuse of funds. There are very few problems that would be rectified by moving the station 1 block. It will also cause traffic and more CO2 in building the new station. Please don't do it. We have no idea how much need there is for mass transit after the changes from Corona

Response to Comment 22-1

The comment expresses concerns about potential impacts on traffic and carbon dioxide emissions. As outlined in Chapter 2, Section 2.7, No-Project Alternative, the existing transit center has several deficiencies resulting from the implementation of the SMART Phase 2 project. Impacts related to traffic and transportation are discussed in Section 3.14, Transportation. The impact analysis contained in Section 3.7, Greenhouse Gas Emissions, concludes that impacts related to GHG emissions would be less than significant with mitigation. Please refer to the response to comment 5-54 for more information on projected transit demand.

From: Stuart Brown <stuart.brown1@comcast.net>

Sent: Saturday, October 2, 2021 11:50 AM

To: SRTC <SRTC@goldengate.org>

Subject: Transit Center Relocation Draft EIR

23-1 | The best solution would be to elevate the SMART tracks over Mission through Second streets. This option should be included and a cost estimated.

Stuart H. Brown
85 Main Drive
San Rafael, CA 94901

9.2.23.1 Response to Comment Letter 23, Stuart Brown

Comment 23-1

The best solution would be to elevate the SMART tracks over Mission through Second streets. This option should be included and a cost estimated.

Response to Comment 23-1

The alternatives analyzed in the EIR are the result of an alternatives development process that considered various locations and layouts for a new San Rafael Transit Center based on previous reports prepared for the proposed project.

Chapter 5, Alternatives to the Project, provides a discussion of alternatives considered but eliminated from further analysis. Modifications to the SMART track alignment, as suggested in the comment, are not within the District's jurisdiction and are therefore outside of the scope of this project.

Leslie Simons

23 Scenic Avenue, San Rafael, California 94901

simons72@comcast.net
415 454 1878

Raymond Santiago, Principal Planner
Golden Gate Bridge, Highway and Transportation District

October 6, 2021
via email: srtc@goldengate.org

Subject: Response to the Environmental Impact Report for the San Rafael Transit Center

Thank you for this opportunity. Having reviewed the Cultural Resources Chapters 3.4 and 3.15 of the Transit Center EIR generated for the Golden Gate Bridge, Highway and Transportation District (District), I do have a number of comments and questions.

There is much detail in these chapters that I cannot confirm, but it does create a serious level of concern due to statements that I know to be incorrect. I hope this is not true of information beyond my scope of knowledge as once something is in print it is difficult to dispel.

The following relates only to Chapter 3.4:

A. Specific corrections: The mark-up has been edited to include only those pages affected in (-)

- 24-1 1. Page 1, 1st paragraph (p), 2nd sentence (s): “*Some archaeological sites may also be considered tribal cultural resources.*” I have not noted many that are not fully tribal related, and “...~~Section 3.16~~” change to 3.15. SUGGESTION: It would be better to state clearly here that TCR related information is found in Chapter 3.15; then all information relating to TCR will be found in that chapter and not repeated here. (See Section D below)
- 24-2 2. Page 9 (2), 1st p, 4th s: “... (*both outside the project area*) ...” The potentially eligible “East Downtown Core” historic district now includes both sides of Tamalpais between 3rd and 4th.
- 24-3 3. Page 9 (2), end of 3rd p: “*Appendix G.*” This is seriously misleading, as this appendix is “confidential” why refer to it as “*available in ...*” – there is nothing there and is again referenced on page 28
- 24-4 4. Page 12 (3), 1st p: “~~Mission~~ *San Rafael Archangel ... near downtown San Rafael in 1917.*” The “Asistencia San Rafael Archangel” was established in 1817 (it became a mission in 1822). Then, about 55 years later, the Marin County Courthouse was built on mission lands. ‘A’ Street is the center of town historically and currently. Please rephrase similar to “...what was to become the heart of San Rafael’s downtown in 1817”.
- 24-5 5. Page 13 (4), 1st p: This is very confusing and consists of seriously inaccurate information. As the information is credited perhaps this is an example of the difficulty in dispelling printed information.
The North Pacific Coast (NPC) Railroad was established in 1871 but had nothing to do with the construction of the Union Station nor did the Aitchison Topeka & Santa Fe (SF). In an online review there is no mention of the SF being active in the development of rail lines in this area during the 1880s. Please clarify how this information was established or strike/rewrite “*The North Pacific Coast RR was established in 1874*” and “*In 1884, the Santa Fe and North Pacific Railroad built ...*”
The North Shore was the line that invented the “Electrics” It was very short lived and was primarily a commuter line as will be noted below, Item A.8.
The Union Station was constructed by the San Francisco & North Pacific Railroad (est. 1877) in 1884 after completion of the Puerto Suello tunnel a few years earlier when the site on Tamalpais Avenue was selected for the passenger station. Peter Donahue was one of many “railroad barons”; I understand that he was instrumental in strong-arming other smaller railroad developers out of business. (See ownership flow chart page 14 & 15 in “The Northwestern Pacific Railroad – Lifeline of the Redwood Empire, Boom and Bust 1951-2001”, Angelo Figone, NWPRR Historical Society, 2017)
- 24-6 6. Page 13, 2nd p, 1st s: This is a simplistic and therefore incorrect statement. The NPC became part of the North Shore in 1902. The San Rafael & San Quentin was another of the 10 railroad companies that were consolidated by the Santa Fe (SF) and Southern Pacific (SP) in 1907. (See flow chart noted in A.5)

- 24-7 | 7. Page 13, end of 2nd p: It was the consolidated NWP (both SP and SF) that built several stations along the route. The dissolution of the NWP occurred 2 weeks before the 1929 San Rafael Depot opened.
- 24-8 | 8. Page 13, end of 3rd p: “Commuter rail service in Marin County, the electrics, was discontinued ...”. This is a common and confusing statement as passenger service continued until the late 1950s.
- 24-9 | 9. Page 14 (5), 3rd p, 2nd s: “The San Rafael depot closed in 1974, ~~when local freight service was discontinued...~~” NWP became part of SP, this area being operated by the headquarters in San Francisco. In San Rafael freight service continued into the early 1990s.
- 24-10 | 10. Page 20 (6), “Historic Map Review” 2nd p, 4th s: Incorrect reference – See item A.5.
- 24-11 | 11. Page 21 (7), last p: The final DTPP identified only two potential historic districts. Next sentence “None of the resources in the CEQA study area is among the locally listed resources.” Both 927 and 930 Tamalpais are on the 1978 and 2020 inventories; does this statement refer to the local landmark register?
- 24-12 | 12. Page 22 (8), 2nd p: “(Neither of these eligible districts overlaps with the CEQA study area.) This statement is out of date as both 927 and 930 Tamalpais are within the “East Downtown Core” eligible districts. Just below, “E: Ineligible as local landmarks” has since been eliminated as a rating. As the GP 2040 and the DTPP have already been accepted by the City Council before this DEIR for the SRTC was published; why does this EIR relate most often to the out-of-date GP 2020.
- 24-13 | 13. Page 22, 4th p: Why does the residence at 1011 Irwin receive a “B” rating? The only reason I can imagine is, should the “Under the Freeway” alternate be chosen, it would place it “in the way”, making removal/demolition more difficult and greatly more expensive with the mitigation measures required. It is a rather common residence found in many neighborhoods in the city. It has no known history and an obviously out of character brick entry staircase unrelated to its date of construction. To be clear, I do take issue with several of the 2020 historic resource nominations and omissions.
- 24-14 | 14. Page 23 (9), 2nd p, 1st s: Address error – ~~730~~ - correct to 930 Tamalpais.
- 24-15 | 15. Page 23, 2nd p, 3rd s and on: It is my opinion that the 2012 JRP evaluation was expressly written to demolish the NWP Depot. I also suspect it was written by underqualified persons as it is very poorly composed, bouncing back and forth around the building like a ping-pong ball. This appears intentional, to make the elements as described difficult to track. A couple of examples include:
- Sheet 523A, Page 1 of 17 - “All of the arched parapets on the building are replacements ...” This is inaccurate, 3 appear to be original 1929 raised “shaped Mission parapets” (SMP); even if they were replacements, they are identical to and located in historically accurate positions. A fourth SMP from the mid-1940s NWPRR headquarters addition was also built during the railroads period of ownership; considered the buildings “Period of Significance”.
- The 2012 evaluation totally ignores anything since the set point of 1929. Even the National Park Service recognizes that buildings change over time depending on the needs of the occupants/owners. The locations of the 1929/1945 SMPs are illustrated on the attached plan “Order of Development – Floor Area Estimate”, dated October 5, 2021.
- Sheet 523A, Page 3 of 17, 2nd paragraph, 5th sentence: “The arches are mostly filled with metal entry doors, and eight-over-eight metal hopper windows.” Again, the evaluators did not appear to have architectural training as the reference to “hopper windows” is incorrect. Hoppers open to the interior and swing in from a bottom hinge. Here the original windows are awning windows which open out and are hinged from the top.
 - In 2015 an earlier architectural historian reviewed the 2012 JRP Evaluation and found “that the JRP evaluation is flawed and its conclusions are not substantiated ... They merely conclude that there is a loss, without establishing a factual basis and doing an analysis ... The building still conveys its historic significance as a railroad station”. (Richard Brandi, San Francisco)

Here again the DEIR refers to an out of date rating for the depot building which was upgraded to a “C”. I do not give much credence to the new ICF DPR 523 mentioned later; once again, 927 and 930 Tamalpais complicate the Districts preferred alternative. Historically the depot should be given an “A” (even with the later additions which could be removed) and the taxi office at a minimum a “B” as contributory.

16. Page 23, 2nd p, 6th s: Why is the SRH 2020 DPR 523 dated January 8, 2020 referred to merely as a “*site record*”. It is my understanding that if accompanied by a cover letter written by an officially listed architectural historian the document would carry the same weight as one officially signed by one.

24-16 The evaluator (the undersigned), although not trained in the field, has been actively involved in San Rafael’s historic resources since the late 1970s. While compiling the above referenced document, I was extensively (and repeatedly) schooled by a listed architectural historian to bring this DPR into conformance with the standards required for official State documentation. Diana Painter, of Painter Preservation, noted in her April 2020 cover letter “*There is no question of the importance of this building and site to San Rafael and the region’s history ... it is undoubtedly significant for its design ... The fact that few original stations remain increases the importance of this building*”.

17. Page 32 (10), 2nd p below “Mitigation Measures”: The statement that “... *shall be reviewed and approved by the District and Planning Division to ensure ...*” It is my understanding that the City of San Rafael and City Council has the final say on what will be happening on their city streets. In the “Memorandum of Understanding” Item 4 outlines the cooperative relationship between partners. Item 5 states “The parties agree that the selected alternative must be approved by the City Council”. This cooperation is not mentioned anywhere that I can locate.

24-17

B. General comments:

24-18

1. “ICF International” and “ICF” occur variously until becoming simply “ICF” finally on Page 23. This should have started when first mentioned at the beginning of the chapter and followed through thereafter.

