

**City of Sausalito**

**Draft Environmental Impact Report for the  
Sausalito Housing Element Programs Project**

**JANUARY 2024**



*Prepared for:*

*City of Sausalito  
420 Litho Street  
Sausalito, CA 94965*

*Prepared by:*

*De Novo Planning Group  
1020 Suncoast Lane, Suite 106  
El Dorado Hills, CA 95762*



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# City of Sausalito

## Housing Element Programs EIR

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### DRAFT EIR

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### EXECUTIVE SUMMARY

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#### PURPOSE

This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with and in fulfillment of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. As described in CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses the potentially significant environmental impacts of a project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency). The City of Sausalito (City) is the lead agency for the proposed City of Sausalito Housing Element Programs EIR. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have the obligation to balance economic, environmental, and social factors.

This Draft EIR has been prepared according to CEQA requirements to evaluate the potential environmental impacts associated with the implementation of the Housing Element Programs. This Draft EIR also discusses alternatives to the Housing Element Programs and proposes mitigation measures that would offset, minimize, or otherwise avoid potentially significant environmental impacts. This Draft EIR is intended to provide decision-makers and the public with information that enables consideration of the environmental consequences of the Housing Element Programs, and has been prepared in accordance with CEQA (California Public Resources Code [PRC] § 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations [CCR] Title 14, Division 6, Chapter 3).

#### PROJECT LOCATION

The City of Sausalito is located in the northern San Francisco Bay area, approximately 73 miles due southwest of Sacramento, California. Sausalito is located in Marin County, between Richardson Bay and the Marin Headlands, across the Golden Gate Bridge from San Francisco. The city is bordered by Marin City to the north, Richardson Bay to the west, and the Golden Gate National Recreation Area to the west and south, as shown in **Figure ES-1**. The planning area for the Housing Element Programs project is the same planning area that was considered by the 2021 General Plan, which encompasses all incorporated land in Sausalito and its sphere of influence in Richardson Bay, as shown in **Figure ES-2**. Sausalito includes approximately 4,030 residential dwelling units.

#### INTRODUCTION

State law requires the City to have and maintain a general plan with specific contents in order to provide a vision for the City's future and inform local decisions about land use and development, including issues such as circulation, conservation, and safety. The City's

General Plan was updated and adopted in 2021. Housing Elements are required to be regularly updated as mandated by state law. The Housing Element establishes goals, policies, and identifies future programs/actions to address the existing and projected housing needs of Sausalito. The goals, policies, and programs/actions are required by state law to plan for the regional housing targets allocated to Sausalito by ABAG and the Department of Housing and Community Development for the period of 2023 to 2031 and to affirmatively further fair housing. The City of Sausalito adopted a 6th Cycle Housing Element Update as an amendment to the Sausalito General Plan on January 30, 2023.

The Housing Element is a planning document that identifies how the City would accommodate development of 724 total housing units that were included in the City's 6th Cycle RHNA, which is significantly greater than the City's 5th Cycle RHNA of 79 units. This is due in part to the Bay Area region's overall allocation of 441,176 units from the California Department of Housing and Community Development (HCD) being more than double the last Housing Element cycle's allocation, which was approximately 189,000 units. However, the City's adoption of the Housing Element did not implement specific changes to existing land use controls (e.g., zoning) or approve any physical development (e.g., construction of housing or infrastructure) that may be necessary to accommodate such development.

Further, specific information regarding modification to existing land use controls that may occur with the implementation of Housing Element programs, including Programs 4, 8, 16, and 19, was not available at the time the Housing Element was adopted. For example, development that could occur in association with rezoning of opportunity sites under Program 4 will be guided by the modifications to the Zoning Ordinance, including preparation of objective design and development standards to accommodate by-right housing uses on the opportunity sites under Program 4. At the time of Housing Element adoption, the City was engaged in preparing objective design and development standards based on existing land use densities. However, objective design and development standards to address increased densities under Program 4 had not been prepared. As details regarding the specific land use modifications required to implement various Housing Element programs were not available at the time that the Housing Element was adopted, it would have been speculative to analyze those programs based on conjecture regarding the modifications to the General Plan, the Zoning Ordinance, and other land use controls that would be necessary to implement specific Housing Element programs. As such, the adoption of the Housing Element did not result in any physical changes to the environment that could be known at the time of adoption.

Following adoption of the Housing Element, the City began implementation of the Housing Element. As part of this effort, the City reviewed the policies and programs in the Housing Element to determine which policies or programs could have a direct or indirect reasonably foreseeable physical environmental effect at the time the program is implemented. Implementation of the majority of the Housing Element would have no environmental effect as most of the policies and programs would result only in the City complying with State

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Housing Law, including mandatory requirements related to low barrier navigation centers, transitional housing, supportive housing, employee housing, and density bonuses. The mandatory requirements of State law would apply to Sausalito and development in the City regardless of the City updating its Zoning Ordinance to reflect the requirements of State law. As such, these requirements are in place and can be applied within the City regardless of the Project. These types of policies, programs, and actions would not result in a physical effect on the environment.

Additionally, some programs in the Housing Element, even with the adoption of implementation measures, are too speculative to evaluate and determine whether a direct or indirect reasonably foreseeable physical environmental effect could occur. Policies and actions that will be implemented with the Housing Element but are not tied to a specific development project or a specific activity that can be evaluated at this time include the following activities:

- enforcing local code provisions such as property maintenance,
- providing funding sources for affordable housing,
- supporting programs for affordable housing,
- maintaining the quality of existing housing development,
- encouraging the sustainable use of land,
- preserving existing affordable housing, and
- coordinating with agencies, non-governmental organizations, and nonprofits to identify available housing programs and funding opportunities for the construction of affordable housing.

For example, Program 17 identifies the possibility that housing development projects could implement density bonuses, allowing bonuses of up to 80% based on the percentage of affordable units for projects affordable to very low, low, and moderate income households (depending on the affordable units provided by the project), having no maximum density limits for 100% affordable projects within ½-mile of a major transit stop, and enacting up to 4 incentives for qualified housing projects. Even with the adoption of zoning code amendments to facilitate Program 17, the City could not know where projects utilizing density bonuses would be proposed, and it is speculative to assume that specific sites in the City would take advantage of this state program. Program 10 is another example of a program whose implementation could result in development, but for which it is speculative to analyze the specific development at this time. Program 10 commits the City to assisting with affordable housing development. While this program is intended to yield at least 315 lower income units during the planning period, specific projects have not yet been identified. Similarly, Program 11 would establish an affordable housing fund, which would be used to promote affordable housing development. However, there are no specific projects

associated with Program 11 and it is not yet known the type, location, or design of a development project on which the funds would be spent.

Therefore, evaluation of development that could occur under these policies and programs is speculative at this time as specific development proposals, site plans, and other project details are not available. Therefore, this EIR does not evaluate speculative development.

There are Housing Element programs, however, whose implementation could result in a physical change to the environment and, for which, upon implementation, adequate detail would be available to analyze potential direct and reasonably foreseeable indirect impacts under CEQA:

- Program 4;
- Program 8;
- Program 16; and
- Program 19.

To streamline the implementation of the Housing Element, the City is proposing to implement these programs as part of this Project in order to address the majority of programs, or components of the Housing Element that could result in a direct or indirect reasonably foreseeable physical change to the environment.

Implementation of Program 4 involves the City completing rezoning and/or adopting overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. The Housing Element created a goal of creating a total capacity for 908 units during the 6<sup>th</sup> Cycle Planning Period of 2023-2031, of which a capacity of 811 units would be created as a result of rezoning to make opportunity sites for future housing development as further identified in the Housing Element.

As part of Program 4, in order to accommodate the City's remaining RHNA of 463 units plus a buffer for each of the income categories, the Project would rezone opportunity sites to ensure the ability to develop housing at specified densities. In conjunction with Program 4, the proposed Project would also implement Program 8, entitled "Public Property Conversion to Housing," to address making publicly-owned sites available for development during the 2023-2031 planning period. The City would implement portions of Program 16, entitled "Zoning Ordinance Amendments," including the paragraphs that address low barrier navigation centers, supportive and transitional housing, employee housing, mobile home and manufactured housing, height limits, and streamlined ministerial review, to reduce governmental constraints and implement mandates of State law. Program 19, bullet 1, would result in the development and publication of Objective Design and Development Standards (ODDS) to address multifamily development at densities envisioned by the General Plan, Zoning Code, and Program 4.

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## Housing Element Programs EIR

### BACKGROUND AND REGIONAL HOUSING NEEDS ALLOCATION

The City's current General Plan and Housing Element are guiding documents for land use decisions affecting the City of Sausalito. The current documents and legal requirements are summarized briefly below.

### 6<sup>TH</sup> CYCLE REGIONAL HOUSING NEEDS ALLOCATION

State law requires local jurisdictions to update their housing elements on a regular schedule and to maintain consistency between the housing element and other elements of the general plan. Each city and county in the Bay Area must update their current housing element to the satisfaction of HCD by January 31, 2023 and must plan for a number of new housing units referred to as their Regional Housing Needs Allocation (RHNA), as well as meeting other provisions in the law, such as the requirement to affirmatively further fair housing.

A RHNA is generally assigned to each jurisdiction in the Bay Area by the Association of Bay Area Governments (ABAG) for the eight-year planning period and includes housing units at various levels of affordability (very low income, low income, moderate income, and above moderate), which are defined by percentage of Area Median Income (AMI).<sup>1</sup> Sausalito received a RHNA of 724 units for the 2023-2031 planning period.

The City's final RHNA is shown in **Table ES-1**.

TABLE ES-1: SAUSALITO REGIONAL HOUSING NEEDS (RHNA) ALLOCATION

	UNITS BY INCOME GROUP <sup>A</sup>				TOTAL UNITS
	VERY LOW (0-50% AMI)	LOW (51-80% AMI)	MODERATE (81-120% AMI)	ABOVE MODERATE (>120% AMI)	
RHNA Allocation	200	115	114	295	724
% of Total	28%	16%	16%	41%	100% <sup>b</sup>
<p>NOTES:</p> <p>a. Units are grouped into categories based on the incomes of households accommodated and their relationship (percentage of) Area Median Income (AMI).</p> <p>b. Percentages rounded to equal 100%.</p> <p>SOURCE: ABAG, March 17, 2022.</p>					

The City's 6th Cycle Housing Element provides sites sufficient to accommodate its RHNA plus a buffer (see **Figure ES-3**). A buffer is particularly important because of "no net loss" provisions

<sup>1</sup> In 2021, the County's Area Median Income for a family of four was \$149,600, as published by HCD in Title 25 of the California Code of Regulations section 6932.

in state Planning Law (Government Code Section 65863). Section 65863 requires that the land inventory and site identification programs in the Housing Element always include sufficient sites to accommodate the unmet RHNA. This means that if a site is identified in the Housing Element as having the potential for housing development that could accommodate lower-income units towards meeting the RHNA but is actually developed with units at a higher income level or fewer units, then the locality must either: 1) identify and rezone, if necessary, an adequate substitute site; or 2) demonstrate that the land inventory in the Housing Element already contains an adequate substitute site. An adequate buffer will be critical to ensuring that the City remains compliant with these provisions without having to identify and rezone sites prior to the end of the cycle.

Also, because the City's RHNA includes units distributed by income category, the sites inventory must include ample sites to meet the requirement for very low and low income households. Typically, housing affordable to these lower income households is constructed with substantial local, state, and federal subsidies, although some affordable units are constructed as accessory dwelling units, and some may be included as a small percentage of market rate projects.

It is important to note that while State law requires the Housing Element to include an inventory of housing sites and requires the City to appropriately zone sites for multifamily housing, the City would not actually develop or construct housing on these sites. Future development on identified sites would be at the discretion of individual property owners and would be largely dependent on market forces and in the case of affordable housing, available funding and other incentives.

## PROJECT OBJECTIVES

CEQA Guidelines Section 15124(b) requires the description of the project in an EIR to state the objectives sought by the project.

"A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project."

In keeping with this requirement, the City's project objectives are as follows:

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- Implement actions to accommodate a RHNA of 724 units at the income levels mandated by state law, specifically, 200 very low income units, 115 low income units, 114 moderate units, and 295 above moderate units.
- Implement further actions to create an overall excess capacity of at least 25%, in order to ensure that the housing inventory is maintained in accordance with No Net Loss requirements under Government Code Section 65863 throughout the planning period, through designating and zoning sites to include a buffer that provides for additional capacity at each income level category: 37 units for very low income, 39 units for low income, and 80 units for moderate income, and 28 units for above moderate income categories.

### PROJECT DESCRIPTION

The Project analyzed in this EIR would implement Housing Element Programs 4, 8, 16 paragraphs A, B, C, D, E, G, H, L, M, and N; and Program 19 bullet 1. Implementation of these programs will result in amending the City's Zoning Ordinance, as well as the Land Use Element, Community Design, Historic and Cultural Preservation Element, and Circulation Element of the City's General Plan. The Housing Element programs that will be implemented and the resulting amendments to the General Plan and Zoning Ordinance and the proposed Objective Design and Development Standards (ODDS) to implement the programs are described below.

### HOUSING ELEMENT PROGRAMS

The Project would implement multiple Housing Element programs including:

#### ***Program 4***

To accommodate the City's remaining RHNA of 463 units and provide a buffer for each of the income categories, the General Plan and Zoning Ordinance will be amended to establish opportunity sites that permit development at the following densities:

A minimum of 4.07 acres zoned Housing-49, which will allow a minimum of 43 dwelling units/acre (du/ac) and a maximum 49 du/ac,

A minimum of 2.57 acres zoned Housing-70, which will allow a minimum of 50 du/ac and a maximum of 70 du/ac, and

A minimum of 10.16 acres zoned Mixed Use-49/85%, which will:

allow a minimum 43 du/ac and a maximum of 49 du/ac,

allow 100% residential development, and



require a minimum of 85% residential uses, and

A minimum of 0.33 acres zoned Mixed Use-70/85%, which will:

allow a minimum 43 du/ac and a maximum of 49 du/ac,

allow 100% residential development, and

require a minimum of 85% residential uses.

### ***Program 16***

To implement Program 16, the Zoning Ordinance would be amended to address employee housing, agricultural employee housing, low barrier navigation centers, emergency shelters, transitional and supportive housing, and State density bonus law in accordance with State requirements, to allow group homes serving seven or more persons in additional zones, to provide a ministerial review process when required by State law, and to address subjective criteria and findings from the design review process.

### ***Program 19***

Program 19, "Development Review Procedures," describes the streamlined approval process the City seeks to facilitate residential development and to comply with State law. Program 19 facilitates the development and enactment of ODDS applicable to eligible multifamily residential projects. ODDS are those that "involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal." To implement the first bullet of Program 19, the City would adopt ODDS to address proposed multifamily residential on the opportunity sites at densities envisioned by the General Plan, the Zoning Ordinance, and Program 4.

### ***Development Potential of the Project***

**Table ES-2** describes the development that could be constructed with the implementation of the proposed Project. The Housing Element assumed a "realistic capacity" based on the potential for some sites to develop at less than the full density. For the purpose of this EIR, the maximum capacity of each site based on the allowed density and floor area ratio for residential units and, where applicable, non-residential uses that would be allowed under Program 4 is evaluated.

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TABLE ES-2: DEVELOPMENT CAPACITY

	PROGRAM 4 CAPACITY (HOUSING ELEMENT REALISTIC CAPACITY)					MAXIMUM CAPACITY	
	EXTREMELY / VERY LOW	LOW	MODERATE	ABOVE MODERATE	TOTAL	UNITS	NON-RESIDENTIAL SQUARE FEET
<b>RHNA</b>	<b>200</b>	<b>115</b>	<b>114</b>	<b>295</b>	<b>724</b>		
Approved/Entitled Projects	3	7	6	7	23	23	-
Inventory of Existing Residential Sites, including Pending Projects	1	1	47	73	122	126	-1,584
ADU & SB 9 Projected Units	12	27	30	47	116	116	-
Opportunity Sites							
Housing - 43-49 du/ac	30	16	40	47	133	164	-
Housing - 50-70 du/ac	69	34	13	18	134	159	-3,310
Mixed Use 49/85%	122	69	47	120	358	465	25,856
Mixed Use 70/85%	0	0	11	11	22	23	-4,110
<b>Total</b>	<b>237</b>	<b>154</b>	<b>194</b>	<b>323</b>	<b>908</b>	<b>959</b>	<b>16,852</b>
<b>Surplus<sup>1</sup></b>	<b>37</b>	<b>94</b>	<b>67</b>	<b>28-</b>	<b>148</b>		

**NOTE:**  
 1. HCD recommends buffer in the housing element inventory of at least 15 to 30 percent capacity more than required, especially to accommodate the lower income RHNA. A modest surplus also allows various sites identified in the Housing Element to identify at different income levels than those anticipated, while still maintaining an adequate supply of available sites.

### GENERAL PLAN AMENDMENT

The General Plan Land Use Element, Circulation Element, and Community Design Element would be amended to establish overlay districts to accommodate the opportunity sites and to address the increased development intensities that could occur under the overlay districts.

#### Land Use Element

Table 1-1 of the Land Use Element would be revised to include the residential and mixed use land use designations shown in **Table ES-3**.

TABLE ES-3: LAND USE DESIGNATIONS TO BE ADDED TO LAND USE ELEMENT TABLE 1-1

LAND USE	DESCRIPTION
<b>Residential</b>	
<b>Housing-49 Overlay</b> Densities: Minimum: 25 du/ac Maximum: 49.0 du/ac	Applied to sites identified to address the City's shortfall in accommodating the 6th Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.

<p><b>Housing-70 Overlay</b></p> <p>Densities:</p> <p>Minimum: 25 du/ac</p> <p>Maximum: 70.0 du/ac</p>	<p>Applied to sites identified to address the City's shortfall in accommodating the 6th Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.</p>
<p><b>Commercial</b></p>	
<p>Housing-Mixed Use-49</p> <p>Non-residential FAR up to 0.3</p> <p>Residential Densities:</p> <p>Minimum: 25 du/ac</p> <p>Maximum: 49.0 du/ac</p>	<p>Applied to sites identified to address the City's shortfall in accommodating the 6th Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Projects may include commercial, office, service, and institutional uses oriented to residents and local visitors. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.</p>
<p>Housing-Mixed Use-70</p> <p>Non-residential FAR up to 0.3</p> <p>Residential Densities:</p> <p>Minimum: 25 du/ac</p> <p>Maximum: Up to 70.0 du/ac</p>	<p>Applied to sites identified to address the City's shortfall in accommodating the 6th Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Projects may include commercial, office, service, and institutional uses oriented to residents and local visitors. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.</p>

Figure 1-1: Land Use of the Land Use Element would be revised to apply the housing and mixed use overlay land use designations to the opportunity sites as shown in Figure ES-3.

The following policies and programs of the General Plan would be revised as shown below:

***Land Use Element***

**Program LU 1.19.2 Zoning Overlays.** When necessary to accommodate the City's Regional Housing Needs Allocation, evaluate the feasibility of overlay zones as a potential residential planning tool in light of Housing Accountability Act, SB 35, and other recent relevant housing legislation.

**Program LU-1.21.1 Housing Opportunities.** When updating the Housing Element, consider regulatory reforms that would create more housing opportunities for low-income households and ensure the City's standards accommodate a mix of market rate and affordable housing, as well as both rental and ownership units.

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**Program LU-1.21.3 Housing and Access.** Prioritize incentives for multifamily and mixed use development projects that incorporate walkability, and access to fresh foods and services, in order to promote an equitable built environment.

**Policy LU-2.8 Upper Floor and Mixed Residential Uses.** Encourage residential use on the upper levels of commercial, service, institutional, and mixed use structures, where new residential uses would not result in conflicts with existing uses.

**Program 2.8.2 Mixed Uses.** Continue to apply zoning districts, including overlay districts, to allow residential uses in commercial and other primarily non-residential areas where desirable to promote a vibrant mixed use environment or where necessary to accommodate the City's share of regional housing needs.

**Policy LU-5.1 City-Owned Open Space and Parks.** Maintain existing city-owned lands as public open space or recreational parks, except where city-owned lands provide public parking, governmental services (City Hall, law enforcement, corporation yard, etc.), or are sites designated by the Housing Element to accommodate the City's share of regional housing needs.

### *Community Design, Historic and Cultural Preservation Element*

The policies and programs in the Community Design, Historic and Cultural Preservation Element would be modified as identified below.

**Policy CD-1.3 Maximum Height Limit.** Establish a maximum height limit for all structures in Sausalito while recognizing that maximum height is not guaranteed for development proposals where view preservation, shadow impact, and scale are an issue, except for sites identified in the Housing Element Appendix D1, Inventory of Residential and Opportunity Sites, which may develop up to the maximum height pursuant to the Objective Design and Development Standards.

**Program CD-1.3.1 Zoning Ordinance (Height Limit).** Continue to permit the 32-foot maximum height limit for residential and commercial zones, except where greater heights are allowed pursuant to the Objective Design and Development Standards.

**Policy CD-3.1 Private Views.** Locate and design new and significantly remodeled structures and landscape improvements to minimize the interference with primary views from structures on neighboring properties. Some minor loss of view may be consistent with this policy if necessary to protect a property right. It is recognized that development pursuant to the Objective Design and Development Standards may interfere with private views and such development shall be permitted to accommodate development of sites in Housing Element Appendix D1, Inventory of Existing and Opportunity Sites.

**Program CD-4.4.1 Objective Standards.** Develop and implement new standards for multi-family, mixed-use, and single family housing development that minimize personal or

subjective judgment by a public official. The standards shall be uniformly verifiable by reference to an external and uniform benchmark or criterion and knowable by both development applicants and public officials.

### ***Circulation and Parking Element***

**Policy CP-1.6 Level of Service (LOS) Standard.** Maintain a letter grade level of service of "D" for signalized intersections during the P.M. weekday peak hour except on Johnson, Bay, and Princess Streets (which are not given an LOS Standard). This policy shall apply to the extent that the City can feasibly make the improvements necessary to maintain level of service "D" (e.g., where the existing right-of-way can feasibly accommodate improvements or where right-of-way can be obtained without requiring loss of dwelling units or commercial structures).

**Program CP-6.1.3 Impact Fees.** Adopt a transportation and circulation impact fee to ensure that new development funds its fair-share of improvements to accommodate vehicle, bicycle, pedestrian, and transit facilities necessitated in part or in whole by the development project.

## **ZONING ORDINANCE AMENDMENT**

### ***Chapter 10.22 RESIDENTIAL ZONING DISTRICTS***

Table 10.22-1 is revised to:

- Permit employee housing in the same manner as a single family unit pursuant to the standards at Section 10.44.360;
- Allow agricultural employee housing pursuant to the standards at Section 10.44.370 in zones where agricultural uses are allowed;
- Permit low barrier navigation centers pursuant to the standards at Section 10.44.380 in zones that allow multifamily and mixed uses;
- Permit mobile homes and manufactured homes in all zones that permit single family units;
- Allow residential care homes for 7 or more clients in the R-2 and PR zones with a conditional use permit;
- Allow supportive and transitional housing in the same manner as residential units of the same type in the same zone pursuant to the standards at Section 10.44.390.

- Table 10.22-2 is revised to include a footnote that allows a multifamily residential project that is located on a single site composed of multiple contiguous lots that are under ownership by a single entity is only subject to setbacks along the exterior lot lines of the project. No setbacks or yards shall be applied to the parcel lines that are interior to the site.

### ***Chapter 10.24 COMMERCIAL ZONING DISTRICTS***

Table 10.24-1 is revised to:

- Allow agricultural employee housing pursuant to the standards at Section 10.44.370 in zones where agricultural uses are allowed;
- Permit low barrier navigation centers pursuant to the standards at Section 10.44.380 in zones that allow multifamily and mixed uses;
- Permit mobile homes and manufactured zones in all zones that permit single family units;
- Allow residential care homes for 7 or more clients in the CR zone with a conditional use permit;
- Allow two-family (duplex) dwellings in the R-1 zone pursuant to Section 10.44.350;
- Allow supportive and transitional housing in the same manner as residential units of the same type in the same zone pursuant to the standards at Section 10.44.390.
- Table 10.24-2 is revised to include a footnote that allows a multifamily residential project that is located on a single site composed of multiple contiguous lots that are under ownership by a single entity is only subject to setbacks along the exterior lot lines of the project. No setbacks or yards shall be applied to the parcel lines that are interior to the site.

### ***Chapter 10.28 OVERLAY DISTRICTS***

Section 10.28.090 is added to establish four overlay zones (see **Table ES-4**) that could significantly increase permitted residential densities:

- **Housing Housing-49 (-HO-H49):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% lower income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units, and requires 100% residential uses between 43 units per acre and 49 units per acre. On sites designated to accommodate the very low and low income need, the minimum affordability required is 20% very low and low income

units to receive the increased density of up to 49 units per acre and ministerial development processing.

- **Housing -70 (-HO-H70):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% lower income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units, and requires 100% residential uses between 50 units per acre and 70 units per acre. On sites designated to accommodate the very low and low income need, the minimum affordability required is 20% very low and low income units to receive the increased density of up to 70 units per acre and ministerial development processing.
- **Mixed Use -49 (-HO-M49):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% low income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units. Zoning would allow a mix of residential, service, retail, office, and public/quasi-public uses and but would require a minimum of 85% of the site be developed with residential uses at up to 49 units per acre.
- **Mixed Use -70 (-HO-M70):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% low income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units. Zoning would allow a mix of residential, service, retail, office, and public/quasi-public uses and but would require a minimum of 85% of the site be developed with residential uses at up to 70 units per acre.

On sites designated to accommodate the very low and low income need, the minimum affordability required is 20% very low and low income units to receive the increased density and ministerial development processing.

TABLE ES-4: NEW OVERLAY ZONES

ZONING	ACRES	DENSITY (DU/AC)		FLOOR AREA RATIO (NON-RESIDENTIAL)	HEIGHT	SETBACKS			
		MIN	MAX			FRONT	FRONT	SIDE STREET	SIDE
Residential-49	4.07	43	49	-	Max. 45' to peak; 40' to eave; and 4 stories	Min. 0'; Max. 10'	Min. 5'; Max. 15 <sup>b</sup>	Min. 5'	Min. 15'
Residential-70	2.57	50	70	-					
Mixed Use-49/85% <sup>a</sup>	10.16	43	49	0.4					
Mixed Use-70/85% <sup>a</sup>	0.33	43	49	0.4					
<p><i>NOTE</i></p> <p><i>a. This zone allows 100% residential uses, and requires a minimum of 85% residential uses.</i></p> <p><i>b. 0' street side setback on lots having &gt;15% slope</i></p> <p><i>Source: De Novo Planning Group, 2023.</i></p>									

**Figure ES-4** shows the existing zoning designations for the identified Opportunity Sites, while **Figure ES-5** shows the zoning designations under the proposed Project.

Some of the sites proposed for rezoning in Program 4 include sites subject to a vote of the electorate, which is required due to previously adopted restrictions as set forth Ordinance 1022 and Ordinance 1128, previously adopted following submission of initiatives to the City Council. Initiative-restricted sites are designated as Sites 39, 44, 47, 72, 79, 81, 84, 201, 211, 212, 301, 303, 304, and 306, identified in Appendix D1 of the Housing Element, and are anticipated to accommodate very low, low, moderate, and above moderate income units. As part of Program 4, the City would initiate and conduct the election, pay for all costs associated with preparing the ballot measure for submission to the voters, and prepare for education materials related to the impacts of the ballot measure.

Section 10.28.080 (Emergency shelters) is revised to limit parking requirements to accommodate all staff working in the shelter, provided that the parking requirement is not more than required for other residential or commercial uses within the same zone.

### ***Chapter 10.40 GENERAL DEVELOPMENT REGULATIONS***

Section 10.40.115 would be revised to provide parking exemptions for eligible projects within ½-mile of public transit as mandated by Government Code Section 65863.2.

Section 10.40.130 would be revised to reflect the State Density Bonus Law, including provisions for senior citizen housing, units for transitional foster youth, disabled veterans or homeless youth, student housing developments, and 100 percent lower income developments. The density bonus standards in Table 10.40-2 would be revised to reflect the current density bonuses mandated for specific project types and affordability levels. Table 10.40-3 would be revised to address incentives for 100 percent lower income projects. Paragraph H would be added to address projects that require concessions due to physical constraints to achieving the density bonus.

### ***Chapter 10.44 SPECIFIC USE REQUIREMENTS***

Section 10.44.360 would be added to address employee housing for six or fewer employees in accordance with Government Code Section 17021.5.

Section 10.44.370 would be added to address agricultural employee housing in accordance with Government Code Section 17021.6.

Section 10.44.380 would be added to address low barrier navigation centers in accordance with Government Code Section 65660.

Section 10.44.390 would be added to address supportive housing in accordance with Government Code Section 65651.



Section 10.44.400 would be added to address replacement housing requirements for lower income sites identified in the Housing Element inventory of sites in accordance with Government Code Section 65583.2(g)(3).

***Chapter 10.50 LAND USE PERMIT PROCEDURES.***

Chapter 10.50 will be updated to address streamlined review and ministerial review laws, including

***Chapter 10.54 DESIGN REVIEW PROCEDURES***

Chapter 10.54 will be revised to clarify requirements for projects that are not subject to discretionary review.

***TITLE 10A: OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS***

Title 10A would be added to the Sausalito Municipal Code to implement Housing Element Program 19 to adopt ODDS applicable to housing projects which qualify for expedited permit processing under State laws, including the Housing Accountability Act, SB 35, and AB 2011. The ODDS would apply to sites zoned for multifamily and commercial/mixed use developments and to individual Housing Opportunity Sites identified in the adopted Housing Element.

The ODDS would establish form-based development regulations including, but not limited to, minimum lot sizes based on the building type proposed, height limits, building setbacks, required minimum length of building façade along a street frontage, allowable encroachments into setback areas, allowable building types with defined design criteria, parking requirements for number of spaces and location, required building frontage improvement types, required public street improvements, grading and slope development standards, equipment screening, and landscape and lighting standards.

The ODDS applicable to new multi-unit developments in the existing multi-family and commercial mixed use zones (R-2, R-3, CN, CR, and CC) reflect and implement existing General Plan and Zoning Code maximum residential densities, floor area ratios, and height limits and minimum building setbacks. Therefore, the ODDS that apply to the existing multi-family and commercial mixed use zones retain the existing allowable building size and location regulations from the adopted General Plan and Zoning Code and represent a reorganization and clarification of existing requirements and do not establish new standards.

The Housing Opportunity Sites Overlay (HOS) (Section 10.28.090 and Section 10.A.02.080 along with related sections) establishes standards applicable to the overlay districts (Residential-49, Residential-70, Mixed Use-49, and Mixed Use-70) that will be created by the Project. These are new standards

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Sausalito's proposed HOS Overlay includes the following standards:

- minimum and maximum residential densities;
- maximum non-residential floor area ratio;
- maximum building heights: 45 feet or 4 stories;
- primary building setbacks:: no front setback, 5-foot side street and interior side setbacks, and 15-foot rear setback;
- parking setbacks: 40-foot front setback (5-foot for sites with slope >20%), 30-foot side street setback, and 5-foot interior side and rear setbacks;
- 5-foot stepback from all sides of a building for the 4<sup>th</sup> story;
- vehicle parking standards: 1 space per studio and 1-bedroom units and 1.5 spaces for units with 2 or more bedrooms;
- bicycle parking standards:
  - 1 space per bedroom, and
- guest parking: 1 space per 10 bedrooms.

### INFRASTRUCTURE

The proposed Project is within an existing urbanized environment, which is served by existing domestic water supply, wastewater, and storm drainage infrastructure, and electricity, natural gas, and telecommunication services. Development resulting from the proposed Project may require new or upgraded local connections to this infrastructure. As is standard practice, the addition or modification of such infrastructure may be within the roadway right-of-way, resulting in some modest amount of infrastructure construction activity. The proposed Project does not propose to reroute utility infrastructure, or add new utility infrastructure, beyond connecting individual project sites to utility main lines. Utility installation or upgrades would be conducted on a project-by-project basis as individual developments are proposed.

Further, minor roadway construction along project site frontages may be required to accommodate new access points, driveways, sidewalks, and the like. The proposed Project does not propose to make changes to the roadway network.

### SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. The environmental effects of the proposed Housing Element Programs project on various aspects of the environment are discussed in detail in Chapter 3, Environmental

Impacts, Setting, and Mitigation Measures. The project-specific and cumulative impacts that cannot be avoided if the proposed Housing Element Programs project are approved as proposed are listed below.

### PROJECT-SPECIFIC SIGNIFICANT AND UNAVOIDABLE EFFECTS

**Impact 3.4-1:** Development facilitated by the Housing Element Programs project could result in a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

**Impact 3.4-2:** Development facilitated by the Housing Element Programs could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

**Impact 3.4-3:** Implementation of the Housing Element Programs could result in disturbance of human remains, including those interred outside of formal cemeteries.

**Impact 3.4-4:** Implementation of the Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k).

**Impact 3.4-5:** Implementation of Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

**Impact 3.14-2:** Implementation of the Housing Element Programs would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).

**Impact 3.15-1:** Implementation of the Housing Element Programs could require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

**Impact 3.15-2:** Sufficient water supplies may not be available to serve development facilitated by the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.

### CUMULATIVE SIGNIFICANT AND UNAVOIDABLE EFFECTS

**Impact 3.4-6:** Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to historic, cultural, or tribal cultural resources.

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**Impact 3.14-5:** Implementation of the Housing Element Programs, in conjunction with cumulative development, would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).

**Impact 3.15-6:** Development facilitated by the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to water supply, wastewater, solid waste, and storm drain facilities.

### SUMMARY OF ALTERNATIVES TO THE HOUSING ELEMENT PROGRAMS

Below is a summary of the alternatives to the Housing Element Programs project considered in Chapter 4, Alternatives.

#### ALTERNATIVE 1 – NO PROJECT

CEQA Guidelines Section 15126.6(e) requires an EIR to evaluate a ‘No Project Alternative,’ which is defined as what would be reasonably expected to occur in the foreseeable future if the project were not approved. The No Project Alternative would allow the 6<sup>th</sup> Cycle Housing Element to remain in place and the City would have a Housing Element that meets the requirements of the Regional Housing Needs Assessment (RHNA) by demonstrating how the jurisdiction could meet its RHNA requirement. Alternative 1, however, would not implement programs to facilitate the Housing Element, including construction of housing units in the city, as described by the Housing Element Programs. No housing units would be facilitated or constructed by Alternative 1, and there would be no progress toward implementing the City’s Housing Element.

Alternative 1 would not rezone any parcels within the city to accommodate very low, low, moderate, or above moderate-income housing. Zoning overlays would not be developed or implemented on parcels throughout the city to identify minimum residential and mixed-use densities. The City would not make publicly-owned sites available for development during the 2023-2031 Housing Element planning period, as described in Housing Element Policy 8. Further, Alternative 1 would not develop design standards, height limits, streamlined ministerial review, historic preservation, and historic design guidelines to support removing governmental constraints and making the sites identified by Program 4 available for development as envisioned by the Housing Element Programs.

Under Alternative 1, sites anticipated for rezoning under the proposed project would not be rezoned, including those sites subject to a vote of the electorate as set forth in Ordinance 1022 and Ordinance 1128. The City would not initiate or conduct an election to rezone specific sites identified as initiative-restricted, specifically Sites 39, 44, 47, 72, 79, 81, 84, 201, 211, 212, 301, 303, 304, and 306, as identified in Appendix D1 of the Housing Element.

This alternative would not result in the establishment of new zoning overlay designations, would not change the City’s Zoning Code, and would not change the existing Zoning Map.

Further, preparation of Objective Design and Development Standards (ODDS) would not occur, and the City would continue to use the General Plan policies and Zoning Code standards to direct and inform growth in the city. All sites identified as Opportunity Sites in this EIR would retain their existing zoning designations and would be anticipated to build out using the same zoning designations as currently exist, and at the maximum densities allowable, consistent with the General Plan.

All sites identified as Inventory Sites and sites that have approved but not yet constructed units would be developed according to their existing zoning or approved plans, respectively. As a result, approximately 148 units would be constructed, which would be 811 units less than those proposed under the Housing Element Programs project.

### **ALTERNATIVE 2 – REMOVED SITES**

Alternative 2 focuses on removing sites that were identified in the Housing Element and are now proposed to be implemented by the Housing Element Programs but that have challenging geographic locations. Specifically, Opportunity Sites that are located in micro-analysis zones (MAZs) that have high residential VMT levels (>18.0 per capita) in the Cumulative + Project scenario were removed. Removal of these sites reduces the number of housing units far from employment and services hubs, and concentrates new housing more proximate to those uses.

Additionally, Opportunity Sites located in high-risk landslide hazard areas (rated as 8 or above) were also removed from the list of potential sites to be implemented by the Housing Element Programs. This alternative reduces the risk of natural disasters adversely affecting a significant number of housing units. All other Opportunity Sites identified in the Housing Element and proposed to be implemented under the Housing Element Programs project would be rezoned as anticipated under the project.

As a result of Alternative 2, the number of units to be developed under the implementation of the Housing Element Programs would be 843 meeting the minimum RHNA requirement of 724 units. However, the development buffer (235 units) in the Housing Element inventory would be reduced to only 119 units. As such, most of the proposed sites would need to be developed at residential densities as planned – with little deviation to replace planned residential uses or reduce the number of units – in order to comply with the RHNA requirements.

Sites that would remain zoned according to their existing zoning designation are Sites 8, 23, 24, 56, 59, 63, 86, 87, 201, 207, and 212.

### **ALTERNATIVE 3 – DIFFERENT SITES**

Alternative 3 identifies different sites to be rezoned for residential and mixed-use development through implementation of the Housing Element Programs. The purpose of

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this alternative is to relocate anticipated residential units from areas that are far from community services, and place them closer to community services such as commercial, employment, and neighborhood services. This alternative would not rezone seven Opportunity Sites to higher density residential or mixed-use, instead keeping those sites as they are currently designated on the existing Zoning Map. The Opportunity Sites that would not be rezoned are sites 8, 9, 10, 59, 63, 75, and 101.

Opportunity Site 84 (MLK Park) would be upzoned to Housing-70, allowing up to 70 du/ac on the 2-acre site. This site is proposed to be MU-49/85% under the proposed Housing Element Programs project. By upzoning this site, an additional 60 units could be accommodated as compared to the proposed Housing Element Programs project.

Alternative 3 would include the addition of a new Opportunity Site, formerly known as Opportunity Site 67, to the Housing Element. This 4.36-acre site, located at 2200 Marinship Way, is currently vacant. It is surrounded by surface parking and an office building to the north, another office building to the east, Marinship Park to the south, and Bridgeway to the west. This site would be rezoned from its current designation of Industrial (I) to Mixed Use (MU-49/85%), which would create the opportunity to construct up to 180 dwelling units and up to 28,000 square feet of ground floor mixed use.

The total number of units that could be accommodated under Alternative 3 is 1,151, a 192-unit increase over the proposed Housing Element Programs project of 959 units.

Sites that would remain zoned according to their existing zoning designation are Sites 8, 9, 10, 59, 63, 75, and 101, one site would be intensified for residential development (Site 84), and one previously unincorporated site that would be rezoned to accommodate residential uses (Site 67).

### AREAS OF CONTROVERSY

Pursuant to CEQA Guidelines Section 15123(b), a summary section must address areas of controversy known to the lead agency, including issues raised by agencies and the public, and it must also address issues to be resolved, including the choice among alternatives and whether or how to mitigate significant effects.

In accordance with CEQA Guidelines Section 15082, the City of Sausalito circulated a Notice of Preparation (NOP) of an EIR for the Housing Element Programs project on May 22, 2023, to trustee and responsible agencies, the State Clearinghouse (SCH), and the public. The 30-day public review period for the NOP then ended on June 21, 2023. A scoping meeting was held on May 30, 2023, which was attended by members of the public. The NOP and all comment letters received on the NOP are presented in Appendix A.

The NOP identified potential for significant impacts on the environment related to the following topical areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

The NOP also identified certain topical areas where impacts were found to be less than significant because implementation of the Housing Element Programs would not create such impacts. These topical areas include agriculture and forestry resources and mineral resources, and are discussed in Chapter 6, Effects Found not to be Significant, in this Draft EIR.

### **DISAGREEMENT AMONG EXPERTS**

This Draft EIR contains substantial evidence to support all conclusions presented herein. It is possible that there will be disagreement among various parties regarding these conclusions, although the City of Sausalito is not aware of any disputed conclusions at the time of this writing. Both the CEQA Guidelines and case law clearly provide standards for treating disagreement among experts. Where evidence and opinions conflict on an issue concerning the environment, and the lead agency knows of these controversies in advance, the EIR must acknowledge the controversies, summarize conflicting opinions of the experts, and include sufficient information to allow the public and decision makers to make an informed judgment about environmental consequences of the implementation of Housing Element Programs.

### **POTENTIALLY CONTROVERSIAL ISSUES**

It is also possible that evidence will be presented during the 45-day statutory Draft EIR public review period that may create disagreement. Decision makers would consider this evidence during the public hearing process.

In rendering a decision on a project where there is disagreement among experts, decision makers are not obligated to select the most environmentally preferable viewpoint. Decision makers are vested with the ability to choose whatever viewpoint is preferable and need not resolve a dispute among experts. In their proceedings, decision makers must consider comments received concerning adequacy of the Draft EIR and address any objections raised in these comments. However, decision makers are not obligated to follow any directives, recommendations, or suggestions presented in comments on the Draft EIR, and can certify the Final EIR without needing to resolve disagreements among experts.



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### PUBLIC REVIEW OF THE DRAFT EIR

Upon completion of the Draft EIR for the Housing Element Programs, the City of Sausalito filed a Notice of Completion (NOC) with the State Clearinghouse (SCH) of the Governor's Office of Planning and Research to begin the public review period (PRC Section 21161) on May 22, 2023.

Concurrent with the NOC, the City provided a public Notice of Availability (NOA) for the Draft EIR, and invited comment from the general public, agencies, organizations, and other interested parties, consistent with CEQA requirements. The NOA was filed with the State Clearinghouse (SCH# 2023050516). The Draft EIR was available for public review from May 22, 2023 through June 21, 2023.

Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearing before the Sausalito Planning Commission on the Housing Element, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the Housing Element Programs.

### EXECUTIVE SUMMARY MATRIX

**Table ES-5** below summarizes impacts, mitigation measures, and resulting level of significance after mitigation for the relevant environmental issue areas evaluated for the Housing Element Programs. The table is intended to provide an overview; narrative discussions for issue areas are included in the corresponding section of this Draft EIR. Table ES-5 is included in the Draft EIR as required by CEQA Guidelines Section 15123(b)(1).



TABLE ES-5: EXECUTIVE SUMMARY MATRIX

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>SECTION 3.1—AESTHETICS</b>			
<b>Impact 3.1-1:</b> Development facilitated by the Housing Element Programs would not have a substantial adverse effect on a scenic vista.	Less than Significant	None Required	Less than Significant
<b>Impact 3.1-2:</b> Implementation of the Housing Element Programs would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.	No Impact	None Required	No Impact
<b>Impact 3.1-3:</b> Development facilitated by the Housing Element Programs would not substantially degrade the existing visual character or quality of public views in non-urbanized areas. (Public views are those that are experienced from publicly accessible vantage point).	Less than Significant	None Required	Less than Significant
<b>Impact 3.1-4:</b> Implementation of the Housing Element Programs would not substantially conflict with applicable zoning and other regulations governing scenic quality in urbanized areas.	Less than Significant	None Required	Less than Significant
<b>Impact 3.1-5:</b> Development facilitated by the Housing Element Programs would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Less than Significant	None Required	Less than Significant
<b>Impact 3.1-6:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to aesthetics.	Less than Significant	None Required	Less than Significant
<b>SECTION 3.2—AIR QUALITY</b>			
<b>Impact 3.2-1:</b> Implementation of the Housing Element Programs could conflict with or obstruct implementation of the applicable air quality plan.	Less than Significant	None Required	Less than Significant
<b>Impact 3.2-2:</b> Implementation of the Housing Element Programs would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard.	Less than Significant	None Required	Less than Significant

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IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>Impact 3.2-3:</b> Development facilitated by the Housing Element Programs could expose sensitive receptors to substantial pollutant concentrations.	Less than Significant	None Required	Less than Significant
<b>Impact 3.2-4:</b> Development facilitated by Housing Element Programs could result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	Less than Significant	None Required	Less than Significant
<b>Impact 3.2-5:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to air quality.	Less than Significant	None Required	Less than Significant
<b>SECTION 3.3—BIOLOGICAL RESOURCES</b>			
<b>Impact 3.3-1:</b> With mitigation, development facilitated by the Housing Element Programs would not have a substantial adverse effect, either directly or through habitat modifications, on candidate, sensitive, or special-status species.	Potentially Significant	<p><b>MM 3.3-1a: Special Studies:</b> Applicants of any projects that could result in a potential impact to special status species, or their habitat, shall be required to prepare a special study. The purpose of the special study to identify appropriate measures to avoid or minimize harm to sensitive biological resources and to incorporate the recommended measures as conditions of approval for the project. Detailed studies are not necessary in locations where past and existing development have eliminated natural habitat and the potential for the presence of sensitive biological resources.</p> <p><b>MM 3.3-1b: Nesting Bird Protection:</b> All projects shall retain the services of a qualified biologist(s) to conduct a pre-construction nesting bird survey during the nesting season (February 1 through August 31) prior to any and all development that may remove trees or vegetation that may provide suitable nesting habitat for migratory birds or other bird species protected under the Fish and Game Code. If nests are found, the qualified biologist(s) shall identify and the project sponsor shall implement appropriate</p>	Less than Significant

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		avoidance measures, such as fenced buffer areas or staged tree removal periods.	
<p><b>Impact 3.3-2:</b> With mitigation, development facilitated by the Housing Element Programs would not have a substantial adverse effect on riparian habitats, other sensitive natural communities, federally protected wetlands, or waters of the United States and/or State, through direct removal, filling, or hydrological interruption.</p>	Potentially Significant	<p><b>MM 3.3-2a: Botanical Reports.</b> Prior to issuance of a demolition, grading, or building permit require detailed botanical reports for new development projects that are located within threatened plant habitat areas or within Sensitive Natural Communities, including coast live oak (<i>Quercus agrifolia</i>-<i>Arbutus menziesii</i>-<i>Umbellularia californica</i>), and eelgrass (<i>Zostera Marina</i>). If sensitive resources are identified on a proposed project site, recommendations to protect the sensitive resources shall conform with applicable State and Federal regulations regarding their protection and may include avoidance of the resource, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a project-specific basis.</p> <p><b>MM 3.3-2b: Eelgrass (<i>Zostera marina</i>) beds and red algae (<i>Gracilaria sp.</i>):</b> Prior to issuance of a demolition, grading, or building permit require detailed biological reports for new development projects that are located within or adjacent to Richardson's Bay's aquatic ecosystem. If sensitive aquatic resources (e.g., eelgrass and red algae) are identified on or adjacent to a proposed project site, recommendations to protect the sensitive aquatic resources shall conform with applicable State and Federal regulations regarding their protection, including NOAA's California Eelgrass Mitigation Policy and Implementation Guideline. The biological report may include avoidance of the resource, providing</p>	Less than Significant

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IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a project-specific basis.	
<p><b>Impact 3.3-3:</b> With mitigation, development facilitated by the Housing Element Programs would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	Potentially Significant	<p><b>MM 3.3-3: Wildlife Movement.</b> All projects on parcels with indicators of wildlife movement corridors shall retain the services of a qualified biologist(s) to conduct a biological assessment prior to any and all development that may impact wildlife movement. If movement corridors are potentially impacted by the proposed project, the qualified biologist(s) shall identify appropriate mitigation measures to avoid or minimize the impact. Such measures shall be a condition of approval and implemented by the project sponsor.</p>	Less than Significant
<p><b>Impact 3.3-4:</b> Development facilitated by the Housing Element Programs would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.3-5:</b> Development facilitated by the Housing Element Programs would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.3-6:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to biological resources.</p>	Less than Significant	None Required	Less than Significant
<p><b>SECTION 3.4—CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES</b></p>			
<p><b>Impact 3.4-1:</b> Development facilitated by the Housing Element Programs project could result in a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.</p>	Potentially Significant	<p><b>MM 3.4-1:</b> Any proposed new project within the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District shall be designed in</p>	Significant and Unavoidable

<b>IMPACTS</b>	<b>LEVEL OF SIGNIFICANCE BEFORE MITIGATION</b>	<b>MITIGATION MEASURES</b>	<b>LEVEL OF SIGNIFICANCE AFTER MITIGATION</b>
		<p>compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, specifically the standards for rehabilitation and new construction within a historic district. Standards 9 and 10 for Rehabilitation state that:</p> <p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p>10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p> <p>Projects undertaken within the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District shall be consistent with these standards. In addition to compliance with the above, project developer shall ensure that any new project involving the design of a new building shall not have a significant impact on the Downtown Historic Overlay Zoning District’s or the Residential Arks Zoning District’s contributing resources or its features and characteristics. The City of Sausalito Community Development Director, or the Historic</p>	

# City of Sausalito

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IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>Preservation Commission, as appropriate per the requirements of Chapter 10.46, Historic Preservation, of the City Code, shall review any proposed project's site plan and design to ensure its compatibility with the SOI Standards and the adopted standards of the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District.</p>	
<p><b>Impact 3.4-2:</b> Development facilitated by the Housing Element Programs could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.</p>	<p>Potentially Significant</p>	<p><b>MM 3.4-2 (a): Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Before Ground Disturbing Activities.</b> A tribal cultural resources awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with interested Native American Tribes. The brochure shall be distributed and the training will be conducted by Native American representatives, or tribal monitors from culturally affiliated Native American Tribes, before any stages of project implementation and construction activities begin on the project site. The training may be done in coordination with the project archaeologist.</p> <p>The program will include relevant information regarding sensitive tribal cultural resources, applicable regulations and protocols for avoidance, and consequences of violating state laws and regulations. The program will describe appropriate avoidance and minimization measures for resources</p>	<p>Significant and Unavoidable</p>

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>that have the potential to be located on the project site and will outline what to do and whom to contact if any potential tribal cultural resources or archaeological resources are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any find with cultural significance to Native Americans' tribal values. All operators of ground disturbing equipment shall receive the training and sign a form that acknowledges receipt of the training.</p> <p><b>MM 3.4-2(b): Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources</b> If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts on cultural resources and tribal cultural resources. This may be accomplished, by several alternative means, including those listed below.</p> <ul style="list-style-type: none"> <li>• Construction will be planned to avoid tribal cultural resources, archaeological sites, and/or other cultural resources; cultural resources will be</li> </ul>	

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>incorporated within parks, green space, or other open space; archaeological resources will be covered; a cultural resource will be deeded to a permanent conservation easement; or the project will use other preservation and protection methods agreeable to the consulting parties and regulatory authorities with jurisdiction over the activity.</p> <ul style="list-style-type: none"> <li>• Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social, cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource.</li> <li>• Native American representatives from interested culturally affiliated Native American Tribes will be invited to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that</li> </ul>	



IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>appropriate avoidance and design alternatives can be identified.</p> <ul style="list-style-type: none"> <li>• If the discovered cultural resource or tribal cultural resource can be avoided, the construction contractor(s) will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a cultural resource or a tribal cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.</li> <li>• The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area.”</li> </ul> <p>If a cultural resource or a tribal cultural resource cannot be avoided, the following performance standard shall be met before the continuance of construction and associated activities that may result in damage to or destruction of cultural resources or tribal cultural resources:</p> <ul style="list-style-type: none"> <li>• Each resource will be evaluated for California Register of Historical Resources eligibility through</li> </ul>	

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>application of established eligibility criteria (California Code of Regulations Title 14, Section 15064.636), in consultation with consulting Native American Tribes, as applicable.</p> <p>If a cultural resource or a tribal cultural resource is determined to be eligible for listing in the California Register, the City will avoid damaging effects on the resource in accordance with PRC Section 21084.3. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City's invitation. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary, and provide proper management recommendations should potential impacts on the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the</p>	

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>recommendation was not followed will be provided in the project record.</p> <p>Native American representatives from interested culturally affiliated Native American tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.</p> <p>If the City determines that the project may cause a significant impact on a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts on a tribal cultural resource or alternatives that would avoid significant impacts on the resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less than significant may be reached:</p> <ul style="list-style-type: none"> <li>• Avoid and preserve resources in place, including but not limited to planning construction to avoid the</li> </ul>	

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>resources and protect the cultural and natural context, or planning green space, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria.</p> <ul style="list-style-type: none"> <li>• Treat 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:               <ul style="list-style-type: none"> <li>○ Protect the cultural character and integrity of the resource.</li> <li>○ Protect the traditional use of the resource.</li> <li>○ Protect the confidentiality of the resource.</li> <li>○ Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.</li> <li>○ Protect the resource.</li> </ul> </li> </ul>	
<p><b>Impact 3.4-3:</b> Implementation of the Housing Element Programs could result in disturbance of human remains, including those interred outside of formal cemeteries.</p>	<p>Potentially Significant</p>	<p><b>MM 3.4-3: Implement Procedures in the Event of Inadvertent Discovery of Human Remains.</b> If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the following performance standards shall be met before implementing or</p>	<p>Significant and Unavoidable</p>

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>continuing actions such as construction that may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (HSC Section 7050.5[b]).</p> <p>If the human remains are of historic age and are determined by the Sacramento County Coroner to be not of Native American origin, the City will follow the provisions of HSC Section 7000 et seq. regarding the disinterment and removal of non-Native American human remains.</p> <p>If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant, in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in Public Resources Code Section 5097.9 et seq.</p>	

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IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p><b>Impact 3.4-4:</b> Implementation of the Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k).</p>	Potentially Significant	<p><b>MM 3.4-4:</b> Implement Mitigation Measures 3.4-2(a) and 3.4-2(b).</p>	Significant and Unavoidable
<p><b>Impact 3.4-5:</b> Implementation of Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.</p>	Potentially Significant	<p><b>MM 3.4-5:</b> Implement Mitigation Measures 3.4-2(a) and 3.4-2(b).</p>	Significant and Unavoidable
<p><b>Impact 3.4-6:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to historic, cultural, or tribal cultural resources.</p>	Potentially Significant	<p><b>MM 3.4-6:</b> Implement Mitigation Measure 3.4-1, Mitigation Measures 3.4-2 (a) and (b), and Mitigation Measure 3.4-3.</p>	Significant and Unavoidable
<b>SECTION 3.5—ENERGY</b>			
<p><b>Impact 3.5-1:</b> Implementation of the Housing Element Programs project could result in the wasteful, inefficient, or unnecessary consumption of energy during project construction or operation, including transportation energy.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.5-2:</b> Implementation of the Housing Element Programs would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.5-3:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to energy resources.</p>	Less than Significant	None Required	Less than Significant
<b>SECTION 3.6—GEOLOGY, SOILS, AND SEISMICITY</b>			

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>Impact 3.6-1:</b> Development facilitated by implementation of the Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death from seismic events.	Less than Significant	None Required	Less than Significant
<b>Impact 3.6-2:</b> Development facilitated by implementation of the Project would not result in a significant impact related to development on unstable geologic units or soil, or result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.	Less than Significant	None Required	Less than Significant
<b>Impact 3.6-3:</b> Development facilitated by implementation of the Project would not result in the construction of structures on expansive soils (soils with shrink-swell potential), creating substantial direct or indirect risks to life or property.	Less than Significant	None Required	Less than Significant
<b>Impact 3.6-4:</b> Development facilitated by implementation of the Project would not result in substantial soil erosion or the loss of topsoil.	Less than Significant	None Required	Less than Significant
<b>Impact 3.6-5:</b> Development facilitated by implementation of the Project would not place septic tanks or alternative wastewater disposal systems in areas where soils are not capable of supporting such uses.	Less than Significant	None Required	Less than Significant
<b>Impact 3.6-6:</b> Development facilitated by implementation of the Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Potentially Significant	<b>MM 3.6-6:</b> If any paleontological resources (fossils) or unique geologic features are discovered during grading or construction activities within the project area, work shall be halted immediately within 50 feet of the discovery, and the City Planning Division shall be immediately notified. The project owner will retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (SVP 2010). The recovery plan may include but is not limited to a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. The recovery plan shall state which resources will be avoided and which shall be	Less than Significant

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>recovered for their data potential. Where possible, recovery is preferred over avoidance in order to mitigate the potential for looting of paleontological resources. The recovery plan shall also detail methods of recovery, preparation and analysis of specimens, final curation of specimens at an accredited repository, data analysis, and reporting. Recommendations in the recovery plan will be implemented by the applicant before construction activities resume in the area where the paleontological resources were discovered.</p> <p>At the conclusion of laboratory work and museum curation, a final report will be prepared describing the results of the paleontological monitoring efforts associated with the individual project. The report will include a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. If the monitoring efforts produced fossils, then a copy of the report will also be submitted to the designated museum repository.</p>	
<p><b>Impact 3.6-7:</b> Development facilitated by implementation of the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to geology, soils, seismicity, or paleontological resources.</p>	Potentially Significant	<p><b>MM 3.6-7:</b> Implement Mitigation Measure 3.6-6.</p>	Less than Significant
<p><b>SECTION 3.7—GREENHOUSE GAS EMISSIONS</b></p>			
<p><b>Impact 3.7-1:</b> Development facilitated by the Housing Element Programs would directly or indirectly generate GHG emissions that may have a significant impact on the environment.</p>	Less than Significant	None Required	Less than Significant



IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>Impact 3.7-2:</b> Development facilitated by the Housing Element Programs could conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.	Less than Significant	None Required	Less than Significant
<b>Impact 3.7-3:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to GHG emissions.	Less than Significant	None Required	Less than Significant
<b>SECTION 3.8—HAZARDS AND HAZARDOUS MATERIALS</b>			
<b>Impact 3.8-1:</b> Development facilitated by implementation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Less than Significant	None Required	Less than Significant
<b>Impact 3.8-2:</b> Development facilitated by implementation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	Less than Significant	None Required	Less than Significant
<b>Impact 3.8-3:</b> Development facilitated by implementation of the Project would not result in hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.	Less than Significant	None Required	Less than Significant
<b>Impact 3.8-4:</b> Implementation of the Project would not result in development on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.58 and, as a result, create a significant hazard to the public or environment.	Less than Significant	None Required	Less than Significant
<b>Impact 3.8-5:</b> Development facilitated by implementation of the Project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less than Significant	None Required	Less than Significant
<b>Impact 3.8-6:</b> Development facilitated by implementation of the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to hazards and hazardous materials.	Less than Significant	None Required	Less than Significant

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>SECTION 3.9—HYDROLOGY AND WATER QUALITY</b>			
<b>Impact 3.9-1:</b> Development facilitated by the Housing Element Programs would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	Less than Significant	None Required	Less than Significant
<b>Impact 3.9-2:</b> Development facilitated by the Housing Element Programs would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	Less than Significant	None Required	Less than Significant
<b>Impact 3.9-3:</b> Development facilitated by the Housing Element Programs would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site.	Potentially Significant	<p><b>MM 3.9-3:</b> Prior to the issuance of a grading permit, the project applicant shall prepare a preliminary grading plan and an erosion and sediment control plan (ESCP) and submit it to the City prior to ground disturbance. At a minimum, the ESCP shall include:</p> <ul style="list-style-type: none"> <li>a. Description of the proposed project and soil disturbing activity.</li> <li>b. Site specific construction-phase best management practices (BMPs).</li> <li>c. Rationale for selecting the BMPs.</li> <li>d. List of applicable outside agency permits associated with the soil disturbing activity, such as: Construction General Permit (CGP); Clean Water Act Section 404 Permit; Clean Water Act Section 401 Water Quality Certification; Streambed/Lake Alteration Agreement (1600 Agreements).</li> </ul>	Less than Significant

<b>IMPACTS</b>	<b>LEVEL OF SIGNIFICANCE BEFORE MITIGATION</b>	<b>MITIGATION MEASURES</b>	<b>LEVEL OF SIGNIFICANCE AFTER MITIGATION</b>
		<p>e. If the project requires coverage under the CGP issued by the State Water Resources Control Board (SWRCB), permit registration documents must be filed with the SWRCB for said coverage and a copy of the Waste Discharge Identification Number shall be submitted to the City prior to issuance of a permit for construction. The applicant may submit the Storm Water Pollution Prevention Plan (SWPPP) required by the General Construction Activity Stormwater Permit in lieu of the ESCP provided it meets the requirements of the ESCP.</p> <p>f. Financial security may be required to ensure that temporary measures to control storm water pollution are implemented and maintained during construction and after construction for a period determined by the agency. Financial security shall consist of an irrevocable letter of credit, cash deposit, or performance bond as determined by the agency.</p> <p>g. When any work is being done contrary to the provisions of City Municipal Code Chapter 11.17, the authorized enforcement official may order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Such work shall stop until the authorized enforcement official authorizes the work to proceed. This remedy is in addition to and does not supersede or limit any and all other remedies, both</p>	

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		<p>civil and criminal, provided in the City of Sausalito Municipal Code.</p> <p>h. Implementation of an approved ESCP shall be a condition of the issuance of a building permit, a grading permit, or other permit issued by the City for a project subject to this section. The ESCP shall be implemented year round and must be updated to reflect changing conditions on the project site. Any modifications to the ESCP shall be submitted to the City for review and approval.</p>	
<p><b>Impact 3.9-4:</b> Development facilitated by the Housing Element Programs would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.9-5:</b> Development facilitated by the Housing Element Programs would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.9-6:</b> Development facilitated by the Housing Element Programs would not impede or redirect flood flows.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.9-7:</b> Development facilitated by the Housing Element Programs may be located in flood hazard or tsunami zones and may result in a release of pollutants due to project site inundation, but impacts would be less than significant.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.9-8:</b> Development facilitated by the Housing Element Programs would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.</p>	Less than Significant	None Required	Less than Significant

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>Impact 3.9-9:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to hydrology and water quality.	Less than Significant	None Required	Less than Significant
<b>SECTION 3.10—LAND USE</b>			
<b>Impact 3.10-1:</b> Development facilitated by the Housing Element Programs would not physically divide an established community.	No Impact	None Required	No Impact
<b>Impact 3.10-2:</b> Implementation of the Housing Element Programs would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Less than Significant	None Required	Less than Significant
<b>Impact 3.10-3:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use.	Less than Significant	None Required	Less than Significant
<b>SECTION 3.11—NOISE</b>			
<b>Impact 3.11-1:</b> Implementation of the Housing Element Programs would not generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established by the local general plan, noise ordinance, or applicable standards of other agencies.	Less than Significant	None Required	Less than Significant
<b>Impact 3.11-2:</b> Development facilitated by the Housing Element Programs would not generate excessive groundborne vibration or groundborne noise levels.	Potentially Significant	<b>MM 3.11-2: Construction Vibration.</b> For any project that is located within 150 feet of a historic structure that is depicted in Figure 4-1 of the General Plan and, if construction activities will require either: (1) pile driving within 150 feet; or (2) utilization of mobile construction equipment within 50 feet of the historic structure, the property owner/developer shall retain an acoustical engineer to prepare a vibration plan for city review and approval. The City shall not issue a grading permit for such a project until it has approved the vibration plan. The vibration plan shall determine	Less than Significant

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		<p>the vibration levels created by construction activities at the historic structure. The vibration plan shall include specific measures to reduce the vibration levels to within Caltrans threshold of 0.12 inches per second PPV for historic buildings. These measures could include, without limitation, utilization of equipment that create lower vibration levels, setbacks of stationary equipment from sensitive receptors, and setbacks of equipment staging areas from sensitive receptors, and/or shoring and foundation protections. The City shall not approve the vibration plan unless it satisfies the foregoing performance criteria. The property owner/developer shall include a copy of the vibration plan in the contract between property owner/developer and the construction contractor.</p>	
<p><b>Impact 3.11-3:</b> Implementation of the Housing Element Programs would not result in cumulatively substantial increases in ambient noise levels and vibration in excess of standards established by the local general plan, noise ordinance, or applicable standards of other agencies.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>
<p><b>SECTION 3.12—POPULATION AND HOUSING</b></p>			
<p><b>Impact 3.12-1:</b> Development facilitated by the Housing Element Programs would not induce substantial unplanned population growth either directly or indirectly (for example, through extension of roads or other infrastructure) and would not displace a substantial number of people requiring the construction of new housing.</p>	<p>No Impact</p>	<p>None Required</p>	<p>No Impact</p>
<p><b>Impact 3.12-2:</b> Development facilitated by the Housing Element Programs would not cumulatively induce substantial unplanned population growth either directly or indirectly and would not cumulatively displace a substantial number of people requiring the construction of new housing.</p>	<p>No Impact</p>	<p>None Required</p>	<p>No Impact</p>

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<b>SECTION 3.13—PUBLIC SERVICES AND RECREATION</b>			
<b>Impact 3.13-1:</b> Development facilitated by the Housing Element Programs would not result in the provision of or need for new or physically altered fire protection facilities, police protection facilities, school facilities, or library facilities, the construction or operation of which could cause significant environmental impacts.	Less than Significant	None Required	Less than Significant
<b>Impact 3.13-2:</b> Implementation of the Housing Element Programs would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur, or be accelerated.	Less than Significant	None Required	Less than Significant
<b>Impact 3.13-3:</b> Implementation of the Housing Element Programs would not include or require the construction or expansion of parks and other recreational facilities, which might have an adverse physical effect on the environment.	Less than Significant	None Required	Less than Significant
<b>Impact 3.13-4:</b> Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to fire protection facilities, police protection facilities, school facilities, library facilities, parks, or recreational facilities.	Less than Significant	None Required	Less than Significant
<b>SECTION 3.14—TRANSPORTATION</b>			
<b>Impact 3.14-1:</b> Implementation of the Housing Element Programs would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Less than Significant	None Required	Less than Significant
<b>Impact 3.14-2:</b> Implementation of the Housing Element Programs would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).	Potentially Significant	<b>MM 3.14-2:</b> Residential and nonresidential development projects occurring on sites identified in Housing Element programs shall implement travel demand measures (TDM) to reduce VMT.	Significant and Unavoidable

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<p>VMT reduction techniques will vary depending on the location of each development site and the availability of nearby transportation services, though utilization of TDM strategies will play a major role in most cases. The publication <i>Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity</i>, California Air Pollution Control Officers Association (CAPCOA), 2021, contains transportation-focused measures that may be implemented to reduce VMT. Following are TDM and other strategies that may be applied; additional measures beyond those provided in this list may be allowed if supported by evidence.</p> <ul style="list-style-type: none"> <li>• Subsidize transit passes;</li> <li>• Provide or participate in established ride-matching program(s);</li> <li>• Provide information, educational, and marketing resources for residents, employees, and visitors managed by a TDM Coordinator;</li> <li>• Complete bus stop improvements or on-site mobility hubs;</li> <li>• Construct off-site pedestrian and/or bicycle network improvements, particularly those that fill gaps and/or connect the project and surrounding neighborhood to transit;</li> <li>• Reduce parking supply at affordable or senior residential projects and projects that are well-served by transit;</li> </ul>	



**City of Sausalito**  
**Housing Element Programs EIR**

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
		<ul style="list-style-type: none"> <li>• Unbundle residential parking costs (sell or lease parking separately from the housing unit) where appropriate on-street management is present;</li> <li>• Provide or participate in car-sharing, bike sharing, or scooter sharing program(s);</li> <li>• Emergency Ride Home Program (applies to nonresidential uses);</li> <li>• Contribute to future VMT mitigation fee programs, banks, or exchanges as they become available.</li> </ul>	
<b>Impact 3.14-3:</b> Implementation of the Housing Element Programs would not substantially increase hazards due to a geometric design feature or incompatible use.	Less than Significant	None Required	Less than Significant
<b>Impact 3.14-4:</b> Implementation of Housing Element Programs would not result in inadequate emergency access	Less than Significant	None Required	Less than Significant
<b>Impact 3.14-5:</b> Implementation of the Housing Element Programs, in conjunction with cumulative development, would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).	Potentially Significant	<b>MM 3.14-5:</b> Implement Mitigation Measure 3.14-2.	Significant and Unavoidable

# City of Sausalito

## Housing Element Programs EIR

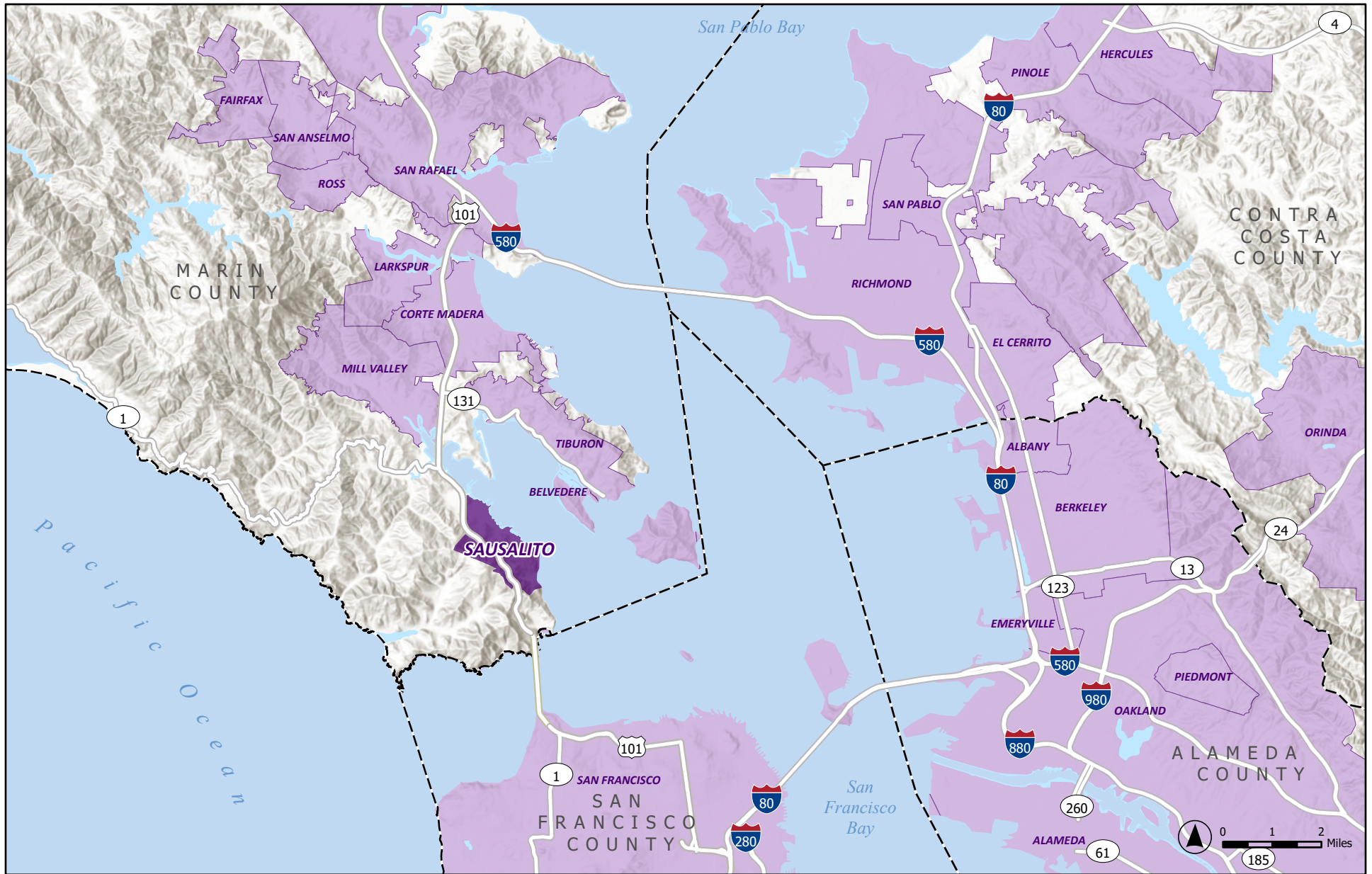
IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>SECTION 3.15—UTILITIES AND SERVICE SYSTEMS</b>			
<p><b>Impact 3.15-1:</b> Implementation of the Housing Element Programs could require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.</p>	<p>Potentially Significant to water</p> <p>Less than Significant to wastewater</p> <p>Less than Significant to storm drain capacity</p> <p>Less than Significant to Electric Power, Natural Gas, and Telecommunications</p>	<p>None Available</p>	<p>Significant and Unavoidable</p>
<p><b>Impact 3.15-2:</b> Sufficient water supplies may not be available to serve development facilitated by the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.</p>	<p>Potentially Significant</p>	<p>None Available</p>	<p>Significant and Unavoidable</p>
<p><b>Impact 3.15-3:</b> The wastewater treatment provider would have adequate capacity to serve the demand generated by the Project in addition to the provider's existing commitments.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>
<p><b>Impact 3.15-4:</b> Development facilitated by the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>
<p><b>Impact 3.15-5:</b> Implementation of the Project would comply with federal, State, and local statutes and regulations related to solid waste.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p><b>Impact 3.15-6:</b> Development facilitated by the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to water supply, wastewater, solid waste, and storm drain facilities.</p>	<p>Potentially Significant to water</p> <p>Less than Significant to wastewater</p> <p>Less than Significant to solid waste</p> <p>Less than Significant to storm drainage</p>	<p>None Available</p>	<p>Significant and Unavoidable</p>
<p><b>SECTION 3.16—WILDFIRE</b></p>			
<p><b>Impact 3.16-1:</b> Implementation of the Project could result in the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>
<p><b>Impact 3.16-2:</b> Development facilitated by the Project in or near State responsibility areas or lands classified as very high fire hazard severity zones would not substantially impair an adopted emergency response plan or emergency evacuation plan.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>
<p><b>Impact 3.16-3:</b> Development facilitated by the Housing Element in areas located in or near State responsibility areas or lands classified as very high fire hazard severity zones would not due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire, due to slope, prevailing winds, and other factors.</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>
<p><b>Impact 3.16-4:</b> Implementation of the Project in areas located in or near State responsibility areas or lands classified as very high fire hazard severity zones would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities); however, the installation and maintenance of such</p>	<p>Less than Significant</p>	<p>None Required</p>	<p>Less than Significant</p>

# City of Sausalito

## Housing Element Programs EIR

IMPACTS	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>infrastructure would not substantially exacerbate fire risk or result in significant temporary or ongoing impacts to the environment.</p>			
<p><b>Impact 3.16-5:</b> Development facilitated by the implementation of the Project in areas located in or near State responsibility areas or lands classified as very high fire hazard severity zones would not substantially expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.</p>	Less than Significant	None Required	Less than Significant
<p><b>Impact 3.16-6:</b> Development facilitated by the implementation of Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to wildfire.</p>	Less than Significant	None Required	Less than Significant



**LEGEND**

- City of Sausalito
- Other Incorporated Area
- County Boundary

**HOUSING ELEMENT PROGRAMS EIR**



Figure ES-1. Regional Location Map

Sources: City of Sausalito; Marin GeoHub. Map date: July 19, 2023.





**LEGEND**

-  Sausalito City Boundary
-  Housing Element Programs Sites

**HOUSING ELEMENT PROGRAMS EIR**

Figure ES-2. Housing Element Program Sites

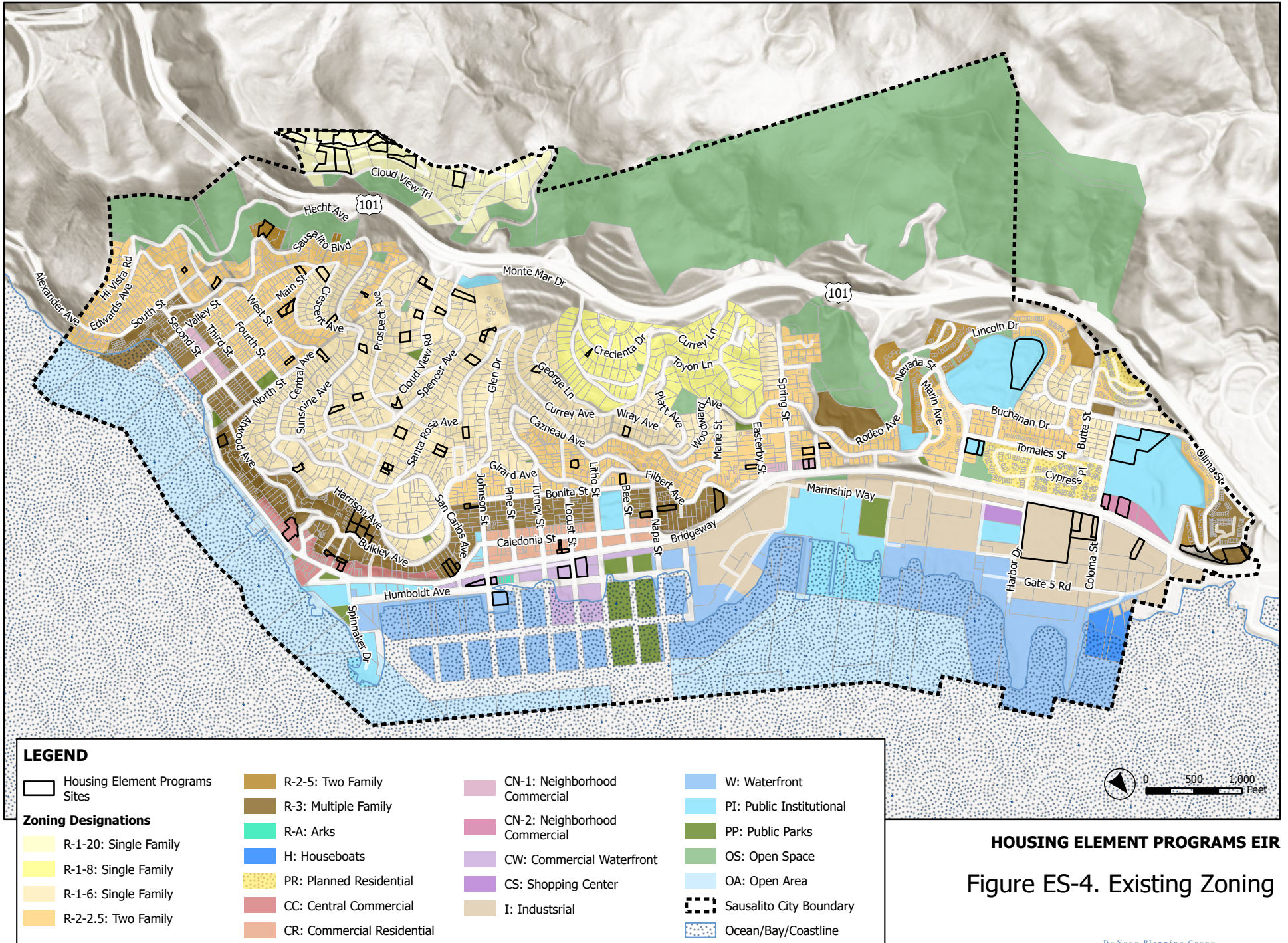




**HOUSING ELEMENT PROGRAMS EIR**

Figure ES-3. Housing Element Program Sites with Aerial

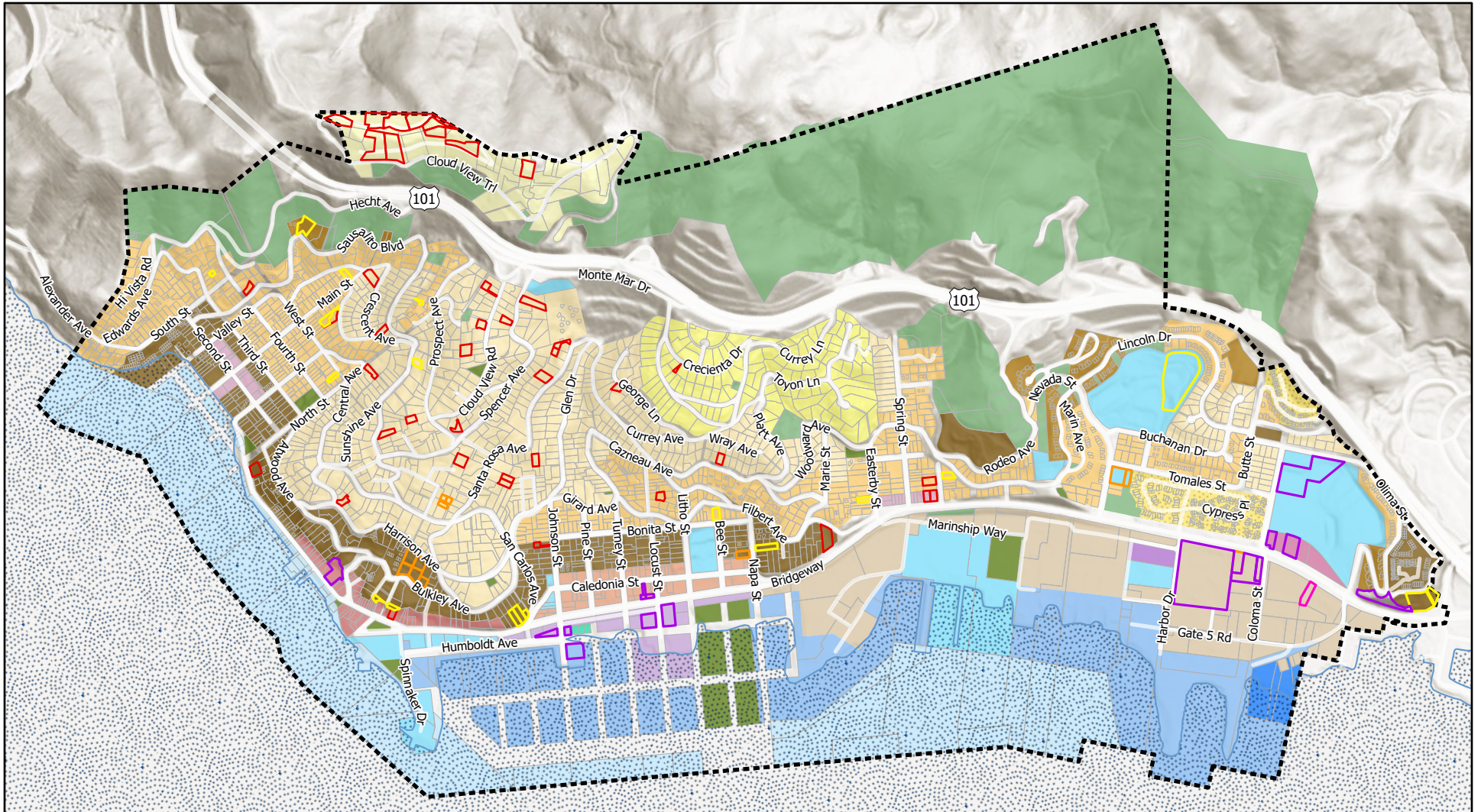




**HOUSING ELEMENT PROGRAMS EIR**  
**Figure ES-4. Existing Zoning**

Sources: City of Sausalito; Marin GeoHub. Map date: July 18, 2023.





**LEGEND**

**Housing Element Programs Sites**

Sites Retaining Existing Zoning

Inventory Site

Sites with New Housing Overlay

Housing-49

Housing-70

MU-49/85%

MU-70/85%

**Zoning Designations**

R-1-20: Single Family

R-1-8: Single Family

R-1-6: Single Family

R-2-2.5: Two Family

R-2-5: Two Family

R-3: Multiple Family

R-A: Arks

H: Houseboats

PR: Planned Residential

CC: Central Commercial

CR: Commercial Residential

CN-1: Neighborhood Commercial

CN-2: Neighborhood Commercial

CW: Commercial Waterfront

CS: Shopping Center

I: Industrial

W: Waterfront

PI: Public Institutional

PP: Public Parks

OS: Open Space

OA: Open Area

Sausalito City Boundary

Ocean/Bay/Coastline



**HOUSING ELEMENT PROGRAMS EIR**  
Figure ES-5. Proposed Zoning

### 1.0 INTRODUCTION

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This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with and in fulfillment of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. As described in CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses the potentially significant environmental impacts of a project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency). The City of Sausalito (City) is the lead agency for the proposed City of Sausalito 6<sup>th</sup> Cycle Housing Element Programs project (proposed project or Housing Element Programs project). Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have the obligation to balance economic, environmental, and social factors.

The City's Housing Element Programs project is the implementation arm of the recently adopted 6<sup>th</sup> Cycle Housing Element. The Housing Element describes goals, policies, and programs to be implemented from 2023 through 2031 and address the maintenance, preservation, improvement, and development of housing in Sausalito.

Through an extensive public outreach effort, the City refined and supplemented the current regulations of the Housing Element to help guide and shape the community over the next eight years. As such, the Housing Element identifies sites appropriate for the development of housing. The Housing Element Programs project would rezone those sites as necessary to meet the requirements of State law.

#### 1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The City of Sausalito, as lead agency, determined that the Housing Element Programs project is a "project" under CEQA. CEQA requires the preparation of an EIR prior to approving any project that may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378(a)).

This Draft EIR has been prepared according to CEQA requirements to evaluate the potential environmental impacts associated with the implementation of the Housing Element Programs. The purpose of this Draft EIR is to inform public agency decision-makers, representatives of affected and responsible agencies, the public, and other interested parties of the potential environmental effects that may result from continued implementation of the City's policies and the Housing Element Programs. Concurrent with the Housing Element Programs project, the City proposes to make any conforming amendments to other elements of the General Plan needed to maintain internal consistency, and to update the



City's zoning ordinance and zoning map to reflect the Housing Element Programs and to maintain consistency with the General Plan.

This Draft EIR also discusses alternatives to the proposed project and proposes mitigation measures that would offset, minimize, or otherwise avoid potentially significant environmental impacts. This Draft EIR is intended to provide decision-makers and the public with information that enables consideration of the environmental consequences of the Housing Element Programs, and has been prepared in accordance with CEQA (California Public Resources Code [PRC] Section 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations [CCR] Title 14, Division 6, Chapter 3).

## 1.2 TYPE OF ENVIRONMENTAL IMPACT REPORT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This Draft EIR has been prepared as a Program EIR pursuant to CEQA Guidelines Section 15168. Section 15168 states:

A Program EIR is an EIR that may be prepared on a series of actions that can be characterized as one large project and are related either:

1. Geographically,
2. As logical parts in the chain of contemplated actions,
3. In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or
4. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

A program-level analysis considers the broad environmental effects of the Housing Element Programs. This Draft EIR will be used to evaluate subsequent projects and activities to implement the Housing Element Programs.

This Draft EIR is intended to provide the information and environmental analysis necessary to assist public agency decision-makers in considering approval of the rezoning of sites as prescribed in the Housing Element Programs.

Additional environmental review under CEQA may be required for subsequent projects and would be generally based on the subsequent project's consistency with the Housing Element, General Plan, and the analysis in this Draft EIR, as required under CEQA. It may also be determined that some future projects or infrastructure improvements may be exempt from environmental review. When individual subsequent projects or activities are proposed under the Housing Element Programs, the lead agency that would approve and/or implement the individual project would examine the projects or activities to determine whether their effects were adequately analyzed in this Draft EIR (CEQA Guidelines Section 15168). If the projects

# City of Sausalito

## Housing Element Programs EIR

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or activities would have no effects beyond those disclosed in this Draft EIR, no further CEQA compliance would be required.

### 1.3 INTENDED USES OF THE ENVIRONMENTAL IMPACT REPORT

This Draft EIR is intended to evaluate the environmental impacts of the adoption and implementation of the Housing Element Programs. The document will serve as a source of information in the review of subsequent planning and development proposals, including subsequent environmental review of development projects, individual development proposals, and for public facilities to serve new development.

### 1.4 AGENCIES AND APPROVALS

The term “Responsible Agency” includes all public agencies other than the lead agency that have discretionary approval power over the project or an aspect of the project (CEQA Guidelines Section 15381). For the purpose of CEQA, a “Trustee” agency has jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California (CEQA Guidelines Section 15386). While no Responsible Agencies or Trustee Agencies are responsible for approvals associated with adoption of the Housing Element Programs, implementation of future projects within Sausalito that are consistent with and facilitated by the Housing Element Programs may require permits or approvals from Trustee and Responsible Agencies, which may include, but are not limited to, the following:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans) District 4;
- California State Lands Commission;
- Golden Gate Bridge, Highway, and Transportation District;
- San Francisco Bay Conservation and Development Commission (BCDC);
- San Francisco Bay Regional Water Quality Control Board (RWQCB);
- Marin Local Agency Formation Commission (LAFCo);
- United States Army Corps of Engineers (USACE); or
- United States Fish and Wildlife Service (USFWS).

### 1.5 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for this Draft EIR has involved, or will involve, the general procedural steps described below.

### **1.5.1 NOTICE OF PREPARATION**

In accordance with CEQA Guidelines Section 15082, the City of Sausalito circulated a Notice of Preparation (NOP) of an EIR for the Housing Element Programs on May 22, 2023, to trustee and responsible agencies, the State Clearinghouse (SCH), and the public. The 30-day public review period for the NOP ended on June 21, 2023. A scoping meeting was held via Zoom on May 30, 2023. The NOP and all comment letters received on the NOP are presented in Appendix A.

The City received 17 comment letters on the NOP. Copies of these letters are provided in Appendix A of this Draft EIR.

### **1.5.2 PUBLIC NOTICE/PUBLIC REVIEW**

Upon completion of the Draft EIR for the Housing Element Programs, the City of Sausalito filed a Notice of Completion (NOC) with the SCH of the Governor's Office of Planning and Research to begin the public review period (PRC Section 21161).

Concurrent with the NOC, the City provided a public Notice of Availability (NOA) for the Draft EIR, and now invites comment from the general public, agencies, organizations, and other interested parties, consistent with CEQA requirements.

In addition, the City will consider the Draft EIR at one or more public hearings before the Planning Commission and City Council. The public will have an opportunity to provide comments on the Draft EIR during public hearings. Notice of public hearings will be posted on the City's website, in the local newspaper, and through direct mailing to interested parties that have requested notification.

### **1.5.3 RESPONSE TO COMMENTS ON THE DRAFT EIR/FINAL EIR**

Following the public review period on the Draft EIR, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period. The Final EIR may also include corrections, clarification, and additional explanatory information that is being added to the Draft EIR.

