



Notice of Preparation

Tiburon General Plan 2040 Update

Draft Program Environmental Impact Report

Date: October 21, 2022

To: State Clearinghouse, Agencies, Organizations, and Interested Parties

From: Town of Tiburon Community Development Department

Subject: Notice of Preparation and Scoping Meeting for the Tiburon General Plan 2040 Update Environmental Impact Report

Scoping Meeting: October 27, 2022 4:00 p.m. (via Zoom – see pg.2 for information)

Comment Period: October 21, 2022 to November 28, 2022

The Town of Tiburon (Town) will serve as Lead Agency in the preparation of a programmatic Environmental Impact Report (EIR) for the adoption and implementation of the Tiburon General Plan 2040 Update (General Plan 2040).

The purpose of this notice is (1) to serve as a Notice of Preparation (NOP) of an EIR pursuant to the State CEQA Guidelines Section 15082, (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the proposed project, and (3) to notice the public scoping meeting. The proposed project is a long-term General Plan consisting of policies that will guide future development activities and Town actions. Information regarding the project description, project location, and topics to be addressed in the Draft EIR is provided below. Additional project documents and information are available at the Town of Tiburon, Community Development Department located at 1505 Tiburon Boulevard, Tiburon CA 94920 and on-line at:

<https://createtiburon2040.org>.

For questions regarding this notice, please contact Dina Tasini, Director of Community Development, at (415) 435-7393 or dtasini@townoftiburon.org.

Notice of Preparation Comment Period

The Town, as Lead Agency, requests that responsible and trustee agencies, and the Office of Planning and Research, respond in a manner consistent with Section 15082(b) of the CEQA Guidelines. Pursuant to Public Resources Code Section 21080.4, responsible agencies, trustee agencies and the Office of Planning and Research must submit any comments in response to this notice no later than 39 days after receipt. The NOP public review period will begin on October 21, 2022 and end on November 28, 2022.

In the event that the Town does not receive a response from any Responsible or Trustee Agency by the end of the review period, the Town may presume that the Responsible Agency or Trustee Agency has no response to make (State CEQA Guidelines Section 15082(b)(2)). All comments in response to this notice must be submitted in writing



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at the address below, or via email, by the close of the 30-day NOP review period, which is 5:00 PM on November 28, 2022:

Dina Tasini, Director of Community Development
Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920
dtasini@townoftiburon.org

Scoping Meeting

The Town will hold a scoping meeting to provide an opportunity for agency representatives and the public to assist the Town in determining the scope and content of the EIR.

The scoping meeting will be held on October 27, 2022, at 4:00 p.m. via Zoom.

The Zoom meeting link is provided below.

Tiburon General Plan 2040 Draft EIR Scoping Meeting
October 27, 2022 at 4:00 PM

Join Zoom Meeting

<https://us06web.zoom.us/j/84943082890>

669-444-9171 Meeting # 849 4308 2890

For comments before or after the meeting or additional information, please contact Dina Tasini, Director of Community Development, at (415) 435-7393 or dtasini@townoftiburon.org.

Project Location and Setting

Tiburon is a town in southern Marin County located on the Tiburon Peninsula and Angel Island and includes portions of the Raccoon Strait and San Francisco Bay. Tiburon is generally bordered by unincorporated Marin County to the west, Richardson Bay and the Town of Belvedere to the west and southwest, unincorporated Marin County to the east, San Francisco Bay to the south and east, and unincorporated Marin County to the north. See Figure 1, Regional Location Map.

The Tiburon Peninsula is accessible by ferry from downtown San Francisco, by road from Highway 101 and Highway 131 (Tiburon Boulevard), and by bicycle through San Francisco Bay Trail. Apart from San Francisco, other nearby cities include Belvedere, Sausalito, Corte Madera, Mill Valley, and San Rafael.

Tiburon's early growth centered around marine, commercial, and industrial development. In the 1940s, growth occurred in association with World War II and the presence of Navy and Army facilities on the Tiburon Peninsula



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and Angel Island. Beginning in the 1950s, Tiburon's growth became that of a bedroom community of San Francisco, with the development of residential subdivisions and a transition to commercially-oriented development along Tiburon Boulevard and Main Street. By the beginning of the 2000s, the majority of the developable land in the Tiburon Planning Area had been developed. Growth from the last two decades has been limited to the redevelopment/expansion of existing properties, development of infill properties, and development of planned development properties with site challenges, such as steep slopes, ridgelines, wildlife habitats, and trees and woodlands.

Elevations on the Tiburon Peninsula range from sea level to about 650 feet, and it is drained by multiple small watersheds on the north and south sides. Vegetation occurring within the Planning Area primarily consists of agricultural, ruderal, riparian, and landscaping vegetation.

Existing conditions in the Town and Planning Area are further described in the Existing Conditions Reports addressing Climate Change, Community Services and Facilities, Conservation, Hazards and Safety, Land Use and Growth, Noise, and Transportation.

Planning Area

In addition to the lands within the Town boundaries, state law requires that a municipality adopt a General Plan that addresses "any land outside its boundaries which in the planning agency's judgment bears relation to its planning (California Government Code §65300)." The Town's Planning Area is defined as all lands within the Town limits and Tiburon SOI, as well as the Highway 101 Tiburon Boulevard/East Blithedale Avenue interchange west of the northwestern SOI boundary and the open space land to the north of the northern SOI boundary on Ring Mountain, as shown on Figure 2.

Project Description

State law requires the Town to adopt a comprehensive, long-term general plan for the physical development of its planning area. The Plan must include land use, circulation, housing, conservation, open space, noise, and safety elements, and address environmental justice and climate adaptation, as specified in Government Code Section 65302, to the extent that the issues identified by State law exist in the Town's planning area. Additional elements that relate to the physical development of the city may also be addressed in the Plan. The degree of specificity and level of detail of the discussion of each element need only reflect local conditions and circumstances.

Upon adoption, the General Plan 2040 will replace the Town's existing General Plan, which was last comprehensively updated in 2006 with an update to the Housing Element adopted in 2016.

The Town is also updating the Housing Element, which will address the 2023-2031 planning period and the Town's Regional Housing Needs Allocation of 639 units. It is anticipated that the Housing Element Update will be adopted separately from the General Plan Update.



The Town will implement the General Plan by requiring development, infrastructure improvements, and other projects to be consistent with its policies and by implementing the actions included in the Plan, including subsequent project-level environmental review, as required under CEQA.

Other project information and related General Plan documentation is available at the Town's General Plan Update website: <https://createtiburon2040.org>.

Project Objectives

The Tiburon General Plan Update is shaped by guiding principles identified through the visioning and community outreach efforts, including but not limited to:

Livability

Sense of Place

- Preserve and enhance Tiburon's intimate small-town feel and bayside village charm.
- Preserve and enhance access to the Town's scenic public open spaces and bay front.
- Preserve and protect important historic, cultural and artistic resources that serve as significant, visible reminders of the Town's social and architectural history.

Economic Vitality

- Support a local economy that is vibrant and provides a wide range of services.
- Encourage Downtown vitality and redevelopment with a more diverse array of uses and amenities to serve the local population, while retaining and building upon its unique historic character and attractiveness.
- Gracefully accommodate tourism, balancing it with local needs and retaining the community's character.

Balanced Growth

- Focus new development in Downtown and in areas adjacent to Tiburon Boulevard while preserving existing neighborhoods and open space.

Mobility

- Provide a balanced transportation system, including public transit, that accommodates the needs of automobiles, pedestrians, bicycles and new transportation technology.
- Reduce dependence on the automobile by providing a complete network of sidewalks, pathways and transit services that are safe and convenient for all residents.

Healthy Lifestyles

- Promote physical health and wellness by improving outdoor recreational facilities, trail connections and signage, and providing quality recreation programs to residents of all ages, abilities and economic means.