2. The total disregard for the development of San Rafael (and other towns and cities in Marin) as a “railroad suburb” of San Francisco is why I believe the repeated undervaluation of the NWP Depot occurs. The depot is the most prominent, extant example of this historically important event for San Rafael. No matter what basis is used the fact that throughout the documents the depot and taxi office are pushed aside as “not eligible” is a faulty conclusion. It seems as if the buildings are “in the way” so therefore not to be considered important or require mitigation measures. There is a short reference to the arrival of the railroad on page 12 but nothing else. This sweep-under-the-carpet occurs often on later pages, especially under 3.4.2.3 (Page 28 to 34) so I do not repeat my concerns.

24-19

3. I do not have a problem with the District maintaining their services in the structure but this should be done only with careful restoration/rehabilitation using the Secretary of the Interiors Standards to raise the building’s qualification for state and/or national listing. Local historic register listing should be the primary focus. Landmark status can be established locally by any agency whether or not the building qualifies for national or state status.

24-20

C. Preferred Alternatives:

24-21

1. It should be noted that the undersigned is very against any proposed alternative that would modify Tamalpais Avenue in any way. Yes, it is funky, that is why it is classically “historic”. The National Hotel at 703-705 Fourth Street could be restored to receive a rating as it is a candidate for the use of incentives.

2. Under the Freeway Alternative: Of those proposed, this citizen supports this alternative. Mentioned variously as dark, cold, uninviting and lacking in security this could easily be mitigated to become a bright, inviting space. An example would be the pedestrian tunnel connecting terminals at Chicago’s O’Hare Airport. It runs below airplane taxiways but with the use of varying lighting techniques and soothing sounds the space becomes an exciting environment oblivious to the hazards above. Here in San Rafael, the need to create covered space is reduced because of the presence of the viaducts of the 101 overpasses.

24-22

3. A Preferred Option: Retain the Bettini Transit Center east of the SMART tracks: Probably the least expensive option would be to add a pedestrian bridge to link the Citibank parcel. This would also have the least detrimental effect on the historic resources in the station area and be cost effective. I understand that the sale of this parcel is expected to help pay for the new transit center development, but with less alterations needed, the required funds would be less if this suggestion were to be accepted.

24-23

4. Even if the parcel mentioned in B.4 were to be sold the very useful bus bays between 2nd and 3rd on Hetherton should be part of that future developments program.

24-24

D. Preliminary discussion on the separation of information between Chapters 3.4 and 3.15:

It is difficult to fully critique the two chapters in this correspondence. The most comprehensive and very complicated are concerns that relate to elements repeated in both or in other cases seeming misplaced in one or the other chapter. This results in mind-numbing repetition and an overuse of paper when published in hard copy. I will attempt to suggest how this may relate to both chapters under separate cover.

Chapter 3.4 – Cultural Resources: This chapter should handle the “built environment resources” relating to the changes that occurred with and after the arrival of the Franciscan missionaries and the soon to occur influx of mostly European settlers. The information on “Prehistory” should not be in this chapter, it could be cross-referenced to the “Tribal Cultural Resources” (TCR); it does not relate as non-natives were not here. As stated in the intro of this letter, this chapter should start with a statement that directs the reader to the TCR which would result in an overall simplification of both.

24-25

Chapter 3.15 – Tribal Cultural Resources: should include all “archaeological resources” and elements relating to prehistory up to and including the impact the arrival of the missionaries had on the Native American people.

What happened to the native population? They could no longer live the life of hunter/gatherer/stewards as the loss of their ability to wander by the season was halted. This occurred first by the subjugation of many for the mission system, later their former lands were divided into rancheros then, with the influx of settlers, their thousands of years of freedom ended.

In the mission system much of the native population was enslaved very similarly to the African population in the east and south of this country. Here, if a neophyte was unhappy with his lot and took off, he or she would be found, brought back and beaten into submission. With the creation of the State of California the native population was not allowed citizenship; few if any rights or attendance in institutions of learning was allowed.

In conclusion, I have only concentrated on my areas of interest in the DEIR. There is general approval of the adaptive reuse of the depot. Its importance to the development of San Rafael seems to be lost on the teams hired by the District and others. I honestly feel they do not want this building to be significant because it would be inconvenient. I prefer to see the buildings on the west side of Tamalpais remain intact and request the District stay clear of the depot and any alterations to West Tamalpais Avenue.

24-26

As a landscape architect I have done site measurements multiple times over the decades of my career. The attached plan was first generated for the NWP Depot Landmark Application mentioned in Item A.16. The plan is to scale with the exterior walls accurately depicted and includes estimates of square footage for the entire existing building. Hope this is of use to the planning team.

I will send suggestions for reorganizing Chapters 3.4 and 3.15 under separate cover. A mark-up of Chapter 3.4 is also attached with the illustrated comments in orange. Other markings relate to the repetitive nature of many areas that belong in Chapter 3.15. Thank you for taking this letter into consideration as you proceed with finalization of the project Environmental Impact Report.

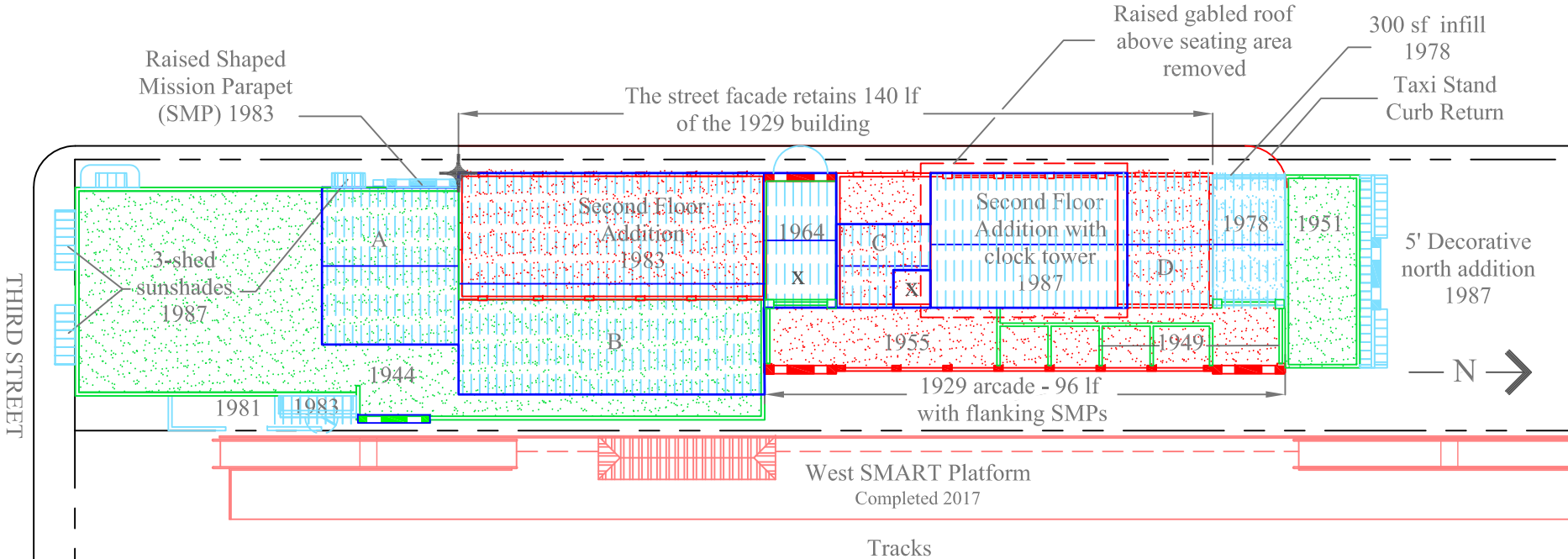
Sincerely,



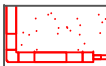

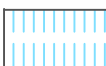

Leslie Simons
San Rafael Resident

Attachment: “Order of Development – Floor Area Estimate”, October 5, 2021.
Chapter 3.4 Cultural Resources mark-up




TAMALPAIS



Building Periods Legend:

-  1929 Original Depot Configuration
-  1940 - 1970 Period of Significance
-  1971 - 1987 Whistlestop Additions
-  2015 Sonoma Marin Area Rapid Transit (SMART) Station

Shaped Mission Parapet (SMP) Legend:

-  1929 original arch locations
-  Added 1945 (NWPRR Period of Significance)
-  Added after 1980

Estimate of Building Area: (x = vert circ)

1929 FH Meyer	4,800
1944-1951 POS	4,400
1978-1987 WS	500
1st Level:	9,700
1983 (A & B)	2,600
1987 (C & D)	2,000
2nd Level:	4,600
Total	14,300 +

Order of Development - Floor Area Estimate

Scale: 1" = 30' Date: 10/5/21

Section 3.4

Cultural Resources

The term *cultural resources* refers to sites, objects, buildings, structures, burials, districts, and landscapes. In this section, buildings, structures, districts, and landscapes will be referred to as *built environment resources*, and sites, objects, and burials as *archaeological resources*. Some archaeological sites may also be considered tribal cultural resources. Tribal cultural resources are discussed in Section 3.16. A *historical resource* is defined in California Environmental Quality Act (CEQA) Section 21084.1 and State CEQA Guidelines Section 15064.5 as one that meets at least one of the following criteria:

- A resource listed in, or determined by the State Historical Resources Commission to be eligible for listing in, the California Register of Historical Resources (CRHR) shall be considered to be historically significant (California Public Resources Code [PRC] Section 5024.1, Title 14 California Code of Regulations [CCR], Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in PRC Section 5020.1(k), or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g) shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the CRHR (PRC Section 5024.1, Title 14 CCR, Section 4852).

A lead agency is allowed to determine that a resource may be a historical resource, as defined in PRC Sections 5020.1(j) or 5024.1, even if it is not listed in, or determined to be eligible for listing in, the CRHR; not included in a local register of historical resources, pursuant to PRC Section 5020.1(k); or identified in a historical resources survey meeting the criteria of PRC Section 5024.1(g).

3.4.1 Existing Conditions

3.4.1.1 Regulatory Setting

Federal

Although the proposed project is not anticipated to require compliance with Section 106 of the National Historic Preservation Act at this time, the National Register of Historic Places (NRHP) and federal guidelines related to the treatment of cultural resources are relevant for the purposes of determining whether cultural resources, as defined under CEQA, are present and guiding the

Downtown San Rafael Precise Plan

As of March 2021, the City of San Rafael is in the process of preparing the *Downtown San Rafael Precise Plan* (City of San Rafael 2020b). The City released a public review draft of the document in December 2020. The preparation of the plan involved an updated historical resources survey of the Downtown area, which is described in Section 3.4.2.1, Methodology, under “Built Environment Resources in the Plan Area.” The *Downtown San Rafael Precise Plan* identifies two new potentially landmark-quality historic districts in the Downtown core (both outside the project area) and East DT core and provides recommendations regarding updates to the City’s historic preservation ordinance. The recommendations include establishing a historic preservation commission or changing the City’s project review roles, highlighting preservation incentive opportunities, revising landmark designation criteria, and updating historic district documentation standards. The draft *Downtown San Rafael Precise Plan* also outlines a review matrix for allowable changes to designated historical resources in the Downtown area.

