

2.0 SUMMARY

This chapter provides an overview of the proposed project and findings identified in this Environmental Impact Report (EIR), prepared pursuant to the California Environmental Quality Act (CEQA), including a discussion of alternatives and cumulative project impacts.

2.1 PROJECT UNDER REVIEW

This EIR has been prepared to evaluate the potential environmental consequences of implementation (i.e., construction and operation) of the proposed Northgate Mall Redevelopment (project) submitted by Merlone Geier Partners, LLC (the project sponsor). The approximately 44.76-acre site is located within the San Rafael Town Center in northern San Rafael, Marin County. The project site is generally bounded by Las Gallinas Avenue to the north and east and Northgate Drive to the south and west.

The project site is currently developed with an enclosed mall generally oriented on a north-south axis, with the main building located in the center of the project site and surrounded by surface parking and standalone buildings and structures. The main mall building, which is a total of approximately 605,283 square feet in size, consists of five sections: (1) Mall Shops East; (2) Mall Shops West; (3) Century Theatre; (4) RH Outlet;¹ and (5) Macy's. West of the main building is a Kohl's department store, which also includes a small attached unoccupied retail space, a two-level parking structure, and a vacant retail building. A Rite Aid, HomeGoods, and an additional vacant retail building are located east of the main building. The existing gross leasable area (i.e., the total building square footage on the project site without the parking structure) is approximately 766,507 square feet. Currently there are a total of 2,899 parking spaces on the project site, comprising 2,380 standard spaces, 22 handicap spaces, and 15 van-size spaces within the surface parking lot, 473 spaces within the parking structure, and 9 on-street parking spaces between the main building and Kohl's building. Automobile access to the project site is provided via driveways from Las Gallinas Avenue and Northgate Drive. Landscaping on the project site consists of ornamental landscaping, including landscaping strips along the boundaries of the site that contain street trees and shrubs, planters with trees within the surface parking lot, and some mature trees located adjacent to the existing buildings. A total of 679 trees are located on the project site.

The proposed project would result in the redevelopment of the existing mall through demolition, renovation, and new construction with a mix of commercial and residential land uses. The proposed project would be developed in two phases. Phase 1 (also referred to as the 2025 Master Plan) would generally include the demolition of the RH Outlet building, the HomeGoods building, and Mall Shops East, which is approximately 144,432 square feet of the main building, and construction of approximately 44,380 square feet of new commercial space and up to 922 residential units. Phase 2 (also referred to as the 2040 Vision Plan) would generally include the demolition of the 254,015-square-foot Macy's building and 79,051-square-foot Kohl's building, and the construction of up to 55,440 square feet of new commercial space and up to 500 additional residential units.

¹ The RH Outlet building was formerly known as the Sears anchor. Certain project application materials refer to the building this way.

At full buildout, the project would include a total of up to approximately 217,520 square feet of commercial space and up to 1,422 residential units in six areas of the project site (1,746,936 square feet of residential area), 147 of which would be affordable units. A total of 648,807 square feet of existing building space would be demolished, and the total commercial area would be reduced by a total of 548,987 square feet.¹ Building heights across the project site would vary, with a maximum of approximately 78 feet. The first phase of the proposed project would include the construction of a Town Square near the center of the project site. Additional common open space and landscaped areas would be provided in both the first and second phases. New internal roadways would be built within the project site that would provide access to each of the new buildings and surface parking lots.

Discretionary actions by the City of San Rafael (City) that would be necessary for development of the proposed project include environmental review, rezoning, an Environmental and Design Review Permit, a Development Agreement, a tentative subdivision map, and a Master Sign Program. The project sponsor is also requesting to use the density bonus to modify the development standards for height on the project site.

Refer to Chapter 3.0, Project Description, for a complete description of the project's location, context, and objectives, details of the proposed project itself, and a summary of required approvals and entitlements.

2.2 POTENTIAL AREAS OF CONTROVERSY

A total of 55 commenters submitted written responses to the Notice of Preparation (NOP), which was published on December 9, 2021, in addition to the verbal comments received at the public scoping session held on January 11, 2022. The NOP and comments received are included in Appendix A. Comments in response to the NOP generally identified the following areas of potential concern and were considered in the noted topical sections of the EIR:

- Consistency with the San Rafael General Plan and other relevant planning and policy documents (addressed in Section 4.1, Land Use and Planning Policy)
- Population and housing, including residential density and provision of inclusionary housing (addressed in Section 4.2, Population and Housing)
- Aesthetics, including impacts to visual character and scenic views, and nighttime lighting (addressed in Section 4.3, Visual Resources)

¹ It should be noted that proposed square footages, residential unit mix, and other elements of the project have been refined since publication of the NOP, and that the project plans may be subject to continued refinement prior to consideration of project approval. The analysis in this EIR evaluates the maximum development potential for the proposed project. None of the project revisions since the NOP publication materially alter the type or scope of potential environmental effects that might arise from the project, or deprive potential responders of an accurate understanding of the project and its potential effects so as to require revision and republication of the NOP.