Community

Community Connections

- Strengthen community connections by providing activities and outdoor public gathering places.



Equity

- Promote social equity and inclusiveness in creation of public policies.
- Ensure the just and equitable provision of public facilities and services.

Housing

- Protect and enhance the quality of life within residential neighborhoods. Support the development of more diverse and affordable housing opportunities.

Safety

- Provide a safe community through public safety services, resilient infrastructure, and public preparedness.

Sustainability

Environmental Resources

- Protect and enhance open spaces and natural resources that contribute to Tiburon's unique identity and scenic beauty.

Climate Change and Resilience

- Reduce greenhouse gas emissions and increase community resilience by preparing for the effects of climate change, including increased wildfires and sea level rise.

Tiburon General Plan 2040 Contents

The Tiburon General Plan 2040 will include a comprehensive set of goals, policies, and implementation measures, as well as a revised Land Use Map (Figure 2 – Adopted General Plan Land Use Map and Figure 3 – Proposed Land Use Map).

- A goal is a description of the general desired result that the Town seeks to create through the implementation of the General Plan.
- A policy is a specific statement that guides decision-making as the Town works to achieve its goals. Once adopted, policies represent statements of Town regulations. The General Plan's policies set out the standards that will be used by Town staff, the Planning Commission, and the Town Council in their review of land development projects, resource protection activities, infrastructure improvements, and other Town actions. Policies are on-going and don't necessarily require specific action on behalf of the Town.
- An implementation measure is an action, procedure, technique, or specific program to be undertaken by the Town to help achieve a specified goal or implement an adopted policy. The Town must take additional steps to implement each action in the General Plan. An action is something that can and will be completed.

A General Plan covers a wide range of social, economic, infrastructure, and natural resource issues. The Tiburon General Plan 2040 will include goals, policies, and implementation programs to address the state-mandated topics and will continue to have components that address optional topics, including growth management, urban design, downtown, education, economic development, youth and recreation, and public facilities.



Land Use Element

The Land Use Element establishes the framework for the goals, policies, and implementation Programs that will shape the physical form of Tiburon. The Land Use Element addresses the intensity and distribution of land uses and identifies areas of the Town where change will be encouraged and those areas where the existing land use patterns will be maintained and enhanced.

The Land Use Element establishes the land use designations, including the allowed uses, intensities, and densities of development, established by the Land Use Map, shown in Figure 3. Table 1 shows the total acreages for each land use designation shown on the proposed Land Use Map.

Table 1: Tiburon General Plan 2040 Land Use Designations by Acreage

Land Use Designation	Town	SOI	Planning Area	Total
Residential Designations				
Low Density Residential	3.8	15.1	--	18.9
Planned Development - Residential	130.2	313.1	--	443.3
Medium Low Density Residential	264.5	75.6	--	340.1
Medium Density Residential	545.7	36.7	--	582.3
Medium High Density Residential	247.0	106.4	--	353.4
High Density Residential	51.8	7.9	--	59.7
Very High Density Residential	93.2	9.6	--	102.9
Very High Density-25 Residential	2.7	--	--	2.7
<i>Subtotal Residential</i>	<i>1,338.8</i>	<i>564.4</i>	<i>-</i>	<i>1,903.2</i>
Mixed Use, Commercial, and Office Designations				
Mixed Use	12.6	--	--	12.6
Main Street	0.1	--	--	0.1
Neighborhood Commercial	10.1	--	--	10.1
Neighborhood Commercial/Affordable Housing Overlay	1.0	--	--	1.0
Village Commercial	5.4	--	--	5.4
Shopping Commercial	--	3.3	--	3.3
Office	-	-	-	-
<i>Subtotal Mixed Use, Commercial, & Office</i>	<i>29.1</i>	<i>3.3</i>	<i>-</i>	
Other Designations				
Marine	6,781.0	150.3	--	6,931.3
Public/Quasi-Public	810.7	41.4	--	852.0
Open Space	408.1	84.7	308.6	801.5
Park	64.7	12.1	--	76.9
ROW	0.2	--	--	0.2
<i>Subtotal Other</i>	<i>8,093.9</i>	<i>291.8</i>	<i>308.6</i>	<i>8,661.9</i>
Grand Total	9,432.7	856.2	308.6	10,597.5

Source: Marin County GIS/Assessor Data, Town of Tiburon, De Novo Planning Group, 2022



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Table 2 lists each land use designation and overlay and provides the density and FAR requirements for each designation, including any modifications associated with each land use alternative.

Table 2: Tiburon General Plan Land Use Designations

General Plan Land Use Designation or Overlay	Proposed Tiburon General Plan 2040 Density / FAR
Residential Designations	
<i>Low Density Residential</i>	Up to 0.5 units per acre
<i>Planned Development - Residential</i>	Up to 1.0 units per acre
<i>Medium Low Density Residential</i>	Up to 1.1 units per acre
<i>Medium Density Residential</i>	Up to 3.0 units per acre
<i>Medium High Density Residential</i>	Up to 4.4 units per acre
<i>High Density Residential</i>	Up to 11.6 units per acre
<i>Very High Density Residential</i>	Up to 12.4 units per acre
<i>Very High Density-25 Residential</i>	Up to 25 units per acre
Mixed Use, Commercial, and Office Designations	
<i>Mixed Use</i>	Minimum – 30 units per acre Maximum – 35 units per acre FAR: 1.5
<i>Main Street</i>	Minimum – 20 units per acre Maximum - 25 units per acre FAR: 1.5
<i>Neighborhood Commercial</i>	Up to 10 units per acre FAR: 0.37
<i>Village Commercial</i>	Density: Up to 15 units per acre FAR: 0.28
<i>Office</i>	Density: None allowed FAR: 1.0
Public, Quasi-Public, Recreation, and Other Designations	
<i>Public/Quasi-Public</i>	Density: None allowed FAR: 1.0
<i>Park</i>	Density: None allowed FAR: 0.1
<i>Marine</i>	Density: None allowed FAR: 0.1
<i>Right-of-Way</i>	Density: None allowed FAR: None allowed

Note: ¹ Density and/or FAR based on implementing zoning district(s)
Source: O'Rourke & Associates, 2022; Town of Tiburon, 2022



Safety & Resilience Element

The Safety and Resilience Element will: address disaster and emergency planning, climate adaptation and sea level rise, flood hazards, geologic and seismic risks, wildfire hazards, man-made risks stemming from use and transport of hazardous materials, and public safety.

Sustainability & Resource Conservation Element

The Sustainability and Resource Conservation Element will address conservation of natural resources, resource- and energy-conscious growth, biological resources and habitat conservation, drainage and erosion, water quality, air quality, greenhouse gas emissions and climate change, and historical and cultural resources.

Downtown Element

The Downtown Element will describe the development strategy, including increased opportunities for multifamily housing, circulation and streetscape design, waterfront access, green infrastructure, and programming of public spaces for the Downtown.

Open Space, Parks & Recreation Element

The Open Space, Parks & Recreation Element will provide the policy approach to the conservation, maintenance, and development of parks, , trails, open space, and scenic resources, in addition to supporting recreational programs and facilities.

Mobility Element

The Mobility Element will continue to address the Town's long-term transportation system, primarily through policies and standards to encourage active transportation, complete streets, adequate capacity, and linkages to further an integrated multi-modal transportation system, including walking, cycling, transit, and ferry access.

Noise Element

The Noise Element will address exposure of existing and future residents to noise sources, including transportation-related noise, source-point noise, and intermittent noise.

Housing Element

The Housing Element will continue to provide and develop local housing programs to meet the fair share of existing and future housing needs for all income groups and affirmatively further fair housing.

Equity, Diversity, and Inclusion Element

The Equity, Diversity and Inclusion Element will provide the policy approach to creating a diverse, equitable and welcoming community that provides opportunities for all, including disadvantaged and historically marginalized people.