3.4.1.2 Environmental Setting

The environmental setting of the project area consists of the existing conditions and relevant historical conditions of the CEQA study area, which is limited to the footprints of the four alternatives being considered in addition to the entirety of one parcel (Assessor’s Parcel Number 011-275-02) partially overlapped by the footprint. This parcel contains a historic-aged building, 709-711 4th Street, that is immediately adjacent to the boundary of the project footprint. The CEQA study area is delineated to consider potential impacts on built environment and archaeological resources as a result of project activities, including ground disturbance, as well as alteration, relocation, or demolition of buildings in the project area. The proposed project could also result in changes to the setting of built environment resources adjacent to the project area. However, the proposed project exists in a developed area at the eastern edge of Downtown San Rafael, which has experienced a continuum of gradual change over the course of more than 100 years that is generally consistent with the degree of change proposed by the proposed project. There appears to be a very low likelihood that any project activities would change significant characteristics in the setting of any built-environment historical resource adjacent to the project area. As such, adjacent built environment resources that the proposed project would not physically change are not included in the CEQA study area.

This section describes the development and general physical attributes of properties within the CEQA study area, provides an overview of the development of Downtown San Rafael as related to cultural resources, and presents a summary of known built environment and archaeological resources evaluations for CRHR eligibility and their status as historical resources pursuant to CEQA, as well as the potential for the project area to contain as-yet undocumented archaeological resources and human remains. Further details on the resources’ characteristics and history are available in Appendix G.

Existing Environment

The project area lies within the North Bay Region of the San Francisco Bay area, where warm, dry summers are complemented by cool, wet winters with an abundance of rainfall, averaging 25–50 inches per year. This unique climate is complemented by a diverse topographic landscape bounded on the west by the Pacific Ocean, to the east by low coastal mountains and the Central Valley, and to the south by the southern coast mountain ranges. Accordingly, this region has a rich and diverse

years, Spanish missionaries such as Gabriel Moraga (1812–1814), Luis Arguello, Father Blas Ordaz, and John Gilroy (1821) began settling the region now commonly referred to as the Bay Area, establishing missions including Mission San Francisco de Asís in San Francisco and **Mission San Rafael Arcángel near present-day San Rafael in 1917** (Beck and Haas 1974:18; Fanning 2007:8–9; Kyle et al. 1990:174–175).

Mission ... settlements

Between the 1830s and 1840s, Marin County land was deeded under Mexican land grants. Twenty-one large land grants were distributed among settlers and military figures, including landowners William Richardson and John Reed on Rancho Sausalito. Other land grants such as Corte Madera Del Presidio and Punta De Quentin encompassed present-day Larkspur (Alley 1972:95; Fanning 2007:8–9, 27).

Marin County remained largely unsettled during the Spanish and Mexican Periods. Mission San Rafael was abandoned in 1844 as Mexico and the United States struggled for territory in the region. In 1848, the United States defeated Mexico in the Mexican-American War and Mexico surrendered its Alta California land through the Treaty of Guadalupe Hidalgo.

Also in 1848, James Wilson Marshall discovered gold in El Dorado County in the Sierra foothills. News of gold discovery brought fortune-seekers from all over the world to California and demand for land in the state began increasing. By 1849 settlers entered the region in search of gold along the Corte Madera Creek. When the state of California was formed in 1850, Marin County was one of its original 27 counties.

Within a few years the abundance of gold declined, and miners turned to logging for land clearance. By the mid-1850s, ranchers and farmers had begun private operations in Marin County. During the 1870s, railroads began laying down tracks in the region in service of the timber and agricultural trade. Small towns such as **San Rafael, Larkspur, and Corte Madera were founded in the county as a result of railroad development**, which provided access, goods, and employment (Fanning 2007:93; Kyle et al. 1990:xiv–xv, 177).

During the early to mid-20th century, transportation expansion resulted in residential development in Marin County. Although railroads continued to expand throughout the county during the 1910s and 1920s, automobile popularity ultimately led to a decline in railroad use and development in favor of auto-oriented suburban development. Railroad progress ceased after the 1937 opening of the Golden Gate Bridge (U.S. Highway 101 [US-101]), which allowed residents to travel to Marin County from San Francisco via highway. By the late 20th century, Marin County had an established residential community with a population of approximately 250,000 residents (Fanning 2007:93; Marin Economic Commission 2007).

City of San Rafael

Surveyors first laid out the San Rafael town site in 1850; it became the county seat soon after and has remained so since that time. San Rafael grew quickly as it benefited from a flourishing cattle trade and its connectivity to San Francisco and other urban centers via steamboat (Levy 1976:16B). Growth patterns were further accelerated by the completion of the San Rafael & San Quentin Railroad in 1870. This railroad increased access to and from San Francisco and popularized Marin County as a retreat for San Francisco families (GANDA 2004a:11). The rail line was 3.5 miles in length and traversed marshy conditions between San Rafael and Corte Madera Creeks in order to bring passengers to the ferry landing in present-day San Quentin. The line's tracks roughly followed what is now Anderson Drive (Marin History Museum 2020).

1871

This is totally incorrect

A separate regional line called the North Pacific Coast Railroad was founded in 1874 and became the North Shore Railroad in 1902. The North Shore Railroad operated across Marin and Sonoma Counties, transporting both goods and passengers between Sausalito and Cazadero. In 1884, the Santa Fe and North Pacific Railroad built the shed-style San Rafael Union Station west of Tamalpais Avenue at the eastern end of the City's Downtown commercial district (DeGeorgey 2010). Multiple branches served San Rafael, with the tracks aligning along Tamalpais Avenue. In 1884, residences simultaneously developed adjacent to San Rafael's rail depot building and continued to fill nearby lots through the 1890s and early 1900s (ProQuest Digital Sanborn Maps 1894:13, 1907:17).

The following is simplistic - along with many other lines consolidated into the NWP

Under a larger consolidation effort undertaken by the Southern Pacific Railroad and Santa Fe Railway, the North Shore Railroad merged with the San Rafael & San Quentin Railroad in 1907 and became the Northwestern Pacific Railroad (NWP), a regional rail line that served the north coast of California (Pacific Coast Narrow Gauge 2016). NWP facilitated the transport of redwood timber from Northern California to markets in San Francisco and came to be known as the Redwood Empire Route (GANDA 2004a; AECOM 2014). The Southern Pacific Railroad acquired the NWP line in full in 1929, the same year that Sir Francis Drake Boulevard was extended west to Point Reyes Station. Southern Pacific Railroad built several depots along the route and also replaced San Rafael Union Station in 1929 with an updated Mission Revival-style depot building that included expanded indoor waiting areas and a café (ICF International 2013). again, simplistic and partially incorrect

why does that matter?

built as part of the consortium, SF sold out only weeks before the opening

The federal government authorized funding in 1925 to establish US-101. The federal highway generally followed existing state and local routes between San Diego, California, and Seattle, Washington; its route passed through Marin County. Construction of the portion of US-101 in Marin County was completed in 1931 with the construction of a bridge over Richardson Bay near Mill Valley. Immediately east of Downtown San Rafael, US-101 followed a route between Tamalpais Avenue and Irwin Street. Construction of the highway required the demolition of residences and commercial properties in its path, including part of the early 1900s lumber yards (ProQuest Digital Sanborn Maps 1924:19, 1950:19). At the same time, the Great Depression led to a substantial decline in passenger use on the NWP and an almost complete halt in freight transportation (AECOM 2014). This, in combination with the rise in personal automobile ownership and the expanding highway system across the region, led to the decommissioning of several branch lines in Marin and Sonoma Counties. By the mid-1930s, the automobile had replaced rail as the preferred mode of travel and the NWP had abandoned over 138 miles of track (AECOM 2014). The construction of the Golden Gate Bridge in 1937 connected Marin to San Francisco via US-101 and solidified the transition in regional transportation from combined rail/ferry to automobiles. Commuter rail service in Marin County was discontinued altogether in 1941 (Landecker 2016).

Electrics

That same year, the portion of US-101 in San Rafael was elevated via a two-lane viaduct to accommodate the increase in automobile traffic along the highway (Caltrans 1999). World War II brought an increased military presence to southern Marin County: shipyard jobs and the establishment of the United States Army Hamilton Field north of San Rafael resulted in an economic boon to the area (Levy 1976:16B). Following the end of World War II, many of the local wartime workers decided to stay in the Bay Area and settled in Marin County. Sanborn maps reveal that residential construction increased within a few blocks of the San Rafael depot between the 1920s and 1950s (ProQuest Digital Sanborn Maps 1924:19, 1950:19).

Traffic through San Rafael continued to increase in tandem with the local postwar population boom and associated residential development in the 1950s. The Richmond-San Rafael Bridge opened in 1956, which increased congestion in the city. The original raised viaduct was converted to

northbound-only lanes, and a parallel southbound viaduct was built in 1964, encroaching upon the air space near Tamalpais Avenue in San Rafael. The southbound viaduct was widened further in 1971 (Caltrans 1999).

The City's existing Downtown commercial and railroad corridors, both located just off the highway, made them an opportune location for the establishment of service stations and other automobile-related businesses in the 20th century. A Sanborn fire insurance map from 1924 shows two gasoline stations within the area surrounding the original San Rafael Union Station building on Tamalpais Avenue. After commuter rail service was discontinued, Greyhound Lines constructed a bus station adjacent to the current depot building that provided connectivity between San Francisco and NWP's Northern California lines that terminated at San Rafael at that time (Baseline Environmental Consulting 2020). The 1950 Sanborn fire insurance map illustrates a transit hub adjacent to the highway centered around the Greyhound bus station, with eight additional gas stations having been established as well as several car washes and auto sales lots in the area (Baseline Environmental Consulting 2020; ProQuest Digital Sanborn Maps 1950:19).

Residential and commercial development picked up in Downtown San Rafael after 1970 (Baseline Environmental Consulting 2020). The San Rafael depot closed in 1974, when local freight service was discontinued, and NWP halted rail service south of San Rafael altogether in 1981 when the railroad tunnel between San Rafael and Larkspur closed (AECOM 2014). Residents today depend on a combination of bus lines, personal vehicles, and ferry transit to commute to San Francisco. However, some sections of the NWP line remain in use in Marin County. In 2017, renewed interest in passage service led the Sonoma-Marin Area Rail Transit (SMART) agency to begin its operations in San Rafael (City of San Rafael 2020d).

3.4.2 Environmental Impacts

This section describes the impact analysis related to cultural resources for the proposed project. It describes the methods used to determine the project-level impacts and lists the thresholds used to conclude whether an impact would be significant under CEQA. Measures to mitigate (i.e., avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany the discussion of each identified significant impact, as applicable. Four different build alternatives, the Move Whistlestop Alternative, the Adapt Whistlestop Alternative, the 4th Street Gateway Alternative, and the Under the Freeway Alternative—which are all in Downtown San Rafael within 500 feet of the existing transit center—are being evaluated. Impacts for the build alternatives are presented together unless they differ substantially among alternatives.

3.4.2.1 Methodology

The impact analysis for cultural resources was conducted by evaluating the potential impacts on historical resources meeting the definition presented in PRC Section 21084.1 and State CEQA Guidelines Section 15064.5 (inclusive of built environment resources, archaeological resources, and human remains). The proposed locations of transit center facilities under the various build alternatives were evaluated for their potential to cause impacts on historical resources during construction and operation. As outlined below, a range of methods informed the identification of historical resources that could have the potential to be affected by the construction or operation of the San Rafael Transit Center. Per State CEQA Guidelines Section 15064.5(b)(2), the analysis

- CEQA Tribal Consultation List (AB 52)
- Identification by NAHC of any Native American resources within the subject lands that are listed in the Sacred Lands File

A response from NAHC was received on October 29, 2018, and stated that a search of the Sacred Lands File did not identify any sites; however, the letter specified that the area is sensitive for potential tribal resources.