- Archaeological and tribal cultural resources (addressed in Section 4.4, Cultural Resources, and Section 4.5, Tribal Cultural Resources)
- Geology and soils and stability of site soils to support new building loads (Section 4.6, Geology and Soils)
- Hydrology and water quality, stormwater treatment, and impacts to nearby receiving waters, including Gallinas Creek (addressed in Section 4.7, Hydrology and Water Quality)
- Hazards and hazardous materials in existing buildings and site soils, as well as operation period hazards (addressed in Section 4.8, Hazards and Hazardous Materials)
- Transportation including vehicle trips, vehicle miles traveled (VMT), on- and off-site circulation, emergency access, alternative modes of transportation, and parking (addressed in Section 4.9, Transportation)
- Construction and operation period air quality, including health risks to sensitive receptors (addressed in Section 4.10, Air Quality)
- Energy and greenhouse gas (GHG) emissions, including energy consumption and use of renewable and back-up energy sources (addressed in Section 4.11, Greenhouse Gas Emissions, and Section 4.15, Energy)
- Construction and operation period noise and vibration impacts on existing surrounding land uses and new project residents (addressed in Section 4.12, Noise)
- Public service impacts, including schools, police, fire, and library services, response times, and facilities (addressed in Section 4.13, Public Services and Recreation)
- Parks and recreational services and impacts to existing facilities (addressed in Section 4.13, Public Services and Recreation)
- Utilities and services, including water supply and utility infrastructure improvements, and solid waste (addressed in Section 4.14, Utilities and Service Systems)
- Biological resources including nesting birds, bats, and wildlife corridors (addressed in Chapter 6.0, Other CEQA Considerations)
- Wildfire and emergency evacuation (addressed in Chapter 6.0, Other CEQA Considerations)
- Cumulative impacts (addressed in Chapter 4.0, Setting, Impacts, and Mitigation Measures, Sections 4.1 through 4.15)

Numerous comments on the merits, phasing, and design of the project as proposed were also received. These comments will be addressed separately through the City's evaluation of the

proposed project application and project approval process, which is separate from the CEQA review process.

2.3 SUMMARY OF IMPACTS AND MITIGATION MEASURES

This summary provides an overview of the analysis contained in Chapter 4.0, Setting, Impacts, and Mitigation Measures, of this EIR.

2.3.1 Significant Impacts

State CEQA Guidelines Section 15382 defines a significant impact on the environment as “... a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” As discussed in more detail in Chapter 4.0 of this EIR, impacts in the following areas would be potentially significant without the implementation of mitigation measures, but would be reduced to a less than significant level if the mitigation measures recommended in this report are implemented:

- Cultural Resources
- Tribal Cultural Resources
- Geology and Soils
- Hydrology and Water Quality
- Hazards and Hazardous Materials
- Transportation
- Air Quality
- Utilities and Service Systems

Impacts related to land use and planning, population and housing, visual resources, public services and recreation, and energy would be less than significant, and no mitigation measures would be required.

2.3.2 Significant Unavoidable Impacts

With implementation of the mitigation measures recommended in this EIR, all project impacts would be reduced to a less than significant level except for impacts to GHG emissions and noise, as follows:

- **Impact GHG-1:** The proposed project would not incorporate all of the Bay Area Air Quality Management District’s (BAAQMD) recommended design thresholds to reduce GHG emissions; therefore, operation of the proposed project would generate GHG emissions that would have a significant effect on the environment.
- **Impact GHG-2:** Because the proposed project would generate GHG emissions that would have a significant effect on the environment, the proposed project would conflict with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions.

- **Impact NOI-2:** Phase 2 operation period noise levels would exceed the City's land use compatibility thresholds for future on-site sensitive receptors.

2.3.3 Cumulative Impacts

State CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable, or which can compound or increase other environmental impacts.” Section 15130 of the *State CEQA Guidelines* requires that an EIR evaluate potential environmental impacts that may be individually limited but cumulatively significant. These impacts can result from the proposed project when combined with other past, present, or reasonably foreseeable future projects. As described in Chapter 4.0 of this EIR, the cumulative impacts analysis in this EIR employs a projection-based approach and takes into account growth from the proposed project in combination with impacts from projected growth within San Rafael, as forecast by the San Rafael General Plan 2040. All identified impacts of the proposed project would be individually limited and would not be cumulatively considerable except for GHG emissions, which would result in significant unavoidable cumulative impacts.

2.3.4 Alternatives to the Project

In accordance with CEQA and the *State CEQA Guidelines* (Section 15126.6), an EIR must describe a reasonable range of alternatives to the project, or to the project's location, that could attain most of the project's basic objectives while avoiding or substantially lessening any of the significantly adverse environmental effects of the project. The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. CEQA states that an EIR should not consider alternatives “whose effect cannot be ascertained and whose implementation is remote and speculative” or which are infeasible.