Growth and Development

The General Plan will accommodate future growth in Tiburon, including new businesses, expansion of existing businesses, and new residential uses consistent with the Land Use Designations (Table 1) and Draft Land Use Map (Figure 3). Table 3 summarizes development potential under the proposed Tiburon General Plan 2040.



The actual amount of development that will occur throughout the planning horizon of the General Plan is based on many factors outside of the Town’s control. Actual future development would depend on future real estate and labor market conditions, property owner preferences and decisions, site-specific constraints, and other factors. New development and growth are largely dictated by existing development conditions, market conditions, and land turnover rates. Very few communities in California actually develop to the full potential allowed in their respective General Plans during the planning horizon.

As shown in Table 3, approximately 762 new residential units and a reduction of approximately 129,682 square feet of non-residential uses would be accommodated under General Plan buildout conditions. The new residential new growth would result in a population increase of approximately 1,829 persons, assuming 2.40 persons per household based on California Department of Finance 2022 estimates.

Table 3: Tiburon General Plan New Development Potential

Residential Units or Nonresidential Square Footage	Dwelling Units	Population	Non-residential Square Feet
Residential Units			
Single Family Residential	174	418	-
Multifamily and Mixed Use Residential	516	1,238	-
Accessory Dwelling Units	72	173	-
TOTAL	762	1,829	-
Nonresidential Square Footage			
Commercial Sq. Ft.	-	-	-129,682
TOTAL	762	1,829	-129,682

*Source: Marin County GIS/Assessor Data, Town of Tiburon, De Novo Planning Group, 2022
1 2.40 persons per household, California Department of Finance, 2022*

Program EIR Analysis

The Town, as the Lead Agency under the California Environmental Quality Act (CEQA), will prepare a Program EIR for the Tiburon General Plan 2040 Update. The EIR will be prepared in accordance with CEQA, the CEQA Guidelines (Guidelines), relevant case law, and Town procedures. No Initial Study will be prepared pursuant to Section 15063(a) of the CEQA Guidelines.

The EIR will analyze potentially significant impacts associated with adoption and implementation of the General Plan. In particular, the EIR will focus on areas that have development potential. The EIR will evaluate the full range of environmental issues contemplated under CEQA and the CEQA Guidelines as set forth in CEQA Guidelines Appendix G, except for specific topics identified below as having no impact. Where potentially significant or significant impacts are identified, the EIR will discuss mitigation measures to address the impact. At this time, the Town anticipates that EIR sections will be organized in the following topical areas:



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- Aesthetic Resources - The Program EIR will describe the aesthetic implications of the General Plan 2040 implementation, including visual relationships to the surrounding vicinity and potential impacts on scenic vistas and resources, and potential to conflict with regulations governing scenic quality, and light or glare impacts.
- Agriculture Resources - The Program EIR will describe the potential of the General Plan 2040 implementation on agricultural resources.
- Air Quality - The Program EIR will describe the potential short- and long-term impacts of General Plan 2040 implementation on local and regional air quality and air quality plans based on methodologies issued by the Bay Area Air Quality Management District (BAAQMD).
- Biological Resources - The Program EIR will identify any potential impacts of General Plan 2040 implementation on biological resources, including special-status plant and animal species, riparian habitats, wetlands, other sensitive natural communities, migratory movement, and protected trees.
- Historic, Cultural and Tribal Cultural Resources - The Program EIR will describe any potential General Plan 2040 implementation impacts and mitigation associated with historic, archaeological, and tribal cultural resources.
- Geology, Soils, and Paleontological Resources - The Program EIR will describe the potential geotechnical implications of General Plan 2040 implementation, including adverse effects associated with seismic activity, substantial soil erosion or loss of topsoil, stable, potentially unstable geologic units, and destruction of unique paleontologic resources or unique geological features.
- Greenhouse Gases, Climate Change, and Energy - The Program EIR will include a greenhouse gas emissions analysis using the BAAQMD's methodology and thresholds for evaluating a project's greenhouse gas emissions and will address the potential for the General Plan 2040 to conflict with an adopted plan or other regulations adopted for the purpose of reducing greenhouse gases. This section will also address anticipated energy consumption associated with buildout of the General Plan 2040, as well as proposed and or potential energy conservation measures.
- Hazards and Hazardous Materials - The Program EIR will describe any existing and anticipated hazardous material activities and releases and any associated impacts of General Plan 2040 implementation. Potential hazards impacts resulting from future construction will also be described.
- Hydrology and Water Quality - The Program EIR will describe the effects of General Plan 2040 implementation on storm drainage, water quality, groundwater resources, and the potential for flooding.
- Land Use and Planning - The Program EIR will describe the potential impacts of General Plan 2040 implementation related to land use and planning, including impacts due to conflict with land use plans, policies, or regulations adopted to avoid or mitigate an environmental effect.



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- Noise - The Program EIR will describe noise impacts and related mitigation needs associated with short-term construction and long-term operation (i.e., traffic, mechanical systems, etc.) associated with buildout of the General Plan 2040.
- Population and Housing - The Program EIR will describe the anticipated effects of General Plan 2040 implementation inducing unplanned population growth or displacing existing people or housing.
- Public Services and Recreation - The Program EIR will describe the potential for General Plan 2040 implementation to result in substantial adverse physical impacts on public services, including police, fire, and emergency medical services, schools, parks and recreation facilities, and other public facilities.
- Transportation - The Program EIR will describe the transportation and circulation implications of General Plan 2040 implementation, including impacts on the circulation system including transit, roadways, pedestrian and bicycle facilities, potential effects related to vehicle miles travelled, design or incompatible use hazards, and adequate emergency access.
- Utilities/Service Systems - The Program EIR will describe the General Plan 2040 implementation effects related to new or expanded water supply, sewer and wastewater treatment, storm drainage, solid waste and recycling, electric, natural gas, and telecommunication infrastructure.
- Wildfire – The Program EIR will describe the General Plan 2040 impacts related to emergency response/emergency evacuation plans, potential to exacerbate wildfire risks, and exposure to significant wildfire-related risks.
- In addition to the potential environmental impacts noted above, the Program EIR will evaluate potential cumulative impacts and potential growth-inducing effects associated with General Plan 2040 implementation. The Program EIR will also compare the impacts of the proposed General Plan 2040 to a range of reasonable alternatives, including a No Project alternative, and will identify an environmentally superior alternative. The Program EIR will analyze the Land Use Map, Circulation Diagrams, goals, policies, and implementation programs for the proposed General Plan 2040 and alternatives to the proposed General Plan 2040.

Environmental Topics Scoped from Further Analysis

There is no designated forest or timber land in the Town and Planning Area. Therefore, the General Plan 2040 would have no impact related to forestry resources, as identified by CEQA Guidelines Appendix G, Section II, paragraphs c) and d) and this issue will not be analyzed further in the EIR.

There are no known mineral resources of value and there are no known locally important mineral resource recovery sites in the Town and Planning Area. Therefore, the General Plan 2040 would have no impact related to mineral resources, as identified by CEQA Guidelines Appendix G, Section XII, paragraphs a) and b) and this issue will not be analyzed further in the EIR.



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The Town and Planning Area are not located within an airport land use plan nor within two miles of a public airport or public use airport. Therefore, the General Plan 2040 would have no impact related to airport-associated hazards or exposure to excessive noise levels related to airport use, as identified by CEQA Guidelines Appendix G, Section IX, paragraph e) and Section XIII, paragraph c), respectively.