The response from NAHC included the following individuals and tribal representatives who might have an interest in the proposed project:

- Gene Buvelot, Federated Indians of Graton Rancheria
- Greg Sarris, Chairperson, Federated Indians of Graton Rancheria

These individuals were contacted to initiate consultation under AB 52 if desired. Certified letters were mailed via priority mail on November 7, 2018. No responses were received from any of the contacts.

Review of City of San Rafael Planning Division and San Rafael Heritage Files

Between August 2018 and January 2021, ICF architectural historians consulted with staff members from the City of San Rafael Planning Division as well as members of San Rafael Heritage regarding past built-environment resource surveys and evaluation efforts that have occurred in the CEQA study area. City of San Rafael staff provided ICF with records from the 1976–1978 *San Rafael Historical/Architectural Survey* (City of San Rafael 1986), as well as additional evaluations of the Whistlestop building at 930 Tamalpais Avenue that are not held by NWIC. San Rafael Heritage provided materials prepared in 2020 to support a local landmark designation application for the NWP Railroad Depot at 930 Tamalpais Avenue. These materials informed the built-environment resource evaluation efforts that ICF conducted in support of the Draft Environmental Impact Report (EIR).

Historic Map Review

Historic aerials, topographic maps, and geologic maps were consulted to determine potential sensitivity with respect to encountering buried historic-era archaeological resources within the project site.

The town of San Rafael was incorporated in 1874, 57 years after the founding of Mission San Rafael Arcángel. An 1850 map shows a cluster of eight buildings labeled the “Mission de San Rafael” to the south of San Rafael Creek (Ringgold and Stuart 1852). By 1873, the San Quentin and San Rafael Railroad and the San Rafael Turnpike extended to San Rafael and continued north to Novato (Austin and Whitney 1873). The North Pacific Coast Railroad had a terminus in San Rafael, near the San Quentin and San Rafael Railroad, but the two do not appear to be connected. At that time there were a number of streets within the town, which began to the west of the farthest extent of the swamp surrounding San Rafael Creek. The railroad and turnpike appear to have maintained their positions over the years, with the project area crossing that alignment. By the turn of the century, San Rafael’s city center had a well-developed street grid with over 100 buildings and San Rafael Creek had been channeled away from the town (USGS 1897). Throughout the 20th century, the creek and surrounding swamp continued to be channeled and drained to make room for additional development as San Rafael expanded to the southeast (USCGS 1926; USGS 1941). Mid-20th century

aerial photos show that most of the town was residential in character (Aerial Archives 2020). There were some government buildings to the west of the turnpike and industrial areas in the southeastern quarter near the railroad, turnpike, and water. There were several open lots in areas around the creek that were reclaimed by the swamp. The presence of historic-era development suggests an increased potential to encounter previously unrecorded historic-era archaeological resources during project-related ground disturbance.

Built Environment Resources in the Project Area

The following section presents details regarding the built environment resources in the project area that qualify as historical resources under CEQA. As described in the introduction to this section, a property is considered a historical resource under CEQA if it is listed in or formally determined eligible for listing in the CRHR; is included in an adopted local register; is identified as significant in a qualifying historical resource survey; or is otherwise determined by the CEQA lead agency to be historically significant. This overview of built environment resources first describes the historical resource identification efforts that occurred prior to the preparation of this Draft EIR, and then presents information on the supplemental survey that ICF conducted to support the assessment of potential impacts in the Draft EIR.

San Rafael Historical/Architectural Survey

Between 1976 and 1978, the City of San Rafael and consultant Charles Hall Page & Associates undertook a built environment survey of select properties in San Rafael; this effort is known as the San Rafael Historical/Architectural Survey. Investigators recorded resources on Historical/Architectural Survey Forms and Department of Parks and Recreation (DPR) Historic Resource Inventory forms and assigned ratings of “Good,” “Excellent,” and “Exceptional” to all surveyed resources.

The *San Rafael Historical/Architectural Survey* included five properties in the CEQA study area, to which investigators assigned ratings of “Good” or “Excellent”:

- 633 5th Avenue
- 637 5th Avenue
- 927 Tamalpais Avenue (Barrel House)
- 930 Tamalpais (NWP Depot)
- 709–711 4th Street (Tavern on Fourth)¹

The City selected 16 individual resources and **three** historic districts identified in the survey to be added to the local register of historical resources. **None of the resources in the CEQA study area is among the locally listed resources.** The City administratively updated the survey in 1986 but did not revise any of the survey forms completed in the 1970s. The remaining properties on the list that were not designated as landmarks are considered “potential historic resources” (City of San Rafael 1986, 2020c:1-1).

SRH vehemently wishes to change this

¹ Note that the CEQA study area includes 709–711 4th Street because a portion of its parcel overlaps the project footprint. However, the project does not propose to physically alter the building at 709–711 4th Street.

The City of San Rafael Planning Division's environmental review procedures specify that any resource recorded in the *San Rafael Historical/Architectural Survey* "must be presumed a significant [historical] resource, unless evidence to the contrary is provided" (City of San Rafael 2015).

2019–2020 Downtown San Rafael Precise Plan Historic Resources Survey

During 2019 and 2020, the City conducted a built environment survey to inform the preparation of the *Downtown San Rafael Precise Plan*. Building upon the findings of the 1970s *San Rafael Historical/Architectural Survey*, the *Downtown San Rafael Precise Plan Historic Resources Survey* reviewed past survey evaluations of built-environment resources in the *Downtown San Rafael Precise Plan* area. This area encompasses the entirety of the CEQA study area established for the current investigation. The 2019–2020 survey involved a review of 572 parcels in the plan area and identified two landmark register-worthy historic districts: the West Downtown Core Historic District and East Downtown Core Historic District. (Neither of these eligible districts overlaps with the CEQA study area.) Approximately 160 properties in the plan area received one of the following five preliminary ratings:

- A: Eligible for consideration as local landmarks
- B: Likely not eligible individually but could be considered eligible as contributing resources in a historic district
- C: Require additional research
- D: Likely ineligible
- E: Ineligible as local landmarks

The preliminary ratings are not final and are intended to inform further investigation rather than determine CEQA historical resource status. Several buildings in the CEQA study area received preliminary ratings of A through E, which are presented below in Table 3.4-3.

Following this preliminary review, the City selected approximately 40 built-environment resources for intensive-level survey and evaluation. For each of the selected built-environment resources, investigators completed a DPR 523-series form set that documents a new evaluation of the resource for eligibility for listing in the NRHP and CRHR. One building in the CEQA study area, the residence at 1011 Irwin Street, was documented on a DPR form set as part of the 2019–2020 survey. The City found the residence to qualify for listing in the NRHP and CRHR and assigned it a California Historical Resource Status (CHRS) code of 3S, "Appears eligible for the NRHP as an individual property through survey evaluation." Therefore, 1011 Irwin Street meets the definition of a CEQA historical resource (City of San Rafael 2020c; Morgan and Brunzell 2020).

Additional Previous Evaluations

In addition to the built-environment surveys described above, various past investigations have recorded and evaluated the following built-environment resources within the project area:

- 703–705 4th Street: Garcia and Associates recorded this two-story commercial building in 2004 as part of the SMART Historic Architectural Resources Inventory and Evaluation and assigned it a CHRS code of 6Z: found ineligible for NRHP, CRHR, or local designation through survey evaluation. The 2004 evaluation found the building not to be a historical resource for the purposes of CEQA (GANDA 2004b).

National Hotel SW corner 4th & Tamalpais

- **Northwestern Pacific Railroad:** The alignment of the NWP generally follows Tamalpais Avenue through Downtown San Rafael and the project area. Historically, this rail alignment entered Marin County north of Novato and continued south through San Rafael to terminate at Point Tiburon. To support past cultural resource studies, numerous investigators have evaluated segments of the NWP in Marin, Sonoma, Mendocino, and Humboldt Counties. In Marin County, investigators recorded and evaluated segments of the rail alignment and associated features (such as trestles and tunnels) under the primary number P-21-002618. In 2014, Patricia Ambacher of AECOM recorded the 1-mile-long segment of the NWP between Anderson Drive and 4th Street in San Rafael, which includes the portion of the rail alignment in the project area. AECOM's 2014 evaluation found the recorded segment ineligible for listing in the NRHP and the CRHR, and assigned the rail alignment a CHRS code of 6Z (AECOM 2014). With regard to the current investigation, the rail alignment does not meet the definition of a CEQA historical resource.
- **Northwestern Pacific Railroad Depot:** Surveyors recorded the NWP Railroad Depot at 730 Tamalpais Avenue (also known as the Whistlestop, after its current tenant) during the *San Rafael Historical/Architectural Survey* and assigned the building a rating of "Good" (City of San Rafael 1986). However, the property owner substantially altered the NWP Railroad Depot after its initial recordation in the 1970s, and subsequent evaluations have reassessed the significance and integrity of the building. JRP Historical Consulting recorded the NWP Railroad Depot in 2012 and presented an assessment of the building's CEQA historical resource status, as defined in the CEQA statute (PRC Section 5024.1) and the State CEQA Guidelines. The 2012 JRP evaluation ultimately concluded that the NWP Railroad Depot does not qualify as a historical resource under CEQA (JRP Historical Consulting 2012). ICF International subsequently evaluated the building in 2013 as ineligible for listing in the NRHP and CRHR but incorrectly stated the building is listed in the local historic register, which would qualify it as a CEQA historical resource (ICF International 2013). Various additional investigators have commented upon the past evaluations of the NWP Railroad Depot. It received a preliminary rating of "E" (ineligible for landmark status) in the 2019–2020 *Downtown San Rafael Precise Plan Historic Resources Survey*. Furthermore, San Rafael Heritage prepared a site record for the NWP Railroad Depot in 2020 that found the building eligible for listing in the CRHR under Criterion 1 (Events) (San Rafael Heritage 2020). In order to clarify the record regarding the historical resource status of the depot building, ICF has prepared an updated evaluation of this building for the San Rafael Transit Center Replacement Project Survey, which is included in Appendix F. In consideration of the record of past evaluations, ICF found the building not to be eligible for listing in the CRHR due to diminished integrity, and not to qualify as a CEQA historical resource.
- **San Rafael Viaduct:** The California Department of Transportation (Caltrans) State and Local Bridge Survey (1989 and updates) revealed that two bridges that cross through the project area were previously evaluated through the Caltrans historic bridge inventory and identified as Category 5 bridges (not eligible for listing in the NRHP). These bridges comprise the northbound and southbound structures of the San Rafael Viaduct (Caltrans Bridge Nos. 27 0035R and 27 0035L, respectively), which carries US-101 along the eastern edge of Downtown San Rafael. In addition to the Category 5 rating recorded in the Caltrans State and Local Bridge Survey, Caltrans evaluated the 1941-built northbound viaduct structure in 1999 for the Marin-101 High-Occupancy Vehicle Gap Closure Project and determined that it does not meet the definition of a historical resource under CEQA. The 1999 Caltrans evaluation assigned the northbound San Rafael Viaduct structure a CHRS code of 6Z (Caltrans 1999, 2018).