The three alternatives to the proposed project discussed and analyzed in Chapter 5.0, Alternatives, of this EIR are:

- **No Project Alternative:** Under the No Project Alternative, the project site would continue to be occupied by the existing Northgate Mall, as described above in Section 2.1. A total of approximately 2,190 people could be employed on the project site at full occupancy, though this would continue to fluctuate based on market conditions.
- **Reduced Development Alternative:** Under the Reduced Development Alternative, only Phase 1 (also referred to as the Master Plan) of the proposed project would be implemented. Phase 1 would consist of the demolition of the two vacant retail buildings (Sears Auto Center and Sears Seasonal) totaling 28,500 square feet on the southern portion of the project site. Phase 1 of the proposed project also would include demolition of the RH Outlet building, the HomeGoods building, and Mall Shops East, which is approximately 144,432 square feet of the main building. A total of 44,380 square feet of new commercial space would also be constructed, resulting in a total of 501,941 square feet of commercial space. Phase 1 would include the construction of a total of 922 residential units within three apartment-style residential buildings (containing 822 units) and 15 townhome buildings (containing 100 units), all located on a fourth parcel, resulting

in a residential population of 2,295. At least 10.4 percent of the 922 dwelling units constructed would be below market rate units set aside for low-income households (minimum of 96 dwelling units). It is estimated that Phase 1 would result in a reduction in employees from approximately 2,190 to 1,434.

- **Reduced Residential Alternative:** Under the Reduced Residential Alternative, the total number of residential units would decrease by 63 units compared to the proposed project, for a total of 1,359 units at buildout and a resulting residential population of 3,384. The reduction in the number of units would occur during implementation of Phase 1, with development of 859 residential units. Specifically, Residential 1 would be developed with 33 townhome units (63 fewer units and a different unit mix than the apartments proposed by the project), Residential 2 would be developed with 100 townhome units, Residential 3 would be developed with 280 apartment units, and Residential 4 would be developed with 446 apartment units. With the exception of the reduction in residential unit count and mix, all other elements of the Phase 1 2025 Master Plan and Phase 2 2040 Vision Plan proposed by the project would occur. At full buildout, the Reduced Residential Alternative would include a total of up to approximately 217,520 square feet of commercial space and up to 1,359 residential units, including 136 below market rate units set aside for low-income households. The below market rate units would be constructed throughout the project site and in compliance with Section 14.16.030 of the San Rafael Municipal Code.

The Reduced Residential Alternative would slightly reduce some of the potentially significant impacts of the proposed project through reduced construction and operational building intensities, including an overall reduction in the number of vehicle trips generated to and from the site, although none of the significant unavoidable project impacts would be avoided, and all project mitigation measures would still be required. The project objectives would also be largely met, although to a lesser extent than the proposed project, and the Reduced Residential Alternative would provide 63 fewer residential units than the proposed project, slightly reducing its contribution to alleviating the City's household deficit. Due to its slight reduction in environmental impacts, the Reduced Residential Alternative is considered the environmentally superior alternative.

2.4 SUMMARY TABLE

Information in Table 2.A, Summary of Impacts and Mitigation Measures, has been organized to correspond with environmental issues discussed in Chapter 4.0, Setting, Impacts, and Mitigation Measures. Table 2.A is arranged in four columns: (1) environmental impacts, (2) level of significance without mitigation, (3) mitigation measures, and (4) level of significance with mitigation. Levels of significance are categorized as follows:

LTS	Less Than Significant
S	Significant
SU	Significant Unavoidable

For a complete description of potential impacts and recommended mitigation measures, please refer to the specific topical discussions in Chapter 4.0.