Figure 1. Regional Location Map

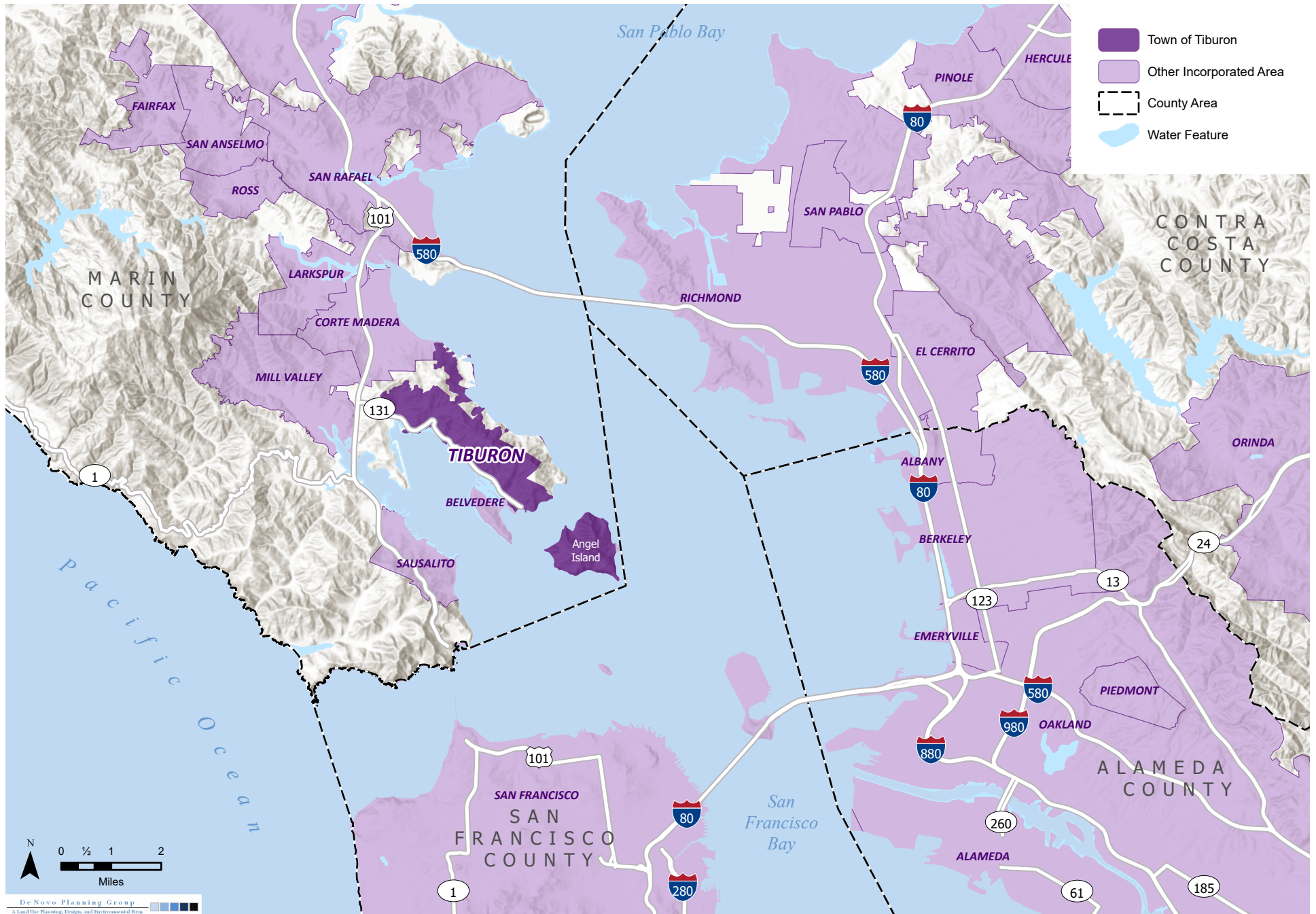


Figure 2. Existing General Plan Land Use Map

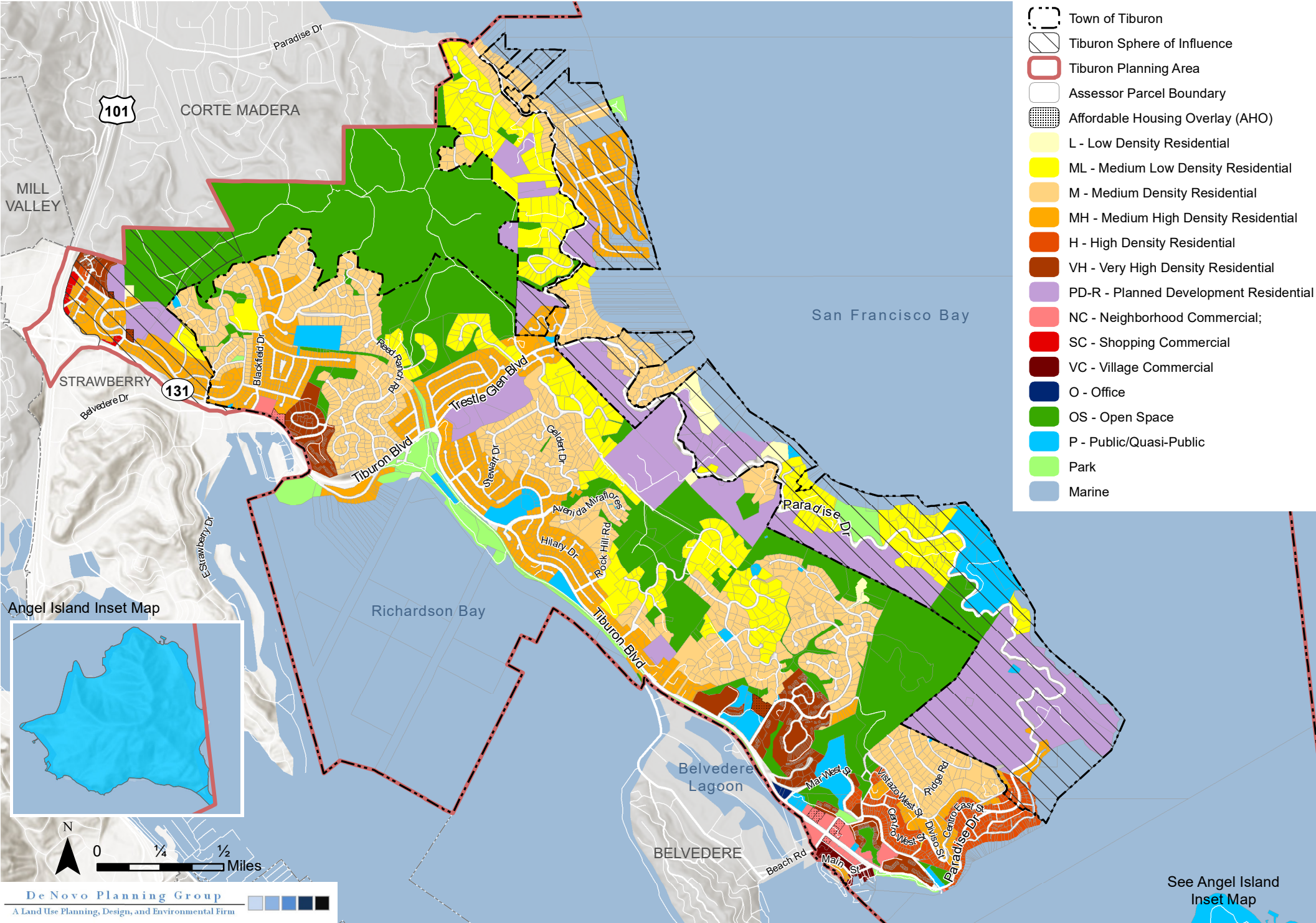
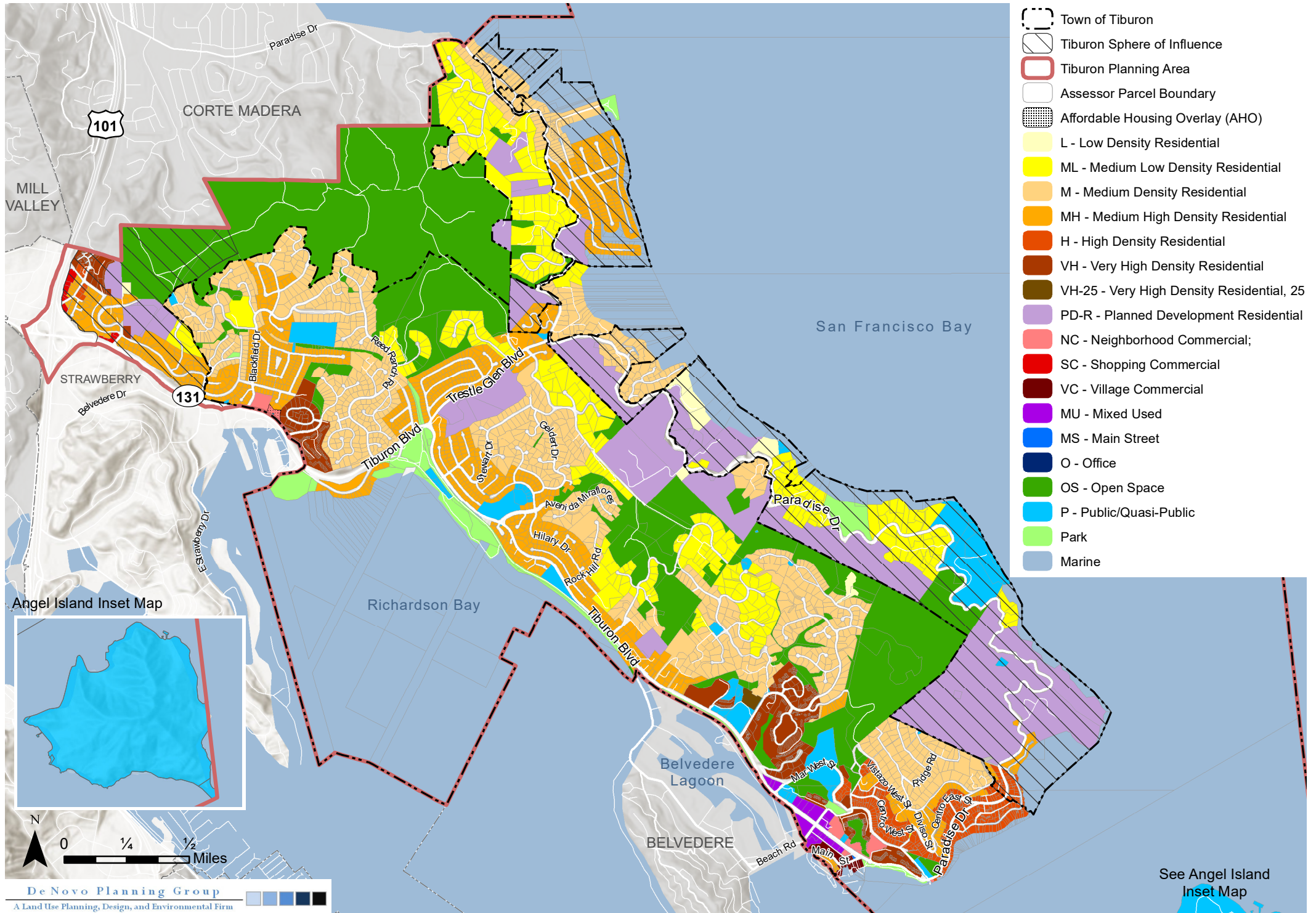