CNST-3 are presented below to reduce the level of the identified impact but would not be able to reduce impacts to a less-than-significant level.

Operations Impacts

All Build Alternatives

Under all alternatives, operations of the San Rafael Transit Center would occur in the vicinity of historical resources near the eastern edge of Downtown San Rafael. Operations would not involve physical changes to any historical resources beyond those required for the construction of the four alternatives but would introduce new visual, audible, and atmospheric elements in the vicinity of those resources. Hypothetically speaking, circumstances could exist in which visual, audible, and atmospheric elements lead to the diminishment of a historical resource's integrity. For instance, it is possible that long-term, intermittent increases in noise and vibration resulting from the operations of a transportation facility might compel individuals to abandon a historical resource (such as a residence or commercial building). Such an act would constitute an indirect impact if it were to result in neglect of a resource's physical features that convey significance, which over time could diminish integrity of design, materials, workmanship, feeling, and association.

As described in Section 3.11, Noise, increases in operations-caused noise and vibration would not be substantive, and the intensity of transportation activities would not be substantially different from current conditions. As such, it is not anticipated that abandonment and neglect of historical resources would reasonably occur as an effect of project operation. Furthermore, no historical resources identified for the current investigation appear to rely upon a quiet setting to convey their significance. The negligible degree of change in the audible and atmospheric conditions of historical resources in Downtown San Rafael is not anticipated to diminish the historical integrity of any identified built-environment historical resource and would not constitute material impairment of its significance.

Therefore, operations of the proposed project would have **no impact** on built-environment historical resources under all four alternatives. No mitigation is required.

Mitigation Measures

MM-CULT-CNST-1: Prepare and Implement Relocation Plans

The Golden Gate Bridge, Highway and Transportation District (District) shall retain a qualified historical architect who meets the Secretary of the Interior's Professional Qualification Standards (36 Code of Federal Regulations, Part 61) to prepare a relocation plan for any historical resource that the selected alternative could move in order to avoid demolition of the resource. The documentation shall be reviewed and approved by the District prior to the issuance of any demolition, site, or building permit for the resource proposed for relocation.

What about the city's input?

The relocation plan shall be reviewed and approved by the District and Planning Division to ensure that character-defining features of the buildings will be retained. This review shall occur prior to the commencement of any construction activities at the site. The relocation plan shall include required qualifications for the building relocation company to ensure that relocation is undertaken by a company that is experienced in moving historic buildings of a similar size and/or structural system as the subject buildings. The relocation plan shall ensure that the resource will be moved without irreparable damage to its character-defining historic fabric, and

9.2.24.1 Response to Comment Letter 24, Leslie Simons

Comment 24-1

A. Specific corrections: The mark-up has been edited to include only those pages affected in (-)

1. Page 1, 1st paragraph (p), 2nd sentence (s): "Some archaeological sites may also be considered tribal cultural resources." I have not noted many that are not fully tribal related, and "...Section 3.16" change to 3.15. SUGGESTION: It would be better to state clearly here that TCR related information is found in Chapter 3.15; then all information relating to TCR will be found in that chapter and not repeated here. (See Section D below)

Response to Comment 24-1

The commenter provides a series of comments regarding information and analysis contained in Section 3.4, Cultural Resources. The following are responses to these comments.

Many archaeological sites are historical and are not tribal cultural resources; therefore, archaeological information is included in this section. Not all tribal cultural resources are archaeological, so a separate discussion is necessary for that section. The section number reference has been corrected in the Final EIR.

Comment 24-2

2. Page 9 (2), 1st p, 4th s: "... (both outside the project area) ..." The potentially eligible "East Downtown Core" historic district now includes both sides of Tamalpais between 3rd and 4th.

Response to Comment 24-2

The existing conditions and environmental impacts discussions in Section 3.4 have been revised to reflect that the boundary of the East Downtown Core Historic District now extends into the CEQA study area for the project and contains buildings that would be altered by the project. Please refer to the response to comment 5-34 regarding additional analysis that addresses potential impacts on the East Downtown Core Historic District.

Comment 24-3

3. Page 9 (2), end of 3rd p: "Appendix G." This is seriously misleading, as this appendix is "confidential" why refer to it as "available in ..." – there is nothing there and is again referenced on page 28

Response to Comment 24-3

References to Appendix G, which was redacted for confidentiality, have been removed from Section 3.4 in the Final EIR.

Comment 24-4

4. Page 12 (3), 1st p: "Mission San Rafael Archangel ... near downtown San Rafael in 1917." The "Asistencia San Rafael Archangel" was established in 1817 (it became a mission in 1822). Then, about 55 years later, the Marin County Courthouse was built on mission lands. 'A' Street is the center of town historically and currently. Please rephrase similar to "...what was to become the heart of San Rafael's downtown in 1817".

Response to Comment 24-4

Thank you for these comments on the historic context, which reflected information available in secondary sources. The discussion of railroads and San Rafael's growth has been revised based on the information provided in the comment and additional research to improve its accuracy. However, the historic context does not affect the sufficiency of the analysis of environmental impacts presented in Section 3.4.

Comment 24-5

5. Page 13 (4), 1st p: This is very confusing and consists of seriously inaccurate information. As the information is credited perhaps this is an example of the difficulty in dispelling printed information.

The North Pacific Coast (NPC) Railroad was established in 1871 but had nothing to do with the construction of the Union Station nor did the Aitchison Topeka & Santa Fe (SF). In an online review there is no mention of the SF being active in the development of rail lines in this area during the 1880s. Please clarify how this information was established or strike/rewrite "The North Pacific Coast RR was established in 1874" and "In 1884, the Santa Fe and North Pacific Railroad built ..."

The North Shore was the line that invented the "Electrics" It was very short lived and was primarily a commuter line as will be noted below, Item A.8.

The Union Station was constructed by the San Francisco & North Pacific Railroad (est. 1877) in 1884 after completion of the Puerto Suello tunnel a few years earlier when the site on Tamalpais Avenue was selected for the passenger station. Peter Donahue was one of many "railroad barons"; I understand that he was instrumental in strong-arming other smaller railroad developers out of business. (See ownership flow chart page 14 & 15 in "The Northwestern Pacific Railroad – Lifeline of the Redwood Empire, Boom and Bust 1951-2001", Angelo Figone, NWPRR Historical Society, 2017)

Response to Comment 24-5

Please refer to the response to comment 24-4.

Comment 24-6

6. Page 13, 2nd p, 1st s: This is a simplistic and therefore incorrect statement. The NPC became part of the North Shore in 1902. The San Rafael & San Quentin was another of the 10 railroad companies that were consolidated by the Santa Fe (SF) and Southern Pacific (SP) in 1907. (See flow chart noted in A.5)

Response to Comment 24-6

Please refer to the response to comment 24-4.

Comment 24-7

7. Page 13, end of 2nd p: It was the consolidated NWP (both SP and SF) that built several stations along the route. The dissolution of the NWP occurred 2 weeks before the 1929 San Rafael Depot opened.

Response to Comment 24-7

Please refer to the response to comment 24-4.

Comment 24-8

8. Page 13, end of 3rd p: *“Commuter rail service in Marin County, the electric, was discontinued ...”*. This is a common and confusing statement as passenger service continued until the late 1950s.

Response to Comment 24-8

Please refer to the response to comment 24-4.

Comment 24-9

9. Page 14 (5), 3rd p, 2nd s: *“The San Rafael depot closed in 1974, when local freight service was discontinued...”* NWP became part of SP, this area being operated by the headquarters in San Francisco. In San Rafael freight service continued into the early 1990s.

Response to Comment 24-9

Please refer to the response to comment 24-4.

Comment 24-10

10. Page 20 (6), *“Historic Map Review”* 2nd p, 4th s: *Incorrect reference – See item A.5.*

Response to Comment 24-10

A revision has been made in the Final EIR (see page 3.4-22) to include the correct reference and date for the railroad arriving in San Rafael.

Comment 24-11

11. Page 21 (7), last p: *The final DTPP identified only two potential historic districts. Next sentence “None of the resources in the CEQA study area is among the locally listed resources.” Both 927 and 930 Tamalpais are on the 1978 and 2020 inventories; does this statement refer to the local landmark register?*

Response to Comment 24-11

The commenter is correct that the reference to “locally listed” means the local register of historical resources rather than evaluated in local historical resource surveys. This sentence has been revised for clarity on page 3.4-23 of the Final EIR but does not affect the adequacy or conclusions of the EIR analysis.

Comment 24-12

12. Page 22 (8), 2nd p: *“(Neither of these eligible districts overlaps with the CEQA study area.) This statement is out of date as both 927 and 930 Tamalpais are within the “East Downtown Core” eligible districts. Just below, “E: Ineligible as local landmarks” has since been eliminated as a rating. As the GP 2040 and the DTPP have already been accepted by the City Council before this DEIR for the SRTC was published; why does this EIR relate most often to the out-of-date GP 2020.*

Response to Comment 24-12

Please refer to the response to comment 5-34 regarding revisions to the Final EIR to consider potential impacts on the East Downtown Core Historic District. Furthermore, the letter ratings proposed in the *Downtown San Rafael Precise Plan Historic Resources Survey* have been updated throughout Section 3.4 to correspond to the ratings reported in the May 2021 final *Downtown San Rafael Precise Plan Historic Resources Survey* report; the regulatory setting section has also been revised to remove discussion of *The City of San Rafael General Plan 2020*.

Comment 24-13

13. Page 22, 4th p: Why does the residence at 1011 Irwin receive a "B" rating? The only reason I can imagine is, should the "Under the Freeway" alternate be chosen, it would place it "in the way", making removal/demolition more difficult and greatly more expensive with the mitigation measures required. It is a rather common residence found in many neighborhoods in the city. It has no known history and an obviously out of character brick entry staircase unrelated to its date of construction. To be clear, I do take issue with several of the 2020 historic resource nominations and omissions.

Response to Comment 24-13

Please refer to the response to comment 9-6 regarding the historical resource status of 1011 Irwin Street.

Comment 24-14

14. Page 23 (9), 2nd p, 1st s: Address error – 730 - correct to 930 Tamalpais.

Response to Comment 24-14

A revision has been made on page 3.4-26 of the Final EIR to reference the correct street address of the Whistlestop building as noted in the comment.

Comment 24-15

15. Page 23, 2nd p, 3rd s and on: It is my opinion that the 2012 JRP evaluation was expressly written to demolish the NWP Depot. I also suspect it was written by underqualified persons as it is very poorly composed, bouncing back and forth around the building like a ping-pong ball. This appears intentional, to make the elements as described difficult to track. A couple of examples include:

a. Sheet 523A, Page 1 of 17 - "All of the arched parapets on the building are replacements ..." This is inaccurate, 3 appear to be original 1929 raised "shaped Mission parapets" (SMP); even if they were replacements, they are identical to and located in historically accurate positions. A fourth SMP from the mid-1940s NWPRR headquarters addition was also built during the railroads period of ownership; considered the buildings "Period of Significance".