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.1: LAND USE AND PLANNING			
<i>There are no significant impacts to land use and planning.</i>			
4.2: POPULATION AND HOUSING			
<i>There are no significant impacts to population and housing.</i>			
4.3: VISUAL RESOURCES			
<i>There are no significant impacts to visual resources.</i>			
4.4 CULTURAL RESOURCES			
<p>CUL-1: Project ground disturbance has the potential to unearth significant archaeological deposits or resources, resulting in a potential substantial adverse change on historical resources, as defined in State CEQA Guidelines Section 15064.5.</p>	S	<p>CUL-1a, Preparation of a Cultural Resources Monitoring Plan. Prior to issuance of a grading permit or building permit, the project sponsor shall retain an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in archaeology to prepare a Cultural Resources Monitoring Plan in consultation with the Federated Indians of Graton Rancheria (Graton Rancheria). The Cultural Resources Monitoring Plan shall include (but not be limited to) the following components for archaeological and Native American monitoring:</p> <ul style="list-style-type: none"> • Person(s) responsible for conducting archaeological monitoring • Person(s) responsible for Native American monitoring • Procedures for notification in the event of the identification of cultural resources, as well as methods for treatment of such resources (e.g., documentation, collection, identification, repatriation) • Methods of protection for cultural resources, including items such as protective fencing, security, and protocol for notifying local authorities (i.e., law enforcement) should looting or other resource damage occur <p>The Cultural Resources Monitoring Plan shall include a stipulation that, if significant archaeological or tribal cultural resources are identified, all work shall stop immediately within 100 feet of the resource(s). The Cultural Resources Monitoring Plan shall also include a stipulation that, during the course of the monitoring, the frequency of archaeological and Native American monitoring may be reduced from full-time to part-time based on the conditions and only if Graton Rancheria and the qualified archaeologist agree.</p>	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
CUL-1 (continued)		<p>CUL-1b, Cultural Resources and Tribal Cultural Resources Sensitivity WEAP Training. Prior to issuance of a building permit, grading permit, or demolition permit involving any potential ground-disturbing activity (e.g., building foundation removal), all personnel involved in project-related ground-disturbing activities (e.g., on-site construction managers, backhoe operators) shall be required to participate in a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]). The WEAP shall be developed by an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in archaeology, in consultation with input from Graton Rancheria.</p> <p>The WEAP training shall be conducted before any project-related ground-disturbing activities (including building foundation removal) begin at the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values.</p> <p>The WEAP training shall be presented by an archaeologist and a representative from Graton Rancheria. The project sponsor shall maintain a record of all construction personnel that have received the WEAP training and provide the record to the City. WEAP training recipient records shall be maintained by the project sponsor throughout the duration of construction. A final WEAP training recipient record shall be submitted to the City of San Rafael prior to issuance of a certificate of occupancy.</p>	