Figure 3. Proposed General Plan Land Use Map



- Town of Tiburon
- Tiburon Sphere of Influence
- Tiburon Planning Area
- Assessor Parcel Boundary
- Affordable Housing Overlay (AHO)
- L - Low Density Residential
- ML - Medium Low Density Residential
- M - Medium Density Residential
- MH - Medium High Density Residential
- H - High Density Residential
- VH - Very High Density Residential
- VH-25 - Very High Density Residential, 25
- PD-R - Planned Development Residential
- NC - Neighborhood Commercial;
- SC - Shopping Commercial
- VC - Village Commercial
- MU - Mixed Used
- MS - Main Street
- O - Office
- OS - Open Space
- P - Public/Quasi-Public
- Park
- Marine



De Novo Planning Group
 A Land Use Planning, Design, and Environmental Firm

See Angel Island Inset Map

Sources: ArcGIS Online World Hillshade Map Service; Marin County GIS. Map date: June 15, 2022. Revised: September 29, 2022.

Tiburon General Plan 2040 – Comments on the Notice of Preparation

1	Native American Heritage Commission (NAHC)	Cody Campagne, Cultural Resource Analyst	October 24, 2022
2		Julie Jacobs	November 6, 2022
3		Dorene Curtis	November 14, 2022
4		Kathy and Gerry Silverfield	November 14, 2022
5	Department of Toxic Substances Control (DTSC)	Gavin McCreary, Project Manager, Site Evaluation and Remediation Unit	November 23, 2022
6	California Geological Survey (CGS)	Dr. Erik Frost, Senior Engineering Geologist, Seismic Hazards Program	November 28, 2022
7	California Department of Fish and Wildlife (CDFW)	Erin Chappell, Regional Manager, Bay Delta Region	November 28, 2022

NATIVE AMERICAN HERITAGE COMMISSION

October 24, 2022

Dina Tasini
Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920

Re: 2022100473, Tiburon General Plan 2040 Project, Marin County

Dear Ms. Tasini:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52



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Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Sara Dutschke
Miwok

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Ohlone-Costanoan

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Nomlaki

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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse



Christina Erwin <cerwin@denovoplanning.com>

attention Christina Erwin, DeNovo Planning Group, regarding EIR for Town of Tiburon's Housing Element Plan and General Plan

1 message

JULIE JACOBS <jsj13@aol.com>

Sun, Nov 6, 2022 at 9:24 PM

To: Dina Tasini <dtasini@townoftiburon.org>, cerwin@denovoplanning.com

Dear Christina,

Thank you, again, for your excellent introduction to Scoping of the EIR for Tiburon relating to the Housing Element and the General Plan. Your presentation was clear, concise, informative, and accessible.

I expressed my concerns about the Housing Element at that meeting, as well as at Town Council meetings, and would like to add them as written comments for consideration as you embark upon the EIR. As I set forth at the EIR Scoping meeting, my concerns are primarily about safety, though I have other concerns, as well, which I will list in this message.

ALARMING SAFETY CONCERNS RELATING TO TIBURON HOUSING ELEMENT PLAN SUBMITTED TO HCD AND GENERAL PLAN:**1) Newly updated Tsunami Hazard map (released October 7, 2022, 10 days after Tiburon submitted the Housing Element Plan to HCD)**

The updated Tsunami Hazard and Evacuation map released by our government experts on October 7, 2022, places ALL of the downtown high density housing sites (located in a 2 block area) within the Tsunami Hazard and Evacuation zone. It would be cruel to invite residents of over 500 new units to a location which puts them in harm's way. Tiburon needs locations for new housing which will not endanger its newest residents.

2) Emergency Evacuation Chokepoints and Hazards

Emergency evacuation because of Wildfire, flood, earthquake, or tsunami of new downtown residents in High Density Housing envisioned by the Housing Element Plan, as well as evacuation of existing downtown Tiburon, Paradise Drive, and Belvedere residents, along the single lane Tiburon Boulevard route would be blocked by choke points due to congestion, creating serious risk of another Paradise CA wildfire tragedy. Terrified residents there died in their cars and homes, because the narrow roads out of town were blocked. When you add 200 new residential units allocated to Belvedere in the RHNA by ABAG, and planned for the Boardwalk shopping center, to the over 500 units assigned for rezoning to commercial sites in a 2 block area downtown in the Tiburon Housing Element submitted to HCD, the serious risk of a tragedy during an emergency evacuation scenario is even more obvious.