### **1.5.4 CERTIFICATION OF THE EIR/PROJECT CONSIDERATION**

The City Council is the decision-making body on the Housing Element Programs project and with respect to this EIR. If the City Council finds that the Final EIR was prepared in compliance with all CEQA requirements and is "adequate and complete," in accordance with CEQA Guidelines Section 15090, the City Council may certify the Final EIR in accordance with CEQA Guidelines. As set forth by CEQA Guidelines Section 15151, the standards of adequacy require an EIR to provide a sufficient degree of analysis to allow decisions to be made regarding the proposed project that take account of environmental consequences.

# City of Sausalito

## Housing Element Programs EIR

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Upon review, consideration and certification of the Final EIR, the City Council may take action to approve, revise, or reject the Housing Element Programs project. A decision to approve the Housing Element Programs, for which this Draft EIR identifies significant environmental effects, must be accompanied by written findings in accordance with CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Plan (MMRP) would also need to be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097. The MMRP will list all mitigation measures that have been imposed upon the project to reduce or avoid significant effects on the environment. The MMRP will also include provisions designed to ensure that the identified mitigation measures are carried out during project implementation, in a manner that is consistent with the certified Final EIR.

### 1.6 ORGANIZATION AND SCOPE

CEQA Guidelines Sections 15122 through 15132 identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in the Draft EIR reflect the topics outlined in CEQA Guidelines Appendix G, environmental and planning documentation prepared for recent projects located within the City of Sausalito, and responses to the NOP and public scoping meeting comments.

This Draft EIR is organized in the following manner:

#### **EXECUTIVE SUMMARY**

The Executive Summary summarizes the characteristics of the proposed project, known areas of controversy and issues to be resolved, and provides a concise summary matrix of the Housing Element Programs' environmental impacts and mitigation measures consistent with CEQA Guidelines Section 15123.

#### **CHAPTER 1.0—INTRODUCTION**

This chapter briefly describes the Housing Element Programs, the purpose of the environmental evaluation, identifies the lead, trustee, and responsible agencies, summarizes the process associated with preparation and certification of an EIR, identifies the scope and organization of the Draft EIR, and summarizes comments received on the NOP.

#### **CHAPTER 2.0—PROJECT DESCRIPTION**

This chapter provides a detailed description of the Housing Element Programs, including the location, intended objectives, background information, the physical and technical

characteristics, including the decisions subject to CEQA Guidelines, subsequent projects and activities, and a list of related agency action requirements.

### **CHAPTER 3.0—ENVIRONMENTAL IMPACT ANALYSIS**

This chapter contains the analysis of environmental topic areas as identified below. Each section contains a description of the existing environment as it pertains to the topical area as well as a description of the regulatory environment that may be applicable to the Housing Element Programs. Each section also identifies thresholds of significance by which impacts are determined, a description of project-related impacts associated with the environmental topic, identification of appropriate mitigation measures, and a conclusion as to the significance of each impact.

The following environmental topics are addressed in this chapter:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population, Housing, and Employment
- Public Services and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

### **CHAPTER 4.0—ALTERNATIVES TO THE HOUSING ELEMENT**

This chapter provides a comparative analysis of the Housing Element Programs and the selected alternatives, including the mandatory “No Project” alternative. CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the Housing Element Programs, which could feasibly attain the basic objectives of the project and avoid and/or lessen any significant environmental effects of the project.

### **CHAPTER 5.0—OTHER CEQA CONSIDERATIONS**

This chapter evaluates and describes the following CEQA required topics: impacts considered less-than-significant, significant and irreversible impacts, growth-inducing effects, cumulative impacts, and significant and unavoidable environmental effects.

### **CHAPTER 6.0—EFFECTS FOUND NOT TO BE SIGNIFICANT**

This chapter would analyze potential impacts resulting from conversion of agriculture and forest lands to non-agriculture and non-forest uses, and loss of any known significant mineral occurrences. Given the location of the City of Sausalito in the urbanized context of the San Francisco Bay Area and the lack of agricultural and mineral resources in the area, these resources are anticipated to not be major considerations for the Housing Element Programs project. Existing conditions and regulations will be summarized.

### **CHAPTER 7.0—PERSONS AND ORGANIZATIONS CONSULTED—LIST OF PREPARERS**

This chapter lists all authors and agencies that assisted in the preparation of the Draft EIR, by name, title, and company or agency affiliation.

### **APPENDICES**

This chapter includes the NOP and other procedural documents pertinent to the Draft EIR, as well as technical material prepared to support the analysis.



## 2.0 PROJECT DESCRIPTION

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The project analyzed in this Draft Environmental Impact Report (Draft EIR) is the implementation of the Sausalito 6th Cycle Housing Element. The proposed Project constitutes multiple actions related to 6th Cycle Housing Element, including those necessary to implement Program 4 of the 6th Cycle Housing Element, entitled “Ensure Sites Inventory of Sites Accommodates RHNA throughout 6<sup>th</sup> Cycle Planning Period,” as well as Program 8, Program 16, and Program 19. These actions are collectively referred to as the Housing Element Programs or “the Project.”

As discussed in the adopted Housing Element, Sausalito received a Regional Housing Needs Assessment (RHNA) of 724 units for the 2023-2031 planning period. The City’s inventory of residential sites, based on existing zoning, can accommodate approximately 118 units. After accounting for approved projects, projected ADUs, and projected SB 9 units, the City has a remaining unmet RHNA of 465 units, including 263 lower income units (extremely/very low and low), 52 moderate income units, and 166 above moderate income units, absent changes to land use policies and zoning, via the adoption of rezoning or overlay zones. Program 4 includes adjustments to the City’s land use policy and zoning standards necessary to accommodate the remaining RHNA, plus a buffer, for a total of at least 872 new units during the planning period. The additional buffer is necessary to ensure that the inventory of sites adequate to accommodate the City’s RHNA are maintained throughout the planning period, as development may occur on inventory sites that may result in fewer units or different income levels than assumed for the inventory, as required under the No Net Loss law (Government Code Section 65863).

This section of the Draft EIR describes the key characteristics of the Project, including the Project proponent, geographic limits of the Project, Project objectives, types, and extent of development forecasted under the Housing Element, and required approvals.

### 2.1 INTRODUCTION

State law requires the City to have and maintain a general plan with specific contents in order to provide a vision for the City’s future and inform local decisions about land use and development, including issues such as circulation, conservation, and safety. The City’s General Plan was updated and adopted in 2021. Housing Elements are required to be regularly updated as mandated by state law. The Housing Element establishes goals, policies, and identifies future programs/actions to address the existing and projected housing needs of Sausalito. The goals, policies, and programs/actions are required by state law to plan for the regional housing targets allocated to Sausalito by ABAG and the Department of Housing and Community Development for the period of 2023 to 2031 and to affirmatively further fair

housing. The City of Sausalito adopted a 6th Cycle Housing Element Update as an amendment to the Sausalito General Plan on January 30, 2023.

The Housing Element is a planning document that identifies how the City would accommodate development of 724 total housing units that were included in the City's 6th Cycle RHNA, which is significantly greater than the City's 5th Cycle RHNA of 79 units. This is due in part to the Bay Area region's overall allocation of 441,176 units from the California Department of Housing and Community Development (HCD) being more than double the last Housing Element cycle's allocation, which was approximately 189,000 units. However, the City's adoption of the Housing Element did not implement specific changes to existing land use controls (e.g., zoning) or approve any physical development (e.g., construction of housing or infrastructure) that may be necessary to accommodate such development.

Further, specific information regarding modification to existing land use controls that may occur with the implementation of Housing Element programs, including Programs 4, 8, 16, and 19, was not available at the time the Housing Element was adopted. For example, development that could occur in association with rezoning of opportunity sites under Program 4 will be guided by the modifications to the Zoning Ordinance, including preparation of objective design and development standards to accommodate by-right housing uses on the opportunity sites under Program 4. At the time of Housing Element adoption, the City was engaged in preparing objective design and development standards based on existing land use densities. However, objective design and development standards to address increased densities under Program 4 had not been prepared. As details regarding the specific land use modifications required to implement various Housing Element programs were not available at the time that the Housing Element was adopted, it would have been speculative to analyze those programs based on conjecture regarding the modifications to the General Plan, the Zoning Ordinance, and other land use controls that would be necessary to implement specific Housing Element programs. As such, the adoption of the Housing Element did not result in any physical changes to the environment that could be known at the time of adoption.

Following adoption of the Housing Element, the City began implementation of the Housing Element. As part of this effort, the City reviewed the policies and programs in the Housing Element to determine which policies or programs could have a direct or indirect reasonably foreseeable physical environmental effect at the time the program is implemented. Implementation of the majority of the Housing Element would have no environmental effect as most of the policies and programs would result only in the City complying with State Housing Law, including mandatory requirements related to low barrier navigation centers, transitional housing, supportive housing, employee housing, and density bonuses. The mandatory requirements of State law would apply to Sausalito and development in the City regardless of the City updating its Zoning Ordinance to reflect the requirements of State law. As such, these requirements are in place and can be applied within the City regardless of the

# City of Sausalito

## Housing Element Programs EIR

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Project. These types of policies, programs, and actions would not result in a physical effect on the environment.

Additionally, some programs in the Housing Element, even with the adoption of implementation measures, are too speculative to evaluate and determine whether a direct or indirect reasonably foreseeable physical environmental effect could occur. Policies and actions that will be implemented with the Housing Element but are not tied to a specific development project or a specific activity that can be evaluated at this time include the following activities:

- enforcing local code provisions such as property maintenance,
- providing funding sources for affordable housing,
- supporting programs for affordable housing,
- maintaining the quality of existing housing development,
- encouraging the sustainable use of land,
- preserving existing affordable housing, and
- coordinating with agencies, non-governmental organizations, and nonprofits to identify available housing programs and funding opportunities for the construction of affordable housing.

For example, Program 17 identifies the possibility that housing development projects could implement density bonuses, allowing bonuses of up to 80% based on the percentage of affordable units for projects affordable to very low, low, and moderate income households (depending on the affordable units provided by the project), having no maximum density limits for 100% affordable projects within ½-mile of a major transit stop, and enacting up to 4 incentives for qualified housing projects. Even with the adoption of zoning code amendments to facilitate Program 17, the City could not know where projects utilizing density bonuses would be proposed, and it is speculative to assume that specific sites in the City would take advantage of this state program. Program 10 is another example of a program whose implementation could result in development, but for which it is speculative to analyze the specific development at this time. Program 10 commits the City to assisting with affordable housing development. While this program is intended to yield at least 315 lower income units during the planning period, specific projects have not yet been identified. Similarly, Program 11 would establish an affordable housing fund, which would be used to promote affordable housing development. However, there are no specific projects associated with Program 11 and it is not yet known the type, location, or design of a development project on which the funds would be spent.

Therefore, evaluation of development that could occur under these policies and programs is speculative at this time as specific development proposals, site plans, and other project details are not available. Therefore, this EIR does not evaluate speculative development.

There are Housing Element programs, however, whose implementation could result in a physical change to the environment and, for which, upon implementation, adequate detail would be available to analyze potential direct and reasonably foreseeable indirect impacts under CEQA:

- Program 4;
- Program 8;
- Program 16; and
- Program 19.

To streamline the implementation of the Housing Element, the City is proposing to implement these programs as part of this Project in order to address the majority of programs, or components of the Housing Element that could result in a direct or indirect reasonably foreseeable physical change to the environment.

Implementation of Program 4 involves the City completing rezoning and/or adopting overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. The Housing Element created a goal of creating a total capacity for 908 units during the 6<sup>th</sup> Cycle Planning Period of 2023-2031, of which a capacity of 811 units would be created as a result of rezoning to make opportunity sites for future housing development as further identified in the Housing Element.

As part of Program 4, in order to accommodate the City's remaining RHNA of 463 units plus a buffer for each of the income categories, the Project would rezone opportunity sites to ensure the ability to develop housing at specified densities. In conjunction with Program 4, the proposed Project would also implement Program 8, entitled "Public Property Conversion to Housing," to address making publicly-owned sites available for development during the 2023-2031 planning period. The City would implement portions of Program 16, entitled "Zoning Ordinance Amendments," including the paragraphs that address low barrier navigation centers, supportive and transitional housing, employee housing, mobile home and manufactured housing, height limits, and streamlined ministerial review, to reduce governmental constraints and implement mandates of State law. Program 19, bullet 1, would result in the development and publication of Objective Design and Development Standards (ODDS) to address multifamily development at densities envisioned by the General Plan, Zoning Code, and Program 4.

## 2.2 PROJECT LOCATION AND SETTING

The City of Sausalito is located in the northern San Francisco Bay area, approximately 73 miles due southwest of Sacramento, California. Sausalito is located in Marin County, between Richardson Bay and the Marin Headlands, across the Golden Gate Bridge from San Francisco. The city is bordered by Marin City to the north, Richardson Bay to the west, and the Golden

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Gate National Recreation Area to the west and south, as shown in **Figure 2-1**. The Planning Area for the Housing Element Programs project is the same Planning Area that was considered by the 2021 General Plan, which encompasses all incorporated land in Sausalito and its sphere of influence in Richardson Bay, as shown in **Figure 2-2**. Sausalito includes approximately 4,030 residential dwelling units. **Figure 2-3** and **Figure 2-4** show the existing and proposed General Plan land use designations, respectively.

### 2.3 BACKGROUND AND REGIONAL HOUSING NEEDS ALLOCATION

The City's current General Plan and Housing Element are guiding documents for land use decisions affecting the City of Sausalito. The current documents and legal requirements are summarized briefly below.

#### 2.3.1 6<sup>TH</sup> CYCLE REGIONAL HOUSING NEEDS ALLOCATION

State law requires local jurisdictions to update their housing elements on a regular schedule and to maintain consistency between the housing element and other elements of the general plan. Each city and county in the Bay Area must update their current housing element to the satisfaction of HCD by January 31, 2023 and must plan for a number of new housing units referred to as their Regional Housing Needs Allocation (RHNA), as well as meeting other provisions in the law, such as the requirement to affirmatively further fair housing.

A RHNA is generally assigned to each jurisdiction in the Bay Area by the Association of Bay Area Governments (ABAG) for the eight-year planning period and includes housing units at various levels of affordability (very low income, low income, moderate income, and above moderate), which are defined by percentage of Area Median Income (AMI).<sup>1</sup> Sausalito received a RHNA of 724 units for the 2023-2031 planning period.

The City's final RHNA is shown in **Table 2-1**.

**TABLE 2-1: SAUSALITO REGIONAL HOUSING NEEDS (RHNA) ALLOCATION**

	UNITS BY INCOME GROUP <sup>A</sup>				TOTAL UNITS
	VERY LOW (0-50% AMI)	LOW (51-80% AMI)	MODERATE (81-120% AMI)	ABOVE MODERATE (>120% AMI)	
RHNA Allocation	200	115	114	295	724
% of Total	28%	16%	16%	41%	100% <sup>b</sup>
<i>NOTES:</i>					

<sup>1</sup> In 2021, the County's Area Median Income for a family of four was \$149,600, as published by HCD in Title 25 of the California Code of Regulations section 6932.

a. Units are grouped into categories based on the incomes of households accommodated and their relationship (percentage of) Area Median Income (AMI).

b. Percentages rounded to equal 100%.

SOURCE: ABAG, March 17, 2022.

The City's 6th Cycle Housing Element provides sites sufficient to accommodate its RHNA plus a buffer (see **Figure 2-5**). A buffer is particularly important because of "no net loss" provisions in state Planning Law (Government Code Section 65863). Section 65863 requires that the land inventory and site identification programs in the Housing Element always include sufficient sites to accommodate the unmet RHNA. This means that if a site is identified in the Housing Element as having the potential for housing development that could accommodate lower-income units towards meeting the RHNA but is actually developed with units at a higher income level or fewer units, then the locality must either: 1) identify and rezone, if necessary, an adequate substitute site; or 2) demonstrate that the land inventory in the Housing Element already contains an adequate substitute site. An adequate buffer will be critical to ensuring that the City remains compliant with these provisions without having to identify and rezone sites prior to the end of the cycle.

Also, because the City's RHNA includes units distributed by income category, the sites inventory must include ample sites to meet the requirement for very low and low income households. Typically, housing affordable to these lower income households is constructed with substantial local, state, and federal subsidies, although some affordable units are constructed as accessory dwelling units, and some may be included as a small percentage of market rate projects.

It is important to note that while State law requires the Housing Element to include an inventory of housing sites and requires the City to appropriately zone sites for multifamily housing, the City would not actually develop or construct housing on these sites. Future development on identified sites would be at the discretion of individual property owners and would be largely dependent on market forces and in the case of affordable housing, available funding and other incentives.

## 2.4 PROJECT OBJECTIVES

CEQA Guidelines Section 15124(b) requires the description of the project in an EIR to state the objectives sought by the project.

"A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project."

In keeping with this requirement, the City's project objectives are as follows:

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## Housing Element Programs EIR

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- Implement actions to accommodate a RHNA of 724 units at the income levels mandated by state law, specifically, 200 very low income units, 115 low income units, 114 moderate units, and 295 above moderate units.
- Implement further actions to create an overall excess capacity of at least 25%, in order to ensure that the housing inventory is maintained in accordance with No Net Loss requirements under Government Code Section 65863 throughout the planning period, through designating and zoning sites to include a buffer that provides for additional capacity at each income level category: 37 units for very low income, 39 units for low income, and 80 units for moderate income, and 28 units for above moderate income categories.

### 2.5 PROJECT DESCRIPTION

The Project analyzed in this EIR would implement Housing Element Programs 4, 8, 16 paragraphs A, B, C, D, E, G, H, L, M, and N; and Program 19 bullet 1. Implementation of these programs will result in amending the City's Zoning Ordinance, as well as the Land Use Element, Community Design, Historic and Cultural Preservation Element, and Circulation Element of the City's General Plan. The Housing Element programs that will be implemented and the resulting amendments to the General Plan and Zoning Ordinance and the proposed Objective Design and Development Standards (ODDS) to implement the programs are described below.

#### 2.5.1 HOUSING ELEMENT PROGRAMS

The Project would implement multiple Housing Element programs including:

##### ***Program 4***

To accommodate the City's remaining RHNA of 463 units and provide a buffer for each of the income categories, the General Plan and Zoning Ordinance will be amended to establish opportunity sites that permit development at the following densities:

- A minimum of 4.07 acres zoned Housing-49, which will allow a minimum of 43 dwelling units/acre (du/ac) and a maximum 49 du/ac,
- A minimum of 2.57 acres zoned Housing-70, which will allow a minimum of 50 du/ac and a maximum of 70 du/ac, and
- A minimum of 10.16 acres zoned Mixed Use-49/85%, which will:
  - allow a minimum 43 du/ac and a maximum of 49 du/ac,
  - allow 100% residential development, and



- require a minimum of 85% residential uses, and
- A minimum of 0.33 acres zoned Mixed Use-70/85%, which will:
  - allow a minimum 43 du/ac and a maximum of 49 du/ac,
  - allow 100% residential development, and
  - require a minimum of 85% residential uses.

### ***Program 16***

To implement Program 16, the Zoning Ordinance would be amended to address employee housing, agricultural employee housing, low barrier navigation centers, emergency shelters, transitional and supportive housing, and State density bonus law in accordance with State requirements, to allow group homes serving seven or more persons in additional zones, to provide a ministerial review process when required by State law, and to address subjective criteria and findings from the design review process.

### ***Program 19***

Program 19, “Development Review Procedures,” describes the streamlined approval process the City seeks to facilitate residential development and to comply with State law. Program 19 facilitates the development and enactment of ODDS applicable to eligible multifamily residential projects. ODDS are those that “involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal.” To implement the first bullet of Program 19, the City would adopt ODDS to address proposed multifamily residential on the opportunity sites at densities envisioned by the General Plan, the Zoning Ordinance, and Program 4.

### ***Development Potential of the Project***

**Table 2-2** describes the development that could be constructed with the implementation of the proposed Project. The Housing Element assumed a “realistic capacity” based on the potential for some sites to develop at less than the full density. For the purpose of this EIR, the maximum capacity of each site based on the allowed density and floor area ratio for residential units and, where applicable, non-residential uses that would be allowed under Program 4 is evaluated.



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**TABLE 2-2: DEVELOPMENT CAPACITY**

	PROGRAM 4 CAPACITY (HOUSING ELEMENT REALISTIC CAPACITY)					MAXIMUM CAPACITY	
	EXTREME- LY/ VERY LOW	LOW	MODER- ATE	ABOVE MODERATE	TOTAL	UNITS	NON- RESIDENTIAL SQUARE FEET
<b>RHNA</b>	<b>200</b>	<b>115</b>	<b>114</b>	<b>295</b>	<b>724</b>		
Approved/Entitled Projects	3	7	6	7	23	23	-
Inventory of Existing Residential Sites, including Pending Projects	1	1	47	73	122	126	-1,584
ADU & SB 9 Projected Units	12	27	30	47	116	116	-
<b>Opportunity Sites</b>							
Housing – 43-49 du/ac	30	16	40	47	133	164	-
Housing – 50-70 du/ac	69	34	13	18	134	159	-3,310
Mixed Use 49/85%	122	69	47	120	358	465	25,856
Mixed Use 70/85%	0	0	11	11	22	23	-4,110
<b>Total Capacity of Projects, Inventory of Existing Sites, and Opportunity Sites</b>	<b>237</b>	<b>154</b>	<b>194</b>	<b>323</b>	<b>908</b>	<b>959</b>	<b>16,852</b>
Surplus <sup>1</sup>	37	94	67	28-	148		

**NOTE:**

1. HCD recommends buffer in the housing element inventory of at least 15 to 30 percent capacity more than required, especially to accommodate the lower income RHNA. A modest surplus also allows various sites identified in the Housing Element to identify at different income levels than those anticipated, while still maintaining an adequate supply of available sites.

### 2.5.2 GENERAL PLAN AMENDMENT

The General Plan Land Use Element, Circulation Element, and Community Design Element would be amended to establish overlay districts to accommodate the opportunity sites and to address the increased development intensities that could occur under the overlay districts.

**Land Use Element**

Table 1-1 of the Land Use Element would be revised to include the residential and mixed use land use designations shown in Table 2-3.

**TABLE 2-3: LAND USE DESIGNATIONS TO BE ADDED TO LAND USE ELEMENT TABLE 1-1**

LAND USE	DESCRIPTION
<b>Residential</b>	
Housing-49 Overlay Densities: Minimum: 25 du/ac Maximum: 49.0 du/ac	Applied to sites identified to address the City's shortfall in accommodating the 6 <sup>th</sup> Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.
Housing-70 Overlay Densities: Minimum: 25 du/ac Maximum: 70.0 du/ac	Applied to sites identified to address the City's shortfall in accommodating the 6 <sup>th</sup> Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.
<b>Commercial</b>	
Housing-Mixed Use-49 Overlay Non-residential FAR up to 0.4 Residential Densities: Minimum: 25 du/ac Maximum: 49.0 du/ac	Applied to sites identified to address the City's shortfall in accommodating the 6 <sup>th</sup> Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Projects may include commercial, office, service, and institutional uses oriented to residents and local visitors. Development on a site with this overlay shall include residential

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	uses at not less than 25 du/ac regardless of the underlying land use designation.
Housing-Mixed Use-70 Overlay Non-residential FAR up to 0.4 Residential Densities: Minimum: 25 du/ac Maximum: Up to 70.0 du/ac	Applied to sites identified to address the City's shortfall in accommodating the 6 <sup>th</sup> Cycle City's Regional Housing Needs Allocation. Residential uses may include multifamily rental units, live-work units, and townhome and condominium (ownership or rental) units. Projects may include commercial, office, service, and institutional uses oriented to residents and local visitors. Development on a site with this overlay shall include residential uses at not less than 25 du/ac regardless of the underlying land use designation.

Figure 1-1: Land Use of the Land Use Element would be revised to apply the housing and mixed use overlay land use designations to the opportunity sites as shown in Figure 2-4.

The following policies and programs of the General Plan would be revised as shown below:

### Land Use Element

**Program LU 1.19.2 Zoning Overlays.** When necessary to accommodate the City's Regional Housing Needs Allocation, evaluate the feasibility of overlay zones as a potential residential planning tool in light of Housing Accountability Act, SB 35, and other recent relevant housing legislation.

**Program LU-1.21.1 Housing Opportunities.** When updating the Housing Element, consider regulatory reforms that would create more housing opportunities for low-income households and ensure the City's standards accommodate a mix of market rate and affordable housing, as well as both rental and ownership units.

**Program LU-1.21.3 Housing and Access.** Prioritize incentives for multifamily and mixed use development projects that incorporate walkability, and access to fresh foods and services, in order to promote an equitable built environment.

**Policy LU-2.8 Upper Floor and Mixed Residential Uses.** Encourage residential use on the upper levels of commercial, service, institutional, and mixed use structures, where new residential uses would not result in conflicts with existing uses.

**Program 2.8.2 Mixed Uses.** Continue to apply zoning districts, including overlay districts, to allow residential uses in commercial and other primarily non-residential areas where

desirable to promote a vibrant mixed use environment or where necessary to accommodate the City's share of regional housing needs.

**Policy LU-5.1 City-Owned Open Space and Parks.** Maintain existing city-owned lands as public open space or recreational parks, except where city-owned lands provide public parking, governmental services (City Hall, law enforcement, corporation yard, etc.), or are sites designated by the Housing Element to accommodate the City's share of regional housing needs.

### ***Community Design, Historic and Cultural Preservation Element***

The policies and programs in the Community Design, Historic and Cultural Preservation Element would be modified as identified below.

**Policy CD-1.3 Maximum Height Limit.** Establish a maximum height limit for all structures in Sausalito while recognizing that maximum height is not guaranteed for development proposals where view preservation, shadow impact, and scale are an issue, except for sites identified in the Housing Element Appendix D1, Inventory of Residential and Opportunity Sites, which may develop up to the maximum height pursuant to the Objective Design and Development Standards.

**Program CD-1.3.1 Zoning Ordinance (Height Limit).** Continue to permit the 32-foot maximum height limit for residential and commercial zones, except where greater heights are allowed pursuant to the Objective Design and Development Standards.

**Policy CD-3.1 Private Views.** Locate and design new and significantly remodeled structures and landscape improvements to minimize the interference with primary views from structures on neighboring properties. Some minor loss of view may be consistent with this policy if necessary to protect a property right. It is recognized that development pursuant to the Objective Design and Development Standards may interfere with private views and such development shall be permitted to accommodate development of sites in Housing Element Appendix D1, Inventory of Existing and Opportunity Sites.

**Program CD-4.4.1 Objective Standards.** Develop and implement new standards for multi-family, mixed-use, and single family housing development that minimize personal or subjective judgment by a public official. The standards shall be uniformly verifiable by reference to an external and uniform benchmark or criterion and knowable by both development applicants and public officials.

### ***Circulation and Parking Element***

**Policy CP-1.6 Level of Service (LOS) Standard.** Maintain a letter grade level of service of "D" for signalized intersections during the P.M. weekday peak hour except on Johnson, Bay, and Princess Streets (which are not given an LOS Standard). This policy shall apply to the extent

that the City can feasibly make the improvements necessary to maintain level of service “D” (e.g., where the existing right-of-way can feasibly accommodate improvements or where right-of-way can be obtained without requiring loss of dwelling units or commercial structures).

**Program CP-6.1.3 Impact Fees.** Adopt a transportation and circulation impact fee to ensure that new development funds its fair-share of improvements to accommodate vehicle, bicycle, pedestrian, and transit facilities necessitated in part or in whole by the development project.

### 2.5.3 ZONING ORDINANCE AMENDMENT

#### *Chapter 10.22 RESIDENTIAL ZONING DISTRICTS*

Table 10.22-1 is revised to:

- Permit employee housing in the same manner as a single family unit pursuant to the standards at Section 10.44.360;
- Allow agricultural employee housing pursuant to the standards at Section 10.44.370 in zones where agricultural uses are allowed;
- Permit low barrier navigation centers pursuant to the standards at Section 10.44.380 in zones that allow multifamily and mixed uses;
- Permit mobile homes and manufactured homes in all zones that permit single family units;
- Allow residential care homes for 7 or more clients in the R-2 and PR zones with a conditional use permit;
- Allow supportive and transitional housing in the same manner as residential units of the same type in the same zone pursuant to the standards at Section 10.44.390.
- Table 10.22-2 is revised to include a footnote that allows a multifamily residential project that is located on a single site composed of multiple contiguous lots that are under ownership by a single entity is only subject to setbacks along the exterior lot lines of the project. No setbacks or yards shall be applied to the parcel lines that are interior to the site.

#### *Chapter 10.24 COMMERCIAL ZONING DISTRICTS*

Table 10.24-1 is revised to:

- Allow agricultural employee housing pursuant to the standards at Section 10.44.370 in zones where agricultural uses are allowed;
- Permit low barrier navigation centers pursuant to the standards at Section 10.44.380 in zones that allow multifamily and mixed uses;
- Permit mobile homes and manufactured zones in all zones that permit single family units;
- Allow residential care homes for 7 or more clients in the CR zone with a conditional use permit;
- Allow two-family (duplex) dwellings in the R-1 zone pursuant to Section 10.44.350;
- Allow supportive and transitional housing in the same manner as residential units of the same type in the same zone pursuant to the standards at Section 10.44.390.
- Table 10.24-2 is revised to include a footnote that allows a multifamily residential project that is located on a single site composed of multiple contiguous lots that are under ownership by a single entity is only subject to setbacks along the exterior lot lines of the project. No setbacks or yards shall be applied to the parcel lines that are interior to the site.

### **Chapter 10.28 OVERLAY DISTRICTS**

Section 10.28.090 is added to establish four overlay zones (see **Table 2-4**) that could significantly increase permitted residential densities:

- **Housing Housing-49 (-HO-H49):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% lower income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units, and requires 100% residential uses between 43 units per acre and 49 units per acre. On sites designated to accommodate the very low and low income need, the minimum affordability required is 20% very low and low income units to receive the increased density of up to 49 units per acre and ministerial development processing.
- **Housing -70 (-HO-H70):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% lower income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units, and requires 100% residential uses between 50 units per acre and 70 units per acre. On sites designated to accommodate the very low and low income need, the minimum affordability required is 20% very low and low income units to

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receive the increased density of up to 70 units per acre and ministerial development processing.

- **Mixed Use -49 (-HO-M49):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% low income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units. Zoning would allow a mix of residential, service, retail, office, and public/quasi-public uses and but would require a minimum of 85% of the site be developed with residential uses at up to 49 units per acre.
- **Mixed Use -70 (-HO-M70):** Provides for increased densities and ministerial development processing in exchange for the provision of 20% low income units (on sites designated to accommodate the very low and low income RHNA) or 30% moderate income units. Zoning would allow a mix of residential, service, retail, office, and public/quasi-public uses and but would require a minimum of 85% of the site be developed with residential uses at up to 70 units per acre.

On sites designated to accommodate the very low and low income need, the minimum affordability required is 20% very low and low income units to receive the increased density and ministerial development processing.

**TABLE 2-4: NEW OVERLAY ZONES**

Zoning	Acres	Density (du/ac)		Floor Area Ratio (Non-residential)	Height	Setbacks			
		Min	Max			Front	Street Side	Side	Rear
Residential-49	4.07	43	49	-	Max. 45' to peak; 40' to eave; and 4 stories	Min. 0'; Max. 10'	Min. 5'; Max. 15' <sup>b</sup>	Min. 5'	Min. 15'
Residential-70	2.57	50	70	-					
Mixed Use-49 <sup>a</sup>	10.16	43	49	0.4					
Mixed Use-70 <sup>a</sup>	0.33	43	49	0.4					

*NOTE*  
*a. This zone allows 100% residential uses, and requires a minimum of 85% residential uses.*  
*b. 0' street side setback on lots having >15% slope*  
 Source: De Novo Planning Group, 2023.

**Figure 2-6** shows the existing zoning designations for the identified Opportunity Sites, while **Figure 2-7** shows the zoning designations under the proposed Project.

Some of the sites proposed for rezoning in Program 4 include sites subject to a vote of the electorate, which is required due to previously adopted restrictions as set forth Ordinance

1022 and Ordinance 1128, previously adopted following submission of initiatives to the City Council. Initiative-restricted sites are designated as Sites 39, 44, 47, 72, 79, 81, 84, 201, 211, 212, 301, 303, 304, and 306, identified in Appendix D1 of the Housing Element, and are anticipated to accommodate very low, low, moderate, and above moderate income units. As part of Program 4, the City would initiate and conduct the election, pay for all costs associated with preparing the ballot measure for submission to the voters, and prepare for education materials related to the impacts of the ballot measure.

Section 10.28.080 (Emergency shelters) is revised to limit parking requirements to accommodate all staff working in the shelter, provided that the parking requirement is not more than required for other residential or commercial uses within the same zone.

#### ***Chapter 10.40 GENERAL DEVELOPMENT REGULATIONS***

Section 10.40.115 would be revised to provide parking exemptions for eligible projects within ½-mile of public transit as mandated by Government Code Section 65863.2.

Section 10.40.130 would be revised to reflect the State Density Bonus Law, including provisions for senior citizen housing, units for transitional foster youth, disabled veterans or homeless youth, student housing developments, and 100 percent lower income developments. The density bonus standards in Table 10.40-2 would be revised to reflect the current density bonuses mandated for specific project types and affordability levels. Table 10.40-3 would be revised to address incentives for 100 percent lower income projects. Paragraph H would be added to address projects that require concessions due to physical constraints to achieving the density bonus.

#### ***Chapter 10.44 SPECIFIC USE REQUIREMENTS***

Section 10.44.360 would be added to address employee housing for six or fewer employees in accordance with Government Code Section 17021.5.

Section 10.44.370 would be added to address agricultural employee housing in accordance with Government Code Section 17021.6.

Section 10.44.380 would be added to address low barrier navigation centers in accordance with Government Code Section 65660.

Section 10.44.390 would be added to address supportive housing in accordance with Government Code Section 65651.

Section 10.44.400 would be added to address replacement housing requirements for lower income sites identified in the Housing Element inventory of sites in accordance with Government Code Section 65583.2(g)(3).

#### ***Chapter 10.50 LAND USE PERMIT PROCEDURES.***



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Chapter 10.50 will be updated to address streamlined review and ministerial review laws, including

### ***Chapter 10.54 DESIGN REVIEW PROCEDURES***

Chapter 10.54 will be revised to clarify requirements for projects that are not subject to discretionary review.

### ***TITLE 10A: OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS***

Title 10A would be added to the Sausalito Municipal Code to implement Housing Element Program 19 to adopt ODDS applicable to housing projects which qualify for expedited permit processing under State laws, including the Housing Accountability Act, SB 35, and AB 2011. The ODDS would apply to sites zoned for multifamily and commercial/mixed use developments and to individual Housing Opportunity Sites identified in the adopted Housing Element.

The ODDS would establish form-based development regulations including, but not limited to, minimum lot sizes based on the building type proposed, height limits, building setbacks, required minimum length of building façade along a street frontage, allowable encroachments into setback areas, allowable building types with defined design criteria, parking requirements for number of spaces and location, required building frontage improvement types, required public street improvements, grading and slope development standards, equipment screening, and landscape and lighting standards.

The ODDS applicable to new multi-unit developments in the existing multi-family and commercial mixed use zones (R-2, R-3, CN, CR, and CC) reflect and implement existing General Plan and Zoning Code maximum residential densities, floor area ratios, and height limits and minimum building setbacks. Therefore, the ODDS that apply to the existing multi-family and commercial mixed use zones retain the existing allowable building size and location regulations from the adopted General Plan and Zoning Code and represent a reorganization and clarification of existing requirements and do not establish new standards.

The Housing Opportunity Sites Overlay (HOS) (Section 10.28.090 and Section 10.A.02.080 along with related sections) establishes standards applicable to the overlay districts (Residential-49, Residential-70, Mixed Use-49, and Mixed Use-70) that will be created by the Project. These are new standards

Sausalito's proposed HOS Overlay includes the following standards:

- minimum and maximum residential densities;
- maximum non-residential floor area ratio;

- maximum building heights: 45 feet or 4 stories;
- primary building setbacks:: no front setback, 5-foot side street and interior side setbacks, and 15-foot rear setback;
- parking setbacks: 40-foot front setback (5-foot for sites with slope >20%), 30-foot side street setback, and 5-foot interior side and rear setbacks;
- 5-foot stepback from all sides of a building for the 4<sup>th</sup> story;
- vehicle parking standards: 1 space per studio and 1-bedroom units and 1.5 spaces for units with 2 or more bedrooms;
- bicycle parking standards:
  - 1 space per bedroom, and
- guest parking: 1 space per 10 bedrooms.

#### 2.5.4 INFRASTRUCTURE

The proposed Project is within an existing urbanized environment, which is served by existing domestic water supply, wastewater, and storm drainage infrastructure, and electricity, natural gas, and telecommunication services. Development resulting from the proposed Project may require new or upgraded local connections to this infrastructure. As is standard practice, the addition or modification of such infrastructure may be within the roadway right-of-way, resulting in some modest amount of infrastructure construction activity. The proposed Project does not propose to reroute utility infrastructure, or add new utility infrastructure, beyond connecting individual project sites to utility main lines. Utility installation or upgrades would be conducted on a project-by-project basis as individual developments are proposed.

Further, minor roadway construction along project site frontages may be required to accommodate new access points, driveways, sidewalks, and the like. The proposed Project does not propose to make changes to the roadway network.

#### 2.6 INTENDED USES OF THIS EIR

This EIR is a program-level EIR and does not evaluate individual projects that may be allowed under the Housing Element Program at a site-specific level. Because the Housing Element Program implements the Housing Element's policies, goals, and guidelines, and describes potential housing development that may or may not be built on any particular site, environmental review will necessarily be general. The CEQA Guidelines instruct that environmental review of a planning-level document need not contain the level of detail required for review of a specific construction project. (CEQA Guidelines Section 15146 (“[t]he

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degree of specificity required ... will correspond to the degree of specificity involved in the underlying activity.”)

### 2.7 REQUIRED APPROVALS

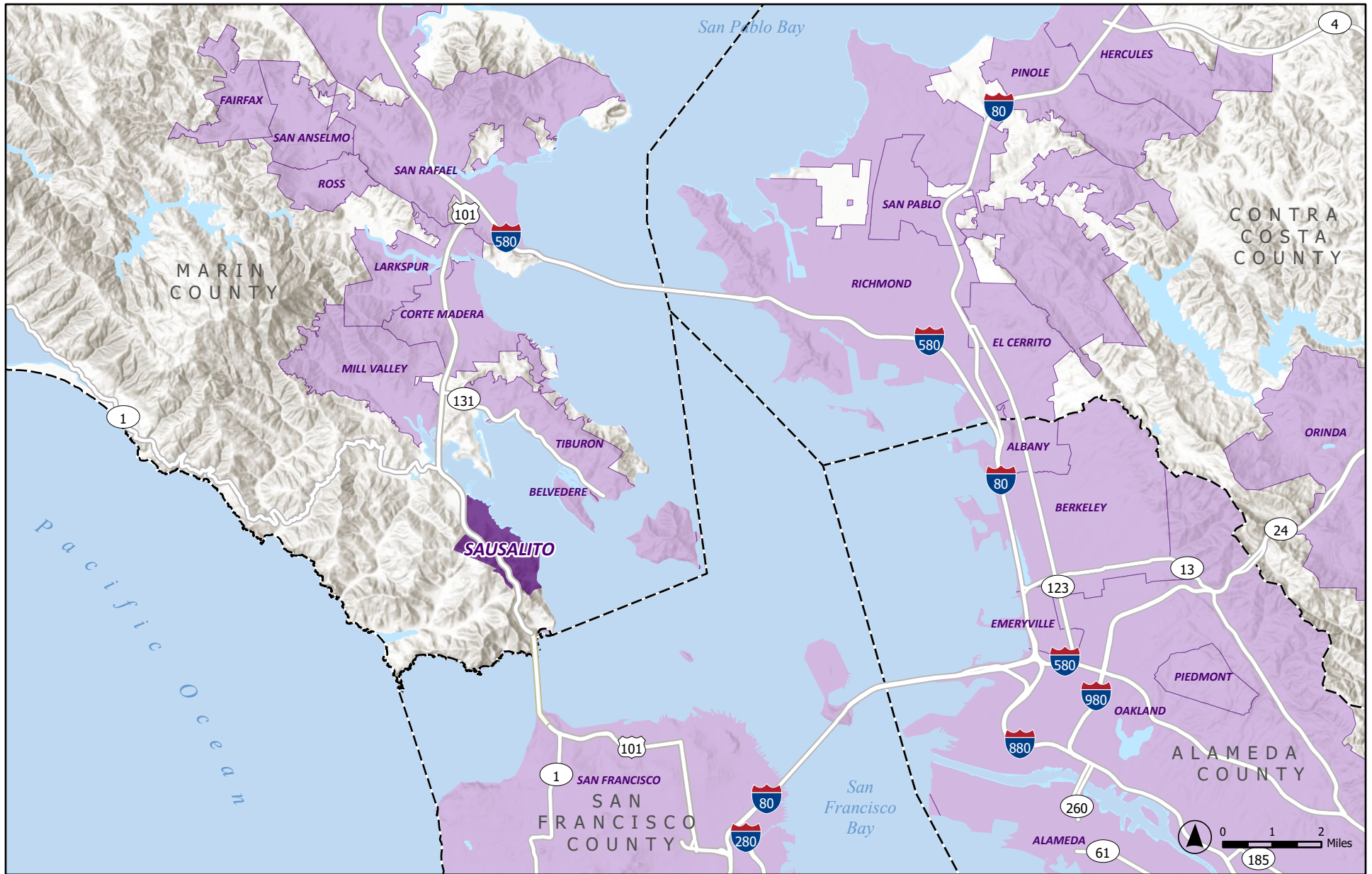
Adoption and implementation of the Project would require a series of interrelated planning and regulatory approvals by the City, as Lead Agency. Specifically, the City would take the following approval actions:

- Adoption of General Plan amendments to redesignate the land uses for Opportunity Sites and to update other general plan elements for internal consistency;
- Rezoning of Opportunity Sites, which will involve actions by the City Council to adopt appropriate zoning ordinances, as well as placement of measures on the ballot to address restrictions under Ordinance 1022 and Ordinance 1128;
- Adoption of Zoning Ordinance amendments to implement the Housing Element Programs; and
- Adoption of Objective Design and Development Standards (ODDS).

All of these proposed actions would require review and recommendation by the Planning Commission, followed by consideration and action by the City Council.

As the Lead Agency and as appropriate under CEQA, the City also intends the EIR to serve as the CEQA-required environmental documentation for consideration of the Project by other Responsible Agencies and Trustee Agencies which may have discretionary approval authority over the Project. Under the CEQA Guidelines, the term “Responsible Agency” includes all public agencies, other than the Lead Agency, which have discretionary approval power over aspects of the project for which the Lead Agency has prepared an EIR (CEQA Guidelines Section 15381); and the term “Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by the project which are held in trust by the people of California (CEQA Guidelines Section 15386). While no Responsible Agencies and Trustee Agencies have been identified with approval actions associated with adoption of the Project, agencies may use the EIR when considering actions necessary for development on the identified sites. These agencies may include:

- California Department of Fish and Wildlife (CDFW);
- California Department of Transportation (Caltrans);
- Regional Water Quality Control Board (RWQCB);
- Marin County Local Agency Formation Commission (LAFCo);
- U.S. Army Corps of Engineers (USACE);
- U.S. Fish and Wildlife Service (USFWS); and/or
- San Francisco Bay Conservation and Development Commission (BCDC).



**LEGEND**

- City of Sausalito
- Other Incorporated Area
- County Boundary

**HOUSING ELEMENT PROGRAMS EIR**



Figure 2-1. Regional Location Map

Sources: City of Sausalito; Marin GeoHub. Map date: July 19, 2023.





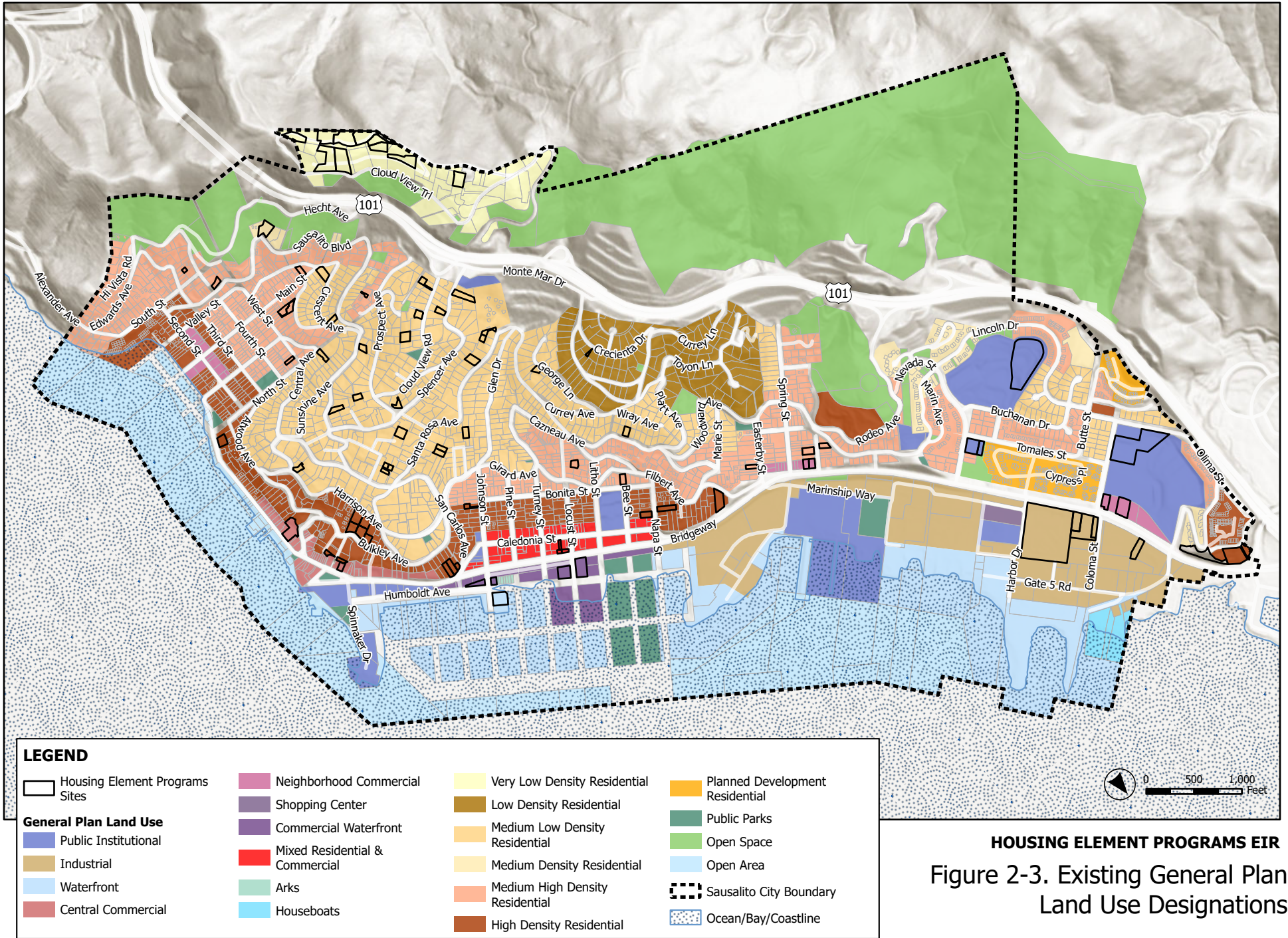
**LEGEND**

-  Sausalito City Boundary
-  Housing Element Programs Sites

**HOUSING ELEMENT PROGRAMS EIR**

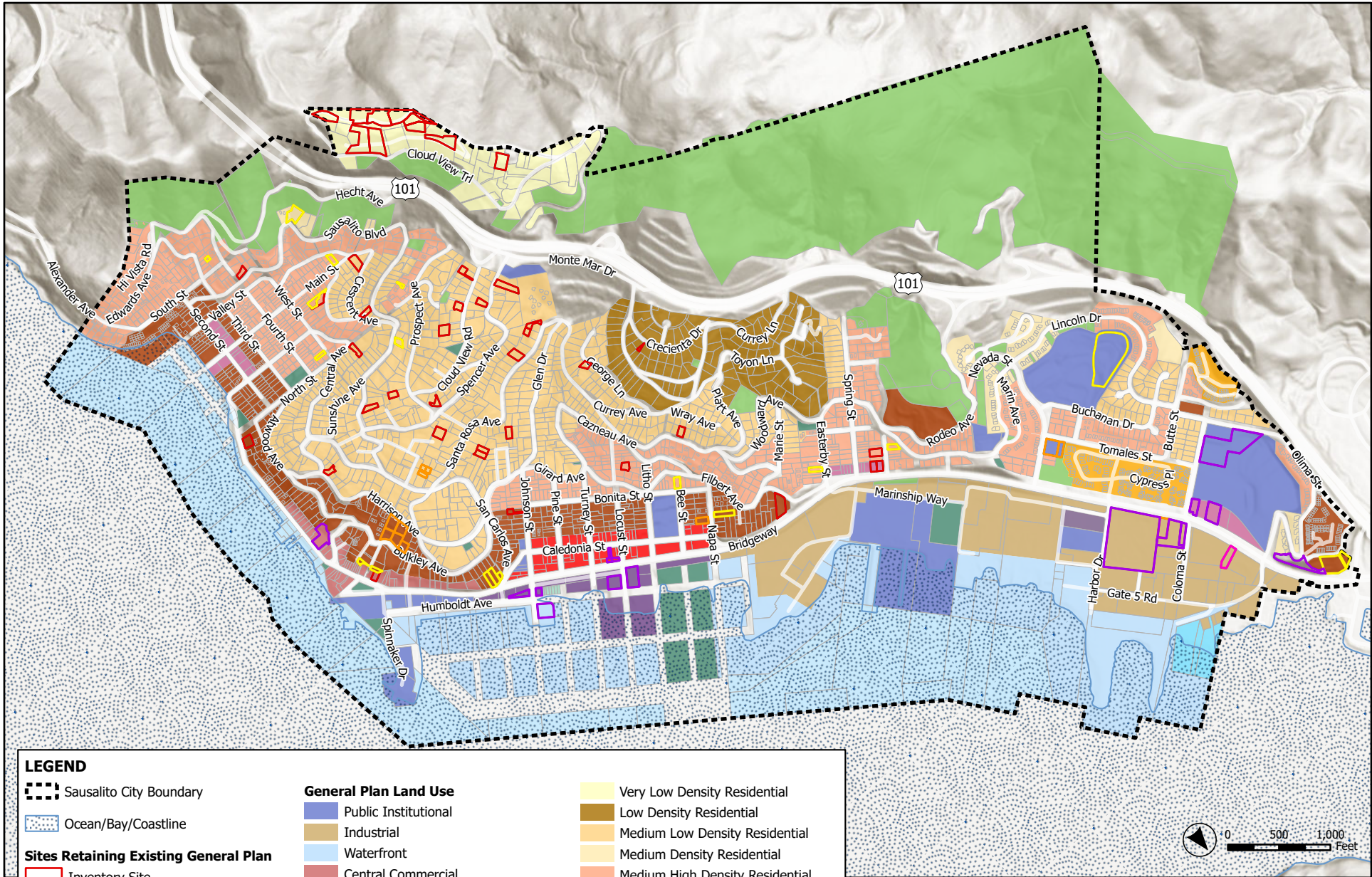
Figure 2-2. Housing Element Program Sites





**HOUSING ELEMENT PROGRAMS EIR**  
**Figure 2-3. Existing General Plan Land Use Designations**





**LEGEND**

--- Sausalito City Boundary

⋯ Ocean/Bay/Coastline

**Sites Retaining Existing General Plan**

□ Inventory Site

**Sites with New Housing Overlay**

□ Housing-49

□ Housing-70

□ MU-49/85%

□ MU-70/85%

**General Plan Land Use**

■ Public Institutional

■ Industrial

■ Waterfront

■ Central Commercial

■ Neighborhood Commercial

■ Shopping Center

■ Commercial Waterfront

■ Mixed Residential & Commercial

■ Arks

■ Houseboats

■ Very Low Density Residential

■ Low Density Residential

■ Medium Low Density Residential

■ Medium Density Residential

■ Medium High Density Residential

■ High Density Residential

■ Planned Development Residential

■ Public Parks

■ Open Space

■ Open Area



**HOUSING ELEMENT PROGRAMS EIR**

Figure 2-4. Proposed General Plan Land Use Designations





**LEGEND**

--- Sausalito City Boundary

**Housing Element Programs Sites**

Sites Retaining Existing Zoning

Inventory Site

Sites with New Housing Overlay

Housing-49

Housing-70

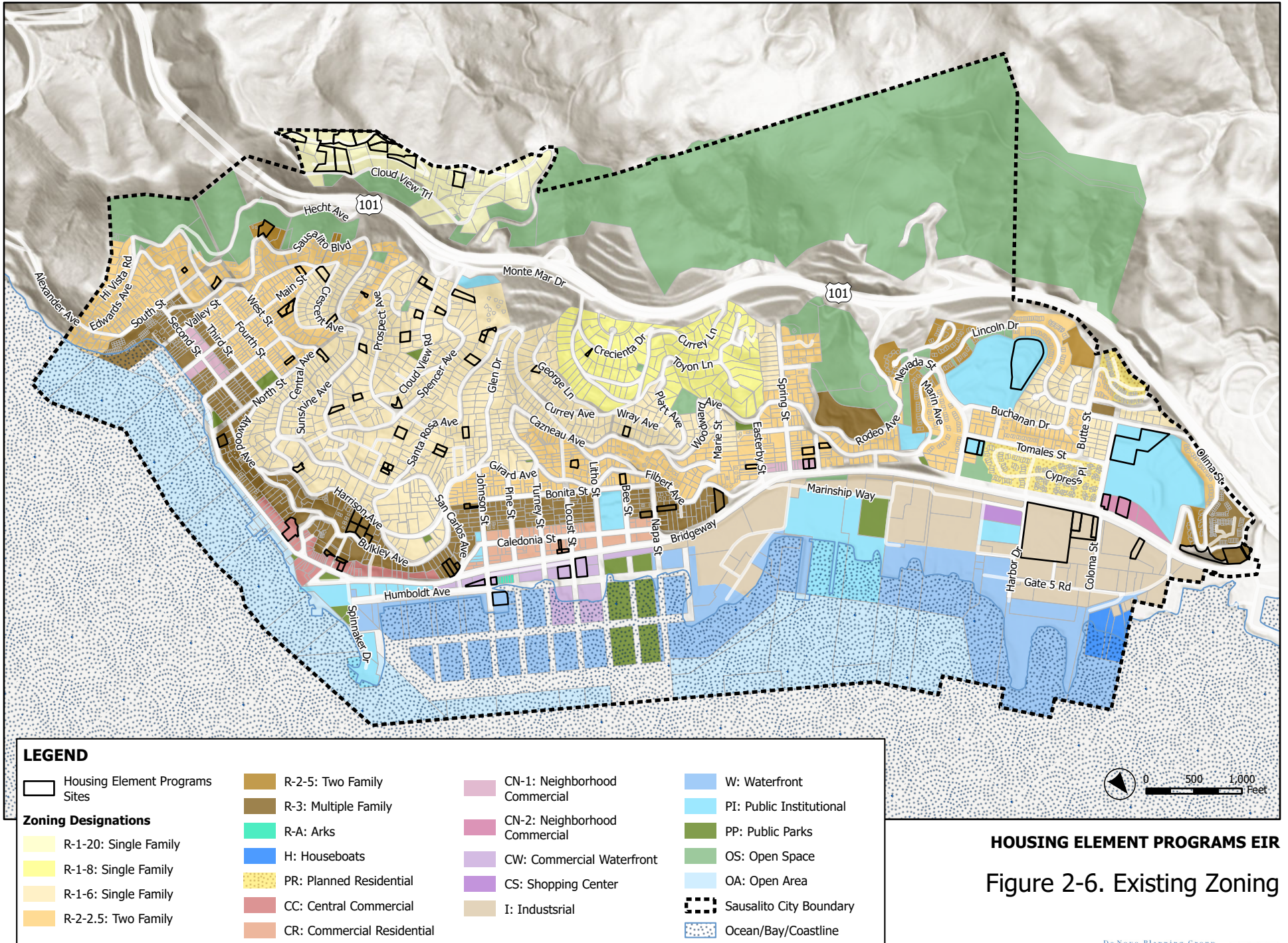
MU-49/85%

MU-70/85%

**HOUSING ELEMENT PROGRAMS EIR**

Figure 2-5. Housing Element Program Sites with Aerial

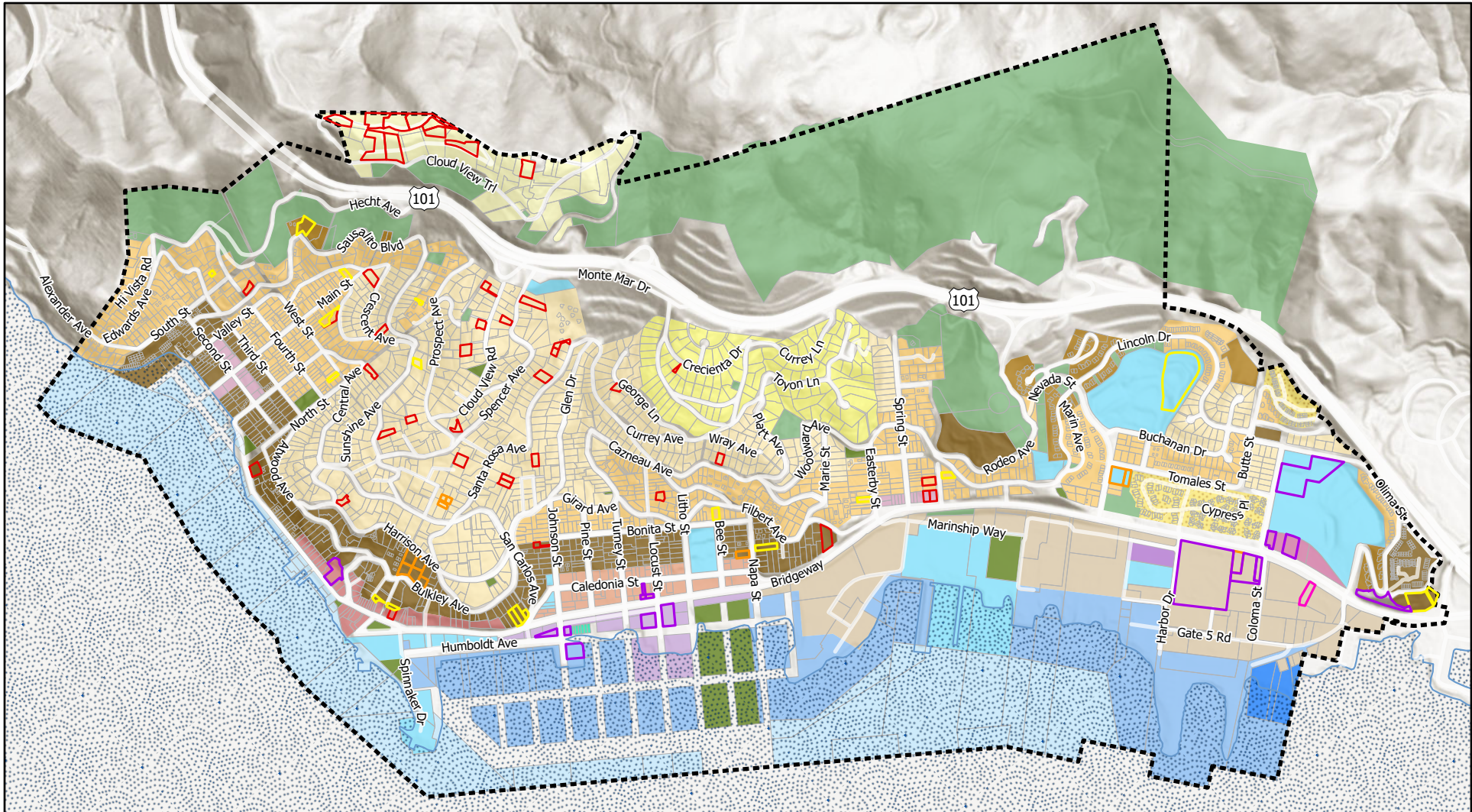




**HOUSING ELEMENT PROGRAMS EIR**  
**Figure 2-6. Existing Zoning**

Sources: City of Sausalito; Marin GeoHub. Map date: July 18, 2023.





LEGEND	
<b>Housing Element Programs Sites</b>	<b>Zoning Designations</b>
Sites Retaining Existing Zoning	R-1-20: Single Family
Inventory Site	R-1-8: Single Family
Sites with New Housing Overlay	R-1-6: Single Family
Housing-49	R-2-2.5: Two Family
Housing-70	R-2-5: Two Family
MU-49/85%	R-3: Multiple Family
MU-70/85%	R-A: Arks
	PR: Planned Residential
	CC: Central Commercial
	CR: Commercial Residential
	CN-1: Neighborhood Commercial
	CN-2: Neighborhood Commercial
	CW: Commercial Waterfront
	CS: Shopping Center
	H: Houseboats
	I: Industrial
	W: Waterfront
	PI: Public Institutional
	PP: Public Parks
	OS: Open Space
	OA: Open Area
	Sausalito City Boundary
	Ocean/Bay/Coastline



**HOUSING ELEMENT PROGRAMS EIR**  
 Figure 2-7. Proposed Zoning

Sources: City of Sausalito; Marin GeoHub. Map date: July 18, 2023.

### 3.0 ENVIRONMENTAL IMPACT ANALYSIS

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This section of the Draft Environmental Impact Report (Draft EIR) evaluates the direct, indirect, and cumulative environmental impacts of the Housing Element Programs. In accordance with Appendix G, Environmental Checklist, of the California Environmental Quality Act (CEQA) Guidelines, the potential environmental effects of the Housing Element Programs are analyzed for potential significant impacts in the following environmental issue areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population, Housing, and Employment
- Public Services and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

#### SECTION ORGANIZATION

Each section addressing individual environmental issues includes discussion on all the following topics:

- **Existing Setting** provides a description of the existing environmental setting and condition that provides a baseline against which impacts of implementation of the Housing Element Programs can be compared.
- **Regulatory Setting** contains an overview of federal, State, regional, and local programs and regulations relevant to each environmental issue.
- **Thresholds of Significance** refer to quantitative or qualitative standards, performance levels, or criteria used to compare the existing setting with and without the Housing Element Programs to determine whether the impact is significant. These thresholds are based primarily on the CEQA Guidelines, but also may reflect established health

standards, ecological tolerance standards, public service capacity standards, or guidelines established by agencies or experts.

- **Analysis, Impacts, and Mitigation Measures** describes the methodology used in assessing potential impacts of the Housing Element Programs and contains an analysis of direct and indirect impacts from construction, operation, and maintenance activities related to future development that could occur under the Housing Element Programs. A cumulative analysis for each potential impact will also be included in this section. The geographic scope of the area affected by each cumulative effect (e.g., immediate project vicinity, city, planning area, county, watershed, or air basin) will be identified; an analysis conducted evaluating the cumulative effect, and a determination about the Housing Element Program project's contribution to that effect.

For each impact identified, including cumulative impacts, a level of impact will be described using the following categories:

- **Significant** impacts include a description of the circumstances where an established or defined threshold would be exceeded.
- **Less than significant** impacts include effects that may be noticeable, but do not exceed established or defined thresholds. Potentially significant impacts that are mitigated to a less-than-significant level by mitigating programs, actions, or other factors are also included in this category.
- **No impact** describes circumstances where there is no adverse effect on the environment.

## ENVIRONMENTAL ISSUE AREAS NOT ADDRESSED IN THE EIR

### AGRICULTURE AND FORESTRY RESOURCES

The EIR certified for the City's General Plan Update in 2021 concluded there would be no impacts to agriculture and forestry resources as a result of development in the City. No land zoned or used as agricultural resources, including farmland, forestry resources, or timberland, is found in the City. Therefore, no agricultural or forestry impacts would occur as a result of implementing the Housing Element Programs and this issue is not discussed further in the EIR.

### MINERAL RESOURCES

The EIR certified for the City's General Plan Update in 2021 concluded that there would be no impacts to mineral resources as a result of development in the City. No significant mineral resources have been identified in the City. None of the Opportunity Sites are used for mineral extraction, nor are any of the sites designated as an important mineral recovery site.



# City of Sausalito

## Housing Element Programs EIR

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Therefore, there would be no impact on mineral resources, and this impact is not discussed further in the EIR.

### 3.1 AESTHETICS

This section of the Draft EIR describes the existing visual character of the Sausalito Planning Area, including scenic vistas, scenic resources within scenic highways and roadways, public views, and existing sources of light and glare. Scenic vistas are long-range views of prominent scenic or background features such as open space lands or mountain ridges. Public views are short- and medium-range views that are visible from publicly accessible viewpoints, such as city streets or city parks. This section also evaluates impacts to aesthetics that are anticipated to occur from implementation the Housing Element Programs. The Housing Element included a goal of creating a total capacity for 959 units based on opportunity sites for future housing development as further identified in the Housing Element.

Information in this section is based, in part, on information provided by the following reference materials:

- Sausalito General Plan;
- City of Sausalito General Plan EIR;
- Sausalito Municipal Code; and
- Marin Countywide Plan.

#### 3.1.1 EXISTING SETTING

##### *Visual Character and Scenic Vistas*

The City of Sausalito is nestled into the wooded hillsides, bordered by Richardson Bay on one edge and by Wolfback Ridge and the lands of the Golden Gate National Recreation Area (GGNRA) on the other. The Sausalito Municipal Code and General Plan seek to maintain the views of the waterfront, the open waters of the Bay, and the natural ridgelines within the Planning Area.

Sausalito Municipal Code Section 11.12.020(V) defines “View” as a vista of San Francisco-Richardson Bay, neighboring communities, surrounding hills, or a nearby or distant wooded area from the primary living areas of the home. “Views” include, but are not limited to, skylines, bridges, distant cities, geologic features, hillside terrains, and wooded canyons or ridges. The term “view” does not mean an unobstructed panorama of all or any of the views defined in Section 11.12.020(V).

Additionally, Chapter 10.88 of the Municipal Code defines “View” as any view of the Sausalito Waterfront, San Francisco Bay, Mount Tamalpais, Strawberry Point, Tiburon, Belvedere, Angel Island, East Bay, and/or the City of San Francisco or any view greater than 300 feet distance and/or including significant aesthetic, cultural, natural, or historical features. The

term “View” does not mean an unobstructed panorama of all or any of the views defined in Chapter 10.88

As described in Chapter 10.88 of the Municipal Code, “primary views” are defined as any view distance from primary viewing areas of a dwelling such as the living room, dining room, kitchen, master bedroom, and deck or patio spaces serving such living areas. A secondary view is defined as any view from bathrooms, accessory bedrooms, passageways, and utility areas. Public views are defined as any view from a public right-of-way, including from a public road, street, sidewalk, pedestrian lane, or public stairway, trail, or pathway.

The natural terrain and vegetation contribute to the Planning Area’s scenic qualities. The General Plan seeks to maintain the integrity of the natural terrain and ridgelines and ensure that views of the natural ridgelines are maintained. Figure 3.1-1 illustrates the location of these ridgelines, and are further described below:

- **Cypress Ridge.** Protect the ridge to ensure that any utilities are consistent with City policy.
- **Wolfback Ridge.** Ensure that no new silhouette can be seen from public right-of-way in Old Town and the Spencer Avenue exit from Highway 101.
- **South Ridge (Edwards Avenue).** Ensure minimal impact on ridgeline views from Bridgeway.
- **Caltrans Property Right-of-Way.** Limit development along the Caltrans right-of-way to improvements that do not impact ridgeline views from Bridgeway or neighboring public rights-of-way.

The General Plan seeks to preserve Sausalito’s scenic resources and natural features such as trees, ridgelines, waters of Richardson Bay, small landscaped parks, and neighborhood greenbelts. The General Plan also seeks to preserve views of scenic resources and natural features within the immediate Planning Area, as well as views of the open waters of the Bay and land masses beyond the open waters, as seen from streets and paths, vantage points, and views from private properties. View corridors of Richardson Bay from various locations within the Marinship, as well as Sausalito’s scenic resources and natural features are identified in Figure 3.1-2.

### **Scenic Highways**

There are no designated State Scenic Highways in the Planning Area. Highway 101 is eligible for designation as a State Scenic Highway from its intersection with State Route 1 in the north to the Marin County Line in the south.<sup>1</sup> Starting at its intersection with State Route 1, Highway 101 provides four lanes in each direction, parallels Richardson Bay, and winds through the

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<sup>1</sup> California Department of Transportation. 2019. List of eligible and officially designated State Scenic Highways. August.

# City of Sausalito

## Housing Element Programs EIR

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Planning Area to the Robin Williams Tunnel (previously called the Waldo Tunnel). Along the route that traverses the Planning Area, undeveloped hills and Bay waters are visible. After the tunnel, the highway continues and connects with the Golden Gate Bridge and the City of San Francisco.

Neither the County nor the City designate specific scenic roadways within the Sausalito Planning Area.

### ***Light and Glare***

Light pollution refers to the inappropriate or excessive use of artificial light. Components of light pollution include glare (excessive brightness that causes visual discomfort), light trespass (light falling where it is not intended or needed), sky glow (brightening of the night sky over inhabited areas), and clutter (bright, confusing and excessive groupings of light sources).<sup>2</sup> Light pollution impairs views of the night sky and can be disruptive to humans and nocturnal animal species.

During the day, sunlight reflecting from structures is a primary source of glare, while nighttime light and glare can be stationary or from mobile sources. Stationary sources of nighttime light include structure illumination, interior lighting, decorative landscape lighting, and streetlights. The principal mobile source of nighttime light and glare is vehicle headlamp illumination.

Urban land uses on the city's waterfront are the main source of daytime and nighttime light and glare. The hillsides are characterized by less intense development and generally have lower levels of ambient nighttime lighting and daytime glare. The existing light environment found in the Planning Area is considered typical for suburban areas.

### **3.1.2 REGULATORY SETTING**

#### ***State***

##### **State Scenic Highway Program**

The California Department of Transportation (Caltrans) administers the State Scenic Highway Program to preserve scenic highway character and protect them from changes that may diminish aesthetic value of adjacent lands. Within Marin County, there are no Officially Designated State Scenic Highways.<sup>3</sup> However, there are two highways that are Eligible for

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<sup>2</sup> DarkSky International. 2023. What is Light Pollution? Website: <https://darksky.org/resources/what-is-light-pollution/> Accessed November 6, 2023.

<sup>3</sup> California Department of Transportation (Caltrans). 2019. List of eligible and officially designated State Scenic Highways. Website: [https://dot.ca.gov/-/media/dot-media/programs/design/documents/desig-and-eligible-aug2019\\_a11y.xlsx](https://dot.ca.gov/-/media/dot-media/programs/design/documents/desig-and-eligible-aug2019_a11y.xlsx). Accessed November 6, 2023.



designation: Highway 101 near Ignacio/Route 37 (unconstructed) near Novato, and Highway 101 from the northern edge of the Golden Gate Bridge north to the Highway 101/Highway 1 split in Marin City. This latter segment passes through Sausalito.<sup>4</sup>

### **Nighttime Sky – Title 24 Outdoor Lighting Standards, 2022**

The California Energy Commission (CEC) regulates energy efficiency of outdoor lighting for new development. The standards serve to improve outdoor lighting quality by reducing impacts of light pollution, light trespass, and glare.<sup>5</sup> The standards regulate characteristics such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off. Exterior lighting allowances vary by Lighting Zones (LZ). The lowest illumination levels are encouraged in LZ0 (very low) and increasingly more power is allowed in LZ1 (low), LZ2 (moderate), LZ3 (moderately high), and LZ4 (high). The Statewide default location for each LZ is as follows:

- LZ0: Undeveloped areas of government designated parks, recreation areas, and wildlife preserves.
- LZ1: Rural areas, as defined by the 2010 U.S. Census.
- LZ2: Urban clusters, as defined by the 2010 U.S. Census.
- LZ3: Urban areas, as defined by the 2010 U.S. Census.
- LZ4: No statewide default location. Special district created by local government.

## **Local**

### **Sausalito General Plan**

The General Plan contains the following policies and programs that promote protection and enhancement of aesthetics in the City of Sausalito:

#### *Land Use and Growth Management Element*

Policy LU-4.4: Central Waterfront Uses. Promote commercial uses that maximize open water and view corridors in the Commercial Waterfront area as described in Table 1-1, General Plan Land Use Categories, and shown on the General Plan Land Use Map, Figure 1-1.

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<sup>4</sup> California Department of Transportation (Caltrans). 2019. List of eligible and officially designated State Scenic Highways. Website: [https://dot.ca.gov/-/media/dot-media/programs/design/documents/desig-and-eligible-aug2019\\_a11y.xlsx](https://dot.ca.gov/-/media/dot-media/programs/design/documents/desig-and-eligible-aug2019_a11y.xlsx). Accessed November 6, 2023.

<sup>5</sup> California Energy Commission (CEC). 2022 Building Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 6 and Associated Administrative Regulations in Part 1. Website: [https://www.energy.ca.gov/sites/default/files/2022-12/CEC-400-2022-010\\_CMF.pdf](https://www.energy.ca.gov/sites/default/files/2022-12/CEC-400-2022-010_CMF.pdf). Accessed November 6, 2023.

# City of Sausalito

## Housing Element Programs EIR

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Program LU-4.5.2: Retire Other Open Water Properties. Explore processes, such as conservation easements, to retire other open water properties in order to maintain views and provide ecological value.

Policy LU-4.6: Downtown Waterfront. Maintain and enhance the existing character of the Downtown waterfront with a mixture of open vistas and commercial uses.

Program LU-4.6.7: Design Guidelines. Implement design guidelines and objective standards which support the existing character of downtown.

### *Waterfront Element*

Program W-1.2.1: Shoreline Access. Maintain and enhance water view corridors and walking paths to and along the shoreline where compatible from private development.

Policy W-4.2: Bay Waters. Preserve and enhance the wetlands, open waters, and ecosystem of Richardson and San Francisco Bays and utilize these landscapes for sea level rise mitigation.

Policy W-4.3: Shoreline Areas. Preserve the undeveloped open shoreline, shoreline habitat, and public access in waterfront development consistent with public trust and private ownership purposes.

Program W-4.3.3: Zoning Ordinance (Improved Access). Revise the Zoning Ordinance to require that new development projects improve public access to the shoreline and views.

### *Community Design, Historic and Cultural Preservation Element*

Policy CD-1.1: Architectural Innovation. Encourage projects which promote architectural quality and innovative solutions rather than conformity to standard designs while honoring the distinctive neighborhood characteristics, density, and mass.

Policy CD-1.3: Maximum Height Limit. Establish a maximum height limit for all structures in Sausalito while recognizing that maximum height is not guaranteed for development proposals where view preservation, shadow studies, and scale is an issue.

Policy CD-2.1: Natural Features. Maintain and enhance natural site features and minimize disturbance to the natural terrain to the extent possible, consistent with permitted densities.

Program CD-2.1.1: Tree Removal. Require approval of removal for all Protected Trees and enforce penalties for tree removal without approval.

Program CD-2.1.2: Design Review Considerations. Consider how each proposed project integrates with its natural environment through the design review process.

Policy CD-2.2: Steep Sloping Sites. Give special attention to the design considerations for proposed development on steeply sloped sites.

Program CD-2.2.2: Design Guidelines. Develop illustrative design guidelines to provide general guidance for construction on steep slopes, including considering design review when average gradient of property exceeds 40 percent.

Policy CD-3.2: Public Views. Locate and design new and significantly remodeled structures and other private and public improvements with consideration for their impact on significant public views and view corridors. [See Figure 4-4: View Corridors of the General Plan.]

Program CD-3.2.1: Design Review of Public View Impacts. Through Design Review, analyze project submittals for new and significantly remodeled structures and landscaping for their impact on views from major public vantage points.

Program CD-3.2.2: Map of Public Views. Develop and maintain a citywide map that identifies priority public viewpoints that should be considered for mandatory preservation.

Policy CD-4.3: Sub-Area Qualities. Maintain the uniqueness of community sub-areas and assure that sub-area attributes are protected and enhanced.

Program CD-4.3.1: Sub-Area Design. Design standards and objective guidelines for the commercial sub-areas should be guided by the following:

- a) Caledonia Street: Maintain and enhance the pedestrian streetscape and promote design compatibility with existing historical, commercial, and residential structures.
- b) Central Waterfront (Napa Street to Spinnaker Point): Balance commercial structures with recreational facilities and open space (water/view) enjoyment, encourage enlargement and enhancement of Dunphy Park and expand public access to waterfront sites.
- c) Downtown: Maintain and enhance the pedestrian oriented streetscape, promote design compatibility with historical structures, and recognize the needs of retailers in making design decisions.
- d) Downtown Waterfront (Spinnaker Point to Princess Street): Balance the open water views with public amenities, provide efficient and continuous pedestrian access along and to the water, investigate the enlargement and enhancement of the Vina Del Mar Park area.
- e) Marinship: Encourage the development of all industrial, commercial, and institutional sites to be as visually attractive as possible consistent with functionality.
- f) Southern Waterfront (Princess Street to City Limits): Maintain a primarily open, unobstructed visual character of this area.

Policy CD-4.5: Sausalito Identity. Enhance Sausalito's architectural quality and diversity, general city characteristics, and historical legacy via a design review process that has careful consideration of objective development standards and design guidelines.

# City of Sausalito

## Housing Element Programs EIR

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Policy CD-5.1: Public Projects. Assure that community design considerations are carefully included in any decision involving public projects.

Program CD-5.1.1: Public Views. Locate and design public improvements in order to minimize their impact on public vantage points and view corridors.

Program CD-5.1.4 Public Spaces. Maintain and enhance public spaces, including landscaping and lighting, throughout the city.

Policy CD-5.3: Signage. Enhance the appearance of main thoroughfares by reducing the visual clutter of signage while improving business vitality.

### *Environmental Quality Element*

Policy EQ-2.3: Public Open Space Use. Maintain public open space areas in a natural state compatible with the preservation of environmental resources, views and surrounding area uses.

Program EQ-2.3.2: Aesthetics. Encourage aesthetically designed public facilities (e.g. power lines, water lines, water tanks) with appropriate placement, adequate setbacks, and proper landscaping to reduce aesthetic impacts and impacts on views of hillsides, ridgelines, open space, and the Bay.

Policy EQ-2.4: Open Space Management. Maintain habitat and scenic value of open space and ensure the protection of public health and safety through the well-planned management of open space lands.

Policy EQ-4.3: Creeks and Drainage Ways. Promote the natural integrity of creeks and/or drainageways as riparian habitat and wildlife corridors to protect residents from flooding and other hazards.

### *Sustainability – Climate Change Mitigation and Resiliency Element*

Program S-1.2.2: Street Light Conversion. Complete replacement of city incandescent streetlights to Light Emitting Diode (LED) or other less energy intensive fixtures in order to reduce energy consumption and costs.

### *Economic Element*

Policy EC-4.3: Downtown Appearance. Maintain and enhance the appearance of the Downtown to promote a vibrant, clean, and aesthetically pleasing shopping and visiting experience.

### **Sausalito Municipal Code**

Aesthetic resources are regulated under sections of the Sausalito Municipal Code. Development and design standards serve to ensure that new development in the city is consistent and compatible with its established character, as outlined in Chapter 10.40 (General Development Regulations) and 10.54 (Design Review Procedures). In addition, allowable land uses and development standards are defined for each zoning district,

including Open Space and Public Districts (Chapter 10.20), Residential Zoning Districts (Chapter 10.22), Commercial Zoning Districts (Chapter 10.24), Industrial Marinship District (Chapter 10.26), and Overlay Districts (Chapter 10.28).

Chapter 10.42 (Sign and Awning Regulations) establishes standards to promote an attractive city and prevent visual degradation from excess signage. This includes regulating lighting.

Chapter 11.12 (Preservation of Trees and Views) protects certain species and sizes of trees, in addition to dedicated trees of special significance to the city, on private property, and all trees and shrubs on city property. It also defines undesirable species of trees as specifically unprotected. The Sausalito Municipal Code safeguards these trees against removal, alteration, and damage, without first having obtained a tree removal or alteration permit from the city. Chapter 11.12 also establishes that vegetation must not unreasonably obstruct the view from, or the sunlight reaching, other property, and outlines procedures for making view claims.

Section 16.04.050 (Waters of Dunphy Park Declared Open Water Area) declares the waters of Dunphy Park are and shall be an open water area acquired, owned, and maintained by the city for the purpose of providing active recreational boating and an unobstructed water vista for those using and enjoying the upland area of Dunphy Park.

### **3.1.3 THRESHOLDS OF SIGNIFICANCE**

According to CEQA Guidelines Appendix G, except as provided in Public Resources Code Section 21099, the proposed project will have a significant impact related to aesthetics if it would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway;
- In non-urbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point);
- If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

### **3.1.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES**

Impacts related to aesthetics resulting implementation of the Housing Element Programs. The impact analysis is based on the existing visual character of the Planning Area, including scenic vistas, highways, roadways, and existing sources of light and glare. Changes to aesthetic resources that may occur from implementation of the Programs of the Housing

# City of Sausalito

## Housing Element Programs EIR

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Element are identified and qualitatively evaluated based on potential modifications to the existing aesthetic setting. Impacts related to aesthetics are assessed using significance criteria established by the CEQA guidelines.

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**Impact 3.1-1      Development facilitated by the Housing Element Programs would not have a substantial adverse effect on a scenic vista.**

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Development accommodated by rezoning and adoption of overlay zones under the Housing Element Programs would result in additional residential development throughout the city. Development would be limited to vacant and/or underutilized existing parcels as shown in Figure 2-5. The potential growth in residential uses would be infill development and would occur within the fabric of developed areas throughout the city. The potential growth areas in relation to view corridors, scenic resources, and natural features are shown on Figure 3.1-2. A key tenet of Sausalito's approach to identifying sites to address its lower income housing needs would be through the creation of new overlay zones that could significantly increase permitted residential densities. As shown in Table 2-3 in Chapter 2.0, Project Description, two housing opportunity site overlays and two mixed use opportunity site overlays would result in increased densities compared to the current maximum densities permitted by the existing zoning ordinance.

Development under the Housing Element Programs could alter existing views that are defined by the Sausalito Municipal Code, including views of ridgelines, Richardson Bay, bridges, distant cities, and land masses beyond the open waters such as Mount Tamalpais, Strawberry Point, Tiburon, Belvedere, Angel Island, East Bay, or the City of San Francisco. For example, development occurring within the vacant sites designated as Very Low Density Residential have the potential to impact Wolfback Ridge, a designated scenic ridgeline under the General Plan.

Development of Opportunity Sites 72, 211, 303, and 306 along Bridgeway and between Harbor Drive and Gate 5 Road would be within two Marinship View Corridors. Those Opportunity Sites are either currently vacant or have structures that do not fully utilize the parcel.

Other areas with public vantage points include areas immediately east of Highway 101, where the topography slopes upward toward Highway 101 and the GGNRA. These areas sometimes provide views of Richardson Bay and the Sausalito waterfront; however, these public views can be limited by existing structures. In some of the less developed areas, existing development occurs at lower densities, which allows for unfettered views across open areas and promotes the natural setting of many areas.

As discussed below, mandatory compliance with design review regulations and policies in the Sausalito Municipal Code and General Plan would ensure that aesthetic impacts from new development at the vacant parcels and opportunity sites proposed for rezoning under the Housing Element Programs would be less than significant. Further, compliance with the

ODDS would ensure that new construction complies with minimum lot sizes based on the building type proposed, height limits, building setbacks, required minimum length of building façade along a street frontage, allowable encroachments into setback areas, allowable building types with defined design criteria, parking requirements for number of spaces and location, required building frontage improvement types, required public street improvements, and slope development standards.

As the City receives development applications, it will review those applications under the various procedures in the Municipal Code. In addition, all development would be required to comply with the policies and programs of the General Plan and ODDS designed to protect view corridors, scenic resources, and natural features.

As part of the development review process, the Sausalito Municipal Code imposes rules and regulations to maintain the natural environment and to ensure that new development is consistent and compatible with the city's established character and preserves views. Chapter 11.12 establishes that vegetation must not unreasonably obstruct views from or sunlight reaching other property, and outlines procedures for making view claims. Section 16.04.050 declares that the waters of Dunphy Park are and shall be an open water area with the purpose of providing active recreational boating and an unobstructed water vista for those using and enjoying the upland area of Dunphy Park. Chapter 10.40 contains general development regulations to guide the location, design and development of new land uses and structures and the alteration of existing uses and structures. In addition, allowable land uses and development standards are defined for each zoning district, including Open Space and Public Districts (Chapter 10.20), Residential Zoning Districts (Chapter 10.22), Commercial Zoning Districts (Chapter 10.24), Industrial Marinship District (Chapter 10.26), and Overlay Districts (Chapter 10.28). Program W-4.3.3 further protects views by requiring revisions to the Zoning Ordinance to ensure new development projects improve public access to views.

When development applications are received, compliance with applicable policies and programs included in the General Plan will further ensure that potential impacts to view corridors, scenic resources, and natural features are less than significant. Policy CD-1.3 establishes a maximum height limit for all structures in the City of Sausalito and explicitly recognizes that maximum height is not guaranteed for development proposals where view preservation, shadow studies, and scale is an issue. Policy CD-3.2 requires that new and significantly remodeled structures and other private and public improvements be located and designed with consideration for their impact on significant public views and view corridors. Program CD-3.2.1 requires the city to analyze, through a design review process, project submittals for new and significantly remodeled structures and landscaping for their impact on views from major public vantage points. Program CD-3.2.2 requires the city to develop and maintain a citywide map that identifies priority public viewpoints that should be considered for mandatory preservation. In addition to policies regarding residential development, Program CD-5.1.1 recognizes the importance of public views and encourages



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the location and design of public improvements in order to minimize impacts on public vantage points and view corridors.

In order to integrate structures with the natural environment and protect natural features, the city includes policies and programs to guide the design of future residential and non-residential developments. Policy CD-2.1 of the General Plan requires that any disturbance to the natural terrain be minimized and that natural site features be maintained and enhanced. Program CD-2.1.2 requires the city to consider how each proposed project integrates with its natural environment through the design review process. Policy CD-2.2 requires the city to give special attention to the design considerations for proposed development on steeply sloped sites. Program CD-2.2.2 requires the city to develop illustrative design guidelines to provide general guidance for construction on steep slopes, including considering design review when average gradient of property exceeds 40 percent. The design review process must also consider the particular design standards and objective guidelines developed for each commercial sub-area, including Caledonia Street, Central Waterfront, Downtown, Downtown Waterfront, Marinship, and Southern Waterfront, as required in Program CD-4.3.1. Lastly, Program EQ-2.3.2 requires the city to encourage aesthetically designed public facilities (e.g., power lines, water lines, water tanks) with appropriate placement, adequate setbacks, and proper landscaping to reduce aesthetic impacts and impacts on views of hillsides, ridgelines, open space, and Richardson Bay.

In addition, the General Plan includes policies and programs designed to preserve riparian habitat and other sensitive natural communities, which would in turn maintain aesthetic quality of creeks within urbanized areas. Policy W-4.2 requires preservation and enhancement of the open waters and ecosystems of Richardson and San Francisco bays. Policy W-4.3 calls for preservation of undeveloped open shoreline. Policy EQ-4.6 promotes preservation of the natural integrity of creeks and riparian habitat. Future development in accordance to the Housing Element Programs would be subject to these General Plan policy requirements.

In conclusion, development at the vacant parcels and opportunity sites envisioned by the Housing Element Programs could result in an incremental increase in new residential development that could incrementally alter scenic resources and natural features within the Planning Area or alter views of scenic resources and natural features within the immediate Planning Area, as well as views of the open waters of the Bay and land masses beyond the open waters, as seen from streets and paths, special vantage points, and views from public properties. However, compliance with General Plan policies and programs, and adherence to development and design standards in the Sausalito Municipal Code would ensure that future residential development projects are appropriately designed in terms of potential aesthetic impacts. Consistent with the General Plan policies, individual development projects would be required to undergo design review and compliance, which may require additional site specific or project specific measures to reduce any potential impacts and would ensure that impacts remain ***less than significant***.



**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.1-2      Implementation of the Housing Element Programs would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.**

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There are no designated State Scenic Highways in the Planning Area. Highway 101 is eligible for designation as a State Scenic Highway from its intersection with State Route 1 in the north to the Marin County Line in the south. The portion of Highway 101 that is eligible for designation and traverses the Planning Area, begins at the Rodeo Avenue exit in the north and extends to the Robin Williams Tunnel (previously called the Waldo Tunnel) in the south. Along this route, undeveloped hills with grassland, shrubs, trees, and rock outcroppings can be seen in the immediate vicinity and Richardson Bay, Mount Tamalpais, Strawberry Point, Tiburon, Belvedere, Angel Island, Alcatraz, the East Bay, and the San Francisco-Oakland Bay Bridge can be seen in the distance. The Robin Williams Tunnel was evaluated in the Caltrans Statewide Historic Bridge Inventory Update in January 2006.<sup>6</sup> Built in 1937 and 1954, the two tunnels are considered a single property in the report. As detailed in the report, the property meets National Register Criterion A for its association with the development of the Bay Area transportation network, and Criterion C, as a significant achievement in civil engineering and construction.<sup>7</sup> There is no proposed development within Highway 101; as such, implementation of the Housing Element Programs would not result in any impact to trees, rock outcroppings, or historic buildings within an eligible State Scenic Highway.

Furthermore, as discussed under Impact 3.1-1, all residential and mixed use development at the vacant parcels and opportunity sites under the Housing Element Programs would be subject to the ODDS for each zoning district as well as any other sections of the Sausalito Municipal Code that protect scenic resources, thereby minimizing potential impacts to existing views that can be seen from Highway 101, an eligible State Highway. For example, as the city receives development applications for subsequent development under the Housing Element Programs, those applications will be reviewed by the City of Sausalito for compliance with the City's Municipal Code Chapter 11.12 (Preservation of Trees and Views), which protects certain species and sizes of trees, in addition to dedicated trees of special

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<sup>6</sup> California Department of Transportation (Caltrans). 2006. Caltrans Statewide Historic Bridge Inventory Update: Tunnels. Website:<https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/f0008649-tunnels-2006-a11y.pdf>. Accessed: November 7, 2023.