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
CUL-1 (continued)		<p>CUL-1c, Archaeological Monitoring and Resource Protection. Archaeological monitoring shall be required during initial ground-disturbing activities of sediments on the project site (including building foundation removal). For example, archaeological monitoring shall not be required during excavation of sediments that have been previously monitored by an archaeologist. Any excavations that extend below sediments that were previously monitored shall be subject to archaeological monitoring.</p> <p>Monitoring procedures shall follow the Cultural Resources Monitoring Plan prepared under Mitigation Measure CUL-1. Construction crews shall stop all work within 100 feet of any archaeological discovery until an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology can assess the previously unrecorded discovery and provide recommendations. Resources could include subsurface historic-period features such as artifact-filled privies, wells, and refuse pits, and artifact deposits, along with concentrations of adobe, stone, or concrete walls or foundations, and concentrations of ceramic, glass, or metal materials. Native American archaeological materials could include obsidian and chert flaked stone tools (such as projectile and dart points), midden (culturally derived darkened soil containing heat-affected rock, artifacts, animal bones, and/or shellfish remains), and/or groundstone implements (e.g., mortars and pestles).</p>	
4.5 TRIBAL CULTURAL RESOURCES			
<p>TCR-1: Project ground disturbance has the potential to disturb, damage, or degrade either a tribal cultural resource or the contextual setting of such a resource, resulting in a substantial loss of the resource's cultural value as determined in consultation with the Federated Indians of Graton Rancheria.</p>	S	<p>TCR-1a, Native American Monitoring. Native American monitoring by a representative of the Federated Indians of Graton Rancheria (FIGR) shall be required during all initial ground-disturbing activities on the project site (including building foundation removal). Any excavations that extend below sediments that were previously monitored shall be subject to Native American monitoring.</p> <p>Monitoring procedures shall follow the Cultural Resources Monitoring Plan prepared under Mitigation Measure CUL-1a as described in Section 4.4 of the EIR. Construction crews shall stop all work within 100 feet of any tribal cultural resource discovery until the find has been assessed by an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in archaeology and by FIGR. Native American archaeological materials and tribal cultural resources could include obsidian and chert flaked stone tools (e.g., projectile and dart points), midden (culturally derived darkened soil containing heat-affected rock, artifacts, animal bones, and/or shellfish remains), and/or groundstone implements (e.g., mortars and pestles).</p>	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
TCR-1 (continued)		<p>TCR-1b, Survey of Site by Trained Human Remains Detection Dogs. Prior to the issuance of a grading or building permit, the project sponsor shall provide written evidence to the City's Community Development Department that a consultant has been retained to conduct a survey of the site using trained human remains detection dogs with an FIGR tribal monitor present. The survey shall be performed after the demolition of structures, structure foundations, and paved areas but prior to when trenching, grading, or earthwork on the project site commences. If the survey results in the identification of an area potentially containing human remains, the area should be avoided. If avoidance of such areas is not feasible, then the City shall require that a professional archaeologist be retained to conduct subsurface testing in the presence of a tribal representative from the FIGR to verify the presence or absence of remains. If human remains are confirmed, then the procedures in Mitigation Measure CUL-1c shall be followed.</p>	
4.6 GEOLOGY AND SOILS			
<p>GEO-1: Proposed and existing improvements could be damaged due to expansive soil conditions.</p>	S	<p>GEO-1, Lining of Bioretention Planters. The project geotechnical engineer shall review the proposed bioretention planter designs for the project to determine whether the designs meet the geotechnical recommendations regarding lining of stormwater drainage swales to address expansive soil conditions. If the project geotechnical engineer indicates that any of the bioretention planters should include bottom liners to address expansive soil conditions, the bioretention planter designs shall be modified in accordance with the geotechnical engineer's recommendations. Modifications to bioretention planter designs shall account for potential increases in stormwater discharges that could occur from lining the bottoms of planters to ensure that the project would not increase stormwater discharges compared to existing conditions at the project site. Such modifications may include increasing the size/depth of bioretention planters, adding infiltration devices in areas that would not adversely affect proposed or existing improvements, or additional stormwater retention features such as bioswales or underground cisterns with metered outlets. The geotechnical review and potential modifications to project designs discussed above shall occur prior to the City of San Rafael (City) issuing grading or building permits for the project.</p>	LTS
<p>GEO-2: Placement of new loads on the project site, vibration-generating construction activities, and excavation and dewatering activities could result in subsidence, settlement, or differential settlement that could adversely affect the proposed and</p>	S	<p>GEO-2, Preparation of a Design-Level Geotechnical Report. The project sponsor shall define the extent of engineered fill that would be placed on the project site and extent of excavation that would occur for subsurface parking structures in the project plans. The project sponsor shall hire a qualified Geotechnical Engineer to prepare a design-level geotechnical report for the project that shall include the following:</p> <ul style="list-style-type: none"> • A design-level analysis of total and differential settlement that may occur for shallow foundations installed over areas of ground improvement, if ground improvement would be performed. This analysis must be based on site-specific design recommendations for 	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
existing structures and other improvements.		<p>ground improvement prepared in accordance with the recommendations of the 2021 Geotechnical Investigation for the project.</p> <ul style="list-style-type: none"> • A design-level analysis of potential total and differential settlement associated with the placement of defined amounts of fill material, ground improvement activities, construction of other improvements, and dewatering activities on the project site. The settlement analysis shall define buffer distances away from construction activities within which settlement could occur as a result of the project and shall describe the settlement amounts that could occur within these buffer distances. • Allowable settlement estimates for planned and existing improvements both on the project site and within the buffer distances described above that shall account for estimated settlement amounts developed for existing and planned improvements on surrounding properties. • Recommendations to minimize the amounts of subsidence/settlement and differential settlement that would result from the project (e.g., minimizing placement of fill, use of lightweight fill, and shoring systems that would limit the movement of adjacent improvements and minimize the amount of excavation dewatering required, such as interlocking sheet piles or soil-cement cut-off walls). • Recommendations to mitigate potential damage to proposed and existing improvements (e.g., structures, pavement surfaces, roadways, underground parking structure, and utilities), both on and off the project site, that could result from settlement of existing unstable soil on and near the project site as a result of the project. Such recommendations could include installation of bracing/underpinning, installation of flexible utility couplings, or relocation of utilities. • If the settlement analysis indicates that existing off-site improvements could be adversely affected by settlement as a result of the project, a pre-construction survey (e.g., crack survey) and settlement monitoring program shall be developed and implemented before and during construction for existing improvements that may be affected by the project. This survey shall be used as a baseline to evaluate any damage claims and also to assist the contractor in assessing the performance of shoring systems. The pre-construction 	