3) Emergency Vehicle Access and Exit

All Tiburon Emergency Vehicles for Fire and EMS are located downtown. The Police Station (which houses the police vehicles) is located at Reed School, which the Town of Tiburon has designated as the only other high density housing site under the HE plan. It is already very difficult to get out of downtown and Reed School and go west on Tiburon Blvd. toward Highway 101 on the single lane in and single lane out during morning school arrival and work commute hours, and afternoon school departure and return home from work hours, without the addition of over 700 new High Density residential housing units in just a few blocks along Tiburon Boulevard, as proposed under the HE Plan for Tiburon, and Belvedere's allocation. The additional traffic congestion created by the Tiburon HE Plan creates the very serious risk that emergency vehicle access to ANY location in Tiburon could be blocked by traffic congestion and choke points on Tiburon Blvd.

Other Issues presented by the Tiburon Housing Element Plan for your consideration as you draft the EIR:

- 1) How will sea level rise and more powerful storms resulting from Climate Change be addressed for the proposed High Density Housing sites downtown?
- 2) How will traffic on Tiburon Boulevard be affected if the only downtown grocery, pharmacy, post office, banks, movie theater, and also a number of popular restaurants, such as Rustic Bakery and Caffe Acri, are eliminated to create sites for High Density Housing under the HE plan?
- 3) Where will people park downtown if most public parking areas are eliminated to make room for High Density Housing, for which parking may not be required to be provided because it is within a half mile of the ferry dock?
- 4) How will our schools, sanitation department, water service, Police, Fire, EMS, Power, and infrastructure be able to accommodate residents of over 500 new units from Tiburon plus 200 new units from Belvedere downtown?
- 5) Will there be adequate affordable public transportation to work, schools, recreation, medical centers, and shopping for new residents without cars, as:
 - a) Downtown Tiburon is miles from Highway 101, our main commuting route to SF, other counties, and towns within Marin;
 - b) parking is not required for high density housing within a short distance of the single, small, privately owned ferry dock;
 - c) the ferry commute from our single, small, private dock would be an unaffordable commuting option for residents who would qualify financially for affordable housing. It also is only a direct way to get to the financial district downtown during commuting hours. Other locations are not accessible by ferry. The ferry is also not entirely reliable, as it is often canceled or delayed due to weather or equipment issues;
 - d) Many jobs currently in downtown Tiburon and accessible without a car for residents qualifying financially for affordable housing will be eliminated when our downtown grocery, pharmacy, Post Office, Banks, restaurants, theater, and shops are torn down because they are currently located on the sites selected by Tiburon in the HE plan to build high density housing; and
 - e) off-site parking for residents of new high density housing (as well as current residents) will be in short supply because current parking lots have been chosen as sites for high density housing in Tiburon's Housing Element.
- 6) Isn't there a heightened wildfire risk created by urban-wildland interface on the east end of the Tiburon Peninsula, on Belvedere and Corinthian Islands, on Paradise Drive past downtown, in the downtown areas adjacent to open space? Should this be taken into consideration when considering the Environmental Impacts of sites selected for high density housing under the Housing Element Plan?
- 7) How many buildings over 3 stories do you currently see downtown? How many over 2 stories? Would stack and pack buildings of 3,4, or 5 stories be consistent with the aesthetics of downtown Tiburon?
- 8) How are we preserving what we love about Tiburon, if we eliminate essential services (grocery, pharmacy, post office, banks, restaurants, theater, shops, parking) downtown to make room for high density housing? Are there any tweaks to the current HE plan which could actually fix this, other than finding different locations for High Density Housing so that traffic flow on a 2 lane road isn't adversely affected, essential services aren't eliminated, new housing isn't decimated by a tsunami, residents can evacuate if there should be a wildfire, earthquake or flood, and emergency vehicles can arrive in a timely fashion to put out fires, stop crime, and get injured and ill residents to the hospital?

Thank you so much for your kind consideration, Ms. Irwin.

Julie and Seth Jacobs



Christina Erwin <cerwin@denovoplanning.com>

Comments on EIR for Town of Tiburon's Housing Element Plan and General Plan

Dorene Curtis <dcurtisemail@gmail.com>

Mon, Nov 14, 2022 at 11:47 AM

To: cerwin@denovoplanning.com

Cc: Tasini Dina <dtasini@townoftiburon.org>, Jacobs Julie <jsj13@aol.com>, Silverfield Kathy <kkgds@yahoo.com>

Dear Ms. Irwin,

I too thank you for the excellent presentation on the EIR scoping. I had planned to draft my own comments but in reading those submitted by Julie and Seth, I find that I agree with everything they have said and that I cannot think of anything to add.:-)

Therefore, I am forward their comments again as reflecting my thoughts as well.

Thank you very much for your consideration.

Dorene Curtis

Begin forwarded message:

From: JULIE JACOBS <jsj13@aol.com>

Subject: attention Christina Erwin, DeNovo Planning Group, regarding EIR for Town of Tiburon's Housing Element Plan and General Plan Date: November 6, 2022 at 9:24:17 PM PST

To: Dina Tasini <dtasini@townoftiburon.org>, cerwin@denovoplanning.com

Dear Christina,

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residential housing units in just a few blocks along Tiburon Boulevard, as proposed under the HE Plan for Tiburon, and Belvedere's allocation. The additional traffic congestion created by the Tiburon HE Plan creates the very serious risk that emergency vehicle access to ANY location in Tiburon could be blocked by traffic congestion and choke points on Tiburon Blvd.

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- Thank you so much for your kind consideration, Ms. Irwin. Julie and Seth Jacobs

Sent from my iPad

Re: Comments on EIR for Town of Tiburon's Housing Element Plan and General Plan External Inbox x



Kathy and Gerry Silverfield <kkgds@yahoo.com>
to me, Tasini, Jacobs, Dorene

2:28 PM (43 minutes ago)

To: Christina Erwin

Along with Dorene Curtis, I concur with everything that Julie and Seth Jacobs wrote.

I do have additional questions and comments:

1. Comment: The Draft Tiburon Housing Element Plan uses 2.45 persons per each new residence whereas you use 2.40 persons. This is not a big difference - less than 40 people.
2. Comment: By the figures cited in the EIR scoping document - 4050 current residences, 9400 current residents, 762 new residences and 1829 new residents - there is almost a 19.5% increase in residences and 18.8% increase in new residents.
3. Question: The Draft Tiburon Housing Element Plan proposes 639 - 680 (with buffer) new residences. As I understand it, if the new housing complies with the HCD rules then the building will not be governed by CEQA rules. Will the environmental report document in detail what the impacts will be because of bypassing CEQA?
4. Question: If 639 new units and 1566 new residents (figures from the Tiburon Draft Housing Element Plan) are not governed by CEQA, will the environmental report document any tools that Tiburon could use to mitigate the impact to the environment. The additional buffer units only add to the concern.
5. Comment: We have been talking about a 3 story limit to new developments in the Downtown Tiburon area; HOWEVER, the new Objective Design Standards presented on November 9th has provisions for an extra story on the buildings at Tiburon Boulevard and Beach Road as an incentive to developers to include commercial space on the ground level floors. Also, another story could be added due to a "Density Bonus".
6. Question: Does the EIR plan to address the impacts of new 4 or 5 story buildings being built in an area with mostly 1 and 2 story buildings?
7. Questions: Is parking within the scope of an EIR? If so, will the EIR not only address residential parking for the new residences but also public parking for the commercial enterprises, including tourism?
8. Comment: Will the EIR address the impacts to businesses before new development, during development, and possible return to new locations? Impacts would include potential loss of clients, relocation during development, relocation after development, shutdown during development, available locations when development is completed, and all around inconvenience.

Thank you for your attention.