The 2012 evaluation totally ignores anything since the set point of 1929. Even the National Park Service recognizes that buildings change over time depending on the needs of the occupants/owners. The locations of the 1929/1945 SMPs are illustrated on the attached plan "Order of Development – Floor Area Estimate", dated October 5, 2021.

b. Sheet 523A, Page 3 of 17, 2nd paragraph, 5th sentence: "The arches are mostly filled with metal entry doors, and eight-over-eight metal hopper windows." Again, the evaluators did not appear to have

architectural training as the reference to “hopper windows” is incorrect. Hoppers open to the interior and swing in from a bottom hinge. Here the original windows are awning windows which open out and are hinged from the top.

c. In 2015 an earlier architectural historian reviewed the 2012 JRP Evaluation and found “that the JRP evaluation is flawed and its conclusions are not substantiated ... They merely conclude that there is a loss, without establishing a factual basis and doing an analysis ... The building still conveys its historic significance as a railroad station”. (Richard Brandi, San Francisco)

Here again the DEIR refers to an out of date rating for the depot building which was upgraded to a “C”. I do not give much credence to the new ICF DPR 523 mentioned later; once again, 927 and 930 Tamalpais complicate the Districts preferred alternative. Historically the depot should be given an “A” (even with the later additions which could be removed) and the taxi office at a minimum a “B” as contributory.

Response to Comment 24-15

Please refer to the response to comment 9-8 regarding the 2012 JRP evaluation of the Whistlestop building. ICF’s updated DPR form provides a discussion of the earlier JRP evaluation and presents a new analysis of significance and integrity that supports the analysis in the EIR. The comment does not provide new information that was not previously considered in the EIR, and no associated revisions are necessary. Furthermore, Section 3.4 has been updated to reflect the survey ratings presented in the revised May 2021 summary report for the *Downtown San Rafael Precise Plan Historic Resources Survey*.

Comment 24-16

16. Page 23, 2nd p, 6th s: Why is the SRH 2020 DPR 523 dated January 8, 2020 referred to merely as a “site record”. It is my understanding that if accompanied by a cover letter written by an officially listed architectural historian the document would carry the same weight as one officially signed by one.

The evaluator (the undersigned), although not trained in the field, has been actively involved in San Rafael’s historic resources since the late 1970s. While compiling the above referenced document, I was extensively (and repeatedly) schooled by a listed architectural historian to bring this DPR into conformance with the standards required for official State documentation. Diana Painter, of Painter Preservation, noted in her April 2020 cover letter “There is no question of the importance of this building and site to San Rafael and the region’s history ... it is undoubtedly significant for its design ... The fact that few original stations remain increases the importance of this building”.

Response to Comment 24-16

The use of the term “site record” is intended to be synonymous with “DPR form set” and has been revised. This comment does not provide new information that would require further revisions to the analysis contained in Section 3.4.

Comment 24-17

17. Page 32 (10), 2nd p below “Mitigation Measures”: The statement that “... shall be reviewed and approved by the District and Planning Division to ensure ...” It is my understanding that the City of San Rafael and City Council has the final say on what will be happening on their city streets. In the “Memorandum of Understanding” Item 4 outlines the cooperative relationship between partners. Item

5 states "The parties agree that the selected alternative must be approved by the City Council". This cooperation is not mentioned anywhere that I can locate.

Response to Comment 24-17

Please see the response to comment 5-8 for additional information about the MOU between the District and the City. Once the District approves a project and certifies the EIR, it will bring the approved project/selected alternative to the City Council for its approval.

Comment 24-18

B. General comments:

1. "ICF International" and "ICF" occur variously until becoming simply "ICF" finally on Page 23. This should have started when first mentioned at the beginning of the chapter and followed through thereafter.

Response to Comment 24-18

The comment concerns inconsistency in references to ICF. The references to ICF International and ICF are for the same firm before and after a corporate name change. No revisions to the Draft EIR are required.

Comment 24-19

2. The total disregard for the development of San Rafael (and other towns and cities in Marin) as a "railroad suburb" of San Francisco is why I believe the repeated undervaluation of the NWP Depot occurs. The depot is the most prominent, extant example of this historically important event for San Rafael. No matter what basis is used the fact that throughout the documents the depot and taxi office are pushed aside as "not eligible" is a faulty conclusion. It seems as if the buildings are "in the way" so therefore not to be considered important or require mitigation measures. There is a short reference to the arrival of the railroad on page 12 but nothing else. This sweep-under-the-carpet occurs often on later pages, especially under 3.4.2.3 (Page 28 to 34) so I do not repeat my concerns.

Response to Comment 24-19

This comment expresses concern regarding the EIR's finding that the buildings at 927 Tamalpais Avenue and 930 Tamalpais Avenue are not eligible for historic register listing and therefore do not qualify as CEQA historical resources. The evaluations documented on the DPR forms in Appendix F of the Draft EIR (Appendix H of the Final EIR) provide further details as to the reasons the buildings do not meet the eligibility requirements of the National Register of Historic Places and California Register of Historical Resources. The evaluation of the former depot building at 930 Tamalpais Avenue is in agreement with the commenter that the railroad history of San Rafael justifies the building's significance; however, the evaluation also includes a detailed assessment of integrity that establishes the building does not have sufficient integrity to meet eligibility requirements. As documented in Section 3.4, Cultural Resources, the identification of historical resources is based upon substantial evidence composed of past documentation, historical research, and sound analysis; the proposed project has not influenced the resource identification process.

Comment 24-20

3. I do not have a problem with the District maintaining their services in the structure but this should be done only with careful restoration/rehabilitation using the Secretary of the Interiors Standards to raise the building's qualification for state and/or national listing. Local historic register listing should be the primary focus. Landmark status can be established locally by any agency whether or not the building qualifies for national or state status.

Response to Comment 24-20

The commenter expresses support for the rehabilitation and local historic register designation of the Whistlestop building, which is noted. Regarding the project's effects on 930 Tamalpais's national or state designation status, the updated evaluation completed by ICF documents that the resource has diminished integrity and therefore is not eligible for listing in federal and state historical resource registers. Furthermore, the building has not previously been listed in the local historical resource register. Note that because the Whistlestop building does not currently qualify as a historical resource individually, there is no significant impact on the building. This comment does not concern the adequacy of the EIR. No revisions to the Draft EIR are necessary.

Comment 24-21

C. Preferred Alternatives:

1. It should be noted that the undersigned is very against any proposed alternative that would modify Tamalpais Avenue in any way. Yes, it is funky, that is why it is classically "historic". The National Hotel at 703-705 Fourth Street could be restored to receive a rating as it is a candidate for the use of incentives.

Response to Comment 24-21

The comment expresses opposition to the Move Whistlestop and Adapt Whistlestop Alternatives and supports the restoration of the National Hotel building. The existing evaluation of the National Hotel as not eligible for historic register listing, and therefore not qualifying as a historical resource, considers the building's current physical condition and integrity; anticipating a potential future condition and potential future historical resource status would be speculative and not supported by evidence. No revisions to the Draft EIR are necessary.

Comment 24-22

2. Under the Freeway Alternative: Of those proposed, this citizen supports this alternative. Mentioned variously as dark, cold, uninviting and lacking in security this could easily be mitigated to become a bright, inviting space. An example would be the pedestrian tunnel connecting terminals at Chicago's O'Hare Airport. It runs below airplane taxiways but with the use of varying lighting techniques and soothing sounds the space becomes an exciting environment oblivious to the hazards above. Here in San Rafael, the need to create covered space is reduced because of the presence of the viaducts of the 101 overpasses.

Response to Comment 24-22

The comment expresses support for the Under the Freeway Alternative. The comment does not pertain to the adequacy of the EIR and no further response is required.

Comment 24-23

3. A Preferred Option: Retain the Bettini Transit Center east of the SMART tracks: Probably the least expensive option would be to add a pedestrian bridge to link the Citibank parcel. This would also have the least detrimental effect on the historic resources in the station area and be cost effective. I understand that the sale of this parcel is expected to help pay for the new transit center development, but with less alterations needed, the required funds would be less if this suggestion were to be accepted.

Response to Comment 24-23

As discussed in Chapter 5, Section 5.4.5, Alternatives Considered but Eliminated from Further Analysis, of the Final EIR, numerous alternatives were considered throughout the development of the proposed project, including alternatives that explored different project sites. The reasons for dismissal of these alternatives from detailed analysis in the EIR are described in Section 5.4.5.

Similar to the Two-Story Concept in Section 5.4.5.1, retaining the existing transit center and installing a pedestrian bridge over Tamalpais Avenue would pose accessibility issues for transit users with disabilities and would conflict with the project objective to “provide a transit facility that is readily accessible to individuals with disabilities, transit users, and transit-dependent populations, including those with low incomes.”

Comment 24-24

4. Even if the parcel mentioned in B.4 were to be sold the very useful bus bays between 2nd and 3rd on Hetherton should be part of that future developments program.

Response to Comment 24-24

The comment express interest in having bus bays between 2nd Street and 3rd Street at the existing transit center retained in future development of the existing transit center location. Retaining these bus bays would affect the development potential of the existing transit center site and conflict with the MOU between the District and SMART, which states that the District will use the proceeds from the sale of the site to assist in funding the proposed project. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 24-25

D. Preliminary discussion on the separation of information between Chapters 3.4 and 3.15:

It is difficult to fully critique the two chapters in this correspondence. The most comprehensive and very complicated are concerns that relate to elements repeated in both or in other cases seeming misplaced in one or the other chapter. This results in mind-numbing repetition and an overuse of paper when published in hard copy. I will attempt to suggest how this may relate to both chapters under separate cover.

Chapter 3.4 – Cultural Resources: This chapter should handle the “built environment resources” relating to the changes that occurred with and after the arrival of the Franciscan missionaries and the soon to occur influx of mostly European settlers. The information on “Prehistory” should not be in this chapter, it could be cross-referenced to the “Tribal Cultural Resources” (TCR); it does not relate as non-natives were not here. As stated in the intro of this letter, this chapter should start with a statement that directs the reader to the TCR which would result in an overall simplification of both.

Chapter 3.15 – Tribal Cultural Resources: should include all “archaeological resources” and elements relating to prehistory up to and including the impact the arrival of the missionaries had on the Native American people.

What happened to the native population? They could no longer live the life of hunter/gatherer/stewards as the loss of their ability to wander by the season was halted. This occurred first by the subjugation of many for the mission system, later their former lands were divided into rancheros then, with the influx of settlers, their thousands of years of freedom ended.

In the mission system much of the native population was enslaved very similarly to the African population in the east and south of this country. Here, if a neophyte was unhappy with his lot and took off, he or she would be found, brought back and beaten into submission. With the creation of the State of California the native population was not allowed citizenship; few if any rights or attendance in institutions of learning was allowed.

Response to Comment 24-25

The comment expresses concern about redundancies in Section 3.4, Cultural Resources, and Section 3.15, Tribal Cultural Resources, and suggests moving information between the sections to avoid this. While some resources are considered cultural resources *and* tribal cultural resources, there are important areas that do not overlap, including historical archaeological sites and non-archaeological tribal cultural resources. Because of this, a resource may pertain to one section but not the other and it is necessary to include a full discussion in both sections. Section 3.4 includes both built environment and archaeological resources. No revisions to the Draft EIR are necessary.