<sup>7</sup> California Department of Transportation (Caltrans). 2006. Caltrans Statewide Historic Bridge Inventory Update: Tunnels. Website:<https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/f0008649-tunnels-2006-a11y.pdf>. Accessed: November 7, 2023.

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significance to the city, on private property, and all trees and shrubs on city property. The Sausalito Municipal Code safeguards these trees against removal, alteration, and damage, without first having obtained a tree removal or alteration permit from the city.

In conclusion, development envisioned by the Housing Element Programs does not propose development adjacent to a designated Scenic Highway; as such, implementation of the Housing Element Programs would not result in any impact to trees, rock outcroppings, or historic buildings within an eligible State Scenic Highway. As such, **no impact** would occur.

### Level of Significance before Mitigation

No Impact

### Mitigation Measures

None Required

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**Impact 3.1-3      Development facilitated by the Housing Element Programs would not substantially degrade the existing visual character or quality of public views in non-urbanized areas. (Public views are those that are experienced from publicly accessible vantage points).**

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The only large non-urbanized section of the Planning Area is the portion of GGNRA that, while located within city limits, west of Highway 101, is under federal jurisdiction. Because this area is federal parkland, the City does not have land use authority over it in the Housing Element and the Housing Element Programs do not anticipate or facilitate any changes to the federal parkland. Additionally, no federal projects are currently proposed or anticipated to be constructed on the federal parkland. Further, the GGNRA is at elevation above the city. Views from the GGNRA to Richardson Bay, Strawberry Point, Tiburon, Belvedere, Angel Island, Alcatraz, the East Bay, and points beyond would not be obstructed by implementation of the Housing Element Programs.

As described under Impacts 3.1-1 and 3.1-2, future development envisioned by the Housing Element Programs could result in an incremental increase in new residential and mixed use development that could incrementally alter scenic resources and natural features within the urbanized portions of the Planning Area, thereby incrementally altering the quality of public views from publicly accessible vantage points within the urbanized portions of the city. However, development would be limited to vacant and/or underutilized existing parcels as shown in Figure 2-5, and would be comprised of infill development that would occur within the fabric of already developed areas throughout the city. Accordingly, views from within GGNRA would not be substantially altered. Additionally, compliance with General Plan policies and programs described under Impacts 3.1-1 and 3.1-2, and adherence to development and design standards in the Sausalito Municipal Code and ODDS would ensure that future development projects within the urbanized areas are cohesive, appropriately designed in terms of potential aesthetic impacts, and reflect the character of the city.

Therefore, impacts to the quality of public views in both urban and non-urbanized areas would be ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.1-4      Implementation of the Housing Element Programs would not substantially conflict with applicable zoning and other regulations governing scenic quality in urbanized areas.**

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The city is located in an urbanized area and development accommodated by the Housing Element Programs would result in additional residential development throughout the city and along the waterfront areas and would be limited to vacant and/or underutilized existing parcels as shown in Figure 2-5. The potential growth in residential uses would be infill development and would occur within the urbanized portions of the city. New development projects would be required to improve public access to the shoreline and views (Program W-4.3.3). Any future development that is proposed within the city will need to demonstrate consistency with the General Plan and the ODDS during the design review process.

As discussed under Impact 3.1-1, as the City receives development applications for subsequent development of the vacant parcels and opportunity sites under Program 4 of the Housing Element, those applications will be reviewed by the City of Sausalito for compliance with the policies and programs of the General Plan related to scenic quality in urbanized areas, including view corridors, scenic resources, and natural features. In addition, the City's Municipal Code, which implements the City's General Plan would be reviewed at the time that development applications are received. For example, development applications would be subject to the objective design and development standards for each zoning district as well as any other sections of the Sausalito Municipal Code that govern scenic quality in urbanized areas, such as Chapter 11.12 (Preservation of Trees and Views). Chapter 11.12 protects certain species and sizes of trees, in addition to dedicated trees of special significance to the city, on private property, and all trees and shrubs on city property. The Sausalito Municipal Code safeguards these trees against removal, alteration, and damage, without first having obtained a tree removal or alteration permit from the city.

In conclusion, residential and mixed use development envisioned by the Housing Element Programs could result in an incremental increase in new residential and non-residential development that could potentially conflict with applicable zoning and other regulations governing scenic quality in urbanized areas. However, compliance with General Plan policies and programs, and adherence to development and design standards in the Sausalito

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Municipal Code, including Chapter 11.12 (Preservation of Trees and Views) and the ODDS, would ensure that impacts are ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.1-5      Development facilitated by the Housing Element Programs would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.**

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Nighttime illumination and glare impacts are effects of a project's exterior lighting upon adjoining uses and areas. Light and glare impacts are determined through a comparison of existing light sources with proposed lighting plans or policies. Urban land uses on the city's waterfront are the main source of daytime and nighttime light and glare. The hillsides are characterized by less intense development and generally have lower levels of ambient nighttime lighting and daytime glare.

Development of the vacant parcels and opportunity sites accommodated under the Housing Element Programs would result in additional residential development throughout the city and along the waterfront areas and would be limited to vacant and/or underutilized existing parcels as shown in Figure 2-5. The potential growth in residential uses would be infill development and would occur within the urbanized portions of the city; however, the new development would create new sources of light and glare within the Planning Area, contributing to increased ambient nighttime lighting conditions with potential effects to nighttime waterfront views. Specific sources of lighting would include exterior light fixtures, interior lighting, and headlights from motor vehicles. Specific sources of glare would include reflective building and motor vehicle surfaces, including windows.

The General Plan includes policies and programs that encourage energy conservation and dark sky measures, which could result in a reduction in existing light and. For example, Program LU-4.5.2 would explore the process of retiring open water properties in order to maintain views and provide ecological value, in part, by reducing light and glare. Further, General Plan Policy EQ-2.3 encourages maintaining public open space in its natural state, compatible with the preservation of environmental resources, views, and surrounding area uses. Compliance with this policy would ensure current natural areas are not developed with light sources and would contribute to an overall reduction in light and glare. General Plan Program S-1.2.2 would replace city incandescent streetlights to Light Emitting Diode (LED) or other less energy intensive fixtures, which could result in less glare.

As the City receives development applications for subsequent development under the Housing Element Programs, those applications will be reviewed by the City of Sausalito for

compliance with the City's Municipal Code, which includes standards for exterior lighting, compliance with the ODDS, as well as a review of potential glare impacts in the design review process. Projects for which signs are proposed would be reviewed for compliance with Section 10.42.060 of the Municipal Code, which includes standards for internal illumination, external illumination, and illumination control. Projects requesting parking lot lighting would be reviewed for compliance with Section 10.40.120 of the Municipal Code, which requires that parking lot lights are designed to illuminate the parking area and directed away from adjacent properties and any dwelling units.

In conclusion, residential development envisioned by the Housing Element Programs could result in an incremental increase in new residential development that could potentially increase daytime glare and nighttime lighting within the Planning Area, resulting in increased ambient nighttime lighting conditions with potential effects to nighttime waterfront views. However, compliance with the ODDS and development and design standards in the Sausalito Municipal Code, including Section 10.42.060 (Sign and Awning Standards), Section 10.40.120 (Design and Improvement of Parking), and Section 10.26.040 (Site Development Requirements) would ensure that impacts would be ***less than significant***.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required

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**Impact 3.1-6: Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to aesthetics.**

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The geographic context for analysis of cumulative impacts related to aesthetics includes the unincorporated lands surrounding the Planning Area, including Marin City. In general, potential visual impacts take in the immediate surroundings in an urbanized area; thus, the analysis of cumulative aesthetic impacts focuses on areas that share a viewshed with the City's Planning Area. This analysis evaluates whether impacts of the Housing Element Programs, together with impacts of cumulative development, would result in a cumulatively significant impact with respect to aesthetics. This analysis then considers whether incremental contribution of the impacts associated with implementation of the Housing Element Programs would be considerable. Both conditions must apply for cumulative effects to rise to the level of significance.

Existing vistas in the Coastal Corridor of Marin County include a variety of landscape settings, such as pastoral and rural areas, Tomales Bay, beaches and coastal bluffs, Inverness Ridge,

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and the Pacific Ocean, especially from and along trails, particularly near the coast.<sup>8</sup> Existing sources of nighttime light include those common to developed areas or areas through which traffic travels regularly (e.g., street lights, parking lot lighting, building lighting, illuminated signs, vehicle headlamps, interior building lighting visible through windows). Existing sources of glare include reflection of sunlight and artificial light off windows, buildings, and other surfaces in the day, and glare from inadequately shielded or improperly directed light sources at night. Nighttime light sources in areas with less intense development and lower population density, such as rural areas in the west and inner-rural areas of the county, are typically sparser than in more developed or more highly populated areas, such as urban areas in the east, especially along the Highway 101 corridor. Therefore, sources of nighttime light in the county would generally be expected to diminish from east to west.<sup>9</sup>

Cumulative development within unincorporated Marin County is identified in the Housing & Safety Element Update to the Marin Countywide Plan Draft EIR.<sup>10</sup> Cumulative development would be required to comply with the overall land use vision, design review regulations and policies in local and regional plans, including the Marin Countywide Plan and Marin County Development Code to ensure that aesthetic impacts are less than significant. Similarly, potential cumulative aesthetic impacts to eligible scenic highways would be reduced to below a level of significance through participation in the State Scenic Highway program and local ordinances and policies. Cumulative projects within unincorporated Marin County, including the community of Marin City would be required to comply with applicable Marin Countywide Plan policies and programs and adhere to development and design standards in the Marin County Municipal Code that address aesthetics, including lighting and glare, the alteration of scenic resources and natural features, the alteration of views of scenic resources and natural features, and the alteration of views of the open waters of the Bay and land masses beyond the open waters, as seen from public or special vantage points. For these reasons, cumulative impacts to aesthetics, State Scenic Highways, or nighttime lighting and daytime glare would be ***less than significant***.

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<sup>8</sup> County of Marin, 2022. Housing & Safety Element Update to the Marin Countywide Plan Draft Environmental Impact Report. October. Available: <https://www.marincounty.org/-/media/files/departments/cd/planning/environmental-impact/housing-and-safety-elements-eir-docs/marin-hese-public-draft-eir-oct-2022.pdf?la=en>. Accessed November 7, 2023. Page 4-3.

<sup>9</sup> County of Marin, 2022. Housing & Safety Element Update to the Marin Countywide Plan Draft Environmental Impact Report. October. Available: <https://www.marincounty.org/-/media/files/departments/cd/planning/environmental-impact/housing-and-safety-elements-eir-docs/marin-hese-public-draft-eir-oct-2022.pdf?la=en>. Accessed November 7, 2023. Page 4-4.

<sup>10</sup> County of Marin, 2022. Housing & Safety Element Update to the Marin Countywide Plan Draft Environmental Impact Report. October. Available: <https://www.marincounty.org/-/media/files/departments/cd/planning/environmental-impact/housing-and-safety-elements-eir-docs/marin-hese-public-draft-eir-oct-2022.pdf?la=en>. Accessed November 7, 2023.

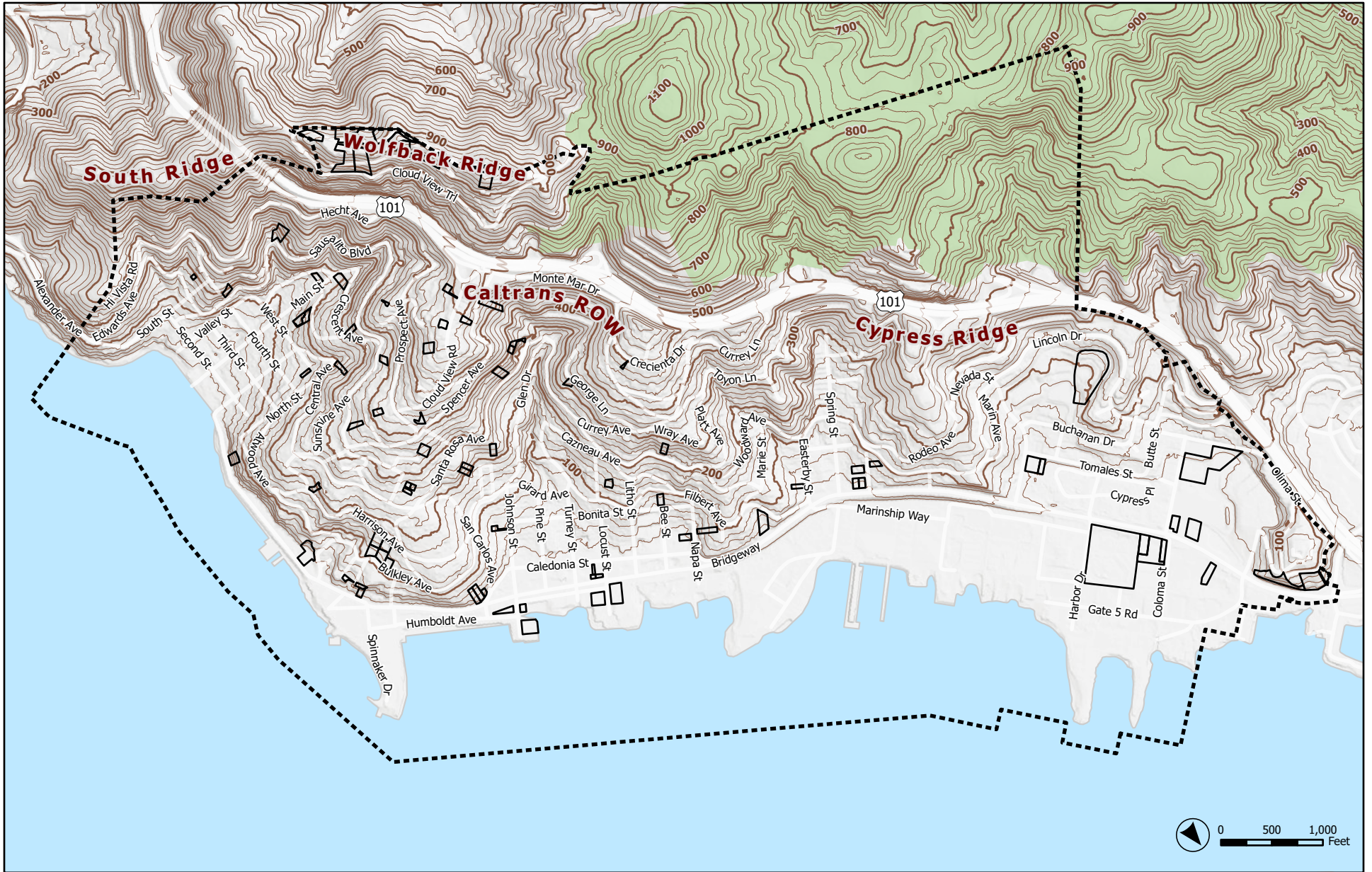


**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required



**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- Ridge and Upland Greenbelt
- 100-ft Elevation Contour
- 20-ft Elevation Contour

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.1-1. Ridgelines

Sources: City of Sausalito; Marin GeoHub; Marin County Land Cover Data; First Carbon Solutions/M Group 09/2020. Map date: July 19, 2023.





**LEGEND**

- Sausalito City Boundary
- Open Space
- Marinship View Corridor
- Housing Element Programs Sites
- Public Park

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.1-2. View Corridors and Scenic Resources

Sources: City of Sausalito; Marin GeoHub; First Carbon Solutions/M Group 09/2020. Map date: July 19, 2023.

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## Housing Element Programs EIR

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### 3.2 AIR QUALITY

This section describes the existing air quality setting and baseline conditions in the City of Sausalito and evaluates the potential environmental impacts that could occur by adopting and implementing the Housing Element Programs.

This section is based on the methodology recommended by the Bay Area Air Quality Management District (BAAQMD) for project-level review. The analysis contained herein focuses on air pollution from regional emissions<sup>1</sup> and localized pollutant concentrations.<sup>2</sup> The California Emissions Estimator Model (CalEEMod) Version 2022.1 was used to quantify criteria air pollutant emissions, and the modeling output files are included in Appendix B.

The information in this section is also based on statements, data, tables, and figures provided by the following reference materials:

- 2022 Air Monitoring Network Plan, BAAQMD, June 2022;
- CEQA Air Quality Guidelines, BAAQMD, April 2023;
- 2017 Clean Air Plan, BAAQMD, April 2017;
- California Air Resources Board, Area Designations Maps/State and National, 2023; and
- BAAQMD, Improving Air Quality and Health in Bay Area Communities, Community Air Risk Evaluation Program Retrospective and Path Forward, April 2014.

Greenhouse gas (GHG) emissions are discussed in Section 3.7, Greenhouse Gas Emissions.

#### 3.2.1 EXISTING SETTING

##### *San Francisco Bay Area Air Basin*

The City of Sausalito is located within the San Francisco Bay Area Air Basin (SFBAAB or Air Basin). The Air Basin encompasses approximately 5,600 square miles and includes all of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa Counties, and portions of southwestern Solano and southern Sonoma counties. The Air Basin is characterized by a large, shallow basin surrounded by coastal mountain ranges tapering into sheltered inland valleys. The combined climatic and topographic factors result in increased potential for the accumulation of air pollutants in the inland valleys and reduced potential for buildup of air pollutants along the coast. The Air Basin is bounded by the Pacific Ocean

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<sup>1</sup> "Emissions" refers to the actual quantity of pollutant, measured in pounds per day or tons per year.

<sup>2</sup> "Concentrations" refers to the amount of pollutant material per volumetric unit of air. Concentrations are measured in parts per million (ppm), parts per billion (ppb), or micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ).



to the west and includes complex terrain consisting of coastal mountain ranges, inland valleys, and bays.

**Ambient Air Quality Standards**

National and California Ambient Air Quality Standards (AAQS) are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect “sensitive receptors” most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

Both California and the federal government have established health-based AAQS for seven air pollutants, which are shown in Table 3.2-1. These pollutants are ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), coarse inhalable particulate matter (PM<sub>10</sub>), fine inhalable particulate matter (PM<sub>2.5</sub>), and lead (Pb). In addition, the State has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the general public with a reasonable margin of safety.

**TABLE 3.2-1: AMBIENT AIR QUALITY STANDARDS FOR CRITERIA POLLUTANTS**

POLLUTANT	AVERAGING TIME	CALIFORNIA STANDARD	FEDERAL PRIMARY STANDARD	MAJOR POLLUTANT SOURCES
OZONE (O <sub>3</sub> )	1 hour	0.09 ppm	*	Motor vehicles, paints, coatings, and solvents.
	8 hours	0.070 ppm	0.070 ppm	
CARBON MONOXIDE (CO)	1 hour	20 ppm	35 ppm	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9 ppm	9 ppm	
NITROGEN DIOXIDE (NO <sub>2</sub> )	Annual Average	0.030 ppm	0.053 ppm	Motor vehicles, petroleum-refining operations, industrial sources, photochemical reactions, aircraft, ships, and railroads.
	1 hour	0.18 ppm	0.100 ppm	
SULFUR DIOXIDE (SO <sub>2</sub> )	Annual Arithmetic Mean	*	*a	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	1 hour	0.25 ppm	0.075 ppm	
	24 hours	0.04 ppm	*a	

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POLLUTANT	AVERAGING TIME	CALIFORNIA STANDARD	FEDERAL PRIMARY STANDARD	MAJOR POLLUTANT SOURCES
RESPIRABLE PARTICULATE MATTER (PM <sub>10</sub> )	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	*	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric chemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	24 hours	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	
RESPIRABLE PARTICULATE MATTER (PM <sub>2.5</sub> )	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	12 µg/m <sup>3</sup>	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric chemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	24 hours	*	35 µg/m <sup>3</sup>	
LEAD (PB)	30-Day Average	1.5 µg/m <sup>3</sup>	*	Present source: lead smelters, battery manufacturing and recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarterly	*	1.5 µg/m <sup>3</sup>	
	Rolling 3-Month Average	*	0.15 µg/m <sup>3</sup>	
SULFATES (SO <sub>4</sub> )	24 hours	25 µg/m <sup>3</sup>	*	Industrial processes. In California, the main source of sulfur compounds is combustion of gasoline and diesel fuel.
VISIBILITY REDUCING PARTICLES	8 hours	ExCo =0.23/km visibility of 10≥ miles	*	Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt.
HYDROGEN SULFIDE	1 hour	0.03 ppm	*	Hydrogen sulfide (H <sub>2</sub> S) is a colorless gas with the odor of rotten eggs. It is formed during



POLLUTANT	AVERAGING TIME	CALIFORNIA STANDARD	FEDERAL PRIMARY STANDARD	MAJOR POLLUTANT SOURCES
				bacterial decomposition of sulfur-containing organic substances. Also, it can be present in sewer gas and some natural gas and can be emitted as the result of geothermal energy exploitation.
VINYL CHLORIDE	24 hour	0.01 ppm	*	Vinyl chloride (chloroethene), a chlorinated hydrocarbon, is a colorless gas with a mild, sweet odor. Most vinyl chloride is used to make polyvinyl chloride (PVC) plastic and vinyl products. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites, due to microbial breakdown of chlorinated solvents.

*Notes:*

*ppm=parts per million; µg/m<sup>3</sup>=micrograms per cubic meter*

*\* Standard has not been established for this pollutant/duration by this entity.*

*<sup>a</sup> On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established and the existing 24-hour and annual primary standards were revoked.*

*Source: California Air Resources Board (ARB). 2016. Ambient Air Quality Standards. May 4.*

**Attainment Status of the SFBAAB**

Areas that meet AAQS are classified attainment areas, and areas that do not meet these standards are classified nonattainment areas. Severity classifications for O<sub>3</sub> range from marginal, moderate, and serious to severe and extreme. The attainment status for the SFBAAB is shown in Table 3.2-2. The Air Basin is currently designated a nonattainment area for California and National O<sub>3</sub>, California and National PM<sub>2.5</sub>, and California PM<sub>10</sub> AAQS.

**TABLE 3.2-2: ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN THE SAN FRANCISCO BAY AREA AIR BASIN**

POLLUTANT	STATE	FEDERAL
OZONE—1-HOUR	Nonattainment	Nonattainment
OZONE—8-HOUR	Nonattainment	Nonattainment
PM <sub>10</sub>	Nonattainment	Unclassified

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POLLUTANT	STATE	FEDERAL
PM <sub>2.5</sub>	Nonattainment	Nonattainment <sup>a</sup>
CO	Attainment	Attainment
NO <sub>2</sub>	Attainment	Attainment
SO <sub>2</sub>	Attainment	Attainment
LEAD	Attainment	Attainment
SULFATES	Attainment	N/A
ALL OTHERS	Unclassified/Attainment	N/A

Note:

*a* On January 9, 2013, the United States Environmental Protection Agency (EPA) issued a final rule to determine that the Air Basin has attained the 24-hour PM<sub>2.5</sub> National AAQS. This action suspends federal State Implementation Plan planning requirements for the Bay Area. The Air Basin will continue to be designated nonattainment for the National 24-hour PM<sub>2.5</sub> standard until such time as the BAAQMD elects to submit a re-designation request and a maintenance plan to the EPA and the EPA approves the proposed re-designation.

Source: California Air Resources Board (ARB), Area Designations Maps / State and National. Website: <http://www.arb.ca.gov/deg/adm/adm.htm>. Accessed July 31, 2023.

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Air quality in Sausalito is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. In the summer, the climate consists of mostly clear skies result in warm daytime temperatures and cool nights. Winter temperatures are mild, except for very cool but generally frost-less mornings.

Fine particle pollution, or PM<sub>2.5</sub>, is the major regional air pollutant of concern in the city and is primarily a problem in the winter.<sup>3</sup>

Located in southern of Marin County next to Richardson Bay, Sausalito is a small city with a land area of approximately 1.9 square miles. Sausalito enjoys a temperate climate, with cool, wet, and almost frostless winters and cool, dry summers with frequent fog or wind. The climate is dominated by the strength and location of a semi-permanent, subtropical high-pressure cell. During the summer, the Pacific high-pressure cell is centered over the northeastern Pacific Ocean, resulting in stable meteorological conditions and a steady northwesterly wind flow.

The BAAQMD conducts ambient air monitoring, both through a fixed-station network, and special short-term studies.<sup>4</sup> The ambient air monitoring network consists of over 30

<sup>3</sup> Bay Area Air Quality Management District (BAAQMD). 2023. Marin County. February 14. Website: <https://www.baaqmd.gov/about-the-air-district/in-your-community/marin-county>. Accessed July 31, 2023.

<sup>4</sup> Bay Area Air Quality Management District (BAAQMD). 2019. 2018 Air Monitoring Network Plan. July 1.

stations, distributed among the nine Bay Area counties that collect local air quality data, including measurements of significant air pollutants. The San Rafael monitoring station, which monitors ozone, is the nearest monitoring station to the Sausalito Planning Area. The monitoring data is presented in Table 3.2-3 that shows the most recent five years of available data for the San Rafael Monitoring Station.

**TABLE 3.2-3: AMBIENT AIR QUALITY MONITORING SUMMARY**

POLLUTANT / STANDARD	NUMBER OF DAYS THRESHOLD WERE EXCEEDED AND MAXIMUM LEVELS DURING SUCH VIOLATIONS				
	2017	2018	2019	2020	2021
<b>OZONE (O<sub>3</sub>)</b>					
STATE 1-HOUR ≥ 0.09 PPM	0	0	1	0	0
STATE 8-HOUR ≥ 0.07 PPM	0	0	1	0	0
FEDERAL 8-HOUR > 0.070 PPM	0	0	1	0	0
MAXIMUM 1-HOUR CONC. (PPM)	0.088	0.072	0.096	0.086	0.082
MAXIMUM 8-HOUR CONC. (PPM)	0.063	0.053	0.080	0.064	0.066
<b>COARSE PARTICULATES (PM<sub>10</sub>)</b>					
STATE 24-HOUR > 50 µG/M <sup>3</sup>	No Data	12.2	No Data	6.1	0
FEDERAL 24-HOUR > 150 µG/M <sup>3</sup>	No Data	6.1	0	0	0
MAXIMUM 24-HOUR CONC. (µG/M <sup>3</sup> )	94.0	166.0	33.0	118.0	30.0
<b>FINE PARTICULATES (PM<sub>2.5</sub>)</b>					
FEDERAL 24-HOUR > 35 µG/M <sup>3</sup>	8.1	13.0	0	9.0	0
MAXIMUM 24-HOUR CONC. (µG/M <sup>3</sup> )	74.7	167.6	19.5	155.5	29.1

Notes:

PPM=parts per million; ppb=parts per billion; µG/M<sup>3</sup>=micrograms per cubic meter; \*=insufficient data; NA=not available

Source: California Air Resources Board (ARB), iADAM: Air Quality Data Statistics. Website: <https://www.arb.ca.gov/adam/>. BAAQMD Annual Bay Air Quality Summaries. Website: <https://www.baaqmd.gov/about-air-quality/air-quality-summaries>, Accessed July 23, 2023

As shown in Table 3.2-3, the air quality at the San Rafael Monitoring Station is better than the majority of the Bay Area, with no exceedances of ozone or particulate matter during most of the last five years of available data. However, PM<sub>10</sub> exceeded the national 150 µg/m<sup>3</sup> 24-hour PM<sub>10</sub> standard for approximately six days in 2018 and the State 150 µg/m<sup>3</sup> 24-hour PM<sub>10</sub> standard for twelve days in 2018 and six days in 2020. In addition, PM<sub>2.5</sub> exceeded the national 35 µg/m<sup>3</sup> 24-hour PM<sub>10</sub> standard for between 0 and 13 days during the years 2017,

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2018, and 2020. It should be noted that most of these exceedances were due to wildfires that create large amounts of particulate matter.

### 3.2.2 AIR POLLUTANTS OF CONCERN

A substance in the air that can cause harm to humans and the environment is known as an air pollutant. Pollutants can be in the form of solid particles, liquid droplets, or gases.<sup>5</sup> In addition, they may be natural or man-made. A hazardous air pollutant is one that is known to cause cancer and other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects.<sup>6</sup>

#### *Criteria Air Pollutants*

CO, ROG, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and Pb are primary air pollutants and are “criteria air pollutants.”<sup>7</sup> Criteria Air Pollutants have nationwide AAQS have been established for them. ROG and NO<sub>x</sub> are criteria pollutant precursors that form secondary criteria air pollutants through chemical and photochemical reactions in the atmosphere. Ozone (O<sub>3</sub>) and nitrogen dioxide (NO<sub>2</sub>) are the principal secondary pollutants.

A description of each of the primary and secondary criteria air pollutants and their known health effects is presented below.

**Carbon Monoxide (CO)** is a colorless, odorless, toxic gas produced by incomplete combustion of carbon substances, such as wood, coal, gasoline, and diesel fuel. CO is a primary criteria air pollutant. CO concentrations tend to be the highest during winter mornings with little or no wind, when surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, motor vehicles operating at slow speeds are the primary source of CO in the SFBAAB. Emissions are highest during cold starts, hard acceleration, stop-and-go driving, and when a vehicle is moving at low speeds. New findings indicate that CO emissions per mile are lowest at about 45 miles per hour (mph) for the average light-duty motor vehicle and begin to increase again at higher speeds. When inhaled at high concentrations, CO combines with hemoglobin in the blood and reduces its oxygen-carrying capacity. This results in reduced oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease, or anemia, as well as for fetuses. Even healthy people exposed to high CO concentrations can experience headaches, dizziness, fatigue, unconsciousness, and even death. The Air Basin is designated under the California and National AAQS as being in attainment of CO criteria levels.

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<sup>5</sup> Bay Area Air Quality Management District (BAAQMD). 2022. CEQA Air Quality Guidelines.

<sup>6</sup> U.S. Environmental Protection Agency (EPA). Hazardous Air Pollutants. Website: <https://www.epa.gov/haps>. Accessed July 31, 2023.

<sup>7</sup> Bay Area Air Quality Management District (BAAQMD). 2022. CEQA Air Quality Guidelines.

**Reactive Organic Gases (ROGs)** are compounds composed primarily of hydrogen and carbon atoms. Internal combustion associated with motor vehicle usage is the major source of ROGs. Other sources of ROGs include evaporative emissions from paints and solvents, the application of asphalt paving, and the use of household consumer products such as aerosols. Adverse effects on human health are not caused directly by ROGs, but rather by reactions of ROGs to form secondary pollutants such as O<sub>3</sub>. There are no AAQS established for ROGs. However, because they contribute to the formation of O<sub>3</sub>, BAAQMD has established a significance threshold for this pollutant.

**Nitrogen Oxides also known as Oxides of Nitrogen (NO<sub>x</sub>)** are a by-product of fuel combustion and contribute to the formation of O<sub>3</sub>. The two major components of NO<sub>x</sub> are nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>). The principal component of NO<sub>x</sub> produced by combustion is NO, but NO reacts with oxygen to form NO<sub>2</sub>, creating the mixture of NO and NO<sub>2</sub> commonly called NO<sub>x</sub>. NO<sub>2</sub> acts as an acute irritant and in equal concentrations is more injurious than NO. At atmospheric concentrations, however, NO<sub>2</sub> is only potentially irritating. There is some indication of a relationship between NO<sub>2</sub> and chronic pulmonary fibrosis. Some increase in bronchitis in children (2 and 3 years old) has also been observed at concentrations below 0.3 ppm. NO<sub>2</sub> absorbs blue light; the result is a brownish-red cast to the atmosphere and reduced visibility. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. The SFBAAB is designated an attainment area for NO<sub>2</sub> under the National AAQS and California AAQS.

**Sulfur Dioxide (SO<sub>2</sub>)** is a colorless, pungent, irritating gas formed by the combustion of sulfurous fossil fuels. It enters the atmosphere as a result of burning high-sulfur-content fuel oils and coal and from chemical processes at chemical plants and refineries. Gasoline and natural gas have very low sulfur content and do not release significant quantities of SO<sub>2</sub>. When SO<sub>2</sub> forms sulfates (SO<sub>4</sub>) in the atmosphere, together these pollutants are referred to as sulfur oxides (SO<sub>x</sub>). Thus, SO<sub>2</sub> is both a primary and secondary criteria air pollutant. At sufficiently high concentrations, SO<sub>2</sub> may irritate the upper respiratory tract. At lower concentrations and when combined with particulates, SO<sub>2</sub> may do greater harm by injuring lung tissue. The SFBAAB is designated an attainment area for SO<sub>2</sub> under the California and National AAQS.

**Suspended Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>)** consists of finely divided solids or liquids such as soot, dust, aerosols, fumes, and mists. Two forms of fine particulates are now recognized and regulated. Inhalable coarse particles, or PM<sub>10</sub>, include the particulate matter with an aerodynamic diameter of 10 microns (i.e., 10 millionths of a meter or 0.0004-inch) or less. Inhalable fine particles, or PM<sub>2.5</sub>, have an aerodynamic diameter of 2.5 microns or less (i.e., 2.5 millionths of a meter or 0.0001 inch).

Some particulate matter, such as pollen, occurs naturally. In the Air Basin most particulate matter is caused by combustion, factories, construction, grading, demolition, agricultural



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activities, and motor vehicles. Extended exposure to particulate matter can increase the risk of chronic respiratory disease. PM<sub>10</sub> bypasses the body's natural filtration system more easily than larger particles and can lodge deep in the lungs. The United States Environmental Protection Agency (EPA) concluded that PM<sub>2.5</sub> penetrates even more deeply into the lungs, and this is more likely to contribute to health effects. These health effects include premature death in people with heart or lung disease, non-fatal heart attacks, irregular heartbeat, aggravated asthma, decreased lung function, increased respiratory symptoms (e.g., irritation of the airways, coughing, or difficulty breathing). Motor vehicles are currently responsible for about half of particulates in the SFBAAB. Wood burning in fireplaces and stoves is another large source of fine particulates.

Both PM<sub>10</sub> and PM<sub>2.5</sub> may adversely affect the human respiratory system, especially in people who are naturally sensitive or susceptible to breathing problems. These health effects include premature death and increased hospital admissions and emergency room visits (primarily the elderly and individuals with cardiopulmonary disease); increased respiratory symptoms and disease (children and individual with asthma); and alterations in lung tissue and structure and in respiratory tract defense mechanisms. Diesel particulate matter (DPM) is classified a carcinogen by the California Air Resources Board (ARB). The SFBAAB is designated nonattainment under the California AAQS for PM<sub>10</sub> and nonattainment under both the California and National AAQS for PM<sub>2.5</sub>.<sup>8</sup>

**Ozone (O<sub>3</sub>)** is a gas that is formed when ROG<sub>s</sub> and NO<sub>x</sub>, both by-products of internal combustion engine exhaust, undergo photochemical reactions in the presence of sunlight. O<sub>3</sub> is a secondary criteria air pollutant. O<sub>3</sub> concentrations are generally highest during the summer months when direct sunlight, light winds, and warm temperatures create favorable condition to the formation of this pollutant. O<sub>3</sub> poses a health threat to those who already suffer from respiratory diseases as well as to healthy people. O<sub>3</sub> levels usually build up during the day and peak in the afternoon hours. Short-term exposure can irritate the eyes and cause constriction of the airways. Besides causing shortness of breath, it can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema. Chronic exposure to high ozone levels can permanently damage lung tissue. O<sub>3</sub> can also damage plants and trees and materials such as rubber and fabrics. The SFBAAB is designated nonattainment of the 1-hour California AAQS and 8-hour California and National AAQS for O<sub>3</sub>.

**Lead (Pb)** is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been mobile and industrial sources. As a result of the phase-out of leaded gasoline, metal processing is currently the primary source of lead emissions. The highest levels of lead in air are generally found near lead smelters.

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<sup>8</sup> On January 9, 2013, the EPA issued a final rule to determine that the SFBAAB has attained the 24-hour PM<sub>2.5</sub> National AAQS. This action suspends federal State Implementation Plan planning requirements for the Bay Area. The SFBAAB will continue to be designated nonattainment for the National 24-hour PM<sub>2.5</sub> standard until such time as the BAAQMD elects to submit a re-designation request and a maintenance plan to the EPA and the EPA approves the proposed re-designation.

Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.

Twenty years ago, mobile sources were the main contributor to ambient lead concentrations in the air. In the early 1970s, the EPA set national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. The EPA banned the use of leaded gasoline in highway vehicles in December 1995. As a result of the EPA's regulatory efforts to remove lead from gasoline, emissions of lead from the transportation sector and levels of lead in the air decreased dramatically. The SFBAAB is designated in attainment of the California and National AAQS for lead. Because emissions of lead are found only in projects that are permitted by BAAQMD, lead is not an air quality of concern for the project.

### ***Toxic Air Contaminants***

The California Health and Safety Code define a toxic air contaminant (TAC) as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” A substance that is listed as a hazardous air pollutant pursuant to Section 112(b) of the federal Clean Air Act (42 United States Code [USC] § 7412(b)) is a toxic air contaminant. Under State law, the California Environmental Protection Agency (Cal/EPA), acting through the ARB, is authorized to identify a substance as a TAC if it is an air pollutant that may cause or contribute to an increase in mortality or serious illness, or may pose a present or potential hazard to human health.

California regulates TACs primarily through Assembly Bill (AB) 1807 (Tanner Air Toxics Act) and AB 2588 (Air Toxics “Hot Spot” Information and Assessment Act of 1987). The Tanner Air Toxics Act sets up a formal procedure for the ARB to designate substances as TACs. Once a TAC is identified, the ARB adopts an “airborne toxics control measure” for sources that emit designated TACs. If there is a safe threshold for a substance (i.e., a point below which there is no toxic effect), the control measure must reduce exposure to below that threshold. If there is no safe threshold, the measure must incorporate toxics best available control technology to minimize emissions. To date, the ARB has established formal control measures for 11 TACs that are identified as having no safe threshold.

Air toxics from stationary sources are also regulated in California under the Air Toxics “Hot Spot” Information and Assessment Act of 1987. Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the air quality management district or air pollution control district. High priority facilities are required to perform a Health Risk Assessment (HRA), and if specific thresholds are exceeded, are required to communicate the results to the public through notices and public meetings.

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At the time of the last update to the TAC list in December 1999, the ARB had designated 244 compounds as TACs.<sup>9</sup> Additionally, the ARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being particulate matter from diesel-fueled engines.

In 1998, the ARB identified DPM as a TAC. Previously, the individual chemical compounds in diesel exhaust were considered TACs. Almost all diesel exhaust particles are 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs.

### 3.2.3 REGULATORY SETTING

#### *Federal and State*

##### **Clean Air Act**

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, Congress added several provisions, including nonattainment requirements for areas not meeting National AAQS and the Prevention of Significant Deterioration program. The 1990 amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: National AAQS for criteria air pollutants, hazardous air pollutant standards, State attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions. The EPA is responsible for administering the FCAA.

The California Clean Air Act (CCAA) was first signed into law in 1988. The CCAA provides a comprehensive framework for air quality planning and regulation, and spells out, in statute, the State's air quality goals, planning and regulatory strategies, and performance. The CCAA requires all areas of the State to achieve and maintain the California AAQS by the earliest practical date. The California AAQS tend to be more restrictive than the National AAQS. The ARB is the agency responsible for administering the CCAA.

#### *Regional*

##### **Bay Area Air Quality Management District**

The BAAQMD is the agency responsible for assuring that the National and California AAQS are attained and maintained in the SFBAAB. The BAAQMD is responsible for:

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<sup>9</sup> California Air Resources Board (ARB). 1999. Final Staff Report: Update to the Toxic Air Contaminant List. December. Website: <https://www.arb.ca.gov/toxics/Finalreport.PDF>. Accessed April 16, 2020.

- Adopting and enforcing rules and regulations concerning air pollutant sources.
- Issuing permits for stationary sources of air pollutants.
- Inspecting stationary sources of air pollutants.
- Responding to citizen complaints.
- Monitoring ambient air quality and meteorological conditions.
- Awarding grants to reduce motor vehicle emissions.
- Conducting public education campaigns.
- Air Quality Management Planning.

Air quality conditions in the SFBAAB have improved significantly since the BAAQMD was created in 1955.<sup>10</sup> The BAAQMD prepares Air Quality Management Plans (AQMPs) to attain ambient air quality standards in the Air Basin. The BAAQMD prepares ozone attainment plans for the National O<sub>3</sub> standard and clean air plans for the California O<sub>3</sub> standard. The BAAQMD prepares these AQMPs in coordination with Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC).

#### *BAAQMD 2017 Clean Air Plan*

The BAAQMD adopted the 2017 Clean Air Plan on April 19, 2017 to comply with State air quality planning requirements set forth in the California Health and Safety Code. The 2017 Clean Air Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter (PM), O<sub>3</sub>, and TACs; to reduce emissions of methane and other “super-greenhouse gases (GHGs)” that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

The proposed control strategy for the 2017 Clean Air Plan consists of 85 specific control measures targeting a variety of local, regional, and global pollutants. The control measures have been developed for stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. Implementation of some of the control measures could involve retrofitting, replacing, or installing new air pollution control equipment, changes in product formulations, or construction of infrastructure that have the potential to create air quality impacts.

The BAAQMD California Environmental Quality Act (CEQA) Guidelines set forth criteria for determining consistency with the 2017 Clean Air Plan. In general, a project is considered consistent if (1) the project supports the primary goals of the Clean Air Plan, (2) includes control measures and (3) does not interfere with implementation of the Clean Air Plan measures.

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<sup>10</sup> Bay Area Air Quality Management District (BAAQMD). 2022. CEQA Air Quality Guidelines.

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### *BAAQMD 2022 CEQA Air Quality Guidelines*

The purpose of the CEQA Air Quality Guidelines is to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from land development construction and operation activities. The Guidelines focus on criteria air pollutant, GHG, toxic air contaminant, and odor emissions generated from plans or projects and are intended to help lead agencies navigate through the CEQA process. The Guidelines for implementation of the Thresholds are for information purposes only to assist local agencies. Recommendations in the Guidelines are advisory and should be followed by local governments at their own discretion. The most recent version of the CEQA Air Quality Guidelines were published April 2022.

### *Community Air Risk Evaluation Program*

The BAAQMD's Community Air Risk Evaluation (CARE) program was initiated in 2004 to evaluate and reduce health risks associated with exposure to outdoor TACs in the Bay Area. Based on findings of the latest report, DPM was found to account for approximately 85 percent of the cancer risk from airborne toxics.

Carcinogenic compounds from gasoline-powered cars and light duty trucks were also identified as significant contributors: 1,3-butadiene contributed four percent of the cancer risk-weighted emissions, and benzene contributed three percent. Collectively, five compounds (DPM, 1,3-butadiene, benzene, formaldehyde, and acetaldehyde) were found to be responsible for more than 90 percent of the cancer risk attributed to emissions. All of these compounds are associated with emissions from internal combustion engines. The most important sources of cancer risk-weighted emissions were combustion-related sources of DPM, including on-road mobile sources (31 percent), construction equipment (29 percent), and ships and harbor craft (13 percent). A 75 percent reduction in DPM was predicted between 2005 and 2015 when the inventory accounted for the ARB's diesel regulations. Overall, cancer risk from TAC dropped by more than 50 percent between 2005 and 2015, when emissions inputs accounted for State diesel regulations and other reductions.<sup>11</sup>

Modeled cancer risks from TAC in 2005 were highest near sources of DPM: near core urban areas, along major roadways and freeways, and near maritime shipping terminals. Peak modeled risks were found to be located east of San Francisco, near West Oakland and the Maritime Port of Oakland. BAAQMD has identified seven impacted communities in the Bay Area:

- Western Contra Costa County and the cities of Richmond and San Pablo
- Western Alameda County along the Interstate 880 (I-880) corridor and the cities of Berkeley, Alameda, Oakland, and Hayward

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<sup>11</sup> Bay Area Air Quality Management District (BAAQMD). 2014. Improving Air Quality & Health in Bay Area Communities, Community Air Risk Evaluation Program Retrospective & Path Forward. April.



- San José
- Eastern side of San Francisco
- Concord
- Vallejo
- Pittsburgh and Antioch

The eastern side of San Francisco is the closest CARE program impacted community to Sausalito. The City of Sausalito is not located within this impacted community.

The major contributor to acute and chronic non-cancer health effects in the Air Basin is acrolein (C<sub>3</sub>H<sub>4</sub>O). Major sources of acrolein are on-road mobile sources and aircraft near freeways and commercial and military airports.<sup>12</sup>

*Inventory of Criteria Air Pollutants*

BAAQMD’s plan-level guidelines do not require an emissions inventory of criteria air pollutants for plan-level analysis; therefore, the following is provided for informational purposes only.

Implementation of the Housing Element Programs may result in development of up to 959 new residential units and 16,852 new square feet of commercial uses. Implementation of the Housing Element Programs would be subject to the City’s standard CEQA review process and would be required to assess project-specific emissions in relation to the BAAQMD significance thresholds.

The total net increase of residential and commercial land uses that could be developed with implementation of the Housing Element Programs was entered into the CalEEMod model and the calculated criteria air pollutants are shown in Table 3.2-5.

**TABLE 3.2-4: OPERATIONAL CRITERIA AIR POLLUTANT EMISSIONS GENERATED BY THE HOUSING ELEMENT PROGRAMS**

CATEGORY	CRITERIA AIR POLLUTANTS (POUNDS/DAY)			
	ROG	NO <sub>x</sub>	Exhaust PM <sup>10</sup>	Exhaust PM <sup>2.5</sup>
<b>MOBILE</b>	28.5	25.6	0.40	0.38
<b>AREA</b>	17.5	0.27	0.01	0.01
<b>ENERGY</b>	0.37	6.31	0.51	0.51
<b>TOTAL</b>	46.4	32.1	0.93	0.90
<b>TONS PER YEAR</b>	8.5	5.9	0.2	0.2

Source: CALHEMOD v 2022.1 (see Appendix B).

<sup>12</sup> Bay Area Air Quality Management District (BAAQMD). 2006. Community Air Risk Evaluation Program, Phase I Findings and Policy Recommendations Related to TACs in the San Francisco Bay Area. September.

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As shown in Table 3.2-5, As shown in Table 3.2-5, full buildout of the project could lead to increases in criteria pollutant emissions within the San Francisco Bay Air Basin, which is in non-attainment for ozone, PM<sub>10</sub> and PM<sub>2.5</sub> air quality standards. However, this emissions modeling provides a worst case scenario. It assumes full buildout under the Housing Element Programs, with no measures to reduce pollutant emissions.

### **Local**

#### **Sausalito General Plan**

##### *Environmental Quality Element*

Program EQ-5.1.7: Odor-Emitting Uses. Continue to investigate the need for special conditions for potential odor-emitting uses through the environmental review process.

Program EQ-5.2.1: Air Quality Outreach. Distribute to residents and businesses an air quality public information handout prepared by the Bay Area Air Quality Management District (BAAQMD) identifying common hazardous materials and materials whose emissions are regulated.

Program EQ-5.2.3: Toxic Chemicals. Initiate public awareness programs to minimize the use of toxic garden and lawn sprays for both public and private purposes (see Policy HS-1.4).

Program EQ-5.2.4: Dust Mitigation. Require that developers prepare a dust mitigation plan identifying strategies for reducing particulate emissions.

Program EQ-5.2.5: Electrify Equipment: Require city usage and promote resident usage of electric landscape equipment where possible, for example replacing gasoline-powered leaf blowers with electric blowers.

Program EQ-5.2.6: Reduced-Emission Equipment. Give preference to contractors and contracts for services to firms that use reduced-emission equipment and/or practice sustainable operations.

##### *Sustainability Element*

Policy S-1.2 Energy-Efficiency, Residential, and Commercial. Improve energy efficiency of all buildings, services, and infrastructure.

Policy S-1.3 Renewable Energy, Residential, and Commercial. Encourage renewable energy generation and installations and/or purchasing MCE 100 percent renewable Deep Green service level in residential and commercial buildings.

##### *Health Safety Element*

Program HS-1.4.1 Marin County Hazardous and Solid Waste Management JPA. Work with Marin County, other cities in Marin County and other jurisdictions as necessary on

implementation measures described by the Marin County Hazardous and Solid Waste Management - JPA.

Program HS-1.4.3 Use of Potentially Harmful Materials on Public Lands. Only allow qualified professionals to use potentially harmful materials on public land. Otherwise, eliminate the use of potentially harmful materials on public land and minimize uses throughout the city. Continue to enforce the personnel regulation that requires the use of potentially harmful materials on public lands be done by qualified professionals only.

Program HS-1.4.6 Hazardous Materials Business Plan. Continue to require that all businesses that store more than 55 gallons of hazardous materials on site file a Hazardous Materials Business Plan with the County Office of Waste Management.

### **Sausalito Municipal Code**

Chapter 8.18 of the Municipal Code (Energy Code) adopts the 2019 California Energy Code, Title 24, Part 6, and incorporates the code into the Sausalito Municipal Code.

Chapter 8.52 (Water Conserving Landscaping) contains regulations to support water conservation. All landscaping proposed for review and/or approval by the City shall comply with the provisions of the Water conservation Ordinance 326 adopted by the Marin Municipal Water District.

Chapter 8.54 (Construction and Demolition Waste Recovery) promotes the redirection of recyclable materials generated during construction away from landfills. All project applicants are required to complete and submit a recycling management plan to estimate the volume of debris to be generated during construction and the estimated amount of debris that would be sent to the landfill. The intent of Chapter 8.54 is to divert at least 50 percent of all debris waste from most construction, demolition, and renovation projects away from local landfills.

Chapter 11.12 (Preservation of Trees and Views) acknowledges the contribution of trees to the character and beauty of the city and provides guidelines to address potential conflicts between preservation of trees and view-related values. This chapter also encourages and promotes the planting and proper husbandry of trees throughout the city.

Chapter 11.30 (Single Use Carryout Bags) is intended to reduce the amount of plastic bag pollution in the environment, reduce the impacts of paper bags which cause other forms of pollution and greenhouse gas emissions, and encourage reusable bags by consumers and retailers.

Chapter 17.28 (Trees, Shrubs and Plants) describes protections for trees in the public realm, including prohibitions against cutting, pruning, injuring, removing or spraying public trees, as well as prohibitions against attaching appurtenances or interfering with work on trees by city employees.

### 3.2.4 SENSITIVE RECEPTORS

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Other sensitive receptors include retirement facilities, hospitals, and schools.

Recreational land uses are considered moderately sensitive to air pollution. Although exposure periods are generally short, exercise places a high demand on respiratory functions, which can be impaired by air pollution. In addition, noticeable air pollution can detract from the enjoyment of recreation. Industrial, commercial, retail, and office areas are considered the least sensitive to air pollution. Exposure periods are relatively short and intermittent, since the majority of the workers tend to stay indoors most of the time. In addition, the working population is generally the healthiest segment of the population.

### 3.2.5 THRESHOLDS OF SIGNIFICANCE

According to the CEQA Guidelines Appendix G, the Housing Element Programs would have a significant impact related to air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

### *BAAQMD Significance Criteria*

#### **BAAQMD CEQA Air Quality Guidelines**

As described in the Regulatory Setting section, the BAAQMD CEQA Air Quality Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from land development construction and operation activities.<sup>13</sup> The City of Sausalito is using the BAAQMD's 2022 thresholds to evaluate project impacts in order to protectively evaluate the potential effects of the project on air quality.

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<sup>13</sup> Bay Area Air Quality Management District (BAAQMD). 2022. CEQA Air Quality Guidelines.

### **Criteria Air Pollutants and Precursors**

Under its plan-level review criteria, the BAAQMD requires a consistency evaluation of a plan with its current air quality plan control measures. The current AQMP is the 2017 Bay Area Clean Air Plan. The BAAQMD considers the project consistent with the air quality management plan in accordance with the following, which are discussed under Impact 3.2-1 below:

- Does the project support the primary goals of the AQMP?
- Does the project include applicable control measures from the AQMP?
- Does the project disrupt or hinder implementation of any AQMP control measures?
- A comparison that the project VMT or vehicle trip increase is less than or equal to the projected population increase.

Separately, the project is evaluated for consistency with the BAAQMD's project-level review criteria for air quality thresholds of significance, for both operational and construction-related emissions.

### **Local CO Hotspots**

Congested intersections have the potential to create elevated concentrations of CO, referred to as CO hotspots. The significance criteria for CO hotspots are based on the California AAQS for CO, which are 9.0 ppm (8-hour average) and 20.0 ppm (1-hour average). Under the plan-level review, BAAQMD does not require an evaluation of CO hotspots.<sup>14</sup> With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology, the SFBAAB is in attainment of the California and National AAQS, and CO concentrations in the Air Basin have steadily declined. Because CO concentrations have improved, the BAAQMD does not require a CO hotspot analysis if the following criteria are met:

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

Since the project is consistent with these criteria, a CO hotspot analysis is not required for the project.

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<sup>14</sup> Congested intersections have the potential to create CO hotspots.



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### Community Risk and Hazards

The BAAQMD's significance thresholds for local community risk and hazard impacts apply to both the siting of a new source and to the siting of a new receptor.

Local community risk and hazard impacts are associated with TACs and PM<sub>2.5</sub> because emissions of these pollutants can have significant health impacts at the local level. Significant health impacts may occur when a project generates:

- An excess cancer risk level of more than 10 in one million, or a non-cancer (i.e., chronic or acute) hazard index greater than 1.0; or
- An incremental increase of greater than 0.3 micrograms per cubic meter (µg/m<sup>3</sup>) annual average PM<sub>2.5</sub>.

For assessing community risk and hazards, sources within a 1,000-foot radius of a project site are considered. Sources are defined as freeways, high volume roadways (with volume of 10,000 vehicles or more per day or 1,000 trucks per day) and permitted sources. For a plan-level analysis, the following would create a significant impact:

- Non-compliance with a qualified risk reduction plan; or
- An excess cancer risk level of more than 10 in one million, or a non-cancer (i.e., chronic or acute) hazard index greater than 1.0 would be a cumulatively considerable contribution; or
- An incremental increase of greater than 0.3 micrograms per cubic meter (µg/m<sup>3</sup>) annual average PM<sub>2.5</sub> would be a cumulatively considerable contribution.

### Odors

The BAAQMD's thresholds for odors are qualitative based on BAAQMD's Regulation 7, Odorous Substances. This rule places general limitations on odorous substances and specific emission limitations on certain odorous compounds. In addition, odors are also regulated under BAAQMD Regulation 1, Rule 1-301, Public Nuisance, which states that no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or the public; or which endangers the comfort, repose, health or safety of any such persons or the public, or which causes, or has a natural tendency to cause, injury or damage to business or property. Under BAAQMD's Rule 1-301, a facility that receives three or more violation notices within a 30-day period can be declared a public nuisance. The BAAQMD has established odor screening thresholds for land uses that have the potential to generate substantial odor complaints, including wastewater treatment plants, landfills or transfer stations, composting facilities, confined animal facilities, food manufacturing, and chemical plants. For a plan-level analysis, BAAQMD requires:

- Potential existing and planned location of odors sources to be identified.

- Policies to reduce odors.

### 3.2.6 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to air quality resulting from implementation of the Housing Element Programs are discussed below. The impact analysis is based on air quality modeling of the criteria air pollutant emissions that would result from implementation of the project. The California Emissions Estimator Model (CalEEMod Version 2022.1) was used to compute emissions of air pollutants (see Appendix B).

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**Impact 3.2-1      Implementation of the Housing Element Programs could conflict with or obstruct implementation of the applicable air quality plan.**

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#### ***2017 Bay Area Clean Air Plan***

The current AQMP applicable to the Planning Area is the 2017 Bay Area Clean Air Plan.

Under BAAQMD's guidance, a proposed long-range plan is consistent with the AQMP if it would (1) support the primary goals of the AQMP, (2) include applicable control measures from the AQMP, and (3) not disrupt or hinder implementation of any AQMP control measures. In addition, (4) the plan's projected VMT increase must be less than or equal to its projected population increase. Based on the analysis below, the project has been found to be consistent with the AQMP prepared by the BAAQMD.

#### **(1) Development of Sites Identified in Housing Element Programs Supports the Primary Goals of the AQMP**

The primary goals of the 2017 Bay Area Clean Air Plan are to attain air quality standards, reduce population exposure and protect public health, and reduce GHG emissions and protect the climate.

#### **Attain Air Quality Standards**

BAAQMD's 2017 Bay Area Clean Air Plan strategy is based on regional demographic projections within the Bay Area compiled by ABAG.<sup>15</sup> Demographic trends incorporated into the Plan Bay Area determine vehicle miles traveled (VMT) within the Bay Area, which BAAQMD utilizes to forecast future air quality trends. The SFBAAB is currently designated a nonattainment area for O<sub>3</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> (State AAQS only).

Implementation of the Housing Element Programs is consistent with the 2017 Bay Area Clean Air Plan's strategy for three independent reasons. First, the limited growth projected by implementation of the Housing Element Programs is consistent with the growth

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<sup>15</sup> Projections 2040 by Jurisdiction (Curated), prepared by ABAG. Website: <http://projections.planbayarea.org/>. Accessed October 10, 2023.

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assumptions used in the AQMP. Specifically, the projections associated with the 2017 Bay Area Clean Air Plan estimated an increase of approximately 820,000 households from 2010 to 2040. As stated by ABAG, only 13 percent of this growth occurred between 2010 and 2015, as household formation was held back in part by post-recession financial conditions and a lack of housing production.<sup>16</sup> As described in Chapter 2.0: Project Description of this EIR, the project only proposes an increase of a total of 724 new units during the planning period, a miniscule proportion of the 820,000 households projected for the region between 2010 and 2040 by ABAG. Second, the project will significantly reduce VMT per capita compared with existing conditions. Specifically, as described in Section 3.14: Transportation and Circulation of this Draft EIR, the residential VMT per capita in the City of Sausalito is projected to be 13.3 miles with implementation of the project, which is a reduction from existing levels. Third, the General Plan, and by extension implementation of programs within the General Plan, includes policies and programs to ensure consistency with the AQMP and meet air quality standards. Examples of such General Plan policies and programs are listed below:

- Program EQ-5.1.7: Odor-Emitting Uses. Continue to investigate the need for special conditions for potential odor-emitting uses through the environmental review process.
- Program EQ-5.2.1: Air Quality Outreach. Distribute to residents and businesses an air quality public information handout prepared by the Bay Area Air Quality Management District (BAAQMD) identifying common hazardous materials and materials whose emissions are regulated.
- Program EQ-5.2.3: Toxic Chemicals. Initiate public awareness programs to minimize the use of toxic garden and lawn sprays for both public and private purposes (see Policy HS-1.4).
- Program EQ-5.2.4: Dust Mitigation. Require that developers prepare a dust mitigation plan identifying strategies for reducing particulate emissions.
- Program EQ-5.2.5: Electrify Equipment: Require city usage and promote resident usage of electric landscape equipment where possible, for example replacing gasoline-powered leaf blowers with electric blowers.
- Program EQ-5.2.6: Reduced-Emission Equipment. Give preference to contractors and contracts for services to firms that use reduced-emission equipment and/or practice sustainable operations.
- Policy S-1.2 Energy-Efficiency, Residential, and Commercial. Improve energy efficiency of all buildings, services, and infrastructure.

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<sup>16</sup> Plan Bay Area 2040 Final Plan. 2019. Website: <http://2040.planbayarea.org/forecasting-the-future#:~:text=ABAG%20and%20MTC%20forecast%20that,added%20between%202010%20and%202015>.

- Policy S-1.3 Renewable Energy, Residential, and Commercial. Encourage renewable energy generation and installations and/or purchasing MCE 100 percent renewable Deep Green service level in residential and commercial buildings.
- Program HS-1.4.1 Marin County Hazardous and Solid Waste Management JPA. Work with Marin County, other cities in Marin County and other jurisdictions as necessary on implementation measures described by the Marin County Hazardous and Solid Waste Management - JPA.
- Program HS-1.4.3 Use of Potentially Harmful Materials on Public Lands. Only allow qualified professionals to use potentially harmful materials on public land. Otherwise, eliminate the use of potentially harmful materials on public land and minimize uses throughout the city. Continue to enforce the personnel regulation that requires the use of potentially harmful materials on public lands be done by qualified professionals only.
- Program HS-1.4.6 Hazardous Materials Business Plan. Continue to require that all businesses that store more than 55 gallons of hazardous materials on site file a Hazardous Materials Business Plan with the County Office of Waste Management.

Accordingly, impacts would be ***less than significant***.

#### **Reduce Population Exposure and Protect Public Health from Toxic Air Contaminants**

Development anticipated by the project could result in an incremental increase in new residential and nonresidential uses. As identified in the discussion of community risk and hazards (see Impact 3.2-3 below), new sensitive land uses could be proximate to sources of TACs, and new nonresidential land uses could generate an increase in TACs. However, as discussed in Impact 3.2-3, mandatory compliance with BAAQMD regulations would ensure that new sources of TACs do not expose populations to significant health risk. Therefore, the project would be consistent with the AQMP and impacts would be ***less than significant***.

#### **Reduce Greenhouse Gas Emissions**

GHG emissions are discussed in Section 3.7, Greenhouse Gas Emissions. As discussed therein, implementation of the Housing Element Programs is expected to achieve the 2030 Statewide GHG reduction goal and is forecasted to advance toward the 2050 statewide goal. See Section 3.7, Greenhouse Gas Emissions for further detail. Accordingly, impacts would be ***less than significant***.

#### **(2) The Project Includes Applicable Control Measures From the AQMP**

The 2017 Bay Area Clean Air Plan contains 55 control measures aimed at reducing air pollution in the Bay Area. These include control measures addressing emissions from stationary sources, transportation, buildings, energy, agriculture, natural and working lands, waste, water, and super-GHG pollutants. Specific examples of the control measures include: trip reduction programs, transit efficiency and use, safe routes to schools and transit, parking

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policies, green buildings, urban heat island mitigation, decrease electricity demand, green buildings, urban tree planting, and green waste diversion. Only some of the control measures from the AQMP would be applicable to the project. The project would be required to implement all applicable control measures from the AQMP. For example, the project would develop buildings that are considerably “greener” (i.e. more environmentally friendly) than the existing building stock, and would decrease electricity demand greatly compared with the existing building stock, based on their compliance with the latest version of the CalGreen Code and the 2022 California Building Standards. Therefore, impacts would be ***less than significant***.

### **(3) The Project Would Not Disrupt or Hinder Implementation of any AQMP Control Measures**

The project is required to incorporate and is consistent with the control measures included in the 2017 Bay Area Clean Air Plan. As stated in the 2017 Bay Area Clean Air Plan, the BAAQMD is responsible for implementing these control measures; implementation of such control measures is required by law. The project does not include any components that would disrupt or hinder implementation of any control measures, such as precluding an extension of a planned transit line or bike bath or proposing excessive parking . Overall, the project also does not include stationary sources and so would not impact any of the stationary sources control measures; would not impact any of the transportation, agriculture, natural and working lands control measures (since the project is a housing project and not a transportation, agriculture, or natural and working lands project); and would be consistent with the applicable buildings, energy, waste, water, and Super-GHG control measures, as required by law. As such, the project would not hinder BAAQMD from implementing the control measures in the 2017 Bay Area Clean Air Plan. Therefore, impacts due to inconsistency under this criterion would be ***less than significant***.

### **(4) The Project Would Reduce VMT Per Capita**

The VMT created from implementation of the project has been analyzed in Section 3.14, Transportation, which found that with implementation of the proposed Housing Element Programs, the residential VMT per capita in the City of Sausalito is projected to be 13.3 miles, which is a reduction from existing levels of 15.1 miles per capita. As such the project is not anticipated to result in an increase in VMT per service population. Similarly, nonresidential VMT would be 19.4 miles with implementation of the Housing Element Programs, compared to 25.9 miles under existing conditions. Therefore, impacts due to an increase in VMT would be ***less than significant***.

### **Conclusion**

In conclusion, development envisioned by the project would be consistent with the 2017 Bay Area Clean Air Plan, since it supports the primary goals of the AQMP, is consistent with the applicable control measures from the AQMP, does not disrupt or hinder implementation of any AQMP control measures, and would not increase VMT more than projected increase in



population. Additionally, as described in further detail in Section 3.7, Greenhouse Gas Emissions, implementation of the Housing Element Programs would have a less-than-significant impact relative to greenhouse gases. Therefore, the impact is ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

**Level of Significance after Mitigation**

Less than Significant

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**Impact 3.2-2      Implementation of the Housing Element Programs would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard.**

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To comply with this threshold, the BAAQMD CEQA Guidelines provide that land use plans should incorporate policies and requirements that ensure they do not inhibit attainment of air quality standards and that actually assist in improving local and regional air quality.

In particular, BAAQMD evaluates criteria pollutants by evaluating consistency with the AQMP, as well as a comparison of project VMT to projected population increase. As described in detail within Impact 3.2-1 above, the development envisioned by the project would be consistent with the 2017 Bay Area Clean Air Plan, since it supports the primary goals of the AQMP, includes applicable control measures from the AQMP, does not disrupt or hinder implementation of any AQMP control measures, and would not result in an increase in VMT that is more than projected increase in population.

To reduce potential emissions impacts, BAAQMD further recommends that projects are evaluated in comparison to the air quality criteria pollutant thresholds of significance provided in the BAAQMD 2022 CEQA Guidelines. The BAAQMD 2022 CEQA Guidelines provides air quality criteria pollutant thresholds of significance for both operational and construction-related emissions.

**Operational Buildout Emissions**

The total net increase of residential and nonresidential land uses that could be developed with implementation of the Housing Element Programs was entered into the CalEEMod model and the calculated operational criteria air pollutants, in comparison to the applicable BAAQMD air quality criteria pollutant thresholds of significance, as shown in Table 3.2-6, below.

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**TABLE 3.2-6: OPERATIONAL CRITERIA AIR POLLUTANT EMISSIONS GENERATED BY THE HOUSING ELEMENT PROGRAMS**

CATEGORY	CRITERIA AIR POLLUTANTS (POUNDS/DAY)			
	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>MOBILE</b>	28.5	25.6	55.1	14.2
<b>AREA</b>	17.5	0.27	0.01	0.01
<b>ENERGY</b>	0.37	6.31	0.51	0.51
<b>TOTAL</b>	46.4	32.1	55.7	14.8
Pounds Per Day Thresholds	54	54	82	54
Exceeds Pounds Per Day Threshold?	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<b>TONS PER YEAR</b>	8.5	5.9	10.2	2.7
Tons Per Year Thresholds	10	10	15	10
Exceeds Tons per Year Threshold?	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CALCEMOD v 2022.1 (see Appendix B).

As shown in Table 3.2-6, full buildout of the project would not exceed the BAAQMD air quality criteria pollutant thresholds of significance for operations, either in terms of pounds per day or in tons per year.

All new development within the City would be required to meet the BAAQMD rules and regulations, including Regulation 6-3-306, which restricts the installation of wood burning fireplaces into new buildings and Regulation 8-3-301, which limits the allowed VOC levels in the architectural coatings applied onto buildings within the City. The 2022 California Code of Regulations, Title 24, Part 6 standards also requires that all homes built in California have zero-net-energy use, which is achieved through energy-efficiency measures, as well required rooftop solar photovoltaic systems. The 2022 California Code of Regulations, Title 24, Part 6 standards also apply to nonresidential buildings and require a variety of energy efficiency measures to be implemented that will reduce energy as usage as well as air emissions.

As detailed above, the project as a whole would not exceed the applicable BAAQMD thresholds of significance for operational criteria air pollutants, and operational air quality impacts would be less than significant. Moreover, the all development contemplated in the Housing Element project would comply with the applicable policies and programs in the City's General Plan, the City's Municipal Code, as well applicable State and BAAQMD rules and regulations. Further, all development applications are reviewed by the city under the design review procedures in the Municipal Code and per the Objective Design and

Development Standards (ODDS). All development would be subject to development and design standards specified in the Municipal Code. Therefore, impacts would remain at **less-than-significant** levels.

**Construction Emissions**

The total net increase of residential and commercial land uses that could be developed with implementation of the Housing Element Programs was entered into the CalEEMod model and the calculated construction criteria air pollutants, in comparison to the construction-related BAAQMD air quality criteria pollutant thresholds of significance, as shown in Table 3.2-7, below.

**TABLE 3.2-7: CONSTRUCTION CRITERIA AIR POLLUTANT EMISSIONS GENERATED BY THE HOUSING ELEMENT PROGRAMS**

CATEGORY	CRITERIA AIR POLLUTANTS (POUNDS/DAY)			
	ROG	NO <sub>x</sub>	Exhaust PM <sub>10</sub>	Exhaust PM <sub>2.5</sub>
<b>TOTAL</b>	40.2	16.2	0.67	0.62
Pounds Per Day Thresholds	54	54	82	54
Exceeds Pounds Per Day Threshold?	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

*Source: CALEEMOD v 2022.1 (see Appendix B).*

As shown in Table 3.2-7, full buildout of the project would not exceed the BAAQMD air quality criteria pollutant thresholds of significance for construction. Since the project as a whole would not exceed the applicable BAAQMD thresholds of significance for construction-related criteria air pollutants, construction air quality impacts would be less than significant. Moreover, all development contemplated in the Housing Element must would comply with the applicable policies and programs in the City's General Plan, the City's Municipal Code, as well applicable State and BAAQMD rules and regulations. As the City receives development applications, it will review those applications under the design review procedures in the Municipal Code and ODDS. All development would be subject to development and design standards specified in the Municipal Code. Therefore, impacts would be **less than significant**.

**Conclusion**

In conclusion, the project would not, directly or indirectly, generate emissions that would exceed the applicable BAAQMD air quality thresholds of significance. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant and impacts would be **less than significant**.

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### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

### Level of Significance after Mitigation

Less than Significant

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#### **Impact 3.2-3      Development facilitated by the Housing Element Programs could expose sensitive receptors to substantial pollutant concentrations.**

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The BAAQMD has identified local community risks from air pollutants to include exposure to TACs and PM<sub>2.5</sub> concentrations. TACs are a defined set of airborne pollutants that may pose a present or potential hazard to human health and PM<sub>2.5</sub> can cause a wide range of health effects (e.g., aggravating asthma and bronchitis, causing visits to the hospital for respiratory and cardiovascular systems, and contributing to heart attacks and deaths). Common stationary source types of TAC and PM<sub>2.5</sub> emissions include gasoline stations, dry cleaners, and diesel backup generators, which are subject to BAAQMD permit requirements. The other, often more significant, common source type is on-road motor vehicles on freeways and roads such as trucks and cars, and off-road sources such as construction equipment, ships, and trains.

Implementation of the project would have the potential of introducing new sources of TAC and PM<sub>2.5</sub> emissions within the City as well as siting new sensitive receptors, such as new homes in close proximity to existing sources of TAC and PM<sub>2.5</sub> emissions. The *Air Quality and Land Use Handbook: A Community Health Perspective*, adopted by the ARB in May 2005 was prepared to address the siting of sensitive land uses in close proximity to sources of TAC emissions that include the following sources within the City:

- Within 500 feet of Highway 101;
- Within 300 feet of dry cleaning operations that use perchloroethylene; and
- Within 50 feet of a typical gas station (currently no large gas stations exist in the city).

The City's existing General Plan includes policies and programs would minimize exposure to TAC and PM<sub>2.5</sub> concentrations within the City. Specifically, Program EQ-5.2.1 requires the City to provide public information that identifies common hazardous materials and Program EQ-5.2.3 requires the City to initial public awareness to minimize the use of toxic garden and lawn sprays. Program HS-1.4.1 requires the City to work with Marin County and other jurisdictions to properly manage hazardous waste and Program HS-1.4.3 eliminates the use of harmful materials on public lands and minimizes their use throughout the City. Program HS-1.4.7 requires that all businesses that store more than 55 gallons of hazardous materials onsite to file a hazardous materials business plan with the County Office of Waste

Management. In addition, all new sources of TAC emissions within the City would be required to obtain an Air Permit from BAAQMD that includes analysis of any TAC or PM<sub>2.5</sub> emissions created from the new source and the potential health impacts to the nearest sensitive receptor. The BAAQMD evaluates new sources of TAC emissions based on the following conditions:

- The extent to which the new source would increase risk levels, hazard index, and/or PM<sub>2.5</sub> concentrations at nearby receptors,
- Whether the source would be permitted or non-permitted by the BAAQMD, and
- Whether the project would implement Best Available Control Technology for Toxics (T-BACT), as determined by BAAQMD.

Compliance with the applicable policies and programs in the General Plan, as well applicable BAAQMD rules and regulations, would minimize the potential exposure of new sensitive receptors to substantial concentrations of TACs and PM<sub>2.5</sub> within the City, as well as existing receptors to new sources of TACs and PM<sub>2.5</sub> that could be generated by the project. Moreover, it should be noted that CEQA does not mandate analysis of effects of existing environmental conditions on proposed projects (see *CBIA v. BAAQMD*).<sup>17</sup> Compliance with the applicable policies and programs in the General Plan, as well applicable BAAQMD rules and regulations, would ensure that specific sites that may be developed under the Housing Element Programs project would not emit TACs that could expose sensitive receptors to substantial pollutant concentrations. Therefore, the impact is ***less-than-significant***.

#### Level of Significance before Mitigation

Less than Significant

#### Mitigation Measures

None Required

#### Level of Significance after Mitigation

Less than Significant

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**Impact 3.2-4      Development facilitated by Housing Element Programs could result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.**

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Under the BAAQMD CEQA Guidelines, a plan-level environmental analysis must identify locations of odor sources in the plan and identify goals, policies, and objectives to minimize potentially adverse impacts.

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<sup>17</sup> Website: <https://climatecasechart.com/case/california-building-industry-association-v-bay-area-air-quality-management-district/>



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The project does not include any sources of objectionable odors or other emissions adversely affecting a substantial number of people. As stated in the BAAQMD CEQA Guidelines, land uses that typically produce objectionable odors include agricultural uses, wastewater treatment plants, food manufacturing plants, chemical plants, composting, refineries, landfills, and confined animal facilities. The project does not include any such land uses. Rather, projected development under the Housing Element Programs would include typical residential and mixed-use development, and would include uses that are not anticipated to produce objectionable odors. Therefore, compliance with the applicable policies and programs in the General Plan as well applicable BAAQMD rules and regulations, would minimize odor emissions from adversely affecting a substantial number of people within the city and impacts would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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### **Impact 3.2-5      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to air quality.**

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This analysis evaluates whether the impacts of the project, together with the impacts of cumulative development, could result in a cumulatively significant impact with respect to air quality. This analysis then considers whether the incremental contribution of the impacts associated with the implementation of the Housing Element Programs would be significant. Both conditions must apply in order for a project's cumulative effects to rise to the level of a significant impact.

The geographic context for the analysis of cumulative impacts related to air quality includes the Air Basin. Cumulative development within the Air Basin would be consistent with Plan Bay Area 2050, which projects significant population growth and accompanying development. As discussed in the Plan Bay Area 2050 EIR, the State has identified air basin-specific pollutants that have exceeded applicable federal and State pollutant standards. Any area that exceeds applicable standards for a particular pollutant is typically referred to as a "nonattainment" area for that pollutant. In addition, the BAAQMD has prepared an area-specific air quality plan to improve air quality conditions within its jurisdiction to meet federal and State pollutant standards for those pollutants that currently exceed standards. Although each jurisdiction within the Bay Area, including BAAQMD, is primarily responsible for regulating its own emissions, pollutant transport, which is a result of a variety of topographical and atmospheric conditions that cause pollution generated in one location to move to another location (including a neighboring air basin), can result in one area's emissions affecting another's ability to achieve applicable pollutant standards. Because the

BAAQMD is currently designated as a nonattainment area for one or more pollutants for which federal and/or State standards exist, a significant cumulative impact exists.

While implementation of the proposed Housing Element Programs is intended to promote infill development, reduce VMT, and increase overall sustainability, implementation of the proposed Housing Element Programs could result in substantial increases in pollutant emission levels (PM<sub>10</sub> and PM<sub>2.5</sub>) during construction and operational activities associated with future growth and development patterns. Development envisioned by the project could result in an incremental increase in new development is likely to lead to increases in criteria pollutant emissions within the Air Basin that is in non-attainment for ozone, PM<sub>10</sub> and PM<sub>2.5</sub> air quality standards.

However, as described under Impact 3.2-2, the project would not generate emissions that would exceed the applicable BAAQMD air quality thresholds of significance. Furthermore, as described under Impact 3.2-2, the project would have a less than significant impact relative to greenhouse gases. The proposed Project would also be consistent with the applicable AQMP (i.e. the 2017 Bay Area Clean Air Plan). Thus, the project's consistency with the 2017 Bay Area Clean Air Plan would be considered less than significant. Therefore, in combination with past, present, and reasonably foreseeable projects, the project would not result a significant cumulative impact with respect to air quality and impacts would be ***less-than-significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

**Level of Significance after Mitigation**

Less than Significant

### 3.3 BIOLOGICAL RESOURCES

This section of the Draft EIR (Draft EIR) describes the existing biological resources within the Sausalito Planning Area, including special-status plant and wildlife species, sensitive habitats, regulated waterways and wetlands, mature native trees, and wildlife movement corridors. This section also evaluates impacts to biological resources that are anticipated to occur from implementation of the Project.

Biological resources associated with the Planning Area were identified through a review of available background information, which included the following:

- Sausalito General Plan;
- City of Sausalito General Plan EIR;
- California Wildlife Habitat Relationships System;
- California Department of Fish and Wildlife's (CDFW) Natural Diversity Data Base (CNDDDB) for reported occurrences of special-status vegetation communities, plants, and animals;
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California; and
- International Union for Conservation of Nature and Natural Resources Red List of Threatened Species.

#### 3.3.1 EXISTING SETTING

The City of Sausalito is located north of the City of San Francisco. The city is bordered by Richardson's Bay to the north and the San Francisco Bay to the east, the unincorporated community of Marin City to the northwest, and the Golden Gate National Recreation Area (GGNRA) and the Marin Hills to the west and south. Highway 101 runs through the Planning Area (Figure 2-1).

#### ***California Wildlife Habitat Relationships System***

The California Wildlife Habitat Relationships (CWHR) is an information system based on current published and unpublished biological information and professional judgment by recognized experts on California's wildlife. The CWHR contains life history, geographic range, habitat relationships, and management information on 712 species of amphibians, reptiles, birds, and mammals known to occur in the State. When first published in 1988, the classification scheme had 53 habitats. At present, there are 59 wildlife habitats in the CWHR System: 27 tree, 12 shrub, six herbaceous, four aquatic, eight agricultural, one developed, and one non-vegetated.

According to the CWHR, the principal habitat types in the Sausalito Planning Area include urban, coastal shrub/woodland, and marine habitat. Figure 3.3-1 illustrates the location of each habitat type within the Planning Area. A brief description of each habitat type follows.

### Urban

Urban areas are dominated by impervious surfaces (such as concrete, buildings and roads). Vegetative cover consists of native, non-native, and ornamental plants. Wildlife species diversity and vegetative cover both decrease towards the center of the urban environment. However, in less developed urban areas some species of wildlife such as hummingbirds, sparrows, and other small birds can survive due to the higher density of plants creating an approximate substitute for the natural environment. Urban areas comprise the largest portion of the Sausalito Planning Area and are primarily located within the central and eastern portions of the Planning Area.

### Coastal Shrub/Woodland

In the City of Sausalito, coastal shrub/woodland natural communities are found in the area west of Highway 101. These woodlands are a mixture of native and introduced plant species, as well as sensitive plant species that may be found there. Woodland communities dominated by native species include:

- Oak savannah: includes open grasslands non-native annuals with isolated oak trees (species of the *Quercus* genus)
- Oak woodland: includes at least 30 percent tree canopy cover. The canopy is dominated by varying oak species (*Quercus* spp.) including coast live oak (*Quercus agrifolia*) co-occurring with other native tree species such as bay laurel (*Umbellularia californica*), madrone (*Arbutus menziesii*), and buckeye (*Aesculus californica*). The understory consists of a variety of herbaceous species such as miner's lettuce (*Claytonia perfoliate*), wild iris (*Iris* sp.), wild strawberry (*Fragaria vesca*), and grasses; shrubs may include California toyon (*Heteromeles arbutifolia*) and poison oak (*Toxicodendron diversilobum*).

### Marine

The coastline of the Planning Area is primarily classified as Estuarine and Marine Deepwater habitat type with some areas classified as Estuarine and Marine Wetland. The open bay waters support a wide variety of fish, including over 100 marine fish species that pass through the area on their way from the San Francisco Bay to the Pacific Ocean. The estuarine communities within the Planning Area also could support numerous species of shorebirds such as cormorants, pelicans, grebes, and ducks which utilize these habitats for foraging. The substrate along the coastline may house marine worms and clams, while rip rap and hard piling may support mollusks such as mussels and barnacles. Additionally, natural communities of eelgrass (*Zostera marina*), and underwater flowering plant, are found in Richardson's Bay and in select areas along the Sausalito shoreline.

### ***Special-status or Sensitive Natural Communities***

Special-status or sensitive natural communities are defined as communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special-status species or their habitat. Sensitive natural communities are usually identified by the CDFW in the CNDDDB and/or by other agencies in local or regional plans, policies, or regulations. Furthermore, most types of wetlands and riparian communities are considered special-status or sensitive natural communities due to their limited distribution in California.

The CNDDDB records search for the Housing Element revealed two sensitive natural communities within or adjacent to the Sausalito Planning Area: Coast live oak and eelgrass.

### ***Special-status Species***

Special-status plant and animal species are those that are afforded special recognition by federal, state, or local resource agencies or organizations. Special-status species are of relatively limited distribution and generally require specialized habitat conditions.

Special-status plants are those that meet the definition of “endangered, rare, or threatened” under California Environmental Quality Act (CEQA) Guidelines Section 15380. For the purposes of this Revised Draft EIR, this includes all plant species that meet any of the following criteria:

- Listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (FESA) (50 Code of Federal Regulations [CFR] 17.12 [listed plants] and various notices in the Federal Register [proposed species]).
- Candidates for possible future listing as threatened or endangered under FESA.
- Listed or candidates for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 California Code of Regulations [CCR] 670.5).
- Listed as rare under the California Native Plant Protection Act (California Fish and Game Code [FGC] § 1900 *et seq.*).
- Considered by the CNPS to be rare, threatened, or endangered in California (CNPS Lists ranked 1B and 2).

Special-status wildlife are animals that meet the definition of “endangered, rare, or threatened” under CEQA Guidelines Section 15380. For the purposes of this Revised Draft EIR, this includes all animal species that meet any of the following criteria:

- Listed or proposed for listing as threatened or endangered under FESA (50 CFR 17.11 [listed animals] and various notices in the Federal Register [proposed species]).
- Candidates for possible future listing as threatened or endangered under FESA.



- Listed or candidates for listing by the State of California as threatened or endangered under CESA (14 CCR 670.5).
- Special protected by the federal Migratory Bird Treaty Act (MBTA) (16 United States Code [USC] 703-711).
- Species designated by the CDFW as Species of Special Concern
- Species designated by the CDFW as Fully Protected
- Otherwise protected under State or federal law.

The Sausalito Planning Area was evaluated by querying the CNDDDB, the USFWS, and the CNPS for previously recorded occurrences of special-status species. The CDFW maintains records for the distribution and known occurrences of sensitive species and habitats in the CNDDDB, which is organized into map areas based on 7.5-minute topographic maps produced by the United States Geological Survey (USGS). The CNDDDB is based on actual recorded occurrences, but does not constitute an exhaustive inventory of every resource. The absence of an occurrence in a particular location does not necessarily mean that special-status species are absent from that area, but that no data has been entered into the CNDDDB inventory. Detailed field surveys are generally required to provide a conclusive determination on the presence or absence of sensitive resources from a particular location where there is evidence of potential occurrence.

### **Special-status Plant Species**

The records search for the Housing Element identified a total of five special-status plant species that have been previously recorded within the Sausalito Planning Area.

Table 3.3-1 provides a list of the five special-status plant species, their habitat, and current protective status. Figure 3.3-1 illustrates the location of documented occurrences documented by the CNDDDB within an approximately 20-mile radius. The Listing Status identifies the federal status (e.g., Federal Endangered), State status (e.g., California Endangered Species), and CNPS status.

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TABLE 3.3-1: SPECIAL-STATUS PLANTS PRESENT OR POTENTIALLY PRESENT IN SAUSALITO PLANNING AREA

PLANTS	LISTING STATUS (USFWS/CDFW/CNPS)	GENERAL HABITAT REQUIREMENTS
<b>POINT REYES SALTY BIRD'S-BEAK</b> <i>CHLOROPYRON MARITIMUM SSP. PALUSTRE</i>	-/-/1B.2	Annual hemiparasitic herb found in coastal swamp marshes and swamps. 0-10 m.
<b>DARK-EYED GILIA</b> <i>GILIA MILLEFOLIATA</i>	-/-/1B.2	Annual herb found in coastal dunes along the North Coast of California. 2-30 m.
<b>WHITE-RAYED PENTACHAETA</b> <i>PENTACHAETA BELLIDIFLORA</i>	FE/CE/1B.1	Annual herb found in open dry rocky slopes and grassy areas in cismontane woodlands and grasslands. Often on soils derived from serpentine bedrock. 35-610 m.
<b>HAIRLESS POPCORNFLOWER</b> <i>PLAGIOBOTHRYIS GLABER</i>	-/-/1A	Annual herb found in coastal salt marshes and alkaline meadows. 5-125 m.
<b>OREGON POLEMONIUM</b> <i>CARNEUM</i>	-/-/2B.2	Perennial herb found in coastal prairies, coastal scrub, lower montane coniferous forests. 0-1830 m.

Notes:

Abbreviations:

FE-Federal Endangered

CE-California Endangered Species

USFWS-Untied States Fish and Wildlife Service

CDFW-California Department of Fish and Wildlife

CNPS-California Native Plant Society

CNPS Rankings:

List 1a-Plants Presumed Extirpated in California

List 1b-Plants rare, threatened, or endangered in California and elsewhere

List 3-Plants about which more information is needed (a review list)

List 4-Plants of limited distribution (a watch list)

0.1-Seriously threatened in California

0.2-Moderately threatened in California

0.3-Not very threatened in California

Source: CDFW CNDDDB 2022, CNPS Inventory of rare and endangered plants of California 2022.

### Special-status Animal Species

The records search for the Housing Element identified a total of 13 special-status animal species have been previously recorded within the Sausalito Planning Area, including five birds, four fish, three invertebrates, and one mammal.

Table 3.3-2 provides a list of the 13 special-status animal species, their habitat, and current protective status. Figure 3.3-1 illustrates the location of documented occurrences documented by the CNDDDB within an approximately 20-mile radius. The Listing Status identifies the federal status (e.g., Federal Endangered or Threatened) and State status (e.g., California Endangered, Threatened, Fully Protected or Species of Special Concern; or Watch List).

TABLE 3.3-2: SPECIAL-STATUS ANIMALS PRESENT OR POTENTIALLY PRESENT IN SAUSALITO PLANNING AREA

COMMON NAME SCIENTIFIC NAME	LISTING STATUS (USFWS/CDFW)	GENERAL HABITAT REQUIREMENTS
<b>BIRDS</b>		
<b>AMERICAN PEREGRINE FALCON</b> <i>FALCO PEREGRINUS ANATUM</i>	-/CFP	Found near wetlands, lakes, rivers, or other water. Nests on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.
<b>CALIFORNIA BLACK RAIL</b> <i>LATERALLUS JAMAICENSIS COTURNICULUS</i>	-/CT	Nests in marshes and wet meadows across North America, including riparian marshes, coastal prairies, saltmarshes, and impounded wetlands. All its habitats have stable shallow water, usually just 1.2 inches deep at most.
<b>CALIFORNIA RIDGEWAY'S RAIL</b> <i>RALLUS OBSOLETUS</i>	FE/CFP	Found in salty and brackish water marshes with pickleweed and cordgrass. Restricted almost entirely to the marshes of the San Francisco estuary, where the only known breeding populations occur.
<b>SAN PABLO SONG SPARROW</b> <i>MELOSPIZA MELODIA SAMUELIS</i>	-/CSC	Inhabits tidal, brackish or salt marshes boarding San Pablo Bay.
<b>CALIFORNIA BROWN PELICAN</b> <i>PELECANUS OCCIDENTALIS CALIFORNICUS</i>	-/CFP	Non-breeding CA Brown Pelicans range from the Gulf of California to southern British Columbia. They nest on islands in the Gulf of California and along the coast to West Anacapa and Santa Barbara Islands. They build nests of sticks on the ground. All courtship happens at the nest site.
<b>FISH</b>		
<b>LONGFIN SMELT</b> <i>SPIRINCHUS THALEICHTHYS</i>	FC/CT	A small anadromous fish historically abundant in the San Francisco Estuary and the Sacramento/San Joaquin Delta (Bay-Delta). This species can tolerate a wide range of salinity and will utilize a variety of habitats from nearshore waters, to estuaries and lower portions of freshwater streams.
<b>WINTER-RUN CHINOOK SALMON</b> <i>O. TSHAWYTSCHA</i>	FE/CE	Winter-run Chinook enter the San Francisco Bay for migration upstream from November through June. Since spawning occurs during the warmest time of the year, adult spawners require stream reaches with plentiful cold, clean water that will protect embryos and juveniles from the warm ambient summer conditions.
<b>SPRING-RUN CHINOOK SALMON OF THE SACRAMENTO RIVER DRAINAGE</b> <i>ONCORHYNCHUS TSHAWYTSCHA</i>	FT/CT	Spring-run Chinook enter the San Francisco Bay for migration upstream from mid-February through July. Spawning typically begins in late August and may continue through October. Juveniles emerge in November and December in most locations, but may emerge later when water temperature is cooler.
<b>PACIFIC HERRING</b> <i>CULPEA PALLASII</i>	-/-	Pacific Herring typically form large schools from the water's surface to depths of 1,300 feet. In addition to schooling, they use countershading for protection from predators. They are dark blue to olive on their backs and silver on their sides and belly, which makes them hard to see from above and below.