Kathy Silverfield
Tiburon Resident



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

November 23, 2022

Ms. Dina Tasini
Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920
DTasini@townoftiburon.com

Governor's Office of Planning & Research

NOV 23 2022

STATE CLEARING HOUSE

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE
TIBURON GENERAL PLAN 2040 – DATED OCTOBER 21, 2022
(STATE CLEARINGHOUSE NUMBER: 2022100473)

Dear Ms. Tasini:

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation of an Environmental Impact Report (EIR) for the Tiburon General Plan 2040 (Project). The Lead Agency is receiving this notice from DTSC because the Project may include one or more of the following: groundbreaking activities, work in close proximity to a roadway, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

The listing compiled in accordance with California Government Code Section 65962.5, commonly known as the Cortese List, is frequently referenced in General Plan California Environmental Quality Act (CEQA) documents. However, not all sites impacted by hazardous waste or hazardous materials will be found on the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the EIR address actions to be taken for any sites impacted by hazardous waste or hazardous materials within the Project area, not just those found on the Cortese List. DTSC recommends consulting with other agencies that may provide oversight to hazardous waste facilities and sites in order to determine a comprehensive listing of all sites impacted by hazardous waste or hazardous materials within the Project area. DTSC hazardous waste facilities and sites with known or suspected contamination issues can be found on DTSC's [EnviroStor](#) data management system. The [EnviroStor Map](#) feature

can be used to locate hazardous waste facilities and sites for a county, city, or a specific address.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the EIR:

1. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of [Health and Safety Code section 101480](#) should provide regulatory concurrence that the Project sites are safe for construction and the proposed use.
2. The EIR should acknowledge the potential for historic or future activities on or near the Project area to result in the release of hazardous wastes/substances. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
3. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil, DTSC recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the Project in the forthcoming EIR.
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#).

5. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 [Information Advisory Clean Imported Fill Material](#).
6. If any sites included as part of the proposed Project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\)](#).

DTSC appreciates the opportunity to comment on the forthcoming EIR. Should you choose DTSC to provide oversight for any environmental investigations, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website](#).

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,



Gavin McCreary, M.S.
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

From: Frost, Erik@DOC Erik.Frost@conservation.ca.gov
Subject: Tiburon General Plan 2040 Update (SCH 2022100473) - CGS comments
Date: November 28, 2022 at 11:30 AM
To: dtasini@townoftiburon.org
Cc: OPR State Clearinghouse State.Clearinghouse@opr.ca.gov, OLRA@DOC OLRA@conservation.ca.gov



Hello Dina Tasini,

The California Geological Survey (CGS) has received a Notice of Preparation for the Tiburon General Plan 2040 Update Draft Environmental Impact Report (DEIR). This email conveys the following comments from CGS concerning geologic issues related to the planning area:

1. Tsunami Hazards

The CGS has mapped a Tsunami Hazard Area (THA) within the planning area. The purpose of a THA is to assist cities and counties in identifying their exposure to tsunami hazards. It is intended for local jurisdictional, coastal evacuation planning uses only. Additional information can be found at the links below:
<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>
https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Hazard_Area_Map_Marin_County_a11y.pdf

The planning area also contains a Tsunami Design Zone within the California Building Code (CBC). The CBC requires certain design standards for essential/critical or larger structures. The Town should consider the Tsunami Design Zone in the DEIR. The following website provides additional information regarding the Tsunami Design Zone: <https://asce7tsunami.online/>.

If you have any additional comments or questions, please feel free to call or email.

Erik

Dr. Erik Frost

Senior Engineering Geologist | Seismic Hazards Program
California Geological Survey
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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 28, 2022

Dina Tasini, Director of Community Development
Town of Tiburon
1505 Tiburon Boulevard
Tiburon, CA 94920
dtasini@townoftiburon.org

Subject: Town of Tiburon General Plan 2040 Update, Notice of Preparation of a Draft Subsequent Environmental Impact Report, SCH No. 2022100473, Marin County

Dear Ms. Tasina:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Subsequent Environmental Impact Report (EIR) for the Tiburon General Plan 2040 Update Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW is providing the Town of Tiburon, as the lead agency, with specific detail about the scope and content of the environmental information related to CDFW's area of statutory responsibility that must be included in the EIR (Cal. Code Regs., tit. 14, § 15082, subd. (b)).

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as a permit pursuant to the California Endangered Species Act (CESA) or Native Plant Protection Act (NPPA), Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT DESCRIPTION AND LOCATION

The Town of Tiburon seeks to adopt a comprehensive, long-term general plan for the physical development of its planning area. The Plan will include land use, circulation, housing, conservation, open space, noise, and safety elements, and address

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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environmental justice and climate adaptation. The Town will implement the General Plan by requiring development, infrastructure improvements, and other projects to be consistent with its policies and by implementing the actions included in the Plan, including subsequent project-level environmental review, as required under CEQA.

The Town of Tiburon is located in Marin County on the Tiburon Peninsula and Angel Island. In addition to the lands within the Town boundaries, state law requires that a municipality adopt a General Plan that addresses “any land outside its boundaries which in the planning agency’s judgment bears relation to its planning (California Government Code §65300).” The Town’s Planning Area is defined as all lands within the Town limits and Tiburon Sphere of Influence (SOI), as well as the Highway 101 Tiburon Boulevard/East Blithedale Avenue interchange west of the northwestern SOI boundary and the open space land to the north of the northern SOI boundary on Ring Mountain.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project’s environmental impact (CEQA Guidelines, §§ 15124 & 15378). Please include a complete description of the following Project components in the Project description:

- Land use changes resulting from, for example, rezoning certain areas.
- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.
- Area and plans for any proposed buildings/structures, ground-disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes.

The NOP identifies that the EIR will be a Program EIR. While Program EIRs have a necessarily broad scope, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that, pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This

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future environmental document would cover a project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. The CEQA Guidelines section 15168, subdivision (c)(4) states, "Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR." Based on CEQA Guidelines section 15183.3 and associated *Appendix N Checklist*, and consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources to determine if they are within the scope of the Program EIR or if an additional environmental document is warranted. This checklist should be included as an attachment to the EIR. Future analysis should include all special-status species and sensitive habitat including but not limited to species considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope" of the EIR conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the EIR.

REGULATORY AUTHORITY

California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA or NPPA, either during construction or over the life of the Project. Issuance of a CESA ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, such as those identified in **Attachment 1**, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration

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(FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Notification, pursuant to Fish and Game Code sections 1600 et. seq. for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

ENVIRONMENTAL SETTING

The EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the Project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site (for sensitive natural communities see: <https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities>), and any stream or wetland set back distances the Town of Tiburon may require. Fully protected, threatened or endangered, candidate, and other special-status species that are known to occur, or have the potential to occur in or near the Project site, include but are not limited to those listed in **Attachment 1**.

Habitat descriptions and the potential for species occurrence should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System, California Aquatic Resources Inventory, and findings from "positive occurrence" databases such as California Natural Diversity Database (CNDDDB). Based on the data and information from the habitat assessment, the EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be

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impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocol>.

Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (<http://www.cnps.org/cnps/rareplants/inventory/>)², must be conducted during the blooming period within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrological conditions, and require the identification of reference populations. More than one year of surveys may be necessary based on environmental conditions. Please refer to CDFW protocols for surveying and evaluating impacts to special status plants available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

IMPACT ANALYSIS AND MITIGATION MEASURES

The EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Land use changes that would reduce open space or agricultural land uses and increase residential or other land use involving increased development;
- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence; and

² California Rare Plant Rank (CRPR) 1B plants are considered rare, threatened, or endangered in California and elsewhere. Further information on CRPR ranks is available in CDFW's *Special Vascular Plants, Bryophytes, and Lichens List* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline>) and on the California Native Plant Society website (<https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>).