Comment 24-26

In conclusion, I have only concentrated on my areas of interest in the DEIR. There is general approval of the adaptive reuse of the depot. Its importance to the development of San Rafael seems to be lost on the teams hired by the District and others. I honestly feel they do not want this building to be significant because it would be inconvenient. I prefer to see the buildings on the west side of Tamalpais remain intact and request the District stay clear of the depot and any alterations to West Tamalpais Avenue.

As a landscape architect I have done site measurements multiple times over the decades of my career. The attached plan was first generated for the NWP Depot Landmark Application mentioned in Item A.16. The plan is to scale with the exterior walls accurately depicted and includes estimates of square footage for the entire existing building. Hope this is of use to the planning team.

I will send suggestions for reorganizing Chapters 3.4 and 3.15 under separate cover. A mark-up of Chapter 3.4 is also attached with the illustrated comments in orange. Other markings relate to the repetitive nature of many areas that belong in Chapter 3.15. Thank you for taking this letter into consideration as you proceed with finalization of the project Environmental Impact Report.

Response to Comment 24-26

The comment expresses concern about potential impacts on the building at 930 Tamalpais and references attachments to the comment letter that contain information about the building. As described in Section 3.4, Cultural Resources, the updated evaluation completed by ICF documents that the building has diminished integrity and therefore is not eligible for listing in federal and state historical resource registers. Furthermore, the building has not previously been listed in the local historical resource register. Please see the response to comment 5-34 for a discussion of this

building in the context of its status as a potential contributor to the proposed East Downtown Core Historic District.

-----Original Message-----

From: Philip Mooney <philipmooney@icloud.com>

Sent: Thursday, October 7, 2021 7:56 AM

To: SRTC <SRTC@goldengate.org>

Subject: Comment on draft EIR of San Rafael Transit Center

Hi SRTC folks

I'm writing to give public comment about the proposed alternative for the San Rafael Transit center. Generally, I like the design elements that account for all users. It provides thoughtful connections for bicycles, pedestrians, SMART, and the buses. As someone who minimizes the use of vehicles, I regularly use all of these forms of transit.

25-1 One glaring issue is the pick up/drop off area on the north side of the center, and the incompatibility of this design with the bike route that needs to go along Tamalpais Ave. Cars pulling in and out with their doors swinging open is dangerous for all in this area, which is the only reasonable (the path along Heatherton is not at all a sufficient alternative) bike throughfare that enables connection between 4th st and the Lincoln path to the north. This is an incredibly important bike way for N-S connectivity through the city.

The current location of the drop off area also encourages cars to turn onto 4th st, which is the pedestrian priority access point. I hope for a design that would discourage cars from making this turn. Perhaps this drop off area can be relocated somewhere on Heatherton, 2nd, or 3rd. These are areas that are already prioritized for cars.

Thank you

Philip Mooney

Resident of San Rafael and member of the San Rafael BPAC

Sent from my iPad

9.2.25.1 Response to Comment Letter 25, Philip Mooney

Comment 25-1

One glaring issue is the pick up/drop off area on the north side of the center, and the incompatibility of this design with the bike route that needs to go along Tamalpais Ave. Cars pulling in and out with their doors swinging open is dangerous for all in this area, which is the only reasonable (the path along Heatherton is not at all a sufficient alternative) bike throughfare that enables connection between 4th st and the Lincoln path to the north. This is an incredibly important bike way for N-S connectivity through the city.

The current location of the drop off area also encourages cars to turn onto 4th st, which is the pedestrian priority access point. I hope for a design that would discourage cars from making this turn. Perhaps this drop off area can be relocated somewhere on Heatherton, 2nd, or 3rd. These are areas that are already prioritized for cars.

Response to Comment 25-1

The comment concerns the location of the pick-up/drop-off area. Please see the response to comment 7-3 regarding the modified pick-up/drop-off area located on a new driveway west of West Tamalpais Avenue, between 3rd Street and 4th Street.

From: Fred Grange
To: city.clerk@cityofsanrafael.org; [Raymond Santiago](mailto:Raymond_Santiago); [Maribeth Bushey \(maribeth.bushey@cityofsanrafael.org\)](mailto:Maribeth_Bushey_(maribeth.bushey@cityofsanrafael.org)); [Kate Colin \(kate.colin@cityofsanrafael.org\)](mailto:Kate_Colin_(kate.colin@cityofsanrafael.org)); bill.querin@cityofsanrafael.org; DJ.Allison@aecom.com; allison.Judice@cityofsanrafael.org; linzyk@sbcglobal.net; alikover@aol.com; rafat.raie@cityofsanrafael.org; Jim.Schutz@cityofsanrafael.org; [William Carney \(williamcarney@comcast.net\)](mailto:William_Carney_(williamcarney@comcast.net))
Cc: [Stephanie Plante \(splante@cpidevelopers.com\)](mailto:Stephanie_Plante_(splante@cpidevelopers.com)); [Joanne Webster \(jwebster@srchamber.com\)](mailto:Joanne_Webster_(jwebster@srchamber.com)); [Joe & Joan Lemon \(Joslemon@aol.com\)](mailto:Joe_&_Joan_Lemon_(Joslemon@aol.com))
Subject: San Rafael officials fault study on transit hub move
Date: Monday, October 11, 2021 2:49:54 PM

Raymond Santiago,
Project Manager, San Rafael Transit Center
Golden Gate Bridge Highway and Transportation District Via Email
1011 Anderson Blvd, San Rafael, Calif. 94901
rsantiago@goldengate.org

RE: San Rafael Transit Center Environment Impact Report Public Comment
Raymond:

I read in today's IJ that there will be a meeting tonight about the transit center. Later in the article it stated:

“It is an inadequate and unsafe design that could potentially jeopardize pedestrian and vehicular safety,” they added.

They also questioned why the report contained limited discussion about sea level rise, and they want the district to add an assessment of projected water levels and risks.

The officials submitted their memorandum as part of a City Council session on the issue on Monday. The council voted to send a letter to the bridge district outlining the perceived deficiencies in the report.”

https://www.marinij.com/2021/10/09/san-rafael-officials-fault-study-on-transit-hub-move/?campaign=goodmorningmarin&utm_email=14A66562F4F504A4D490542795&g2i_eui=JgJEI%2fC%2fyQTSDsQiyDRnnyFTjcWPhyec&g2i_source=newsletter&utm_source=listrak&utm_medium=email&utm_term=https%3a%2f%2fwww.marinij.com%2f2021%2f10%2f09%2fsan-rafael-officials-fault-study-on-transit-hub-move%2f&utm_campaign=bang-nl-good-morning-marin-nl&utm_content=automated

Depending on the height of the tide, East San Rafael is many feet below sea level now and will get deeper over the years.

There are only three ways to prepare for it now:

- 1. Levee repair, upgrade and maintenance.**
- 2. Pump station repair, upgrade and maintenance.**
- 3. Channel dredging, maintain adequate depths for drainage.**

Costs and timing are the only variables since they depend on when and how?

For example, the major cost associated with the levee reinforcement is the cost of material.

The major cost of dredging is the transportation and disposal of dredged material that can be beneficially reused.

Millions can be saved if we simply reuse the dredged material to protect the levees like what is planned at Tiscornia by Barbra Salzman.

Decades ago I led the effort to do the above. We built a pond where the Spinnaker / Baypoint homes are now.

We dredged the San Rafael Canal and beneficially reused the material. The developer built all those homes on it.

Everyone won. The Canal was dredged and levees built efficiently at lower cost utilizing a hydraulic dredge.

The material was quietly moved to raise the site via pipeline instead of hauling it in thousands of dump truck loads.

Please call me if you would like to learn more about how we can accomplish another win-win for all involved.

Fred Grange

Francisco Properties

Grange Debris Box and Wrecking Co., Inc.

200 Tamal Plaza Suite 115

Corte Madera, Calif. 94925

P:415-456-2712, m:415-302-5537

E-mail: Fred@GrangeBox.Com

Web: www.GrangeBox.Com

9.2.26.1 Response to Comment Letter 26, Fred Grange

Comment 26-1

I read in todays IJ that there will be a meeting tonight about the transit center. Later in the article it stated:

"It is an inadequate and unsafe design that could potentially jeopardize pedestrian and vehicular safety," they added.

They also questioned why the report contained limited discussion about sea level rise, and they want the district to add an assessment of projected water levels and risks.

The officials submitted their memorandum as part of a City Council session on the issue on Monday. The council voted to send a letter to the bridge district outlining the perceived deficiencies in the report."

https://www.marinij.com/2021/10/09/san-rafael-officials-fault-study-ontransit-hub-move/?campaign=goodmorningmarin&utm_email=14A66562F4F504A4D490542795&g2i_eui=JgJEI%2fC%2fYQTSDsQjyDRnnyFTjcWPhyec&g2i_source=newsletter&utm_source=listrak&utm_medium=email&utm_term=https%3a%2f%2fwww.marinij.com%2f2021%2f10%2f09%2fsan-rafael-officials-fault-study-ontransit-hub-move%2f&utm_campaign=bang-nl-good-morning-marinnl&utm_content=automated

Depending on the height of the tide, East San Rafael is many feet below sea level now and will get deeper over the years.

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- 3. Channel dredging, maintain adequate depths for drainage.*

Costs and timing are the only variables since they depend on when and how?

For example, the major cost associated with the levee reinforcement is the cost of material.

The major cost of dredging is the transportation and disposal of dredged material that can be beneficially reused.

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Decades ago I led the effort to do the above. We built a pond where the Spinnaker / Baypoint homes are now.

We dredged the San Rafael Canal and beneficially reused the material. The developer built all those homes on it.

Everyone won. The Canal was dredged and levees built efficiently at lower cost utilizing a hydraulic dredge.

The material was quietly moved to raise the site via pipeline instead of hauling it in thousands of dump truck loads.

Please call me if you would like to learn more about how we can accomplish another win-win for all involved.

Response to Comment 26-1

The comment concerns the potential impacts of sea level rise on the transit center and provides recommendations regarding potential measures to address sea level rise. Section 3.9, Hydrology and Water Quality, discusses the susceptibility of each alternative site to sea level rise. The Final EIR includes *San Rafael General Plan 2040* policies relevant to sea level rise, with which the proposed project will comply, as necessary (see pages 3.9-7 and 3.9-8 of the Final EIR). The actions suggested by the commenter, which include levee and pump station improvements and dredging, are outside of the scope of the proposed project. Please see the response to comment 5-42 for additional information on sea level rise.

9.2.27 Comments from Public Meeting

9.2.27.1 Response to Comments from Public Meeting 1 (September 14, 2021)

Comment 27-1

Is new New Customer Service Building different from the Relocated Whistlestop Building? Where would the Whistlestop Building be relocated to?

Response to Comment 27-1

As discussed in Chapter 2, Section 2.5.2, Project Characteristics, Circulation, and Pick-Up/Drop-Off, the Whistlestop building would be relocated to the west side of Tamalpais Avenue or a new building would be constructed at that location. The customer service building would either be the relocated Whistlestop building or the new structure. There has been no consideration to relocate the Whistlestop building to any other location.

Comment 27-2

If the (terrible and unpopular) Under the Freeway Alternative is not selected, would there be better lighting, walkways, and signage / wayfinding between the new SRTC and the Caltrans Park and Ride Lot under the freeway?