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COMMON NAME SCIENTIFIC NAME	LISTING STATUS (USFWS/CDFW)	GENERAL HABITAT REQUIREMENTS
<b>INVERTEBRATES</b>		
<b>MISSION BLUE BUTTERFLY</b> <i>ICARICIA ICARIOIDES MISSIONENSIS</i>	FE/-	The Mission blue requires a larval host plant and appropriate nectar plants in a coastal grassland habitat. The host plants include silver lupine ( <i>Lupinus albifrons</i> ), summer lupine ( <i>Lupinus formosus</i> ), and varicolor lupine ( <i>Lupinus variicolor</i> ). Nectar plants are varied, and often grow in association with the lupine host plants.
<b>MARIN HESPERIAN</b> <i>VESPERICOLA MARINENSIS</i>	-/-	Terrestrial species of snail, largely confined to Marin County, little is currently known about its habitat preferences, life history and biology.
<b>WESTERN BUMBLE BEE</b> <i>BOMBUS OCCIDENTALIS</i>	-/CC	Western bumble bees use a wide variety of natural, agricultural, urban, and rural habitat types. Western bumble bees require suitable nesting sites, overwintering sites for the queens, and nectar and pollen resources throughout the spring, summer, and fall. Once common and widespread, species has declined precipitously from Central California to southern British Columbia.
<b>MAMMALS</b>		
<b>SOUTHERN SEA OTTER</b> <i>ENHYDRA LUTRIS NEREIS</i>	FT/CFP	Considered a keystone species, sea otters play a significant role in nearshore marine ecosystems of the North Pacific Ocean, including kelp forests but also seagrass beds where they forage for crustaceans, mollusks, urchins and other invertebrates.

*Notes:*

*Abbreviations:*

*FE*-Federal Endangered

*FT*-Federal Threatened

*FC*-Federal Candidate for listing

*CE*-California Endangered Species

*CT*-California Threatened

*CFP*-California Fully Protected

*CC*-California Candidate for listing

*CSC*-California Species of Special Concern (CDFW)

*WL*-Watch List

*USFWS*-United States Fish and Wildlife Service

*CDW*-California Department of Fish and Wildlife

*Source: CDFW CNDDDB 2022.*

The presence of special-status species or subspecies within the Planning Area is highly dependent on the specific microhabitats and range distribution. For example, while the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) range is currently understood to include the San Francisco peninsula south to Monterey, and in the East Bay as far north as Contra Costa County (Carraway and Verts 1991; CNDDDB 2022), it is currently not known to occur in Sausalito.<sup>1,2</sup>

<sup>1</sup> Carraway LN and BJ Verts. 1991. Mammalian Species: *Neotoma fuscipes*. Published by The American Society of Mammalogists.

<sup>2</sup> California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB). 2022. California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California, 2022.

### ***Wildlife Corridors***

Wildlife corridors are connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Maintaining the continuity of established wildlife corridors is important to sustain species with specific foraging requirements, preserve a species' distribution potential, and retain diversity among many wildlife populations. Therefore, resource agencies consider wildlife corridors to be a sensitive resource.

Most of the area west of Highway 101 (north of Wolfback Ridge Road) and adjacent to the GGNRA is undeveloped and essentially an extension of the habitat found within the GGNRA, thereby serving as a wildlife corridor. In addition, the urban forest canopy can support movement of a variety of migratory bird species, while city open space areas, creeks, and unnamed drainages can serve as corridors for wildlife.

### ***Golden Gate National Recreation Area***

The GGNRA encompasses 80,500 acres of land and water extending from Tomales Bay in Marin County to San Mateo County.<sup>3</sup> Each year, the GGNRA attracts over 17 million visitors to its scenic and historic attractions that include Muir Woods National Monument, Alcatraz Island, Crissy Field, the Marin Headlands, Rancho Corral de Tierra, Lands' End, and former military forts. The GGNRA provides an abundance of recreational and educational opportunities, with diverse active and passive recreational and educational opportunities from contemplative to active pursuits, including participation in stewardship and volunteer activities. A system of designated trails and scenic park roads supports access to sites that provide visitors with a broad range of activities and varied experiences.<sup>4</sup> The Marin Headlands, which encompasses approximately 7,500 acres, is located adjacent to the Sausalito Planning Area and provides an extensive network of trails and beach access. Of the 7,500 acres, approximately 182 acres are located within the Sausalito city limits.

### ***City Open Space Areas***

Two major open space preserves exist in the city: (1) Cypress Ridge Open Space Preserve (owned by the city), which encompasses 10 acres along the east side of Highway 101 between Rodeo Avenue and Spring Street, and (2) Sausalito Creek Wildlife Refuge (owned by Open

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<sup>3</sup> National Park Service. 2014. Golden Gate National Recreation Area Muir Woods National Monument. Final General Management Plan/Environmental Impact Statement. Volume II, page 15.

<sup>4</sup> National Park Service. Golden Gate National Recreation Area. Learn About the Park. Website: <https://www.nps.gov/goga/learn/index.htm>. Accessed October 19, 2020.



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Space Sausalito), which encompasses 2.1 acres between Lincoln Street and Butte Street. The land between these two properties is undeveloped, is known locally as the Sausalito Highlands, and serves as a wildlife corridor. This wildlife corridor is known locally as the Green Corridor. The Sausalito Highlands consists of publicly owned parcels, portions of the Caltrans Highway 101 right-of-way, and the city's Butte Street right-of-way.

### 3.3.2 REGULATORY SETTING

#### *Federal*

##### **Federal Endangered Species Act**

The Federal Endangered Species Act (FESA), passed in 1973, defines an endangered species as any species or subspecies that is in danger of extinction throughout all or a significant portion of its range. A threatened species is defined as any species or subspecies that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Once a species is listed, it is fully protected from a “take” unless a take permit is issued by the USFWS. A take is defined as the harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such conduct, including modification of its habitat (16 USC § 1532, 50 CFR § 17.3). Proposed endangered or threatened species are those species for which a proposed regulation, but not a final rule, has been published in the Federal Register.

##### **Clean Water Act–Section 404**

Section 404 of the Clean Water Act regulates all discharges of dredged or fill material into waters of the United States. Discharges of fill material includes the placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; and fill for intake and outfall pipes and subaqueous utility lines (33 CFR § 323.2(f)).

Waters of the United States include lakes, rivers, streams, intermittent drainages, mudflats, sandflats, wetlands, sloughs, and wet meadows (33 CFR § 328.3(a)). Wetlands are defined as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR § 328.3(b)). Waters of the United States exhibit a defined bed and bank and ordinary high water mark (OHWM). The OHWM is defined by the United States Army Corps of Engineers (USACE) as “that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas” (33 CFR §328.3(c)).

Discharge of fill material into waters of the United States, including wetlands, is regulated by the USACE under Section 404 of the Clean Water Act (33 USC §§ 1251–1376). Executive Order 11990 is a federal implementation policy, which is intended to result in no net loss of wetlands.

#### **Clean Water Act – Section 401**

Section 401 of the Clean Water Act (33 USC § 1341) requires an applicant who is seeking a 404 permit to first obtain a water quality certification from the Regional Water Quality Control Board (RWQCB). To issue a water quality certification, the RWQCB must indicate that the proposed fill is consistent with the standards set forth by the State. The San Francisco RWQCB is responsible for enforcing water quality criteria and protecting water resources in the City of Sausalito.

#### **Migratory Bird Treaty Act**

Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USC §§ 703–711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 Code of Federal Regulations Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR Part 21). Most of the birds found in the City of Sausalito are protected under the MBTA.

#### **Bald and Golden Eagle Protection Act**

The Bald and Golden Eagle Protection Act (16 USC § 668) protects these birds from direct take and prohibits the take or commerce of any part of these species. The USFWS administers the Act, and reviews federal agency actions that may affect these species.

### **State**

#### **California Endangered Species Act (FGC § 2050-2097)**

The California Endangered Species Act (CESA) protects certain plant and animal species when they are of special ecological, educational, historical, recreational, aesthetic, economic, and scientific value to the people of the State. CESA established that it is State policy to conserve, protect, restore, and enhance endangered species and their habitats.

CESA was expanded upon the original Native Plant Protection Act (NPPA) and enhanced legal protection for plants. To be consistent with federal regulations, CESA created the categories of "threatened" and "endangered" species. It converted all "rare" animals into the Act as threatened species but did not do so for rare plants. Thus, there are three listing categories for plants in California: rare, threatened, and endangered. Under State law, plant and animal species may be formally designated by official listing by the California Fish and Game Commission.

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### **Predatory Birds (FGC §§ 3503, 3503.5, and 3800)**

Under the California Fish and Game Code, all predatory birds in the order Falconiformes or Strigiformes in California, generally called “raptors,” are protected. The law indicates that it is unlawful to take, possess, or destroy the nest or eggs of any such bird unless it is in accordance with the Fish and Game Code. Any activity that would cause a nest to be abandoned or cause a reduction or loss in a reproductive effort is considered a take. This generally includes construction activities.

### **Lake and Streambed Alteration (FGC §§ 160–1603)**

Under the California Fish and Game Code, the CDFW has jurisdiction over any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any lake or stream. Private landowners or project proponents must obtain a “Streambed Alteration Agreement” from the CDFW prior to any alteration of a lakebed, stream channel, or their banks. Through this agreement, the CDFW may impose conditions to limit and fully mitigate impacts on fish and wildlife resources. These agreements are usually initiated through the local CDFW Warden and will specify timing and construction conditions, including any mitigation necessary to protect fish and wildlife from impacts of the work.

### **California Environmental Quality Act (Public Resources Code [PRC] § 21000)**

CEQA provides that a species that is not listed on the federal or State endangered species list may be considered rare or endangered if the species meets certain criteria. Under CEQA, public agencies must determine if a project would adversely affect a species that is not protected by FESA or CESA. Species that are not listed under FESA or CESA, but are otherwise eligible for listing (i.e., candidate or proposed) may be protected by the local government until the opportunity to list the species arises for the responsible agency.

Species that may be considered for review are included on a list of “Species of Special Concern,” developed by the CDFW. Additionally, the CNPS maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. List 1A contains plants that are believed to be extinct; List 1B contains plants that are rare, threatened, or endangered in California and elsewhere; List 2 contains plants that are rare, threatened, or endangered in California, but more numerous elsewhere; List 3 contains plants where additional information is needed, and List 4 contains plants with a limited distribution.

### **Porter-Cologne Water Quality Act**

The RWQCB regulates actions that would involve “discharging waste, or proposing to discharge waste, within any region that could affect the water of the State” (California Water Code §13260(a)), pursuant to provisions of the Porter-Cologne Water Quality Act. Waters of the State are defined as “any surface water or groundwater, including saline waters, within the boundaries of the State” (California Water Code 13050(e)).

### **National Pollutant Discharge Elimination System**

The Clean Water Act requires local jurisdictions to address the problem of pollutants in stormwater runoff from development. The Clean Water Act provides for the control of the discharge of any pollutant into navigable waters from any point sources. To regulate point source pollution, the Clean Water Act provides that the United States Environmental Protection Agency (EPA) may issue National Pollution Discharge Elimination System (NPDES) permits. NPDES permits are issued by the EPA or by the states under EPA-approved permit programs that incorporate the Clean Water Act technological standards. California's permit program is implemented through the California State Water Resources Control Board (State Water Board) and RWQCBs. Section 402(p) of the Clean Water Act establishes a framework for regulating municipal and industrial stormwater discharges under the NPDES program and requires controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques and systems, and design and engineering methods. The RWQCBs implement the Clean Water Act municipal stormwater requirements through the State's Municipal Storm Water Permitting Program. While federal regulations allow the permitting options for stormwater discharge (Individual and General Permits), the State Water Board has elected to adopt only one Statewide General Permit.

### **California Native Plant Protection Act**

The California Native Plant Protection Act is intended to preserve, protect, and enhance endangered or rare native plants in California. This Act directs the CDFW to establish criteria for determining what native plants are rare or endangered. Under this Act, a species is endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more causes. A species is rare, although not threatened with immediate extinction, if it is in such small numbers throughout its range that it may become endangered if its present environment worsens. This Act prohibits any person from importing into or taking, possessing, or selling within California, except as incident to the possession or sale of the real property on which the plant is growing, any endangered or rare native plant or as otherwise excepted under the Act.

The CNPS maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to population of rare plants receive consideration under CEQA review. The CNPS ranking system applicable to the project are defined below:

- **List 1A:** Plants presumed extinct
- **List 1B:** Plants rare, threatened or endangered in California and elsewhere
- **List 2:** Plants rare, threatened or endangered in California, but more numerous elsewhere

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### *Regional*

#### **San Francisco Bay Conservation and Development Commission**

The San Francisco Bay Conservation and Development Commission (BCDC) has jurisdiction over all areas of San Francisco Bay that are subject to tidal action. Tidal action is defined by the shoreline that extends up to mean high water, except in marsh areas, where BCDC's jurisdiction extends to 5 feet above mean sea level. The BCDC also has "shoreline band" jurisdiction over an area 100 feet wide inland and parallel to the shoreline. For projects within BCDC jurisdiction, permits may be required, depending on the nature of the activity. Those projects requiring a permit must comply with the requirements of the McAteer-Petris Act and the Bay Plan.

### *Local*

#### **Sausalito General Plan**

The stated purpose of the objectives, policies, and programs listed in the Environmental Quality Element of the General Plan is to maintain and restore the natural resources, including native vegetation and wildlife habitat that are found within the developed portions of the city, as well as to protect and manage the undeveloped areas with open space and conservation values.

The General Plan identifies five threatened or endangered plants and 12 threatened or endangered animals located within the Planning Area, as listed in Tables 3.3-1 and 3.3-2.

The General Plan includes the following policies and programs that assist in reducing or avoiding impacts related to biological resources:

#### *Environmental Quality Element*

Policy EQ-1.2: Natural Terrain and Native Vegetation. Protect the natural terrain and native vegetation and recognize the role of natural terrain and native vegetation in landslide mitigation and management.

Policy EQ-1.3: Wetlands Restoration. Restore Sausalito's wetlands to improve environmental quality and mitigate sea level rise.

Policy EQ-1.4: Threatened and Endangered Species. Protect threatened and endangered wildlife and plant species native to Sausalito and the Southern Marin area.

Program EQ-1.4.1 Special Studies (Threatened and Endangered Species). Require special studies for projects proposed in areas that could potentially impact threatened or endangered species habitat as identified in the Endangered Species Act.



Program EQ-1.4.2: Catalogue Threatened and Endangered Species. Continue to catalogue and update information on threatened and endangered species and locally scarce species or habitats. This catalogue will be used to review project proposals.

Program EQ-1.4.3 Botanical Reports. Require detailed botanical reports for new development projects that are located within threatened plant habitat areas as identified on the Natural Diversity Data Base maps according to the Endangered Species Act.

Policy EQ-4.3: Creeks and Drainageways. Promote the natural integrity of creeks and/or drainageways as riparian habitat and wildlife corridors to protect residents from flooding and other hazards.

Program EQ-4.3.3: Riparian Areas. Discourage any construction proposed in riparian areas identified in Figure 6-8 [of the General Plan].

#### *Waterfront Element*

Policy W-4.1: Ecological Functions. Require that no net loss of ecological functions occur as a result of uses, development, shoreline modifications, or expansion of existing uses.

Program W-4.1.1: Mitigation sequencing. If a loss of ecological function (including stormwater management) is foreseeable, use mitigation sequencing steps in the following order to mitigate the loss: avoid, rectify, minimize, and/or compensate for loss.

Policy W-4.2: Bay Waters. Preserve and enhance the wetlands, open waters, and ecosystem of Richardson's and San Francisco Bays and utilize these landscapes for sea level rise mitigation.

Program W-4.2.2: Marine Life. Create development policies that support the retention of Richardson's Bay's aquatic ecosystem, particularly the eelgrass beds.

Policy W-4.3: Shoreline Areas. Preserve the undeveloped open shoreline, shoreline habitat, and public access in waterfront development consistent with public trust and private ownership purposes.

#### **Sausalito Municipal Code**

Chapter 10.40.070(D)(3) (Creek Setbacks) establishes that no structures of any kind, other than stairs and pathways on grade and/or retaining walls for slope stabilization purposes, shall be located within 20 feet of the 100-year flood elevation line of an open natural drainage way or wetland (i.e., creek) identified on Map GP-14 of the environmental quality element of the General Plan. Additionally, setbacks from creeks and wetland areas could be required as part of the environmental review process pursuant to the CEQA, as applicable. Also, during design review, the Planning Commission may determine that additional setbacks from

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watercourses are necessary to ensure consistency with relevant policies contained in the environmental quality element of the General Plan.

Chapter 11.12 (Preservation of Trees and Views) acknowledges the contribution of trees to the character and beauty of the city and provides guidelines to address potential conflicts between preservation of trees and view-related values.

Chapter 17.28 (Trees, Shrubs and Plants) describes protections for trees in the public realm, including prohibitions against cutting, pruning, injuring, removing, or spraying public trees, as well as prohibitions against attaching appurtenances or interfering with work on trees by city employees.

### 3.3.3 THRESHOLDS OF SIGNIFICANCE

According to the CEQA Guidelines Appendix G, the proposed project would have a significant impact related to biological resources if it would:

- Have a substantial adverse effect, either directly or indirectly through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

### 3.3.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts to biological resources resulting from implementation of the Project are discussed below. The impact analysis is based on queries of the CNDDDB, the USFWS list of special-status species, and the CNPS Lists 1A, 1B, and 4, which identify existing biological resources within the Sausalito Planning Area. Impacts to biological resources are assessed using the significance criteria established by the CEQA Guidelines. This analysis identifies the potential direct and indirect impacts to biological resources from construction, operation, and

maintenance activities related to future development that could occur in connection with the implementation of the Housing Element Programs.

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**Impact 3.3-1      With mitigation, development facilitated by the Housing Element Programs would not have a substantial adverse effect, either directly or through habitat modifications, on candidate, sensitive, or special-status species.**

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As discussed in the Existing Setting section, five special-status plant species and 13 special-status animal species have been recorded to occur within the Sausalito Planning Area. The special-status animal species include five bird species, four fish species, three invertebrate species, and one mammal species. Subsequent development could result in the direct/indirect loss or indirect disturbance of special-status plant or animal species or their habitats that are known to occur, or have potential to occur, in the region.

Significant impacts on special-status plant species associated with individual subsequent projects could include the direct loss of individual plants and of habitat areas associated with these special-status plant species. Indirect impacts to special-status plant species could include habitat degradation as a result of impacts to water quantity and quality.

Significant impacts on special-status animal species associated with individual subsequent projects could include, but are not limited to, the following:

- Increased mortality caused by higher numbers of automobiles in new areas of development;
- Direct mortality from the collapse of underground burrows, resulting from soil compaction;
- Direct mortality resulting from the movement of equipment and vehicles through construction areas;
- Direct mortality resulting from removal of trees with active nests;
- Direct mortality or loss of suitable habitat resulting from the trimming or removal of obligate host plants;
- Direct mortality resulting from the filling of wetlands features;
- Loss of breeding and foraging habitat resulting from the filling of seasonal or perennial wetlands;
- Loss of breeding, foraging, and refuge habitat resulting from the permanent removal of riparian vegetation;
- Loss of suitable habitat for vernal pool invertebrates resulting from the destruction or degradation of vernal pools or seasonal wetlands;
- Abandonment of eggs or young and subsequent nest failure for special-status nesting birds, including raptors, and other non-special status migratory birds resulting from construction-related noises;
- Loss or disturbance of rookeries and other colonial nests;
- Loss of suitable foraging habitat for special-status raptor species;

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- Loss of migration corridors resulting from the construction of permanent structures or features; and
- Impacts to fisheries/species associated with waterways.
- Impacts to eelgrass habitats from growth along waterfront

Special-status plant and animal species receive protection from various federal and State laws and regulations, including FESA and CESA. These regulations generally prohibit the taking of protected plant and animal species, or direct impacts to foraging or breeding habitat, without a special permit.

The General Plan includes policies and programs specifically designed to address these potential impacts to biological resources. Policy EQ-1.4 plainly states that threatened and endangered species shall be protected under the General Plan. To protect special-status species, Program EQ-1.1.1 requires new developments to identify and protect natural resources as conditions of project approval. Other policies found in the General Plan recognize the importance of protecting valuable wildlife habitat. Policy W-4.2 and Program W-4.2.2 call for preservation and enhancement of the open waters and habitats found in Richardson's Bay, which have high ecological value for marine species such as eelgrass. Policy W-4.1 requires that no net loss of ecological functions occur as a result of uses, development, shoreline modifications, or expansion of existing uses. Program EQ-1.4.1 Special Studies (Threatened and Endangered Species) requires special studies for projects proposed in areas that could potentially impact threatened or endangered species habitat as identified in the Endangered Species Act. Program EQ 1.4.2 requires that the city continue to catalogue and update information on threatened and endangered species and locally scarce species or habitats, and that this information will be used to review project proposals. Program ES 1.4.3 requires applicants to prepare a detailed botanical report for projects within threatened plant habitat areas.

Future development would comply with the various federal and State laws and regulations that protect special-status plant and animal species, including FESA and CESA. In addition, future projects would comply with requirements of the Sausalito Municipal Code and the General Plan policies and programs related to biological resources. However, individual opportunity sites may acquire special species over time, such as new species nesting on a vacant parcel. Therefore, the impact to special status species is ***potentially significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.3-1a Special Studies.** Applicants of any projects that could result in a potential impact to special status species, or their habitat, shall be required to prepare a special study. The purpose of the special study to identify appropriate

measures to avoid or minimize harm to sensitive biological resources and to incorporate the recommended measures as conditions of approval for the project. Detailed studies are not necessary in locations where past and existing development have eliminated natural habitat and the potential for the presence of sensitive biological resources.

**MM 3.3-1b Nesting Bird Protection.** All projects shall retain the services of a qualified biologist(s) to conduct a pre-construction nesting bird survey during the nesting season (February 1 through August 31) prior to any and all development that may remove trees or vegetation that may provide suitable nesting habitat for migratory birds or other bird species protected under the Fish and Game Code. If nests are found, the qualified biologist(s) shall identify and the project sponsor shall implement appropriate avoidance measures, such as fenced buffer areas or staged tree removal periods.

#### Level of Significance after Mitigation

Less than Significant

Mitigation Measure 3.3-1a is included to specifically require the preparation of a report for projects that could potentially affect threatened or endangered species, or their habitat. The report would identify appropriate measures to minimize or avoid harm from project implementation upon identified species and their habitat. In addition, Mitigation Measure 3.3-1b is included to specifically require the preconstruction nesting bird surveys for projects initiated during the nesting season to identify avoidance measures, where needed, to ensure the protection of active nests.

Therefore, with mandatory regulatory compliance and implementation of Mitigation Measure 3.3-1a and Mitigation Measure 3.3-1b, future development under the Housing Element Programs would not result in significant adverse effects to biological resources and impacts would be less than significant. As such, impacts from implementation of the Housing Element would be considered ***less than significant with mitigation*** relative to this topic.

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**Impact 3.3-2**      **With mitigation, development facilitated by the Housing Element Programs would not have a substantial adverse effect on riparian habitats, other sensitive natural communities, federally protected wetlands, or waters of the United States and/or State, through direct removal, filling, or hydrological interruption.**

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As discussed in the Existing Setting section, six sensitive natural communities are located within or adjacent to the Sausalito Planning Area: Coastal Brackish Marsh, Coastal Terrace Prairie, Northern Coastal Salt Marsh, Northern Maritime Chaparral, Serpentine Bunchgrass,



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and Valley Needlegrass Grassland. None of these sensitive natural communities are located within the City of Sausalito City Limits.

While not always documented as sensitive natural communities in the CNDDDB, streams, rivers, and estuaries are of high concern because they provide unique aquatic habitat for many endemic species, including special-status plants, birds, invertebrates, amphibians and fish species. These aquatic habitats oftentimes qualify as protected wetlands or jurisdictional waters and are protected from disturbance through the Clean Water Act.

Subsequent development under the Housing Element Programs, primarily adjacent to Richardson's Bay, could result in direct or indirect effects on estuarine habitat and other sensitive marine communities. Federally protected wetlands and other waters of the United States and/or State could be affected through direct removal, filling, hydrological interruption (including dewatering), alteration of bed and bank, and other construction-related activities.

Riparian habitats and sensitive natural communities receive protection under the California Fish and Game Code (FGC §§ 1601–1603). Any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any lake or stream, must obtain a "Streambed Alteration Agreement" from CDFW prior to any alteration of a lake bed, stream channel, or their banks. Through this agreement, the CDFW may impose conditions to limit and fully mitigate impacts on fish and wildlife resources.

Section 404 of the Clean Water Act requires any project that involves disturbance to a wetland or waters of the United States to obtain a permit that authorizes the disturbance. If a wetland or jurisdictional water is determined to be present, then a permit must be obtained from the USACE to authorize a disturbance to the wetland. Although subsequent projects may disturb protected wetlands and/or jurisdictional waters, the regulatory process that is established through Section 404 of the Clean Water Act ensures that there is "no net loss" of wetlands or jurisdictional waters. If, through the design process, it is determined that a future development project cannot avoid a wetland or jurisdictional water, then the USACE would require that there be an equal amount of wetland created elsewhere to mitigate any loss of wetland.

Section 401 of the Clean Water Act (33 USC § 1341) requires an applicant who is seeking a 404 permit to first obtain a water quality certification from the RWQCB. To issue a water quality certification, the RWQCB must indicate that the proposed fill is consistent with the standards set forth by the State.

The General Plan includes policies and programs designed to protect riparian habitat and other sensitive natural communities, as well as protect wetlands and waters of the United States and/or waters of the State. Policy W-4.1 requires that no net loss of ecological functions occur as a result of uses, development, shoreline modifications, or expansion of existing uses. Policy W-4.2 and Program W-4.2.2 require the preservation and enhancement of open waters and ecosystem of Richardson and San Francisco Bays. Policy W-4.3 calls for

the preservation of the undeveloped open shoreline and shoreline habitat. Policy EQ-4.3 preserves the natural integrity of creeks and riparian habitat, as these areas provide numerous ecological and hydrological benefits including but not limited to providing wildlife habitat, maintaining water quality and providing protection against flooding. In addition, Chapter 10.40.070 of the Sausalito Municipal Code prohibits development within 20 feet of the 100-year flood elevation line of an open natural drainage way or creek identified in the General Plan. Future development in accordance to the Housing Element would be subject to these General Plan policy and Municipal Code requirements.

Future development facilitated by the Housing Element Programs would comply with adopted State, federal, and local regulations for the protection of sensitive natural communities, including riparian habitat, wetlands, and waters of the United States and/or State. In addition, future projects would comply with requirements of the Sausalito Municipal Code and the General Plan policies and programs related to the protection of these biological resources. However, individual opportunity sites may acquire special species over time, such as new plants growing on a vacant parcel. Therefore, the impact to special status species is ***potentially significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.3-2a Botanical Reports.** Prior to issuance of a demolition, grading, or building permit require detailed botanical reports for new development projects that are located within threatened plant habitat areas or within Sensitive Natural Communities, including coast live oak (*Quercus agrifolia*-*Arbutus menziesii*-*Umbellularia californica*), and eelgrass (*Zostera Marina*). If sensitive resources are identified on a proposed project site, recommendations to protect the sensitive resources shall conform with applicable State and Federal regulations regarding their protection and may include avoidance of the resource, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a project-specific basis.

**MM 3.3-2b Eelgrass (*Zostera marina*) beds and red algae (*Gracilaria sp.*).** Prior to issuance of a demolition, grading, or building permit require detailed biological reports for new development projects that are located within or adjacent to Richardson's Bay's aquatic ecosystem. If sensitive aquatic resources (e.g., eelgrass and red algae) are identified on or adjacent to a proposed project site, recommendations to protect the sensitive aquatic

# City of Sausalito

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resources shall conform with applicable State and Federal regulations regarding their protection, including NOAA's California Eelgrass Mitigation Policy and Implementation Guideline. The biological report may include avoidance of the resource, providing setbacks, clustering development onto less sensitive areas, preparing restoration plans, off-site mitigation, and/or other similar measures as determined on a project-specific basis.

### Level of Significance after Mitigation

Less than Significant

Mitigation Measure 3.3-2a is included to specifically require the preparation of a botanical report for projects that could potentially affect threatened plant habitat areas or Sensitive Natural Communities, through the identification of recommendations to avoid or minimize harm to these habitat areas. In addition, Mitigation Measure 3.3-2b is included to specifically require a detailed biological report for new development projects that are located within or adjacent to Richardson's Bay's aquatic ecosystem, with the specific goal of identifying avoidance and/or minimization measures.

Therefore, with mandatory regulatory compliance and implementation of Mitigation Measure 3.3-2a and Mitigation Measure 3.3-2b, future development under the Housing Element would not result in significant adverse effects to riparian habitat, other sensitive natural communities, federally protected wetlands, waters of the United States, or waters of the State. Impacts would be considered ***less than significant with mitigation*** under this criterion.

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**Impact 3.3-3**      **With mitigation, development facilitated by the Housing Element Programs would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**

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As described in the Existing Setting section, the undeveloped areas west of Highway 101 currently allow for wildlife movement within the city limits and serve as a wildlife corridor to the adjacent GGNRA lands. In addition, the urban forest canopy can support movement of a variety of migratory bird species, while city open space areas, creeks, and un-named drainages could serve as aquatic and terrestrial wildlife migration corridors within the Sausalito Planning Area. The city open space areas include the Cypress Ridge Open Space Preserve, the Sausalito Creek Wildlife Refuge, and the Sausalito Highlands (known locally as the Green Corridor). Species using these corridors include aquatic, terrestrial, and avian species.

Future development facilitated by the Housing Element Programs would comply with adopted State, federal, and local regulations for the protection of biological resources. In

addition, future projects would comply with requirements of the Sausalito Municipal Code and the General Plan policies and programs related to biological resources.

Many of the General Plan policies already presented in this chapter have ancillary benefits of protecting movement habitat for wildlife. Policy EQ-4.3 promotes the natural integrity of creeks and riparian habitat, as these areas could serve as important corridors for the movement of wildlife. Policy EQ-1.2 ensures that any potential impacts on wildlife movement will be reduced to a less-than-significant level by advocating for the protection of natural terrain and vegetation found in the City of Sausalito. As noted previously, future development in accordance to the Housing Element would be subject to these General Plan policy requirements.

Although migratory wildlife corridors do not appear to be present, it is possible that such corridors could be established prior to construction on opportunity sites. Therefore, the impact to native and migratory wildlife species is ***potentially significant***.

#### Level of Significance before Mitigation

Potentially Significant

#### Mitigation Measures

**MM 3.3-3 Wildlife Movement.** All projects on parcels with indicators of wildlife movement corridors shall retain the services of a qualified biologist(s) to conduct a biological assessment prior to any and all development that may impact wildlife movement. If movement corridors are potentially impacted by the proposed project, the qualified biologist(s) shall identify appropriate mitigation measures to avoid or minimize the impact. Such measures shall be a condition of approval and implemented by the project sponsor.

#### Level of Significance after Mitigation

Less than Significant

Mitigation Measure 3.3-3 is included to specifically require a biological assessment for any project that may impact a wildlife movement corridor. In addition, Mitigation Measure 3.3-1b identified under Impact 3.3-1, which would require preconstruction nesting bird surveys for projects initiated during the nesting season to identify avoidance measures, where needed, would protect nesting birds within wildlife corridors. Therefore, future development under the Housing Element would not result in significant adverse effects to wildlife corridors or native wildlife nursery sites, and impacts would be considered less than significant with mitigation under this criterion.

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**Impact 3.3-4**      **Development facilitated by the Housing Element Programs would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.**

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Implementation of the Housing Element would be subject to all applicable local policies and regulations related to the protection of important biological resources. Specifically, development under the General Plan would be required to comply with the city's Tree Ordinance.

Chapter 11.12 of the Sausalito Municipal Code acknowledges the contribution of trees to the character and beauty of the city and provides guidelines to address potential conflict between preservation of trees and view-related values. Chapter 17.28 of the Municipal Code goes further and describes protections for trees in the public realm, including prohibitions against cutting, pruning, injuring, removing or spraying public trees, as well as prohibitions against attaching appurtenances or interfering with work on trees by city employees. All development facilitated by the Housing Element would be subject to these mandatory tree preservation requirements.

Therefore, there is no potential for conflicts with local policies or ordinances protecting biological resources, impacts would be ***less than significant***.

### **Level of Significance before Mitigation**

Less than Significant

### **Mitigation Measures**

None Required

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**Impact 3.3-5**      **Development facilitated by the Housing Element Programs would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.**

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As discussed in the Regulatory Setting section, the GGNRA encompasses 80,500 acres of land and water extending from Tomales Bay in Marin County to San Mateo County. Approximately 182 acres of GGNRA land is located within the Sausalito city limits.

The BCDC has jurisdiction over all areas of San Francisco Bay that are subject to tidal action. Tidal action is defined as any area by the shoreline that extends up to mean high water, except in marsh areas, where BCDC's jurisdiction extends to five feet above mean sea level. The BCDC also has "shoreline band" jurisdiction over an area 100 feet wide inland and parallel to the shoreline. For projects within BCDC jurisdiction, permits may be required depending on the nature of the activity. Those projects requiring a permit must comply with the requirements of the McAteer-Petris Act and the Bay Plan.



There are no other local, regional, or State habitat conservation plans that are applicable to the Sausalito Planning Area. As such, implementation of the Housing Element Programs would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. The Housing Element would have a ***less than significant*** impact relative to this topic.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.3-6      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to biological resources.**

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The geographic context for analysis of cumulative impacts to biological resources includes the incorporated and unincorporated lands surrounding the Sausalito Planning Area. This analysis evaluates whether the impacts of the Housing Element, together with the impacts of cumulative development, would result in a cumulatively significant impact on special-status species; wetlands and other Waters of the United States and/or State; or other biological resources protected by federal, State, or local regulations or policies. This analysis then considers whether incremental contribution to cumulative impacts associated with the implementation of the Housing Element would be significant. Both conditions must apply for a project’s cumulative effects to rise to the level of significance.

Cumulative development within unincorporated Marin County is identified in the Marin Countywide Plan Update Final EIR. Cumulative development contributes to an incremental reduction in the amount of existing wildlife habitat, particularly for birds and larger mammals. Habitat for species intolerant of human disturbance can be lost as development encroaches into previously undeveloped areas, disrupting or eliminating movement corridors, and fragmenting the remaining suitable habitat retained within parks, private open space, or undeveloped properties. New development in the region would result in further conversion of existing natural habitats to urban and suburban conditions, limiting the existing habitat values of the surrounding area. This could include further loss of wetlands and sensitive natural communities, reduction in essential habitat for special-status species, removal of mature native trees and other important wildlife habitat features, and obstruction of important wildlife movement corridors. Additional development may also contribute to degradation of the aquatic habitat found in Richardson’s and San Francisco Bay throughout the region, including the Sausalito Planning Area.

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As described in the Regulatory Setting section, numerous laws and regulations are in place to protect biological resources, including, but not limited to, CESA, FESA, and the Clean Water Act. The BCDC has jurisdiction over all areas of San Francisco Bay that are subject to tidal action. Development facilitated future projects within the cumulative geographic context, would be required to comply with federal, State, and local laws and policies and all applicable permitting requirements of the regulatory and oversight agencies intended to address potential impacts on biological resources. Because cumulative development would be required to comply with the above requirements, as well as the overall land use vision, design review regulations and policies in local and regional plans, including the Marin Countywide Plan and Marin County Development Code, cumulative biological impacts will be ***less than significant***.

Moreover, the proposed project's incremental contribution to these less than significant cumulative impacts would not be significant with implementation of the mitigation identified in the Revised Draft EIR. As discussed in detail above in Impacts 3.3-1 through 3.3-5, the Housing Element proposes no substantive changes in land use that would result in significant impacts to biological resources. Development resulting from buildout of the Housing Element is largely the same as what was already evaluated and disclosed as part of the 2021 General Plan Update EIR and the 2015 Housing Element and will be subject to both proven continuing policies and enhanced policies to reduce impacts to biological resources. Additionally, development projects consistent with the Housing Element Programs would be required to comply with identified mitigation and demonstrate that biological resources would not be significantly affected.

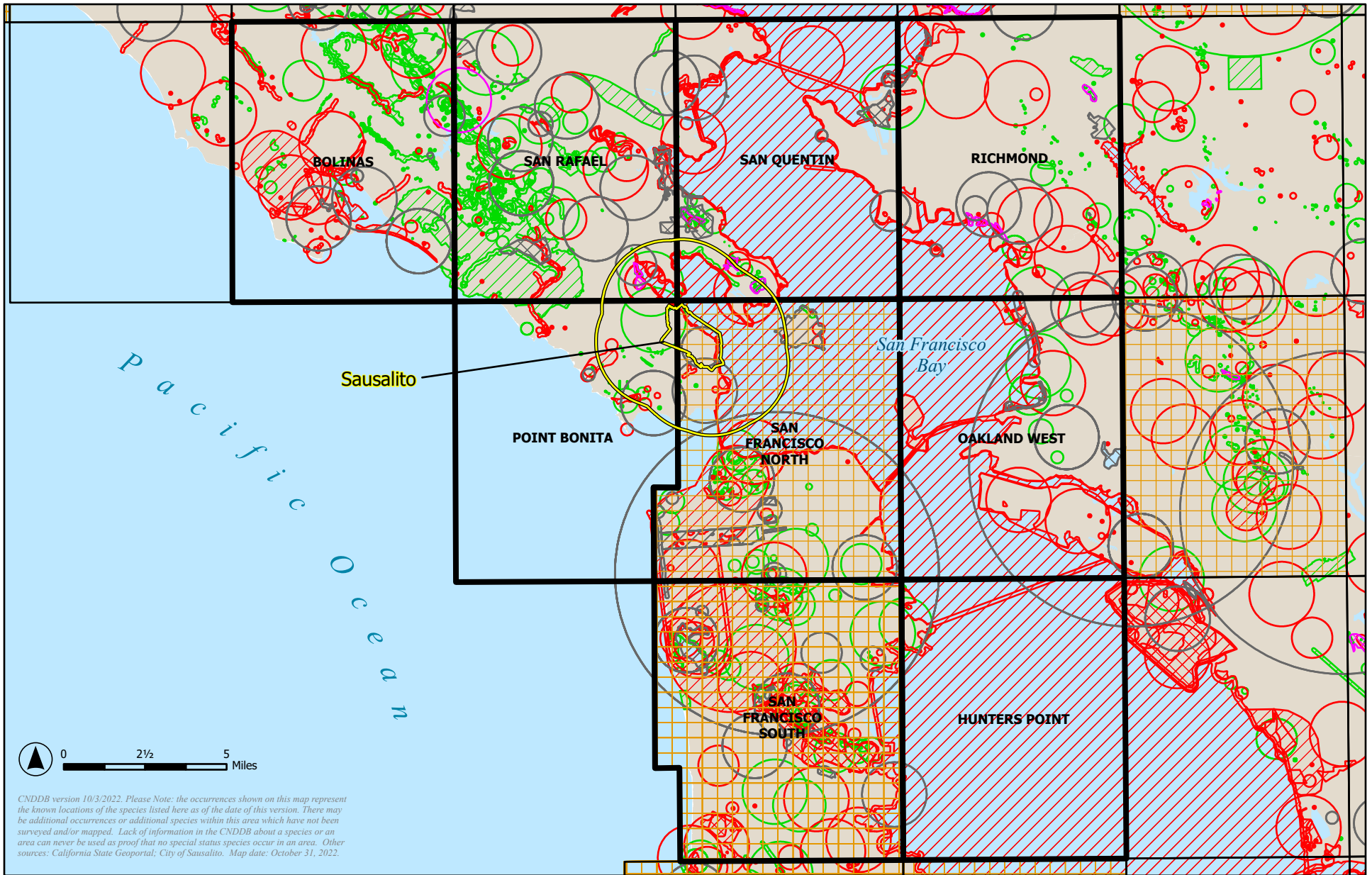
Therefore, implementation of the Housing Element Programs would not result in a considerable incremental contribution to cumulative impacts to biological resources, because the Sausalito Planning Area is largely built out, and future development under the Housing Element would be required to comply with regulations set forth by the City's General Plan, as well as State and federal agencies to protect biological resources. Therefore, the Housing Element's contribution to cumulative impacts would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required



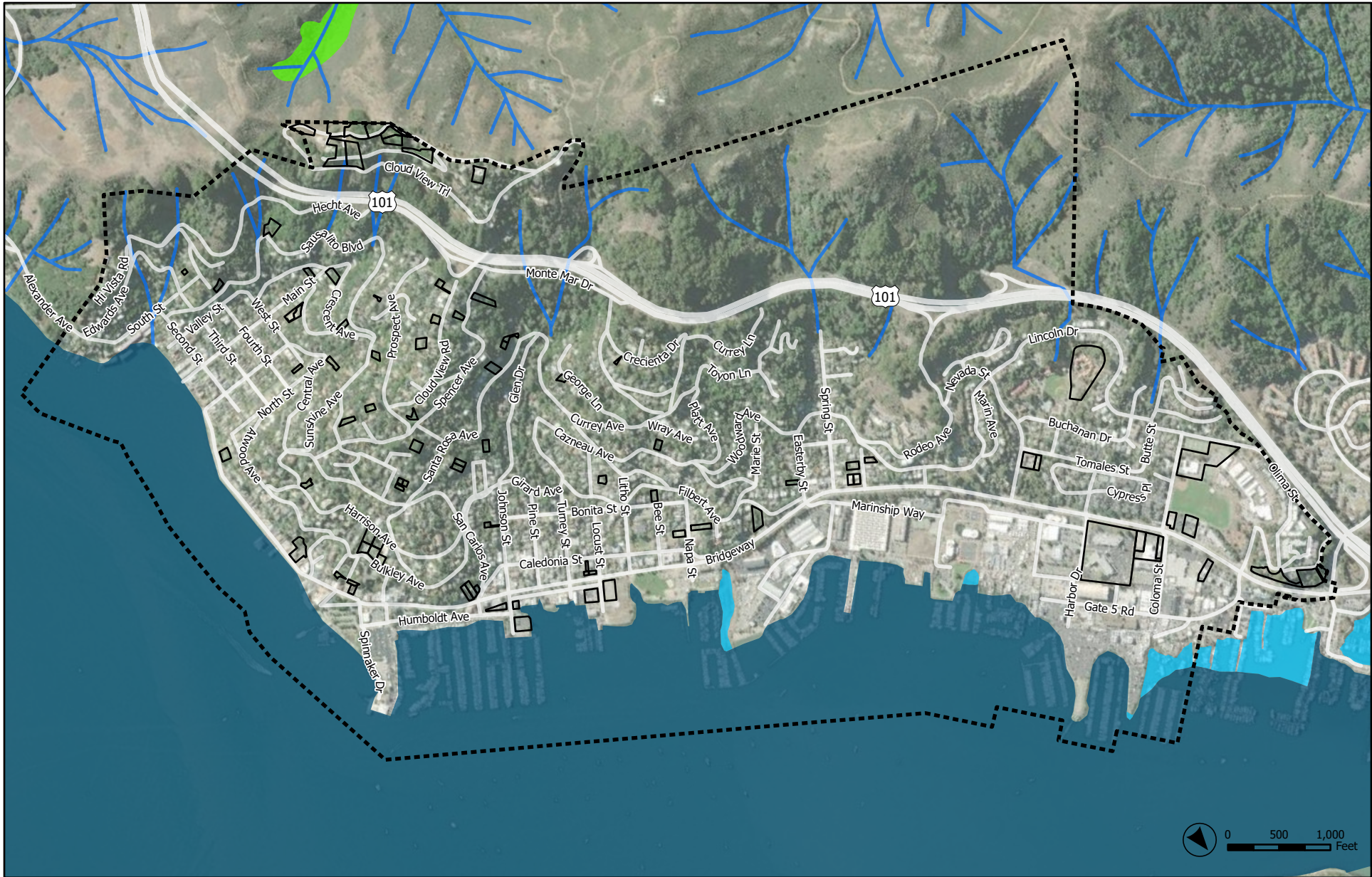
**LEGEND**

- |                      |                                  |                                     |
|----------------------|----------------------------------|-------------------------------------|
| Plant (80m)          | Animal (specific)                | Terrestrial Comm. (circular)        |
| Plant (specific)     | Animal (non-specific)            | Multiple (specific)                 |
| Plant (non-specific) | Animal (circular)                | Multiple (non-specific)             |
| Plant (circular)     | Terrestrial Comm. (specific)     | Multiple (circular)                 |
| Animal (80m)         | Terrestrial Comm. (non-specific) | Sensitive Environmental Occurrences |

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Figure 3.3-1. California Natural Diversity Database  
9-quad Search





**LEGEND**

Sausalito City Boundary	Estuarine and Marine Wetland
Housing Element Programs Sites	Freshwater Emergent Wetland
Estuarine and Marine Deepwater	Riverine

**HOUSING ELEMENT PROGRAMS EIR**

**Figure 3.3-2. National Wetlands Inventory**

Sources: City of Sausalito; Marin GeoHub; USGS National Wetlands Inventory. Map date: July 19, 2023.

### 3.4 CULTURAL AND TRIBAL CULTURAL RESOURCES

This section of the Draft EIR examines the potential for the Housing Element Programs project to impact cultural resources within the Sausalito Planning Area. Cultural resources refer broadly to prehistoric and historic buildings, structures, objects, sites, and districts exhibiting important historical, cultural, scientific, or technological associations and which exhibit historic integrity.<sup>1</sup> This definition extends to Tribal Cultural Resources, which refers to sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe. For the purposes of the California Environmental Quality Act (CEQA), cultural resources/tribal cultural resources are divided into four subcategories: archaeological resources, historic resources, human remains, and Native American tribal cultural resources.

More specifically, cultural resources and historic resources are often considered together under the term cultural resources, which are historical resources that have been formally recognized by a lead agency and/or are listed or determined legible for listing on the California Register of Historical Resources (CRHR) (Public Resources Code [PRC] § 5024.1, Title 14 California Code of Regulations [CCR] § 4852). It is notable that, the fact that a resource is not yet identified as a historical resource or found eligible for the CRHR does not preclude a lead agency from determining that said resource is a historical resource pursuant to Public Resources Code Sections 5020.1(j) or 5024.1. Under CEQA, a substantial adverse change in the significance of a historical resource would constitute a significant effect on the environment. The effects on paleontological resources are addressed in Section 3.6, Geology, Soils, and Seismicity.

Information in this section is based on information provided by the following sources and reference materials:

- City of Sausalito General Plan Update Environmental Impact Report
- Office of Historic Preservation Directory of Properties in the Historic Property Data File for Marin County;
- Northwest Information Center records search for the Sausalito Planning Area;
- The National Register of Historic Places;
- The California Register of Historic Resources;
- The California Historical Landmarks List;
- The California Points of Historical Interest List; and
- City of Sausalito Historic Resources Inventory List.

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<sup>1</sup> Historic integrity refers to the authenticity of a property's historic identity, evidenced by survival of physical characteristics that existed during the property's prehistoric or historic period. Historic integrity is the composite of seven qualities: location, design, setting, materials, workmanship, feeling, association.



Appendix C contains supporting information for this section, including the Native American Heritage Commission (NAHC) Sacred Lands File Search results and copies of letters sent to Native American Tribes pursuant to Senate Bill (SB) 18 on December 8, 2022.

## ENVIRONMENTAL SETTING

Following is an overview of the prehistory, ethnography, and historic background, providing a context in which to understand the background and relevance of sites and structures found in the Planning Area. This section is not intended to be a comprehensive review of the current resources available; rather, it serves as a general overview. Further details can be found in ethnographic studies, mission records, and major published sources.<sup>2,3,4,5,6,7</sup>

### *Paleo-Environmental Setting*

The San Francisco Bay Area, which includes the City of Sausalito, has experienced several major environmental changes from the Pleistocene (1.6 million to 10,000 years ago) to the current day, all which have shaped the emergence and trajectory of the indigenous cultures who still call the region home. Beginning around 15,000 years ago, melting glaciers led to a rapid rise in the San Francisco Bay, causing it to exceed its shores and flood surrounding areas. This was followed by a dramatic shift in vegetation as the climate became warmer, allowing for the proliferation of alder, Douglas fir, oak, and tanoak, and then cooler again, so that by 11,500 Before Present (BP), chaparral and oak woodland had largely begun to replace coniferous forest species. Also, during this time, many of large herbivores like mammoth, bison, ground sloth, horse, and camel, as well as many large carnivores became extinct. Water levels increased in the San Francisco Bay and its peripheral channels and tributaries until around 8,000 years ago after which, it began to slow. This slowing resulted in mudflats and tidal marshes which formed sometime between 7,600 and 7,200 years ago.<sup>8</sup> This caused many rivers and streams to aggrade their valleys by depositing sediment, gradually building

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<sup>2</sup> Kroeber, A.L. 1925. Handbook of the Indians of California. Bulletin 78. Bureau of American Ethnology. Washington, D.C.: Smithsonian Institution.

<sup>3</sup> Beardsley, R.K. 1948. "Cultural Sequences in Central California Archaeology." American Antiquity 14:1-28.

<sup>4</sup> Bennyhoff, J. 1950. Californian Fish Spears and Harpoons. Berkeley: University of California Anthropological Records 9(4):295-338.

<sup>5</sup> Chertkoff J.L. and K.K. Chertkoff. 1984. The Archaeology of California. Menlo Park: Stanford University Press.

<sup>6</sup> Moratto, M.J. 1984. California Archaeology. San Diego: Academic Press.

<sup>7</sup> Jones, T.L. and Kathryn A. Klar. 2007. California Prehistory. Lanham: AltaMira Press; Rowman & Littlefield Publishers, Inc.

<sup>8</sup> Wells, Lisa E. 1995. Environmental Setting and Quaternary History of the San Francisco Estuary. In Recent Geologic Studies in the San Francisco Bay Area, edited by E. Sangines, D. Anderson, and A. Buising. The Pacific Section of the Society of Economic Paleontologists and Mineralogists, Vol. 76, May 3-5, 1995 San Francisco, California.

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up the ground surface and burying former surfaces. This process also buried most evidence of human occupation around the San Francisco Bay shoreline prior to this time.<sup>9</sup>

By the Middle Holocene (8200–4200 BP), sea levels had stabilized, and rich tidal marshes and extensive mudflats formed around the tributaries of the San Francisco Bay.<sup>10</sup> This period was characterized by lower rainfall and higher temperatures, with warm and dry summers that allowed for the proliferation of pines, herbs, and oak trees. Archaeologists have recorded the presence of Native American sites dating to this period along these waterways due to favorable conditions and plentiful resources.<sup>11</sup> Radiocarbon dates from these sites show widespread but minimal populations of hunter gathers lived in the San Francisco Bay Area and coastal environs before 4,000 BP. Recorded sites include prehistoric shell mounds and middens, lithic scatters, quarries, habitation sites (including burials), bedrock mortars, and a variety of milling feature sites, petroglyph sites, and isolated burials.<sup>12</sup>

While only five such prehistoric sites have been recorded within the Sausalito city limits and are on file with the Northwest Information Center (NWIC), understanding changes within the paleoenvironment of the San Francisco Bay Area can provide insight into where Native Americans located their occupation sites, and where Archaeologists might additional undiscovered sites in the city today.

### ***Prehistoric Setting***

The San Francisco Bay Area supported a dense population of hunter-gatherers over thousands of years, leaving a rich a varied archaeological record. The Bay Area was a place of incredible language diversity, with at least seven languages spoken at the time of Spanish settlement in 1776. The diverse ecosystem of the bay and surrounding lands supported an average of three to five persons per square mile but reached 11 persons per square mile in the North Bay. At the time of Spanish contact, the people of the Bay Area were organized into local tribelets that defended fixed territories under independent leaders. Typically, individual Bay Area tribelets included 200 to 400 people distributed among three to five semi-permanent villages, within territories measuring approximately 10 to 12 miles in diameter.

Archaeological investigations in Northern California have documented human occupation and activity dating from 9,000 to 11,500 years ago. Early Archaeologists in the San Francisco Bay Area concentrated on recording and excavating large coastal shell mounds, including the

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<sup>9</sup> Meyer, Jack and Jeffrey Rosenthal. 2007. Geoarchaeological Overview of the Nine Bay Area Counties in Caltrans District 4.

<sup>10</sup> Pestrong, Raymond. 1972. San Francisco Bay Tidelands.

<sup>11</sup> See Moratto, Michael J. 1984. *Archaeology*. Academic Press, Orlando, Florida; Atwater, Brian, Charles Hedel, and Edward Helley. 1977. Late Quaternary Depositional History, Holocene Sea-Level Changes, and Vertical Crustal Movement, Southern San Francisco Bay, California, Geological Survey Professional Paper 1014. United States Department of the Interior, Washington D.C.

<sup>12</sup> Fredrickson, David. 1974. Cultural Diversity in Early Central California: A View from the North Coast Ranges.

Emeryville Shellmound (CA-ALA-309) and the Ellis Landing Site (CA-CCO-295). They discovered deeply buried stratified sites with numerous burials and associated funerary objects. The data they recovered would later help other Archaeologists to develop chronological and cultural frameworks to define the region's archaeological sites and to understand the complex movements and interactions of the indigenous people in this region.<sup>13</sup>

Early archaeological investigations in Central California were conducted at sites located in the Sacramento- San Joaquin Delta region. The first published account documents investigations in the Lodi and Stockton area. The initial archaeological reports typically contained descriptive narratives with more systematic approaches sponsored by Sacramento Junior College in the 1930s. At the same time, University of California at Berkeley excavated several sites in the lower Sacramento Valley and Delta region, which resulted in recognizing archaeological site patterns based on a variation of inter-site assemblages. Research during the 1930s identified temporal periods in Central California prehistory and provided an initial chronological sequence. In 1939, researcher Jeremiah Lillard of Sacramento Junior College noted that each cultural period led directly to the next and that influences spread from the Delta region to other regions in Central California.<sup>14</sup> In the late 1940s and early 1950s, researcher Richard Beardsley of the University of California Berkeley documented similarities in artifacts among sites in the San Francisco Bay region and the Delta and refined his findings into a cultural model that ultimately became known as the Central California Taxonomic System (CCTS). This system proposed a uniform, linear sequence of cultural succession separated into an Early, Middle, and Late Horizon.<sup>15</sup>

To address some of the flaws in the CCTS system, D. A. Fredrickson introduced a revision that incorporated a system of spatial and cultural integrative units.<sup>16</sup> Fredrickson separated cultural, temporal, and spatial units from each other and assigned them to six chronological periods: Paleo- Indian (12000 to 8000 BP); Lower, Middle and Upper Archaic (8000 to 1500 BP), and Emergent (Upper and Lower, 1500 to 250 BP). The suggested temporal ranges are similar temporally to Beardsley's horizons, which are broad cultural units that can be arranged in a temporal sequence. In addition, Fredrickson defined several patterns—a general way of life shared within a specific geographical region. These patterns include:

- Windmill Pattern or Early Horizon (4500 to 3500 BP)
- Berkeley Pattern or Middle Horizon (3500 to 1500 BP)
- Augustine Pattern or Late Horizon (1500 to 250 BP)

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<sup>13</sup> Moratto, M.J. 1984. *California Archaeology*. San Diego: Academic Press.

<sup>14</sup> Lillard, J.B. and W.K. Purves. 1936. *The Archaeology of the Deer Creek-Cosumnes Area*, Sacramento Co., California. Sacramento. Sacramento Junior College, Department of Anthropology Bulletin 1.

<sup>15</sup> Beardsley, R.K. 1948. *Cultural Sequences in Central California Archaeology*. *American Antiquity* 14:1–28.

<sup>16</sup> Frederickson, D.A. 1973. *Early Cultures of the North Coast Ranges, California*. Unpublished Ph.D. dissertation, Department of Anthropology, University of California, Davis.

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Brief descriptions of these temporal ranges and their unique characteristics follow.

### **Windmill Pattern or Early Horizon (4500 to 3500 BP)**

Characterized by the Windmill Pattern, the Early Horizon was centered in the Cosumnes district of the Delta and emphasized hunting rather than gathering, as evidenced by the abundance of projectile points in relation to plant processing tools. Additionally, atlatl, dart, and spear technologies typically included stemmed projectile points of slate and chert but minimal obsidian. The large variety of projectile point types and faunal remains suggests exploitation of numerous types of terrestrial and aquatic species.<sup>17</sup> Burials occurred in cemeteries and intra-village graves. These burials typically were ventrally extended, although some dorsal extensions are known with a westerly orientation and a high number of grave goods. Trade networks focused on acquisition of ornamental and ceremonial objects in finished form rather than on raw material. The presence of artifacts made of exotic materials such as quartz, obsidian, and shell indicate an extensive trade network that may represent the arrival of Utian populations into Central California. Also indicative of this period are rectangular *Haliotis* and *Olivella* shell beads, and charmstones that usually were perforated.<sup>18</sup>

### **Berkeley Pattern or Middle Horizon (3500 to 1500 BP)**

The Middle Horizon is characterized by the Berkeley Pattern, which displays considerable changes from the Early Horizon. This period exhibited a strong milling technology represented by minimally shaped cobble mortars and pestles, although metates and manos were still used. Dart and atlatl technologies during this period were characterized by non-stemmed projectile points made primarily of obsidian. Fredrickson suggests that the Berkeley Pattern marked the eastward expansion of Miwok groups from the San Francisco Bay Area. Compared with the Early Horizon, there is a higher proportion of grinding implements at this time, implying an emphasis on plant resources rather than on hunting. Typical burials occurred within the village with flexed positions, variable cardinal orientation, and some cremations. As noted by Lillard, Heizer, and Fenenga, the practice of spreading ground ochre over the burial was common at this time. Grave goods during this period are generally sparse and typically include only utilitarian items and a few ornamental objects. However, objects such as charmstones, quartz crystals, and bone whistles occasionally were present, which suggest the religious or ceremonial significance of the individual.<sup>19</sup> During this period, larger populations are suggested by the number and depth of sites compared with the Windmill Pattern. According to Fredrickson, the Berkeley Pattern reflects gradual

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<sup>17</sup> Bennyhoff, J. 1950. Californian Fish Spears and Harpoons. University of California Anthropological Records 9(4):295-338.

<sup>18</sup> Ragir, S.R. 1972. The Early Horizon in Central California Prehistory. Contributions of the University of California Archaeological Research Facility 15. Berkeley, CA.

<sup>19</sup> Lillard, J.B., R.F. Heizer, and F. Fenenga. 1939. An Introduction to the Archaeology of Central California. Sacramento Junior College, Department of Anthropology, Bulletin 2.

expansion or assimilation of different populations rather than sudden population replacement and a gradual shift in economic emphasis.<sup>20</sup>

### **Augustine Pattern or Late Horizon (1500 to 250 BP)**

The Late Horizon is characterized by the Augustine Pattern, which represents a shift in the general subsistence pattern. Changes include the introduction of bow and arrow technology; and most importantly, acorns became the predominant food resource. Trade systems expanded to include raw resources as well as finished products. There are more baked clay artifacts and extensive use of Haliotis ornaments of many elaborate shapes and forms. According to Moratto, burial patterns retained the use of flexed burials with variable orientation, but there was a reduction in the use of ochre and widespread evidence of cremation.<sup>21</sup> Judging from the number and types of grave goods associated with the two types of burials, cremation seems to have been reserved for individuals of higher status, whereas other individuals were buried in flexed positions. Johnson suggests that the Augustine Pattern represents expansion of the Wintuan population from the north, which resulted in combining new traits with those established during the Berkeley Pattern.<sup>22</sup>

Bay Area archaeological research has expanded from an emphasis on defining chronological and cultural units to a more comprehensive look at settlement and subsistence systems. This shift is illustrated by the early use of burials to identify mortuary assemblages and more recent research using osteological data to determine the health of prehistoric populations. Although debate continues over a single model or sequence for California, the general framework consisting of three temporal/cultural units is generally accepted, although the identification of regional and local variation is a major goal of current archaeological research.

### **Ethnographic Setting**

For over 3,000 years, Native Americans known as the Coast Miwok occupied the shoreline and hills of today's Sausalito prior to arrival of white settlers. The Coast Miwok were hunter-gatherers whose shell mounds, artifacts, and burial middens still reside under modern-day Sausalito. Miwok is a California Penutian language that consists of several continuous and discrete groups. The Sausalito Planning Area is located within the traditional territory of the Huimen group of Coast Miwok who comprise the southernmost territory, and were centered around the village of *liwanelowa*, just to the southwest of modern-day Sausalito.<sup>23</sup> The

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<sup>20</sup> Fredrickson, D.A. 1973. Early Cultures of the North Coast of the North Coast Ranges, California. PhD dissertation.

<sup>21</sup> Moratto, M.J. 1984. California Archaeology. San Diego: Academic Press.

<sup>22</sup> Johnson, J.J. 1976. Archaeological Investigations at the Blodgett Site (CA-SAC-267), Sloughhouse Locality, California. Report to the United States National Parks Service, Western Regional Office, Tucson, Arizona.

<sup>23</sup> Callaghan, Catherine A. 1970 Bodega Miwok Dictionary. University of California Publications in Linguistics 60. Berkeley, California.



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Huimens controlled the southern tip of the Marin Peninsula, as well as lands surrounding Richardson's Bay, the southeastern slopes of Mt. Tamalpais, the Ring Mountain vicinity, and Muir Beach; approximately 38 square miles of in all.<sup>24</sup>

A Chief headed each large Coast Miwok village, and the position was not hereditary. The Chief was tasked with taking care of people, offering counsel, and addressing the tribal members. There was also a woman Chief in the village whose task was to oversee certain traditional dances, such as the Acorn Dance. A second woman oversaw the women's ceremonial house, and as such played an important cultural role. Old dancers amongst the tribe were also looked to for healing rituals during times of illness. The Miwok social scheme is described as having divided the people into balanced halves or moieties, which are totemic, and adhesion to which is hereditary. Descent was patrilineal, and marriage was preferential amongst relatives of the opposite moiety.<sup>25</sup>

The Coast Miwok believed in Animism—a religious belief in which objects, places, and creatures, all possess a distinct spirit. One form of this belief was practiced as the Kuksu religion or Kuksu Cult; it involved acting, ceremonial dancing, feather dress costumes, singing, ritual fasting, offerings, and prayer. The deceased were either cremated or interred in a flexed position in the earth; cremation appears to be more common than flexed burial. Mourning ceremonies included wailing and dancing.<sup>26</sup> The ceremony was completed with a ritualistic washing of the mourners by people of the opposite totemic moiety. Mourners may have also cut their hair off in demonstration of grief and thrown it in the water; after which, speaking the name of the deceased became taboo.<sup>27</sup>

The Coast Miwok economy was based upon hunting, fishing, and gathering that supplied the tribal groups with a reliable sustenance year-round. The land provided abundant and diverse resources from marine foods along the waterways, to deer, bear, rabbit, woodrats, gophers, squirrels, terrestrial birds, and waterfowl. Acorns were a staple food, the leached meal was boiled with hot stones to create a mush, which was consumed in a bowl or made into cakes and bread. Buckeye fruits were also leached and prepared into a mush that was eaten with salt. Dried acorns, seeds, and tubers, as well as salmon runs, mud hens, and migratory birds, such as late winter geese would have sustained the Coast Miwok through winter and spring. Marine resources represented a large portion of the diet of the Coast Miwok, and included steelhead trout, salmon, and shellfish, such as mussels and clams.<sup>28</sup>

Coast Miwok dwellings were conical and grass-covered and erected on a frame of two forked interlocking poles of willow or driftwood, against which additional poles leaned and were

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<sup>24</sup> Milliken, Randall. 2009. Ethnohistory and the Ethnogeography of the Coast Miwok and their Neighbors, 1783-1840. Technical Paper for the National Park Service, Golden Gate National Recreation Area, Cultural Resources and Museum Management Division, San Francisco.

<sup>25</sup> Kelly, Isabel. 1978. Coast Miwok, In Handbook of North American Indians, edited by William C. Sturtevant.

<sup>26</sup> Kroeber, Alfred L. 1976. Handbook of California Indians.

<sup>27</sup> Heizer, Robert F. 1947. Francis Drake and the California Indians, 1579. March 20.

<sup>28</sup> Kelly, Isabel. 1978. Coast Miwok, In Handbook of North American Indians, edited by William C. Sturtevant.

woven together to form a frame. Grass, rushes, or tule reeds were tied together with lupine-root rush to form a shingle-like exterior. Dwellings likely had a slightly excavated hearth in the center below the smoke hole. Dwellings could accommodate six to ten individuals. Large villages had a circular sweathouse, which was placed about 4-5 feet deep in the ground. Forked posts were laid around the perimeter, with their top level to the surface and were connected by poles to a large, forked post in the center of the pit. Transverse sticks covered with brush, grass, and earth formed the exterior. The entrance is described as “gallery like, with a drop.” Sweathouses were larger structures and served as a social and work center for men. Some larger Coast Miwok villages contained a ceremonial chamber or dance house, which had a similar construction to the sweathouses. The ceremonial chambers that included both sexes measured approximately 15 feet in diameter and were excavated about 2 feet deep. The chambers used for women, were smaller and had grass or tule roofs, without an earthen covering.<sup>29</sup>

Charms for hunting and fishing were constructed from polished stones, including obsidian and green chalcedony. Stones were used to make a variety of lithics included projectile points used as utility knives, and butchering knives. The primary weapon and hunting tool of the Coast Miwok was the bow and arrow. The bow was backed with sinew, often from the wing of a brown pelican, which had been reshaped. From wood, the Coast Miwok hollowed log foot drums, double-bladed balsa paddles, and utensils. Boulders were used to create mortars. The Coast Miwok made cordage from lupine root (*Lupinus chamissonis*), and by twining the cordage together made a three-ply rope. Nets were also made from twine. Primarily women made baskets for various purposes for willow and the techniques were both coiled and twined. Baskets included mush bowls, cooking baskets, storage baskets, hopper and parching trays, and burden baskets.<sup>30</sup>

## Historic Setting

### European Exploration and Spanish Colonization (1579–1821)

Early explorers, including Sir Francis Drake in 1579 and Sebastian Rodriguez Cermeño in 1595 have provided written accounts of their encounters of Coast Miwok culture. In 1775, the Spanish ship *San Carlos*, piloted by José De Canizares, entered the San Francisco Bay, and arrived at modern day Sausalito. Observing the many small willow trees growing in the area, they gave the place the name "Saucito," meaning little willow, which later evolved into "Sausalito." In his report to Commander Don Juan de Ayala, de Canizares mentions the several hills surrounding the area, three small islands, and the types of trees. He also made note of the ideal setting for anchoring ships, observing that water depth and current would provide good anchorage.

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<sup>29</sup> Kelly, Isabel. 1978. Coast Miwok, In Handbook of North American Indians, edited by William C. Sturtevant.

<sup>30</sup> Kelly, Isabel. 1978. Coast Miwok, In Handbook of North American Indians, edited by William C. Sturtevant.

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Further European encounters with the Coast Miwok occurred in 1811 and 1812, when the Russians established a colony at Fort Ross to hunt sea otters for their pelts. The founding of the Mission San Francisco de Asís in 1776, Mission San Rafael de Arcángel in 1817, and the Mission San Francisco Solano in the town of Sonoma in 1823, led to the evangelization of many Native Americans from the local tribes, and led to the dislocation of tribal populations and the deterioration of tribal culture. A total of 163 Huimen people were baptized at missions including Mission Dolores, including 100 adults and 63 children.<sup>31</sup>

Missions offered cramped and unsanitary conditions, as well as European-introduced diseases for which the Miwok had no immunity, which led to significant disruption of indigenous populations and lifeways. The Coast Miwok populations were small to begin with—precontact the population may have numbered as high as 2,000; however, by the early 1850s Kroeber estimates their numbers had dwindled to 250 and only 60 by 1880.<sup>32</sup>

### **Mexican Period (1821–1846)**

In 1821, Mexico achieved independence from Spain and in 1824 the first Mexican Republic was established. The Mexican Colony Law established rules for petitioning of land grants in Alta California, and by 1828 the rules were codified. In 1834, Governor José Figueroa ordered the missions secularized. The Mexican Period was marked by secularization as the Spanish-colonial mission system collapsed and the lands fell from Mission control.

In 1822, an English seaman named William Anthony Richardson arrived in what today is the Presidio Bay. He immediately befriended Ignacio Martinez, the Comandante of El Presidio (the Mexican military garrison in San Francisco), and in 1838, married Martinez's daughter, Maria Antonia.<sup>33</sup> Upon marrying, he received nearly 20,000 acres of land in southern and western areas of today's Marin County.<sup>34</sup> Richardson built his hacienda near today's Caledonia Street in the City of Sausalito and is considered the town's founder.

### **Early American Period (1848–1860s)**

The Early American Period in California is marked by the end of the of the Mexican-American War in 1848 when the United States took possession of the territories, in total or parts, of present-day Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming in signing the Treaty of Guadalupe Hidalgo. The Treaty provided resident Mexicans with American citizenship and guaranteed title to land granted to them during the Mexican period. Shortly before the signing of the Treaty, on January 24, 1848, James W. Marshall discovered gold along the American River in California. News of the discovery brought

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<sup>31</sup> Milliken, Randall. 2009. Ethnohistory and the Ethnogeography of the Coast Miwok and their Neighbors, 1783-1840. June.

<sup>32</sup> Kroeber, Alfred L. 1925, Handbook of the Indians of California. Bureau of American Ethnology, Bulletin 78, Washington, D.C.

<sup>33</sup> Meherin, Elenore. 1944. Sausalito's First Settler Was William Anthony Richardson, Young English Merchant Sailor. February 24.

<sup>34</sup> Knapp and VerPlanck. 2011. Historic Context Statement: Marinship, Sausalito, California. June.

thousands of immigrants (known as “Forty-niners”) to California from all over the United States, as well as other countries. The immigration of thousands of Forty-niners in search of gold prompted California's admission as the 31st state into the Union in 1850, creating the need for a State capital. Cities vied for the opportunity to house the State capital for the power, prestige, and economic benefit that accompanied it, and in 1849, Pueblo de San José became California’s first capital, and the first state legislative assembly convened there on December 15, 1849. In 1850, California officially became a state, and Marin County was one of the original 27 counties created.

William Richardson had several successful business ventures but eventually lost them all; the majority of Rancho del Sausalito was sold in 1868 to the Sausalito Land and Ferry Company. With arrival of ferries and construction of railroads, Sausalito became a transportation hub.<sup>35</sup> A diverse merchant and commerce class developed, including Portuguese boatbuilders, Chinese shopkeepers, dairy ranchers, fishermen, Italian and German merchants, boarding house operators, and railroad workers.

While not designated an official historic area, the former Marinship yard in the northern part of the city holds an important place in Sausalito history. Naval shipbuilding in the San Francisco Bay Area began in 1854 and private shipyards became common, including in Sausalito, during the last half of the 19<sup>th</sup> Century.<sup>36</sup>

### History of Sausalito (1868–1970s)

In 1868, the Sausalito Land & Ferry Company was established and regular ferry service from the city to San Francisco began. A street layout and subdivisions of land soon followed, effectively establishing a real estate market along the central waterfront. Prior to the opening of the Golden Gate Bridge, a robust ferry service thrived. However, following completion of the Bridge in 1937, ridership steadily declined. Sausalito's train and ferry services ended in 1941.

In 1942, construction of the current 210-acre Marinship area on Richardson’s Bay began shipbuilding operations that continued through World War II. During the war, 15 Liberty Ships and 78 tankers were delivered to the United States Maritime Commission.<sup>37</sup> The last tanker was launched from the Marinship on September 8, 1945; the Marinship closed in 1946 and was transferred to the United States Army Corps of Engineers, which subdivided it and sold large parcels to local industries.<sup>38</sup>

The United States' entry into World War II transformed Sausalito as its importance as a transit hub decayed. The opening of the Marinship and high-paying jobs drew a large labor force to

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<sup>35</sup> Knapp and VerPlanck. 2011. Historic Context Statement: Marinship, Sausalito, California. June.

<sup>36</sup> Knapp and VerPlanck. 2011. Historic Context Statement: Marinship, Sausalito, California. June.

<sup>37</sup> Historic Context Statement: Marinship, Sausalito, California. June 2011. Prepared by Knapp and VerPlanck.

<sup>38</sup> Historic Context Statement: Marinship, Sausalito, California. June 2011. Prepared by Knapp and VerPlanck.

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the shipyards, nearly doubling the city's population.<sup>39</sup> However, with the end of World War II, demand for merchant vessels and tankers declined. The shipyard closed in 1945 and the Marinship was decommissioned in 1946.<sup>40</sup>

Passenger ferries returned to Sausalito in 1970, bringing tourists and visitors. Today, the city is a hub for art and culture as well as software, multimedia, and financial enterprises. The city's scenic location, historic character, and proximity to the Golden Gate National Recreation Area (GGNRA) draws more than one million tourists each year, representing an important driver of the local economy.<sup>41</sup>

### CULTURAL RESOURCES IN THE PLANNING AREA

#### *Historic Resources, Districts, and Landmarks*

The Community Design, Historic, and Cultural Preservation Element of the General Plan identifies the Sausalito Historic District, as well as six Historic Landmarks within the city and three sites that are listed on the National Register of Historic Places (NRHP).

The Historic District is located around the intersection of Princess and Bridgeway Streets and serves as one of the main attractions of the city, as shown on Figure 3.4-1. It is a commercial district composed of Italianate style commercial buildings built between 1885 and 1900 and utilitarian commercial built between 1914 and 1924, both associated with periods of growth and heavy construction in the downtown area. The Historic District comprises the following areas:<sup>42</sup>

- Northern portion, on Bridgeway north of Princess Street: characterized by 2- and 3-story attached row buildings from the 1880s through the decade following World War II. Most buildings have bay windows, boxed cornices, false fronts, Italianate roofline detail, recessed entryways, and transoms.
- Central Portion centered around a small, triangular park/plaza with a fountain from the 1915 San Francisco Panama Pacific International Exposition: the park combines the feeling of a Victorian garden with that of a Mediterranean plaza. Along with the Sausalito Hotel, the park is adjacent to the last remains of the railroad/ferryboat era.
- Southern Bridgeway south of Princess Street: characterized by unobscured views of the Richardson's and San Francisco Bays and a combination of 1920s functional structures (such as stores and garages) and Victorian-era buildings.

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<sup>39</sup> Historic Context Statement: Marinship, Sausalito, California. June 2011. Prepared by Knapp and VerPlanck.

<sup>40</sup> Historic Context Statement: Marinship, Sausalito, California. June 2011. Prepared by Knapp and VerPlanck.

<sup>41</sup> Sausalito Historical Society. Sausalito History. July 06, 2015. Website: <https://www.sausalitohistoricalsociety.com/sausalito-history>. Accessed October 19, 2022.

<sup>42</sup> City of Sausalito Historic Preservation Guidelines.



- Princess Street: the transition between Bridgeway and the Hill neighborhood, characterized by a transition between the Bridgeway area at the base of the street to the residential area at the top of the street, with several unique buildings that are visible in early photos of the area.

The Sausalito Historic District is one of twelve Certified Local Districts in California. In addition to the Sausalito Historic District, the city recognizes the eligibility or potential eligibility of two additional districts: the Ark Row District, near the intersection of Humboldt Avenue and Anchor Street, and Marinship District, further to the north along the waterfront.

### ***Sausalito Historic Landmarks***

The General Plan identifies the following sites within the city that are designated historic landmarks (see Figure 3.4-1):

1. Castle by the Sea, 221 Bridgeway
2. Christ Episcopal Church, Santa Rosa and San Carlos Avenues
3. Madrona Cottage, 76 Cazneau Avenue
4. NWPRR Freight Depot, Second and Main Streets
5. The Bungalow/Tanglewood, 168 Harrison Avenue
6. Elderberry Cottage, 625 Locust Road

### ***National Register of Historic Places***

The General Plan identifies the following sites within the city that are listed on the NRHP (see Figure 3.4-1):

1. Griswold House, 639 Main Street
2. Casa Madrona, 156 Bulkley Avenue
3. Sausalito Woman's Club, Central and San Carlos Avenues

### ***Northwest Information Center Records and Office of Historic Preservation Historic Properties Directory***

According to files maintained by the NWIC, and Office of Historic Preservation's Historic Properties Directory and the City of Sausalito, there are a total of 116 cultural resources that have been identified within the city. These include five prehistoric archaeological sites, one historic archaeological site, and 110 historic buildings. The identified archaeological sites are described in Table 3.4-1 below.

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TABLE 3.4-1: ARCHAEOLOGICAL RESOURCES LOCATED WITHIN THE CITY OF SAUSALITO

PRIMARY NO.	TRINOMIAL	TYPE	DESCRIPTION
P-21-000002	CA-MRN-3	Prehistoric Site	Habitation (midden and burials) site
P-21-000034	CA-MRN-1	Prehistoric Site	Habitation (midden) site
P-21-000501	CA-MRN-574H	Historic Site	Standing Structures and Wharfs
P-21-000563	CA-MRN-2	Prehistoric Site	Habitation (shellmound) site
P-21-000623	CA-MRN-639	Prehistoric Site	Habitation (midden) site
P-21-002670	(None)	Prehistoric Site	Habitation (midden) site

Source: General Plan 2021. EIR, Section 3.4, Cultural & Tribal Cultural Resources (Office of Historic Preservation's Historic Properties Directory and records on file at the Northwest Information Center 2020).

Currently, the City of Sausalito has 110 listed historic buildings. Of these, 109 have been assigned a Primary number by the NWIC, 100 are listed in the State Office of Historic Preservation's 2012 Historic Properties Directory (HPD), 27 are listed in the City of Sausalito 1999 Historic Resources Inventory List, five are City of Sausalito Historical Landmarks, four are listed in the NRHP, and 56 are eligible for listing in the NRHP or CRHR. These resources are listed in Table 3.4-2.

TABLE 3.4-2: HISTORIC BUILDINGS WITHIN THE CITY OF SAUSALITO AS LISTED BY THE NWIC, MARIN COUNTY HPD, CITY OF SAUSALITO HISTORIC RESOURCES INVENTORY LIST, AND CITY OF SAUSALITO HISTORICAL LANDMARKS

PRIMARY NO.	ADDRESS	NAME	YEAR BUILT	NATIONAL REGISTER STATUS
21-001791	120 Central Avenue	Sausalito Woman's Club	1918	1S
21-001710	156 Bulkley Avenue	Barrett, William., House/Casa Madrona	1885	1D, 1S
16000865	25 Liberty Ship Way	Marinship Machine Shop	1942	1S
21-001797	639 Main Street	Griswold House	1893	1S, 2S3
21-001738	109 Bulkley Avenue	Laneside/Laneside Apartments	1891	2D2
21-001706	12 El Portal	Sausalito Hotel	1909	2D2
21-001730	12 Princess Street	Jean Baptiste Meat Market, Gemini	1892	2D2
21-001743	19 Princess Street	Sausalito Salvage Shop	1874	2D2
21-001742	21 Princess Street	Porto Bello Antiques	1886	2D2
21-001731	28 Princess Street	Princess Court	1913	2D2
21-001744	3 Princess Street	Kersting Galleries	1885	2D2
21-001732	36 Princess Street	The Store	1894	2D2

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PRIMARY NO.	ADDRESS	NAME	YEAR BUILT	NATIONAL REGISTER STATUS
21-001729	4 Princess Street	Schnell, Jacob, Boarding House	1884	2D2
21-001733	40 Princess Street	(unnamed structure)	1894	2D2
21-001739	48 Bulkley Avenue	Apartments	1894	2D2
21-001734	52 Princess Street	Tapia Art Studio	1894	2D2
21-001740	54 Bulkley Avenue	Zephyr Cottage	1891	2D2
21-001697	558 Bridgeway	San Francisco Yacht Club, Ondine	1898	2D2
21-001760	558 Bridgeway	Sausalito Central Business Historic	1874	2S2
21-001758	561 Bridgeway	Dexter's House Apartments	1889	2D2
21-001756	569 Bridgeway	Old Ferry Grill/Swanson Art Gall	1908	2D2
21-001754	579 Bridgeway	Twin Victorian Cottage No. 1	1886	2D2
21-001755	583 Bridgeway	Twin Victorian Cottage No. 2	1886	2D2
21-001753	585 Bridgeway	C. Frederick Faude Antiques	1914	2D2
21-001698	588 Bridgeway	Langes Landing, Scomas	1887	2D2
21-001752	589 Bridgeway	Sausalito Gem Shop	1904	2D2
21-001751	595 Bridgeway	Ruby Begonia Boutiques	1907	2D2
21-001750	599 Bridgeway	Lincoln Garage/Kebaya Company	1924	2D2
21-001749	605 Bridgeway	Marin Fruit Company	1912	2D2
21-001748	605 Bridgeway	Town & Company Antiques	1924	2D2
21-001735	62 Princess St	Sausalito City Hall, Unitours	1887	2D2
21-001747	621 Bridgeway	Flying Fish Restaurant	1910	2D2
21-001746	625 Bridgeway	Venice Gourmet	1894	2D2
21-001745	639 Bridgeway	Giovani's Pizza	1887	2D2
21-001700	660 Bridgeway	Old Purity House	1935	2D2
21-001701	664 Bridgeway	Becker Building, Saga of Finland	1897	2D2
21-001728	667 Bridgeway	Mecchi & Ratto Building, Stephens	1914	2D2
21-001702	668 Bridgeway	Princess Theatre, Gate Theatre, TA	1915	2D2
21-001703	670 Bridgeway	Fielders General Store, Old Dime S	1885	2D2
21-001725	679 Bridgeway	Cat n' Fiddle Bar	1915	2D2
21-001724	683 Bridgeway	Priceless Shop	1924	2D2

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PRIMARY NO.	ADDRESS	NAME	YEAR BUILT	NATIONAL REGISTER STATUS
21-001723	687 Bridgeway	Swenson's	1902	2D2
21-001722	693 Bridgeway	Sausalito News Building, Games PEO	1897	2D2
21-001721	701 Bridgeway	El Monte Hotel, Del Monte Hotel	1879	2D2
21-001720	715 Bridgeway	Bank of Sausalito, Wells Fargo Bank	1924	2D2
21-001719	721 Bridgeway	Burlwood Gallery	1894	2D2
21-001718	731 Bridgeway	Sausalito City Hall, Bank of Sausalito	1894	2D2
21-001717	737 Bridgeway	Patterson's Bar	1894	2D2
21-001716	743 Bridgeway	Tamalpais Stables/Arcade Shops	1894	2D2
21-001715	749 Bridgeway	Sausalito News Building/The Tide	1899	2D2
21-001714	755 Bridgeway	GG of Sausalito	1889	2D2
21-001713	757 Bridgeway	No Name Bar	1894	2D2
21-001711	777 Bridgeway	Mason's Garage/Village Fair	1924	2D2
21-001741	83 Princess Street	Glen Bank/Spring Bank/Richards	1884	2D2
21-001736	90 Princess Street	Cabana Bonita	1893	2D2
21-001709	El Portal	Plaza Vina Del Mar	1904	2D2
21-001759	El Portal	Ferryboat Landing	1875	2D2
21-001699	Princess Street	Ferryboat Landing Site, Yee Tock Chee Park	1977	2D2
21-001737	Princess Street	Portals of the Nook	1891	2D2
21-001707	28 El Portal	Northwest Pacific Railroad Express Office	1916	2D
21-001778	201 Bridgeway	Walhalla, Valhalla/ Chart House	1893	3S
21-001804	16 San Carlos Avenue	Villa Veneta	1892	3S
21-001782	112 Bulkley Avenue	Sausalito First Presbyterian Church	1909	3S
21-001787	116 Caledonia Street	Linsley House	1903	3S
21-001807	215 South Street	Horn House, Victorian Gothic Cottage	1860	3S
21-001810	220 West Street	Koster House	1904	3S
21-001777	221 Bridgeway	Castle-by-the-Sea	1902	3S
21-001761	26 Alexander Avenue	Craig Hazel	1890	3S
21-001785	31 Bulkley Avenue	Collie House	1884	3S
21-001790	41 Cazneau Avenue	Laurel Lodge	1875	3S

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PRIMARY NO.	ADDRESS	NAME	YEAR BUILT	NATIONAL REGISTER STATUS
21-001767	428 Turney Street	Sylva House	1900	3S
21-001794	47 Girard Avenue	Gardner House, The Bower	1869	3S
21-001789	76 Cazneau Avenue	Cottage Madrona	1874	3S
21-001801	93 San Carlos Avenue	Treat House	1905	3S
21-001786	Bulkley Avenue	O'Connell Seat	1901	3S
21-001806	Santa Rosa Avenue	Christ Episcopal Church	1882	3S
21-001766	603 Main Street	Shiller Haus	1899	3S
21-001796	50 Harrison Avenue	The Hearth	1893	3S
21-001768	64 Alexander Avenue	Spreckels Cottage/ Oak Cliff	1895	7N
21-001771	Alta Avenue	Shanghai Tunnel and Springs	1885	7N
21-001762	Bee Street	NPC Railroad Freight Building	1901	7N
21-000619	Bickbur	Gilead, Bickbur	1907	7N
21-002283	Bridgeway	Vina Del Mar Park Plaza and Fountain	NA	7L
21-001757	565 Bridgeway	Unnamed	1940	7R
21-001727	671 Bridgeway	First National Bank of Sausalito	1917	7R
21-001726	675 Bridgeway	Sausalito Chamber of Commerce	1924	7R
21-001704	676 Bridgeway	Seven Seas Restaurant	1885	7R
21-001705	688 Bridgeway	Sausalito Ferry Company	1979	7R
21-001712	763 Bridgeway	Medical/ Dental Building	1958	7R
21-001772	1705 Bridgeway	Richardson School	1871	7N
21-001784	Bulkley Avenue	Alta Mira Hotel	1925	7N
21-001793	35 Central Avenue	The Heights/H.C. Campbell House/Birch Cottage	1896	7N
21-001792	108 Central Avenue	Du Bois House	1889	7N
21-001795	100 Harrison Avenue	Nesteldown/McCormack House	1884	7N
21-001812	168 Harrison Avenue	The Bungalow/Tanglewood	1874	7N
21-000041	515 Humboldt Street	Ark—"Caprice"	1880	7W
21-001764	47 Miller Avenue	O.C. Miller Carriage House	1879	7N
21-001799	517 Pine Street	Oldlands, Wosser House	1874	7N
21-001803	86 San Carlos Avenue	Hazel Mount	1871	7N



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PRIMARY NO.	ADDRESS	NAME	YEAR BUILT	NATIONAL REGISTER STATUS
21-001802	87 San Carlos Avenue	Sweetbriar, Cantwell House	1902	7N
21-001800	172 San Carlos Avenue	Bellevue Cottage	1889	7N
21-001809	26 Spencer Court	Birds Nest Cottage	1899	7N
Unlisted	725 Locust Road	Elderberry Cottage	Unlisted	7N
21-000501	Unlisted	Napa Street Pier	1945	6Y
21-002568	Unlisted	MMWD-1	Unlisted	7
21-002601	Unlisted	Arques Shipyard and Marina	Unlisted	7
21-002602	Unlisted	Tunnel No. 27-00.40 (L and R)	Unlisted	7
21-002641	Unlisted	Gaylord India Restaurant	Unlisted	7
21-002695	Unlisted	Locust Street Pump Station	Unlisted	7
21-002887	206 Second Street	206 Second Street	Unlisted	7
21-002901	Unlisted	Sausalito Fire Station No. 2	Unlisted	7

Key:

**1 Properties Listed in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR)**

1D Contributor to a district or multiple resource property listed in NRHP by the keeper. Listed in the CRHR.

1S Individual property listed in NRHP by the keeper. Listed in the CRHR.

**2 Properties Determined Eligible for Listing in the NRHP or the CRHR**

2D Contributor to a district determined eligible for NRHP by the keeper. Listed in CRHR.

2D2 Contributor to a district determined eligible for NRHP by consensus through Section 106 process. Listed in the CRHR.

2D3 Contributor to a district determined eligible for NRHP by Part I Tax Certification. Listed in the CRHR.

2S2 Individual property determined eligible for NRHP by consensus through Section 106 process. Listed in the CRHR.

2S3 Individual property determined eligible for NRHP by Part I Tax Certification. Listed in the CRHR.

**3 Appears Eligible for NRHP or CRHR through Survey Evaluation**

3S Appears eligible for NRHP as an individual property through survey evaluation.

**5 Properties Recognized as Historically Significant by Local Government**

5S2 Individual property that is eligible for local listing or designation.

**7 Not Evaluated for NRHP or CRHR or Needs Reevaluation**

7N Needs to be reevaluated (Formerly NRHP Status Code 4).

7R Identified in Reconnaissance Level Survey; Not evaluated.

7W Submitted to the California Office of Historic Preservation (OHP) for action-withdrawn.

Source: General Plan 2021. EIR, Section 3.4, Cultural & Tribal Cultural Resources (Office of Historic Preservation's Historic Properties Directory and records on file at the Northwest Information Center 2020.)

## Archaeological Sensitivity Zones

Three archaeological sensitivity zones have been identified in the Environmental Quality Element of the General Plan. The potential of discovering archaeological materials would be

very high within any of the three sensitivity zones. The three sensitivity zones are listed below and shown on **Figure 3.4-1**.

- **Zone 1.** Consists of the shoreline starting at Vina del Mar Park and extending southward to South Street. Prehistoric sites could be found extending from the shoreline itself up to and into the mouths of the drainages at approximately Third Street.
- **Zone 2.** This area extends from Vina del Mar Park to the west, approximately ending at Napa Street. Archaeological site placement could again range from the old shoreline to the upper reaches of the drainages running down from the south; Bonita Street, at least on its eastern end, probably marked the line of extension. Further to the west, the actual toe of the hills drops lower down to the vicinity of Caledonia Street near Bee Street.
- **Zone 3.** This area includes the original shoreline between Dunphy Park and Martin Luther King School. The construction of the Marinship facility to build supply ships during World War II caused a massive filling of the marshlands found on the bay side of Bridgeway in this area. Bridgeway, which occupies high ground from its intersection with Napa Street to the west as far as approximately the intersection of Bridgeway and Nevada Street, probably marked the extent of any indigenous site placement. From Nevada Street to the Martin Luther King Park, archaeological site placement may have continued as far as Tomales Street behind the former distillery, now an area of housing (Willow and Cypress Lanes).

## REGULATORY SETTING

### *Federal*

#### **National Historic Preservation Act, Public Law 89-665 United States Code 3000101 et seq.**

The National Historic Preservation Act (NHPA) established the Advisory Council on Historic Preservation (ACHP), California Office of Historic Preservation (OHP), the NRHP, and Section 106 review. The goal of the NHPA is to encourage federal agencies to act as responsible stewards of the Nation's historic resources insofar as their actions affect historic resources—meaning those listed on or eligible for listing on the NRHP. The NRHP recognizes buildings, structures, sites, district, and objects equal to or greater than 50 years old which are determined to be significant in respect to American history, architecture, archaeology, engineering or culture, and at the local, State, or national level. To be determined eligible for listing on the NRHP a resource must also retain integrity in terms of location, design, setting, materials, workmanship, feeling, and association.