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
GEO-2 (continued)		<p>survey shall record the elevation and horizontal position of all existing installations within the buffer distance determined by the settlement analysis as described above, and shall consist of, but not be limited to, photographs, video documentation, and topographic surveys. The settlement monitoring program shall include installation of inclinometers and groundwater monitoring wells within a distance of 5 to 15 feet from excavations for below-grade parking and toward existing improvements. Settlement surveys shall be performed on a weekly basis during excavation for below-grade parking and on a monthly basis starting approximately 1 month after the excavation has been completed and continuing for a period of at least 2 years after the completion of construction activities (or other frequency and duration as recommended by the Geotechnical Engineer of Record).</p> <p>The project plans and design-level geotechnical report shall be submitted to the City for review and approval prior to the City issuing grading or building permits. The project sponsor shall repair damages to existing or planned improvements if settlement monitoring identifies obvious damage or exceedance of allowable settlement amounts. The repair of damage shall be performed prior to the City issuing a certificate of occupancy for the project.</p>	
GEO-3: The project could directly or indirectly destroy a unique paleontological resource or site.	S	<p>GEO-3, Paleontological Resource Protection. Before the start of any excavation activities, the project sponsor shall retain a qualified paleontologist, as defined by the Society of Vertebrate Paleontology (SVP), who is experienced in training construction personnel regarding paleontological resources. The qualified paleontologist shall train all construction personnel who are involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils that could be seen during construction, and proper notification procedures should fossils be encountered. Should any paleontological resources be encountered during construction activities, all ground-disturbing activities within 50 feet of the find shall cease, and the City and project sponsor shall be notified immediately. The project sponsor shall immediately notify the qualified paleontologist and request that they assess the situation per SVP standards, consult with agencies as appropriate, and make recommendations for the treatment of the discovery if found to be significant. If construction activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, conducting data recovery and analysis, preparing a technical report, and providing the fossil material and technical report to a paleontological repository, such as the University of California Museum</p>	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
GEO-3 (continued)		of Paleontology. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City for review.	
4.7 HYDROLOGY AND WATER QUALITY			
<p>HYD-1: Project dewatering could result in the migration of potential off-site groundwater contamination towards the project site.</p>	S	<p>HYD-1, Prevent Potential Groundwater Contamination Migration. The project sponsor shall coordinate with the appropriate regulatory agency (most likely the Regional Water Quality Control Board ([RWQCB]) to evaluate whether groundwater beneath the shopping center adjacent to the eastern perimeter of the project site has been contaminated by a release of hazardous materials. If groundwater contamination is identified at this off-site property, the project sponsor shall evaluate whether proposed dewatering activities could result in migration of off-site groundwater contamination to areas that were not previously contaminated. This evaluation shall include the following:</p> <ul style="list-style-type: none"> • A detailed analysis of soil formations that would be affected by excavation and dewatering activities, including an analysis of hydraulic conductivity through potential preferential pathways, including the buried former creeks and drainage ditch on and adjacent to the project site; • A detailed description of proposed excavation shoring and dewatering systems, including dewatering locations, flow rates, and durations that would be required based on the soil formations present; and • Hydraulic modeling to demonstrate potential changes to groundwater conditions, including changes in groundwater levels and flow directions, and potential movement of contaminated groundwater. <p>If the evaluation indicates that project dewatering could result in migration of off-site groundwater contamination to previously uncontaminated areas, the proposed excavation shoring and dewatering system design shall be modified as necessary to ensure that project dewatering would not result in the migration of off-site groundwater contamination. Such modifications to the proposed shoring systems could include the use of interlocking sheet piles or soil-cement cut-off walls that can reduce dewatering requirements. The project sponsor shall submit the hydraulic evaluation and dewatering plans to the appropriate regulatory agency for review and approval. The project sponsor shall provide the City of San Rafael (City) with evidence of agency approval for the proposed dewatering activities prior to the City issuing permits for installation of excavation shoring or dewatering systems.</p>	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.8 HAZARDS AND HAZARDOUS MATERIALS			
<p>HAZ-1: Demolition or renovation activities may result in the release of PCBs into the environment.</p>	S	<p>HAZ-1, Hazardous Building Materials Survey. Prior to issuance of demolition or renovation permits for existing structures, the project sponsor shall perform a comprehensive Hazardous Building Materials Survey (HBMS) for the structures to be affected, which shall be prepared and signed by a qualified environmental professional, documenting the presence or lack thereof of polychlorinated biphenyls (PCBs) containing equipment and materials, and any other hazardous building materials. The testing for PCBs shall include, but not be limited to, sampling of hydraulic oil in elevator equipment at the former Sears facilities, and sampling of stained concrete near existing and former hydraulic elevator and lift equipment at the former Sears facilities. The location of the vault that contained the transformer oil leak in 1997 shall be identified through coordination with representatives of the project site, research of building plans, and/or by requesting such information from the Pacific Gas and Electric Company (PG&E); sampling of concrete for PCBs shall be performed in this vault. If the location of the transformer that leaked oil in 1997 cannot be identified, PCB sampling shall be performed at all concrete vaults that could potentially have been affected by a transformer oil release. The HBMS shall include abatement specifications for the stabilization and/or removal of the identified hazardous building materials in accordance with all applicable laws and regulations. The project sponsor shall implement the abatement specifications and shall submit to the City evidence of completion of abatement activities prior to demolition or renovation of the existing structures.</p>	LTS
<p>HAZ-2: Subsurface hazardous materials may be released into the environment during construction and operation of the project.</p>	S	<p>HAZ-2, Soil and Groundwater Management Plan. The project sponsor shall engage with the appropriate regulatory agency (e.g., the San Francisco Bay Regional Water Quality Control Board [RWQCB] or Department of Toxic Substances Control [DTSC]) to provide oversight of additional subsurface investigation at the project site, preparation and implementation of a Soil and Groundwater Management Plan (SGMP), and the implementation of remedial actions, as necessary, at the project site. The additional subsurface investigation activities shall include additional investigation of potential contamination source areas to define the extent of subsurface contamination at the project site. The additional subsurface investigation activities shall include analysis of PCBs in soil and groundwater near areas of former and existing hydraulic elevators and lifts and the transformer that leaked oil in 1997. The SGMP shall outline soil and groundwater management protocols that would be implemented during redevelopment of the project site to ensure that construction workers, the public,</p>	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
HAZ-2 (continued)		<p>future occupants, and the environment would not be exposed to hazardous materials that may be present in the subsurface of the project site. The SGMP shall include, at a minimum, the following procedures to be implemented during construction:</p> <ul style="list-style-type: none"> • Health and safety requirements for construction workers that may handle contaminated soil or groundwater; • Guidelines for controlling airborne dust, vapors, and odors; • Air monitoring requirements for volatile organic compounds (VOCs) during construction; • Regulatory notification requirements if undocumented contamination or features of environmental concern (e.g., underground storage tanks [USTs] or clarifiers/sumps/vaults and associated piping) are encountered; • Inspection and sampling protocols for contaminated soil or groundwater by a qualified environmental professional; • Guidelines for groundwater dewatering, treatment, and disposal to ensure compliance with applicable regulations/permit requirements; and • Guidelines for the segregation of contaminated soil, stockpile management, characterization of soil for off-site disposal or on-site re-use, and importing of clean fill material. <p>The report(s) documenting additional investigation activities and the SGMP shall be submitted to the regulatory oversight agency for review and approval prior to the City issuing demolition or grading permits for the project. Remedial actions that may be required for the project could include, but would not necessarily be limited to, removal of hazardous materials containers/features (e.g., USTs, piping, clarifiers/sumps/vaults), removal and off-site disposal of contaminated soil or groundwater, in-situ treatment of contaminated soil or groundwater, or engineering/institutional controls (e.g., installation of vapor intrusion mitigation systems and establishing deed restrictions).</p> <p>If remedial actions are required for the project, the project sponsor shall submit to the City evidence of approvals from the regulatory oversight agency for any proposed remedial action plans prior to the City issuing demolition, grading, or building permits that would be required for the remedial action. The project sponsor shall document the implementation of the SGMP during construction and the completion of remedial actions. The project sponsor shall submit to the City evidence of approval from the regulatory oversight agency for the implementation of the SGMP and completion of any remedial actions prior to the City issuing a certificate of occupancy for the project site.</p>	