Response to Comment 27-2

The comment expresses concern with lighting, walkways, and signage between the new transit center and the existing Caltrans park-and-ride lot. Improvements to lighting, walkways, and signage/wayfinding at the new transit center site and along its perimeter are included in the project description for all build alternatives. Should the Under the Freeway Alternative not be selected, the project boundary would not extend east of Hetherton Street, and the City would be responsible for lighting, pedestrian walkways, and signage and wayfinding upgrades beyond the project perimeter. The District would support any City-led improvements to enhance transit access in the vicinity of the San Rafael Transit Center.

Comment 27-3

The Community Design Advisory Group should include participation from Amalgamated Transit Union Local 1575.

Response to Comment 27-3

The comment suggests that the Amalgamated Transit Union Local 1575 should be included in the community design advisory process. The project team will consider this group in the determination of Community Design Advisory Group members.

Comment 27-4

Can you describe the active transportation connections to and through the site of the preferred alternative? Ped and bike access to and through the transit center is crucial.

Response to Comment 27-4

The Move Whistlestop Alternative (preferred alternative) layout is introduced in Chapter 2, Section 2.5, Preferred Alternative: Move Whistlestop. Figure 2-4 shows the project layout and indicates where the Move Whistlestop Alternative would include pedestrian and bicycle facilities. Additionally, Section 3.13, Public Services and Recreation, describes the existing and planned bicycle network near the project site, and Section 3.14, Transportation, describes the existing transportation network (including pedestrian and bicycle facilities) and analyzes potential conflicts between the proposed project and programs, plans, ordinances, or policies addressing the circulation system, including bicycle and pedestrian facilities. The bicycle and pedestrian network is also further discussed in the *Transportation Summary Report* (Appendix E to the Final EIR).

Comment 27-5

I noticed that in the resources that were included for analysis it did not include any economic impact to the downtown corridor; that is the impact of future development. Will you be adding an analysis of potential for the development of future parcels?

Response to Comment 27-5

The comment concerns the economic impacts of the proposed project on Downtown San Rafael. CEQA does not require analysis of economic impacts, so the potential future development of parcels near the proposed project is not required to be included in the EIR.

Comment 27-6

How will the Move Whistlestop Alternative accommodate the future extension of the North South Greenway multi use path along West Tamalpais Avenue between Fourth Street and Mission Avenue? The Move Whistlestop Alternative currently shows a "pick up/drop off zone" along the east side of West Tamalpais Avenue, but this appears to be in conflict with the future Greenway.

Response to Comment 27-6

Please see the responses to comments 7-3 and 7-4. The Move Whistlestop Alternative and Adapt Whistlestop Alternative would construct a portion of the City's planned Class IV bicycle facility (the greenway multi-use path) on Tamalpais Avenue between 2nd Street and 4th Street. The Move Whistlestop Alternative layout has been revised to move the pick-up/drop-off area to a new driveway west of West Tamalpais Avenue, between 3rd Street and 4th Street. Consequently, the project would not have any conflict with the planned North South Greenway north of 4th Street.

Comment 27-7

For the Move Whistlestop Alternative, what is the preferred path of travel for bicyclists traveling north on Tamalpais past 4th Street? There is no east/west bicycle connection between Tamalpais and the Hetherton pathway, and the draft plan proposes pick-up and drop-off area on Tamalpais north of 4th St, a use that is not compatible with low-stress bicycle travel.

Response to Comment 27-7

Planned bicycle infrastructure is described in Section 3.13, Public Services and Recreation. Proposed bicycle path projects in the project area include a project that would install a Class IV bikeway along

West Tamalpais Avenue between 2nd and 4th Streets, including a crossing of 4th Street. The Move Whistlestop Alternative and Adapt Whistlestop Alternative would construct a portion of the City's planned Class IV bicycle facility (the greenway multi-use path) on Tamalpais Avenue between 2nd Street and 4th Street. Please see the response to comment 7-3 regarding the revised pick-up/drop off location. North of 4th Street, the project would not be in conflict with the City's plan for a North South Greenway extending to Mission Avenue. This area lies outside of the project footprint and would not be modified by the project.

Comment 27-8

What are the specs to the Alter Whistlestop option?

Response to Comment 27-8

Chapter 2, Section 2.6.2, Adapt Whistlestop Alternative, describes the site layout, project features, circulation, pick-up/drop-off areas, and utilities required for the Adapt Whistlestop Alternative.

Comment 27-9

The North South Greenway is a Class I Multi Use Path, NOT "Sharrows" (Class III route) as Adam just described.

Response to Comment 27-9

The planned segment of the North South Greenway that runs along West Tamalpais Avenue and that would be constructed as a part of the Move Whistlestop and Adapt Whistlestop Alternatives is a Class IV bike facility. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 27-10

Follow-up on the New Customer Service / Whistlestop Building: With the Move Alternative, can functional and historic portions of the building be saved and relocated without compromising architectural features and still maintain meeting, office, open waiting room, and other building uses?

Response to Comment 27-10

Under the Move Whistlestop Alternative, the Whistlestop building would be relocated to the west side of West Tamalpais Avenue between 3rd and 4th Streets, or a new building would be constructed utilizing similar façades or architectural elements from structures currently on the Whistlestop site. Details regarding the portion of the Whistlestop building that can be relocated and reused for transit purposes are not yet determined.

Comment 27-11

As to future building use, with a bigger building you might have Marin Transit offices there as well as Golden Gate customer service staff, for example.

Response to Comment 27-11

The comment pertains to potential uses for a new transit center administrative building. This is not a comment on the adequacy of the EIR. No revisions to the Draft EIR are required.

Comment 27-12

The Move Whistlestop Alternative assumes that the buildings and land uses (such as parking lots) that currently face the west side of Tamalpais Ave between 3rd and 4th Streets will be transformed. Does the City/Golden Gate Transit plan to purchase those properties from their current owners? Or would this be a case of eminent domain?

Response to Comment 27-12

The comment concerns the planned acquisition of parcels on Tamalpais Avenue between 3rd Street and 4th Street. The EIR's analysis assumes that these parcels would be acquired to facilitate project implementation. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 27-13

With the Move It Alternative, would local buses from San Anselmo that don't need to cross the tracks stay on the west side (same idea on east side only trips), so as to minimize the number of crossings of the tracks?

Response to Comment 27-13

It is anticipated that bus bays west of the SMART tracks along West Tamalpais Avenue would be used by routes traveling to/from the west of Downtown San Rafael in order to allow them to avoid having to cross the rail tracks, as noted by the commenter. Specific bus bay assignments will be developed based on the service in operation at the time of project opening. The comment does not concern the adequacy of the EIR and no revisions to the Draft EIR are required.

Comment 27-14

Thanks for taking and responding to the questions here. It would be nice to see the names of the other participants tonight, but other than that, this is a civil, fair, and good process.

Response to Comment 27-14

The comment provides feedback on the public meeting process. This is not a comment on the adequacy of the EIR and no further response is required.

Comment 27-15

What involvement does the City of San Rafael Council have with approving the final alternative?

Response to Comment 27-15

For the purpose of the CEQA analysis, the City does not need to approve the preferred alternative. Once the District approves a project and certifies the EIR, it will bring the approved project/selected alternative to the City Council for its approval.

Comment 27-16

Fourth street is a priority pedestrian and bicycle street. I love the move Whistlestop one. However West Tamalpais is THE NORTH SOUTH GREENWAY for biking and walking and is critical to keep priority

biking and walking. So please, DO NOT site cars and taxis drop offs pick ups on West Tamalpais north of Fourth because it will induce demand for car use on both Fourth St and West Tamalpais which we need to have very low car use. Please put drop offs by cars on Heatherton between Fifth and Fourth.

Response to Comment 27-16

The comment concerns the placement of pick-up/drop-off areas included in the Move Whistlestop and Adapt Whistlestop Alternatives relative to bicycle facilities. Please refer to the response to comment 7-3 for additional detail on the pick-up and drop-off area. The Move Whistlestop Alternative layout has been revised to move the pick-up/drop-off area to a new driveway to the west of West Tamalpais Avenue, between 3rd Street and 4th Street.

Comment 27-17

Would southbound Route 70 and 101 buses stay on Hetherton and use the curb like today? Similarly, northbound 70 and 101 buses would use 3rd, SRTC, 4th, I guess.

Response to Comment 27-17

The comment concerns the use of curbs on Hetherton Street for bus stops. In the Move Whistlestop Alternative, the southbound and northbound Route 70 and 101 buses would not stop on Hetherton Street and use the curbs, as they do under existing conditions, but would instead use bus bays in the new transit center, east of the SMART tracks.

Comment 27-18

And please put drop offs and taxis for East and west on the old slot by the tracks between 2nd and 3rd. There is where cars SHOULD be invited to be, ie on these two major arterial car priority streets! Please do NOT have the drop offs crossing the bike path on West Tamalpais there! Too dangerous for pedestrians getting out of cars, and for bicyclists riding north and south on Tamalpais both.

Response to Comment 27-18

The comment concerns the placement of pick-up and drop-off areas included in the Move Whistlestop and Adapt Whistlestop Alternatives relative to bicycle facilities. Please refer to the response to comment 7-3 for additional detail on the pick-up and drop-off area. The Move Whistlestop Alternative layout has been revised to move the pick-up and drop-off area to a new driveway west of West Tamalpais Avenue, between 3rd Street and 4th Street.

Comment 27-19

Please also provide a two way connected pathway along Fourth for bikes from move Whistlestop to West Tamalpais. We have to have a safe connection for bikes, as again, this is both priority North South Greenway AND priority ped bicycle Fourth St.

Response to Comment 27-19

The comment concerns bicycle access near the transit center under the Move Whistlestop Alternative. The Move Whistlestop Alternative does not include exclusive bicycle infrastructure on 4th Street due to a lack of roadway width. However, the project would not preclude the implementation of planned or future bikeway projects along 4th Street by the City.

Comment 27-20

Certifying the EIR and adopting / approving the project in 2022 only moves it to design, funding, and other activities. Construction is not imminent. Lots of details are still to be worked out.

Response to Comment 27-20

The comment pertains to upcoming steps in the proposed project development process. The estimated construction schedule is presented in the Draft EIR in Chapter 2, Section 2.5.5, Construction Schedule. The comment does not concern the adequacy of the EIR and no further response is required.

Comment 27-21

The drawings show the two way bikepath at Move Whistlestop dead ending into Fourth. It must continue East to connect to West Tamalpais

Schoolchildren have to use it. No autos please

Response to Comment 27-21

The comment pertains to the two-way bikeway on West Tamalpais Avenue in the Move Whistlestop Alternative and its connection to West Tamalpais Avenue north of 4th Street. The proposed improvements to the intersection of 4th Street and West Tamalpais Avenue would allow for cyclists to cross 4th Street to connect to West Tamalpais Avenue north of 4th Street.

It is unclear where the commenter is suggesting that autos be removed. No autos will be allowed on West Tamalpais Avenue between 3rd and 4th Streets or be allowed to cross 4th Street on West Tamalpais Avenue. No modifications are proposed to West Tamalpais Avenue north of 4th Street, as that is outside the footprint of the project.