Resources determined eligible for, or which are listed on the NRHP, are afforded protection under Section 106 of the NHPA (as well as under CEQA). The Section 106 process serves to carry out the mission of the NHPA in that, when there is a federal or federally licensed action

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that has the potential to affect historic resources (i.e., those resources listed on or determined eligible for listing on the NRHP), that agency is required to identify and assess the effects of its actions on historic resources.

Four buildings and two districts within the City of Sausalito are currently listed on the NHPA.<sup>43</sup>

### **National Park Service General Management Plan for Golden Gate National Recreation Area**

The southeastern area of GGNRA borders the southern and southwestern area of the city of Sausalito, with some portion enclosed in city limits.

The 2014 National Park Service General Management Plan for GGNRA identifies several Management Concepts and Goals that apply to the protection and preservation of cultural resources.<sup>44</sup>

Goals for the "Connecting People with the Parks" Management Concept:

- Maximize adaptive reuse, rehabilitation, stabilization, and interpretation of cultural resources (structures, landscapes, archaeological sites, ethnographic resources, and museum collections) to support visitor enjoyment, understanding, and community connections.
- Work with the public, park partners, local communities, historical organizations, and regional collaborators to steward, preserve, and protect cultural resources.
- Preserve and protect cultural resources so that visitors can connect with and appreciate these resources and their stories.

Goals for the "Focusing on National Treasures" Management Concept:

- Emphasize the fundamental resources that contribute to the national significance of the park, including national historic landmarks. Manage all other resources to complement significant resources and visitor experience.
- Tie the associated cultural resources, museum collections, and histories to the showcased sites.
- Preserve and protect cultural resources to highlight the interpretive and educational values and provide, wherever possible, direct contact with the resources.

In addition, the General Plan identifies several Management Zones, intended to outline the desired conditions for natural and cultural resources, visitor experience, and level of development. For example, the "Historic Immersion" Management Zone would "preserve

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<sup>43</sup> National Park Services, National Register of Historic Places. June 28, 2022. National Register Database and Research. Website: <https://www.nps.gov/subjects/nationalregister/database-research.htm#table>. Accessed October 31, 2022.

<sup>44</sup> Golden Gate National Recreation Area and Muir Woods National Monument General Management Plan/Environmental Impact Statement, Summary Edition, pp. 22–23.

historic sites, structures, and landscapes that are evocative of their period of significance. Selected exteriors and designated portions of interior spaces would be managed to protect their historic values and attributes. Visitors would have opportunities to be immersed in the historic setting to explore history with direct contact to cultural resources, complemented by rich interpretation of past stories and events."<sup>45</sup> The "Evolved Cultural Landscape" Management Zone would "preserve significant historic, archaeological, architectural, and landscape features while being adaptively reused for contemporary park and partner needs."

## State

### California Register of Historical Resources

As defined by Section 15064.5(a)(3)(A-D) of the CEQA Guidelines, a resource shall be considered historically significant if the resource meets the criteria for listing on the CRHR. The CRHR and many local preservation ordinances have employed the criteria for eligibility to the NRHP as a model, since the NHPA provides the highest standard for evaluating the significance of historic resources. A resource that meets the NRHP criteria is clearly significant. A resource that does not meet the NRHP standards may still be considered historically significant at a local or State level.

### California Environmental Quality Act

CEQA specifies 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 (CEQA Guidelines § 15064.5(b)). The significance of a historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its significance and that justify its eligibility for the CRHR. If there is a substantial adverse change in the significance of a historical resource, the preparation of an environmental impact report may be required (CEQA Guidelines § 15065(a)).

For the purposes of CEQA, a resource shall be considered by a lead agency to be historically significant if the resource meets the criteria for listing in the CRHR. Codified in Public Resources Code Section 5024.1, the CRHR, recognizes buildings, structures, sites, districts, and objects, 45 years or older and which are significant in respect to American history, architecture, archaeology, engineering or culture, and at the local, State, or national level. Like the NRHP, resources must also retain integrity, although the level of integrity a resource must retain is less stringent for the CRHR than the NRHP. The CRHR also includes properties that are listed or have been formally determined eligible for listing on the NRHP or is a State Historic Landmark, or Historical Point of Interest.

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<sup>45</sup> Golden Gate National Recreation Area and Muir Woods National Monument General Management Plan/Environmental Impact Statement, Summary Edition, p. 24.

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### Senate Bill 18

Senate Bill (SB) 18 states that prior to a local (city or county) government's adoption of any General Plan or Specific Plan, or amendment to General and Specific Plans, or a designation of open space land proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes for the purpose of preserving or mitigating impacts to Cultural Places. A Cultural Place is defined as:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC § 5097.9), or;
- Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, or any archaeological or historic site (PRC § 5097.993).

According to the Government Code Section 65352.4, "consultation" is defined as:

The meaningful and timely process of seeking, discussing, and carefully considering the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

### Assembly Bill 52

Assembly Bill (AB) 52 was signed into law on September 25, 2014, and provides that any public or private "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." Tribal cultural resources include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources."

This law applies to any project that has a Notice of Preparation, a Notice of Negative Declaration, or Mitigated Negative Declaration pursuant to CEQA Guidelines filed on or after July 1, 2015. Under prior law, tribal cultural resources were typically addressed under the umbrella of "cultural resources," as discussed above. AB 52 formally added the category of "tribal cultural resources" to CEQA review and extended consultation and confidentiality requirements to all projects, whether they involve adoption of, or changes to, General Plans or Specific Plans.

The parties must consult in good faith, and consultation is deemed concluded when either party agrees to measures to mitigate or avoid a significant effect on a tribal cultural resource



(if such a significant effect exists) or when a party concludes that mutual agreement cannot be reached. Mitigation measures agreed upon during consultation must be recommended for inclusion in the environmental document. AB 52 also identifies mitigation measures that may be considered to avoid significant impacts if there is no agreement on appropriate mitigation. Recommended measures include:

- Preservation in place.
- Protecting the cultural character and integrity of the resource.
- Protecting the traditional use of the resource.
- Protecting the confidentiality of the resource.
- Permanent conservation easements with culturally appropriate management criteria.

### **California Historical Building Code, California Code of Regulations, Title 24, Part 8**

The California Historic Building Code (CHBC) applies to all qualified historical buildings or properties in the State. Its intent is to protect California's architectural heritage by recognizing the unique construction concerns inherent in maintaining and reusing historic buildings. The CHBC allows for alternative building regulations for permitting necessary repairs and modifications to ensure the preservation, rehabilitation, relocation, and related construction of a building and structures that are deemed to be of importance to the history, architecture, or culture of an area by the relevant local or state governmental jurisdiction. The CHBC regulations are meant to facilitate the rehabilitation or change of occupancy in a manner that "preserves their original or restored elements and features, to encourage energy conservation and a cost-effective approach to preservation, and to provide for reasonable safety from fire, seismic forces or other hazards for occupants and users of such buildings, structures and properties and to provide reasonable availability and usability by the physically disabled."

The CHBC has been incorporated into the Sausalito Municipal Code in Chapter 8.44, which deals with building standards, and Chapter 10.46 that outlines policies for projects involving the Historic Overlay District and Local Register. Historic Preservation in the city is further enhanced through the creation and action of the Historic Landmarks Board as outlined in Sausalito Municipal Code Chapter 2.28, and the adoption of Historic Preservation Guidelines (2011) and Downtown Historic District Signage Guidelines (1998). The city also requires that new construction, demolition, and alteration projects involving properties of historical significance consider and respond to the Secretary of the Interior's Standards for Treatment of Historic Properties (Sausalito Municipal Code § 10.46.060.F).

### **Health and Safety Code Sections 7052 and 7050.5**

Section 7052 of the Health and Safety Code dictates that the disturbance of Native American cemeteries is a felony. Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If determined to be of Native American origin,

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the coroner must contact the California NAHC within 24 hours of this identification. A NAHC representative will then identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. In addition, CEQA Guidelines Section 15064.5 specifies the procedures to be followed in case of the discovery of human remains on non-federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

### **Public Resources Code Section 5097**

Public Resources Code Section 5097 specifies the procedures to be followed in the event of the unexpected discovery of human remains on non-federal public lands. The disposition of Native American burials falls within the jurisdiction of the NAHC, which prohibits willfully damaging any historical, archaeological, or vertebrate paleontological site or feature on public lands.

### **California Native American Graves Protection and Repatriation Act, Health and Safety Code Section 8010 through 8030**

In the California Health and Safety Code, Division 7, Part 2, Chapter 5, contains provisions designed to protect Native American cultural resources. The Act sets the State policy to ensure that all California Native American human remains, and cultural items are treated with due respect and dignity. The Act also provides the mechanism for disclosure and return of human remains and cultural items held by publicly funded agencies and museums in California. Likewise, the Act outlines the mechanism with which California Native American tribes not recognized by the federal government may file claims to human remains and cultural items held in agencies or museums.

### **Native American Historic Resource Protection Act, Public Resources Code 5097**

Section 5097 of the Public Resources Code addresses archaeological resources. Archaeological resources that are not “historical resources” may be “unique archaeological resources” as defined in Public Resources Code Section 21083.2, which also generally provides that “non-unique archaeological resources” are not analyzed under CEQA. Public Resources Code Section 21083.2, subdivision (g), defines “unique archaeological resource” as an archaeological artifact, object, or site that does not merely add to the current body of knowledge, but has a high probability of meeting any of the criteria identified in this section.

If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on that resource will not be considered a significant effect on the environment. It is sufficient that the resource and the effects on it be noted in an EIR, but the resource need not be considered further in the CEQA process. Additional applicable sections of the Public Resources Code include:

Section 5097.5: Provides that any unauthorized removal or destruction of archaeological or paleontological resources on sites located on public lands is a misdemeanor. As used in this

section, “public lands” means lands owned by, or under the jurisdiction of, the State, or any city, county, district, authority, or public corporation, or any agency thereof.

Section 5097.98: Prohibits obtaining or possessing Native American artifacts or human remains taken from a grave or cairn and sets penalties for such acts.

### **Mills Act, 1972**

The Mills Act provides economic incentives to private property owners to restore and preserve qualified historic buildings. This legislation allows local jurisdictions (cities and counties) to enter contracts with owners of qualified historic properties who are actively engaged in the restoration and maintenance of their historic properties while receiving property tax relief. A qualified historic property is defined as one that is "listed on any federal, state, county, or city register, including the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, State Points of Historical Interest, and locally designated landmarks."<sup>46</sup>

## **Local**

### **Sausalito General Plan**

The General Plan contains the following policies and programs that protect cultural and tribal cultural resources in Sausalito:

#### *Land Use and Growth Management Element*

Program LU-1.1.2: Community Design Policies. Review all proposed development in accordance with city design policies and background discussed in the Community Design, Historic and Cultural Preservation Element.

Program LU-1.2.2: Community Design Policies. Review all proposed development in accordance with city design policies and background discussed in the Community Design, Historic and Cultural Preservation Element.

Program LU-1.6.1: Design and Historic Preservation Policies. Enforce all design and historical preservation policies and programs as identified in the Community Design, Historical and Cultural Preservation Element that relate to the arks.

Policy LU-1.18: Historic Properties. Promote the preservation and continued use of structures that are listed on the National Register of Historic Places.

Program LU-1.18.1: Involuntary Demolition. Continue to implement the Zoning Ordinance standards as they apply to properties on the National Register of Historic Places, California Register of Historical Resources, and Sausalito Historic Landmarks that are involuntarily demolished.

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<sup>46</sup> California Office of Historic Preservation (OHP). *Mills Act Program*, Website: [https://ohp.parks.ca.gov/?page\\_id=21412](https://ohp.parks.ca.gov/?page_id=21412). Accessed October 19, 2022.

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Policy LU-2.9: Downtown Historic Character. Protect the historic character of the downtown area.

Program LU-2.9.1: Zoning Ordinance (Historic Preservation Incentives). Consider amending the Zoning Ordinance to provide incentives to property owners for preservation of historic structures. Incentives may include intensity credits for FAR, parking, lot coverage, or transfer of development rights to the historic structures.

Program LU-2.9.2: Design Guidelines. Consider establishing streetscape and/or neighborhood guidelines for the purpose of protecting the historic character of the area.

Policy LU-2.12: Caledonia Street Historic Character. Protect the historical character and the architecturally significant structures of the Caledonia Street area.

Program LU-2.12.1: Zoning Ordinance (Historic Preservation Incentives). Consider amending the Zoning Ordinance to provide incentives to property owners for preservation of historic structures. Incentives may include intensity credits for FAR and lot coverage or a transfer of development rights program.

Program LU-2.12.2: Design Guidelines. Consider establishing streetscape and/or neighborhood guidelines for the purpose of protecting the historic character of the area.

Program LU-8.1.1 Discontiguous Historic District. Collaborate with the Marin City community to document the historical significance of the Marinship and explore the creation of a Discontiguous Historic District that incorporates all remaining elements of shipyard related uses, including worker housing, the recruitment center, and cafeteria, as well as the shipyard itself. The historic district would exist across jurisdictions and potentially receive state or national recognition.

### *Waterfront and Marinship Element*

Policy W-5.2: Protect Historic Resources from Sea Level Rise. Provide recommended actions for resilience to sea level rise for each historic resource, including those in the Marinship.

Program W-5.2.1: Define Alternative Scenarios. Identify and pursue strategies to increase the city's resilience to sea level rise, floods, seismic events, and emergencies/disasters, while protecting the city and particularly the Marinship's unique historic, maritime, and cultural assets and environment to the maximum feasible extent.

Program W-5.2.2: Sea Level Rise and the Marinship. Consider the city's— and particularly the Marinship's—historic assets when developing scenarios for the city's sea level rise strategy.

### *Community Design, Historic and Cultural Preservation Element*

Policy CD-1.2: Construction Near Historic District or Landmarks. Enhance the historic quality of established districts and landmark structures by encouraging any new development in the general vicinity to demonstrate compatibility with them.

Program CD-1.2.1: Historic Compatibility. Consider updating the Historic Design Guidelines to include a definition of historic compatibility and a measurement for “near” for construction near the historic district or landmarks.

Program CD-1.2.2: Historic Character Compatibility. In a public process, amend the Zoning Ordinance to require consideration of historic compatibility as part of the design approval by the Historic Preservation Commission and Planning Commission.

Program CD-4.2.4: Historic Preservation Commission. Work with the HPC to define neighborhood characteristics through design guidelines and standards, which would provide greater clarity on alterations that could be determined to constitute excessive change to historic structures.

Program CD-4.3.1: Sub-Area Design. Design standards and objective guidelines for the commercial sub-areas should be guided by the following:

- a. Caledonia Street: Maintain and enhance the pedestrian streetscape and promote design compatibility with existing historical, commercial, and residential structures.
- c. Downtown: Maintain and enhance the pedestrian oriented streetscape, promote design compatibility with historical structures, and recognize the needs of retailers in making design decisions.

Program CD-4.5.4: Historic Data. Publish relevant historic data for developers and/or owners of registered historic landmarks through the City website, the Historic Preservation Commission, and the Sausalito Historical Society. Historic data should identify properties in historic districts and other properties designated as historically noteworthy.

Policy CD-4.6: Working Waterfront. Emphasize the Marinship’s working waterfront and cultural landscape.

Policy CD-6.1: Historic Character. Continue the City's effort to retain and enhance its historical legacy in the review of proposed projects in historic districts and of individual structures and sites with historic significance as shown on Figure 4-1 [of the General Plan].

Program CD-6.1.1: Historic Preservation Commission Review. Maintain the city’s policy to require review for a Certificate of Appropriateness by the HPC for any restoration, rehabilitation, alteration, development or demolition of projects involving historically significant structures and sites.

Policy CD-6.2: Historic Preservation Committee. Clarify the responsibilities and authority of the Historic Preservation Committee in design and construction activities that impact historic properties and sites.

Program CD-6.2.1: Historic Features. Continue HPC listing and documentation of Sausalito's historical features as an important reference source for new and significant remodel development



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proposals.

Program CD-6.2.2: Historic Property Ownership. Support the HPC in the publication of a compendium of the responsibilities and benefits of ownership of properties on the National Register of Historic Places, within historic districts, or otherwise designated as historically noteworthy.

Program CD-6.2.5: Historic Resources Inventory. Prepare a historic context and citywide historic resources survey so that historical consideration can be given appropriate consideration in proposed projects on historic structures.

Program CD-6.2.6: Period Structures. Facilitate the preservation of any period structure regardless if it is on the list of noteworthy structures by preparing advisory historic preservation guidelines for owners, architects, and contractors.

Policy CD-6.3: Public Education. Educate and advocate for historic preservation among residents of and visitors to Sausalito.

Policy CD-6.4: Mills Act. Consider adoption of the Mills Act for property tax reductions to encourage maintenance and improvements to historic properties.

Policy CD-6.5: Preservation and Resiliency. Consider historic preservation in the context of sustainability and resiliency.

Policy CD-6.6: Tribal Consultation with Federated Indians of Graton Rancheria. Consult with the Federated Indians of Graton Rancheria on issues of mutual concern such as the continued preservation of Native American cultural resources, as well as when amending the General Plan, adopting or amending a Specific Plan, designating open space, significant development projects, review of historical tributes through public names and monuments, and at any other time as required by State Law. Proactively seek to maintain communication and information exchange to foster effective government-to-government relations.

Program CD-6.6.1: Consultation Protocols. Develop and implement consultation protocols with the Federated Indians of Graton Rancheria (FIGR) for the early review of development proposals that meet an agreed upon criteria for review. The protocols will include criteria and thresholds for requiring FIGR project review and monitoring.

Program CD-6.6.2: Referral of Development Proposals. The City shall continue to require that development proposals be referred to the Northwest Information Center of the California Archaeological Inventory, Native American Heritage Commission (NAHC), local Native American Tribes, and Sonoma State University, for review and recommendations regarding supplemental field investigation.

Program CD-6.6.3: Compliance with SB 18 and AB 52. The city shall continue to comply with SB18 and AB 52 by consulting with local Native American tribes on potential disturbance, recovery and preservation of tribal cultural resources, including development of strong consultation protocols with appropriate Native American tribe(s).

Policy CD-6.7: Equity in Preservation. Encourage the preservation of histories and the celebration of narratives of Sausalito's communities of color and other traditionally unrecognized members of the community.

Program CD-6.7.2: Resource Preservation. Amend the Zoning Ordinance to encourage preservation of historic resources connected to the history of people of color, women, immigrants, and other historically underrecognized members of the community.

*Environmental Quality Element*

Policy EQ-1.6: Archeological Factors and History. Respect and be sensitive to the native and early history of the Southern Marin area.

Program EQ-1.6.2: Project Referral. Refer projects which propose new construction to the California Historic Resources Information System's Northwest Information Center to determine whether they are in a zone of archaeological and/or historical sensitivity.

Program EQ-1.6.3: Archeological Surveys. Require archaeological surveys on properties near known archaeological sites prior to excavation to establish the limits of those sites, evaluate their importance, and detail measures to protect archaeological resources.

Program EQ-1.6.4: Construction Mitigation. Halt all activity until the site is examined by a city-approved archaeologist and appropriate mitigation measures have been identified and implemented should an archaeological site be uncovered during any phase of construction.

*Health, Safety, and Community Resilience Element*

Policy HS-1.6: Protect Historic Resources. Identify mitigation strategies and funding mechanisms suited to protect the city's historic resources from natural and man-made hazards.

Policy HS-5.4: Native Representation. The City's mission is to provide for a just, diverse, and equitable future for all citizens, in our community and county. The Federated Indians of Graton Rancheria is traditionally and culturally affiliated with all of Marin County, and therefore the City of Sausalito. As indicated in Governor Gavin Newsom's Executive Order, N-15-19, recognized the historical and ongoing violence, exploitation, and discrimination against Native Americans. Executive Order N-15-19 is a formal apology for these, and other wrongs committed by the State and reaffirms Executive Order B-10-11 requiring government-to-government consultation with tribes and the State. The City embraces both these Executive Orders and supports the Federated Indians of Graton Rancheria in the protection and preservation of historic and cultural resources and improve the lives of its Tribal Citizens. The City of Sausalito strives for racial justice and social equity and will engage and consult with the Federated Indians of Graton Rancheria to achieve a more just, diverse and equitable future.

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Program HS-5.4.1: Tribal Outreach. The city will cooperate with and consult the Federated Indians of Graton Rancheria on issues of mutual concern, including long-range planning projects.

### **Sausalito Municipal Code**

Chapter 10.46 of the Sausalito Municipal Code (Historic Preservation) includes procedures for listing a site or structure on the Local Register, and City review procedures for demolishing or modifying a historical resource. The purpose of this chapter is to:

- Safeguard the character and history of the city which is reflected in its unique architectural, historic, and cultural heritage through the designation of properties to the local historic register;
- Provide a method for the identification and designation of properties to the local historic register;
- Deter the demolition, alteration, misuse or neglect of historic or architecturally significant structures and sites;
- Encourage preservation and adaptive reuse of properties on the local/State/National Historic Register and/or within a historic overlay district by allowing changes to accommodate new functions and uses;
- Provide a review process for alterations, modifications and additions to properties on the local/State/National Historic Register or within a historic overlay district including applying applicable adopted guidelines and policies as adopted by the city;
- Enhance property values, stabilize neighborhoods, and render city properties on the local/State/National Historic Register or within a historic overlay district eligible for benefits and incentives;
- Foster civic and neighborhood pride and a sense of identity based on the recognition of the city's past accomplishments as reflected through its buildings, structures, objects, landscape, natural features, infrastructure, and engineering;
- Strengthen the city's economy by protecting and enhancing the city's attraction to residents, tourists, visitors, and others, thereby serving as a stimulus and support to local business and industry; and
- Identify incentives that are intended to encourage owners to designate, maintain, reuse, rehabilitate, and improve properties on the local/State/National Historic Register or within a historic overlay district.

### **Sausalito Historic Preservation Commission**

Chapter 10.46 of the Sausalito Municipal Code describes the Historic Preservation Commission. The Commission is concerned with maintaining the historic character and scale of the Historic District. While structures in the District may be renovated or modified in ways that enhance the area, the Commission encourages project proponents to incorporate the District's design elements. In evaluating applications for permits and entitlements within the

Historic District, the Commission uses the United States Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (GPO937-843).

The Commission is charged with the task of protection, enhancement, perpetuation, and use of sites and areas that are links to the city's past. In addition, the Commission ensures that future development does not conflict or impact with historically significant sites but enhances the value of surrounding areas and neighborhoods. Finally, the Commission is entrusted with fostering local knowledge of Sausalito's heritage.

### **Sausalito Historic Design Guidelines**

The purpose of the Sausalito Historic Design Guidelines is to provide guidance to property owners, decision-makers, staff, and the public for the preservation of the architectural heritage and integrity of the city's resources.<sup>47</sup> The guidelines identify standards to ensure that changes to the built environment will be sensitive to the community's historical legacy. The Design Guidelines contains five chapters that describe: (1) how to use the guidelines for historic preservation, (2) the proper treatment of historic structures, (3) the treatment of special features, (4) new and infill construction, and (5) the Downtown Historic Overlay District.

Projects and work subject to the Design Guidelines include all exterior modifications to existing structures and sites within the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District, as well as properties on the Local, State or National Registers require Historic Design Review in accordance with Zoning Ordinance requirements. Also, new construction and infill projects are reviewed.

The Historic Design Guidelines identify the Downtown Historic District as the downtown area that is centered around the intersection of Princess and Bridgeway Streets and that exhibits consistent architectural styles of the late 19<sup>th</sup> Century. Historic District buildings are largely in commercial and mixed-use areas. The Historic Design Guidelines include goals and a vision of what improvements in the Historic Downtown District should achieve:

- Preserve the historic character of the District.
- Preserve the intimate scale of the District.
- Preserve the harbor community.
- Preserve access to the water.
- Preserve the architectural integrity of its historic resources.
- Preserve the scale of the streetscape.
- Preserve the historic stonework and pathways through the District.
- Design new infill to be compatible with the District.
- Preserve view corridors.

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<sup>47</sup> City of Sausalito Historic Design Guidelines. September 2011.

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### Sausalito Local Historic Register

Pending review by the city Historic Preservation Commission and recommendation to the City Council for approval, a structure or site may be approved for listing on the local historic register if all the following findings can be made (Sausalito Municipal Code § 10.46.050 G):

1. The structure or site proposed for the local historic register is significant to local, regional, State, or national history.
2. Listing the proposed structure or site on the local historic register has been subject to environmental review and the appropriate findings have been made.
3. Listing the proposed structure or site on the local historic register will preserve the historic character or integrity of the structure or site.
4. Structure or site proposed to be listed on the local historic register has a significant architectural or historic character that can be preserved or enhanced through appropriate controls and incentives on new development and alterations to existing structures and landscaping.

The City requires a certificate of appropriateness to demolish, remove, or otherwise change a national, State, or locally designated historic property, a property within a historic overlay district, or a property deemed a city historic resource. The review shall be conducted by the Historic Preservation Commission.

The Commission may approve a certificate of appropriateness to allow for new construction or alterations to a property subject to a condition of approval if the Secretary of the Interior's Standards for the Treatment of Historic Properties and any applicable State or local ordinances and adopted guidelines or other policies have been used to review and consider the proposed work. Additional Findings are required for local historic register properties, properties in historic overlay districts, and sign, landscaping, and demolition applications (Sausalito Municipal Code § 10.46.060 F).

### THRESHOLDS OF SIGNIFICANCE

Consistent with Appendix G of the CEQA Guidelines, the General Plan is considered to have a significant impact on cultural resources, including tribal cultural resources, if it would result in one or more of the following:

- Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5;
- Disturb any human remains, including those interred outside of formal cemeteries; or
- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place,



cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- A resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

### **ANALYSIS, IMPACTS, AND MITIGATION MEASURES**

Data to inform this section was obtained from the NWIC and city records. Information obtained at the NWIC included records for all cultural resources located within the city that are recorded on Department of Parks and Recreation (DPR) 523, as well as the City of Sausalito's Historic Resources Inventory List, and the Office of Historic Preservation Directory of Properties in the Historic Property Data File for Marin County. Ethnographic resources were also reviewed for information regarding reported Native American village sites located within the city.

In accordance with requirements promulgated by SB 18 and AB 52, the City notified the Wuksache Indian Tribe/Eshom Valley Band, Guidiville Indian Rancheria, and the Federated Indians of Graton Rancheria of the Housing Element Programs project on July 28, 2023, and invited the tribes to participate in consultation (see Appendix C). A follow-up email with the same notification was sent to the tribes on July 31, 2023. No response was received by the Wuksache Indian Tribe/Eshom Valley Band or the Guidiville Indian Rancheria. The Federated Indians of Graton Rancheria submitted a request to consult with the City on August 15, 2023, and the City coordinated and attended a consultation meeting via Zoom with the Tribe on November 9, 2023. Following the consultation meeting, the City sent follow-up communication and information to the Tribe, as requested, on November 13, 2023 and requested input from the Tribe. Prior to the release of the Draft EIR, the City provided additional information to the Tribe on January 4, 2024 and again invited the Tribe's feedback.

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**Impact 3.4-1      Development facilitated by the Housing Element Programs project could result in a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.**

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A substantial adverse change in the significance of an historical resource is defined at Section 15064.5(b)(1) of the CEQA Guidelines as the "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." Known historic buildings, districts and resource sites are located throughout the city (see Figure 3.4-1). Additional undesignated sites, and potentially unidentified sites, exist within in the Planning Area as well.

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Implementation of the Housing Element Programs would not directly construct new housing in the City but, through the adoption of new development standards and rezoning of sites to residential or mixed use, it would facilitate new residential development on specific sites in order to meet the City's RHNA allocation. Development accommodated under Implementation of the Housing Element Programs would result in additional residential development throughout the city, including along the waterfront areas and would be limited to vacant and/or underutilized existing parcels. The potential growth in residential uses would be infill development and would occur within the fabric of developed areas throughout the City. As shown on Figure 3.4-1, Opportunity Site 201 (APN 065-132-16) and Opportunity Site 212 (APN 065-071-21) are located within the Downtown Historic District Overlay in the City of Sausalito and while there are no designated historic resources on the opportunity sites, both sites are adjacent to Potentially Eligible Historic Property. As described further below, development within sites identified to be within the Downtown Historic Overlay are required to undergo City review rules and regulations required by the Sausalito Municipal Code to protect historical resources.

As discussed below, policies and programs included in the General Plan address the conservation and protection of historical resources. Policies W-5.2, CD-1.2, CD-6.1, CD-6.5 ensure protection and preservation of historical resources within the City by supporting identification of potential historical structures, protecting historic resources from sea level rise, requiring compatibility of architectural styles, and requiring project review when appropriate. Policy CD-6.2 defines the Historic Preservation Commission and its roles.

The Sausalito Municipal Code contains rules and regulations that protect historical resources. Chapter 10.46 includes city review procedures for applicants seeking to demolish or modify an historical resource. Section 10.46.060 (Property and Review Requirements) prohibits the rehabilitation, alteration, demolition, removal or other changes to the exterior appearance, including paint color, of structures or sites officially deemed a historical resource without first having undergone review for a certificate of appropriateness by the Historic Preservation Commission. Section 10.46.060 also details additional findings that must be made prior to the issuance of a certificate of appropriateness. Additional findings are required for Local Historic Register Properties, properties in historic overlay districts, landscaping applications, and demolition applications.

As the city receives development applications for subsequent development under the Housing Element, those applications will be reviewed by the City of Sausalito for compliance with the policies and programs of the Housing Element and General Plan related to the protection of historical resources. In particular all development under the Housing Element Programs, including exterior modifications to existing structures and sites, new construction, and infill projects within the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District, as well as properties on the Local, State or National Registers will require Historic Design Review in accordance with Zoning Ordinance requirements. In addition, the

City's Municipal Code, which implements the City's Housing Element and overall General Plan, would be reviewed at the time that development applications are received.

Development envisioned by the Project would result in an increase in development, as well as other public improvements, that could affect known historic resources or previously unidentified or undesignated resources within the Planning Area. CEQA Guidelines Section 15064.5(b)(1) states, "Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired," which may have a significant effect on the environment. Even if a Certificate of Appropriateness is issued under Sausalito Municipal Code Section 10.46.060, any adverse change to a historical resource would be a **potentially significant** impact.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.4-1** Any proposed new project within the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District shall be designed in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, specifically the standards for rehabilitation and new construction within a historic district. Standards 9 and 10 for Rehabilitation state that:

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Projects undertaken within the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District shall be consistent with these standards. In addition to compliance with the above, project developer shall ensure that any new project involving the design of a new building shall not have a significant impact on the Downtown Historic Overlay Zoning District's or the Residential Arks Zoning District's contributing resources or its features and

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characteristics. The City of Sausalito Community Development Director, or the Historic Preservation Commission, as appropriate per the requirements of Chapter 10.46, Historic Preservation, of the City Code, shall review any proposed project's site plan and design to ensure its compatibility with the SOI Standards and the adopted standards of the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District.

### Level of Significance After Mitigation

#### Significant and Unavoidable

With the implementation of Mitigation Measure 3.4-1, compliance with the Secretary of the Interior's Rehabilitation Standards would reduce anticipated impacts on the Downtown Historic Overlay Zoning District or the Residential Arks Zoning District through design standards and historic district plan and design guidelines guidance. However, and while this is not anticipated, should the implementation of the Housing Element Programs require demolition of a historic structure that would be a significant and unavoidable impact as the resource could not be recovered.

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#### **Impact 3.4-2      Development facilitated by the Housing Element Programs could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

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Known archaeological resource sites are located mostly in southern areas of the city near the waterfront (see Figure 3.4-1). Based on a review of information available at the NWIC, only a small portion of the Planning Area has been previously surveyed for archaeological resources. Therefore, it is expected that additional undiscovered sites exist in the Planning Area.

Development accommodated under the Project would result in additional residential development throughout the City, including along the waterfront areas.

Potential for additional archaeological sites to be present within the City of Sausalito exists, but varies by location. Prehistoric habitation sites, such as those known to be present within the City, tend to be situated along creeks and other areas with a reliable water supply, whereas task-specific sites or resource procurement sites can be situated in almost any environment conducive to human activity. Buried prehistoric archaeological sites tend to be found on Holocene-age landforms, particularly alluvial fans, floodplains, and areas along rivers and streams. As such, within the Sausalito Planning Area, the waterfront has the greatest potential for buried prehistoric archaeological resources to be present.

As discussed below, policies and programs included in the General Plan address potential impacts to archaeological resources. Policy EQ-1.6 requires the city to conserve

archaeological resources through respect and sensitivity to the native and early history of the Southern Marin area. Program EQ 1.6.2 requires new development to conduct an NWIC search to determine whether a project site is in a zone of archaeological and/or historical sensitivity. Program EQ-1.6.3 requires an archaeological survey on properties near known archaeological sites prior to excavation. Program EQ-1.6.4 outlines the procedure for accidental discovery of an archaeological resource, including the halting of construction activity until the site is examined by a city-approved Archaeologist.

As the City receives development applications for subsequent development under the Housing Element Update, those applications will be reviewed by the City of Sausalito for compliance with the policies and programs of the Housing Element Update, and the General Plan as a whole, that are related to archaeological resources. In particular, new development would be required to conduct a records search with the NWIC to determine the archaeological sensitivity of the site. If required, an archaeological survey of the site would be conducted and/or accidental discovery procedures for archaeological resources would be required.

In conclusion, development envisioned by the Housing Element Update could result in new development, as well as other public improvements, that could affect known or previously unidentified archaeological resources within the Planning Area. However, compliance with Housing Element and General Plan policies and programs would ensure that future development projects are appropriately reviewed and designed in terms of potential impacts to archaeological resources. Consistent with the General Plan policies, individual discretionary development projects associated with the Housing Element Programs would be required to undergo project-specific archaeological surveys, which may require additional site specific or project specific measures to reduce any potential impacts. However, unanticipated discovery of archaeological resources could occur during construction activities. Therefore, the impact is ***potentially significant***.

#### **Level of Significance before Mitigation**

Potentially Significant

#### **Mitigation Measures**

**MM 3.4-2 (a)** Conduct Cultural Resources and Tribal Cultural Resources Sensitivity and Awareness Training Program Before Ground Disturbing Activities. A tribal cultural resources awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with interested Native American Tribes. The brochure shall be distributed and the training will be conducted by Native American representatives, or tribal monitors from culturally affiliated Native American Tribes, before any stages



of project implementation and construction activities begin on the project site. The training may be done in coordination with the project archaeologist.

The program will include relevant information regarding sensitive tribal cultural resources, applicable regulations and protocols for avoidance, and consequences of violating state laws and regulations. The program will describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential tribal cultural resources or archaeological resources are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any find with cultural significance to Native Americans' tribal values. All operators of ground disturbing equipment shall receive the training and sign a form that acknowledges receipt of the training.

**MM 3.4-1(b)** Implement Avoidance and Minimization Measures to Avoid Significant Impacts and Procedures to Evaluate Resources. If cultural resources or tribal cultural resources (such as structural features, unusual amounts of bone or shell, artifacts, or human remains) are encountered at the project site during construction, work shall be suspended within 100 feet of the find (based on the apparent distribution of cultural materials), and the construction contractor shall immediately notify the project's City representative. Avoidance and preservation in place is the preferred manner of mitigating impacts on cultural resources and tribal cultural resources. This may be accomplished, by several alternative means, including those listed below.

- Construction will be planned to avoid tribal cultural resources, archaeological sites, and/or other cultural resources; cultural resources will be incorporated within parks, green space, or other open space; archaeological resources will be covered; a cultural resource will be deeded to a permanent conservation easement; or the project will use other preservation and protection methods agreeable to the consulting parties and regulatory authorities with jurisdiction over the activity.
- Recommendations for avoidance of cultural resources and tribal cultural resources will be reviewed by the City representative, interested culturally affiliated Native American Tribes, and other appropriate agencies in light of factors such as costs, logistics, feasibility, design, technology, and social,

cultural, and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project site to avoid cultural resources or tribal cultural resources, modification of the design to eliminate or reduce impacts on cultural resources or tribal cultural resources, or modification or realignment to avoid highly significant features within a cultural resource or tribal cultural resource.

- Native American representatives from interested culturally affiliated Native American Tribes will be invited to review and comment on these analyses and shall have the opportunity to meet with the City representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate avoidance and design alternatives can be identified.
- If the discovered cultural resource or tribal cultural resource can be avoided, the construction contractor(s) will install protective fencing outside the site boundary, including a 100-foot buffer area, before construction restarts. The boundary of a cultural resource or a tribal cultural resource will be determined in consultation with interested culturally affiliated Native American tribes and tribes will be invited to monitor the installation of fencing. Use of temporary and permanent forms of protective fencing will be determined in consultation with Native American representatives from interested culturally affiliated Native American tribes.
- The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area.”

If a cultural resource or a tribal cultural resource cannot be avoided, the following performance standard shall be met before the continuance of construction and associated activities that may result in damage to or destruction of cultural resources or tribal cultural resources:

- Each resource will be evaluated for California Register of Historical Resources eligibility through application of established eligibility criteria

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(California Code of Regulations Title 14, Section 15064.636), in consultation with consulting Native American Tribes, as applicable.

If a cultural resource or a tribal cultural resource is determined to be eligible for listing in the California Register, the City will avoid damaging effects on the resource in accordance with PRC Section 21084.3. The City shall coordinate the investigation of the find with a qualified archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) approved by the City and with interested culturally affiliated Native American tribes that respond to the City's invitation. As part of the site investigation and resource assessment, the City and the archaeologist shall consult with interested culturally affiliated Native American tribes to assess the significance of the find, make recommendations for further evaluation and treatment as necessary, and provide proper management recommendations should potential impacts on the resources be determined by the City to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the City representative by the qualified archaeologist. These recommendations will be documented in the project record. For any recommendations made by interested culturally affiliated Native American tribes that are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

Native American representatives from interested culturally affiliated Native American tribes and the City representative will also consult to develop measures for long-term management of any discovered tribal cultural resources. Consultation will be limited to actions consistent with the jurisdiction of the City and taking into account ownership of the subject property. To the extent that the City has jurisdiction, routine operation and maintenance within tribal cultural resources retaining tribal cultural integrity shall be consistent with the avoidance and minimization standards identified in this mitigation measure.

If the City determines that the project may cause a significant impact on a tribal cultural resource, and measures are not otherwise identified in the consultation process, the following are examples of mitigation capable of avoiding or substantially lessening potential significant impacts on a tribal cultural resource or alternatives that would avoid significant impacts on the

resource. These measures may be considered to avoid or minimize significant adverse impacts and constitute the standard by which an impact conclusion of less than significant may be reached:

- Avoid and preserve resources in place, including but not limited to planning construction to avoid the resources and protect the cultural and natural context, or planning green space, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria.
- Treat 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:
  - Protect the cultural character and integrity of the resource.
  - Protect the traditional use of the resource.
  - Protect the confidentiality of the resource.
  - Establish permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places.
  - Protect the resource.

### **Level of Significance After Mitigation**

#### Significant and Unavoidable

Implementation of Mitigation Measures 3.4-2(a) and 3.4-2(b) would reduce potential impacts of the proposed project on inadvertently discovered archaeological resources by ensuring that any resources inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe. However, and while this is not anticipated, there is a possibility that construction activities could inadvertently damage or destroy unanticipated subsurface resources, the destruction of which would be a significant and unavoidable impact.

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### **Impact 3.4-3 Implementation of the Housing Element Programs could result in disturbance of human remains, including those interred outside of formal cemeteries.**

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Excavation and construction activities associated with the Project may uncover human remains that may not be marked in formal burial locations. Therefore, as future development and infrastructure projects are reviewed by the city, each project would be evaluated for conformance with the General Plan, Sausalito Municipal Code, and other applicable State regulations. Under CEQA, human remains are protected under the definition of archaeological materials as being “any evidence of human activity.”

Public Resources Code Section 5097 has specific stop-work and notification procedures to follow when Native American human remains are inadvertently discovered during excavation and construction activities. This requirement applies to all construction projects within the Sausalito Planning Area.

The General Plan, includes policies and programs intended to conserve and reduce impacts to archaeological resources, including human remains. Policy EQ-1.6 requires the City to conserve archaeological resources through respect and sensitivity to the native and early history of the Southern Marin area. Program EQ-1.6.4 outlines the procedure for accidental discovery of an archaeological resource, including halting construction activity until the site is examined by a city-approved Archaeologist.

Implementation of policies and programs in the General Plan, as well as compliance with adopted state, federal and local regulations for the protection of human remains, would ensure that future development associated with the Project would not result in significant adverse effects to human remains. However, the inadvertent discovery of human remains could occur during construction activities and could disturb human remains. Therefore, impacts would be considered ***potentially significant***.

### **Level of Significance before Mitigation**

Potentially Significant

### **Mitigation Measures**

**MM 3.4-3** Implement Procedures in the Event of Inadvertent Discovery of Human Remains. If an inadvertent discovery of human remains is made at any time during project-related construction activities or project planning, the following performance standards shall be met before implementing or continuing actions such as construction that may result in damage to or destruction of human remains. In accordance with the California Health and Safety Code (HSC), if human remains are encountered during ground-disturbing activities, the City shall immediately halt potentially damaging excavation in the area of the remains and notify the Sacramento County Coroner and a qualified

archaeologist (meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology) to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (HSC Section 7050.5[b]).

If the human remains are of historic age and are determined by the Sacramento County Coroner to be not of Native American origin, the City will follow the provisions of HSC Section 7000 et seq. regarding the disinterment and removal of non-Native American human remains.

If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (HSC Section 7050[c]). After the coroner's findings have been made, the archaeologist and the NAHC-designated Most Likely Descendant, in consultation with the landowner, shall determine the ultimate treatment and disposition of the remains. The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in Public Resources Code Section 5097.9 et seq.

### Level of Significance After Mitigation

Significant and Unavoidable

Implementation of Mitigation Measure 3.4-3 would reduce the potential impacts of the proposed project on inadvertently discovered human remains by determining if the remains are Native American in origin and, if determined to be Native American, a Most Likely Descendant is assigned to determine the treatment. However, and while this is not anticipated, there is a possibility that inadvertent damage to or destruction of unanticipated subsurface human remains could occur during construction activities, the impacts of which would be significant and unavoidable.

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**Impact 3.4-4**      **Implementation of the Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k).**

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A NAHC Sacred Lands File search identified recorded tribal cultural resources within the Planning Area (see Appendix C). A records search conducted at the NWIC identified five listed prehistoric sites that meet the definition of a tribal cultural resource within the Planning



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Area. It is always possible that subsurface excavation activities may encounter previously undiscovered tribal cultural resources. Therefore, any unidentified resources could be adversely affected by development under the proposed Project and create a potentially significant impact.

While the proposed Project does not directly propose any adverse changes to any recorded tribal cultural resources, future development allowed under the Project could affect known or previously unidentified resources. In addition, the potential for additional undiscovered eligible tribal cultural resources to be present within the Sausalito Planning Area exists but varies by location. As with prehistoric archaeological resources, the waterfront has the greatest potential for buried tribal cultural resources to be present (see Figure 3.4-1).

The General Plan includes policies and programs intended to conserve and reduce impacts to archaeological resources, which can include tribal cultural resources. Policy EQ-1.6 requires the city to be respectful and sensitive to the native and early history of the Southern Marin area. Program EQ 1.6.2 requires new development to conduct NWIC searches to determine whether a project site is in a zone of archaeological and/or historical sensitivity. Program EQ-1.6.3 requires archaeological surveys on properties near known archaeological sites prior to excavation. Program EQ-1.6.4 outlines the procedure for accidental discovery of an archaeological resource, including halting construction activity until the site is examined by a city-approved Archaeologist.

Policy CD-6.6 Tribal Consultation with Federated Indians of Graton Rancheria (FIGR) of the General Plan, includes specific programs and protocols to define the consultation process for future projects, including criteria and thresholds for FIGR project review and monitoring.

Implementation of policies and programs in the General Plan, as well as compliance with adopted state, federal and local regulations for the protection of tribal cultural resources, would ensure that future development associated with the Project would not result in significant adverse effects to known tribal cultural resources. However, the inadvertent discovery of tribal cultural resources could occur during construction activities and damage to, or destruction of, those resources could occur. Therefore, impacts would be considered ***potentially significant***.

### **Level of Significance before Mitigation**

Potentially Significant

### **Mitigation Measures**

**MM 3.4-4** Implement Mitigation Measures 3.4-2(a) and 3.4-2(b).

### **Level of Significance After Mitigation**

Significant and Unavoidable

Implementation of Mitigation Measure 3.4-4 would reduce potential impacts of the proposed project on inadvertently discovered tribal cultural resources by ensuring that any resources

inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe. However, and while this is not anticipated, there is a possibility that inadvertent damage to or destruction of unanticipated subsurface tribal cultural resources could occur during construction activities, the impacts of which would be significant and unavoidable.

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**Impact 3.4-5      Implementation of Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.**

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A letter was sent to the NAHC to determine whether any sacred sites are listed on its Sacred Lands File for the project area. A response was received on December 29, 2022 indicating the search returned positive results for tribal cultural resources in the Planning Area, and recommended contacting tribal representatives from the Federated Indians of Graton Rancheria for additional information.

In accordance with requirements promulgated by SB 18 and AB 52, the City of Sausalito notified the Wuksache Indian Tribe/Eshom Valley Band, Guidiville Indian Rancheria, and the Federated Indians of Graton Rancheria of the Housing Element Programs and invited the tribes to participate in consultation (see Appendix C). The letters were sent to the Native American Tribes via certified mail on July 28, 2023. A follow-up email with the same notification was sent to the tribes on July 31, 2023. No response was received by the Wuksache Indian Tribe/Eshom Valley Band or the Guidiville Indian Rancheria. The Federated Indians of Graton Rancheria submitted a request to consult with the City on August 15, 2023, and the City coordinated and attended a consultation meeting via Zoom with the Tribe on November 9, 2023. Following the consultation meeting, the City sent follow-up communication and information to the Tribe, as requested, on November 13, 2023 and requested input from the Tribe. Prior to the release of the Draft EIR, the City provided additional information to the Tribe on January 4, 2024 and again invited the Tribe's feedback.

At this time, the City of Sausalito, in its capacity as Lead Agency, has not identified or determined any known tribal cultural resources pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 that will be adversely impacted by the Housing Element Update. Nonetheless, as described under Impact 3.4-4, future development permitted under the Housing Element Programs could affect previously unidentified tribal cultural resources.

As discussed under Impact 3.4-4, the General Plan includes policies and programs intended to reduce impacts to and conserve archaeological resources, which can include tribal cultural resources, such as Policy EQ-1.6 and Programs EQ 1.6.2 through EQ-1.6.4. Policy CD-6.6 Tribal Consultation with Federated Indians of Graton Rancheria, and the subsequent programs under Policy CD-6.6 require proactive consultation with the Tribe under AB-52 for

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potential disturbance, recovery, and preservation of tribal cultural resources, as well as when amending the General Plan, adopting or amending a Specific Plan, designating open space, significant development projects, review of historical tributes through public names and monuments, and at any other time as required by State Law. However, inadvertent discovery of tribal cultural resources could occur during construction, and the impact would be ***potentially significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.4-5** Implement Mitigation Measures 3.4-2(a) and 3.4-2(b).

### Level of Significance After Mitigation

Significant and Unavoidable

Implementation of Mitigation Measure 3.4-5 would reduce potential impacts of the proposed project on inadvertently discovered archaeological resources by ensuring that any resources inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe. However, and while this is not anticipated, there is a possibility that inadvertent damage to or destruction of unanticipated subsurface tribal cultural resources determined to be to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 could occur during construction activities, the impacts of which would be significant and unavoidable.

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**Impact 3.4-6** **Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to historic, cultural, or tribal cultural resources.**

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This analysis evaluates whether the impacts of the Project, together with the impacts of cumulative development, could result in a cumulatively significant impact with respect to historic, cultural, and tribal cultural resources. This analysis then considers whether incremental contribution of impacts associated with the implementation of the Housing Element Update would be significant. Both conditions must apply for a project's cumulative effects to rise to the level of a significant impact.

The geographic context for this analysis includes the Sausalito Planning Area, Marin City, Tam Valley, Mill Valley, and other adjacent unincorporated areas. Past, present, and future development projects contribute to impacts related to cultural or tribal cultural resources.

Cumulative development within unincorporated Marin County is identified as less than significant in the Marin Countywide Plan Update Final EIR.<sup>48</sup> The Marin Countywide Plan would increase the amount of lands designated as Open Space due to the acquisition of land by the GGNRA. Within the community of Marin City, the Marin Countywide Plan identified an additional 149 to 256 housing units and the potential for additional non-residential development. Within Tam Valley, approximately 235 acres of residential land would be changed to Open Space. The Marin Countywide Plan identified an additional 177 to 305 housing units and the potential for additional non-residential development within Tam Valley. Cumulative development within Mill Valley is identified in the Mill Valley 2040 General Plan Final EIR.<sup>49</sup> The Mill Valley General Plan identified an additional 146 new dwelling units within the residential-zoned sites and an additional 239 dwelling units within the commercial-zoned sites. The 2040 Mill Valley General Plan identifies less than significant cumulative impacts and calls for preserving and protecting potential and listed historic and archaeological resources, working with the Mill Valley Historical Society to develop a comprehensive inventory of potential historic and archaeological resources, protecting the value of historic and cultural resources, and promoting education about historic preservation. Cumulative projects within Mill Valley and unincorporated Marin County, including Marin City and Tam Valley, would be required to comply with applicable policies and programs and adhere to the rules and regulations in the Marin County Municipal Code and Mill Valley Municipal Code that protect cultural and tribal cultural resources. Cumulative projects would be required to comply federal, State, and local policies that protect cultural and tribal cultural resources, including the provisions of SB 18 and AB 52, Section 15064.5 of the CEQA Guidelines, and Sections 5024.1 and 5097 of the Public Resources Code. Accordingly, because cumulative development would be required to comply with long-term planning documents, and regulatory agency guidance establishing policies (including, but not limited to, evaluation requirements and inadvertent discovery procedures). However, the inadvertent discovery of cultural or tribal cultural resources could occur during construction activities, and the impact would be **potentially significant**.

As discussed under Impacts 3.4-1 through 3.4-5, as the City receives development applications for subsequent development under the Housing Element Update, those applications will be reviewed by the City of Sausalito for compliance with the policies and programs of the General Plan, the provisions of SB 18 and AB 52, the Sausalito Municipal Code historic preservation regulations, and other relevant federal, State, and local regulations that protect historic, cultural, and tribal cultural resources, including Section 15064.5 of the CEQA Guidelines and Sections 5024.1 and 5097 of the Public Resources Code. However, the inadvertent discovery of cultural or tribal cultural resources could occur during construction activities associated with the Housing Element Programs, or damage or

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<sup>48</sup> County of Marin. Community Development Department. 2007. Marin Countywide Plan Update Final Environmental Impact Report. November.

<sup>49</sup> City of Mill Valley, Planning and Building Department. 2013. Mill Valley 2040 General Plan Final EIR. October.

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demolition of historic structures could occur, and the Project's contribution would be considerable. Therefore, the cumulative impact would be ***potentially significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.4-6** Implement Mitigation Measure 3.4-1, Mitigation Measures 3.4-2 (a) and (b), and Mitigation Measure 3.4-3.

### Level of Significance After Mitigation

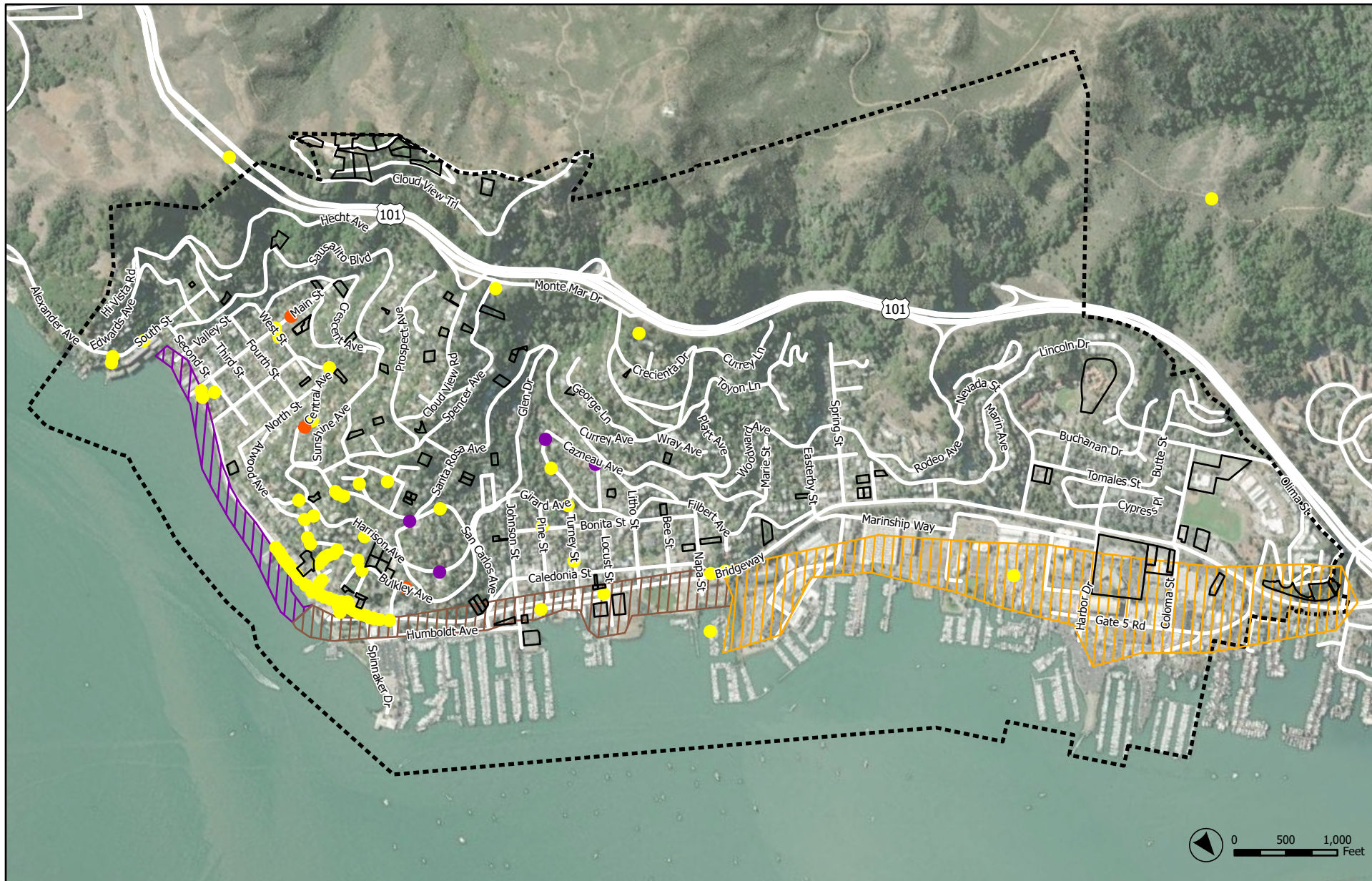
Significant and Unavoidable

Implementation of Mitigation Measure 3.4-6 would reduce potential impacts on known historic resources by requiring that projects avoid damaging or destroying such resources. However, and while this is not anticipated, there is a possibility that the destruction of a historic resource could occur as a result of Project implementation, and such an impact would be significant and unavoidable as the resource could not be recovered.

Implementation of Mitigation Measure 3.4-6 would reduce potential impacts of the proposed project on inadvertently discovered archaeological resources, cultural resources, and tribal cultural resources by ensuring that any resources inadvertently discovered during construction would be evaluated for significance and treated appropriately in consultation with a culturally affiliated Native American tribe.

Further, implementation of Mitigation Measure 3.4-6 would reduce the potential impacts of the proposed project on inadvertently discovered human remains by determining if the remains are Native American in origin and, if determined to be Native American, a Most Likely Descendant is assigned to determine the appropriate treatment. However, and while this is not anticipated, there is a possibility that inadvertent damage to or destruction of unanticipated subsurface tribal cultural resources determined to be to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 could occur during construction activities, the impacts of which would be significant and unavoidable.





**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- City of Sausalito Historic Landmark
- Potentially Eligible Historic Property
- Property Listed on National Register
- Archaeologically Sensitive Zones  
Zone 1
- Zone 2
- Zone 3

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.4-1. Historic Resources and Archaeologically Sensitive Areas

Sources: City of Sausalito; Marin GeoHub; City of Sausalito General Plan EIR Exhibit 3.4-1 produced by MGroup and First Carbon Solutions, 10/2020. Map date: July 19, 2023.



### 3.5 ENERGY

This section is intended to provide an overall perspective on energy consumption to address the requirement in the California Environmental Quality Act (CEQA), Public Resources Section 21100(b)(3) that an EIR include mitigation measures that are proposed to reduce the wasteful, inefficient, and unnecessary consumption of energy. This section contains an analysis of the potentially significant energy implications relevant and applicable to the implementation of the Housing Element Programs project, as outlined in CEQA Guidelines, Appendix F.

Energy resources include electricity, natural gas, and other fuels. The production of electricity and other usable energy often requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into usable energy. Energy production and use can each result in the depletion of nonrenewable resources (e.g., oil, natural gas, coal, etc.) and emission of pollutants.

Energy usage related to implementation of the Housing Element Programs includes direct consumption for heating and cooling, electric facilities, and lighting. Indirect energy consumption is associated with the generation of electricity at power plants. Transportation-related energy consumption includes the use of fuels and electricity to power cars, trucks, and public transportation. Energy is also consumed by equipment and vehicles used during project construction and routine maintenance activities. This analysis considers whether implementation of the Housing Element Programs project would result in inefficient, wasteful, and unnecessary consumption of energy.

This section provides background information on energy resources and contains an analysis of the impacts that implementation of the Housing Element Programs project may have on the consumption of energy, including but not limited to the measures proposed to minimize the environmental effects of the consumption of energy that is wasteful, inefficient, or unnecessary. Energy consumption as an environmental impact is also evaluated and discussed in other sections of the this Draft EIR, including Section 3.2, Air Quality and Section 3.7, Greenhouse Gas Emissions. Appendix B of this EIR contains supporting information related to air emissions and GHG emissions.

Information in this section was developed based on data provided by the following documents/resources:

- Marin Clean Energy;
- Marin Climate & Energy Partnership;
- Pacific Gas & Electric Company;
- California Energy Commission;
- California Public Utilities Commission; and

- City of Sausalito Climate Action Plan, Marin Climate & Energy Partnership, Adopted June 16, 2015.

### 3.5.1 EXISTING SETTING

#### *Electricity*

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves several system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts while energy use is measured in watt-hours. For example, if a light bulb has a capacity rating of 100 watts, the energy required to keep the bulb on for 1 hour would be 100 watt-hours. If ten 100-watt bulbs were on for 1 hour, the energy required would be 1,000 watt-hours or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts, which is a million watts, while energy usage is measured in megawatt-hours or gigawatt-hours (GWh), which is one billion watt-hours.

Pacific Gas & Electric Company (PG&E) service area stretches from Eureka in the north to Bakersfield in the south, and from the Pacific Ocean in the west to the Sierra Nevada Mountains in the east. PG&E owns and maintains 106,681 circuit miles of electric distribution lines and 18,466 circuit miles of interconnected transmission lines. Approximately 5.5 million electric customer accounts are served by PG&E.<sup>1</sup> In 2021, PG&E provided approximately 78,587 GWh of electricity to its customers. Electricity consumption within PG&E's service area by sector is displayed in Table 3.5-1. Electricity consumption within Marin County for 2021 is displayed in Table 3.5-2.

**TABLE 3.5-1: ELECTRICITY CONSUMPTION WITHIN PG&E'S SERVICE AREA (2021)**

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<sup>1</sup> Pacific Gas and Electric Company. 2023. Company Profile. Website: [https://www.pge.com/en\\_US/about-pge/company-information/profile/profile.page](https://www.pge.com/en_US/about-pge/company-information/profile/profile.page). Accessed July 27, 2023.

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ENERGY USAGE CATEGORY	GWH	PERCENT
INDUSTRY	9,959	12.7%
COMMERCIAL	29,878	38.0%
RESIDENTIAL	29,230	37.2%
MINING AND CONSTRUCTION	1,764	2.2%
AGRICULTURE AND WATER PUMPING	7,446	9.5%
STREET LIGHTING	311	0.4%

Source: California Energy Commission. Electricity Consumption by Entity. Website: <http://www.ecdms.energy.ca.gov/elecbyutil.aspx>. Accessed July 27, 2023.

**TABLE 3.5-2: ELECTRICITY CONSUMPTION WITHIN MARIN COUNTY (2021)**

SECTOR	GWH	PERCENT
NON-RESIDENTIAL	630	46.7%
RESIDENTIAL	718	53.3%
TOTAL	1,348	100.0%

Source: California Energy Commission, Electricity Consumption by County, <http://www.ecdms.energy.ca.gov/elecbycounty.aspx>, Accessed July 27, 2023.

Account holders with PG&E within the City of Sausalito can choose to have 60 percent to 100 percent of their electricity supplied from clean, renewable sources such as solar, wind, bioenergy, geothermal, and hydroelectric, through Marin Clean Energy (MCE), a public, not for profit electricity provider. MCE currently provides energy to residents and businesses within 34 member communities across four Bay Area counties, including Napa, Marin, Contra Costa, and Solano. MCE has 914 megawatts of new, California renewable energy online and under development.<sup>2</sup>

### Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the State, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network and, therefore, resource availability is typically not an issue. Natural gas is used in electricity

<sup>2</sup> Marin Clean Energy (MCE). Company Profile. Website: <https://www.mcecleanenergy.org/energy-suppliers/>. Accessed July 27, 2023.

generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel.

Natural gas is provided to the City of Sausalito through PG&E. PG&E provides natural gas services within 48 counties in California with a total service area of approximately 70,000 square miles in northern and central California. PG&E provides services with 42,141 miles of natural gas distribution pipelines and 6,438 miles of transportation pipelines. PG&E serves approximately 4.5 million natural gas distribution customers.<sup>3</sup> One therm is approximately 100 cubic feet of natural gas. In 2021, PG&E provided and distributed approximately 4,466 million therms of natural gas to its customers. Natural gas consumption within PG&E's service area by sector is displayed in Table 3.5-3. Natural gas consumption within Marin County for 2021 is displayed in Table 3.5-4.

**TABLE 3.5-3: NATURAL GAS CONSUMPTION WITHIN PG&E'S SERVICE AREA (2021)**

ENERGY USAGE CATEGORY	MILLION THERMS	PERCENT
INDUSTRY	1,429	32.0%
COMMERCIAL	885	19.8%
RESIDENTIAL	1,877	42.0%
MINING AND CONSTRUCTION	223	5.0%
AGRICULTURE AND WATER PUMPING	52	1.2%
<b>TOTAL</b>	<b>4,466</b>	<b>100.0%</b>

*Source: California Energy Commission. Gas Consumption by Entity. Website: <http://www.ecdms.energy.ca.gov/gasbyutil.aspx>. Accessed July 28, 2023.*

**TABLE 3.5-4: NATURAL GAS CONSUMPTION WITHIN MARIN COUNTY (2021)**

SECTOR	MILLION THERMS	PERCENT
NON-RESIDENTIAL	18	73.4%
RESIDENTIAL	50	26.6%
<b>TOTAL</b>	<b>68</b>	<b>100.0%</b>

*Source: California Energy Commission. Gas Consumption by County. Website: <http://www.ecdms.energy.ca.gov/gasbycounty.aspx>. Accessed July 28, 2023.*

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<sup>3</sup> Pacific Gas and Electric Company (PG&E). 2023. Company Profile. Website: [https://www.pge.com/en\\_US/about-pge/company-information/profile/profile.page](https://www.pge.com/en_US/about-pge/company-information/profile/profile.page). Accessed July 27, 2023.

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### **California Energy Consumption**

According to the California Energy Commission (CEC), total system electric generation for California in 2021 was 277,764 GWh.<sup>4</sup> California's in-State electric generation was 194,127 GWh and electricity imports were 83,636 GWh. California's non-CO<sub>2</sub> emitting electric generation categories (biomass, geothermal, small hydroelectric, solar, and wind), which generated 67,461 GWh, accounted for 35 percent of total in-State generation for 2021. The in-State renewable generation included 33,260 GWh from solar, 15,173 GWh from wind, 11,116 GWh from geothermal, 5,381 GWh from biomass, and 2,531 GWh from hydroelectric power plants.

According to the CEC, nearly 45 percent of the natural gas burned in California was used for electricity generation, with the remainder consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet.<sup>5</sup>

According to the CEC, gasoline has remained the dominant fuel within the transportation sector, with diesel fuel and aviation fuels following. California consumed approximately 13.6 billion gallons of gasoline in 2022 and approximately 4.2 billion gallons of diesel fuel in 2015 (the latest year for which data is available).<sup>6,7</sup> An increasing amount of electricity is being used for transportation energy, which is chiefly attributed to the acceleration of light-duty plug-in electric vehicles.

### **3.5.2 REGULATORY SETTING**

Federal and State agencies regulate energy use and consumption through various programs. The Federal Energy Regulatory Commission (FERC) is an independent agency that regulates the transmission and sales of electricity, natural gas, and oil in interstate commerce, licensing of hydroelectric projects, and oversight of related environmental matters. The regulation and enforcement of interstate transmission sales is also regulated by FERC. The United States Department of Transportation (USDOT), United States Department of Energy, and the United

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<sup>4</sup> California Energy Commission (CEC). 2023. Total System Electric Generation. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation>. Accessed July 27, 2023.

<sup>5</sup> California Energy Commission (CEC). 2023. Supply and Demand of Natural Gas in California. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california>. Accessed July 27, 2023.

<sup>6</sup> California Energy Commission (CEC). 2023. California Gasoline Data, Facts, and Statistics. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics>. Accessed July 27, 2023.

<sup>7</sup> California Energy Commission (CEC). 2023. Diesel Fuel Data, Facts, and Statistics. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics>. Accessed July 27, 2023.



States Environmental Protection Agency (EPA) are three agencies with substantial influence over energy policies and programs. Generally, federal agencies influence transportation energy consumption through establishment and enforcement of fuel economy standards for automobiles and light trucks, through federal taxes on fuel, through funding of energy-related research and development projects, and through funding for transportation infrastructure projects.

On the State level, the California Public Utilities Commission (CPUC) and CEC are the two agencies with authority over different aspects of energy. The CPUC regulates privately owned utilities in the energy, rail, telecommunications, and water sectors. The CEC collects and analyzes energy-related data, prepares Statewide energy policy recommendations and plans, promotes and funds energy efficiency programs, and regulates the power plant siting process.

At the local level, the City of Sausalito, through its regulatory and planning activities, directly influences how, and to what extent, energy is used in the city. Local regulations governing the design, construction and use of buildings affect operational energy needs. Transportation and land use policy decisions directly and indirectly affect petroleum-based fuel use (e.g., mixed use land uses and improved pedestrian systems) and can affect reliance on the private automobile.

Relevant federal, State, and local energy-related laws and plans are discussed below.

## **Federal**

### **Energy Policy and Conservation Act**

The Energy Policy Act of 1975 was established in response to the oil crisis of 1973, which increased oil prices due to a shortage of reserves. The Act required that all vehicles sold in the United States meet certain fuel economy goals. Under this Act, Corporate Average Fuel Economy (CAFE) standards were established. The CAFE standards are fleet-wide averages that must be achieved by each automaker for its car and truck fleet, each year, since 1978. Since 1990, the fuel economy standard for new passenger cars has been 27.5 miles per gallon.<sup>8</sup> Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 to 23.5 miles per gallon.<sup>9</sup> Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not subject to fuel economy standards.

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<sup>8</sup> United States Department of Transportation (USDOT). 2014. Summary of Fuel Economy Performance. December 15.

<sup>9</sup> United States Department of Transportation (USDOT). 2014. Summary of Fuel Economy Performance. December 15.

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### **Energy Policy Act of 1992**

The Energy Policy Act of 1992 set goals, created mandates, and amended utility laws to increase clean energy use and improve overall energy efficiency in the United States. The Act consists of 27 titles detailing various measures designed to lessen the nation's dependence on imported energy, provide incentives for clean and renewable energy, and promote energy conservation in buildings.

### **Energy Star Program**

In 1992, the EPA introduced Energy Star as a voluntary labeling program designed to identify and promote energy-efficient products to reduce greenhouse gas (GHG) emissions. The program applies to major household appliances, lighting, computers, and building components such as windows, doors, roofs, and heating and cooling systems. Under this program, appliances that meet specifications for maximum energy use established under the program are certified to display the Energy Star label. In 1996, the EPA joined with the United States Department of Energy to expand the program, which now also includes qualifying commercial, industrial, and residential buildings. The Energy Star Most Efficient program was launched in May 2011 to identify and advance highly-efficient products in the marketplace. Its goal is to increase market awareness and promote innovation in these products. This program identifies the most efficient products among those that qualify for Energy Star in certain product categories on an annual basis.

### **Energy Policy Act of 2005**

The Energy Policy Act of 2005 seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Act, consumers and businesses can attain federal tax credits for purchasing fuel-efficient appliances and products, buying hybrid vehicles, building energy efficient buildings, and improving the energy efficiency of residential and commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary micro-turbine power plants, and solar power equipment.

### **Energy Independence and Security Act**

In 2007, the Energy Independence and Security Act was signed into law. The Energy Independence and Security Act aims to move the United States toward greater energy independence and security; increase the production of clean renewable fuels; increase the efficiency of buildings, products, and vehicles; promote research on and deploy GHG capture and storage options; and improve the energy performance of the federal government.

## **State**

### **California Renewables Portfolio Standard**

The California Renewables Portfolio Standard was established in 2002 under Senate Bill (SB) 1078, accelerated in 2006 under SB 107, expanded in 2011 under SB 2, and enhanced in 2015

by SB 350. The Renewables Portfolio Standard program requires investor-owned utilities, publicly owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 50 percent of total procurement by 2030. In 2021, PG&E served approximately 47.7 percent of its retail electricity sales with renewable power.<sup>10</sup> SB 100, passed in September 2018, accelerates the Renewables Portfolio Standard to achieve a 50 percent renewable resources target by 2026, and contained a 60 percent target by 2030, along with a goal for zero-carbon electricity by 2045.

### Reducing Dependence on Petroleum

In response to AB 2076, the CEC and the California Air Resources Board (ARB) prepared and adopted a joint agency report in August 2003, *Reducing California's Petroleum Dependence*. The report addresses both near-term and mid- to long-term strategies to reduce the demand for petroleum fuels in California. The two agencies evaluated various demand reduction options and categorized them as fuel efficiency, fuel substitution, pricing, and other options.<sup>11</sup>

### Senate Bill 1

Enacted in 2006, Senate Bill (SB) 1 is the culmination of Governor Schwarzenegger's "Million Solar Roofs Initiative" and builds on the CPUC's California Solar Initiative program, the CEC's New Solar Homes Partnership, and existing publicly-owned utility solar energy system incentive programs. SB 1 directs total expenditures of up to \$3,350,800,000 by 2017 with goals to install solar energy systems with a generation capacity equivalent of 3,000 megawatts; to establish a self-sufficient solar industry in 10 years so that solar energy systems are a viable mainstream option for homes and commercial buildings; and in 13 years to put solar energy systems on 50 percent of new homes. The overall goal is to help build a self-sustaining solar electricity market combined with improved energy efficiency in the State's residential and non-residential buildings. In 2015, SB 83 extended the life of the New Solar Homes Partnership. In June 2016, the CPUC approved Decision 16-06-006, which approved the CEC's request to direct the investor owned utilities to collect additional ratepayer funds necessary to continue the New Solar Homes Partnership and achieve the \$400 million in program funds originally authorized under SB 1 and designated the CEC as the program administrator of the continued New Solar Homes Partnership program.<sup>12</sup>

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<sup>10</sup> Pacific Gas & Electric (PG&E). 2022. 2021 Power Mix. Website: [https://www.pge.com/pge\\_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2022/1022-Power-Content-Label.pdf](https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2022/1022-Power-Content-Label.pdf)

<sup>11</sup> California Energy Commission (CEC) and California Air Resources Board (ARB). 2003. *Reducing California's Petroleum Dependence*. August.

<sup>12</sup> California Energy Commission (CEC), *Guidelines for California's Solar Electric Incentive Programs (SB 1)*, 6<sup>th</sup> Edition. Website: [https://ww2.energy.ca.gov/publications/displayOneReport\\_cms.php?pubNum=CEC-300-2016-008-CMF](https://ww2.energy.ca.gov/publications/displayOneReport_cms.php?pubNum=CEC-300-2016-008-CMF). Accessed July 27, 2023.

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### **Energy Efficiency Act of 2006**

AB 2021 encourages all investor-owned and municipal utilities to aggressively invest in achievable, cost-effective, energy efficiency programs in their service territories. The results of AB 2021 are expected to reduce forecasted electricity demand by 10 percent over 10 years from 2006 through 2016, offsetting the projected need to build 11 new major power plants. Since its inception, annual reports have been prepared by the CEC to track progress under AB 2021. The most recent report, "Achieving Cost-Effective Energy Efficiency in California: 2013 Status Update," presents an analysis of energy efficiency data compiled from investor-owned utilities' annual reports filed with the CPUC, and from the California Municipal Utilities Association who, on behalf of publicly owned utilities, annually files reports with the CEC. As a group, publicly-owned utilities achieved 64 percent of their combined annual electricity savings target that was established in 2007. Since 2006, publicly-owned utilities have spent \$737 million on energy efficiency, resulting in 2,705 GWh of reported electricity savings and 511 megawatts in peak demand reduction.<sup>13</sup>

### **Waste Heat and Carbon Emissions Reduction Act**

AB 1613, enacted in 2007 and amended by AB 2791 in 2008, directed the CEC, the CPUC, and the ARB to implement the Waste Heat and Carbon Emissions Reduction Act. The Act is designed to encourage the development of new combined heat and power systems in California with a generating capacity of not more than 20 megawatts. The Act directs the CPUC, publicly-owned electric utilities, and the CEC to establish policies and procedures for the purchase of electricity from eligible combined heat and power systems. It also directs the ARB to report on the reduction in GHG emissions resulting from the increase of new electricity generation from combined heat and power systems.<sup>14</sup>

### **State Alternative Fuels Plan**

AB 1007 required the CEC to prepare a State plan to increase the use of alternative fuels in California. In December 2007, the CEC prepared the State Alternative Fuels Plan in partnership with the ARB and in consultation with the other state, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-State production. The plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-State

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<sup>13</sup> California Energy Commission (CEC). Achieving Cost-Effective Energy Efficiency in California: 2013 Status Update. Website: <http://web.archive.org/web/20170210142732/http://www.energy.ca.gov/2014publications/CEC-200-2014-002/CEC-200-2014-002.pdf>. Accessed July 27, 2023.

<sup>14</sup> California Energy Commission (CEC). Waste Heat and Carbon Emissions Reduction Act. Website: <http://www.energy.ca.gov/wasteheat/>. Accessed July 27, 2023

production of biofuels without causing a significant degradation of public health and environmental quality.

### **Executive Order N-79-20**

In September 2020, Governor Gavin Newsom issued Executive Order N-79-20, which requires sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector. Implementation of Executive Order N-79-20 would significantly reduce California's reliance on petroleum-based fuel for transportation uses.

### **2008 Energy Action Plan Update**

The State adopted the California Energy Action Plan in 2003, followed by the Energy Action Plan II in 2005. The current plan, the California 2008 Energy Action Plan Update, is California's principal energy planning and policy document. The updated document examines the State's ongoing actions in the context of global climate change, describes a coordinated implementation plan for State energy policies, and identifies specific action areas to ensure that California's energy resources are adequate, affordable, technologically advanced, and environmentally sound. The California 2008 Energy Action Plan Update establishes energy efficiency and demand response (i.e., reduction of customer energy usage during peak periods) as the first-priority actions to address California's increasing energy demands. Additional priorities include the use of renewable sources of power and distributed generation (i.e., the use of relatively small power plants near or at centers of high demand). To the extent that these actions are unable to satisfy the increasing energy demand and transmission capacity needs, clean and efficient fossil-fired generation is supported. The California 2008 Energy Action Plan Update examines policy changes in the areas of energy efficiency, demand response, renewable energy, electricity reliability and infrastructure, electricity market structure, natural gas supply and infrastructure, research and development, and climate change.<sup>15</sup>

### **2017 Integrated Energy Policy Report**

In 2002, the Legislature passed SB 1389, which required the CEC to develop an integrated energy plan biannually for electricity, natural gas, and transportation fuels, for the California Energy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for Zero Emission Vehicles and their

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<sup>15</sup> California Energy Commission (CEC). 2008 Energy Action Plan Update. Website: [https://www.cpuc.ca.gov/-/media/cpuc-website/files/uploadedfiles/cpuc\\_public\\_website/content/utilities\\_and\\_industries/energy\\_-\\_electricity\\_and\\_natural\\_gas/2008-energy-action-plan-update.pdf](https://www.cpuc.ca.gov/-/media/cpuc-website/files/uploadedfiles/cpuc_public_website/content/utilities_and_industries/energy_-_electricity_and_natural_gas/2008-energy-action-plan-update.pdf). Accessed July 27, 2023.

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## Housing Element Programs EIR

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infrastructure needs, and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.

The 2017 Integrated Energy Policy Report, was adopted by the CEC on April 16, 2018, and provides CEC's assessments of a wide variety of energy issues currently facing California.<sup>16</sup> These issues include implementation of SB 350, integrated resource planning, distributed energy resources, transportation electrification, solutions to increase resiliency in the electricity sector, energy efficiency, barriers faced by disadvantaged communities, demand response, transmission and landscape-scale planning, the California Energy Demand Preliminary Forecast, the preliminary transportation energy demand forecast, renewable gas (in response to SB 1383), updates on Southern California electricity reliability, natural gas outlook, and climate adaptation and resiliency.

### **2019 Energy Efficiency Action Plan**

The 2019 Energy Efficiency Action Plan is a comprehensive roadmap to achieving the state's energy efficiency and building decarbonization goals. The Energy Efficiency Action Plan applies key energy efficiency principles to California's energy vision and climate goals to support the development of robust, sustainable efficiency marketplaces that deliver multiple benefits to California residents. The anticipated results are a consistent increase in energy efficiency savings through 2030, much more widespread customer adoption of energy efficient practices and equipment, and overall reduction of GHG emissions from buildings.<sup>17</sup>

### **Clean Energy and Pollution Reduction Act**

In October 2015, Governor Brown signed SB 350, the Clean Energy and Pollution Reduction Act, establishing new clean energy, clean air, and GHG reduction goals for 2030 and beyond. SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020, to 50 percent by 2030. This will increase the use of Renewables Portfolio Standard eligible resources, including solar, wind, biomass, geothermal, and others. In addition, SB 350 requires the State to double Statewide energy efficiency savings in electricity and natural gas end uses by 2030. To help ensure these goals are met and GHG emission reductions are realized, large utilities will be required to develop and submit Integrated Resource Plans. These Integrated Resource Plans will detail how each entity will meet their customers resource needs, reduce GHG emissions, and ramp up the deployment of clean energy resources.<sup>18</sup>

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<sup>16</sup> California Energy Commission (CEC). 2017 Integrated Energy Policy Report, Publication Number: CEC-100-2017-001-CMF.

<sup>17</sup> California Energy Commission (CEC). 2019 Energy Efficiency Action Plan. Website: <https://www.energy.ca.gov/filebrowser/download/1900>. Accessed July 27, 2023.

<sup>18</sup> California Energy Commission (CEC). Clean Energy and Pollution Act SB 350 Overview. Website: <http://www.energy.ca.gov/sb350/>. Accessed July 27, 2023.



### **California Building Codes**

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR] Title 24, Part 6) were first established in 1978 to reduce California's energy consumption. Energy efficient buildings require less electricity, natural gas, and other fuels, the use of which creates GHG emissions. The Title 24 standards are updated on a 3-year schedule. On January 1, 2023, the 2022 standards went into effect.

In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The Standards are divided into three basic sets. First, there is a basic set of mandatory requirements that apply to all buildings. Second, there is a set of performance standards – the energy budgets – that vary by climate zone (of which there are 16 in California) and building type; thus, the Standards are tailored to local conditions. Finally, the third set constitutes an alternative to the performance standards, which is a set of prescriptive packages that are basically a recipe or a checklist compliance approach.

The CEC estimates that the 2022 Title 24 standards will reduce 10 million metric tons of GHG over 30 years. When compared to the 2019 Title 24 standards, the 2022 update focuses on: encouraging electric heat pump technology and use; establishing electric-ready requirements when natural gas is installed; expanding solar photovoltaic (PV) system and battery storage standards; and strengthening ventilation standards to improve indoor air quality.

### ***Regional***

#### **Marin Climate & Energy Partnership**

Created in 2007, the mission of the Marin Climate & Energy Partnership (MCEP) is to reduce GHG emissions levels to the targets of Marin County and local municipalities, consistent with the standards set by AB 32. All 11 Marin cities and towns, the Marin County Community Development Agency, the Transportation Authority of Marin, and the Marin Municipal Water District are members. In 2009, MCEP developed a green building strategic plan and green building policies which resulted in the Marin Green Building, Energy, Retrofit & Solar Transformation Model Ordinance. The Marin Community Foundation provided funding for this effort, as well as funds to develop Climate Action Plans (CAPs) for six partner jurisdictions. Partner members have agreed to use their adopted CAPs to identify mutual measures to reduce community-wide GHG emissions and develop policies and programs to support priority measures. The City worked closely with the MCEP to complete its 2015 CAP and implement a coordinated approach to local and regional emissions reduction targets and climate action planning goals.

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### **Local**

#### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing energy consumption:

##### *Community Design, Historic, and Cultural Preservation Element*

Program CD-2.1.3: Green Building Ordinance. Adopt a green building ordinance that requires green building strategies and provides targets for energy efficiency savings that meets or exceed state building and energy codes.

##### *Circulation and Parking Element*

Policy CP-3.1: Public Bus Service. Encourage the maintenance of a safe, efficient, and reliable bus service.

Policy CP-3.2: Alternative Transportation. Improve the efficiency of the existing transportation system and reduce the reliance on the private automobile by emphasizing alternative transportation modes.

Policy CP-3.3: First/Last Mile Programs. Expand first- and last-mile programs to connect transit to destinations, aligning with Metropolitan Transportation Commission goals.

Policy CP-5.1: Bicycle Master Plan. Plan, design, implement, and maintain bicycle infrastructure in Sausalito according to a Bicycle Master Plan.

Policy CP-5.7: Pedestrian Trails and Paths. Maintain, improve, and extend existing public paths and stairways for use by residents and establish new pathway connections to complete the system as shown on Figure 5-3 [of the General Plan].

Policy CP-5.11: Development Plan Review. New development and substantial remodels in the Marinship should give special attention to the establishment and enhancement of pedestrian and bicycle pathways.

##### *Sustainability Element*

Program S-1.2.1 Passive Climate Control. Encourage designs that promote passive climate control through materials and form in new developments or substantial remodels, including utilizing passive solar energy methods to reduce energy consumption to the extent feasible consistent with other design considerations, such as view retention, glare, and other requirements.

Program S-1.2.6 Energy Efficiency Programs. Promote and expand participation in residential and commercial energy efficiency programs, including promoting utility, state, and federal rebate and incentive programs at the planning counter to those applying for permits, and other actions recommended in the LEAP.

Program S-1.2.10: State Alignment. Link efficiency to California Long-Term Energy Efficiency Strategic Plan.

Policy S-1.3 Renewable Energy, Residential, and Commercial. Encourage renewable energy generation and installations and/or purchasing MCE 100 percent renewable Deep Green service level in residential and commercial buildings.

Program S-1.3.9: LEAP Updates. Continue to update and implement the Low Emissions Action Plan as new technology and implementation measures become available. Ensure the LEAP reflects or exceeds best practices in climate action leadership as expressed in federal, state, or regional guidance.

Policy S-1.4: Natural Gas Replacement. Evaluate electrification, or evaluate alternative renewable energy sources, for building systems that currently use natural gas for heating.

Program S-4.1.1: Install an Advanced Community Energy (ACE) system with solar canopy, energy storage, and EV chargers ideally at public parking areas near Ferry Landing. Exact location to be recommended by the Sustainability Commission.

Program S-4.1.4: Leadership Culture. Coordinate closely with the Sustainability Commission to recommend creative and cutting-edge projects that will cost-effectively reduce greenhouse gases and other emissions in the city.

### **Sausalito Municipal Code**

Chapter 8.18 of the Municipal Code (Energy Code) adopts the 2019 California Energy Code, Title 24, Part 6, and incorporates the code into the Sausalito Municipal Code.

Chapter 8.52 (Water Conserving Landscaping) contains regulations to support water conservation. All landscaping proposed for review and/or approval by the City shall comply with the provisions of the Water conservation Ordinance 326 adopted by the Marin Municipal Water District.

Chapter 8.54 (Construction and Demolition Waste Recovery) promotes the redirection of recyclable materials generated during construction away from landfills. All project applicants are required to complete and submit a recycling management plan to estimate the volume of debris to be generated during construction and the estimated amount of debris that would be sent to the landfill. The intent of Chapter 8.54 is to divert at least 50 percent of all debris waste from most construction, demolition, and renovation projects away from local landfills.

Chapter 11.12 (Preservation of Trees and Views) acknowledges the contribution of trees to the character and beauty of the city and provides guidelines to address potential conflicts between preservation of trees and view-related values. This chapter also encourages and promotes the planting and proper husbandry of trees throughout the city.

Chapter 11.30 (Single Use Carryout Bags) is intended to reduce the amount of plastic bag pollution in the environment, reduce the impacts of paper bags which cause other forms of pollution and greenhouse gas emissions, and encourage reusable bags by consumers and retailers.

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Chapter 17.28 (Trees, Shrubs and Plants) describes protections for trees in the public realm, including prohibitions against cutting, pruning, injuring, removing or spraying public trees, as well as prohibitions against attaching appurtenances or interfering with work on trees by city employees.

### **Sausalito Climate Action Plan**

The City's CAP was adopted in 2015.<sup>19</sup> The City's CAP includes strategies and actions related to energy conservation and efficiency in the following areas:

CAP 1-1: Residential Green Building Ordinance. Update building codes to mandate higher building energy performance in newly constructed residential buildings.

CAP 1-2: Commercial Green Building Ordinance. Update building codes to mandate higher building energy performance in newly constructed non-residential buildings.

CAP 1-3: Solar Energy. Encourage residents and business to install solar energy systems.

CAP 1-4: Residential Energy Efficiency. Participate in rebate and incentive programs such as Energy Upgrade California and promote existing rebates and programs offered through the Marin Energy Watch Partnership, Marin Clean Energy, and PG&E.

CAP 1-5: Commercial Energy Efficiency. Promote commercial and industrial energy efficiency and demand response programs provided through the Marin Energy Watch Partnership and Marin Clean Energy.

CAP 1-7: Residential Electricity. Encourage homeowners to purchase 100 percent renewable electricity, such as Marin Clean Energy's Deep Green energy program.

CAP 1-8: Public Lighting. Replace all streetlights, traffic signals, and park lighting with energy-efficient LED lighting.

CAP 1-9: Municipal Energy Efficiency Projects. Identify and complete energy-efficiency projects, such as those identified by the Marin Energy Management Team.

CAP 1-10: Municipal Energy Efficiency Protocols and Equipment. Install energy management software and implement energy efficiency protocols such as turning off lights and computers when not in use and reducing energy use through thermostat control. Adopt a sustainable purchasing policy that emphasizes recycled materials and Energy Star-certified appliances and office equipment.

CAP 1-11: Municipal Solar. Complete a feasibility study on the installation of solar or other renewable energy projects at select City facilities, such as the Martin Luther King School facilities and City parking lots, and install where feasible. Work with Marin Clean Energy to identify and construct a solar energy site.

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<sup>19</sup> City of Sausalito. 2015. City of Sausalito Climate Action Plan. June 16. Website: <https://www.sausalito.gov/home/showdocument?id=17750>. Accessed July 27, 2023

CAP 1-12: Municipal Electricity. Purchase 100 percent renewable electricity for all City facilities, such as Marin Clean Energy's Deep Green energy program.

CAP 2-1: Bicycle and Pedestrian Transportation. Encourage bicycling and walking as a safe and efficient means to travel around Sausalito.

CAP 2-2: School Transportation. Encourage bicycling, walking, carpooling, and taking public transit to school.

CAP 2-3: Carpooling. Support and promote ride sharing programs.

CAP 2-4: Public Transportation. Support and promote public transportation.

CAP 2-5: Teleworking. Support and encourage employers to implement green commute alternatives including teleworking, as outlined by the Transportation Authority of Marin.

CAP 2-6: Electric Vehicles. Increase ownership of electric vehicles.

CAP 2-7: Market Price Parking. Establish market price parking at metered parking spaces to eliminate cruising for available spaces.

CAP 2-8: High-Efficiency City Vehicles. Purchase or lease low or zero-emissions vehicles and the most fuel efficient models possible for the city fleet, including construction vehicles.

CAP 2-9: City Employee Commute. Provide city employees with incentives to use alternatives to single occupant auto commuting, such as transit incentives, bicycle facilities, ridesharing services and subsidies, flexible schedules, and telecommuting when practical.

CAP 4-1: Indoor Water Efficiency and Conservation.

CAP 4-2: Outdoor Water Efficiency and Conservation. Work with Marin Municipal Water district to promote existing and new rebates for water-efficient landscaping and irrigation systems and controllers. Support additional water-efficient landscape requirements if needed to meet water conservation targets.

CAP 4-3: Rainwater Catchment. Promote existing and new rebates for water storage facilities. Review existing building and zoning codes and permitting procedures and revise as necessary to encourage cisterns and other rainwater storage facilities.

CAP 4-4: Greywater. Review existing building and zoning codes and permitting procedures and revise as necessary to encourage cisterns and other rainwater storage facilities.

CAP 4-5: Energy Production from Wastewater. Work with the Sausalito-Marin City Sanitation District to implement methane capture for energy production at the wastewater treatment plant.