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- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The CEQA document should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the lead agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the EIR, and/or mitigate significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, USFWS, and the National Marine Fisheries Service. These measures can then be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

ENVIRONMENTAL DATA

CEQA requires that information developed in EIRs and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB online field survey form and other methods for submitting data can be found at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Plantsand-Animals>.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

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Questions regarding this letter or further coordination should be directed to Alex Single, Environmental Scientist, at (707) 799-4210 or Alex.Single@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at Melanie.Day@wildlife.ca.gov or (707) 210-4415.

Sincerely,

DocuSigned by:

Erin Chappell

B77F9A6211EF486

Erin Chappell
Regional Manager
Bay Delta Region

ec: State Clearinghouse # 2022100473

Attachment 1: Special-Status Species

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Attachment 1: Special-Status Species

Species Name	Common Name	Status
<i>Reithrodontomys raviventris</i>	salt-marsh harvest mouse	FP, FE, SE
<i>Rallus obsoletus obsoletus</i>	California Ridgway's rail	FP, FE, SE
<i>Laterallus jamaicensis coturniculus</i>	California black rail	FP, ST
<i>Enhydra lutris nereis</i>	southern sea otter	FP, FT
<i>Falco peregrinus anatum</i>	American peregrine falcon	FP
<i>Elanus leucurus</i>	white-tailed kite	FP
<i>Oncorhynchus kisutch</i>	coho salmon - central California coast Evolutionarily Significant Unit	FE, SE
<i>Streptanthus glandulosus ssp. niger</i>	Tiburon jewelflower	FE, SE, CRPR 1B.1
<i>Pentachaeta bellidiflora</i>	white-rayed pentachaeta	FE, SE, CRPR 1B.1
<i>Holocarpha macradenia</i>	Santa Cruz tarplant	FT, SE, CRPR 1B.1
<i>Trifolium amoenum</i>	two-fork clover	FE, CRPR 1B.1
<i>Icaricia icarioides missionensis</i>	Mission blue butterfly	FE
<i>Eucyclogobius newberryi</i>	tidewater goby	FE
<i>Castilleja affinis var. neglecta</i>	Tiburon paintbrush	FE, ST, CRPR 1B.2
<i>Hesperolinon congestum</i>	Marin western flax	FT, ST, CRPR 1B.1
<i>Calochortus tiburonensis</i>	Tiburon mariposa-lily	FT, ST, CRPR 1B.1
<i>Strix occidentalis caurina</i>	northern spotted owl	FT, ST
<i>Spirinchus thaleichthys</i>	longfin smelt	ST, FC
<i>Rana draytonii</i>	California red-legged frog	FT, SSC

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<i>Acipenser medirostris</i>	green sturgeon - southern Distinct Population Segment	FT
<i>Thaleichthys pacificus</i>	eulachon	FT
<i>Bombus occidentalis</i>	western bumble bee	SC
<i>Danaus plexippus plexippus</i>	monarch - California overwintering population	FC
<i>Athene cunicularia</i>	burrowing owl	SSC
<i>Dicamptodon ensatus</i>	California giant salamander	SSC
<i>Rana boylei</i>	foothill yellow-legged frog - northwest/north coast clade	SSC
<i>Microtus californicus sanpabloensis</i>	San Pablo vole	SSC
<i>Geothlypis trichas sinuosa</i>	saltmarsh common yellowthroat	SSC
<i>Melospiza melodia samuelis</i>	San Pablo song sparrow	SSC
<i>Taxidea taxus</i>	American badger	SSC
<i>Circus hudsonius</i>	northern harrier	SSC
<i>Asio flammeus</i>	short-eared owl	SSC
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	SSC
<i>Emys marmorata</i>	western pond turtle	SSC
<i>Antrozous pallidus</i>	pallid bat	SSC
<i>Plagiobothrys glaber</i>	hairless popcornflower	CRPR 1.A
<i>Gilia capitata ssp. chamissonis</i>	blue coast gilia	CRPR 1B.1
<i>Pleuropogon hooverianus</i>	North Coast semaphore grass	CRPR 1B.1
<i>Arenaria paludicola</i>	marsh sandwort	CRPR 1B.1
<i>Layia carnosa</i>	beach layia	CRPR 1B.1

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<i>Leptosiphon rosaceus</i>	rose leptosiphon	CRPR 1B.1
<i>Horkelia cuneata</i> var. <i>sericea</i>	Kellogg's horkelia	CRPR 1B.1
<i>Fritillaria lanceolata</i> var. <i>tristulis</i>	Marin checker lily	CRPR 1B.1
<i>Fissidens pauperculus</i>	minute pocket moss	CRPR 1B.2
<i>Triquetrella californica</i>	coastal triquetrella	CRPR 1B.2
<i>Fritillaria liliacea</i>	fragrant fritillary	CRPR 1B.2
<i>Chloropyron maritimum</i> ssp. <i>palustre</i>	Point Reyes salty bird's-beak	CRPR 1B.2
<i>Horkelia tenuiloba</i>	thin-lobed horkelia	CRPR 1B.2
<i>Stebbinsoseris decipiens</i>	Santa Cruz microseris	CRPR 1B.2
<i>Arctostaphylos virgata</i>	Marin manzanita	CRPR 1B.2
<i>Helianthella castanea</i>	Diablo helianthella	CRPR 1B.2
<i>Microseris paludosa</i>	marsh microseris	CRPR 1B.2
<i>Eriogonum luteolum</i> var. <i>caninum</i>	Tiburon buckwheat	CRPR 1B.2
<i>Hemizonia congesta</i> ssp. <i>congesta</i>	congested-headed hayfield tarplant	CRPR 1B.2
<i>Polemonium carneum</i>	Oregon polemonium	CRPR 1B.2
<i>Collinsia multicolor</i>	San Francisco collinsia	CRPR 1B.2
<i>Amorpha californica</i> var. <i>napensis</i>	Napa false indigo	CRPR 1B.2
<i>Horkelia marinensis</i>	Point Reyes horkelia	CRPR 1B.2
<i>Gilia millefoliata</i>	dark-eyed gilia	CRPR 1B.2
<i>Fritillaria liliacea</i>	fragrant fritillary	CRPR 1B.2
<i>Silene scouleri</i> ssp. <i>scouleri</i>	Scouler's catchfly	CRPR 1B.2
<i>Navarretia rosulata</i>	Marin County navarretia	CRPR 1B.2

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<i>Symphotrichum lentum</i>	Suisun Marsh aster	CRPR 1B.2
<i>Collinsia corymbosa</i>	round-headed Chinese-houses	CRPR 1B.2
<i>Trifolium hydrophilum</i>	saline clover	CRPR 1B.2
<i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i>	Choris' popcornflower	CRPR 1B.2
<i>Calystegia purpurata</i> ssp. <i>saxicola</i>	coastal bluff morning-glory	CRPR 1B.2
<i>Astragalus tener</i> var. <i>tener</i>	alkali milk-vetch	CRPR 1B.2
<i>Spergularia macrotheca</i> var. <i>longistyla</i>	long-styled sand-spurrey	CRPR 1B.2
<i>Calamagrostis crassiglumis</i>	Thurber's reed grass	CRPR 2B.1
<i>Carex praticola</i>	northern meadow sedge	CRPR 2B.2
<i>Heteranthera dubia</i>	water star-grass	CRPR 2B.2
<i>Kopsiopsis hookeri</i>	small groundcone	CRPR 2B.3
<i>Polygonum marinense</i>	Marin knotweed	CRPR 3.1

FP = state fully protected species; FE = federally listed as endangered under the Endangered Species Act (ESA); FT = federally listed as threatened under ESA; FC = proposed as a candidate for listing under ESA; SC = proposed as a candidate for listing under CESA; SE = state listed as endangered under CESA; ST = state listed as threatened under CESA; SSC = state Species of Special Concern; CRPR = California Rare Plant Rank