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.9 TRANSPORTATION			
TRA-1: Implementation of the proposed project would worsen an existing hazardous geometric design feature at the driveway 280 feet north of Northgate Drive/Thorndale Drive.	S	TRA-1, Sight Triangle Maintenance. The project sponsor shall submit plans showing that vegetation would be removed from the sight triangle shown on Plate 2 in the Transportation Impact Study (TIS) prepared for the proposed project (included as Appendix F to the Environmental Impact Report [EIR]). Consistent with the Federal Highway Administration’s (FHWA) guide on Vegetation Control for Safety (2007), bushes and shrubs within a motorists’ line of sight shall be kept under 3 feet in height, and trees and hanging branches shall be trimmed to a minimum height of 7 feet. The City’s Community Development Director, or their designee, shall verify that the project plans show the sight triangle clear of vegetation consistent with FHWA guidelines prior to the issuance of any building permits. These conditions shall also be maintained throughout the life of the project.	LTS
4.10 AIR QUALITY			
AIR-1: The proposed project could conflict with implementation of the San Francisco Bay Area Clean Air Plan.	S	Implement Mitigation Measures AIR-2 and AIR-3.	LTS
AIR-2: Construction of the proposed project would generate fugitive dust (PM2.5 and PM10) emissions.	S	AIR-2, BAAQMD Basic Construction Mitigation Measures. In order to meet the Bay Area Air Quality Management District (BAAQMD) fugitive dust threshold, the following BAAQMD Basic Construction (Best Management Practice) Mitigation Measures shall be implemented for all phases of construction: <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off site shall be covered. • All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
AIR-2 (continued)		<ul style="list-style-type: none"> • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by California Code of Regulations [CCR] Title 13, Section 2485, the California Airborne Toxic Control Measure). Clear signage shall be provided for construction workers at all access points. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • A publicly visible sign shall be posted with the telephone number and person to contact at the City of San Rafael regarding dust complaints, and the City staff person shall respond and take corrective action within 48 hours. The BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations. 	
AIR-3: Construction of Phase 1 would generate ROG and NOX emissions in excess of thresholds established by the BAAQMD, resulting in a violation of air quality standards.	S	<p>AIR-3a, Phase 1 Construction Equipment Requirements. Prior to the commencement of Phase 1 construction activities, the project sponsor shall require its construction contractor to demonstrate that all 75 HP or greater diesel-powered equipment are powered with California Air Resources Board (CARB)-certified Tier 4 Final engines.</p> <p>An exemption from this requirement may be granted by the City of San Rafael (City) if: (1) the project sponsor documents that equipment with Tier 4 Final engines are not reasonably available; and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment.</p> <p>Before an exemption may be granted, the project sponsor’s construction contractor shall (1) demonstrate that at least two construction fleet owners/operators in Marin County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Marin County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model (CalEEMod) or another industry-standard emission estimation method and the documentation provided to the City to confirm that necessary project-generated emissions reductions are achieved.</p>	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
AIR-3 (continued)		AIR-3b, Phase 1 Architectural Coatings and Interior Paints. To address the impact relative to reactive organic gas (ROG) emissions during Phase 1 construction, all interior paints and other architectural coatings shall be limited to 50 grams per liter or less of volatile organic compounds (VOCs). The project sponsor’s construction contractor shall procure architectural coatings from a supplier in compliance with the requirements of BAAQMD Regulation 8, Rule 3 (Architectural Coatings).	
AIR-4: Construction of the proposed project would expose sensitive receptors to substantial pollutant concentrations through exceeding the carcinogenic inhalation health risk threshold.	S	AIR-4, Construction Equipment Standards. During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board (CARB) Tier 2 with level 3 diesel particulate filters emissions standards or equivalent, including Tier 4 Final engines.	LTS
4.11 GREENHOUSE GAS EMISSIONS			
GHG-1: The proposed project would generate GHG emissions, either directly or indirectly, that would have a significant effect on the environment.	S	GHG-1, Natural Gas Prohibition for Recreational Use. Prior to the issuance of building permits, the project sponsor shall submit documentation to the City of San Rafael (City) Planning Department that demonstrates, to the satisfaction of the City, that natural gas-fired recreational fire pits are not included in the proposed project design.	SU
GHG-2: The proposed project would conflict with a State or local GHG reduction plan, policy, or regulation.	S	Implement Mitigation Measure GHG-1.	SU
4.12 NOISE			
NOI-1: Construction of the proposed project would result in a significant short-term increase in ambient noise levels in the vicinity of the project site in excess of the thresholds established in the City of San Rafael General Plan or Noise Ordinance.	S	NOI-1, Sound Barriers. The City of San Rafael (City) Director of Community Development, or designee, shall verify prior to issuance of demolition or grading permits that the approved plans require that the construction contractor implement the following measures during project construction activities: <ul style="list-style-type: none"> • Temporary noise barriers or shrouds shall be installed (featuring materials and methods of assembly and installation that yields a sound transmission class [STC] of 20 or better) near the operating equipment in a safe, feasible, and practical manner to break sound paths between it and the on-site noise-sensitive receptors (e.g., single- or multi-family residences) of concern. • During Phase 1 of construction, the temporary barriers shall be a minimum of 10 feet tall. • During Phase 2 of construction, the barriers shall be a minimum of 11 feet tall. 	LTS