CAP 4-6: Municipal Water Conservation. Assess, maintain and repair existing plumbing fixtures, pipes, and irrigation systems in all City buildings, facilities and landscaping to minimize water use.

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CAP 4-7: Municipal Wastewater Pumps. Evaluate the City's wastewater pumping stations and replace inefficient motors and pumps with more efficient units.

### 3.5.3 THRESHOLDS OF SIGNIFICANCE

According to the CEQA Guidelines Appendix G, implementation of the Housing Element Programs project would have a significant impact related to energy resources if it would:

- Result in the wasteful, inefficient, or unnecessary consumption of energy during project construction or operation, including transportation energy; or
- Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

### 3.5.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to energy resources resulting from implementation of the Housing Element Programs project are discussed below. This analysis is based on operational energy demand that would result from projected future growth at buildout of the Housing Element Programs project. The California Emissions Estimator Model (CalEEMod Version 2022.1) was used to compute energy demand (see Appendix B).

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**Impact 3.5-1      Implementation of the Housing Element Programs project could result in the wasteful, inefficient, or unnecessary consumption of energy during project construction or operation, including transportation energy.**

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Implementation of the Housing Element Programs would utilize energy resources during construction and operational activities of individual projects pursued under the Housing Element Programs project. Energy resources that would be potentially impacted include electricity, natural gas, and petroleum-based fuel supplies and distribution systems.

#### ***Construction Energy Usage***

Construction activities associated with the Housing Element Programs project would consume energy in the form of petroleum fuel for heavy equipment, as well as from worker trips and material delivery trips to the construction sites. Temporary electrical grid power may also be provided to construction sites. It is too speculative at this time to calculate energy usage associated with construction activities because the details regarding future construction activities are not known, including phasing, construction duration, and construction equipment. It should be noted that future development projects may require individual project-level environmental review that tiers off of this Program EIR to assess potential construction-related energy consumption impacts.



New development pursued under the Housing Element Programs project would be subject to energy conservation requirements in the California Energy Code (Title 24, Part 6, of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and CALGreen (Title 24, Part 11 of the California Code of Regulations). The City of Sausalito also requires submittal of a CALGreen checklist for projects subject to design review to ensure energy conservation.

The Sausalito Municipal Code contains rules and regulations to reduce energy usage during construction. Specifically, Chapter 3.36 establishes construction traffic road fees, which would indirectly reduce construction-related traffic, by creating additional specific financial disincentives of generating construction traffic beyond what is needed. Reduced construction-related traffic would reduce overall construction-related energy usage during construction.

Based on standards for new construction established by the State and the Bay Area Air Quality Management District (BAAQMD), and adherence to the development standards in the Sausalito Municipal Code, activities associated with implementation of the Housing Element Programs project would not result in wasteful, inefficient, or unnecessary consumption of energy. Therefore, implementation of the Housing Element Programs project will have a ***less-than-significant*** impact under this criterion.

### ***Operational Energy Usage***

Implementation of the Housing Element Programs project may result in development of up to 959 new residential units and 16,852 new square feet of nonresidential uses. Operation of the potential new development in the city would consume natural gas and electricity for building heating and power, lighting, and water conveyance, among other operational requirements. The electrical consumption and natural gas usage associated with the potential development have been calculated in the CalEEMod model, which found that the potential development under the Housing Element Programs project would consume 4,109,545 kWh of electricity per year and 24,987,677 kilo-British Thermal Units (kBtUs) of natural gas per year.

In addition, the 2022 California Code of Regulations Title 24 Part 6 standards require all homes built in California to have zero-net-energy use, which is achieved through energy-efficiency measures as well required rooftop solar photovoltaic systems. It is anticipated that the future development within the city would be designed and built to minimize electricity and natural gas usage.

The Vehicle Miles Traveled (VMT) created from implementation of the Housing Element Programs project has been analyzed in Section 3.14, Transportation, which found that with implementation of the proposed Housing Element Programs, the residential VMT per capita in the City of Sausalito is projected to be 13.3 miles, which is a reduction from existing levels

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of 15.1 miles per capita. Similarly, nonresidential VMT would be 19.4 miles with implementation of the Housing Element Programs, compared to 25.9 miles under existing conditions. The reduction in VMT per capita would result in improvements to energy efficiency for transportation-related energy usage.

Due to the passage of the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, which removed the waiver allowing California to set its own vehicle emissions standard, the State is now reliant on the EPA to set vehicle efficiency standards. As such, the most recent national miles per gallon rate of 22.3 miles per gallon for light-duty vehicles has been utilized from Bureau of Transportation Statistics, resulting in the estimated consumption of an additional 7,272 gallons of petroleum fuel per year with implementation of the project.<sup>20</sup> In September 2020, Governor Gavin Newsom issued Executive order N-79-20, which requires sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector, indicating that further reductions in vehicle emissions, and therefore fuel consumption, will be forthcoming through buildout of the Housing Element Programs project.

The Circulation and Parking Element of the General Plan contains several policies and programs that assist in reducing petroleum fuel use. Policy CP-3.1 encourages the maintenance of a safe, efficient, and reliable bus service. Policy CP-3.2 seeks to promote alternative transportation modes to reduce the reliance on private automobiles. Policy CP-3.3 expands the first- and last-mile programs to connect transit to destinations and supports park and ride areas within the city. Policy CP-5.1 calls for the City to implement and maintain bicycle infrastructure in Sausalito according to the Bicycle Master Plan. Policy CP-5.7 seeks to maintain, improve, and extend pedestrian trails. Policy CP-5.11 requires that new development and substantial remodels in the Marinship give special attention to the establishment and enhancement of pedestrian and bicycle pathways. Therefore, potential new development that may occur from implementation of the Housing Element Programs project would be designed and built to minimize transportation energy through the promotion of the use of alternative transportation modes.

In addition, all new development in the city would be required to meet State energy efficiency regulations that include Title 24 Part 6 building energy efficiency standards that require new residential uses to meet a net zero energy use standard, that is met through installation of rooftop solar PV systems, enhanced insulation and energy-efficient appliances. The Title 24 Part 6 requirements also require nonresidential buildings to be designed for increased energy-efficiency standards. Other State energy-efficiency regulations include SB 100 that requires 100 percent of retail sales of electricity to be generated from zero-carbon emission sources by 2045 and Executive Order N-79-20 that requires 100 percent of new passenger vehicles sold in California to be zero-emissions by 2035.

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<sup>20</sup> Bureau of Transportation Statistics. 2023. Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles. Website: <https://www.bts.gov/content/average-fuel-efficiency-us-light-duty-vehicles>. Accessed July 27, 2023.

Based on compliance with the City's General Plan policies and programs, adherence to the development standards in the Sausalito Municipal Code, and compliance with State regulations operations associated with implementation of the project, energy consumption would not be wasteful, inefficient, or unnecessary. These policies and programs would minimize demands for energy resources and ensure their efficient use. Therefore, implementation of the Housing Element Programs project would not result in the wasteful, inefficient use, or unnecessary consumption of energy. Therefore, implementation of the project will have a ***less-than-significant impact***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

**Level of Significance after Mitigation**

Less than Significant

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**Impact 3.5-2      Implementation of the Housing Element Programs would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.**

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Implementation of the Housing Element Programs project would result in increase in new residential and nonresidential uses. Potential new development that may occur from the project would be required to comply with the City's General Plan policies and programs and adherence to the development standards within Titles 8, 9 and 10 in the Sausalito Municipal Code related to energy consumption and conservation.

The City of Sausalito adopted its CAP in June 2015, which addresses potential impacts related to climate change through the implementation of several energy efficiency measures that are listed in Section 3.5.2, Regulatory Setting. All future development associated with the Housing Element Programs project would be required to implement all applicable energy-efficiency measures listed in the CAP. In addition, all future development would be required to adhere to the Sausalito Municipal Code, which contains rules and regulations regarding energy efficiency. Chapter 8.18 adopts the 2019 California Energy Code, Title 24, Part 6, and incorporates the code into the Sausalito Municipal Code. Chapter 8.52 contains regulations to support water conservation. These measures help to reduce energy consumption. Chapter 3.36 establishes construction traffic road fees, which is designed to defray the cost of road repairs related to damage caused by construction vehicles, and which would also reduce construction-related traffic. Reduced construction-related traffic would reduce overall construction-related energy usage during construction.

In addition, the Housing Element Programs project would be required to comply with applicable State or regional plans for renewable energy or energy efficiency, that include

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Plan Bay Area 2050, BAAQMD 2017 Clean Air Plan, 2007 State Alternative Fuels Plan, including Executive Order N-79-20 that requires 100 percent of new passenger vehicles sold in California to be zero-emissions by 2035, 2008 Energy Action Plan Update, 2011 Energy Efficiency Strategic Plan, and SB 100 that requires 100 percent of retail sales of electricity to be generated from zero-carbon emission sources by 2045.

Plan Bay Area 2050, the Bay Area's regional long-range plan adopted by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), includes thirty-five strategies. The Housing Element Programs project would be required by law to not conflict with any of these strategies, including those associated with housing and transportation. For example, the project would not conflict with Strategy H.3, which requires the Allowance of a greater mix of housing densities and types in "growth geographies". Although the strategies are designed to apply at the regional level rather than the local level, the project would not conflict with any of the strategies that would apply to the project.

The BAAQMD 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how the BAAQMD will continue our progress toward attaining all state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve those GHG reduction targets. The 2017 Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants; to reduce emissions of methane and other "super-GHGs" that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion. The project would be required to comply with all applicable control measures, including those that affect energy both directly and indirectly.

The California Energy Commission, in partnership with the California Air Resources Board, prepared the State Alternative Fuels Plan as required by Assembly Bill 1007. The Final Commission Report was adopted on December 5, 2007. The Project relates to alternative fuels for vehicles, and therefore the project, which relates to housing element programs rather than alternative fuels for vehicles, would not conflict with this plan.

Executive Order N-79-20 set new statewide goals for phasing out gasoline-powered cars and trucks in the state. The project would not directly impact cars and trucks in the state; therefore, the project would not conflict with this Executive Order.

Furthermore, the California Public Utilities Commission prepared the 2008 Energy Action Plan Update in February 2008, and the 2011 Energy Efficiency Strategic Plan in January 2011. These plans provide roadmaps for improving energy efficiency. The project would not conflict with these plans, particularly as the energy efficiency requirements of the state

would become more stringent over time, including via the latest version of the CalGreen Standards and the California Building Standards.

SB 100, officially titled “The 100 Percent Clean Energy Act of 2018,” Senate Bill 100 (SB 100, De León), sets a 2045 goal of powering all retail electricity sold in California and state agency electricity needs with renewable and zero-carbon resources — those such as solar and wind energy that do not emit climate-altering greenhouse gases, Updates the state’s Renewables Portfolio Standard to ensure that by 2030 at least 60 percent of California’s electricity is renewable, and requires the Energy Commission, Public Utilities Commission and Air Resources Board to use programs under existing laws to achieve 100 percent clean electricity and issue a joint policy report on SB 100 by 2021 and every four years thereafter. Nothing in the project would conflict with any of these provisions of SB 100.

In addition, compliance with the City’s CAP policies, General Plan policies and programs, and adherence to the development standards in the Sausalito Municipal Code, would ensure that potential new development associated with implementation of the project will not conflict with or obstruct State or local plans for renewable energy or energy efficiency. Therefore, implementation of the project will have a ***less-than-significant impact*** under this criterion.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

**Level of Significance after Mitigation**

Less than Significant

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**Impact 3.5-3      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to energy resources.**

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This analysis evaluates whether the impacts of the Housing Element Programs project, together with the impacts of cumulative development, could result in a cumulatively significant impact with respect to energy resources. This analysis then considers whether the incremental contribution of the impacts associated with the implementation of the project would be considerable. Both conditions must apply for a project’s cumulative effects to rise to the level of a significant impact.

The geographic context for this analysis includes the Sausalito Planning Area, Marin City, Mill Valley, Tiburon, Belvedere, and other adjacent unincorporated areas. Past, present, and future development projects contribute to energy impacts. All cumulative projects would be required to comply with local ordinances and policies that address energy conservation and energy efficiency, such as complying with the latest California Energy Code.

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The Plan Bay Area 2050 EIR notes that mitigation, via climate action plans for individual jurisdictions, or other programs, including retrofitting existing buildings, installing renewable energy facilities that replace reliance on fossil-fuel power in the region, altering the vehicle fleet (toward more non-fossil fuel-powered vehicles), and implementing other measures would be required to meet the goals needed for the State to attain the 2030 and 2050 targets for GHG emissions reductions and energy efficiency. However, there is no assurance that the measures would reduce energy consumption impacts to a less-than-significant level. Therefore, the cumulative impact of development on energy resources is potentially significant.

Implementation of the Housing Element Programs project would develop both residential and nonresidential uses, resulting in the consumption of energy resources during both the construction and operational phases of individual projects. Individual projects would conserve energy and not result in the wasteful, inefficient, or unnecessary consumption of energy. Therefore, implementation of the project will have a ***less-than-significant impact***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

### Level of Significance after Mitigation

Less than Significant



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### 3.6 GEOLOGY, SOILS, AND SEISMICITY

This section of the Draft EIR addresses potential physical environmental effects related to seismic hazards, underlying soil characteristics, slope stability, erosion, and paleontological resources within the Sausalito Planning Area from taking actions to implement the Housing Element Programs.

Information in this section is based, in part, on statements, data, and figures provided by the following reference materials:

- Sausalito General Plan;
- Sausalito General Plan Environmental Impact Report;
- Sausalito Municipal Code;
- United States Department of Agricultural Natural Resource Conservation Service Web Soil Survey;
- United States Geological Survey interactive fault map; and

Further, a paleontological records search of the University of California Museum of Paleontology (UCMP) was performed Dr. Kenneth Finger on September 11, 2017, for the City General Plan.<sup>1</sup> Findings from this records search are incorporated into this Draft EIR.

#### 3.6.1 EXISTING SETTING

This section includes a discussion of existing geologic, soil, and seismic conditions in the Sausalito Planning Area. This section also describes seismic and other geologic hazards and paleontological resources as they relate to the Planning Area.

#### *Geology*

The General Plan EIR discusses the general geologic environment that underlies, and surrounds, the City. The City of Sausalito is located within the central portion of the Coast Range Geomorphic Province of California, at the base of foothills southeast of Mount Tamalpais in the north San Francisco Bay Area. This geomorphic unit is characterized by northwest-trending valleys and mountain ranges, which are generally parallel to major geological structures such as the San Andreas Fault system of active faults.

Underlying bedrock in the City is of the Franciscan Assemblage bedrock unit, which is of upper Jurassic to Cretaceous age (140 to 65 million years old). Three bedrock units are exposed within the City: Franciscan greenstone in the southwest, chert in the south in an elevation above approximately 100 feet, and mélangé in the northern half of the City.

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<sup>1</sup> Finger, Kenneth L. 2017. Paleontological Records Search for City of Sausalito General Plan. September 11.

### **Soils**

The General Plan EIR states that there are six different soil types throughout the Sausalito Planning Area. The following describes the more predominant soil types. Site-specific geotechnical surveys conducted during the environmental review process for a subsequent project would determine accurate soil types that underlay each specific project area.

Colluvium soil, found in many hillside swales and small valleys in the City, is a thick soil deposit formed via erosion. It may include some deposits of alluvium—stream sediments—in flat-lying valley bottoms. Natural mud and man-made fill are present in the relatively flat area along the water, a few large fills can be found along Highway 101, and many small fills are found in developed hillsides throughout the City.

Most of the City's coast is underlain by the Urban land-Xerorthents complex, with slopes ranging from 0 to 9 percent. The General Plan EIR explains that the central, southern, and western portions of the Sausalito Planning Area are underlain by Tamalpais-Barnabe variant very gravelly loams, with slopes ranging from 30-50 percent in the western and central areas and 50-75 percent in the southern areas. A large portion of the Planning Area, generally bound by Easterby Street to the north and Bridgeway/Sausalito Boulevard to the south, contains soils that are predominantly comprised of the Tocaloma-McMullin-Urban land complex, with 30 to 50 percent slopes.<sup>2</sup>

### **Regional Faulting**

The San Andreas Fault Zone is a dominant geologic feature within the State of California. This fault zone is the boundary between the Pacific and North American Tectonic Plates, which has played a crucial role in California's geologic history.

The Sausalito Planning Area, like much of the San Francisco Bay Area, is vulnerable to seismic activity due to several active faults in the region. As shown on Figure 3.6-1, the closest and most prominent active fault in the vicinity of the Planning Area is the San Andreas Fault, located approximately 7 miles to the west.<sup>3</sup> An "active" fault is one that has experienced displacement within the last 11,000 years and is expected to move again.<sup>4</sup> Other active faults in the vicinity of the Planning Area include the San Gregorio Fault, approximately 8 miles southwest, and the Hayward Fault, approximately 12 miles east.

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<sup>2</sup> United States Department of Agriculture (USDA), Natural Resources Conservation Service. (NRCS) 2019. Soil Map-Marin County, California. September. Website: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> . Accessed October 25, 2022.

<sup>3</sup> United States Geological Survey (USGS). U.S. Quaternary Faults. Website: <https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf>. Accessed October 25, 2022.

<sup>4</sup> California Department of Conservation. 2003. Note 31: Faults and Earthquakes in California. January.

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### **Seismic Hazards**

Earthquake hazards in the City of Sausalito can be categorized as primary hazards, which include fault rupture, ground shaking, and secondary hazards. Secondary hazards may include liquefaction, seismically induced landslides, subsidence, and seismically induced water inundation. Both hazard categories can result in extensive property damage, personal injury, and/or death. Seismically induced water inundation is described in Section 3.9, Hydrology and Water Quality.

### **Ground Shaking**

The most widespread effect of an earthquake is ground shaking, or movement of the Earth's surface in response to seismic activity. Ground shaking is often the greatest cause of physical damage. Buildings and utility facilities may suffer severe damage or collapse if not properly designed to withstand shaking.

California has a long history of strong earthquakes that have affected communities in the San Francisco Bay Area. The largest earthquake to occur within 10 miles of the City was the 1906 San Francisco Earthquake (7.8 magnitude) that occurred along the San Andreas Fault. The City's proximity to fault zones and other potentially active faults suggests a high probability that a strong earthquake will occur in the future in the City's vicinity.

As depicted in Figure 3.6-2, the Sausalito Planning Area is located within Zone IV (violent) and Zone VIII (severe) of the Modified Mercalli Intensity (MMI) Shaking Severity Level. The MMI estimates the intensity of shaking from an earthquake at a specific location or over a specific area by considering its effects on people, objects, and buildings. At high intensities (MMI  $\geq$  6), earthquake shaking damages buildings. The severity of the damage depends on the building type, the age of the building, and the quality of the construction. Masonry and non-ductile concrete buildings can be more severely damaged than wood-frame or engineered buildings. Buildings built to older building codes can be more severely damaged than recently constructed buildings using newer codes.<sup>5</sup>

The major threat to people in the City is structural failure of buildings or failure of soil on slopes. Because of the steep slopes above the City and the San Francisco Bay Area's network of faults, it is essential to enforce strict earthquake construction and soil engineering standards to select the most stable building sites and compensate for soil instabilities.

A key factor affecting the extent of damage a building might sustain from an earthquake are subsurface conditions. Areas underlain by soft sediment, such as Bay Mud, are most susceptible to amplified ground shaking and damage to structures. As part of the development of several areas along the City's coastline, fill has been placed over Bay Mud, making these areas more likely to experience substantially stronger ground shaking than

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<sup>5</sup> Association of Bay Area Governments (ABAG) Resilience Program. Modified Mercalli Intensity Scale. Website: <http://resilience.abag.ca.gov/shaking/mmipopup/>. Accessed October 19, 2022.

nearby areas underlain by bedrock at a shallow depth. An estimate of the amount of ground shaking amplification can be reached via careful geotechnical analysis.

In the 1990s, the City conducted an inventory of unreinforced masonry (URM) buildings that could become a significant public safety risk in the event of an earthquake, and identified the need for a structural analysis of such buildings to define the extent of work needed to strengthen them. The inventory identified 10 URM buildings within the City of Sausalito, all in the Downtown and Caledonia Street areas. According to the General Plan EIR, as of October 2017, while progress has been made, not all recommended structural analysis and seismic retrofitting work has been completed.

### **Surface Rupture**

Surface rupture, or a break in the ground's surface and associated displacement caused by fault movement, is directly correlated to earthquake magnitude. Earthquakes having a magnitude of 5.5 or greater are generally required for such events to occur. During the 1906 San Francisco Earthquake, ground rupture occurred along the San Andreas Fault. No fault zones underlie City limits, so the present risk of structural damage due to fault rupture is minimal.

### **Ground Failure**

Ground failure is a secondary effect of earthquake shaking that can be potentially dangerous and damaging. Ground failure effects include landslides, rock falls, subsidence, liquefaction, and ground lurching in areas not actually ruptured by a fault. These activities involve ground surface displacement due to loss of strength or failure of underlying materials during earthquake shaking. Moisture content and groundwater levels are important in assessment of ground failure potential, as are soil type and slope instability.

#### *Subsidence/Liquefaction*

Subsidence is the sinking of the ground surface caused by compression of soil layers. Seismically induced subsidence occurs in loose to medium density unconsolidated soils above groundwater. Subsidence can be exacerbated by increased loading from structures. This hazard can be mitigated prior to development through removal and re-compaction of loose or poorly consolidated soils.

Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by an earthquake, removing structural support. As such, liquefaction is more likely to occur in areas with a shallow water table.

Liquefaction Susceptibility within the Sausalito Planning Area is shown in Figure 3.6-3. In the event of an earthquake, the areas in the vicinity of Bridgeway in low-lying coastal areas have a very high probability of experiencing subsidence and/or liquefaction due to loosely compacted soil. The area bound by Stanford Way to the north and Nevada Street to the south, also has a very high susceptibility to liquefaction. The risk for liquefaction within the remaining portions of the Planning Area is low and very low.

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### *Lateral Spreading*

Liquefaction-induced lateral spreading generally occurs on gentle slopes of 0.3 to 5 percent underlain by loose sands and a shallow water table. If liquefaction occurs because of an earthquake, unsaturated topsoil can slide as an intact block over a lower, liquefied layer. Displaced soil proceeds down-slope or toward a steep free-face, such as a stream bank or road cutting. Geologic conditions conducive to lateral spreading are frequently found along streams and other waterfronts. Within the City of Sausalito, the risk of lateral spreading is moderate to low in low-lying coastal areas, and very low in upland areas.

### *Landslides and Slope Instability*

Seismic ground shaking can also result in landslides and other slope instability. Slope stability is affected by several interrelated factors, such as steepness, weak unconsolidated soil units, high clay content formations, water saturation, vegetation removal, and seismic activity.

Landslides occur when slopes become unstable and masses of material move downslope. Landslides are usually rapid and can be triggered by earthquakes. Mudslides and slumps are a shallower type of slope failure. They typically affect upper soil horizons rather than bedrock features and are more common.

Landslide hazard within City limits is primarily concentrated in one area in the northwest portion of the City near Sacramento Avenue, as shown on Figure 3.6-4. Mapped slope failures that began near or within City limits were generally the result of rainfall that caused slow-moving slump or earthflow movement; however, landslides can also be caused by movement during large earthquakes and excavation into hillsides, which has caused several landslides along Highway 101 in Marin County. A landslide in February 2017 occurred on San Carlos Avenue near Bridgeway and caused power outages. Another landslide occurred on Alexander Avenue just south of the City and closed the road. A recent landslide in the City occurred on February 14, 2019, near the 400 block of Sausalito Boulevard. This slide originated downslope of Highway 101 and destroyed a duplex and a single-family home. Another recent landslide occurred in August of 2019; this incident caused a rock to fall onto the southbound Highway 101 and smash into a vehicle.<sup>6</sup> In response to these landslides and additional minor slides that occurred in 2019, the City Council established the Landslide Task Force on June 11, 2019. The purpose of the Landslide Task Force was to identify the needs of the City for an update and assessment of its vulnerability to future landslide disasters causing harm to the residents and property. The Landslide Task Force also assessed the contributing factors to identify early warning signs and proactive measures as part of a preventive program to help mitigate potential slides in vulnerable areas using modern methods and technologies. Finally, the Landslide Task Force developed a plan for residents

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<sup>6</sup> California Geological Survey. Reported California Landslides. Website: <https://www.conservation.ca.gov/cgs/landslides>. Accessed October 19, 2022.

to report changed conditions in their neighborhood and develop a program to attempt to minimize risks from mudslides, landslides, and water invasion.<sup>7</sup>

### **Other Geologic Hazards**

#### **Soil Creep**

Soil creep is the slow, down slope movement of near-surface materials. Soil creep is possible on the City's hillside slopes. The rate of soil creep is a function of slope angle, soil thickness, and texture. It can be regarded as a continuous process, and may cause retaining walls, foundations, and paved roads to fail over time without any obvious signs of slope failure.

#### **Expansive Soils**

Expansive soils contain high proportions of clay and alternately absorb and release large amounts of water across wet and dry cycles. When structures are built on expansive soil, foundations may rise during the wet season, resulting in cracked foundations, distorted frameworks, and warped windows and doors. These adverse effects can be eliminated by recognition of expansive soils and application of remedial measures for site development and foundation design.

The following description of linear extensibility (also known as shrink-swell potential or expansive potential) is provided under the Glossary tab on the Natural Resource Conservation Service (NRCS) Web Soil Survey:<sup>8</sup>

[Linear extensibility] Refers to the change in length of an unconfined clod as moisture content is decreased from a moist to a dry state. Linear extensibility is used to determine the shrink-swell potential of soils. It is an expression of the volume change between the water content of the clod at  $1/3$ - or  $1/10$ - bar tension and oven dryness. Volume change is influenced by the amount and type of clay minerals in the soil. The volume change is the percent change for the whole soil. If it is expressed as a fraction, the resulting value is COLE, coefficient of linear extensibility.

According to the General Plan, in the City of Sausalito, there is generally a low to moderate risk of damage from expansive soils throughout most of the City, though the risk of damage is moderate to high in low-lying areas along Richardson Bay.

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<sup>7</sup> Landslide Task Force. 2019. Landslide Task Force Report and Recommendation to Sausalito City Council. September 24.

<sup>8</sup> United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). Web Soil Survey Glossary. Website: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed October 19, 2022.



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### **Soil Erosion**

Erosion refers to soil removal by water or wind. Factors that influence the potential for erosion include amount of rainfall and wind, length and steepness of slopes, and amount and type of vegetative cover. While coastal erosion can be a significant factor for development in waterfront areas, the City of Sausalito coastline has been generally protected from large ocean waves by surrounding peninsulas, and the resulting potential for coastal erosion is considered to be moderate to low. However, over time, projected sea level rise is likely to exacerbate coastal erosion and reduce the effectiveness of the City's existing coastal erosion protection.

### ***Paleontological Resources***

Paleontological resources refer to fossilized evidence of past life found in the geologic record. Paleontological resource localities are sites where fossilized remains of plants or animals are concentrated. Although there remains a large volume of sedimentary rock deposits in soil and an extraordinary number of organisms that have lived over time, intact fossils are very rare. The relative rarity of paleontological resources, coupled with the scientific insight they can provide, means they are significant and valuable records of past life.

The information that follows is from the paleontological records search of the University of California Museum of Paleontology (UCMP), performed Dr. Kenneth Finger. The findings indicate a low potential for encountering fossiliferous geologic units.

According to the Blake et al. (2000) geologic map, the Sausalito Planning Area includes five geologic units: Artificial fill (Qmf), Quaternary alluvium (Qal), and Franciscan Complex consisting of Chert (Kjfch), Greenstone (Jfmg), and Mélange (fsr). Artificial fill (Qmf) is disturbed sediment that has no paleontological potential or sensitivity. Quaternary alluvium (Qal) is an undifferentiated Pleistocene-Holocene geologic unit. If the unit is Holocene, it is too young to be considered fossiliferous; if the unit is Pleistocene, it has a low potential but high sensitivity for significant paleontological resources.

Vertebrate fossils are extremely rare in the Franciscan Complex, so it is ranked as having a very low paleontological potential and sensitivity. Franciscan Mélange (fsr) is characterized by its lack of continuous bedding, and it includes rock fragments of all sizes, including large blocks of different lithologies in a fine-grained deformed matrix. Although blocks in mélanges have the potential of containing fossils, its paleontological potential also appears to be very low. The adjacent floor of San Francisco Bay consists mostly of Holocene deposits and is therefore unlikely to yield any significant paleontological resources.

The UCMP database lists 35 vertebrate localities in Marin County: 5 Pleistocene, 8 Pliocene, and 22 Miocene. None are in Mesozoic units, such as the Franciscan Complex that are mapped in Sausalito. The only unit of concern is the Quaternary alluvium, which may yield Pleistocene vertebrates. The Pleistocene fauna collected from Marin County is represented by 13 specimens in the UCMP collection, including Osteichthyes (boney fish), Aves (birds), *Glossotherium harlani* (Harlan's ground sloth), *Mammuthus primigenius* (wooly mammoth), *Mamut americanum* (American mastodon) *Bison* (bison), *Equus* (horse), and *Odocoileus* (deer). None, however, are from the Sausalito Planning Area.

### 3.6.2 REGULATORY SETTING

#### *Federal*

##### **Earthquake Hazards Reduction Act**

Congress passed the Earthquake Hazards Reduction Act in 1977 to reduce risks to life and property from future earthquakes in the United States through establishment and maintenance of an effective earthquake hazards reduction program. To accomplish this goal, the Act established the National Earthquake Hazards Reduction Program. This program was substantially amended in November 1990 by the National Earthquake Hazards Reduction Program Act, which refined the description of agency responsibilities, program goals, and objectives.

##### **Paleontological Resources Preservation Act**

The Paleontological Resources Preservation Act of 2002 codifies the generally accepted practice of limited vertebrate fossil collection and limited collection of other rare and scientifically significant fossils by qualified researchers. Researchers must obtain a permit from the appropriate State or federal agency and agree to donate any materials recovered to recognized public institutions, where they would remain accessible to the public and other researchers.

#### *State*

##### **Alquist-Priolo Earthquake Fault Zone Act**

The Alquist-Priolo Earthquake Fault Zone Act (California Public Resources Code [PRC] Division 2, Chapter 7.5, commencing with Section 2621) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zone Act's main purpose is to prevent construction of buildings used for human occupancy

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on the surface trace of active faults. The legislation only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

### **Seismic Hazards Mapping Act**

The Seismic Hazards Mapping Act (PRC Division 2, Chapter 7.8, commencing with Section 2690) was passed in 1990 and requires the State Geologist to designate Seismic Hazard Zones. These zones assist cities and counties in fulfilling their responsibilities for protecting the public from effects of non-surface fault rupture earthquake hazards, such as strong ground shaking, earthquake-induced landslides, liquefaction, or other ground failures. The California Geological Survey has issued one Seismic Hazards Map for Landslide and Liquefaction Zones for the San Francisco North Quadrangle that encompasses part of the Sausalito Planning Area. However, the accompanying Seismic Hazard Zone Report is for the City and County of San Francisco and does not apply to the City of Sausalito.

### **California and Uniform Building Codes**

The California Building Standards Code (CBC) is another name for the body of regulations known as the California Code of Regulations, Title 24, Part 2. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating building standards.

Published by the International Conference of Building Officials, the Uniform Building Code (UBC) is a widely adopted model building code in the United States. The CBC incorporates the UBC by reference and includes necessary California amendments. These amendments include criteria for seismic design. About one-third of the text within the CBC has been tailored for California earthquake conditions.

### **California Public Resources Code**

Section 5097 of the California Public Resources Code specifies procedures for unexpected discovery of paleontological resources. Section 5097.5 of the Code states that no person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface any vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other paleontological feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.

## ***Regional***

### **Marin County Municipal Code**

Section 22.16.030 of the Marin County Municipal Code prohibits construction on identified seismic or geologic hazard areas unless approved by the Department of Public Works.

### **Marin County Multi-Jurisdiction Local Hazard Mitigation Plan**

The Marin County Multi-Jurisdiction Local Hazard Mitigation Plan (MCM LHMP) was developed to reduce risks from natural disasters in unincorporated portions of Marin County

and all incorporated cities in Marin County. The MCM LHMP, last adopted by the City of Sausalito on May 14, 2019, is required to be updated every 5 years to maintain eligibility for Hazard Mitigation Assistance grant programs administered by the Federal Emergency Management Agency (FEMA) pursuant to the Disaster Mitigation Act of 2000. The MCM LHMP identifies hazards within a city, such as earthquakes, liquefaction, severe storms, debris flow (landslides), flooding, wind, tsunamis, wildfire, and post-fire landslides. The MCM LHMP also contains a vulnerability analysis highlighting specific facilities at risk to natural hazards and outlines mitigation strategies for reducing risk of identified hazards.<sup>9</sup>

## **Local**

### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing or avoiding hazards related to geology and soils, and potential impacts to paleontological resources:

#### *Community Design, Historic and Cultural Preservation Element*

CD-1.6.1: Geographic Constraints. In order to enable safe use of buildings, use design guidelines discussed in HS-1.2.5 to ensure that new developments and substantial remodels work within the geographic constraints of its parcel.

Policy CD-2.2: Steep Sloping Sites. Give special attention to the design considerations for proposed development on steeply sloped sites.

Program CD-2.2.2: Design Guidelines. Develop illustrative design guidelines to provide general guidance for construction on steep slopes, including considering design review when average gradient of property exceeds 40 percent.

Policy CD-2.3: Challenged Sites. Consider long-term risks when developing property that is or could potentially be at risk.

Program CD-2.3.1: Sea Level Rise Standards. When developing the sea level rise vulnerability and risk assessment (policy S-3.1) and sea level rise adaptation plan (program S-3.2.1), both of which have considerations for land subsidence, include recommendations for management of developed and undeveloped parcels at risk of sea level rise.

#### *Environmental Quality Element*

Program EQ-4.1.1: Stormwater Pollution Prevention Program. Continue to participate in the Marin County Stormwater Pollution Prevention Program (MCSTOPPP).

Program EQ-4.1.3: Richardson Bay Regional Agency. Coordinate with the Richardson Bay Regional Agency (RBRA) or successor agency in implementing the adopted water pollution control program contained in the Richardson Bay Special Area Plan.

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<sup>9</sup> Marin County. 2018. Marin County Multi-Jurisdiction Local Hazard Mitigation Plan (MCM LHMP).

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Program EQ-4.1.6: Flood Insurance. Continue participation in FEMA's National Flood Insurance Program (NFIP) and the Community Rating System to improve resilience and reduce flood damage.

Program EQ-4.1.8: Discharge Monitoring. Comply with National Pollutant Discharge Elimination System (NPDES) and state pollution discharge programs by implementing programs and projects that address filtration of storm water systems prior to discharge into the Waters of the United States.

Policy EQ-4.2: Stormwater Management. Manage flooding, mitigate hazardous runoff from stormwater, and mitigate landslides.

Program EQ-4.2.3: Pervious Surfaces. Encourage pervious surfaces in new developments or major renovations to the maximum extent feasible to percolate stormwater runoff into groundwater without impacting subsurface stability.

Program EQ-4.2.7: Landslide Mitigation. Align stormwater management programs with geological hazard mitigations policy HS-1.2 in the Health, Safety, and Community Resilience Element as appropriate.

### *Health, Safety, and Community Resilience Element*

Policy HS-1.1: Seismic Hazards. Protect existing and new buildings and their occupants from seismic hazards.

Program HS-1.1.1: Building Code (Earthquake Standards). Regularly update the City's Building Code as necessary to address current standards of earthquake safety.

Program HS-1.1.2: Unreinforced Masonry (URM) Buildings Ordinance. Periodically update the Unreinforced Masonry Buildings Ordinance as necessary to address current standards of earthquake safety.

Program HS-1.1.3: Seismic Safety Pamphlet. Distribute homeowner and property earthquake safety guides published by the California Seismic Safety Commission.

Program HS-1.1.4: Geologic Hazard Maps. Update the current Geological Hazard Mapping of the City and develop a GIS system to ease review of the mapping.

Policy HS-1.2: Other Geological Hazards. Require that all geologic hazards be adequately addressed and mitigated.

Program HS-1.2.1: Detailed Geologic Map and Report. Develop and maintain a citywide GIS map that maps geologic conditions and provides a more detailed database for planning. This map should include geologic conditions and hazards including landslides, drainage, erosion hotspots, subsidence, liquefaction, parcel slope, and other relevant geologic data.

Program HS-1.2.2: Local Hazard Mitigation and Adaption Plan. Continue to collaborate with the Marin County on the Multi-Jurisdiction Local Hazard Mitigation Plan (MCM LHMP).

Program HS-1.2.3: Geologic Feasibility Reports. In a public process to amend the Zoning Ordinance, consider requiring for development of new buildings or significant additions to existing buildings requiring discretionary approval of the zoning administrator or Planning Commission the submittal of (1) geologic and/or geotechnical feasibility reports (submitted by a geotechnical engineer for properties in Zone mu, and by an engineering geologist in Zones 1 to 4) and (2) subsurface investigation reports (within Zones 3 and 4).

Program HS-1.2.4: Reports. Continue to require geotechnical reports for appropriate grading and building permits.

Program HS-1.2.5: Design Guidelines. In coordination with program CD-2.2.2, identify areas where mitigation measures should be implemented to increase safety on hillside development sites and, in a public process, consider creating heightened review standards (when average gradient of property exceeds 40 percent).

Program HS-1.2.6: Hillside Ordinance. Maintain, and update as necessary, regulations controlling and stipulating a threshold for development restrictions on steep slopes including creation of a hillside ordinance in a public process and consider requiring heightened review and additional financial securities. This ordinance could, when reviewing development permits for new buildings or significant additions to existing buildings requiring discretionary approval of the zoning administrator or Planning Commission, take past landslides on neighboring properties into account or review adjacent property permit files (when average gradient of applicant property exceeds 40 percent). This ordinance may also need to be aligned with policies and programs in the Land Use and Growth Management Element and Housing Element regarding steep slopes.

Program HS-1.2.7: Geologic Hazard Abatement District. Consider creating a Geologic Hazard Abatement District (GHAD) and explore other methods of funding hazard abatement.

Program HS-1.2.8: Hazard Collaboration. Work with regional, state, and federal agencies to share resources and collaborate on hazard abatement projects.

Program HS-1.2.9: Landslide Task Force Recommendations. Continue to review, update, and consider feasibility of recommendations from the 2019 Landslide Task Force report, which include reporting of geologic events, fast-tracking preventative maintenance, and formation of a community benefit organization to perform slope stabilization.

Policy HS-1.7: Flooding. Manage the threat of flooding for infrastructure, existing and future structures, and their occupants.

Program HS-1.7.1: Roadway Flooding. Continue to work with Caltrans and other relevant agencies to mitigate flooding of roadways, particularly at the Bridgeway/Donahue Street/US 101 interchange.



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Program HS-1.7.4 Creek Drainageway Monitoring. Periodically monitor the city's creek drainageways in order to keep them clear and prevent blockage of storm waters (see policy EQ-4.3).

Policy HS-1.9: Subsidence. Identify, monitor and manage subsidence issues on at-risk parcels.

Program HS-1.9.1: Subsidence Data. Obtain subsidence data that will be used to inform a subsidence mitigation and adaptation study (Program S-3.2.2).

Program HS-1.9.4 Subsidence Mitigation. Collaborate with regional subsidence mitigation measures and utilize regional funding mechanisms to resolve local issues.

Program HS-1.9.5 Landowner Outreach. Connect landowners concerned about subsidence on their property to information on potential individual efforts and regional actions.

Policy HS-1.11: Infrastructure. Design and maintain infrastructure that is resilient in the context of sea level rise, subsidence, liquefaction, and other hazards.

Program HS-1.11.1: Infrastructure Plan. Develop an Infrastructure Plan that identifies future projects and projects future needs and recommends best practices to incorporate resilient infrastructure into development procedures.

### *Sustainability Element*

Program S-3.2.1 Sea Level Rise Adaptation Plan. Prepare and adopt an adaptation plan for addressing sea level rise and land subsidence that minimizes the potential for displacement of residents, jobs, and other community assets, and prioritizes nature-based adaptation measures. The adaptation plan should include:

- a) The Sea Level Rise Map, which will be created in collaboration with BayWAVE or other regional authorities on sea level rise, as a base for adaptation planning. The map will be updated periodically to reflect the most current and reliable data.
- b) A “menu” approach to adaptation measures that would include but is not be limited to: managed retreat, nature-based adaptation measures, living shorelines, innovative building structures, and horizontal levees.
- c) Coordination on a science-based adaptation approach with local, regional, county, state, and federal agencies with bay and shoreline oversight; owners of critical infrastructure; and other key stakeholders.
- d) An outreach plan to inform stakeholders and property owners who own property in vulnerable areas about sea level rise risks and adaptation strategies.
- e) An inventory of potential sites suitable for larger-scale adaptation projects, using the Marin Ocean Coast Sea Level Rise Adaptation Report as a base for confirming and formalizing such areas.

- f) Promotion and support for innovative business uses that advance sea level rise adaptation.
- g) Evaluation of opportunities for retreat where practical and feasible, prioritizing undeveloped sites, areas in permanent open space, or areas that are environmentally constrained. Allow for transfer of ownership rights. Consider retreat as a last resort.
- h) Encouragement of innovative green (nature-based) shoreline protection measures where most practical and feasible, such as wave attenuation projects, natural reef development areas, and ecologically friendly measures to combat sea level rise.
- i) Identification of appropriate timing and phasing of adaptation planning and implementation.
- j) Identification of financing tools and opportunities to advance climate adaptation strategies.
- k) Coordination with the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan on sea level rise mitigation and adaptation.
- l) Incorporating the consideration of a Marinship Infrastructure Needs analysis as described in program CP-1.1.4.
- m) An economic analysis of mitigation costs versus private and public economic loss.

Program S-3.2.2: Subsidence and Liquefaction. Complete a geologic and/or hydrographic study that describes how Sausalito's unique ground subsidence and liquefaction issues will interact with sea level rise. The study should include recommendations and implementation measures.

Policy S-3.8: Adequacy of Facilities. Allow construction to proceed only for projects that demonstrate the availability of adequate potable water, sewer, septic leach fields, and storm drainage.

Program S-3.8.5: Marin County Environmental Health Department. Require written documentation from the Marin County Environmental Health Department that there is sufficient capacity for leach fields prior to project approval in areas dependent upon septic tanks.

### **Sausalito Municipal Code**

Chapter 8.43 (Earthquake Hazard Analysis of Existing Buildings) of the Sausalito Municipal Code intends to ensure that seismic strengthening of existing URM buildings is completed when a property owner conducts significant remodeling. In such cases, a structural engineering analysis of the building by a licensed Structural Engineer is required, and a structural analysis report must be submitted to the City.

Chapter 8.08 (California Building Standards Code) incorporates the most recent CBC.

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Chapter 9.15 (Improvements) sets forth requirements and standards for subdivisions in the City.

Chapter 10.40 (General Development Regulations) lists development regulations.

Chapter 11.17 (Urban Runoff Pollution Prevention Ordinance) contains discharge regulations that set uniform requirements for discharges into the storm drain system and enable the agency to comply with administrative provisions of the water quality requirements and applicable effluent standards set by the Regional Water Quality Control Board (RWQCB), and any other discharge criteria which are required or authorized by State or federal law, and to ensure public welfare by regulating quality and quantity of discharges into those systems.

Chapter 17.08 (Excavations Generally) sets forth rules and regulations to control excavation, grading, and earthwork construction on land to safeguard public health, safety, and welfare.

Chapter 18.12 (Sewers) addresses requirements for sanitary sewers. As stated in Section 18.12.100, new buildings must install new sewer service laterals to connect to the existing sanitary sewer system.

Chapter 18.14 adopts Marin County Code Chapter 18.06 (Individual Sewage Disposal Systems) with some modifications and additional penalties. This allows and sets requirements for disposal of sanitary sewage by septic tank and other methods not connected to a sanitary sewer system.

### 3.6.3 THRESHOLDS OF SIGNIFICANCE

According to the California Environmental Quality Act (CEQA) Guidelines Appendix G, the Project would have a significant impact related to geology, soils, and/or seismicity if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; Refer to Division of Mines and Geology Special Publication 42;
- Strong seismic ground shaking;
- Seismic-related ground failure, including liquefaction; or
- Landslides.

In addition, the Project would have a significant impact related to geology, soils, or paleontological resources if it would:

- Result in substantial soil erosion or the loss of topsoil;

- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- Be located on expansive soil, as defined in the Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater; or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

### 3.6.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to geology, soils, and paleontological resources resulting from implementation of the Project are discussed below. The following impact analysis is based on a review of published information, surveys, and reports regarding regional geology and soils. Information was obtained from private and governmental agencies and Internet websites, including the California Geological Survey and the United States Geological Survey (USGS).

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**Impact 3.6-1      Development facilitated by implementation of the Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death from seismic events.**

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Given the City's proximity to the San Andreas Fault Zone, as well as other active faults, it is likely that the Sausalito Planning Area will experience periodic minor to strong earthquake motion. Within the Planning Area, the primary hazard associated with earthquakes is seismic ground shaking which, as shown in Figure 3.6-2, is estimated to be very strong in hillside areas and violent along the waterfront. Secondary hazards may include liquefaction, seismically induced landslides, and subsidence, especially in the waterfront area which is largely underlain by surficial deposits that would be particularly prone to liquefaction and subsidence, as shown in Figure 3.6-3, while hillside areas would have a higher likelihood for landslides, as shown in Figure 3.6-4. The intensity of seismic ground shaking within the Planning Area would depend upon characteristics of the generating fault, distance to the earthquake epicenter and rupture zone, the magnitude and duration of the earthquake, and site-specific geologic conditions.

Implementation of Program 4 of the HEU would not directly construct new site-specific housing in the City but, through the creation of new development standards, it would facilitate new residential development on designated housing opportunity sites in order to meet the City's RHNA allocation. Implementation of Program 4 involves the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. As a nearly built-out City

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with much of the land constrained by environmental factors and a significant amount of land under permanent open space restrictions, new housing development in Sausalito would rely heavily on infill of vacant and underutilized parcels. As part of the Housing Element Programs, and as described in the Chapter 2.0 Project Description, in order to accommodate the City's remaining RHNA of 463 units, the City would create Opportunity Sites to ensure development is permitted. The location of specific opportunity sites are further discussed and identified in section 2.5.1 of this Draft EIR. As such, additional residents could be potentially exposed to the effects of fault rupture, seismic ground shaking, liquefaction, subsidence, and landslides from local and regional earthquakes. Structures that would be built on steep slopes could be exposed to an existing risk of landslide or, if improperly constructed, could exacerbate existing landslide conditions. New structures built under the development standards enacted to implement the Project could also experience substantial damage during seismic events. As discussed below, policies and programs included in the General Plan address potential impacts of future development through enhanced requirements for applicants to provide sufficient geotechnical data and reports to demonstrate that any site-specific conditions can be appropriately addressed through site preparation and construction techniques.

The General Plan includes policies and programs to protect existing and future residents of the City and surrounding areas from seismically induced hazards. To mitigate potential dangers of earthquake damage, General Plan Programs HS-1.1.1 and HS-1.1.2 require the City to update and enhance its Building Code and URM Buildings Ordinance, respectively, to reflect current standards of earthquake safety. Additionally, Program HS-1.2.2 requires the City to continue to collaborate with the County on the MCM LHMP, which addresses hazards related to earthquakes. Lastly, Program HS-1.2.4 requires geotechnical reports for appropriate grading and building permits.

Potential structural damage and exposure of people to risk of injury or death from structural failure would be further minimized by compliance with CBC engineering design and construction measures. Foundations and other structural support features would be designed to resist or absorb damaging forces from strong ground shaking, liquefaction, and subsidence according to Chapter 8.08 of the Sausalito Municipal Code, which incorporates the most recent CBC. The Building Department reviews plans and applications for site clearance, grading, and building permits to ensure compliance with Municipal Code Chapter 8.08 and imposes requirements for revisions where needed to ensure that new or significantly remodeled structures are constructed in compliance with the CBC, and reflect any additional measures deemed appropriate based on geotechnical analysis, such as would be required by Programs HS-1.2.3 and HS-1.2.4, which would evaluate site-specific conditions and identify any specific site preparation and/or construction techniques. Permit issuance would be based upon satisfactory completion of any identified applicable measures.

General Plan Programs HS-1.2.5, HS-1.2.6, HS-1.2.7, HS-1.9.1, HS-1.11.1, and S. 3.2.1 and S-3.2.2 would also require implementation of programs that include geotechnical analyses and building code compliance for future developments and to provide mitigation for seismic hazards. Implementation of these programs would ensure that appropriate emergency strategies are in place in the event of an earthquake, including the preparation of geologic hazard abatement district maps for soils and seismic safety, as well as coordinating information among emergency responders. While analyzing the potential future effects of implementing the Housing Element Programs necessarily involves some degree of forecasting, identifying specific examples of what could happen as a result of an individual development proposal is too speculative at this time. In reviewing individual project applications, the City would determine which policies and programs apply, depending on the specific characteristics of the project type and/or project site during the development review process.

In conclusion, compliance with mandatory CBC requirements and implementation of the General Plan policies and programs would ensure that future development projects associated with the Housing Element Update are appropriately investigated in terms of potential seismic hazards and that any new buildings and structures are constructed to withstand the anticipated range of seismic events. At the programmatic level, seismic impacts would be reduced to a less-than-significant level. As such, potential impacts would be reduced to ***less-than-significant*** levels.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required

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**Impact 3.6-2      Development facilitated by implementation of the Project would not result in a significant impact related to development on unstable geologic units or soil, or result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse.**

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Certain geologic units present in the Sausalito Planning Area could have the potential for landslides, slope instability, and liquefaction. Other geologic hazards, such as subsidence, lateral spreading, or collapse, could also be present in the Planning Area. Development allowed under the proposed Housing Element Programs could occur within areas containing unstable geologic units. As shown on Figure 3.6-3 and Figure 3.6-4 Housing Element Program sites are shown to be within Liquefaction and Landslide hazard areas.

The Landslide Task Force made recommendations to the Sausalito City Council regarding unstable geologic units, some of which have been incorporated into the General Plan. One of the recommendations was to map local geology and geologic hazards for both slope



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stability and seismic hazards. The hazard maps assist the City in identifying public drainage systems that need updates and repairs and identifying open space areas upslope of City infrastructure or residential structures that have a potential for failure. Such areas could then be prioritized for stabilization measures to minimize or eliminate future failures. Other Landslide Task Force recommendations included creating a mechanism for residents to report emerging landslide risks, the development of new building and remodeling guidelines, and the formation of a Geologic Hazard Abatement District (GHAD).<sup>10</sup>

The Housing Element Programs identifies future land uses, but does not describe specific development projects that would be undertaken over the course of the eight-year housing cycle. Thus, estimating project-specific impacts would involve unreasonable speculation. The General Plan includes a number of policies and programs specifically designed to protect individuals from injuries and minimize property damage resulting from land instability and geologic hazards by limiting development in certain areas and requiring increased review and mitigation where appropriate. Program HS-1.2.1 requires the City to develop and maintain a citywide GIS map identifying geologic conditions and hazards including landslides, drainage, erosion hotspots, subsidence, liquefaction, parcel slope, and other relevant geologic data. Program HS 1.2.6 requires the City to create a hillside ordinance that may require heightened review and financial securities for development on steeply sloped sites. Program HS-1.2.7 requires the City to consider creating a GHAD and explore other methods of funding hazard abatement. Program HS-1.2.3 requires submittal of geologic and/or geotechnical feasibility reports for development of new buildings or significant additions to existing buildings requiring discretionary approval, and Program HS-1.2.4 requires geotechnical reports be prepared before the City issues grading and building permits. Together these five policies and programs would assist property owners, applicants, and the City to efficiently identify potential risks associated with development of a parcel and ensure that appropriate geotechnical review is completed prior to development, including the identification of remedial site preparation and/or construction techniques to be incorporated into grading and building plans. Program HS-1.2.2 requires the City to continue to collaborate with the County on the MCM LHMP, which addresses hazards related to liquefaction and landslides. As such, development facilitated by the Housing Element Update would comply with the General Plan policies and programs and would be rigorously analyzed; plans for development would incorporate geotechnical recommendations, where needed, to ensure that construction would employ techniques appropriate for a given site.

The Sausalito Municipal Code also contains rules and regulations to address development on unstable geologic units. Chapter 17.08 (Excavations Generally) sets forth rules and regulations to control excavation, grading, and earthwork construction on land to safeguard public health, safety, and welfare. Section 17.08.010 requires that a permit be obtained for

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<sup>10</sup> Landslide Task Force. 2019. Landslide Task Force Report and Recommendation to Sausalito City Council. September 24.

any excavation under or on the surface of any land, public or private, to ensure that appropriate construction techniques are utilized to address development on unstable geologic units.

The Building Department reviews plans and applications for site clearance, grading, and building permits to ensure compliance with Municipal Code Chapter 8.08 and imposes requirements for revisions to plans and applications where needed to ensure that structures are constructed in compliance with the CBC, and reflect any additional measures deemed appropriate based on a required geotechnical report that evaluates site specific conditions and identifies any site preparation or construction techniques. As discussed in Impact GEO-1, grading and building permit issuance is based upon satisfactory completion of any applicable measures.

With the implementation of the policies and programs in the General Plan, as well as applicable State and local codes, potential ground instability or failure impacts associated with the Implementation of Program 4 of the Housing Element Update would be ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.6-3      Development facilitated by implementation of the Project would not result in the construction of structures on expansive soils (soils with shrink-swell potential), creating substantial direct or indirect risks to life or property.**

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Implementation of the Housing Element Programs would not directly construct new housing in the City but, through the adoption of new development standards, it would facilitate new residential development on specific sites in order to meet the City's RHNA allocation. New development constructed on expansive soils could be subject to damage or become unstable when underlying soil shrinks or swells. As discussed in the General Plan EIR, there is generally a low to moderate risk of damage from expansive soils throughout most of the City, though risk of damage is moderate to high in low-lying areas along Richardson Bay. The CBC includes requirements to address soil-related hazards, including expansive soils. Typical measures to treat hazardous soil conditions involve removal, proper fill selection, and compaction. In cases where sufficiently mitigating hazardous soils is not feasible, the CBC requires structural reinforcement of foundations to resist expansive soil forces.

While Project does not propose any development directly, it does identify specific sites that are appropriate for residential development and enact development standards to increase the development potential of those specific sites. As noted above, the General Plan includes a number of policies and programs specifically designed to protect residents from injuries

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and minimize property damage resulting from geologic hazards, such as expansive soils. General Plan Program HS-1.2.4 requires geotechnical reports for grading and building permits, whether a project is subject to ministerial or discretionary review. The Building Department reviews plans and applications for site clearance, grading, and building permits to ensure compliance with Municipal Code Chapter 8.08 and imposes requirements for revisions where needed to ensure that structures are constructed in compliance with the CBC, and reflect any additional measures deemed appropriate based on a required geotechnical report that evaluates site-specific conditions such as expansive soils, and identifies any site preparation or construction techniques that may be required to mitigate geological hazards. Permit issuance is based upon satisfactory completion of any applicable measures. HEU compliance with requirements of the CBC would reduce potential impacts related to expansive soils to a ***less-than-significant*** level.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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### Impact 3.6-4      **Development facilitated by implementation of the Project would not result in substantial soil erosion or the loss of topsoil.**

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Implementation of the Housing Element Programs would not directly construct new housing in the City but, through the adoption of new development standards, it would facilitate new residential development on specific sites in order to meet the City's RHNA allocation. Development under the Housing Element Programs would involve construction activities such as stockpiling, grading, excavation, paving, and other earth-disturbing activities. These construction activities would result in temporary disturbance of soil and would expose disturbed areas to storm events. Rain of sufficient intensity and duration could dislodge soil particles, generate runoff, and cause localized erosion and sedimentation. As such, soil erosion is dependent on individual site locations and conditions on-site during construction.

The RWQCB has issued the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), which regulates stormwater discharges related to construction activities.<sup>11</sup> Projects disturbing one or more acres of soil, or whose projects disturb less than one acre but are part of a larger common plan of development that, in total, disturbs one or more acres, are required to obtain coverage under the Construction General Permit. Compliance with the permit requires each qualifying development project to file a Notice of Intent with the State Water Board. Permit conditions require development of a Stormwater Pollution Prevention Plan (SWPPP), which must describe the site, facility, erosion

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<sup>11</sup> Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-006-DWQ.

and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. As is noted in the General Plan EIR, inspection of construction sites before and after a storm is also required to identify stormwater discharge from construction activity and to identify and implement erosion controls, where necessary. Further discussion on hydrological procedures and maintenance can be found in Section 3.9, Hydrology, of this Draft EIR.

Future development in accordance with the Housing Element Programs would be subject to General Plan policy and program requirements. The General Plan includes policies and programs to map areas with high susceptibility to erosion and protect water quality, which also address soil erosion. General Plan Program HS-1.2.1 requires the City to develop and maintain a citywide GIS map that serves as a detailed geologic map to provide a more detailed database regarding landslides, drainage, erosion hotspots, subsidence, liquefaction, parcel slope, and other relevant geologic data. The implementation of this Program will help prevent harmful impacts to new residents; new development built in accordance with Program 1.2.1 will not exacerbate geologic hazards.

General Plan Program HS 1.2.6 requires the City to create a hillside ordinance that may require heightened review and financial securities for development on steeply sloped sites, including the development of the Housing Element Programs Sites. Program HS-1.2.7 requires the City to consider creating a GHAD and explore other methods of funding hazard abatement. Program EQ-4.1.1 requires the City to continue to participate in the MCSTOPPP.

In addition, Chapter 17.08 of the Sausalito Municipal Code sets forth rules and regulations to control excavation, grading, and earthwork construction on land to safeguard public health, safety, and welfare. The City's Urban Runoff Pollution Prevention Ordinance (Municipal Code Chapter 11.17) requires the implementation of construction Best Management Practices (BMPs), including erosion and sediment control plan requirements, which directly address the potential for erosion and loss of topsoil during construction of projects. Together with RWQCB requirements, construction projects are appropriately required to incorporate BMPs that effectively reduce the potential for erosion and sedimentation in on-site or off-site watercourses.

In addition to compliance with mandatory NPDES permit and Sausalito Municipal Code requirements, implementation of General Plan policies and programs would further reduce the potential erosion and loss of topsoil from construction-related soil disturbance. As such, the Project's potential impacts related to erosion and loss of topsoil would be ***less than significant***.

#### **Level of Significance before Mitigation**

Less than Significant

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## Housing Element Programs EIR

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### Mitigation Measures

None Required

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**Impact 3.6-5      Development facilitated by implementation of the Project would not place septic tanks or alternative wastewater disposal systems in areas where soils are not capable of supporting such uses.**

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The General Plan encourages growth management and development within City limits. Under the Housing Element Programs, the location and timing of growth in the City has been planned with consideration for infrastructure capacity, public service availability, and fiscal impacts. Development facilitated by the HEU would be served by the existing sewer system; all new residential and apartment buildings shall install new sewer service laterals to connect to the existing sanitary sewer system, as established in Section 18.12.100 of the City Municipal Code.

Sausalito Municipal Code Chapter 18.12 addresses sanitary sewers regulations; this Chapter explains that new development should connect to existing sewer systems and should not connect to alternative wastewater disposals systems. However, the overall Title (Title 18 Public Services) recognizes that some pre-existing infrastructure may already use an alternative sewer system. For such cases, Municipal Code Chapter 18.14 adopts Marin County Code Chapter 18.06 which allows and sets requirements for disposal of sanitary sewage by septic tank and other methods not connected to a sanitary sewer system. While the Project does not propose any development directly, general development that will be permitted to occur in accordance with the Project is not expected to include any use of an alternative sewer system.

However, should any new development require the installation of septic tanks or alternative wastewater disposal systems, the General Plan includes policies and programs to ensure that any new development can be feasibly constructed according to soil conditions. Policy S-3.8 ensures that applications for construction must demonstrate the availability of adequate septic leach fields, where required. Program S-3.8.5 reinforces this policy, requiring written documentation from the Marin County Environmental Health Department that there would be sufficient capacity for leach fields prior to project approval in areas dependent upon septic tanks. Program HS-1.2.4 requires geotechnical reports prior to the issuance of grading and building permits. As such, any proposed septic tanks or alternative wastewater disposal systems facilitated by the Project would be analyzed in a geologic report in which recommendations could be made regarding unstable soil concerns. Further discussion on sewer and utilities systems can be found in Section 3.15, Utilities and Service Systems, of this Draft EIR.

Implementation of policies and programs in the General Plan, as well as applicable local codes, would ensure that new septic tanks or alternative wastewater disposal systems

associated with the Project would be constructed on soils that can support such systems. Therefore, impacts would be ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.6-6**      **Development facilitated by implementation of the Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

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Any project involving earth-moving activity could potentially result in inadvertent discovery and disturbance of paleontological resources during grading and excavation work. However, based on the Paleontological Records Search conducted for the General Plan, the Sausalito Planning Area is predominately located on non-fossiliferous geologic units; does not contain any identified paleontological resources; and the likelihood of encountering paleontological resources is low.

As discussed in the Paleontological Records Search, the only potentially fossiliferous units are the Quaternary alluvium (if it is Pleistocene) mapped over a relatively small land area, and the Cretaceous-Jurassic mélange that has a very low paleontological potential.

Potential impacts to paleontological resources would be minimized through compliance with federal and State laws that protect paleontological resources. Section 5097 of the Public Resources Code specifies procedures to be followed in the event of unexpected discovery of paleontological resources. Housing Element Update compliance with local, State, and federal regulations would reduce the potential to impact paleontological resources directly and indirectly.

Nonetheless, in the unlikely event that any earth-disturbing construction-related activities uncover any significant fossils (i.e., bones or teeth), construction activities would halt as the project would create potentially-significant impacts with regards to unique paleontological resources and unique geologic features. Therefore, the impact is ***potentially significant***.

**Level of Significance before Mitigation**

Potentially Significant

**Mitigation Measures**

**MM 3.6-6**      If any paleontological resources (fossils) or unique geologic features are discovered during grading or construction activities within the project area, work shall be halted immediately within 50 feet of the discovery, and the City Planning Division shall be immediately notified. The project owner will retain a



qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (SVP 2010). The recovery plan may include but is not limited to a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. The recovery plan shall state which resources will be avoided and which shall be recovered for their data potential. Where possible, recovery is preferred over avoidance in order to mitigate the potential for looting of paleontological resources. The recovery plan shall also detail methods of recovery, preparation and analysis of specimens, final curation of specimens at an accredited repository, data analysis, and reporting. Recommendations in the recovery plan will be implemented by the applicant before construction activities resume in the area where the paleontological resources were discovered.

At the conclusion of laboratory work and museum curation, a final report will be prepared describing the results of the paleontological monitoring efforts associated with the individual project. The report will include a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. If the monitoring efforts produced fossils, then a copy of the report will also be submitted to the designated museum repository.

### Level of Significance after Mitigation

Less than Significant

To enforce halting of construction activities, and ensure protection of unique paleontological resources and unique geologic features, Mitigation Measure 3.6-6 would suspend construction and require a professional paleontologist to prepare a recovery plan. Construction – including excavation and grading – activities would be suspended until the recommendations in the recovery plan, that the City determines to be necessary and feasible, are implemented by the project applicant.

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**Impact 3.6-7      Development facilitated by implementation of the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to geology, soils, seismicity, or paleontological resources.**

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The geographic context for analysis of cumulative impacts related to geology, soils, and seismicity includes the incorporated and unincorporated lands comprising the Sausalito

Planning Area. The geographic context for paleontological resources includes Marin County. This analysis evaluates whether impacts of the Project, together with impacts of cumulative development, could result in a cumulatively significant impact to geology, soils, seismicity, or paleontological resources. This analysis then considers whether incremental contribution of impacts associated with implementation of the Project would be significant. Both conditions must apply for a project's cumulative effects to rise to the level of significance.

Potentially adverse environmental effects associated with seismic hazards, as well as those associated with expansive soils, topographic alteration, and erosion, usually are site-specific and generally do not result in cumulative effects.

Cumulative projects could be exposed to moderate to strong ground shaking during seismic events, but the development of individual projects would not increase the potential for impacts to occur. Individual development proposals would be reviewed separately by the appropriate public agency depending on location and undergo environmental review if appropriate. In the event that future cumulative development would result in impacts related to geologic or seismic impacts, those potential project or site-specific impacts would be addressed in accordance with the requirements of CEQA. New buildings would be constructed utilizing current design and construction methodologies for earthquake resistant design as required by relevant regulations, including the Marin County Code. Compliance with the CBC, NPDES permits, laws and regulations mentioned above, would ensure that cumulative development would have ***less-than-significant impacts*** regarding geology, soils, or seismicity.

As cumulative development occurs, all future projects must comply with the federal, State, and pertinent local regulations regarding structural stability to reduce potential impacts from liquefaction, lateral spreading, or landslides. Compliance with established regulations, including the CBC, would result in ***less-than-significant cumulative impacts*** related to subsidence or collapse.

It is expected, and desired by the City, that new development associated with the HEU would connect to existing sewer systems. However, under Municipal Code provisions, alternative waste water systems are allowed within the Planning Area. So, while unlikely, cumulative development within the Sausalito Planning Area could result in the use of septic tank systems in the future, particularly within areas under the jurisdiction of Marin County. However, compliance with the Municipal Code and General Plan policies would ensure cumulative development would not contribute to potentially-significant impacts on the soils. General Plan Program S-3.8.5 requires written documentation from the Marin County Environmental Health Department that there is sufficient capacity for leach fields prior to project approval in areas dependent upon septic tanks. The HEU's incremental contribution to these less-than-significant cumulative impacts would not be significant. Therefore, implementation of the proposed project would not contribute to potential cumulative impacts related to soils supporting septic systems and reduces potential cumulative impacts to ***less than significant***.

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Any project involving earth-moving activity could potentially result in inadvertent discovery and disturbance of paleontological resources during grading and excavation work; these inadvertent discoveries could create potentially significant impacts.

As analyzed in Impact 3.6-6, the Sausalito Planning Area is predominately located on non-fossiliferous geologic units; does not contain any identified paleontological resources; and the likelihood of encountering paleontological resources is low. The only potentially fossiliferous units are mapped over a relatively small land area. This indicates that, while unlikely, future development associated with the HEU could have potential to cumulatively impact paleontological resources. However, inadvertent discovery of paleontological resources could occur in the Planning Area, and the Project's contribution would be cumulatively considerable, and the cumulative impact would be ***potentially significant***.

### Level of Significance before Mitigation

Potentially Significant

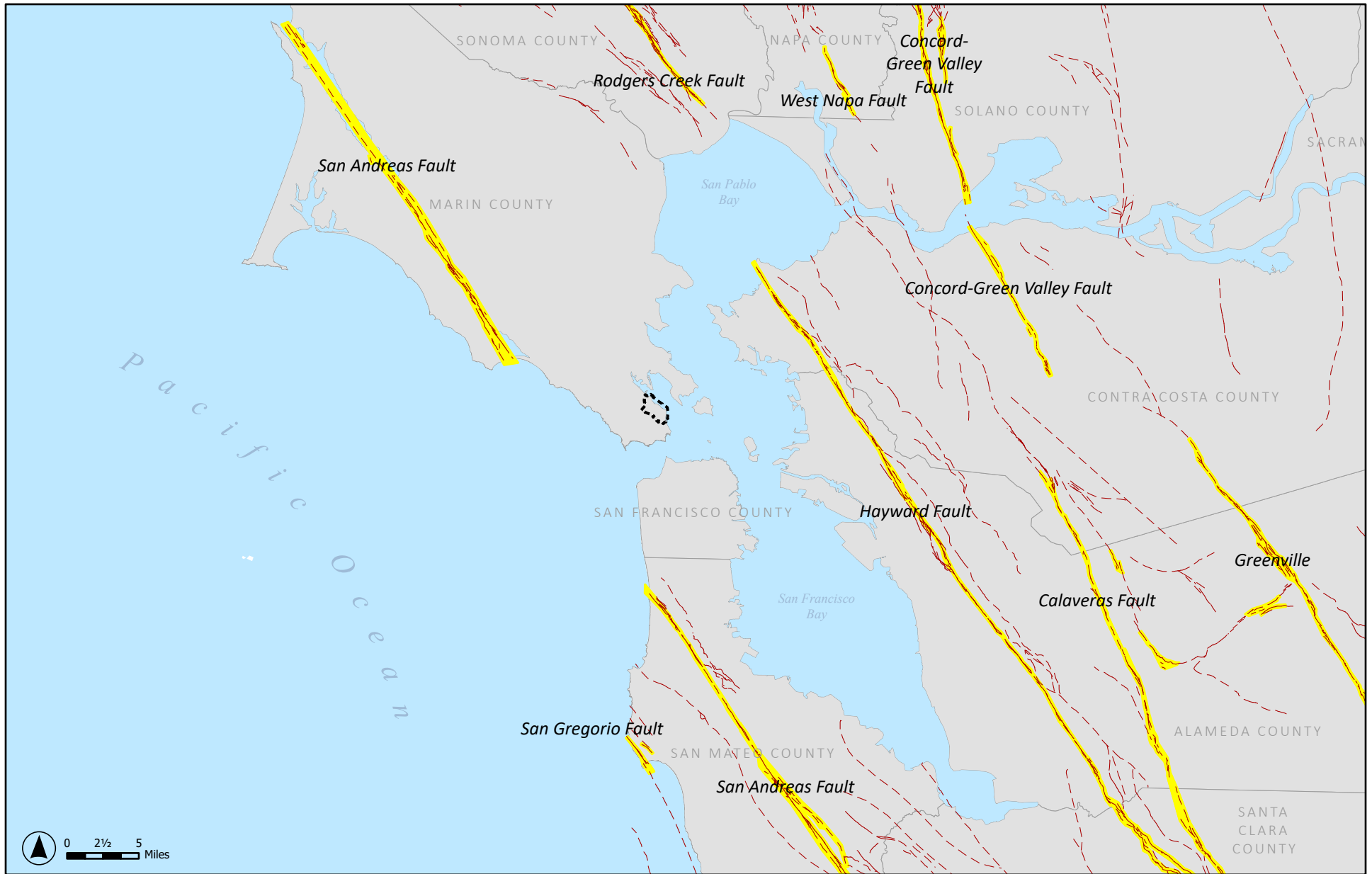
### Mitigation Measures

**MM 3.6-7** Implement Mitigation Measure 3.6-6.




### Level of Significance after Mitigation

Less than Significant

To enforce halting of construction activities, and ensure protection of unique paleontological resources and unique geologic features, Mitigation Measure 3.6-6 would suspend construction and require a professional paleontologist to prepare a recovery plan. Construction -including excavation and grading- activities would be suspended until the recommendations in the recovery plan, that the City determines to be necessary and feasible, are implemented by the project applicant.



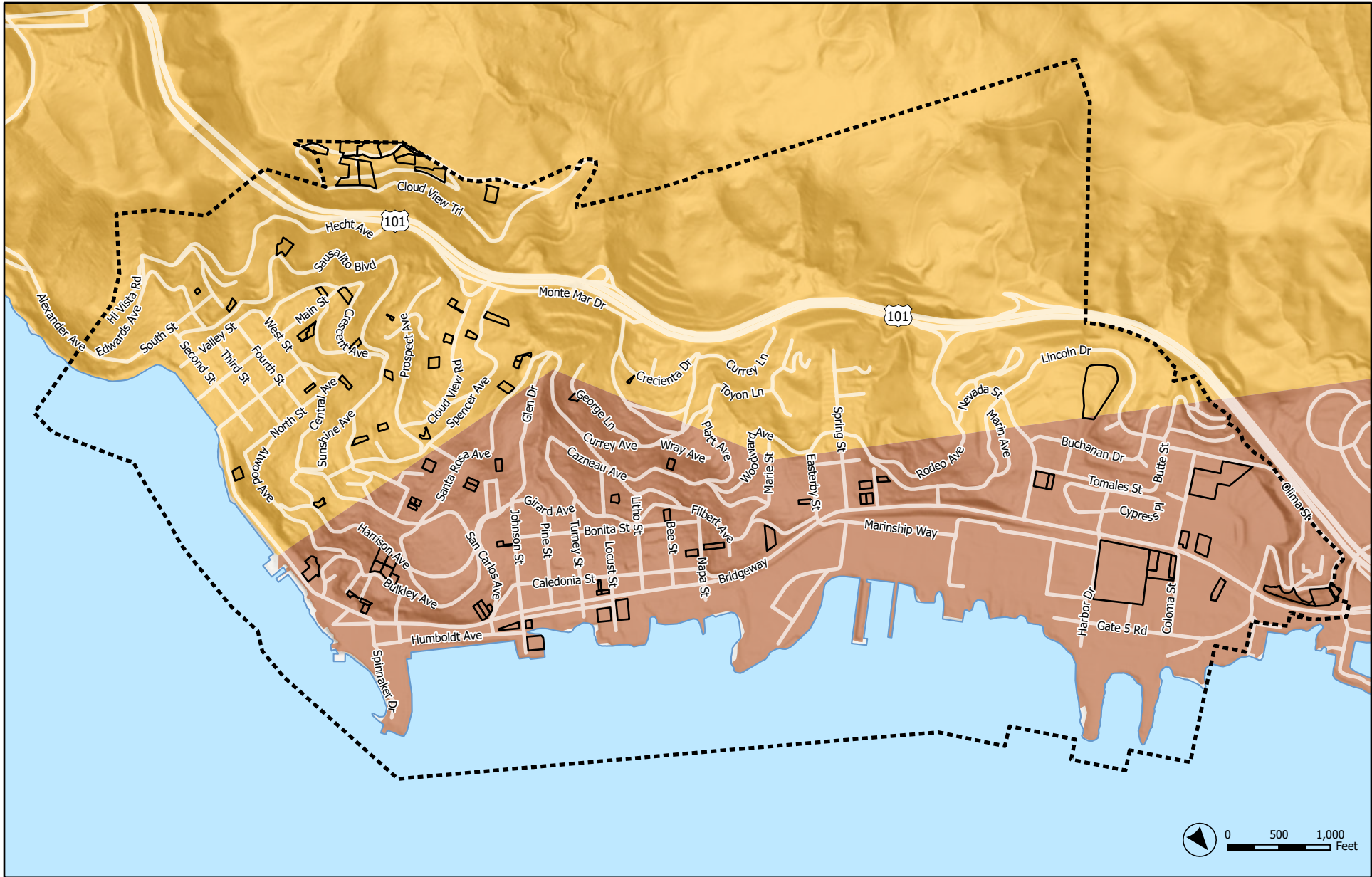
**LEGEND**

-  Sausalito City Boundary
-  Quaternary Fault
-  Alquist-Priolo Fault Zones





**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.6-1. Alquist-Priolo Fault Zones

Sources: City of Sausalito; Marin GeoHub; CGS Alquist Priolo fault zones; USGS Quaternary Faults and Folds database. Map date: July 19, 2023.



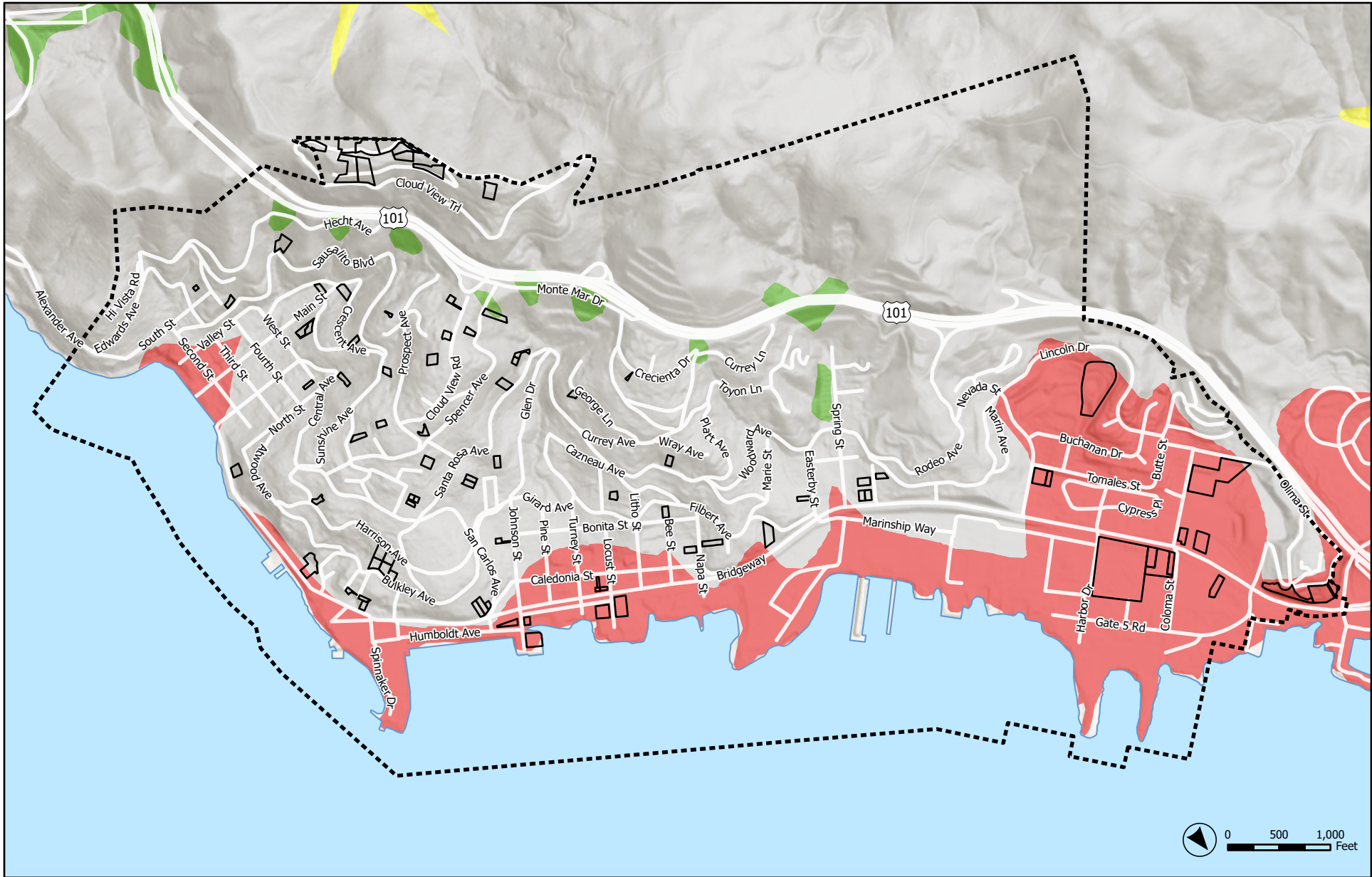
**LEGEND**

-  Sausalito City Boundary
-  Housing Element Programs Sites
- Modified Mercalli Intensity Measure**
-  8 - Severe shaking
-  9 - Violent shaking

**HOUSING ELEMENT PROGRAMS EIR**  
**Figure 3.6-2. Shaking Hazard**

Sources: City of Sausalito; Marin GeoHub; ABAG Probabilistic Seismic Hazard Assessment published July 24, 2013. Map date: July 19, 2023.





**LEGEND** **HOUSING ELEMENT PROGRAMS EIR**

- Sausalito City Boundary
- Housing Element Programs Sites

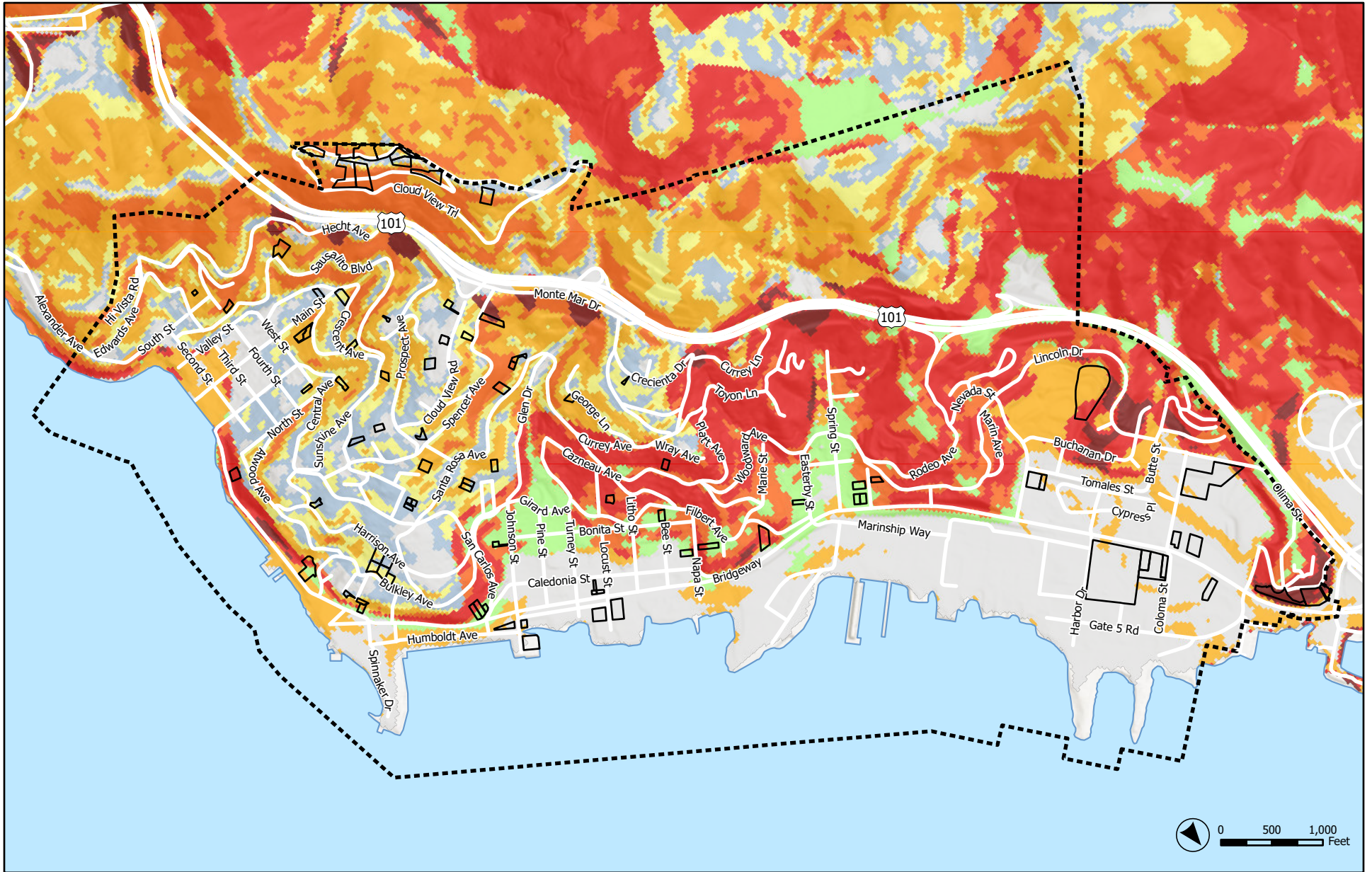
- Liquefaction Susceptibility**
- |           |          |          |
|-----------|----------|----------|
| Very High | Moderate | Very Low |
| High*     | Low      |          |

\*There are no areas of High Susceptibility within the mapped extent.



Figure 3.6-3. Liquefaction Hazard

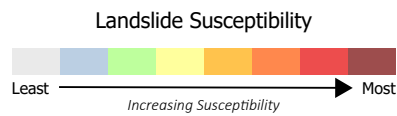
Sources: City of Sausalito; Marin GeoHub; ABAG USGS Liquefaction Susceptibility. Map date: July 19, 2023.





**LEGEND**

-  Sausalito City Boundary
-  Housing Element Programs Sites



**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.6-4. Landslide Hazard

### 3.7 GREENHOUSE GAS EMISSIONS

This section discusses regional greenhouse gas (GHG) emissions and climate change impacts that could result from implementation of the Housing Element Programs. The Existing Setting section provides background on GHG emissions and climate change and the effects of global climate change in California.

As described in greater detail below, GHG emissions have the potential to affect the environment adversely and cumulatively. The emissions from a single project are not likely to cause global climate change. However, GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change. Therefore, the analysis of GHGs and climate change is presented in terms of the project's contribution to cumulative impacts related to GHGs and climate change.

The analysis and discussion in this section also focuses on the project's consistency with local, regional, and statewide climate change planning efforts and discusses the context of these planning efforts as they relate to implementation of the Housing Element programs. GHG emissions modeling is included in Appendix B. Future discretionary projects facilitated by the project will be evaluated for project-specific impacts to greenhouse gas emissions at the time they are proposed.

The information in this section is based on statements, data, tables, and figures provided by the following reference materials:

- 2022 Scoping Plan for Achieving Carbon Neutrality, California Air Resources Board, December 2022;
- Plan Bay Area 2050, Metropolitan Transportation Commission and Association of Bay Area Governments, Adopted October 21, 2021;
- 2017 Clean Air Plan, Bay Area Air Quality Management District, April 2017;
- CEQA Air Quality Guidelines, BAAQMD, April 2023;
- City of Sausalito Climate Action Plan, Marin Climate & Energy Partnership, Adopted June 16, 2015; and
- City of Sausalito Community and Government Operations Greenhouse Gas Inventory for 2016, adopted December 2018.

#### 3.7.1 EXISTING SETTING

##### *Greenhouse Gas Emissions and Climate Change*

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. Human activities are responsible for most of the increase in GHGs in the atmosphere over the last 150 years, mostly from changes in land cover and emissions of air pollutants associated with

the industrial revolution and the generation of electricity. The largest source of GHG emissions from human activities in the United States is from burning fossil fuels for electricity, heat, and transportation. The four main GHGs emitted by human activities at the global scale are:<sup>1</sup>

- **Carbon dioxide (CO<sub>2</sub>)** is primarily emitted from fossil fuel use. Carbon dioxide can also be emitted from direct human-induced impacts on forestry and other land use, such as through deforestation, land clearing for agriculture, and degradation of soils. Carbon dioxide can be removed from the atmosphere through reforestation, improvement of soils, and other activities.
- **Methane (CH<sub>4</sub>)** is emitted from agricultural activities (livestock and other agricultural practices), waste management (decay of organic waste in municipal landfills and water treatment facilities), energy use, and biomass burning.
- **Nitrous oxide** is emitted during agricultural activities (e.g., fertilizer use), industrial activities, and during the combustion of fossil fuels and solid waste.
- **Fluorinated gases** are synthetic GHGs that are emitted from industrial processes, refrigeration, and the use of a variety of consumer products. Fluorinated gases include hydrofluorocarbons (HFCs), perfluorocarbons, sulfur hexafluoride, and nitrogen fluoride.

These GHGs have different global warming potential. The global warming potential of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as “carbon dioxide equivalent” (CO<sub>2</sub>e), and is the amount of a GHG emitted multiplied by its global warming potential. Carbon dioxide has a 100-year global warming potential of one. By contrast, CH<sub>4</sub> has a global warming potential of 28 over 100 years,<sup>2</sup> meaning its global warming effect is 28 times greater than carbon dioxide on a molecule per molecule basis. Nitrous oxide has a global warming potential of 265 over 100 years and HFC-152a has a global warming potential of 506 over 100 years.<sup>3</sup>

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<sup>1</sup> United States Environmental Protection Agency (EPA). Greenhouse Gas Emissions. Website: <https://www.epa.gov/ghgemissions>, Accessed July 31, 2023.

<sup>2</sup> Intergovernmental Panel on Climate Change, 2014: Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland, 151 pp.

<sup>3</sup> Intergovernmental Panel on Climate Change, 2014: Climate Change 2014: Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland, 151 pp.



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### *Indicators of Climate Change in California*

The California Environmental Protection Agency (Cal/EPA) released a report on November 1, 2022, detailing the indicators of climate change in California.<sup>4</sup> Indicators are scientifically based measurements that track trends in various aspects of climate change. The report presents 36 indicators that show how climate change is affecting California, which are grouped into four categories: human-influenced drivers of climate change; changes in the State's climate; impacts of climate change on physical systems (oceans, lakes, snowpack); and impacts of climate change on biological systems (humans, vegetation, wildlife). A summary of the report is presented below followed by a table that summarizes the indicators of climate change in California.

Annual average air temperatures have increased throughout the State since 1895, with temperatures increasing at a consistently faster rate beginning in the 1980s. The last several years have seen record breaking temperatures due to climate change. Temperatures at night have increased even more than the daytime temperatures. Minimum temperatures (which generally occur at night) increased at a rate of 2.3°F (degrees Fahrenheit) per Century as compared to 1.3°F per Century for maximum (daytime) temperatures.

Temperature is a basic physical factor that affects many natural processes and human activities. Warmer air temperatures alter precipitation and runoff patterns, affecting the availability of fresh water supplies. Temperature changes can also increase the risk of severe weather events such as heat waves and more intense storms. A wide range of impacts on ecosystems and on human health and well-being are associated with increased temperatures.

Warming temperatures and changing precipitation patterns have altered California's "physical systems" including the ocean, lakes, rivers, and snowpack. Winter snowpack and spring snowmelt runoff from the Sierra Nevada and southern Cascade Mountains provide approximately one-third of the State's annual water supply. Less snowpack accumulates when winter temperatures are warmer because more precipitation falls as rain instead of snow. As a result, the fraction of snowmelt runoff reaching the Sacramento River between April and July has decreased by about 9 percent since 1906. With less spring runoff, less water is available during summer months to meet the State's domestic and agricultural water demands. These reductions also affect the generation of hydroelectricity, impair cold-water habitat for certain fishes, and stress forest vegetation. The latter has consequences for long-term forest health and an associated increase in the risk of wildland fires.

Warming temperatures have also affected some of the largest glaciers in the Sierra Nevada, which have lost an average of about 70 percent of their area from the beginning of the 20<sup>th</sup>

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<sup>4</sup> California Environmental Protection Agency (Cal/EPA). 2022. Indicators of Climate Change in California. Fourth Edition Website: <https://oehha.ca.gov/climate-change/report/2022-report-indicators-climate-change-california.pdf>, Accessed July 31, 2023.

Century to the present day. Glacier shrinkage worldwide is an important contributor to global sea level rise. Along the California coast, sea levels have generally risen since 1900. Sea level rise threatens existing or planned infrastructure, development, and ecosystems along California’s coast.

Warming temperatures have affected terrestrial, marine, and freshwater ecosystems in California. Species responses include elevational or latitudinal shifts in range; changes in the timing of key plant and animal life cycle events (known as “phenology”); and changes in the abundance of species and in community composition. With continued climate change, many species may be unable to adapt or to migrate to suitable climates, particularly given the influence of other factors such as land use, habitat alteration, and emissions of pollutants.

Climate change can impact human well-being in many ways, including injuries and fatalities from extreme climatic events (e.g., heat waves and intense storms) and respiratory stress from poor air quality (e.g., asthma). Vector-borne pathogen transmission and disease patterns in California have also been altered; West Nile Virus poses the greatest mosquito-borne disease threat.

Warmer temperatures, declining snowpack, and earlier spring snowmelt runoff have created conditions for extreme, high severity wildfires that spread rapidly, as evidenced by the largest recorded wildfire in the State (August Complex Fire) that occurred in August 2020. In parts of the Central Valley, certain fruits and nuts (specifically prunes and at least one variety of walnut) are maturing more quickly with warming temperatures, leading to earlier harvests. Shorter maturation times generally lead to smaller fruits and nuts, potentially causing a significant loss of revenue for growers and suppliers.

Table 3.7-1 provides an overview of the four indicators described in the CalEPA report.

**TABLE 3.7-1: INDICATORS OF CLIMATE CHANGE IN CALIFORNIA**

<b>CLIMATE CHANGE DRIVERS</b>	
	GHG emissions
	Atmospheric GHG concentrations
	Atmospheric black carbon concentrations
	Acidification of coastal waters
<b>CHANGES IN CLIMATE</b>	
	Annual air temperature
	Extreme heat events
	Winter Chill
	Cooling and heating degree days
	Precipitation
	Drought

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IMPACTS OF CLIMATE CHANGE ON PHYSICAL SYSTEMS	
	Snowmelt runoff
	Snow-water content
	Glacier change
	Lake water temperature
	Coastal ocean temperature
	Sea level rise
	Dissolved oxygen in coastal waters
IMPACTS OF CLIMATE CHANGE ON BIOLOGICAL SYSTEMS	
<b>ON HUMANS</b>	Vector-borne diseases
	Heat-related mortality and morbidity
<b>ON VEGETATION</b>	Forest tree mortality
	Wildfires
	Ponderosa pine forest retreat
	Vegetation distribution shifts
	Changes in forests and woodlands
	Subalpine forest density
	Fruit and nut maturation time
<b>ON WILDLIFE</b>	Spring flight of Central Valley butterflies
	Migratory bird arrivals
	Bird wintering ranges
	Small mammal and avian range shifts
	Effects of ocean acidification on marine organisms (Type III)
	Nudibranch range shifts
	Copepod populations
	Sacramento River fall-run Chinook salmon abundance
	Cassin's auklet breeding success
	California sea lion pup demography

*Note:*

A "Type III" indicator is conceptual; no ongoing monitoring or data collection is in place for California.

Source: Indicators of Climate Change in California, California Environmental Protection Agency, November 2022.



**Statewide Summary Report**

The Statewide Summary Report presents an overview of the main findings from California’s Fourth Climate Change Assessment.<sup>5</sup> The Summary Report aims to translate climate science into useful information for decision-makers and practitioners to catalyze action that will benefit regions, the ocean and coast, frontline communities, and tribal and indigenous communities. The Statewide Summary Report presents findings in the context of existing climate science, including strategies to adapt to climate impacts and key research gaps needed to spur additional progress on safeguarding California from climate change.

The Fourth Climate Change Assessment uses global climate models and Representative Concentration Pathways, as described in the Summary Report, to describe climate outcomes. Table 3.7-2 provides a qualitative description of the current understanding of historical and expected climate impacts in California.

**TABLE 3.7-2: HISTORICAL AND EXPECTED CLIMATE IMPACTS IN CALIFORNIA**

CLIMATE IMPACT	HISTORIC TRENDS	FUTURE DIRECTION OF CHANGE	CONFIDENCE FOR FUTURE CHANGE
<b>TEMPERATURE</b>	Warming (last 100+ years)	Warming	Very High
<b>SEA LEVELS</b>	Rising (last 100+ years)	Rising	Very High
<b>SNOWPACK</b>	Declining (past 60+ years)	Declining	Very High
<b>ANNUAL PRECIPITATION</b>	No significant trends (last 100+ years)	Unknown	Low
<b>INTENSITY OF HEAVY PRECIPITATION EVENTS</b>	No significant trends (last 100 years)	Increasing	Medium-High
<b>FREQUENCY OF DROUGHT</b>	No significant trends (last 100+ years)	Increasing	Medium-High
<b>FREQUENCY AND INTENSITY OF SANTA ANA WINDS</b>	No significant trends (last 60+ years)	Unknown	Low
<b>MARINE LAYER CLOUDS</b>	Some downward trends; mostly not significant (last 60+ years)	Unknown	Low
<b>ACRES BURNED BY WILDFIRE</b>	Increasing (last 30+ years)	Increasing	Medium-High

*Source: Strategic Summary Report, Table 3. Website: [://WWW.ENERGY.CA.GOV/SITES/DEFAULT/FILES/2019-07/STATEWIDE%20REPORTS-%20SUM-CCCA4-2018-013%20STATEWIDE%SUMMARY%20REPORT.PDF](http://WWW.ENERGY.CA.GOV/SITES/DEFAULT/FILES/2019-07/STATEWIDE%20REPORTS-%20SUM-CCCA4-2018-013%20STATEWIDE%SUMMARY%20REPORT.PDF) Published January 16, 2019*

<sup>5</sup> Governor’s Office of Planning and Research, California Energy Commission, and California Natural Resources Agency. 2019. California’s Fourth Climate Change Assessment: Statewide Summary Report. January 16.

### 3.7.2 REGULATORY SETTING

#### *Federal*

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

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

On August 3, 2015, the EPA announced the Clean Power Plan, emissions guidelines for U.S. states to follow in developing plans to reduce GHG emissions from existing fossil fuel-fired power plants (Federal Register Vol. 80, No. 205, October 23, 2015). On February 9, 2016, the Supreme Court stayed implementation of the Clean Power Plan due to a legal challenge from 29 states and in April 2017, the Supreme Court put the case on a 60-day hold and directed both sides to make arguments for whether it should keep the case on hold indefinitely or close it and remand the issue to the EPA. On October 11, 2017, the EPA issued a formal proposal to repeal the Clean Power Plan and on June 19, 2019, the EPA issued the Affordable Clean Energy Rule that replaces the Clean Power Plan.

On September 27, 2019, the EPA and the National Highway Safety Administration published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). Part One of the SAFE Vehicles Rule revokes California's authority to set its own GHG emissions standards and zero-emission vehicle mandates in California, which results in one emission standard to be used nationally for all passenger cars and light trucks that is set by the EPA.

## **State**

### **California Code of Regulations Title 24, Part 6**

The California Energy Commission (CEC) is responsible for implementing the California Code of Regulations Title 24, Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings that were first established in 1978 in response to a legislative mandate to reduce California's energy consumption. In 2008 the State set an energy-use reduction goal of zero-net-energy use of all new homes by 2020 and the CEC was mandated to meet this goal through revisions to the Title 24, Part 6 regulations.

The Title 24 standards are updated on a 3-year schedule and since 2008 the standards have been incrementally moving to the goal of the zero-net-energy use. On January 1, 2023, the 2022 standards went into effect, which have been designed so that the average new home built in California will now result in zero-net-energy demand. The 2022 standards encourage the use of battery storage, the use of heat pump water heaters, and also require more widespread use of light emitting diode (LED) lighting, as well as improvements to the thermal envelope of buildings through high performance attics, walls and windows. Finally, the 2022 standards require improvements to ventilation systems by requiring highly efficient air filters to trap hazardous air particulates as well as improvements to kitchen ventilation systems.

### **California Code of Regulations Title 24, Part 11**

California Code of Regulations Title 24, Part 11 (CALGreen) was developed in response to continued efforts to reduce GHG emissions associated with energy consumption. CALGreen is also updated every three years and the current version is the 2022 CALGreen that became effective on January 1, 2023.

The CALGreen Code contains requirements for construction site selection; stormwater control during construction; construction waste reduction; indoor water use reduction; material selection; natural resource conservation; site irrigation conservation; and more. The code provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for verifying that all building systems (e.g., heating and cooling equipment and lighting systems) are functioning at their maximum efficiency.

The CALGreen Code provides standards for bicycle parking, carpool/vanpool/electric vehicle spaces, light and glare reduction, grading and paving, energy efficient appliances, renewable energy, graywater systems, water efficient plumbing fixtures, recycling and recycled materials, pollutant controls (including moisture control and indoor air quality), acoustical controls, stormwater management, building design, insulation, flooring, and framing, among others. Implementation of the CALGreen Code measures reduces energy consumption and vehicle trips and encourages the use of alternative-fuel vehicles, which reduces pollutant emissions.

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The CEC estimates that the 2022 Title 24 standards will reduce 10 million metric tons of GHG over 30 years. When compared to the 2019 Title 24 standards, the 2022 update focuses on: encouraging electric heat pump technology and use; establishing electric-ready requirements when natural gas is installed; expanding solar photovoltaic (PV) system and battery storage standards; and strengthening ventilation standards to improve indoor air quality.

### **California Advanced Clean Cars Program**

On September 27, 2019, the EPA and the National Highway Safety Administration published the SAFE Vehicles Rule Part One: One National Program. The Part One Rule revokes California's authority to set its own GHG emissions standards and sets zero-emission vehicle mandates in California. To account for the effects of the Part One Rule, the California Air Resources Board (ARB) released off-model adjustment factors on November 20, 2019 to adjust criteria air pollutant emissions outputs from the EMFAC model. These off-model adjustment factors are to be applied by multiplying the emissions calculated for light- and medium-duty vehicles by the adjustment factor. With the incorporation of these adjustment factors, operational emissions generated by light-duty automobiles, light-duty trucks, and medium-duty trucks associated with project-related vehicle trips at the year 2030 (a conservative year to use as the project buildout is year 2026) would be approximately 0.5 percent greater for reactive organic gas (ROG), 1.4 percent greater for particulate matter, 0.5 percent greater for NO<sub>x</sub>, and 1.6 percent greater for CO.

### **Executive Order B-30-15**

In September 2020, Governor Gavin Newsom issued Executive Order N-79-20, which requires sales of all new passenger vehicles to be zero-emission by 2035 and additional measures to eliminate harmful emissions from the transportation sector.

### **Executive Order B-30-15, Senate Bill 32, and Assembly Bill 197**

The California Governor issued Executive Order B-30-15 on April 29, 2015 that aims to reduce California's GHG emissions 40 percent below 1990 levels by 2030. This Executive Order aligns California's GHG reduction targets with those of other international governments, such as the European Union that set the same target for 2030 in October 2014. This target will make it possible to reach the ultimate goal of reducing GHG emissions 80 percent under 1990 levels by 2050 that is based on scientifically established levels needed in the United States to limit global warming below 2 degrees Celsius – the warming threshold at which scientists say there will likely be major climate disruptions such as super droughts and rising sea levels. Assembly Bill (AB) 197 (September 8, 2016) and SB 32 (September 8, 2016) codified into statute the GHG emissions reduction targets of at least 40 percent below 1990 levels by 2030 as detailed in Executive Order B-30-15. AB 197 also requires additional GHG emissions reporting that is broken down to sub-county levels and requires the ARB to consider the social costs of emissions impacting disadvantaged communities.

### **Executive Order B-29-15**

The California Governor issued Executive Order B-29-15 on April 1, 2015, and directed the State Water Resources Control Board to impose restrictions to achieve a Statewide 25 percent reduction in urban water usage and directed the Department of Water Resources to replace 50 million square feet of lawn with drought tolerant landscaping through an update to the State's Model Water Efficient Landscape Ordinance. The Ordinance also requires installation of more efficient irrigation systems, promotion of greywater usage and onsite stormwater capture, and limits the turf planted in new residential landscapes to 25 percent of the total area and restricts turf from being planted in median strips or in parkways unless the parkway is next to a parking strip and a flat surface is required to enter and exit vehicles. Executive Order B-29-15 would reduce GHG emissions associated with the energy used to transport and filter water.

### **Executive Order B-48-18 and Assembly Bill 2127**

The California Governor issued Executive Order B-48-18 on January 26, 2018, that orders all state entities to work with the private sector to put at least 5 million zero-emission vehicles on California roads by 2030 and to install 200 hydrogen fueling stations and 250,000 electric vehicle chargers by 2025. Currently there are approximately 350,000 electric vehicles operating in California, which represents approximately 1.5 percent of the 24 million vehicles total currently operating in California. Implementation of Executive Order B-48-18 would result in approximately 20 percent of all vehicles in California to be zero emission electric vehicles. AB 2127 was codified on September 13, 2018, and requires the CEC to work with the ARB to determine Statewide electric vehicle charging infrastructure needs to meet the State goal of at least 5 million zero emission vehicles in use by 2030.

### **Assembly Bill 1279**

Assembly Bill 1279, passed in 2022, declares the State's objective to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. This is in addition to, and does not replace or supersede, Statewide greenhouse gas emissions reduction targets.

### **Assembly Bill 1493**

AB 1493 (also known as the Pavley Bill named after its author Fran Pavley) was enacted on July 22, 2002, and required the ARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. In 2004, ARB approved the "Pavley I" regulations limiting the amount of GHGs that may be released from new passenger automobiles that are being phased in between model years 2009 through 2016. By 2016, these regulations reduced GHG emissions by 30 percent from 2002 levels. In June 2009, the EPA granted California the authority to implement GHG emission reduction standards for light duty vehicles, and in September 2009, amendments to the Pavley I regulations were adopted by ARB and implementation of the "Pavley I" regulations started in 2009.

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The second set of regulations “Pavley II” was developed in 2010 and is being phased in between model years 2017 through 2025 with the goal of reducing GHG emissions by 45 percent by 2020 as compared to the 2002 fleet. The 2020 goal was met early in 2016.<sup>6</sup> The Pavley II standards were developed by linking the GHG emissions and formerly separate toxic tailpipe emissions standards previously known as the “LEV III” (third stage of the Low Emission Vehicle standards) into a single regulatory framework. The new rules reduce emissions from gasoline-powered cars as well as promote zero-emissions auto technologies such as electricity and hydrogen, and through increasing the infrastructure for fueling hydrogen vehicles. In 2009, the EPA granted California the authority to implement the GHG standards for passenger cars, pickup trucks, and sport utility vehicles and these GHG emissions standards are currently being implemented nationwide. However, EPA has performed a midterm evaluation of the longer-term standards for model years 2022-2025, and based on the findings of this midterm evaluation, the EPA has proposed to amend the corporate average fuel economy and GHG emissions standards for light vehicles for model years 2021 through 2026. The EPA’s proposed amendments do not include any extension of the legal waiver granted to California by the 1970 Clean Air Act and which has allowed the State to set tighter standards for vehicle pipe emissions than the EPA standards. On September 20, 2019, California filed suit over the EPA decision to revoke California’s legal waiver that has been joined by 22 other states.

### **California Executive Orders S-3-05 and S-20-06, Assembly Bill 32**

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's GHG emissions to (1) 2000 levels by 2010; (2) 1990 levels by the 2020; and (3) 80 percent below the 1990 levels by the year 2050.

In 2006, this goal was further reinforced with the passage of AB 32, the Global Warming Solutions Act of 2006, which created a comprehensive, multi-year program to reduce GHG emissions in California. AB 32 required the ARB to develop a Climate Change Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first approved by the ARB in 2008 and must be updated every 5 years. The First Update to the Climate Change Scoping Plan was approved by the Board on May 22, 2014.

In 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation AB 197, which provides additional direction for developing the Scoping Plan. The second update to the Scoping Plan was published by the ARB in November 2017. The 2017 Climate Change Scoping Plan identifies how the State can reach the 2030 climate target to reduce

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<sup>6</sup> California Office of the Governor. 2019. Governor Newsom Announces Climate Pollution Continues to Drop Below 2020 Target While State’s Economy Grows. August 12. Website: <https://www.gov.ca.gov/2019/08/12/governor-newsom-announces-climate-pollution-continues-to-drop-below-2020-target-while-states-economy-grows/>. Accessed May 29, 2020.



GHG emissions by 40 percent from 1990 levels, as set by Executive Order B-30-15 and codified by SB 32. The 2017 Climate Change Scoping Plan also describes how the State can substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels.

The ARB's *Final 2022 Scoping Plan for Achieving Carbon Neutrality* (the latest version of the Scoping Plan) provides policies that are considered needed to meet the State's mid-term and long-term GHG emissions reduction targets. Specifically, the ARB's *Final 2022 Scoping Plan for Achieving Carbon Neutrality* identifies that it "...lays out the sector-by-sector roadmap for California, the world's fifth largest economy, to achieve carbon neutrality by 2045 or earlier...". The Scoping Plan addresses recent legislation and direction from Governor Newsom, by extending and expanding upon the earlier Scoping Plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, and adding carbon neutrality as a science-based guide and touchstone for California's climate work. The Scoping Plan is therefore consistent with the Assembly Bill 1279 GHG reduction targets of achieving carbon neutrality by 2045, and reducing anthropogenic emissions to 85 percent below 1990 levels by 2045.

### **2022 SB 32 Scoping Plan**

On December 15, 2022, CARB approved the Final 2022 Scoping Plan for Achieving Carbon Neutrality, which outlines the state's plan to reach carbon neutrality by 2045 or earlier, while also assessing the progress the state is making toward reducing GHG emissions by at least 40 percent below 1990 levels by 2030, as is required by SB 32 and laid out in the Second Update. The carbon neutrality goal requires CARB to expand proposed actions from only the reduction of anthropogenic sources of GHG emissions to also include those that capture and store carbon (e.g., through natural and working lands, or mechanical technologies). The carbon reduction programs build on and accelerate those currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines); and scaling up new options such as green hydrogen.<sup>7</sup>

The 2022 Scoping Plan also emphasizes that there is no realistic path to carbon neutrality without carbon removal and sequestration, and to achieve the state's carbon neutrality goal, carbon reduction programs must be supplemented by strategies to remove and sequester carbon. Strategies for carbon removal and sequestration include carbon capture and storage (CCS) from anthropogenic point sources, where CO<sub>2</sub> is captured as it leaves a facility's

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<sup>7</sup> Green hydrogen refers to hydrogen that is generated by renewable energy or from low-carbon power, and has significantly lower associated carbon emissions than grey hydrogen, which is produced using natural gas and makes up the majority of hydrogen production. For the purposes of the 2022 Scoping Plan, the term "green hydrogen" is not limited to only electrolytic hydrogen produced from renewables.

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smokestack and is injected into geologic formations or used in industrial materials (e.g., concrete); and carbon dioxide removal (CDR) from ambient air, through mechanical (e.g., direct air capture with sequestration [DACCS]) or nature-based (e.g., management of natural and working lands) applications.

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and Executive Orders S-3-05 and B-30-15, by which Governors Schwarzenegger and Brown identified long-term GHG reduction goals for the State of California (80 percent below 1990 levels by 2050 and “carbon neutrality as soon as possible, and no later than 2045, and maintain and achieve negative emissions thereafter”). The Scoping Plan establishes an overall framework for the measures that will be adopted to reduce California’s GHG emissions.

### Senate Bill 375

SB 375, signed in August 2008, enhances the State’s ability to reach AB 32 goals by directing ARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles for 2020 and 2035. In addition, SB 375 directs each of the State’s 18 major Metropolitan Planning Organizations to prepare a “sustainable communities strategy” that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan. On September 23, 2010, the ARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. In 2018, the State was not on track to meet the 2020 goal.<sup>8</sup> At time of writing of this Revised Draft EIR, there has not been an update on whether the 2020 goal has yet been met.

### Senate Bill 1383

Signed September 19, 2016, SB 1383 is a supplement the GHG reduction strategies in the Scoping Plan to consider short-lived climate pollutants, including black carbon and CH<sub>4</sub>. Black carbon is the light-absorbing component of fine particulate matter produced during incomplete combustion of fuels (e.g., on-and off-road transportation, residential wood burning, charbroiling, and industrial processes). SB 1383 required the ARB, no later than January 1, 2018, to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve the following reductions below 2013 levels by 2030, including CH<sub>4</sub> by 40 percent, hydrofluorocarbon gases by 40 percent, and black carbon by 50 percent. SB 1383 also establishes targets for reducing organic waste in landfills (see Section 3.15, Utilities and Service Systems). In response to SB 1383, ARB adopted the Final Proposed Short-Lived Climate Pollutant Strategy on March 14, 2017.

### California Renewables Portfolio Standard

The California Renewables Portfolio Standard was established in 2002 under SB 1078, accelerated in 2006 under SB 107, expanded in 2011 under SB 2, and enhanced in 2015 by

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<sup>8</sup> California Air Resources Board (ARB). 2018. 2018 Progress Report: California’s Sustainable Communities and Climate Protection Act. November.

SB 350. The Renewables Portfolio Standard program requires investor-owned utilities, publicly owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 50 percent of total procurement by 2030.<sup>9</sup> SB 100, passed in September 2018, accelerates the Renewables Portfolio Standard to achieve a 50 percent renewable resources target by 2026, a 60 percent target by 2030, and set a standard for zero-carbon electricity by 2045.

### **California Environmental Quality Act, SB 97**

Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the State California Environmental Quality Act (CEQA) Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, a variety of air districts have adopted quantitative significance thresholds for GHGs.

## **Regional**

### **Plan Bay Area 2050: A Vision for the Future**

On October 21, 2021, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) adopted Plan Bay Area 2050, an integrated transportation and land-use strategy through 2050 that marks the nine-county region's first long-range plan to meet the requirements of SB 375. Plan Bay Area 2050 is a 30-year plan that charts a course for a Bay Area that is affordable, connected, diverse, healthy and vibrant for all residents through 2050 and beyond. Thirty-five strategies comprise the heart of the plan to improve housing, the economy, transportation and the environment across the Bay Area's nine counties — Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma. This longrange plan, developed by the Bay Area's two regional planning agencies, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), lays out a \$1.4 trillion vision for a more equitable and resilient future for Bay Area residents.<sup>10</sup>

### **BAAQMD 2050 Climate Resolution Goals**

In 2013, the Bay Area Air Quality Management District (BAAQMD) Board of Directors approved a Resolution (No. 2013-11) adopted a GHG goal and a commitment to developing a regional climate protection strategy that commits to the following.

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<sup>9</sup> California Public Utilities Commission (CPUC). California Renewables Portfolio Standard. Website: <http://www.cpuc.ca.gov/rps/>. Accessed April 28, 2020.

<sup>10</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 2021. Plan Bay Area 2050. October 21, 2021.

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- Setting a goal for the Bay Area region to reduce GHG emissions to 80 percent below 1990 levels by 2050.
- Developing a Regional Climate Protection Strategy to make progress toward the 2050 goal and to complement existing climate action efforts at the State, regional, and local levels.
- Preparing a work program to guide the BAAQMD climate protection activities in the near term.

### **BAAQMD 2017 Clean Air Plan**

BAAQMD adopted the 2017 Clean Air Plan on April 19, 2017 to comply with State air quality planning requirements set forth in the California Health & Safety Code. The 2017 Clean Air Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as PM, ozone, and TACs, to reduce emissions of methane and other “super-greenhouse gases” that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

The proposed control strategy for the 2017 Clean Air Plan consists of 85 specific control measures targeting a variety of local, regional, and global pollutants. The control measures have been developed for stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. Implementation of some of the control measures could involve retrofitting, replacing, or installing new air pollution control equipment, changes in product formulations, or construction of infrastructure that have the potential to create air quality impacts.

The BAAQMD CEQA Guidelines set forth criteria for determining consistency with the Clean Air Plan. In general, a project is considered consistent if (1) the project supports the primary goals of the Clean Air Plan, (2) includes control measures and (3) does not interfere with implementation of the Clean Air Plan measures.

### **BAAQMD 2022 CEQA Air Quality Guidelines**

The purpose of the CEQA Air Quality Guidelines is to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the San Francisco Bay Area Air Basin. The Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from land development construction and operation activities. The Guidelines focus on criteria air pollutant, GHG, toxic air contaminant, and odor emissions generated from plans or projects and are intended to help lead agencies navigate through the CEQA process. The Guidelines for implementation of the Thresholds are for information purposes only to assist local agencies. Recommendations in the Guidelines are advisory and should be followed by local governments at their own discretion. The most recent version of the CEQA Air Quality Guidelines were published April 2022.

## **Local**

### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing GHG emissions:

#### *Environmental Quality Element*

Policy EQ-5.1: Implement Research. Incorporate the growing body of climate change research to improve air quality in Sausalito due to emissions' negative impact on both local air quality and global climate.

Program EQ-5.1.1: Update CAP. Continue to update Sausalito's Climate Action Plan (CAP) with new data as well as updated policies and programs.

Program EQ-5.1.2: Update LEAP. Continue to update Sausalito's Low Emissions Action Plan (LEAP) with new data as well as updated policies and programs.

Program EQ-5.1.3: Emissions Targets. Update City targets for Greenhouse Gas emissions to align with the most ambitious County, State, or Federal targets.

Program EQ-5.1.4: Urban Form. Encourage land use policies that promote pedestrian and bicycle uses to reduce automobile use, improve air quality, and reduce impacts of climate change.

Program EQ-5.1.5: Clean-Burning Fuels. Encourage commercial and residential use of clean-burning fuels.

Program EQ-5.1.6: City Vehicles. Require vehicles purchased by the City to have low emissions and do routine maintenance to ensure low emissions.

Program EQ-5.2.2: Circulation and Parking Element Programs. Implement programs identified in the Circulation and Parking Element which could reduce vehicular emissions.

Program EQ-5.2.5: Electrify Equipment. Require city usage and promote resident usage of electric landscape equipment where possible, for example replacing gasoline-powered leaf blowers with electric blowers.

Program EQ-5.2.6: Reduced-Emission Equipment. Give preference to contractors and contracts for services to firms that use reduced-emission equipment and/or practice sustainable operations.

Program EQ-5.2.7: Climate Change Education. Promote local, county, State, and federal climate regulation standards among Sausalito residents and businesses, informing them of the short- and long-term effects of reducing emissions and improving air quality.

#### *Sustainability Element*

Program S-1.2.1 Passive Climate Control. Encourage designs that promote passive climate control through materials and form in new developments or substantial remodels, including

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utilizing passive solar energy methods to reduce energy consumption to the extent feasible consistent with other design considerations, such as view retention, glare, and other requirements.

Program S-1.2.2: Street Light Conversion. Complete replacement of city incandescent streetlights to Light Emitting Diode (LED) or other less energy intensive fixtures in order to reduce energy consumption and costs.

Program S-1.2.4 City Efficiency. Collaborate with Marin Energy Management Team to identify and implement energy efficiency projects in municipal facilities.

Policy S-1.3 Renewable Energy, Residential, and Commercial. Encourage renewable energy generation and installations and/or purchasing Marin Clean Energy (MCE) 100 percent renewable Deep Green service level in residential and commercial buildings.

Program S-1.3.6: City Solar Energy. Install solar energy systems at all suitable city facilities.

Program S-1.3.8: S-1.3.8 CAP Updates

Program S-1.3.9: LEAP Updates. Continue to update and implement the Low Emissions Action Plan as new technology and implementation measures become available. Ensure the LEAP reflects or exceeds best practices in climate action leadership as expressed in federal, state, or regional guidance.

Policy S-1.4: Natural Gas Replacement. Evaluate electrification, or evaluate alternative renewable energy sources, for building systems that currently use natural gas for heating.

Program S-2.2.1: Recovered Wood. Increase outreach to marinas and those applying for landscaping or demolition permits of Zero Waste Marin's wood recycling programs to maximize building salvage.

Program S-4.1.1: Advanced Community Energy installation. Install an Advanced Community Energy (ACE) system with solar canopy, energy storage, and EV chargers ideally at public parking area near Ferry Landing. Exact location to be recommended by the Sustainability Commission.

Program S-4.1.2: Promote home generation financing. Promote financing and loan programs for renewable energy generation in residential and nonresidential projects.

Program S-4.1.3: Streamline Home Generation Permits. Streamline permitting for home-based renewable energy generation (i.e., solar roofs).

Program S-4.1.4: Leadership Culture. Coordinate closely with the Sustainability Commission to recommend creative and cutting-edge projects that will cost-effectively reduce greenhouse gases and other emissions in the city.

Program S-4.1.6: Promote Local Trips. Work with City committees and commissions to identify policies that would promote local economic opportunity and reduce the number and



length of automobile trips. These policies should be linked to economic sustainability, land use and transportation investments.

Program S-4.1.7: Alternative Fuels. Promote the implementation of alternative fuel sources by design, such as exterior electrical outlets or solar chargers.

Program S-4.1.8: Maintain Database. Continue to track community-wide and City operation greenhouse gas and other emissions, as well as solid waste, energy, environmental, and economic data. Periodically update and incorporate new methodologies as available. Ensure compatibility with Marin County databases.

#### *Circulation and Parking Element*

CP-2.1.9: Electric Vehicle Plan. Implement the Electric Vehicle sections of the Low Emissions Action Plan and the Climate Action Plan, including installation of Electric Vehicle charging stations where appropriate.

CP-2.3.3: Charging Station Mandate. Update the Zoning Ordinance to require the provision of charging stations and bike parking at new commercial buildings.

#### **Sausalito Municipal Code**

Chapter 8.18 of the Municipal Code (Energy Code) adopts the 2019 California Energy Code, Title 24, Part 6, and incorporates the code into the Sausalito Municipal Code.

Chapter 8.52 (Water Conserving Landscaping) contains regulations to support water conservation. All landscaping proposed for review and/or approval by the City shall comply with the provisions of the Water conservation Ordinance 326 adopted by the Marin Municipal Water District.

Chapter 8.54 (Construction and Demolition Waste Recovery) promotes the redirection of recyclable materials generated during construction away from landfills. All project applicants are required to complete and submit a recycling management plan to estimate the volume of debris to be generated during construction and the estimated amount of debris that would be sent to the landfill. The intent of Chapter 8.54 is to divert at least 50 percent of all debris waste from most construction, demolition, and renovation projects away from local landfills.

Chapter 11.12 (Preservation of Trees and Views) acknowledges the contribution of trees to the character and beauty of the city and provides guidelines to address potential conflicts between preservation of trees and view-related values. This chapter also encourages and promotes the planting and proper husbandry of trees throughout the city.

Chapter 11.30 (Single Use Carryout Bags) is intended to reduce the amount of plastic bag pollution in the environment, reduce the impacts of paper bags which cause other forms of pollution and greenhouse gas emissions, and encourage reusable bags by consumers and retailers.

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Chapter 17.28 (Trees, Shrubs and Plants) describes protections for trees in the public realm, including prohibitions against cutting, pruning, injuring, removing or spraying public trees, as well as prohibitions against attaching appurtenances or interfering with work on trees by city employees.

### **Sausalito Climate Action Plan**

The purpose of the city Climate Action Plan (CAP) is to compile existing and potential strategies (i.e., actions, projects, and programs) that the city's government and the community can use to address climate change. The CAP incorporates the City's 2005 and 2010 Greenhouse Gas Emission Inventories, which identified sources of greenhouse gas emissions generated by the community and the local government; estimates how these emissions may change over time under a business-as-usual forecast and provides energy use, transportation, land use, waste, water, wastewater, and natural system strategies necessary to minimize Sausalito's impacts on climate change and meet the city's adopted greenhouse gas emissions reduction target of 15 percent below 2005 levels by 2020 (Resolution 5365). Per discussion in Section 3.7.3 below, the City has already demonstrated a reduction of 16 percent from 2005 levels. The CAP includes the following strategies and actions to reduce greenhouse gas emissions:

CAP 1-1: Residential Green Building Ordinance. Update building codes to mandate higher building energy performance in newly constructed residential buildings.

CAP 1-2: Commercial Green Building Ordinance. Update building codes to mandate higher building energy performance in newly constructed non-residential buildings.

CAP 1-3: Solar Energy. Encourage residents and business to install solar energy systems.

CAP 1-4: Residential Energy Efficiency. Participate in rebate and incentive programs such as Energy Upgrade California and promote existing rebates and programs offered through the Marin Energy Watch Partnership, Marin Clean Energy, and PG&E.

CAP 1-5: Commercial Energy Efficiency. Promote commercial and industrial energy efficiency and demand response programs provided through the Marin Energy Watch Partnership and Marin Clean Energy.

CAP 1-6: Energy Audits. Require energy audits for residential and commercial buildings prior to completion of sale or within a specified period of time after sale is transacted.

CAP 1-7: Residential Electricity. Encourage homeowners to purchase 100 percent renewable electricity, such as Marin Clean Energy's Deep Green energy program.

CAP 1-8: Public Lighting. Consider replacing all streetlights, traffic signals, and park lighting with energy-efficient LED lighting.

CAP 1-9: Municipal Energy Efficiency Projects. Identify and consider complete energy-efficiency projects, such as those identified by the Marin Energy Management Team.

CAP 1-10: Municipal Energy Efficiency Protocols and Equipment. Consider installation of energy management software and implement energy efficiency protocols such as turning off lights and computers when not in use and reducing energy use through thermostat control. Consider amending the city's purchasing ordinance to include a sustainable purchasing policy that emphasizes recycled materials and Energy Star-certified appliances and office equipment.

CAP 1-11: Municipal Solar. Consider a feasibility study on the installation of solar or other renewable energy projects at select City facilities, such as the Martin Luther King School facilities and City parking lots, and consider installation when feasible funds are budgeted by the city council where feasible. Work with Marin Clean Energy to identify and consider construction of a solar energy site when funds are budgeted by the city council.

CAP 1-12: Municipal Electricity. Purchase 100 percent renewable electricity for all City facilities, such as Marin Clean Energy's Deep Green energy program.

CAP 2-1: Bicycle and Pedestrian Transportation. Encourage bicycling and walking as a safe and efficient means to travel around Sausalito.

CAP 2-2: School Transportation. Encourage bicycling, walking, carpooling, and taking public transit to school.

CAP 2-3: Carpooling. Support and promote ride sharing programs.

CAP 2-4: Public Transportation. Support and promote public transportation.

CAP 2-5: Teleworking. Support and encourage employers to implement green commute alternatives including teleworking, as outlined by the Transportation Authority of Marin.

CAP 2-6 Electric Vehicles. Increase ownership of electric vehicles.

CAP 2-7: Market Price Parking. Establish market price parking at metered parking spaces to eliminate cruising for available spaces.

CAP 2-8: High-Efficiency City Vehicles. Consider the purchase or lease of low or zero-emissions vehicles and the most fuel efficient models possible for the city fleet, including construction vehicles.

CAP 2-9: City Employee Commute. Provide city employees with incentives to use alternatives to single occupant auto commuting, such as transit incentives, bicycle facilities, ridesharing services and subsidies, flexible schedules, and telecommuting when practical.

CAP 3-1: Zero Waste. Increase the waste diversion rate to 86 percent by the year 2020.

CAP 3-2: Zero Waste in Government Operations. Increase diversion of waste produced by government operations to 86 percent by the year 2020.

CAP 4-1: Indoor Water Efficiency and Conservation.

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CAP 4-2: Outdoor Water Efficiency and Conservation. Work with Marin Municipal Water district to promote existing and new rebates for water-efficient landscaping and irrigation systems and controllers. Support additional water-efficient landscape requirements if needed to meet water conservation targets.

CAP 4-3: Rainwater Catchment. Promote existing and new rebates for water storage facilities. Review existing building and zoning codes and permitting procedures and revise as necessary to encourage cisterns and other rainwater storage facilities.

CAP 4-4: Greywater. Review existing building and zoning codes and permitting procedures and revise as necessary to encourage cisterns and other rainwater storage facilities.

CAP 4-5: Energy Production from Wastewater. Work with the Sausalito-Marín City Sanitation District to implement methane capture for energy production at the wastewater treatment plant.

CAP 4-6: Municipal Water Conservation. Assess, maintain and repair existing plumbing fixtures, pipes, and irrigation systems in all City buildings, facilities and landscaping to minimize water use.

CAP 4-7: Municipal Wastewater Pumps. Evaluate the City's wastewater pumping stations and replace inefficient motors and pumps with more efficient units.

CAP 5-1: Tree Cover. Increase Sausalito's tree cover.

CAP 5-2: Tree Planting. Increase the number of City, park and street trees.

### 3.7.3 GREENHOUSE GAS INVENTORIES

#### *State of California Inventory*

Based on the ARB annual Statewide GHG emission inventory, in 2020, emissions Statewide were 369.2 million metric tons (MMT) of CO<sub>2</sub>e.<sup>11</sup> The largest source of GHG emissions in California is the transportation sector. Direct emissions from the tailpipe of cars, trucks, off-road transportation sources, intrastate aviation, and other sources, accounted for 38 percent of the inventory in 2020. Emissions from the remaining sectors in the 2020 inventory are as follows: industrial sector (23 percent); electricity sector (16 percent); commercial and residential fuel combustion (14 percent); agricultural and forestry sector (9 percent); and electricity imports (5 percent).

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<sup>11</sup> California Air Resources Board (ARB). 2023. Current California GHG Emission Inventory Data. 2000-2020 GHG Inventory (2022 Edition). <https://ww2.arb.ca.gov/ghg-inventory-data>

### **Bay Area Inventory**

The BAAQMD estimated that in 2011, 86.6 MMT of CO<sub>2</sub>e GHGs were emitted by the San Francisco Bay Area (83.9 MMT of CO<sub>2</sub>e were emitted within the Bay Area Air District and 2.7 MMT of CO<sub>2</sub>e were indirect emissions from imported electricity).<sup>12</sup> In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of the Bay Area's GHG emissions, accounting for 39.7 percent of the Bay Area's 86.6 MMT of GHG emissions in 2011. Industrial and commercial sources were the second largest contributors of GHG emissions with about 35.7 percent of total emissions. Domestic sources (e.g., home water heaters, furnaces, etc.) account for about 7.7 percent of the Bay Area's GHG emissions, and energy production accounted for 14.0 percent. Off-road equipment and agriculture make up the remainder with approximately 1.5 percent and 1.5 percent, respectively, of the total Bay Area 2011 GHG emissions, respectively. The inventory is broken down by county, where Marin County emissions accounted for approximately 2.77 percent of total emissions within the Bay Area (2.4 MMT of CO<sub>2</sub>e). As in many Bay Area counties, most Marin County emissions are from transportation (cars and trucking), accounting for approximately 56.3 percent of the county's emissions. About 40 percent of the entire Bay Area inventory is attributable to transportation.

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The GHG emissions generated by activities taking place in Sausalito have been quantified in the City of Sausalito Community and Government Operations Greenhouse Inventory for 2016.<sup>13</sup> In 2005, the activities taking place by the Sausalito community resulted in approximately 72,316 MT CO<sub>2</sub>e. In 2016, those activities resulted in approximately 60,659 MT CO<sub>2</sub>e, which equates to a reduction of 16 percent from 2005 levels. This means that the City has met the State goal to reduce emissions 15 percent below the 2005 baseline by 2020.

Dividing the 2016 community-wide GHG emissions (60,659 MT CO<sub>2</sub>e) by the 2016 service population (residents plus jobs, i.e., 12,787 persons<sup>14</sup>) yields a result of 4.74 MT CO<sub>2</sub>e per service population for Sausalito in 2016.

The community inventory tracks emissions in seven sectors:

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<sup>12</sup> Bay Area Air Quality Management District (BAAQMD). 2015. Bay Area Emissions Inventory Summary Report: Greenhouse Gases Base Year 2011. January. Website: [http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/BY2011\\_GHGSummary.ashx?la=en](http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Emission%20Inventory/BY2011_GHGSummary.ashx?la=en), Accessed July 31, 2023.

<sup>13</sup> City of Sausalito. 2018. Community and Government Operations Greenhouse Gas Inventory for 2016. December. Website: <https://marinclimate.org/wp-content/uploads/2019/09/Sausalito-2016-GHG-Inventory-Report.pdf>. Accessed July 31, 2023.

<sup>14</sup> Population of 7,227 in 2016 (California Department of Finance) + 5,560 Jobs in 2016 (United States Census Bureau, Center for Economic Studies. OnTheMap Version 6.7: Work Area Profile Analysis. Website: <https://onthemap.ces.census.gov/>. Accessed July 31, 2023.)

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- The **Residential** sector includes emissions generated by the use of electricity, natural gas, and propane in homes.
- The **Commercial & Industrial** sector includes emissions generated by the use of electricity and natural gas in commercial and industrial buildings. Emissions generated by schools, governments, and public agencies are included in this sector.
- The **Transportation** sector includes emissions from on-road vehicles travelling on local roads within the city limits and a portion of emissions generated by vehicular travel on State highways within Marin County.
- The **Waste** sector includes emissions generated by the decomposition of solid waste deposited in landfills located outside the city's borders.
- The **Off-Road Vehicles and Equipment** sector includes emissions from vehicles and equipment used for construction and lawn and garden activities.
- The **Water** sector inventories emissions generated by the use of electricity in treating, conveying, and distributing water from the water source to water users in the community.
- The **Wastewater** sector includes emissions generated by the treatment of wastewater as well as electricity used to convey and treat wastewater.

### 3.7.4 THRESHOLDS OF SIGNIFICANCE

According to the CEQA Guidelines Appendix G, the project would have a significant impact related to GHG emissions if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Most individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence on climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even when individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects per CEQA Guidelines Section 15064(h)(1).

The 2022 BAAQMD CEQA Guidelines have identified a threshold of significance for GHGs for plan-level projects, as follows:

- Approach 1: Meet State's goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045; or



- Approach 2: Be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b)

Regarding Approach 1, in order to demonstrate a less-than-significant impact relative to greenhouse gas emissions, the project would need to demonstrate that the project meets the State's GHG emissions reduction goals for year 2030 and the long-term carbon neutrality goal for year 2045.

Regarding Approach 2, according to the CEQA Guidelines, a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b) would be one that should:

- (A) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
- (B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
- (C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- (D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- (E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;
- (F) Be adopted in a public process following environmental review.

The City of Sausalito prepared a Climate Action Plan (CAP) that was adopted on June 16, 2015, which meets criteria provided under State CEQA Guidelines Section 15183.5(b), as also provided above.

Therefore, implementation of the proposed Housing Element Programs is analyzed in relation to its ability to be consistent with Approach 1 and Approach 2, as described within the BAAQMD CEQA Guidelines, and as recapitulated above.

### **3.7.5 ANALYSIS, IMPACTS, AND MITIGATION MEASURES**

Impacts related to GHG emissions resulting from implementation of the project are discussed below. The California Emissions Estimator Model (CalEEMod Version 2022.1) was used to compute GHG emissions for the project (see Appendix B).

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**Impact 3.7-1**      **Development facilitated by the Housing Element Programs would directly or indirectly generate GHG emissions that may have a significant impact on the environment.**

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### Construction Emissions

The construction-related GHG emissions from buildout of the Housing Element Programs have been calculated through use of the CalEEMod model (see Appendix B). Construction activities associated with future development under the project would generate temporary short-term GHG emissions from heavy-duty construction equipment, worker trips, and material delivery and hauling. On-site activities would consist of the operation of off-road construction equipment, as well as on-site truck travel (e.g., haul trucks, dump trucks, and concrete trucks). Off-site sources would include emissions from construction vehicles used for hauling materials and worker vehicle trips.

The City's General Plan includes policies and programs specifically designed to address GHG emissions during project construction activities. Program S-2.2.1 calls for the City to increase outreach to marinas and those applying for landscaping or demolition permits of Zero Waste Marin's wood recycling programs to maximize building salvage. Program EQ-5.2.6 requires the City to give preference to contractors and contracts for services to firms that use reduced-emission equipment and/or practice sustainable operations.

Additionally, the Sausalito Municipal Code contains rules and regulations to reduce GHG emissions during construction. Chapter 8.54 promotes the redirection of recyclable materials generated during construction away from landfills. All project applicants are required to complete and submit a recycling management plan to estimate the volume of debris to be generated during construction and the estimated amount of debris that would be sent to the landfill. The intent of Chapter 8.54 is to divert at least 50 percent of all debris waste from most construction, demolition, and renovation projects away from local landfills.

Future development under the Housing Element Programs would comply with the requirements of the General Plan policies and programs related to GHG emissions as well as applicable BAAQMD regulations and standards in the Sausalito Municipal Code.

Table 3.7-3 shows the GHG emissions generated by implementation of the Housing Element Programs. It should be noted that Table 3.7-3 represents a conservative estimate of construction-related emissions, as full implementation of the Housing Element Programs was assumed to occur by 2029, though actual buildout of the Housing Element Programs is anticipated to take longer.<sup>15</sup> As shown in Table 3.7-3, the annual maximum construction-

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<sup>15</sup> It should be noted that construction-related on- and off-road emission factors tend to decrease over time. Therefore, assuming earlier buildout than is likely in reality would provide a conservative estimate of project buildout construction-related emissions.

related GHG emissions is anticipated to be approximately 1,325 MT CO<sub>2</sub>e. These emissions results are provided for the sake of disclosure. Further detail is provided in Appendix B.

**TABLE 3.7-3: PROJECT CONSTRUCTION-RELATED GHG EMISSIONS AT HOUSING ELEMENT PROGRAMS BUILDOUT**

CATEGORY	CONSTRUCTION GHG EMISSIONS (MT CO <sub>2</sub> e)
<b>Annual (Maximum)</b>	1,325

*Source: CALEEMOD Model Version 2022.1 (see Appendix B).*

### Operational Emissions

The operational GHG emissions from buildout of the Housing Element Programs have been calculated through use of the CalEEMod model (see Appendix B). The operational GHG emissions are based on buildout of the project: 959 dwelling units and 16,852 square feet of nonresidential uses (see Chapter 2, Project Description).

Table 3.7-4 shows the GHG emissions generated from the entire city for the year 2040. It should be noted that Table 3.7-3 is based on year 2025 emission rates from area sources, energy usage, solid waste, water and wastewater sources. Future State regulations, including SB 100 that requires 100 percent of retail sales of electricity to be generated from zero-carbon emissions sources by 2045, along with other regulations, would result in reducing these emissions sources to near zero levels. In addition, the transportation sources only incorporate previously adopted State regulations and do not account for recent State regulations, including the anticipated reductions from Executive Order N-79-20 that requires 100 percent of new passenger vehicles sold in California to be zero-emissions by 2035. These emissions results are provided for the sake of disclosure. Further detail is provided in Appendix B.

**TABLE 3.7-4: PROJECT OPERATION-RELATED GHG EMISSIONS AT BUILDOUT**

OPERATION GHG EMISSIONS (MT CO <sub>2</sub> e)						
BIO CO <sub>2</sub>	Non-Bio CO <sub>2</sub>	Total CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	R	CO <sub>2</sub> e
74.5	11,220	11,295	8.1	0.4	18.3	11,640

*Source: CALEEMOD Model Version 2022.1 (see Appendix B).*

Separately, the City's current General Plan would further reduce GHG emissions through additional policies and programs specifically designed to address GHG emissions during operation. Program EQ-5.1.5 requires the city to encourage business and residential use of clean-burning fuels. Program EQ-5.2.6 requires the city to give preference to contractors and contracts for services to firms that use reduced-emission equipment and/or practice sustainable operations. Program S-1.2.1 requires the city to encourage new development to

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utilize passive solar energy methods to reduce energy consumption to the extent feasible consistent with other design considerations, such as view retention, glare, and other requirements. Policy S-4.3 requires the installation of sustainable landscapes. Policy S-1.4 promotes the use of electricity for appliances that currently use natural gas. Program 1.2.1 encourages energy-conscious developments that minimize energy use through passive solar energy methods and climate control.

In addition, the 2022 California Code of Regulations Title 24 Part 6 standards (i.e. 2022 California Building Standards) also now require that all homes built in California shall have zero-net-energy use, which is achieved through energy-efficiency measures as well as required rooftop solar photovoltaic systems. Furthermore, lighting standards have increased within the 2022 California Building Standards, compared to the previous version of the standards. The 2022 California Building Standards also apply to nonresidential buildings and require a variety of energy efficiency measures to be implemented during construction of the structures to reduce energy as usage as well as GHG emissions.

Moreover, the California Green Building Standards Code—Part 11, Title 24, California Code of Regulations—known as CALGreen, would apply to the project. The CALGreen Code provides standards for bicycle parking, carpool/vanpool/electric vehicle spaces, light and glare reduction, grading and paving, energy efficient appliances, renewable energy, graywater systems, water efficient plumbing fixtures, recycling and recycled materials, pollutant controls (including moisture control and indoor air quality), acoustical controls, stormwater management, building design, insulation, flooring, and framing, among others. Implementation of the CALGreen Code measures reduces energy consumption and vehicle trips and encourages the use of alternative-fuel vehicles, which reduces pollutant emissions.

The CEC estimates that the 2022 Title 24 standards will reduce 10 million metric tons of GHG over 30 years. When compared to the 2019 Title 24 standards, the 2022 update focuses on: encouraging electric heat pump technology and use; establishing electric-ready requirements when natural gas is installed; expanding solar photovoltaic (PV) system and battery storage standards; and strengthening ventilation standards to improve indoor air quality.

Compliance with the City's General Plan policies and programs, adherence to the development standards in the Sausalito Municipal Code, as well as consistency with the 2022 California Buildings Standards and the latest version of the CALGreen Code would ensure that potential new development associated with implementation of the project would not directly or indirectly generate GHG emissions that may have a significant impact on the environment. Therefore, implementation of the project will have a ***less-than-significant impact*** under this criterion.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

**Level of Significance after Mitigation**

Less than Significant

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**Impact 3.7-2      Development facilitated by the Housing Element Programs could conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.**

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The following plans have been adopted and are applicable to development anticipated to occur with implementation of the Housing Element Programs.

**City of Sausalito General Plan**

The City's General Plan contains the following policies and programs to support the State's climate goals. Policy S-1.4 directs the city to evaluate alternative renewable energy sources for building systems that currently use natural gas for heating. Policy S-1.3 encourages renewable energy generation and installations and/or purchasing MCE 100 percent renewable Deep Green service level in residential and commercial buildings. In addition, the 2022 California Code of Regulations Title 24 Part 6 standards also now require that all homes built in California shall have zero-net-energy use, which is achieved through energy-efficiency measures as well as required rooftop solar photovoltaic systems. The 2022 California Code of Regulations Title 24 Part 6 standards also apply to nonresidential buildings and require a variety of energy efficiency measures to be implemented during construction of the structures to reduce energy as usage as well as air emissions.

**City of Sausalito Climate Action Plan**

In the City of Sausalito Climate Action Plan (CAP), the City compiled existing and potential strategies that the City's government and community can use to address climate change. The CAP focuses on the efforts that Sausalito can take to reduce greenhouse gas emissions and mitigate, to the extent feasible at the local level, the potential impacts of climate change. Specifically, the plan:

- Summarizes the various regulations at the federal, state, and regional levels;
- Incorporates the City's 2005 and 2010 Greenhouse Gas Emission Inventories, which identified sources of greenhouse gas emissions generated by the community and the local government;
- Estimates how these emissions may change over time under a business-as-usual forecast; and

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- Provides energy use, transportation, land use, waste, water, waste water, and natural system strategies necessary to minimize Sausalito's impacts on climate change and meet the City's adopted greenhouse gas emissions reduction target of 15 percent below 2005 levels by 2020 (Resolution 5365).

The GHG emissions generated by activities taking place in Sausalito have been quantified in the City of Sausalito Community and Government Operations Greenhouse Inventory for 2016.<sup>16</sup> In 2005, the activities taking place by the Sausalito community resulted in approximately 72,316 MT CO<sub>2</sub>e. In 2016, those activities resulted in approximately 60,659 MT CO<sub>2</sub>e, which equates to a reduction of 16 percent from 2005 levels. This means that the City has met the State goal to reduce emissions 15 percent below the 2005 baseline by 2020.

Overall, the CAP represents a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b), consistent with the BAAQMD's Approach 2, as promulgated in the 2022 BAAQMD CEQA Guidelines. However, the CAP does not account for future State targets beyond 2020, such as those for years 2030 and 2045. Ultimately, since year 2020 has come and gone, and since it does not account for the future State targets beyond year 2020, the CAP does not provide a basis for analyzing the Housing Element Programs project's consistency with the State's longer-term GHG targets. Therefore, the BAAQMD's Approach 2 is not an applicable approach for analyzing the project's potential to conflict with an applicable plan, policy, or regulation of an agency adopted for purposes of reducing GHG emissions. Instead, implementation of the Housing Element Programs project is analyzed in regards to its potential to meet State's goals to reduce emissions to 40 percent below 1990 levels by 2030 and carbon neutrality by 2045, as described in further detail below.

### **ARB 2022 Scoping Plan for Achieving Carbon Neutrality**

In accordance with AB 32, the ARB developed the first Scoping Plan in 2008 to outline the State's strategy to achieve 1990 level emissions by year 2020. In May 2014, the ARB released and adopted the *First Update to the Climate Change Scoping Plan* to identify the next steps in reaching AB 32 goals and evaluate the progress that has been made between 2000 and 2012. A newer version of the Scoping Plan was then adopted by the ARB in December 2017 (entitled *California's 2017 Climate Change Scoping Plan*). Lastly, the most recent version of the Scoping Plan was adopted by the ARB in November 2022 (entitled *Final 2022 Scoping Plan for Achieving Carbon Neutrality*), which was designed consistent with the long-term GHG reduction targets embedded in Assembly Bill 1279. Since adoption of the 2008 Scoping Plan and the subsequent updates in 2014, 2017, and 2022, State agencies have adopted programs identified in the plan, and the Legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low

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<sup>16</sup> City of Sausalito. 2018. Community and Government Operations Greenhouse Gas Inventory for 2016. December. Website: <https://marinclimate.org/wp-content/uploads/2019/09/Sausalito-2016-GHG-Inventory-Report.pdf>. Accessed July 31, 2023.



Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Building Standards (e.g., CALGreen and the 2022 Building and Energy Efficiency Standards), 33 percent Renewables Portfolio Standard (RPS), and changes in the corporate average fuel economy standards (e.g., Pavley I and California Advanced Clean Cars).

Operational emissions associated with implementing the Housing Element Programs would be reduced as regulations are implemented by the ARB and other State agencies to comply with the statewide GHG reduction targets. These statewide actions are anticipated to reduce operational GHG emissions even further the emissions shown in Table 3.7-4. For example, the project's transportation emissions would be expected to decline as vehicle efficiency standards are implemented beyond the California Advanced Clean Cars program and the Low Carbon Fuel Standard is strengthened. Furthermore, CalEEMod does not account for the Governor Newsom's Zero-Emission by 2035 Executive Order (N-79-20), which requires that all new cars and passenger trucks sold in California be zero-emission vehicles by 2035. This is anticipated to substantially reduce the operational emissions associated with passenger vehicles (i.e., mobile emissions) further, over time. Furthermore, the Housing Element Programs project would be required to comply with the latest (i.e., 2022) version of the Title 24 standards, which is more stringent than the 2019 Title 24 standards that are modeled in CalEEMod.<sup>17</sup> Therefore, project emissions would continue to decline beyond the buildout year due to regulations that would indirectly affect project emissions. Moreover, the Title 24 standards are anticipated to be revised again in Year 2025<sup>18</sup> with even stricter energy efficiency and renewable energy requirements for new development, which help to ensure that new development is consistent with the State's GHG reduction goals.

The ARB's *Final 2022 Scoping Plan for Achieving Carbon Neutrality* (the latest version of the Scoping Plan) provides policies that are considered needed to meet the State's mid-term and long-term GHG emissions reduction targets. Specifically, the ARB's *Final 2022 Scoping Plan for Achieving Carbon Neutrality* identifies that it "...lays out the sector-by-sector roadmap for California, the world's fifth largest economy, to achieve carbon neutrality by 2045 or earlier...". The Scoping Plan addresses recent legislation and direction from Governor Newsom, by extending and expanding upon the earlier Scoping Plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, and adding carbon neutrality as a science-based guide and touchstone for California's climate work. The Scoping Plan is therefore consistent with the Assembly Bill 1279 GHG reduction targets of achieving carbon neutrality by 2045, and reducing anthropogenic emissions to 85 percent below 1990 levels by 2045.

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<sup>17</sup> Since the latest version of CalEEMod (v.2022.1) only accounts for the energy efficiency requirements associated with the 2019 version of Title 24, and since there is no well-established methodology for quantifying the reductions in energy consumption associated with the 2022 version of Title 24 over the 2019 version of Title 24, the CalEEMod modeling does not account for the energy efficiency improvements that would be associated with the 2022 (or future, more stringent) versions of Title 24.

<sup>18</sup> See: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2025-building-energy-efficiency>

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Therefore, recognizing the ARB as an authoritative substantial evidence source in evaluating post-2020 GHG impacts, this analysis also evaluates whether buildout of the Housing Element Programs would interfere with the main programs the ARB has identified to support its conclusions that the State is on a trajectory to meet the 2045 GHG target. As provided in Table 3.7-5 below, the Housing Element Programs project would be consistent with the main programs of the ARB as contained within the *Final 2022 Scoping Plan for Achieving Carbon Neutrality*, thereby demonstrating consistency with Assembly Bill 1279. Overall, the Housing Element Programs project would be consistent with the *Final 2022 Scoping Plan for Achieving Carbon Neutrality*.

**TABLE 3.7-5: HOUSING ELEMENT PROGRAMS PROJECT CONSISTENCY WITH THE ARB’S 2022 SCOPING PLAN**

SECTOR/SOURCE	CATEGORY/DESCRIPTION	CONSISTENCY ANALYSIS
<b>Area</b>		
<b>SCAQMD Rule 445 (Wood Burning Devices)</b>	Restricts the installation of wood-burning devices in new development.	<u>Mandatory Compliance.</u> Approximately 15 percent of California’s major anthropogenic sources of black carbon include fireplaces and woodstoves. <sup>1</sup> The project would not include hearths (woodstove and fireplaces) as mandated by this rule.
<b>Energy</b>		
<b>California Renewables Portfolio Standard, Senate Bill 350 (SB 350) and Senate Bill 100 (SB 100)</b>	Increases the proportion of electricity from renewable sources to 33 percent renewable power by 2020. SB 350 requires 50 percent by 2030. SB 100 requires 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030. It also requires the State Energy Resources Conservation and Development Commission to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.	<u>No Conflict.</u> The project would utilize electricity provided by Pacific Gas & Electric (PG&E) which is required to meet the 2020, 2030, 2045, and 2050 performance standards.
<b>All Electric Appliances for New Residential and Commercial Buildings (AB 197)</b>	All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.	<u>Mandatory Compliance.</u> Project-specific plans would be required to demonstrate that only all electric appliances would be installed for residential land uses starting in 2026, consistent with this requirement.
<b>California Code of Regulations, Title 24, Building Standards Code</b>	Requires compliance with energy efficiency standards for residential and nonresidential buildings.	<u>Mandatory Compliance.</u> Future development associated with Project implementation would be required to meet the applicable requirements of the 2022 (or more current) Title 24 Building Energy Efficiency Standards.

<b>California Green Building Standards (CALGreen) Code Requirements</b>	All bathroom exhaust fans are required to be ENERGY STAR compliant.	<u>Mandatory Compliance.</u> project construction plans would be required to demonstrate that energy efficiency appliances, including bathroom exhaust fans, and equipment are ENERGY STAR compliant.
	HVAC system designs are required to meet American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards.	<u>Mandatory Compliance.</u> project construction plans would be required to demonstrate that the HVAC system meets the ASHRAE standards.
	Air filtration systems are required to meet a minimum efficiency reporting value (MERV) 8 or higher.	<u>Mandatory Compliance.</u> project developments would be required to install air filtration systems (MERV 8 or higher) as part of its compliance with 2022 (or more current) Title 24 Section 401.2, Filters.
	Refrigerants used in newly installed HVAC systems shall not contain any chlorofluorocarbons.	<u>Mandatory Compliance.</u> project development must meet this requirement as part of its compliance with the CALGreen Code.
	Parking spaces shall be designed for carpool or alternative fueled vehicles. Up to eight percent of total parking spaces is required for such vehicles.	<u>Mandatory Compliance.</u> project developments would meet this requirement as part of its compliance the CALGreen Code.
<b>Mobile Sources</b>		
<b>Mobile Source Strategy (Cleaner Technology and Fuels)</b>	Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of vehicle miles traveled.	<u>Consistent.</u> The project would be consistent with this strategy by supporting the use of zero-emission and low-emission vehicles; refer to CALGreen Code discussion above.
<b>Senate Bill (SB) 375</b>	SB 375 establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. Under SB 375, the ARB is required, in consultation with the state’s Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035.	<u>Consistent.</u> The project would comply with Plan Bay Area 2050, and therefore, the project would be consistent with SB 375.
<b>Water</b>		
<b>CCR, Title 24, Building Standards Code</b>	Title 24 includes water efficiency requirements for new residential and non-residential uses.	<u>Mandatory Compliance.</u> Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.
<b>Water Conservation Act of 2009 (Senate Bill X7-7)</b>	The Water Conservation Act of 2009 sets an overall goal of reducing per capita urban water use by 20 percent by December 31, 2020. Each urban retail water supplier shall develop water use targets to meet this goal. This is an implementing measure of	<u>Consistent.</u> Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.

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	the Water Sector of the AB 32 Scoping Plan. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convey, treat, and distribute the water; it also reduces emissions from wastewater treatment.	
<b>Solid Waste</b>		
<b>California Integrated Waste Management Act (IWMA) of 1989 and Assembly Bill (AB) 341</b>	The IWMA mandates that State agencies develop and implement an integrated waste management plan which outlines the steps to divert at least 50 percent of solid waste from disposal facilities. AB 341 directs the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling and sets a Statewide goal for 75 percent disposal reduction by the year 2020.	<u>Mandatory Compliance.</u> The Housing Element Programs project would be required to comply with AB 341, which requires multifamily residential developments of five units or more to arrange for recycling services. This would reduce the overall amount of solid waste disposed of at landfills. The decrease in solid waste would in return decrease the amount of methane released from decomposing solid waste.

### Plan Bay Area 2050: A Vision for the Future

To achieve the ABAG and MTC sustainable vision for the San Francisco Bay Area, the Plan Bay Area 2050 land use concept plan concentrates most new population and employment growth in and around Priority Development Areas (PDAs). Under this Plan, PDAs are described as transit-oriented, infill development opportunity areas within existing communities. As such, the Housing Element Programs project would promote implementation of the Plan Bay Area 2050 by identifying infill sites suitable for residential and mixed-use development. In addition, implementation of the Housing Element Programs project would reduce VMT per capita in both the residential and employment sectors, as described in further detail in Section 3.14, Transportation and Circulation.

### BAAQMD 2017 Clean Air Plan

The BAAQMD 2017 Clean Air Plan contains control measures the focus primarily on reducing GHG emissions across the following sectors: stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. The project would be required to comply with the BAAQMD 2017 Clean Air Plan, including the applicable control measures of the 2017 Clean Air Plan. Future individual projects associated with the Housing Element Programs project would be required to comply with requirements of the General Plan and Sausalito Municipal Code that aim to reduce GHG emissions in the Planning Area.

### Conclusion

The 2022 BAAQMD CEQA Guidelines identifies two potential approaches of significance for GHGs for plan-level projects: (Approach 1) meet State’s goals to reduce emissions to 40

percent below 1990 levels by 2030 and carbon neutrality by 2045; or (Approach 2) be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b). While the project would be consistent with the relevant planning documents (including the City's CAP, which meets the criteria under State CEQA Guidelines Section 15183.5(b)), the City's CAP does not look beyond year 2020. Therefore, the usage of the Approach 2 identified by the BAAQMD would not be appropriate; rather, the project is analyzed with respect to Approach 1 identified by the BAAQMD. Consistent with Approach 1 as identified by the BAAQMD, the project is consistent with all applicable planning documents, which helps to ensure consistency with the State's longer-term GHG reduction goals.

Implementation of the overall Housing Element Programs project would be consistent with the State's GHG reduction goals, including with all applicable planning documents, thus ensuring that potential new development associated with implementation of the project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purposes of reducing GHG emissions. Therefore, implementation of the project will have a **less-than-significant impact** under this criterion.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

**Level of Significance after Mitigation**

Less than Significant

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**Impact 3.7-3      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would result in significant cumulative impacts with respect to GHG emissions.**

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Climate change is an inherently cumulative issue. As described in the Plan Bay Area 2050 EIR, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) have developed a land use and transportation strategy that meets SB 375 goals and places the Bay Area on a downward trajectory in GHG emissions, but the California Air Resources Board has stated that meeting SB 375 goals alone will not meet statewide goals under California's 2017 Climate Change Scoping Plan. In the absence of significant new State and local jurisdictional action (e.g., new State regulations, city and county GHG reduction plans targeted to 2030 and beyond), it is not possible to demonstrate that the development in the Bay Area would not impede the State's ability to achieve its SB 32 GHG reduction targets. Therefore, the impact of GHG emissions on the environment is potentially significant.

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As described above, GHG emissions related to implementation of the Housing Element Programs project are not confined to a particular air basin but are dispersed throughout the Bay Area and beyond.

Individual projects implemented through the Housing Element Programs project would be required to comply with City ordinances, current General Plan policies, and the adopted CAP to reduce GHG emissions. Additionally, implementation of the overall Housing Element Programs project would be consistent with the State's GHG reduction goals, including with all applicable planning documents. Therefore, implementation of the project will have a ***less-than-significant impact***.

### **Level of Significance before Mitigation**

Less than Significant

### **Mitigation Measures**

None Required

### **Level of Significance after Mitigation**

Less than Significant



### 3.8 HAZARDS AND HAZARDOUS MATERIALS

Hazards include man-made and natural conditions that may pose a threat to human health, life, property, or the environment. Hazardous materials and waste present health and environmental hazards. These hazards can result during manufacture, transportation, use, or disposal of such materials if not handled properly. Hazards to humans can also result from air traffic accidents. See Section 3.16, Wildfire, for a discussion of potential hazards to humans and structures from natural or human induced wildland fires.

This section of the Draft EIR analyzes impacts associated with exposure to hazards and hazardous materials within the city as a result of taking actions necessary to implement the Housing Element Programs. Specifically, the analysis addresses impacts related to hazardous materials use and transportation, accidental release of hazardous materials, new development or re-development on contaminated sites, air traffic hazards, and interference with emergency response and evacuation plans.

Information in this section is based on statements, data, and figures provided by the following reference materials:

- City of Sausalito General Plan;
- City of Sausalito General Plan Environmental Impact Report;
- California State Water Resources Control Board GeoTracker Database;
- California Department of Toxic Substances Control EnviroStor Database;
- California Department of Toxic Substances Control Hazardous Waste and Substances Site List – Site Cleanup (Cortese List); and
- Marin County Multi-Jurisdictional Local Hazard Mitigation Plan.

#### 3.8.1 EXISTING SETTING

##### *Hazardous Materials and Wastes*

Under Title 22 of the California Code of Regulations, the term hazardous substance refers to both hazardous materials and hazardous wastes; both are classified according to four key properties: toxicity, ignitability, corrosiveness, and reactivity (California Code of Regulations [CCR] Title 22, Chapter 11, Article 3). Public health is potentially at risk whenever hazardous substances are or will be used. It is necessary to differentiate between the hazard of these substances and the acceptability of the risk they pose to human health and the environment.

A hazardous material is defined as a substance or combination of substances that may cause or significantly contribute to an increase in serious, irreversible, or incapacitating illness or may pose a substantial presence or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

Hazardous wastes are defined as substances that no longer have practical use, such as materials that have been discarded, discharged, spilled, contaminated, or are being stored until they can be disposed of properly (CCR Title 22, Chapter 11, Article 2, § 66261.10). Soil that is excavated from a site containing hazardous materials is also a hazardous waste if it exceeds specific California Code of Regulations Title 22 criteria.

The United States Environmental Protection Agency (EPA) describes household hazardous waste as leftover household products that can catch fire, react, explode under certain circumstances, or that are corrosive or toxic. Household hazardous wastes are similar to operational project-related hazardous materials described above, and include products such as paints, cleaners, oils, batteries, and pesticides.<sup>1</sup>

While hazardous substances are regulated by multiple agencies, as described in Section 3.8.2, Regulatory Setting, cleanup requirements for hazardous wastes are determined on a case-by-case basis according to the agency with lead jurisdiction over the project.

Transportation of hazardous materials within the State of California is subject to a variety of federal, State, and local regulations. It is illegal to transport explosives or inhalation hazards on any public highway not designated for that purpose, unless use of the highway is required to permit delivery or loading of such materials (California Vehicle Code §§ 31602(b), 32104(a)). The California Highway Patrol (CHP) also designates through routes to be used for transportation of hazardous materials. Transportation of hazardous materials is restricted to these routes except in cases where additional travel is required from that route to deliver or receive hazardous materials to and from users.

### ***Existing Hazardous Materials Conditions***

Small quantities of hazardous materials in the City of Sausalito are routinely used, stored, and transported in commercial, retail, and industrial businesses as well as in educational facilities, health clinics, households, and the Marinship. Federal, State, and local agency databases maintain comprehensive information on the locations of facilities using large quantities of hazardous materials, as well as facilities generating hazardous waste. Some of these facilities use certain classes of hazardous materials that require accidental release scenario modeling and risk management plans to protect surrounding land uses.

Common contaminants that may be present in Sausalito include lead, oil, tar, solvents, pesticides, and contaminated soil and groundwater. Due to the age of some existing buildings in the City that may be redeveloped under the HEU and General Plan, asbestos may be present in those structures and could be mobilized during demolition activities. Similarly, lead may be present in paint that was sold prior to 1978 or in soil that was contaminated by leaded gasoline or improperly discarded batteries. Existing soil

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<sup>1</sup> United States Environmental Protection Agency (USEPA). 2020. Household Hazardous Waste (HHW). February 4. Website: <https://www.epa.gov/hw/household-hazardous-waste-hhw> . Accessed October 25, 2022.

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contamination may also be present at potential redevelopment sites due to contamination from household hazardous wastes.

### ***Hazardous Sites***

#### **Historical Uses**

Historical uses in Sausalito include a train and ferry system, as well as significant ship building facilities. Deposition of hazardous materials has been found in some areas of Sausalito where these facilities operated, including Dunphy Park, which is an old burn dump site. Downtown Sausalito was developed as a train yard and ferry dock system, and these facilities contained creosote-treated timbers and other materials that are now considered to be hazardous materials. The Marinship was originally developed as a Liberty ship construction area. Lead-based paint and other hazardous materials used in ship building can regularly be found in these areas.

#### **Database Searches**

##### *United States Environmental Protection Agency*

The EPA's Toxic Release Inventory Search allows access to basic facility information, including all forms submitted to the EPA since 1987, as well as aggregate chemical release data for all years reported, and relative risk information. The results display any facility that has reported from 1987 to present, even though the facility may or may not have submitted Toxic Release Inventory data in the most recent reporting year. Based on a query of the Toxic Release Inventory Search on October 27, 2022, no results were found in the City of Sausalito.<sup>2</sup>

The EPA's Superfund program is responsible for cleaning up the nation's most contaminated land and responds to environmental emergencies, oil spills, and natural disasters. A query of the EPA's Superfund Sites was performed on October 27, 2022 for the City for National Priorities List (NPL) Sites, Non-NPL Sites, and Superfund Alternative Approach Sites. Based on the query, one site was listed on the Non-NPL: the Spirit of Sacramento Abandoned Derelict Vessel (CAN000903692).<sup>3</sup> The site, located at 2100 Bridgeway, is listed as a Removal Only Site (No Site Assessment Work Needed). The contaminants of concern included liquid

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<sup>2</sup> United States Environmental Protection Agency (EPA). 2022. Toxics Release Inventory. September 2. Website: [https://enviro.epa.gov/enviro/efsystemquery.tri?fac\\_search=primary\\_name&fac\\_value=&fac\\_search\\_type=Beginning&postal\\_code=&location\\_address=&add\\_search\\_type=Beginning2&city\\_name=Sausalito&county\\_name=marin&state\\_code=CA&selecttribe=&triballand=&tribedistance=Beginning3&sic\\_type=Equal+to&sic\\_code\\_to=&naics\\_type=Equal+to&naics\\_to=&industry\\_type=&chem\\_name=&chem\\_search=Beginning4&cas\\_num=&program\\_search=TRI&page\\_no=1&output\\_sql\\_switch=TRUE&report=1&database\\_type=TRIS](https://enviro.epa.gov/enviro/efsystemquery.tri?fac_search=primary_name&fac_value=&fac_search_type=Beginning&postal_code=&location_address=&add_search_type=Beginning2&city_name=Sausalito&county_name=marin&state_code=CA&selecttribe=&triballand=&tribedistance=Beginning3&sic_type=Equal+to&sic_code_to=&naics_type=Equal+to&naics_to=&industry_type=&chem_name=&chem_search=Beginning4&cas_num=&program_search=TRI&page_no=1&output_sql_switch=TRUE&report=1&database_type=TRIS). Accessed October 27, 2022.

<sup>3</sup> United States Environmental Protection Agency (EPA). 2022. Superfund Sites Where You Live. Website: <https://cumulis.epa.gov/supercpad/cursites/srchrslt.cfm?start=1>. Accessed October 27, 2022.

paint waste and heavy metal solid waste.<sup>4</sup> However, according to the General Plan EIR, the vessel was only hauled to the City's United States Army Corp of Engineers (USACE) pier for decommissioning; hazardous materials were released at the originating site near Rio Vista, California, but there was no threat of release to the City of Sausalito. The vessel has since been deconstructed and all hazardous materials removed from the Sausalito site.<sup>5</sup>

#### *Department of Toxic Substances Control*

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State as well as local agencies and developers to obtain information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (Cal/EPA) to update the list annually. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List, which is supplemented by other State and local government agencies.

DTSC's Brownfields and Environmental Restoration Program (Cleanup Program) includes an Annual Workplan (now referred to State Response and/or Federal Superfund), and also includes Backlog sites listed under Health and Safety Code Section 25356. In addition, DTSC's Cortese List includes sites Certified with Operation and Maintenance. The EnviroStor database tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities, sites with known contamination, and sites where there may be reasons to investigate further. According to an EnviroStor search performed on October 27, 2022, the following sites are located within the City:<sup>6</sup>

- **Photo Waste Recycling**, located at 200 Gate 5, Road No. 115, was listed as a hazardous waste facility but is now non-operating. The current status of this site is "Closed."
- **South Pacific Division Laboratory**, located at 25 Liberty Ship Way, has a current status of "Certified O&M–Land Use Restrictions Only."<sup>7</sup> The site was first developed in the 1870s when the former Northwestern Pacific Railroad rail yard was constructed. The railyard was redeveloped as the Marinship shipyard during World War II (1942), where it operated as a machine shop. The USACE acquired one building from the shipyard in 1948 and converted it into a geotechnical testing laboratory in 1950. An analytical laboratory capability was added in the early 1990s. The South Pacific Division Laboratory closed in 1997. Investigations have identified polychlorinated

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<sup>4</sup> United States Environmental Protection Agency (EPA). 2022. Superfund Site: SPIRIT OF SACRAMENTO ABANDONED DERELICT VESSEL SAUSALITO, CA Website: <https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0903692>. Accessed October 27, 2022.

<sup>5</sup> City of Sausalito General Plan EIR, 2021.

<sup>6</sup> Department of Toxic Substances Control (DTSC). 2022. List of Hazardous Waste and Substances Sites.

<sup>7</sup> Identifies where a remedy is implemented and the selected remedy results in hazardous substances remaining at the site at concentrations above those acceptable for unrestricted use and a Land Use Restriction or Land Use Covenant has been recorded for the site.

biphenyls (PCBs) contamination in the soil and petroleum hydrocarbon contamination in the soil and groundwater, likely associated with the former Marinship Electrical Shop operations. Other potential contaminants identified were solvents and metals. Solvents were detected sporadically at low concentrations in the groundwater. Elevated concentrations of arsenic in groundwater and in the soil were detected sitewide. A soil removal action was completed in 2006 to remove PCB contamination that was detected above levels considered safe for commercial/industrial use. Low level residual PCB contamination remains in subsurface soils north of the building. Land use restrictions have been applied to restrict the property from sensitive uses such as residential, hospital, or school. In 2009, the Veterans Administration took ownership of the property for redevelopment as a medical lab. Site ownership remains federal and use remains commercial.

- **Galilee Harbor, Parcel 1**, located at 300 Napa Street, has a status of “Certified O&M – Land Use Restrictions Only.” Since at least the 1880s, the site has been used for maritime purposes. In around 1913, Oceanic Boatyard Company purchased the property and utilized it for boat building and repair purposes. From 1942 until 1944, Sausalito Shipbuilding built steel barges on the site. From 1970 to 1974, the site was operated by Bob's Boatyard and by other individuals to build and repair fishing boats. In 1980, all structures on the site were demolished. The site has been used mainly for parking and boat storage since 1989 and is surrounded by commercial businesses. The land use restrictions over the property identify the prohibited uses (hospital, residential uses, day care center, elder care center) and require approval from the DTSC prior to any land disturbance activities.
- **The Marinship Site** is located at Spring Street and Gate 5 Road. This site was discovered by the Sausalito Planning Department in 1988. The site was used for the manufacturing of large ships during World War II. A preliminary site screening has been conducted. The EPA is working on a Preliminary Assessment.
- **Fort Baker** is located 2 miles south of Sausalito. The site is “Inactive” and action has been required since June 30, 2016. Fort Baker was used for coastal defense. The site originally consisted of 1,464.43 acres, 183 buildings and supporting utilities. Seven inactive underground storage tanks (USTs), three aboveground tanks (ASTs), one inactive pump house with associated piping, and eight 55-gallon drums have been identified on the site. The Department of the Army has a use-permit for the exclusive use of 6.00 acres and joint use of 5.05 acres for Fort Baker. In 1959, 18.56 acres were transferred to the Department of the Navy, which was then reacquired in 1963. The total acreage left for the U.S. is 550.53 acres, of which 543.11 fee acres are for Department of the Army use for Fort Baker. This property is known or suspected to contain military and explosives of concern (e.g., unexploded ordnance), and therefore, may present an explosive hazard.
- **East Fort Baker** is located in Marin County about 2 miles south of Sausalito, and is comprised of approximately 91 acres. The cleanup status is “Certified” as of June 20,

2003. Much of the land that surrounds East Fort Baker are under jurisdiction of the National Park Service and managed as part of the Golden Gate National Recreation Area. East Fort Baker is currently the headquarters of the U.S. Army's 91st Reserve Division under the Fort Lewis Command in Washington State. The entire area is designated as a historic reserve and is listed in the National Register of Historic Places. Current operations include mostly recreational and public uses, operation of a public fishing pier (formerly U.S. Army pier), small boat launching and docking, housing, operation of the Bay Area Discovery Museum, Army BRAC office for Presidio, and Fort Baker. East Fort Baker was formerly under the command of the Presidio, San Francisco. The historic uses include motor pool maintenance, boat maintenance and repair, housing, maintenance complex for mine tenders that maintained the anti-submarine miner protecting San Francisco Bay during World War II. In 1959, military personnel stationed at the Presidio of San Francisco organized the Presidio Yacht Club (PYC) and were granted permission to use the former Army boat maintenance buildings and pier. At present, the PYC still maintains the maintenance facility for club-owned boats and member-owned boats.

- **Fort Barry 9** is located miles northwest of San Francisco in Golden Gate National Recreation Area (GGNRA). The site is considered "Active" as of August 4, 2022. The site was used for housing, administration, and an anti-aircraft artillery Nike Battery; 10 inactive underground storage tanks (USTs), one aboveground tank (AST), and one former day tank area with associated piping have been identified at the site. Fort Barry originally was part of the Fort Baker Military Reservation, which was established in 1866. The reservation was divided into two forts in 1904; the west is Fort Barry and the east is Fort Baker. Fort Barry was used by Sixth U.S. Army as an AAA Nike site. Improvements consisted of 132 buildings, utilities, and related facilities including family housing and administration buildings. In 1965, 271 fee acres were reported excess to the Government Services Administration (GSA). The disposal of Fort Barry began in November 1965 when the U.S. Coast Guard acquired 253 acres. In 1967, 271 acres of Fort Barry were conveyed to the State of California, and in 1972, 811.52 fee acres were transferred by the Department of the Army to the Department of Interior (DoI), National Park Service (as part of the GGNRA).

#### *California State Water Resources Control Board*

There are no solid waste disposal sites with waste constituents above hazardous waste levels in the City.<sup>8</sup> However, there is one active Cease and Desist Orders and Cleanup and Abatement Orders (CDO/CAO) site within City limits: the Sausalito Marin City Sewage Treatment Plant (STP), which has been issued a Clean Up and Abatement Order.<sup>9</sup> Note, this

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<sup>8</sup> California State Water Resources Control Board (State Water Board). Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit.

<sup>9</sup> California State Water Resources Control Board (State Water Board). List of "active" Cease and Desist Orders and Cleanup and Abatement Orders.



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list contains many Cease-and-Desist Orders and Cleanup and Abatement Orders that do not concern the discharge of wastes that are hazardous materials. Many of the listed orders concern, as examples, discharges of domestic sewage, food processing wastes, or sediment that do not contain hazardous materials, but the Water Boards' database does not distinguish between these types of orders.<sup>10</sup> As such, the potential for the City STP to harm residents or the environment is not expected to be substantial as it deals with discharge of domestic sewage rather than hazardous materials.

GeoTracker is the State Water Board data management system for sites that impact, or have potential to impact, water quality in California, with emphasis on groundwater. GeoTracker contains records for sites that require cleanup, such as Leaking Underground Storage Tanks (LUST) Sites, Cleanup Program Sites, and Department of Defense Sites. GeoTracker also contains records for various unregulated projects, as well as permitted facilities including operating Permitted underground storage tanks (USTs), Irrigated Lands, Oil and Gas production, and Land Disposal Sites (landfills). According to a GeoTracker search performed on October 27, 2022, the following are located within the City.<sup>11</sup>

- **The Former Anderson's Boat Yard**, located at 400 Harbor Drive, is comprised of boat maintenance yards, paved parking areas and boat slips within harbor basins (Basin 3). Prior to 1942, the upland portion of the Site was formerly part of Richardson Bay. During 1942, fill materials comprised of native soil were used to fill in approximately 200 acres of Richardson Bay for development of the Marinship Area. The Marinship Area was developed by the Marinship Corporation for ship construction during World War II. In 1949, the site was purchased by Clipper Yacht Company, LLC. In 2009 lab analyses of soil samples taken on-site revealed the presence of metals, total petroleum hydrocarbons as diesel, motor oil, and PCBs above applicable screening levels. Groundwater samples also contained metals above screening levels. Since remediation activities have been completed at and adjacent to the site, contaminant levels have been reduced to acceptable levels or completed pathways have been permanently blocked; however, a Site Management Plan and a deed restriction is necessary before the Site receives a "Notice of Final Action" letter.
- **The Marinship**, located at 2330 Marinship Way, was an active shipyard from 1942 through 1945 under the ownership of Bechtel AG. Other industrial activities have occurred at the site: painting, metalworking, maintenance and manufacturing. Arques Shipyard is present within the boundaries of the former Marinship site, it has been there since 1946; a commercial fishing company and the U.S. Army Corps of Engineers occupy the former outfitting docks; a park, a beach and residential also occupy the

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<sup>10</sup> Cal Environmental Protection Agency. 2022. Cortese List Data Resources. Website: <https://calepa.ca.gov/sitecleanup/corteselist/>. Accessed October 27, 2022.

<sup>11</sup> State Water Resources Control Board. 2022. GeoTracker. Website: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=sausalito>. Accessed October 27, 2022.

former site. A CERCLA site inspection was conducted on January 12, 1995, and it was concluded that no further investigation was necessary under CERCLA: from this investigation a dump site that burned waste materials was found in the southeast corner and a sludge pit was found in the northwest portion of the site; no samples were taken. The site is still considered “Open-Inactive” as of April 17, 2009. Nickel is the major potential contaminant of concern.

### ***Airport Operations Hazards***

Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Other airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that penetrate the regulated surfaces surrounding an airport. The Richardson Bay Seaplane Base/Heliport operates under a use permit from the County of Marin and there is a private airstrip approximately 0.7-miles north of City limits. The County has not adopted an Airport Land Use Compatibility Plan (ALUCP) or established an airport safety zone for the Richardson Bay Seaplane Base/Heliport. San Francisco and Oakland International Airports are the closest airports to the City, both approximately 17 miles to the south and southeast, respectively.

## **3.8.2 REGULATORY SETTING**

### ***Federal – Regulations***

#### **Resource Conservation and Recovery Act**

The 1976 Federal Resource Conservation and Recovery Act (RCRA) and the 1984 RCRA Amendments regulate the treatment, storage, and disposal of hazardous and non-hazardous wastes. The legislation mandated that hazardous wastes be tracked from the point of generation to their fate in the environment. This includes detailed tracking of hazardous materials during transport and permitting of hazardous material handling facilities.

The 1984 RCRA amendments provided the framework for a regulatory program designed to prevent releases from USTs. The program establishes tank and leak detection standards, including spill and overflow protection devices for new tanks. Tanks must also meet performance standards to ensure that stored material will not corrode their tanks.

#### **Comprehensive Environmental Response, Compensation, and Liability Act**

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) introduced active federal involvement to emergency response, site remediation, and spill prevention, most notably the Superfund program. The Act was intended to be comprehensive in encompassing both the prevention of, and response to, uncontrolled

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hazardous substances releases. CERCLA deals with environmental response, providing mechanisms for reacting to emergencies and to chronic hazardous material releases. In addition to establishing procedures to prevent and remedy problems, it establishes a system for compensating appropriate individuals and assigning appropriate liability.

### **Occupational and Safety Health Act**

The Occupational and Safety Health Act is intended to ensure worker and workplace safety by requiring that employers provide their workers a place of employment free from recognized health hazards, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, and unsanitary conditions. The Occupational Safety and Health Administration (OSHA) is a division of the United States Department of Labor that oversees the administration of the act and enforces standards in all 50 states.

### **Toxic Substances Control Act**

The Toxic Substances Control Act (TSCA) provides the EPA with authority to require reporting, record-keeping, testing requirements, and restrictions relating to chemical substances and mixtures. The TSCA addresses the production, importation, use, and disposal of specific chemicals, including PCBs, asbestos, radon, and lead-based paint.

### **Emergency Planning Community Right-to-Know Act**

The Emergency Planning Community Right-to-Know Act (EPCRA), also known as Superfund Amendments and Reauthorization Act (SARA) Title III, was enacted in October 1986. This law requires any infrastructure at the State and local levels to plan for chemical emergencies. Reported information is then made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. EPCRA Sections 301 through 312 are administered by the EPA Office of Emergency Management. The EPA Office of Information Analysis and Access implements the EPCRA Section 313 program. In California, SARA Title III is implemented through the California Accidental Release Program.

### **Hazardous Materials Transportation Act**

The Hazardous Materials Transportation Act, as amended, is the basic statute regulating hazardous materials transportation in the United States. The purpose of the law is to provide adequate protection against the risks to life and property inherent in transporting hazardous materials in interstate commerce. This law gives the United States Department of Transportation (USDOT) and other agencies, such as the California Public Utilities Commission (CPUC) and the CHP Patrol, the authority to issue and enforce rules and regulations governing the safe transportation of hazardous materials.

### ***Federal – Implementing Agencies***

Several federal agencies regulate hazardous substances. These agencies include the EPA, OSHA, and the USDOT. The role and authority of each agency is described below.

### **United States Environmental Protection Agency**

The EPA implements laws and regulations to ensure the safe production, handling, disposal, and transportation of hazardous materials. Many of these regulations are enforced by Cal/EPA.

### **Occupational Safety and Health Administration**

OSHA oversees the administration of the Occupational Safety and Health Act, which requires specific training for hazardous materials handlers, provision of information to employees who may be exposed to hazardous materials, and acquisition of Safety Data Sheets (SDS) (formerly MSDS or Material Safety Data Sheets) from materials manufacturers. The SDSs describe risks, as well as proper handling and procedures, related to particular hazardous materials. Employee training must include response and remediation procedures for hazardous materials releases and exposures.

### **United States Department of Transportation**

The USDOT has the regulatory responsibility for the safe transportation of hazardous materials between states and to foreign countries. The USDOT regulations govern all means of transportation, except for those packages shipped by mail, which are covered by United States Postal Service regulations. The federal RCRA of 1976 imposes additional standards for the transport of hazardous wastes.

## ***State – Regulations***

### **California Code of Regulations**

Title 3 of the California Code of Regulations pertains to the application of pesticides and related chemicals. Parties applying regulated substances must continuously evaluate application equipment, weather, the treated lands, and all surrounding properties. Title 3 prohibits any application that would:

- Contaminate persons not involved in the application
- Damage non-target crops or animals or any other public or private property
- Contaminate public or private property or create health hazards on said property

Title 8 of the California Code of Regulations establishes Cal/OSHA requirements related to public and worker protection. Topics addressed in Title 8 include materials exposure limits, equipment requirements, protective clothing, hazardous materials, and accident prevention. Construction safety and exposure standards for lead and asbestos are set forth in Title 8.

Title 14 of the California Code of Regulations establishes minimum standards for solid waste handling and disposal.

Title 17 of the California Code of Regulations establishes regulations relating to the use and disturbance of materials containing naturally occurring asbestos.

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Title 22 of the California Code of Regulations sets forth definitions of hazardous waste and special waste. The section also identifies hazardous waste criteria and establishes regulations pertaining to the storage, transport, and disposal of hazardous waste. Title 22 was created to regulate the hazardous wastes generated by factories or similar sources, but soil excavated during construction may also be regulated.

Title 26 of the California Code of Regulations pertains to hazardous materials and waste that are presented in other regulatory sections. Title 26 mandates specific management criteria related to hazardous materials identification, packaging, and disposal. In addition, Title 26 establishes requirements for hazardous materials transport, containment, treatment, and disposal. Staff training standards are also set forth in Title 26.

Title 27 of the California Code of Regulations sets forth a variety of regulations relating to the construction, operation, and maintenance of the State's landfills. The title establishes a landfill classification system and categories of waste. Each class of landfill is constructed to contain specific types of waste (household, inert, special, and hazardous).