Table 2.A: Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
<p>NOI-2: Operation period noise levels would exceed the City’s land use compatibility thresholds for future on-site sensitive receptors.</p>	S	<p>NOI-2, On-Site Noise Compliance Requirements. Prior to City approval of building permits, the project sponsor shall include in construction documents for City review building operation noise control and sound abatement features or considerations for stationary equipment during nighttime hours. The documentation shall include at least the following:</p> <ul style="list-style-type: none"> • Equipment sound emission data (or sufficient engineering data from the manufacturer of equipment model[s]); • Architectural renderings and details depicting roof parapets, screens, walls, or other barriers that may directly or indirectly occlude, reflect, and/or absorb equipment noise emissions—conveyed via airflows or via vibrating equipment casings or enclosures; and • Incorporation of dissipative duct silencers, shrouds, covers, acoustical louvers, acoustically lined ductwork, and other means to help attenuate noise from fans, pumps, compressors, and other equipment featuring reciprocating or revolving components. <p>The documentation shall demonstrate whether these measures, or any additional feasible mitigation measures, will reduce the sound level to below the established 55 dBA L_{eq} daytime and 45 dBA L_{eq} thresholds for on-site sensitive receptors. After City approval, information on subsequent project design changes, equipment selections, or construction alterations that substantially deviate from these noise control and/or sound abatement details appearing in the construction documents must be reviewed by a qualified acoustician and provided to the City with respect to expected sufficiency of expected conformance with applicable City noise thresholds or as otherwise approved by the City.</p>	SU
<p>4.13 PUBLIC SERVICES AND RECREATION</p>			
<p><i>There are no significant impacts to public services and recreation.</i></p>			
<p>4.14 UTILITIES AND SERVICE SYSTEMS</p>			
<p>UTL-1: The proposed project would generate wastewater that would exceed the capacity of the existing sewer infrastructure that serves the project site.</p>	S	<p>UTL-1: Prior to the issuance of a certificate of occupancy for any of the residential units on the project site, the existing 12-inch-diameter Terra Linda Trunk Sewer line downstream of the project site shall be upsized to 15 inches in diameter in coordination with the Las Gallinas Valley Sanitation District.</p>	LTS
<p>4.15 ENERGY</p>			
<p><i>There are no significant impacts to energy.</i></p>			

Source: Compiled by LSA (2024).
LTS = Less than Significant Impact
S = Significant Impact
SU = Significant Unavoidable Impact

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