### **California Health and Safety Code and Code of Regulations**

California Health and Safety Code Chapter 6.95 and California Code of Regulations, Title 19, Section 2729 set out the minimum requirements for business emergency plans and chemical inventory reporting. These regulations require businesses to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on-site. A business that uses hazardous materials or a mixture containing hazardous materials must establish and implement a business plan if the hazardous material is handled in certain quantities.

### ***State - Implementing Agencies***

#### **California Environmental Protection Agency**

One of the primary agencies that regulate hazardous materials is the Cal/EPA. The State, through Cal/EPA, is authorized by the EPA to enforce and implement certain federal hazardous materials laws and regulations. The DTSC, a department of Cal/EPA, protects California and Californians from exposure to hazardous waste, primarily under the authority of the RCRA and the California Health and Safety Code.<sup>12</sup> The DTSC requirements include the need for written programs and response plans, such as Hazardous Materials Business Plans. The DTSC programs include dealing with aftermath clean-ups of improper hazardous waste management, evaluation of samples taken from sites, enforcement of regulations regarding use, storage, and disposal of hazardous materials, and encouragement of pollution prevention.

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<sup>12</sup> Hazardous Substance Account, Chapter 6.5 (Section 25100 et seq.) and the Hazardous Waste Control Law, Chapter 6.8 (Section 25300 et seq.) of the Health and Safety Code.

### **California Division of Occupational Safety and Health**

Like OSHA at the federal level, Cal/OSHA is the responsible State-level agency for ensuring workplace safety. Cal/OSHA assumes primary responsibility for the adoption and enforcement of standards regarding workplace safety and safety practices. If a site is contaminated, a Site Safety Plan is prepared and implemented to protect the safety of workers. Site Safety Plans establish policies, practices, and procedures to prevent the exposure of workers and members of the public to hazardous materials originating from the contaminated site or building.

### **California Department of Transportation**

The California Department of Transportation (Caltrans) has primary responsibility for enforcing federal and State regulations and responding to hazardous materials transportation emergencies. Caltrans manages more than 50,000 miles of California's highway and freeway lanes, provides intercity rail services, permits more than 400 public-use airports and special-use hospital heliports, and works with local agencies. Caltrans is also the first responder for hazardous material spills and releases that occur on those highway and freeway lanes and intercity rail services.

### **California Highway Patrol**

The CHP is responsible for assuring the safe, convenient, and efficient transportation of people and goods on the State highway system. The CHP implements the Commercial Vehicle Safety Program, which includes enforcement, education, and partnerships to minimize the disastrous results from collisions involving commercial vehicles. CHP's Commercial Vehicle Section aids in safe operation and enforcement of commercial vehicles.

Common carriers are licensed by the CHP, pursuant to the California Vehicle Code, Section 32000. This section requires licensing every motor (common) carrier who transports, for a fee, more than 500 pounds of hazardous materials at one time and every carrier, who carries more than 1,000 pounds of hazardous material of the type requiring placards. Common carriers conduct a large portion of the business in the delivery of hazardous materials.

Vehicle and equipment inspection, shipment preparation, container identification, and shipping documentation are all part of the responsibility of the CHP. The CHP conducts regular inspections of licensed transporters to assure regulatory compliance and responds to hazardous materials emergencies on roadways.

## ***Regional***

### **San Francisco Bay Regional Water Quality Control Board**

The Porter-Cologne Water Quality Act established the State Water board and divided the State into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB). The San Francisco Bay RWQCB regulates water quality in the City. The RWQCB has the authority to require groundwater investigations when the quality of



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groundwater or surface waters of the State is threatened, and to require remediation actions, if necessary.

### **Bay Area Air Quality Management District**

The Bay Area Air Quality Management District (BAAQMD) has primary responsibility for control of air pollution from sources other than motor vehicles and consumer products (which are the responsibility of Cal/EPA and the California Air Resources Board (ARB)). The BAAQMD is responsible for preparing attainment plans for non-attainment criteria pollutants, control of stationary air pollutant sources, and the issuance of permits for activities including demolition and renovation activities affecting asbestos containing materials (District Regulation 11, Rule 2) and lead (District Regulation 11, Rule 1).

### **Marin County Certified Unified Program Agency**

The County of Marin Hazardous Materials Area Plan established the County Department of Public Works serves as the local Certified Unified Programs Agency (CUPA). The role of the CUPA is to regulate and inspect County businesses' compliance with hazardous materials regulations, as well as provide assistance and guidance in order to meet compliance requirements.<sup>13</sup> Any facility in Marin County that handles or stores hazardous materials or hazardous waste materials in quantities that require a State Hazard Mitigation Business Plan must report this use or storage to the County CUPA prior to business operation. The County CUPA then reviews and certifies the Hazardous Materials Business Plan.<sup>14</sup>

### **Marin County Multi-Jurisdictional Local Hazard Mitigation Plan**

The Marin County Multi-Jurisdiction Local Hazard Mitigation Plan (MCM LHMP), updated in 2018, was developed to reduce risks from natural disasters in unincorporated portions of the county and all incorporated Cities in Marin County. The MCM LHMP was last adopted by the City of Sausalito on May 14, 2019. The MCM LHMP identifies hazards, such as earthquakes, liquefaction, severe storms, debris flow (landslides), flooding, wind, tsunamis, wildfire, and post-fire landslides. The MCM LHMP also contains a vulnerability analysis highlighting specific facilities at risk to natural hazards and outlines mitigation strategies for reducing risk of identified hazards.<sup>15</sup>

### **Marin Operational Area Emergency Operations Plan**

The purpose of the Marin Operational Area Emergency Operations Plan (EOP) is to plan responses to extraordinary emergencies due to large-scale disasters that affect Marin County.<sup>16</sup> The EOP identifies and facilitates inter-agency coordination in emergency

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<sup>13</sup> County of Marin. 2020. CUPA. Website: <https://www.marincounty.org/depts/pw/divisions/public-services/cupa>. Accessed October 27, 2022.

<sup>14</sup> County of Marin – Waste Management Division. 2012. Hazardous Materials Business Plan. May 24.

<sup>15</sup> Marin County. 2018. Marin County Multi-Jurisdictional Local Hazard Mitigation Plan.

<sup>16</sup> Marin County Sheriff's Office of Emergency Services. 2014. Marin Operational Area Emergency Operations Plan. October.

operations, and applies to all emergencies in incorporated and unincorporated areas of Marin County when those emergencies require multi-agency coordination at the operational area level.

## **Local**

### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing or avoiding potential impacts related to hazards and hazardous materials:

#### *Environmental Quality Element*

Policy EQ-4.2 Stormwater Management. Manage flooding, mitigate hazardous runoff from stormwater, and mitigate landslides.

Program EQ-4.2.1: Hazardous Materials Dumping. Continue painting no hazardous materials dumping symbols next to storm drain catch basins within the city limits.

Program EQ-4.2.5: Toxin-Free Landscape. Increase outreach on the use of toxin-free landscape management practices to residents and landscape businesses.

Program EQ-5.2.3: Toxic Chemicals. Initiate public awareness programs to minimize the use of toxic garden and lawn sprays for both public and private purposes (see program HS-1.4.5).

#### *Health, Safety, and Community Resilience Element*

Program HS-1.2.2: Local Hazard Mitigation and Adaption Plan. Continue to collaborate with the Marin County on the Multi-Jurisdictional Local Hazard Mitigation Plan (MCM LHMP).

Policy HS-1.4: Hazardous Materials. Minimize the risk of property damage and personal injury resulting from the production, use, storage, disposal and transporting of hazardous materials and waste by continuing to work within the Marin County Hazardous & Solid Waste Management – JPA.

Program HS-1.4.1: Marin County Hazardous and Solid Waste Management JPA. Work with Marin County, other cities in Marin County and other jurisdictions as necessary on implementation measures described by the Marin County Hazardous and Solid Waste Management-JPA.

Program HS-1.4.2: Subsurface Contamination Investigations. Through the environmental review process, require subsurface contamination investigations at potentially contaminated sites prior to development approval.

Program HS-1.4.3: Use of Potentially Harmful Materials on Public Lands. Only allow qualified professionals to use potentially harmful materials on public land. Otherwise, eliminate the use of potentially harmful materials on public land and minimize uses throughout the city. Continue to enforce the personnel regulation that requires the use of potentially harmful materials on public lands be done by qualified professionals only.

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Program HS-1.4.4: Coordination of Recycling Efforts. Coordinate and expand local recycling efforts and publicity efforts with those of the County to promote safe disposal and recycling of household hazardous waste (see Program S-2.1.3).

Program HS-1.4.5: Public Awareness of Toxic Materials. Work with the county and/or nonprofit organizations to support public awareness programs to minimize the use of toxic garden and lawn sprays for both private and public purposes (see Program EQ-5.2.3).

Program HS-1.4.6: Phase 1 Reports. Require, at minimum, a Phase 1 hazardous materials assessment for all future development or redevelopment projects on sites located within the Marinship area or on sites with a known history of industrial uses (such as gas stations).

Program HS-1.4.7: Hazardous Materials Business Plan. Continue to require that all businesses that store more than 55 gallons of hazardous materials on-site file a Hazardous Materials Business Plan with the County Office of Waste Management.

Program HS-1.4.8: Inspection. Require the Fire Inspector to inspect the types, amounts, and storage facilities of all hazardous materials located on all business sites during the Occupancy Permit process.

Program HS-1.4.9: Integrated Pest Management Plan (IPM). Periodically update the Integrated Pest Management Plan, including notification of use of pesticides and herbicides.

Program HS-1.4.10: Emergency Response Plan. Work with county agencies, including the Hazardous Materials Response Team, to develop a response plan that addresses the impacts of a broken gas line or hazardous incident in the City or its Sphere of Influence.

Program HS-1.8.5 Safety Outreach. Establish a warning program that alerts property owners, residents, and visitors when the shoreline is under dangerous conditions.

HS-1.8.6 Plan Implementation. Support and implement the Local Hazard Mitigation Plan, the city's Climate Action Plan, and the city's sea level rise adaptation plan (see policy S-3.2), specifically strategies that focus on shoreline issues in the city.

Policy HS-2.1 Disaster Plan. Publish a disaster plan that promotes disaster mitigation and potential evacuation.

HS-2.1.1 Private Disaster Planning. Consider requiring any new development to include a disaster evacuation plan away from the city in case of wildfire, earthquake, tsunami, or other disaster.

HS-2.1.2 Equitable Planning. Any disaster plan should take equitable planning into account, ensuring that members of the Sausalito community are fairly treated by the disaster plan, no matter their language, mobility, age, citizenship status, gender, or income level.

HS-2.1.3 Disaster Plan Maintenance. Publish the disaster plan and continually study, maintain, and update the document to ensure safety of the Sausalito community.

Policy HS-2.2 Emergency Preparedness. Ensure that the city, its citizens, businesses, and services are prepared for an effective response and recovery in the event of emergencies or disasters.

Program HS-2.2.1: Citywide Communication. Maintain consistent, widespread, and centralized distribution of information throughout the city. Maximize the use and impact of technology to support communication between the city and the Sausalito community, as well as within the community. Identify enhancements in current communications channels and community activities that can increase participation in existing emergency preparedness efforts.

Program HS-2.2.2: City Emergency Response Plan. Implement and publicize the city's emergency response plan.

Program HS-2.2.3: Disaster Preparedness Coordination. Coordinate citywide and neighborhood disaster preparedness planning efforts through the Emergency Preparedness Committee with the Fire and Police Departments, the American Red Cross, and the county.

Program HS-2.2.4: Citizen Training. Support the Sausalito Police Department's Volunteers in Public Safety (VIPS) program in training the public, including Sausalito residents, in how to respond to emergencies. Prioritize alternative methods of emergency communication, such as ham radios.

Program HS-2.2.5 Senior Outreach. Develop disaster preparedness outreach and education for older adults to engage the population in prevention, shelter-in-place, and evacuation plans. Special care should be given to engage individuals who require in-home support.

Program HS-2.2.6 Neighborhood Mutual Assistance. Support the development of neighborhood mutual assistance groups (such as the Sausalito Village Emergency Preparedness Neighborhood Cluster Program) for emergency preparedness, identifying the residents most in need of assistance in case of power outages and disasters.

Program HS-2.2.7 First Responder Community Programs. Promote and consider expanding supportive community programs conducted by first responders such as the Are You O.K.? program that provides check-ins on older adults and other vulnerable individuals.

Program HS-2.2.8: Disaster preparedness outreach. Increase public awareness and volunteer opportunities for disaster preparedness programs of the Sausalito Police Department, Southern Marin Fire Protection District, and the Community Safety/Disaster Preparedness Committee.

Program HS-2.2.10 Release of Pollutants Due to Project Site Inundation. Develop an action plan to identify how the city will address the potential release of pollutants within the city's flood hazard and tsunami zones, should they become inundated.

Policy HS-2.4: Access for Emergency Vehicles. Provide and maintain adequate access for emergency vehicles and equipment, particularly fire-fighting equipment. Proactive measures

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may be necessary to encourage efficient measures, including ensuring adequate width of roadways, and not siting critical egress and ingress within flood zones to the extent possible.

Program HS-2.4.1: Street Encroachment Permit Process. Maintain a temporary street encroachment permit process so that construction and other large pieces of equipment or vehicles occupying the public right-of-way may be regulated.

Program HS-2.4.2: Street Frontage Improvement. Require frontage improvements when private development is proposed and where neighborhood compatibility concerns can be addressed (see policy CP-2.5).

Program HS-2.5.1 Priority Undergrounding. Prioritize the undergrounding of those overhead utilities which are at risk of hindering the movement of emergency vehicles and associated with other health and safety risks such as PCB's, falling wires, an electromagnetic field.

Program HS-2.6.2: Residential Landscaping. Inform residential property owners about FIREsafe Marin's home hardening education program and other methods of reducing fuel load in residential areas.

Policy HS-2.8: Community Resilience. Encourage neighborhood-level resiliency with enhanced communication around preparedness and available resources.

Program HS-2.8.1: Neighborhood Groups. Identify volunteer emergency response groups (such as CERT, BAT, and other organizations) and consider making information about them available on the city's website and at City Hall.

### *Sustainability Element*

Program S-2.1.1: County Solid Waste Management Plan. Coordinate local recycling efforts and publicity efforts with those of the County Solid Waste Program.

Program S-2.1.2: Hazardous and Solid Waste. Continue to participate in the Marin County Hazardous and Solid Waste Joint Powers Authority program.

Program S-2.1.3: Household Hazardous Waste. Coordinate local recycling efforts and publicity efforts with those of the county to promote safe disposal and recycling of household hazardous waste.

Program S-2.1.4: Composting. Continue and expand existing green waste and composting residential and commercial programs.

Program S-3.2.1 Sea Level Rise Adaptation Plan. Prepare and adopt an adaptation plan for addressing sea level rise and land subsidence that minimizes the potential for displacement of residents, jobs, and other community assets, and prioritizes nature-based adaptation measures. The adaptation plan should include:

- a) The Sea Level Rise Map, which will be created in collaboration with BayWAVE or other regional authorities on sea level rise, as a base for adaptation planning. The map will be updated periodically to reflect the most current and reliable data.

- b) A “menu” approach to adaptation measures that would include but is not be limited to: managed retreat, nature-based adaptation measures, living shorelines, innovative building structures, and horizontal levees.
- c) Coordination on a science-based adaptation approach with local, regional, county, state, and federal agencies with bay and shoreline oversight; owners of critical infrastructure; and other key stakeholders.
- d) An outreach plan to inform stakeholders and property owners who own property in vulnerable areas about sea level rise risks and adaptation strategies.
- e) An inventory of potential sites suitable for larger-scale adaptation projects, using the Marin Ocean Coast Sea Level Rise Adaptation Report as a base for confirming and formalizing such areas.
- f) Promotion and support for innovative business uses that advance sea level rise adaptation.
- g) Evaluation of opportunities for retreat where practical and feasible, prioritizing undeveloped sites, areas in permanent open space, or areas that are environmentally constrained. Allow for transfer of ownership rights. Consider retreat as a last resort.
- h) Encouragement of innovative green (nature-based) shoreline protection measures where most practical and feasible, such as wave attenuation projects, natural reef development areas, and ecologically friendly measures to combat sea level rise.
- i) Identification of appropriate timing and phasing of adaptation planning and implementation.
- j) Identification of financing tools and opportunities to advance climate adaptation strategies.
- k) Coordination with the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan on sea level rise mitigation and adaptation.
- l) Incorporating the consideration of a Marinship Infrastructure Needs analysis as described in program CP-1.1.4.
- m) An economic analysis of mitigation costs versus private and public economic loss.

Program S-3.2.2 Subsidence and Liquefaction. Complete a geologic and/or hydrographic study that describes how Sausalito’s unique ground subsidence and liquefaction issues will interact with sea level rise. The study should include recommendations and implementation measures.

Program S-3.2.3 Resilience and Adaptation Measures. Require new development and substantial redevelopment to integrate resilience and adaptation measures into project designs where feasible and practical.



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Policy S-3.3 Minimum Construction Elevation. Consider recommending to owners of new development and substantial remodels that their projects meet a minimum finished floor elevation to accommodate potential sea level rise and its effects.

### Sausalito Municipal Code

Title 8 of the Sausalito Municipal Code (Buildings and Construction) includes the most recently adopted State codes (Building Code, Residential Code, etc.).

Title 12 (Health and Safety) establishes measures for solid waste disposal.

### Disaster Preparedness: Citizen's Guide

The Sausalito Disaster Preparedness/Emergency Operations Program is operated by the Community Safety/ Disaster Preparedness Committee to prepare the city for disasters and has provided disaster preparedness information and training to all city departments, as well as citizens' groups that have requested assistance. The Committee is a civilian board appointed by the City Council with additional City representatives that advises the City Council and publishes an annual Disaster Preparedness: Citizen's Guide.

### 3.8.3 THRESHOLDS OF SIGNIFICANCE

According to the CEQA Guidelines Appendix G, the proposed Housing Element Update project would have a significant impact related to hazards and hazardous materials if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?); or
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. (See Section 3.16, Wildfire.)

### 3.8.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to hazards and hazardous materials resulting from implementation of the HEU are discussed below. The following impact analysis is based on an assessment of baseline conditions for Sausalito, including locations of hazardous materials use and storage, existing contaminated sites, air traffic hazards, and emergency response and evacuation plan requirements. This analysis identifies potential impacts based on the interaction between the affected environment and construction, operation, and maintenance activities related to future development that could occur under the zoning standards adopted to implement the HEU. This section describes impacts in terms of location, context, duration, and intensity.

#### *Environmental Topics Eliminated from Further Analysis*

Section 21002.1(e) of CEQA requires an EIR discussion to focus on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant. Lead agencies may limit discussion on other effects to a brief explanation as to why those effects are not potentially significant.

#### **Aviation Hazards**

Hazards related to airports are typically grouped into two categories: air hazards and ground hazards. Air hazards jeopardize the safety of an airborne aircraft and expose passengers, pilots, and crews to danger. Examples of air hazards include tall structures, glare-producing objects, bird and wildlife attractants, radio waves from communication centers, or other features that have the potential to interfere with take-off or landing procedures, posing a risk to aircraft. Ground hazards jeopardize the safety of residents and/or workers in the vicinity of an airport. The most obvious ground hazard is a plane crash, which may produce a serious, immediate risk to those residing in or using areas adjacent to the airport. Most accidents occur during take-off and landing.

The City is not located within any protected airspace zones defined by the Marin County ALUCP. The closest airports, San Francisco and Oakland International Airports, are located approximately 17 miles to the south and southeast of the City, respectively. The Seaplane Adventures and Commodore Center Heliport operate under a use permit from the County of Marin and include a private airstrip approximately 0.7-miles north of City limits. As such, implementation of the Housing Element Programs would not result in a safety hazard for people residing or working in the City, and no impacts would occur under this criterion. Therefore, this topic is not evaluated further.

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## Housing Element Programs EIR

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### *Environmental Topics Analyzed*

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**Impact 3.8-1      Development facilitated by implementation of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.**

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Implementation of the Housing Element Programs would not directly construct new site-specific housing in the City but, through the adoption of new development standards, would facilitate new residential development in order to meet the City's RHNA allocation. Implementation of the Housing Element Programs involves the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. Subsequent construction activities to develop the allowed uses could potentially use hazardous materials such as fuels (gasoline and diesel), oils and lubricants, paints and paint thinners, glues, cleaners (which could include solvents and corrosives in addition to soaps and detergents), and possibly pesticides and herbicides. Future residential land uses would not be expected to transport, use, store, or dispose of substantial amounts of hazardous materials.

Likewise, demolition of existing structures could potentially result in release of hazardous building materials (e.g., asbestos, lead paint, etc.). However, all new development (construction and operations) would be required to comply with mandatory regulations for hazardous materials adopted by the USDOT, Caltrans, CHP, local CUPA, and Southern Marin Fire Protection District (SMFD), as described in the Regulatory Setting section. Mandatory compliance with regulations would ensure that all impacts would be less than significant.

### **Hazardous Material Transportation**

As described in the Regulatory Setting section, the transportation of hazardous materials on local roadways and along railways is regulated and monitored by multiple agencies. These agencies enforce federal and State regulations regarding transportation of hazardous materials and respond to hazardous material spills and releases that occur on roadways, railway lines, and at railroad crossings. Should an accident occur during transport of hazardous materials, the CUPA, SMFD, and Marin County Sheriff's Department would respond.

General Plan Policy HS-1.4: Hazardous Materials, and subprograms HS-1.4.1 through 1.4.10 further minimize the risk of property damage and personal injury resulting from the production, use, storage, disposal and transporting of hazardous materials and waste through a variety of actions including site investigation; require preparation of a Phase I hazardous materials report for all future development or redevelopment projects on sites located within the Marinship area or on sites with a known history of industrial uses; and monitor inspections during the occupancy permit process. Future development in accordance to the Housing Element would be subject to these General Plan policy and subprogram requirements.

### Hazardous Material Use

As noted in the City's General Plan EIR, the SMFD and City of Sausalito Building Division coordinate review of building permits to ensure hazardous materials requirements are met prior to construction, including required separation between hazardous materials and sensitive land uses, and proper hazardous materials storage facilities.

Future construction activities as a result of implementation of the Housing Element Programs could use hazardous materials such as fuels (e.g., gasoline and diesel), oils and lubricants, paints and paint thinners, glues, cleaners, and possibly pesticides. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, State, and local laws. Once operational, housing sites developed are not expected to transport, use, store, or dispose of substantial amounts of hazardous materials, with the exception of common residential-grade hazardous materials such as household cleaners and paint, among others.

### Hazardous Material Disposal

The disposal of hazardous materials is regulated and monitored by the local Certified Unified Programs Agency (CUPA), SMFD, Cal/OSHA, and the DTSC consistent with the requirements of federal, State, and local regulations and policies. At the time of writing of the DEIR, opportunity sites as part of the Housing Element Programs are not anticipated to be include hazardous materials or contamination as Hazardous Waste and Substances Sites (Cortese) List and Geotracker as discussed prior. Development facilitated by the project is not expected to occur on a contaminated site, as neither of these sites are expected to be used for residential purposes. Regardless, development facilitated by the Housing Element Programs will be evaluated for project-specific impacts related to Government Code Section 65962.58 at the time they are proposed, which would include transport of hazardous materials.

In conclusion, while development at the vacant parcels and opportunity sites envisioned by implementation of the Housing Element Programs could result in an incremental increase in transportation, use, and disposal of hazardous materials in the City, risks to human health and the environment would be minimized through implementation of General Plan policies and other applicable federal, State, and local regulations. Further, future residential land uses would not be expected to transport, use, store, or dispose of substantial amounts of hazardous materials. Future projects associated with the HEU would be required to comply with requirements and regulations set forth by the USDOT, Caltrans, CHP, local CUPA, and SMFD. Therefore, the transportation, use, and disposal of hazardous materials would create ***less-than-significant*** impacts to the environment.

### Level of Significance before Mitigation

Less than Significant

# City of Sausalito

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### Mitigation Measures

None Required

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**Impact 3.8-2      Development facilitated by implementation of the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.**

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Implementation of the Housing Element Programs would not directly construct new housing in the City but, through the adoption of new development standards, it would facilitate new residential development on specific sites in order to meet the City's RHNA allocation. Construction activities have the potential to release potentially hazardous soil-based materials into the environment during site grading and excavation operations. Likewise, demolition of existing structures could potentially result in release of hazardous building materials (e.g., asbestos, lead paint, etc.).

As noted in Impact 3.8-1, compliance with mandatory regulations would reduce potential impacts to a less-than-significant level, and General Plan policies and programs would further reduce potential impacts and ensure that they are less than significant. General Plan Policy HS-1.4, Hazardous Materials, and subprograms HS-1.4.1 through 1.4.10 further minimize the risk of property damage and personal injury resulting from the production, use, storage, disposal and transporting of hazardous materials and waste through a variety of actions including site investigation; require preparation of a Phase I hazardous materials report for all future development or redevelopment projects on sites located within the Marinship area or on sites with a known history of industrial uses; and monitor inspections during the occupancy permit process.

To prevent and reduce hazardous condition to below a level of significance, existing local, State, and federal law, including those listed under Section 3.8.2, Regulatory Setting, will be enforced at all construction sites. For example, compliance with existing regulations would ensure that construction workers and the general public are not exposed to any risks related to hazardous materials during demolition and construction. Cal/OSHA regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and preparation of emergency action/prevention plans will be complied with. All contaminated waste must be collected and disposed of at an appropriately licensed disposal or treatment facility.

Future development at the vacant parcels and opportunity sites (including redevelopment of existing developed sites) in accordance with the sites identified by the project must comply with the California Code of Regulations. Title 8 of the California Code of Regulations, which establishes Cal/OSHA requirements related to public and worker protection. Topics addressed include materials exposure limits, equipment requirements, protective clothing, hazardous materials, and accident prevention. Construction safety and exposure standards

for lead and asbestos are set forth in Title 8, Title 17 of the California Code of Regulations, which establishes regulations relating to use and disturbance of materials containing naturally occurring asbestos. Soil excavated during construction is regulated under Title 22 of the California Code of Regulations. The local CUPA is responsible for ensuring that the California Code of Regulations and all other programs related to hazardous materials are implemented during construction activities.

As described in Section 3.9, Hydrology and Water Quality, future development that disturbs one acre or more of soil, or that is part of a common plan of development that disturbs one acre or more of soil, must obtain permit coverage under the Construction General Permit by filing an Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with the RWQCB prior to commencement of construction. The SWPPP must describe the site, facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion, maintenance responsibilities, and non-stormwater management controls. The Best Management Practices in the SWPPP include measures to prevent spills and require on-site materials for cleanup.

Compliance with, implementation of, federal, State, and local policies during future construction activities would ensure that future development under the HEU would not create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment. Therefore, impacts would be ***less than significant***.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required

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**Impact 3.8-3      Development facilitated by implementation of the Project would not result in hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.**

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As discussed in Section 3.13, Public Services and Recreation, Sausalito is served by public and private schools, including three private preschools. Given the distribution of schools in the City and the City's small size, it is probable that future development and redevelopment associated with the Housing Element Programs, which may involve hazardous emissions or handling of hazardous materials and wastes, may occur within 0.25-mile of an existing or future school. However, residential land uses do not typically involve the storage or usage of substantial quantities of hazardous materials, and thus, implementation of the Project would



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not result in a substantial increase of hazardous materials located near schools, in operational times (opposed to constructions phases).

As described under Impacts 3.8-1 and 3.8-2, development facilitated by the Housing Element Programs would be required to comply with regulations related to hazardous materials, including those codified in Programs HS-1.4.1 through 1.4.10, in order to protect sensitive land uses from exposure to hazardous materials. In particular, the City of Sausalito Building Division coordinates review of building permits to ensure hazardous materials use requirements are met prior to construction, including required separation between hazardous materials and sensitive land uses, and proper hazardous materials storage facilities, as discussed in the General Plan EIR. Separation between hazardous materials and sensitive land uses could pose to be a challenge for the proposed Project, as much of the potential development and construction associated with the Housing Element Programs could occur within residential, and other sensitive land use, areas. However, future site-specific development (including redevelopment of existing developed sites) associated with implementation of the Housing Element Programs would be required by the local CUPA to store, manage, and dispose of the materials in accordance with the Unified Program. Therefore, impacts would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.8-4**      **Implementation of the Project would not result in development on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.58 and, as a result, create a significant hazard to the public or environment.**

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As discussed in the Existing Setting section, historical uses in Sausalito include a train and ferry system, as well as significant ship building facilities. Deposition of hazardous materials has been found in some areas of Sausalito where these facilities operated, including Dunphy Park, which is an old burn dump site. In addition, an EnviroStor search indicated that two sites have land use restrictions because of past contamination (South Pacific Division Laboratory and Galilee Harbor Parcel 1). Opportunity sites as part of the Housing Element Programs are not anticipated to be contaminated, as no opportunity sites are identified on existing Cortese and Geotracker list records. Development facilitated by the Housing Element Programs is not expected to occur on a contaminated site, as neither of these sites are expected to be used for residential purposes. Regardless, development facilitated by the Housing Element Programs will be evaluated for project-specific impacts related to Government Code Section 65962.5 at the time they are proposed in accordance with DTSC requirements.

As discussed in Impacts 3.8-1, 3.8-2, 3.8-3, and the Regulatory Setting, any development on a contaminated site would be required to comply with mandatory regulations, which would ensure it does not create a significant hazard to the public or the environment. While implementation of the Housing Element Programs does not anticipate developing directly on contaminated sites, the generally close proximity these contaminated sites are to residential areas calls for adherence local, State, and federal regulations.

For instance, Cal/EPA is authorized by the USEPA to enforce and implement certain federal hazardous materials laws and regulations. The DTSC, a department of the Cal/EPA, protects California and Californians from exposure to hazardous waste, primarily under the authority of the RCRA and the California Health and Safety Code. The DTSC requirements include the need for written programs and response plans. The DTSC programs include dealing with aftermath clean-ups of improper hazardous waste management, evaluation of samples taken from sites, enforcement of regulations regarding use, storage, and disposal of hazardous materials, and encouragement of pollution prevention.

The General Plan contains policies and programs to address the inadvertent discovery of hazardous materials on project sites. Program HS-1.4.2 requires that subsurface contamination investigations at potentially contaminated sites be conducted prior to development approval. Program HS-1.4.6 requires, at minimum, a Phase 1 hazardous materials assessment for all future development or redevelopment projects on sites located within the Marinship area or on sites with a known history of industrial uses. Future development anticipated by the Housing Element Programs, within the Marinship area or on sites with a known history of industrial uses or located on a contaminated site, would be subject to these General Plan policy and program requirements.

As described under Impact 3.8-1, should any hazardous materials be inadvertently encountered during construction activities from development facilitated by the Housing Element Programs, the handling, transportation, and disposal of hazardous materials would be required to comply with the requirements and regulations set forth by the USDOT, Caltrans, CHP, CPUC, Hazardous Materials Compliance Division (HMCD), and Marin County Hazardous & Solid Waste Management – Joint Powers Authority.

Therefore, impacts would be ***less than significant***.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required

# City of Sausalito

## Housing Element Programs EIR

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**Impact 3.8-5      Development facilitated by implementation of the Project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.**

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As described in the Regulatory Setting section, Marin County has developed an Emergency Operations Plan (EOP) that describes overall responsibilities of federal, State, County, and City for protecting life and property and assuring overall wellbeing of the population. The SMFD conducts evacuation exercises annually to prepare for emergency situations. Evacuations in the City are an emergency support function that local law enforcement organizes and coordinates with the SMFD.<sup>17</sup> The EOP is maintained on a regular basis by the County Sheriff's Office of Emergency Services. As such, as development occurs under the HEU, the EOP can be modified to reflect new growth within the City. Therefore, impacts would be *less than significant*.

The Sausalito Community Safety/Disaster Preparedness Committee also publishes an annual Disaster Preparedness: Citizen's Guide and provides disaster preparedness training to City departments and residents.

Development accommodated in connection with HEU implementation would result in an incremental increase in new residential uses, and therefore, an incremental increase in demand for emergency response services. As described in Section 2, Project Description, the rezoning adopted to implement the HEU is expected to accommodate approximately 959 new residential dwelling units. This new growth would increase the City's population by approximately 1,707 residents.

The routes that would be used in the event of an evacuation include Bridgeway, Spencer Avenue, Alexander Avenue, Highway 101, Donahue Street, and Shoreline Highway. For persons residing on boats, or persons having access to boats, including the Golden Gate Ferry, evacuation could be potentially taken via Richardson Bay. Further discussion on evacuation routes is included in Section 3.13, Public Services and Recreation, and Section 3.14, Transportation, of this Draft EIR.

Implementation of the Housing Element Programs does not propose alteration of existing roadway patterns and does not introduce any new major roadways or other physical features that would result in inadequate emergency access. Further, development anticipated by the Housing Element Programs would be located on sites either developed, vacant, and/or underutilized and are not expected to inhibit emergency access as they do not propose alteration of existing roadway patterns. An incremental increase in development could occur in the City, which may require the installation of new infrastructure, such as roads and fire access roads; however, any new infrastructure would

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<sup>17</sup> City of Sausalito General Plan Environmental Impact Report. 2021. Section 3.8 Hazards.

be limited to serving new development and would be reviewed by the City of Sausalito during project-specific site plan review to ensure adequate emergency access is provided.

Development and growth in the City under the Housing Element Programs would result in an incremental increase in demand for emergency evacuation routes within the City. As noted in Section 3.16, Wildfire, the development facilitated by the Project would be served by existing emergency evacuation routes, which have sufficient capacity to accommodate projected growth. General Plan Policy HS-2.4, Access for Emergency Vehicles, underscores the importance of maintaining adequate access by requiring the City to provide and maintain adequate access for emergency vehicles and equipment, particularly fire-fighting equipment. Proactive measures may be necessary, determined by the City of Sausalito during project-specific site plan review, to encourage efficient measures, including ensuring adequate width of roadways, and not siting critical egress and ingress within flood zones to the extent possible. General Plan Program HS-2.5.1, Priority Undergrounding, prioritizes the undergrounding of those overhead utilities which are at risk of hindering the movement of emergency vehicles and other Health and Safety risks such as PCBs, falling wires, and electromagnetic fields.

Given the existing inter-jurisdictional programs that are already in place, and the City's focus on maintaining and enhancing emergency vehicle access and evacuation routes to protect life and property in the event of emergency, related impacts would be ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.8-6      Development facilitated by implementation of the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to hazards and hazardous materials.**

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This analysis evaluates whether impacts of implementing the Housing Element Programs, together with impacts of cumulative development, would result in a cumulatively significant impact with respect to hazards and hazardous materials. This analysis then considers whether incremental contribution of impacts associated with implementation of the Housing Element Programs would be significant. Both conditions must apply for a project's cumulative effects to rise to the level of significance. The geographic context for this analysis includes Sausalito, Marin City, Mill Valley, Tiburon, Belvedere, and other adjacent unincorporated areas.

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### Hazards and Hazardous Materials

Cumulative projects would be subject to the requirements and regulations set forth by the USDOT, Caltrans, CHP, the local CUPA, and SMFD related to transport, use, and disposal of hazardous materials. Accordingly, cumulative development would not result in physical changes that would result in a significant environmental effect. Cumulative projects will also be required to implement a SWPPP and comply with the California Code of Regulations during construction, site grading, excavation operations, and building demolition. For these reasons cumulative projects would have a ***less-than-significant*** effect.

Moreover, the incremental contribution to *less-than-significant* cumulative impacts resulting from implementation of the Housing Element Programs would not be significant. Development resulting from future buildout of Housing Element Programs implementation is largely the same as what was already evaluated and disclosed as part of the 2021 General Plan EIR and will be subject to both proven continuing policies and enhanced policies to reduce impacts related to hazards and hazardous materials. As previously discussed, development facilitated by the Housing Element Programs would result in an incremental increase in new residential uses which could, while trivial, result in an incremental increase in transportation, use, and disposal of hazardous materials. Potential impacts would be reduced to below a level of significance, as discussed above, because construction must comply with the California Code of Regulations and implement a SWPPP to prevent hazardous materials spills and protect public safety. To ensure a less-than-significant contribution to cumulative impacts, development consistent with the Housing Element Programs will be required to implement all applicable policies during the design review process.

Additionally, as previously stated, development under the HEU would be required to comply with requirements and regulations set forth by the USDOT, Caltrans, CHP, the local CUPA, and SMFD related to transport, use, and disposal of hazardous materials. Accordingly, development under the Housing Element Programs would not result in physical changes that would incrementally contribute to a significant environmental effect. For these reasons, the Project's contribution to cumulative impacts would be considered ***less than significant***.

### Emergency Response and Evacuation Plans

Cumulative impacts related to emergency response and evacuation plans would be less than significant. The SMFD conducts evacuation exercises annually to prepare for emergency situations. Evacuations in the City are an emergency support function that local law enforcement organizes and coordinates with the SMFD.<sup>18</sup> The MCM LHMP covers all incorporated cities in Marin County, as well as unincorporated areas. The LHMP addresses emergency preparedness, mitigation, warnings, communications, responses, and recovery. The LHMP also identifies resources, information, and strategies for reducing risk from natural hazards. In addition, Marin County has an EOP that is regularly updated. Adjacent

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<sup>18</sup> City of Sausalito General Plan Environmental Impact Report. 2021. Section 3.8 Hazards

jurisdictions also have emergency response plans and emergency evacuation plans. Furthermore, larger regional and statewide resource areas are regulated by State agencies to address larger-scale, statewide issues. For these reasons, cumulative impacts associated with emergency response and evacuation plans are ***less than significant***.

Moreover, the HEU's incremental contribution to these less-than-significant cumulative impacts would not be significant. To ensure a less-than-significant contribution to cumulative impacts, development will be required to implement all applicable policies during the design review process. As the City receives development applications for subsequent development, those applications will be reviewed by the City of Sausalito for compliance with the policies and programs of the General Plan and Municipal Code related to emergency response plans and emergency evacuation plans. Additionally, new development under the Housing Element Programs would be considered in the context of the EOP and is not expected to impair implementation of or physically interfere with the EOP. Therefore, the Housing Element Projects' contribution to cumulative impacts would be considered ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required



### 3.9 HYDROLOGY AND WATER QUALITY

This section of the Draft EIR describes the existing hydrology, drainage, flooding, water quality, and groundwater within the Project area, and evaluates impacts anticipated to occur from implementation of the Project. Water supply and wastewater conveyance and treatment are discussed in Section 3.15, Utilities and Service Systems. Issues regarding wetlands and waters of the United States are discussed in Section 3.3, Biological Resources. Development facilitated by the Housing Element Programs would largely continue the development patterns anticipated by the City under the 2021 General Plan. The Sausalito General Plan currently includes policies and programs that would enhance review and protection of resources. Implementation of the Housing Element Programs would be consistent with such policies and programs.

Information in this section is based, in part, on information provided by the following reference materials:

- Marin Watershed Program;
- Sausalito General Plan Health, Safety, and Community Resilience Element (February 2013); and
- Clean Water Act Section 303(d) List of Impaired Water Bodies.<sup>1</sup>

#### 3.9.1 EXISTING SETTING

##### *Regional Hydrology*

In Marin County, the Marin Watershed Program in combination with the Marin County Flood Control and Water Conservation District, designates watershed boundaries. A watershed is an area of land where all streams and the rain drain into a common outlet such as a reservoir or mouth of a bay. Generally, a watershed is comprised of surface water (lakes, streams, reservoirs, and wetlands) and all the underlying groundwater.<sup>2</sup>

##### **Richardson Bay Watershed**

The City of Sausalito is located within the Richardson Bay Watershed area which contains several subwatersheds including Arroyo Corte Madera Del Presidio-Frontal San Francisco Bay Estuaries, Angel Island-San Francisco Bay Estuaries, and the Redwood Creek-Frontal Pacific Ocean. Richardson Bay is part of the San Francisco Bay system and is situated in southern Marin County as shown in Figure 3.9-1. Six local government jurisdictions have

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<sup>1</sup> The 303(d) List of Impaired Water Bodies  
[https://www.waterboards.ca.gov/rwqcb2/water\\_issues/programs/TMDLs/303dlist.html](https://www.waterboards.ca.gov/rwqcb2/water_issues/programs/TMDLs/303dlist.html)

<sup>2</sup> United States Geological Survey (USGS). The USGS Water Science School. Website:  
<https://www.usgs.gov/special-topic/water-science-school>. Accessed March 25, 2020.

oversight over the Richardson Bay Watershed: Marin County, San Francisco Bay Conservation and Development Commission (BCDC), and the cities of Sausalito, Mill Valley, Tiburon, and Belvedere. The upper slopes and ridges of the watershed, in the Mount Tamalpais area, are largely protected from development, but the remaining watershed area is developed with residential and commercial areas.<sup>3</sup> The Watershed ranges in elevation from 2,571 feet above mean seal level (msl) at Mount Tamalpais down to the shoreline at sea level. According to the California Department of Water Resources (DWR), there is no groundwater basin in the Sausalito Planning Area.<sup>4</sup> Although outside of the Planning Area, there are several creeks and streams within the Watershed, such as Coyote Creek and Old Mill Creek, that eventually drain into Richardson Bay.

### **Flooding**

Sausalito is situated at a point where the Marin Headlands meet Richardson Bay. The resulting topography creates a sharp gradient that extends down to the city waterfront. In this context, the low-lying and unprotected coastal areas of the community are subject to flooding from extreme weather events, storm surges, exceptional high tides, and sea level rise. Inadequate drainage and land subsidence also contribute to the problem of flooding.

### **FEMA Flood Zones**

Floodplain mapping prepared by the Federal Emergency Management Agency (FEMA) provides important guidance for the city in planning for flooding events and regulating development within identified flood hazard areas. FEMA's National Flood Insurance Program (NFIP) is intended to encourage State and local governments to adopt responsible floodplain management programs and flood measures. As part of the program, the NFIP defines floodplain and floodway boundaries that are shown on Flood Insurance Rate Maps (FIRMs).

Figure 3.9-2 depicts the FEMA flood hazard zones, which are based on FEMA's Flood Insurance Maps.<sup>5</sup> The majority of the Sausalito Planning Area's shoreline is subject to 100-year flooding, which refers to a flooding event that has a 1 percent chance of occurring in any given year. Other areas within the Planning Area's shoreline are subject to 500-year flooding and are identified as having a 0.2 percent chance of being flooded in a given year. The remaining portions of the Planning Area are located at higher elevations where the risk

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<sup>3</sup> Marin County Watershed Program. Richardson Bay Watershed. Website: <https://www.marinwatersheds.org/creeks-watersheds/richardson-bay>. Accessed March 25, 2020.

<sup>4</sup> California Department of Water Resources (DWR). SGM Sustainable Groundwater Management. Website: <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>. Accessed March 25, 2020.

<sup>5</sup> City of Sausalito. Sea Level Rise and FEMA Flood Insurance. Website: <https://www.sausalito.gov/departments/public-works/engineering-division/sea-level-rise-and-fema-flood-insurance>. Accessed March 25, 2020.

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of flooding is relatively low. Wind wave action and storm surge in Richardson Bay can also result in a flooding hazard.

### ***Dam or Levee Failure Inundation Zones***

The Marin County Flood Control District maintains one levee in the immediate vicinity of Sausalito, approximately 1-mile long, located east of and parallel to Highway 101. The levee ends south of the intersection at Shoreline Highway and Highway 101, near the community of Manzanita.<sup>6</sup> The levee was constructed by the United States Army Corps of Engineers (USACE) in the 1960s to provide protection from tidal action and flooding. Oversight of the levee was subsequently transferred to the Marin County Flood Control District for operations and maintenance. The levee is periodically inspected, most recently in September 2010.<sup>7</sup> Available records indicate that the levee received a minimally acceptable inspection. Nevertheless, tidal flooding does occasionally cause closure of the Shoreline Highway, the Caltrans Manzanita Park-and-Ride lot, and the Mill Valley-Sausalito Pathway. The Marin County Flood Control District has established Zone 3 – Richardson Bay, to address specific flooding problems within Sausalito and the surrounding areas. Most recently, drainage improvements were implemented to address flooding near Highway 101 and in the lower reaches of Marin City (lowland areas).<sup>8</sup>

Alpine Dam is an arched concrete gravity structure located approximately 10 miles northwest of Sausalito. The dam was built in 1917 to create a reservoir and provide flood control. The Marin Municipal Water District (MMWD) owns and operates the dam, providing its customers with clean, affordable water from a reservoir. According to State records, the dam is 143 feet high with a crest length of 524 feet. The reservoir's capacity is approximately 8,892 acre-feet.

The State requires an Emergency Action Plans (EAP) for dams located upstream of areas where more than 1,000 people reside. An EAP is a formal document that identifies potential emergency conditions at a dam. The EAP further specifies actions that must take place to minimize loss of life and property damage. In July 2017, the Division of Safety of Dams notified MMWD that it must update and submit an EAP for Alpine Dam by January 2018. The DWR designated the downstream hazard as “extremely high” but a 2017 assessment report lists the dam's condition as “satisfactory.”<sup>9</sup> In the event of a failure, the outflow from Alpine Lake will flow into Kent Lake, located 1.5 miles downstream, and pass through the spillway

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<sup>6</sup> Conservation Biology Institute Data Basin. San Francisco Bay Levees. Website: <https://databasin.org/datasets/ed05b99c85e94df5befb6e619847e378>. Accessed March 25, 2020.

<sup>7</sup> United States Army Corps of Engineers (USACE). National Levee Database. Website: <https://levees.sec.usace.army.mil/#/>. Accessed March 26, 2020.

<sup>8</sup> Marin County Flood Control and Water Conservation District. 2017. Marin City Drainage Study. A Study for the Marin Flood Control Zone No. 3. October 20.

<sup>9</sup> California Natural Resources Agency, Department of Water Resources. 2017. Dams Within Jurisdiction of the State of California. September.

at Peters Dam. If the Peters Dam spillway were to subsequently fail, outflow will continue downstream, to the north, and empty into Tomales Bay, which is located over 22 miles northwest of the Project area..

### **Tsunami Inundation Zones**

Tsunamis consist of waves generated by large disturbances of the sea floor, which are caused by volcanic eruptions, landslides, or earthquakes. Shallow earthquakes along dip slip faults are more likely to be sources of tsunami than those along strike slip faults. Tsunamis can reach the beach before warnings are issued. Associated risks include flooding, contamination of drinking water, ruptured tanks or gas lines, and the loss of vital community infrastructure.<sup>10</sup>

Marin County communities may be vulnerable to tsunamis because of the location and quality of the built environment. The principal exposure would be people, buildings, and infrastructure located in the low-lying potential inundation area. Especially at risk are visitors, hikers, campers, and non-residents who might be on the shore when the tsunami strikes. Tsunami hazard zones within the Planning Area are shown in Figure 3.9-3. As shown, the areas east of Bridgeway are most likely to become inundated in the event of a tsunami.

## **Water Quality**

### **Stormwater Runoff**

Potential hazards to surface water quality include the following nonpoint pollution problems: high turbidity from sediment resulting from erosion of improperly graded construction projects, concentration of nitrates and dissolved solids from agriculture or surfacing septic tank failures, contaminated street and lawn run-off from urban areas, and warm water drainage discharges into cold water streams.

The most critical period for surface water quality is following a rainstorm that produces significant amounts of drainage runoff into streams at low flow, resulting in poor dilution of contaminants in the low flowing stream. Such conditions are most frequent during the fall at the beginning of the rainy season when stream flows are near their lowest annual levels. Besides the greases, oils, pesticides, litter, and organic matter associated with such runoff, heavy metals such as copper, zinc, and cadmium can cause considerable harm to aquatic organisms when introduced to streams in low flow conditions.

Urban stormwater runoff was managed as a non-point discharge (a source not readily identifiable) under the Federal Water Pollution Control Amendments of 1972 (Public Law [PL] 92-500, § 208) until the mid-1980s. Since that time, the United States Environmental Protection Agency (EPA) has continued to develop implementing rules categorizing urban runoff as a point source (an identifiable source) subject to National Pollutant Discharge

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<sup>10</sup> Marin County. 2018. Marin County Multi-Jurisdiction Local Hazard Mitigation Plan, page 70.

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Elimination System (NPDES) permits. Rules now affect medium and large urban areas, and further rulemaking is expected as programs are developed to meet requirements of federal water pollution control laws.

Surface water pollution is also caused by erosion. Excessive and improperly managed grading, vegetation removal, quarrying, logging, and agricultural practices all lead to increased erosion of exposed earth and sedimentation of watercourses during rainy periods. In slower moving water bodies these same factors often cause a buildup of siltation, which ultimately reduces the capacity of the water system to percolate and recharge groundwater basins, as well as adversely affecting both aquatic resources and flood control efforts.

### Impaired Water Bodies

Section 303(d) of the Federal Clean Water Act (CWA) requires states to identify waters that do not meet water quality standards or objectives and thus, are considered "impaired." Once listed, Section 303(d) mandates prioritization and development of a Total Maximum Daily Load (TMDL). The TMDL is a tool that establishes the allowable loadings or other quantifiable parameters for a waterbody and thereby the basis for the States to establish water quality-based controls. The purpose of TMDLs is to ensure that beneficial uses are restored and that water quality objectives are achieved.

The California State Water Resources Control Board (State Water Board) and Regional Water Quality Control Board (RWQCB) assess water quality data for California's waters every 2 years to determine if the water bodies contain pollutants at levels that exceed protective water quality criteria and standards. Based on the assessment, the water body segment is placed in one of the categories listed below:

- Category 1: All core beneficial uses are supported.
- Category 2: At least one core beneficial use is supported and none are known to be impaired.
- Category 3: Insufficient information to determine beneficial use support.
- Category 4: At least one beneficial use is not supported but TMDL is not needed.
- Category 4a: A TMDL has been developed and approved by EPA for any waterbody-pollutant combination, and the approved implementation plan is expected to result in full attainment of the water quality standard within a specified time frame.
- Category 4b: Another regulatory program is reasonably expected to result in attainment of the water quality standard within a reasonable, specified time frame.
- Category 4c: The non-attainment of any applicable water quality standard for the waterbody segment is the result of pollution and is not caused by a pollutant.
- Category 5: At least one beneficial use is not supported and a TMDL is needed.

The Sausalito Planning Area has two water bodies listed in the San Francisco Bay RWQCB 2016 CWA Section 303(d) list of impaired water bodies:<sup>11</sup>

- Coyote Creek – Category 4a segment for diazinon (pesticide)
- Arroyo Corte Madera Del Presidio – Category 4a segment for diazinon

The listing for diazinon was made by the EPA for the 1998 303(d) list. For 2006, diazinon was moved by EPA from the “303(d) List” to the “Being Addressed by EPA Approved TMDL List” because the TMDL approved by the EPA and the implementation plans are in place. Additionally, Schoonmaker Beach was included on the proposed de-listings pages for the 2018 San Francisco Bay Region 303(d) list for the pollutant: Indicator Bacteria.

### **Water Supply**

The City of Sausalito receives its water supply from the MMWD.<sup>12</sup> As discussed in Section 3.15, Utilities and Service Systems, the MMWD has studied the potential for municipal groundwater use since the 1970s, and has determined that the potential for municipal groundwater use within the boundaries of the MMWD service area is very limited due to limited production capabilities, water quality constraints, and potential water rights issues. As a result, groundwater is not currently or planned to be used as a municipal water supply source by the MMWD, though private groundwater wells are used in the MMWD service area.<sup>13</sup> See Section 3.15, Utilities and Service Systems, for additional details about water supply and demand for the Sausalito Planning Area.

## **3.9.2 REGULATORY SETTING**

### **Federal**

#### **Clean Water Act**

Under the CWA, the EPA seeks to restore and maintain the chemical, physical, and biological integrity of the nation’s waters. The statute employs a variety of regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. The CWA authorizes the EPA to implement water quality regulations. The NPDES permit program under Section 402 of the CWA controls water pollution by regulating soil erosion and stormwater discharges into the

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<sup>11</sup> San Francisco Bay Regional Water Quality Control Board (RWQCB). 2016 Clean Water Act Section 303(d) List. Website: [https://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/TMDLs/303dlist.html](https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/303dlist.html) Accessed October 25, 2022.

<sup>12</sup> Marin Municipal Water District (MMWD). About the Marin Municipal Water District. Website: <https://www.marinwater.org/27/About>. Accessed March 25, 2020.

<sup>13</sup> Marin Municipal Water District (MMWD). 2016. 2015 Urban Water Management Plant (UWMP), page 6-3.



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waters of the United States. NPDES permitting authority is administered by the State Water Board and its nine RWQCBs.

The RWQCB has issued the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), which regulates stormwater discharges related to construction activities.<sup>14</sup> Projects disturbing one or more acres of soil, or whose projects disturb less than one acre but are part of a larger common plan of development that, in total, disturbs one or more acres, are required to obtain coverage under the Construction General Permit. The Construction General Permit requires the applicant to file a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) with the RWQCB prior to commencement of construction. The SWPPP must list Best Management Practices (BMPs) that the discharger would use to reduce or eliminate pollutants associated with construction activities in stormwater runoff and document the placement and maintenance of those BMPs.

The RWQCB has also issued a Municipal Regional Permit (MRP), which regulates Municipal Separate Storm Sewer Systems (MS4s). Phase I MS4 regulations cover municipalities with more than 100,000 residents, certain industrial processes, or construction activities that disturb an area of 5 acres or more. Phase II “small” MS4 regulations require stormwater management plans to be developed by municipalities with fewer than 100,000 residents and construction activities that disturb one or more acres of land.

The County and all its municipalities, including Sausalito, are subject to the conditions of regulations described in the current 2013 Phase II Permit. Provision C.3 of the MRP for New Development and Redevelopment allows the permittees to use their planning authorities to include appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. The goal is to be accomplished primarily through the implementation of Low Impact Development (LID) techniques.

### **Federal Emergency Management Act and National Flood Insurance Program**

In response to the increasing cost of disaster relief, Congress passed the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973. FEMA administers the NFIP to provide subsidized flood insurance to communities that comply with FEMA regulations to limit development in floodplains. A FIRM is an official FEMA-prepared map of a community. It is used to delineate both the SFHAs and the flood-risk premium zones that are applicable to the community.

The National Flood Insurance Act of 1968 adopted a desired level of protection with an expectation that developments should be protected from floodwater damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency

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<sup>14</sup> Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-006-DWQ.

of occurrence on the order of once every 100 years, although such a flood may occur in any given year. The 1968 Act made federally subsidized flood insurance available to property owners if their communities participate in the NFIP. A community establishes its eligibility to participate by:

- Adopting and enforcing floodplain management measures to regulate new construction; and
- Ensuring that substantial improvements within Special Flood Hazard Areas (SFHA) are designed to eliminate or minimize future flood damage.

An SFHA is an area within a floodplain having a one percent or greater chance of flood occurrence within any given year. SFHAs are delineated on flood hazard boundary maps issued by FEMA. The Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 make flood insurance mandatory for most properties in SFHAs. Based on a review of the FIRMs that cover the Sausalito Planning Area,<sup>15</sup> the areas adjacent to the city shoreline and Bridgeway, a local roadway, are delineated as SFHAs. Executive Order 11988 (Floodplain Management) addresses floodplain issues related to public safety, conservation, and economics. It generally requires federal agencies constructing, permitting, or funding a project in a floodplain to do the following:

- Avoid incompatible floodplain development;
- Be consistent with the standards and criteria of the NFIP; and
- Restore and preserve natural and beneficial floodplain values.

### **Rivers and Harbors Act**

Section 10 of the Rivers and Harbors Act of 1899 prohibits work that affects the course, location, conditions, or capacity of navigable waters of the United States without a permit from the USACE. Navigable waters under the act are “those waters of the United States that are subject to the ebb and flow of the tide shoreward to the mean high water mark and/or are presently used, or have been used in the past, or may be susceptible to use to transport interstate or foreign commerce,” (Title 33 Code of Federal Regulations [CFR] § 3294). A Section 10 permit may be required for structures or work outside the limits of navigable waters if the structure or work affects the course, location, condition, or capacity of the water body.

### **State**

#### **Porter-Cologne Water Quality Control Act**

The Porter-Cologne Water Quality Act (Water Code § 13000 *et seq.*) is the basic water quality control law for California. The Act established the State Water Board and divided the State

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<sup>15</sup> Maps numbered 06041C0507E and 06041C0526E.

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into nine regional basins, each under the jurisdiction of a RWQCB. The Porter-Cologne Act authorizes the State Water Board to draft state policies regarding water quality and requires the State Water Board or a RWQCB to adopt basin plans for the protection of water quality. The Porter-Cologne Act authorizes the State Water Board and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, or other approvals.

### **Other Water Quality Regulatory Agencies**

Other State agencies with jurisdiction over water quality regulation in California include the State Water Board's Division of Drinking Water, California Department of Pesticide Regulation, and the Office of Environmental Health and Hazard Assessment.<sup>16</sup>

### **State Updated Model Water Efficient Landscape Ordinance (Assembly Bill 1881)**

The Water Conservation in Landscaping Act was enacted in 2006, requiring the DWR to update the Model Water Efficient Landscape Ordinance (MWELO). In 2009, the Office of Administrative Law approved the updated MWELO, which required a retail water supplier or a county to adopt the provisions of the MWELO by January 1, 2010, or to enact its own provisions equal to or more restrictive than the MWELO provisions. In 2015, Executive Order B-29-15 tasked DWR with revising the 2010 updated MWELO to increase water efficiency standards for new and retrofitted landscapes through encouraging the use of more efficient irrigation systems, graywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf.<sup>17</sup>

## **Regional**

### **San Francisco Bay Water Quality Control Plan (Basin Plan)**

The City of Sausalito is within a regional watershed administered by the RWQCB. The RWQCB has established regulatory standards and objectives for water quality in San Francisco Bay in its Water Quality Control Plan for the San Francisco Bay Basin, commonly referred to as the Basin Plan. The RWQCB is required to develop, adopt (after public hearing), and implement a basin plan for the region. Basin plans are updated and reviewed every three years. They provide the technical basis for determining waste discharge requirements, taking enforcement actions, and evaluating clean water grant proposals. A Basin Plan must include (1) a statement of beneficial water uses that the RWQCB will protect, (2) the water quality objectives needed to protect the designated beneficial water uses, and (3) strategies to be

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<sup>16</sup> State of California, Office of the Governor. 2008, Executive Order S-13-08.

<sup>17</sup> California Department of Water Resources. 2015. Model Water Efficient Landscape Ordinance

implemented, with time schedules for achieving the water quality objectives.<sup>18</sup> The San Francisco Bay Basin Plan was last updated in 2017.<sup>19</sup>

In basin plans, RWQCBs designate beneficial uses for all water body segments in their jurisdictions and then set the criteria necessary to protect these uses. Consequently, the water quality objectives developed for particular water segments are based on the designated use and vary, depending on such use. Each RWQCB has region-wide and water body-specific beneficial uses and sets numeric and narrative water quality objectives for several substances and parameters in numerous surface waters in its region. For water bodies that do not have specific beneficial uses or water quality objectives designated in the Basin Plan, the tributary rule applies.<sup>20</sup> Specific objectives for concentrations of chemical constituents are applied to bodies of water according to their designated beneficial uses. In addition, the State Water Board identifies waters that fail to meet standards for specific pollutants, which are then state listed in accordance with CWA Section 303(d), described previously.

### **Marin County Stormwater Pollution Prevention Program**

A joint effort of Marin's cities, towns and unincorporated areas, Marin County Stormwater Pollution Prevention Program (MCSTOPPP) was established in 1993 to prevent stormwater pollution; protect and enhance water quality in creeks and wetlands; and preserve beneficial uses of local waterways. MCSTOPPP is administered by the Marin County Flood Control and Water Conservation District and staffed by Marin County Department of Public Works employees. Countywide MCSTOPPP staff enforce permit compliance, track stormwater regulations, and document local and countywide permit compliance efforts in annual reports to the RWQCB. Member agencies implement a local stormwater pollution prevention program and funds the countywide MCSTOPPP.

## **Local**

### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing or avoiding potential impacts related to hydrology and water quality:

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<sup>18</sup> San Francisco Bay Regional Water Quality Control Board (RWQCB). San Francisco Bay Basin (Region 2). Programs. Website: [https://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/](https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/). Accessed January 14, 2020.

<sup>19</sup> San Francisco Bay Regional Water Quality Control Board (RWQCB). San Francisco Bay Basin (Region 2). Water QualityControlPlan(BasinPlan).Website:[https://www.waterboards.ca.gov/sanfranciscobay/basin\\_planning.html](https://www.waterboards.ca.gov/sanfranciscobay/basin_planning.html). Accessed January 14, 2020.

<sup>20</sup> The "tributary rule" refers to any water body or stream not specifically listed in the Basin Plan that is deemed to have the same beneficial uses and water quality objectives of the listed stream, river, or lake to which they are a tributary.

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### *Land Use and Growth Management Element*

Policy LU-6.4: Richardson's Bay Shoreline. Preserve the existing shoreline of Richardson's Bay as open shoreline and natural habitat.

### *Waterfront Element*

Policy W-4.2: Bay Waters. Preserve and enhance the wetlands, open waters, and ecosystem of Richardson's and San Francisco Bays and utilize these landscapes for sea level rise mitigation.

Program W-4.2.1 Bay Waters Review Agencies. Support the goals and policies of BCDC, RBRA, and the State Lands Commission.

Program W-4.2.2 Marine Life. Create development policies that support the retention of Richardson's Bay's aquatic ecosystem, particularly the eelgrass beds.

Program W-4.2.3 Sea Level Rise. Identify ways in which wetlands and open waters may be utilized in accordance with Sustainability – Climate Change Mitigation and Resiliency Element objective S-3.

### *Environmental Quality Element*

Program EQ-4.1.1: Stormwater Pollution Prevention Program. Continue to participate in the Marin County Stormwater Pollution Prevention Program (MCSTOPPP).

Program EQ-4.1.3: Richardson's Bay Regional Agency. Coordinate with the Richardson's Bay Regional Agency (RBRA) or successor agency in implementing the adopted water pollution control program contained in the Richardson's Bay Special Area Plan.

EQ-4.1.6 Flood Insurance. Continue participation in FEMA's National Flood Insurance Program (NFIP) and the Community Rating System to improve resilience and reduce flood damage.

Program EQ-4.1.8: Discharge Monitoring. Comply with National Pollutant Discharge Elimination System (NPDES) and state pollution discharge programs by implementing programs and projects that address filtration of storm water systems prior to discharge into the Waters of the United States.

Policy EQ-4.2: Stormwater Management. Manage flooding, mitigate hazardous runoff from stormwater, and mitigate landslides.

Program EQ-4.2.3: Pervious Surfaces. Encourage pervious surfaces in new developments or major renovations to the maximum extent feasible to percolate stormwater runoff into groundwater without impacting subsurface stability.

EQ-4.2.4. Ordinance Amendment (Impervious Surfaces). Consider modifications to the definition of impervious surface regulations in the Zoning Ordinance to ensure that pervious surfaces are encouraged.

Program EQ-4.2.5: Toxin-Free Landscape. Increase outreach on the use of toxin-free landscape management practices to residents and landscape businesses.

Program EQ-4.2.6: Runoff Discharge. During permitting processes for new development or substantial remodels, ensure that post-development peak stormwater runoff discharge rates do not exceed the estimated pre-development rate, such that the development does not change preexisting drainage patterns. In addition, dry weather runoff from these projects should not exceed the pre-development baseline flow rate.

Policy EQ-4.3: Creeks and Drainage Ways. Promote the natural integrity of creeks and/or drainageways as riparian habitat, wildlife corridors, and to protect residents from flooding and other hazards.

Program EQ-4.3.4: Daylighting Creeks. Initiate or support daylighting projects to increase riparian habitat and reduce runoff.

*Health, Safety, and Community Resilience Element*

Policy HS 1.3 requires new development or substantial remodeling in relevant areas to incorporate climate resilience strategies into designs and follow BCDC guidance suggesting reduction of new development or substantial remodels in coastal zones.

Policy HS-1.7: Flooding. Manage the threat of flooding for existing and future structures and their occupants.

Program HS-1.7.1 Roadway Flooding. Continue to work with Caltrans and other relevant agencies to mitigate flooding of roadways, particularly at the Bridgeway/Donahue Street/US 101 interchange (see program CP-7.3.3).

Program HS-1.7.3: 100-Year Flood Zone Mapping. Update the "100-year" flood area map, as shown on Figure 7-3 [of the General Plan], as new information becomes available from the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development, County and/or local agencies.

Program HS-1.7.4: Creek Drainageway Monitoring. Periodically monitor the City's creek drainageways in order to keep them clear and prevent blockage of storm waters (see Policy EQ-4.3).

Policy HS-1.8: Shoreline Safety. Minimize the potential for personal injury and damage to shoreline property from waves and flooding.

Program HS-1.8.1: Sea Level Rise. Conduct sea level rise assessment (policy S-3.1) and proactively pursue adaptation and mitigation strategies (policy S-3.2).

Program HS-1.8.3: Shoreline Flooding Identification. Require site plans of shoreline development to identify areas of the parcel subject to flooding and wave action. Shoreline development site plans must also be reviewed by BCDC and must follow BCDC guidelines.



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Policy HS-1.11 Infrastructure. Design and maintain infrastructure that is resilient in the context of sea level rise, subsidence, liquefaction, and other hazards.

Program HS-2.2.1 Citywide Communication. Maintain consistent, widespread, and centralized distribution of information throughout the city. Maximize the use and impact of technology to support communication between the city and the Sausalito community, as well as within the community. Identify enhancements in current communications channels and community activities that can increase participation in existing emergency preparedness efforts.

Program HS-2.2.2 City Emergency Response Plan. Implement and publicize the City's emergency response plan.

Program HS-2.2.10: Release of Pollutants Due to Project Site Inundation. Develop an action plan to identify how the city will address the potential release of pollutants within the city's flood hazard and tsunami zones, should they become inundated.

### *Sustainability Element*

Policy S-3.1 Sea Level Rise Assessment. Conduct a sea level rise vulnerability and risk assessment, including considering adopting a Sea Level Rise Map to increase public awareness, assess impacts of potential sea level rise, establish a sea level rise overlay zone, plan focus areas for adaptation, and develop a funding strategy.

Policy S-3.2 Sea Level Rise Adaptation. Proactively pursue nature-based and science-based planning and implementation adaptation and mitigation strategies for sea level rise and land subsidence in coordination with County efforts.

Policy S-3.8: Adequacy of Facilities. Allow construction to proceed for only those projects that demonstrate the availability of adequate potable water, sewer, septic leach fields and storm drainage.

### **Sausalito Municipal Code**

Chapter 8.48 (Floodplain Management) describes methods for reducing losses due to floods such as restricting uses that could pose risk to health, safety, and property due to water or erosion hazards; requiring that uses and facilities that are vulnerable to floods incorporate flood damage protection at the time of initial construction; controlling actions, such as filling, grading, and dredging, that may increase flood damage, or actions, such as alteration of stream channels and construction of barriers, that can divert flood water and therefore increase flood hazards in other areas. Additionally, Chapter 8.48 provides updated flood hazard maps for Sausalito and Marin County.<sup>21</sup> The maps were completed in 2016 and available to the public. In Sausalito, the city's Engineer serves as the city's Floodplain

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<sup>21</sup> City of Sausalito Department of Public Works, Engineering Division. Sea Level Rise and FEMA Flood Insurance. Website: <https://www.sausalito.gov/departments/public-works/engineering-division/sea-level-rise-and-fema-flood-insurance>. Accessed March 25, 2020.

Administrator. Pursuant to city regulations, the city Floodplain Administrator is responsible for review of permit applications to ensure the developments proposed are reasonably safe from flooding and that it would not increase the flood risk in the area.

Chapter 11.17 (Urban Runoff Pollution Prevention Ordinance) is intended to prevent or minimize discharges other than storm runoff to storm drains or watercourses. The Ordinance calls for prohibiting, reducing, preventing, controlling, and responding to spills to the maximum extent practicable. For example, construction site operations are required to implement BMP on-site controls such as scheduling and timing of grading activities, revegetation of graded areas, using hydro-seed and mulches to stabilize slopes, and control blankets. As another example, newly developed or redeveloped lands are required to maintain pre-development stormwater runoff rates and prevent stormwater pollution where possible through LID design.

Chapter 11.18 (Regulatory Fee for Clean Stormwater Activities) is intended to protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner consistent with the CWA. It establishes a funding source for urban runoff pollution prevention ordinance enforcement; maintenance, repair, and improvement of stormwater drainage facilities; and provide other clean stormwater activities.

Chapter 17.08 (Excavations Generally) sets forth rules and regulations to control excavation, grading, and earthwork construction on land to safeguard public health, safety, and welfare.

Chapter 18.12 (Sewers) regulates connections and discharge to the city's sanitary sewer system. The ordinance specifically prohibits the discharge of toxic substances including cooking grease, waste automotive radiator coolant, explosive mixtures, radioactive wastes and solid or viscous wastes which may cause obstruction to the flow in a sewer pipeline.

### **3.9.3 THRESHOLDS OF SIGNIFICANCE**

According to the CEQA Guidelines Appendix G, implementation of the Project (including necessary rezoning) would have a significant impact related to hydrology and water quality if it would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site;

- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site;
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
- impede or redirect flood flows;
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation;
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### 3.9.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts to hydrology and water quality resulting from implementation of the Project are discussed below. The impact analysis is based on an assessment of baseline conditions for the Sausalito Planning Area, including climate, topography, watersheds and surface waters, groundwater, and floodplains, as described above under the Existing Setting section. This analysis identifies potential impacts to hydrology and water quality from construction, operation, and maintenance activities related to future development that could occur under implementation of the Project.

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**Impact 3.9-1**      **Development facilitated by the Housing Element Programs would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.**

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#### Construction Activities

Although no specific development projects are proposed, or would be approved through adoption of the rezoning program, it is reasonably anticipated that future projects would involve grading, excavation, and removal of vegetative cover that have the potential to result in runoff that contains sediment and other pollutants that could degrade surface and groundwater quality if not properly controlled.

Sources of potential pollution associated with future construction activities include fuel, grease, oil and other fluids, concrete material, sediment, and litter. These pollutants have the potential to result in impacts due to chemical contamination from construction activities and materials that could pose a hazard to the environment or degrade water quality if not properly managed and controlled.

Future development that disturbs one acre or more of soil or that is part of a common plan of development that disturbs one acre or more of soil must obtain permit coverage under the Construction General Permit by filing a NOI and SWPPP with the RWQCB prior to commencement of construction. The SWPPP must describe the site, the facility, erosion and

sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Inspection of construction sites before and after storms is also required to identify stormwater discharge from the construction activity and to identify and implement erosion controls, where necessary.

Additionally, the General Plan (adopted in 2021) includes policies and programs for areas with high susceptibility to erosion and protect water quality. Program EQ-4.1.1 requires the city to continue to participate in MCSTOPPP. Program EQ-4.1.3 requires the city to coordinate with the RBRA in implementing the adopted water pollution control program contained in the Richardson Bay Special Area Plan.

The Sausalito Municipal Code contains rules and regulations to protect water quality during construction. Chapter 11.17 calls for prohibiting, reducing, preventing, controlling, and responding to spills to the maximum extent practicable. Additionally, Chapter 11.18 establishes a funding source for urban runoff pollution prevention ordinance enforcement; maintenance, repair, and improvement of stormwater drainage facilities; and provide other clean stormwater activities. Finally, the rules and regulations of the Municipal Code that address soil erosion, such as Chapter 17.08, also protect water quality during construction.

Compliance with mandatory NPDES permit requirements, adherence to the Sausalito Municipal Code, and implementation of General Plan policies and programs would ensure that impacts related to water quality degradation from construction activities would be ***less than significant***.

### **Dewatering**

Construction activities associated with future development, including excavation and trenching, may encounter shallow groundwater. If shallow groundwater is encountered, dewatering of the excavation or trenching site may be required. If improperly managed, these dewatering activities could result in discharge of contaminated groundwater. In accordance with the General Waste Discharge Requirements for Extracted Groundwater from Structural Dewatering Requiring Treatment in the San Francisco Bay Region (Order No. R2-2012-0060; General NPDES Permit No. CAG912004), any contaminated groundwater would be treated prior to discharge or disposed of at an appropriate disposal facility or wastewater treatment plant. Also, discharges of dewatered groundwater to a storm drain must be conducted in a manner that complies with the RWQCB San Francisco Bay Region Order No. R2-2009-0074, MRP.

The General Plan includes Program EQ-4.1.8 which requires compliance with NPDES and State pollution discharge programs.

The Sausalito Municipal Code contains rules and regulations to prevent the discharge of pollutants to waters of the United States or the ocean, which would include any

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contaminated groundwater encountered during construction. Chapter 11.17 is intended to prevent or minimize discharges other than storm runoff to storm drains or watercourses.

Compliance with mandatory NPDES permit requirements and adherence to the Sausalito Municipal Code would ensure that impacts related to water quality degradation from the discharge of dewatered groundwater would be ***less than significant***.

### Operation

Future development in the city could add additional areas of impervious surfaces within the Planning Area and could therefore increase the volume of pollutants that are typically associated with urban runoff into the stormwater. These pollutants can include sediments, petroleum hydrocarbons, pesticides, fertilizers, and heavy metals such as lead, zinc, and copper that tend to build up during the dry months of the year. Precipitation during the early portion of the wet season (generally from November to April) washes away most of these pollutants, resulting in high pollutant concentrations in the initial wet weather runoff. This initial runoff is referred to as the “first flush” of storm events. Subsequent periods of rain would result in less concentrated pollutant levels in the runoff.

The amount and type of runoff generated by the various future housing projects facilitated by the City’s implementation of Housing Element Program 4, including rezoning actions, could potentially be greater than under existing conditions. An increase in impervious surfaces could result in a corresponding increase in urban runoff pollutants and first flush roadway contaminants, as well as an increase in nutrients and other chemicals from landscaped areas. These constituents could result in water quality impacts to on-site and off-site drainage flows to area waterways.

The General Plan includes policies and programs specifically designed to address water quality at operation. Program EQ-4.2.3 requires that new developments or major renovations incorporate pervious surfaces to percolate stormwater runoff into groundwater. Similarly, Program EQ-4.2.4 envisions modifications to the Zoning Ordinance to ensure that pervious surfaces are encouraged in new development. Program EQ-4.2.5 requires the city to increase outreach on use of toxin-free landscape management practices. Program EQ-4.2.6 requires that post-development peak stormwater runoff discharge rates do not exceed the estimated pre-development rate when permitting for new development or substantial remodels. In addition, dry weather runoff from these projects should not exceed the pre-development baseline flow rate. Policy EQ-4.3 and Program HS-1.7.4 aim to ensure natural integrity of creeks and/or drainageways are maintained not only as riparian habitat and wildlife corridors, but also to reduce flood hazards. The Sausalito Municipal Code also contains rules and regulations to protect water quality at operation. Chapter 11.17 is intended to prevent or minimize discharges other than storm runoff to storm drains or watercourses. The Ordinance requires that newly developed or redeveloped lands maintain pre-development stormwater runoff rates and prevent stormwater pollution where possible through LID design. LID uses site design and stormwater management to maintain the site’s

predevelopment runoff rates and volumes. The goal of LID is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall.

Future development projects would also be required to comply with the Clean Water Act and regulations enforced by the RWQCB. In addition, future projects would comply with requirements of the Sausalito Municipal Code and Urban Runoff Pollution Prevention Ordinance, and the General Plan policies and programs related to water quality. Therefore, the operation of future development facilitated by the Housing Element's Program 4 would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. As such, implementation of the Housing Element Update would result in a **less than significant** impact relative to this topic.

#### Level of Significance before Mitigation

Less than Significant

#### Mitigation Measures

None Required

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**Impact 3.9-2      Development facilitated by the Housing Element Programs would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.**

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Development of housing sites associated with the Project could lead to an increased demand for water. As described in Section 3.15, Utilities and Service Systems, the City of Sausalito receives its water supply from the MMWD, which has studied the potential for municipal groundwater use since the 1970s and has determined that the potential for municipal groundwater use within the boundaries of the MMWD service area is very limited due to limited production capabilities, water quality constraints, and potential water rights issues. As a result, groundwater is not currently or planned to be used as a municipal water supply source by the MMWD, though private groundwater wells are used in portions of the MMWD service area.<sup>22</sup> All properties that would be subject to the Project are to be served by public water services and would not require onsite groundwater pumping.

Subsequent development of housing sites could result in an increase in impervious surfaces, which could reduce rainwater infiltration. There are three groundwater basins identified in DWR's Bulletin 118 that are at least partially within the Marin Municipal Water District service area. These three basins include Ross Valley, San Rafael Valley, and part of the Novato Basin. All three basins are categorized by the California Statewide Groundwater Elevation

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<sup>22</sup> Marin Municipal Water District (MMWD). 2016. 2015 Urban Water Management Plan (UWMP), page 6-3.



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Monitoring (CASGEM) program as very low priority basins. None of these basins are within the City of Sausalito.

Limited groundwater resources exist within the Planning Area and according to the DWR, there is no delineated groundwater basin in the Sausalito Planning Area. Implementation of the Housing Element Update's programs (including site rezoning) would not interfere with groundwater recharge or impede with groundwater management therefore, this impact is considered *less than significant*.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.9-3      Development facilitated by the Housing Element Programs would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site.**

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The entirety of the Project would be located within the city limits and generally in existing locations identified for future development or re-development. Future development would involve construction activities such as stockpiling, grading, excavation, paving, and other earth-disturbing activities. Loose and disturbed soils are more prone to erosion and loss of topsoil by wind and water. This could result in an increase in stormwater runoff and the potential to cause erosion or sedimentation in drainage swales and creeks. However, none of the future development facilitated by the Project would require the alteration of the course of an existing stream or river.

Construction activities that disturb one or more acres of land surface are subject to the Construction General Permit adopted by the State Water Board. Compliance with the permit requires each qualifying development project to file an NOI with the State Water Board. Permit conditions require development of a SWPPP, which must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-stormwater management controls. Inspection of construction sites before and after storms is also required to identify stormwater discharge from the construction activity and to identify and implement erosion controls, where necessary.

Chapters 11.17 and 11.18 of the Sausalito Municipal Code set forth rules and regulations to prevent stormwater pollution and reduce pollutants from entering the storm drainage system. For example, Chapter 11.17 requires construction activities to implement BMPs that reduce stormwater pollutants from exiting a project site. Chapter 17.08 sets forth rules and

regulations to control excavation, grading, and earthwork construction on land, which would minimize soil erosion during construction.

The Sausalito Municipal Code Chapter 11.17 requires an erosion and sediment control plan (ESCP) for any project:

- (A) Subject to a grading permit under Chapter 17.08 SMC, Excavations Generally;
- (B) Subject to a building permit or other permit that has the potential for significant erosion and/or significant non-storm water discharges of sediment and/or construction site waste;
- (C) As required by the City considering factors such as whether the project involves hillside soil disturbance, rainy season construction, construction near a creek or an intermittent or ephemeral drainage way, or any other condition or construction site activity that could lead to a non-storm water discharge to a storm drain if not managed by effective implementation of an ESCP.

In addition to compliance with mandatory Clean Water Act and Sausalito Municipal Code requirements, adherence to General Plan policies and programs would further reduce the potential for erosion and off-site siltation from construction-related soil disturbance. For instance, General Plan Program EQ-4.2.6 requires that new development and substantial remodels demonstrate that post development stormwater discharge does not exceed the pre-development rate, ensuring that the potential for erosion would not be exacerbated but would rather be reduced. Program HS-1.2.1 will result in a detailed map that will identify, in part, locations identified as erosion hot spots, while Program HS-1.2.6 directs Sausalito to develop a Hillside Ordinance, to include restrictions and heightened review for development on steep slopes that could result in the potential for erosion during construction. Policy LU-6.4 and Policy W-3.3, will further protect against erosion by requiring the preservation of the existing shoreline of Richardson Bay as open shoreline and natural habitat. However, due to the hilly nature of the city, site runoff during construction activities could create erosion. Therefore, the impact is ***potentially significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.9-3** Prior to the issuance of a grading permit, the project applicant shall prepare a preliminary grading plan and an erosion and sediment control plan (ESCP) and submit it to the City prior to ground disturbance. At a minimum, the ESCP shall include:

- a. Description of the proposed project and soil disturbing activity.

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- b. Site specific construction-phase best management practices (BMPs).
- c. Rationale for selecting the BMPs.
- d. List of applicable outside agency permits associated with the soil disturbing activity, such as: Construction General Permit (CGP); Clean Water Act Section 404 Permit; Clean Water Act Section 401 Water Quality Certification; Streambed/Lake Alteration Agreement (1600 Agreements).
- e. If the project requires coverage under the CGP issued by the State Water Resources Control Board (SWRCB), permit registration documents must be filed with the SWRCB for said coverage and a copy of the Waste Discharge Identification Number shall be submitted to the City prior to issuance of a permit for construction. The applicant may submit the Storm Water Pollution Prevention Plan (SWPPP) required by the General Construction Activity Stormwater Permit in lieu of the ESCP provided it meets the requirements of the ESCP.
- f. Financial security may be required to ensure that temporary measures to control storm water pollution are implemented and maintained during construction and after construction for a period determined by the agency. Financial security shall consist of an irrevocable letter of credit, cash deposit, or performance bond as determined by the agency.
- g. When any work is being done contrary to the provisions of City Municipal Code Chapter 11.17, the authorized enforcement official may order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Such work shall stop until the authorized enforcement official authorizes the work to proceed. This remedy is in addition to and does not supersede or limit any and all other remedies, both civil and criminal, provided in the City of Sausalito Municipal Code.
- h. Implementation of an approved ESCP shall be a condition of the issuance of a building permit, a grading permit, or other permit issued by the City for a project subject to this section. The ESCP shall be implemented year round and must be updated to reflect changing conditions on the project site. Any modifications to the ESCP shall be submitted to the City for review and approval.

### Level of Significance After Mitigation

Less Than Significant

Implementation of Mitigation Measure 3.9-3 would ensure that runoff and sediment from a project site would be contained to that site and not alter drainage patterns or create siltation downhill.

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**Impact 3.9-4      Development facilitated by the Housing Element Programs would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.**

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New development or redevelopment of rezoned areas following implementation of the Housing Element Programs could potentially incrementally increase the total impervious area within Sausalito and increase stormwater runoff, which could result in flooding as some development would occur on vacant undeveloped sites. However, implementation of General Plan policies and programs and adherence to the requirements of the Sausalito Municipal Code would maximize the on-site infiltration capacity for new development and redevelopment projects and would minimize the off-site runoff that would leave those project sites. For example, Chapter 11.18 establishes a regulatory fee for clean storm water activities to provide maintenance and repair of the City's storm water drainage facilities, to provide capital improvements to the City's storm drainage system, and to provide other clean storm water activities. Additionally, Chapter 11.17 of the Sausalito Municipal Code may require new or re-development projects to include operational stormwater drainage infrastructure that incorporates LID features and BMPs. Stormwater infrastructure such as rain gardens, bioswales, and retention basins would be designed to retain stormwater on-site and reduce high velocity peak flows that could erode soils, transport pollutants into Richardson Bay and the San Francisco Bay, and lead to flooding.

Policy EQ-4.2 Stormwater Management requires management of flooding, mitigation of hazardous runoff from stormwater, and mitigation of landslides. Program HS-1.12.1 ensures that new developments and substantial remodels in at-risk areas incorporate low-impact, resilient, infrastructure and are protected from potential impacts of flooding from sea level rise and significant storm events. Program EQ-4.2.6 requires that new development and substantial remodels demonstrate that post development stormwater discharge does not exceed the pre-development rate, ensuring that the potential for erosion would not be exacerbated but would rather be reduced.

Compliance with the General Plan policies and programs, as well as adherence to the Sausalito Municipal Code, would maximize infiltration and rainwater retention, which would in turn reduce stormwater runoff. Therefore, impacts related to flooding, exceedances in stormwater drainage systems, or the creation of substantial additional sources of polluted runoff would be considered ***less than significant***.

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### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.9-5      Development facilitated by the Housing Element Programs would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.**

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New development or redevelopment that would be anticipated through the buildout of housing sites that are currently vacant and undeveloped could incrementally increase the total impervious area within Sausalito and increase stormwater runoff, which could result in flooding, exceed stormwater drainage facility capacity, or create additional sources of polluted runoff.

However, as described previously, implementation of General Plan policies and programs such as EQ-4.2.6 and adherence to the requirements of the Sausalito Municipal Code would maximize the on-site infiltration capacity for new development and redevelopment projects and would minimize the off-site runoff that would leave those project sites. Chapter 11.17 of the Sausalito Municipal Code requires new or re-development projects to include operational stormwater drainage infrastructure that incorporates LID features and BMPs. Stormwater infrastructure such as rain gardens, bioswales, and retention basins would be designed to retain stormwater on-site and reduce high velocity peak flows that could erode soils, transport pollutants into Richardson Bay and the San Francisco Bay, and lead to flooding. Program EQ-4.2.6 requires that new development and substantial remodels demonstrate that post development stormwater discharge does not exceed the pre-development rate, ensuring that the potential for additional polluted runoff volumes would not be exacerbated.

Compliance with the General Plan policies and programs, as well as adherence to the Sausalito Municipal Code, would maximize infiltration and rainwater retention, which would in turn reduce stormwater runoff. Therefore, impacts related to flooding, exceedances in stormwater drainage systems, or the creation of substantial additional sources of polluted runoff would be considered ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.9-6      Development facilitated by the Housing Element Programs would not impede or redirect flood flows.**

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As shown in Figure 3.9-2, areas in the Sausalito Planning Area adjacent to Richardson Bay are located within FEMA designated 100-year flood zones with a 1 percent chance of being flooded in any given year, and 500-year flood zones with a 0.2 percent of being flooded in any given year. The development in the city that is located further away from Richardson Bay is located within Zone X – Area of Minimal Flood Hazard due to the elevation and distance from the shoreline. Additionally no 100 year flood zones are included in areas not along the bay or within creek and river watercourses throughout the city.

The General Plan includes numerous policies and programs specifically designed to address flood hazards. Policy HS-1.8 requires the city to minimize the potential for personal injury and damage to shoreline property from waves and flooding. Program HS-1.9.3 requires all proposed projects adjacent to the shoreline identify areas on the parcel subject to flooding and wave action. Finally, Program HS-1.7.3 requires the city to update the “100-year” flood area map as new information becomes available from the Federal Emergency Management Agency, the U.S. Department of Housing and Urban Development, County and/or local agencies. Program HS-1.8.3 requires site plans of shoreline development to identify areas of the parcel subject to flooding and wave action, and that shoreline development site plans must also be reviewed by BCDC and must follow BCDC guidelines. Sausalito Municipal Code Chapter 8.43 Floodplain Management provides updated flood hazard maps that are available to the public, and ensure development projects are reasonably safe from flooding, while not increasing the flood risk in another area. Furthermore, Chapter 8.48 Floodplain Management includes strategies for reducing loss from floods. These strategies include restricting uses that could pose a risk to health, safety, and property due to flood damage, requiring flood protection as part of development, controlling construction actions that could increase flood risk, and preventing alterations of stream channels and waterways which could lead to diversion of flood waters or increase flood hazards in other areas.

Localized flooding may occur in areas not delineated as flood risk areas and in areas where infrastructure becomes overwhelmed or it not properly maintained. As described in Section 3.15, Utilities and Service Systems, most of the city’s storm drain infrastructure is beyond its expected useful life. However, storm drain facilities are rehabilitated as part of street improvement projects as funding permits and necessity dictates. These improvements would likely occur concurrently with new development such that the drainage system remains adequate. Policy HS-1.11 Infrastructure and related programs require the evaluation of infrastructure and capital planning to ensure that upgrades are implemented where needed to ensure resiliency as part of the City’s Capital Improvement Program. Additionally, Policy S-3.8 specifically states that future construction will proceed for only those projects that demonstrate the availability of adequate potable water, sewer, septic leach fields and storm drainage.



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Subsequent development, infrastructure, and planning projects would be subject to the policies and programs to reduce the risks of flooding to city residents and properties as described previously. Furthermore, as described in the Regulatory Setting section, numerous federal, State, and local agencies are responsible for maintaining flood protection features in the City of Sausalito, including the USACE, DWR, California Department of Fish and Wildlife (CDFW), BCDC, and MCSTOPPP. No floodways are delineated throughout the city. The planning area does include areas of 100 and 500 year flood hazards which are generally located along the waterfront portion of the planning area. No structures are proposed within a delineated floodway or along a creek or watercourse centerlines that are subject to 100 year floods, however housing sites identified within the Housing Element are located within the waterfront areas that do include flood hazards areas as shown on Figure 3.9-2. However, pursuant to city regulations, the city Floodplain Administrator is responsible for review of permit applications to ensure the development is reasonably safe from flooding including the potential for future projects to impede or redirect flows. No development is currently proposed that would impact floodwaters, and all future projects would require site specific reviews. Therefore, the potential impacts from impeding flood flows would be considered ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.9-7      Development facilitated by the Housing Element Programs may be located in flood hazard or tsunami zones and may result in a release of pollutants due to project site inundation, but impacts would be less than significant.**

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### Inundation by Flooding

As described under Impact 3.9-6, the portions of the Sausalito Planning Area adjacent to Richardson Bay are located within FEMA designated 100-year flood zones with a 1 percent chance of being flooded in any given year and 500-year flood zones with a 0.2 percent of being flooded in any given year. However, as detailed under Impact 3.9-6, the General Plan contains policies and programs specifically designed to address flood hazards. In addition, the Sausalito Municipal Code contains rules and regulations to reduce the risks of flooding. Chapter 8.48 (Floodplain Management) describes methods for reducing losses due to floods such as restricting uses, requiring flood damage protection at the time of initial construction; controlling actions, such as filling, grading, and dredging, that may increase flood damage, or actions, such as alteration of stream channels and construction of barriers, that can divert flood water and therefore increase flood hazards in other areas. Additionally, Chapter 8.48

provides updated flood hazard maps for Sausalito and Marin County.<sup>23</sup> Pursuant to city regulations, the city Floodplain Administrator is responsible for review of permit applications to ensure the development is reasonably safe from flooding and that it would not increase the flood risk in the area. Chapter 11.17 (Urban Runoff Pollution Prevention Ordinance) requires construction sites to implement BMP on-site controls such as scheduling and timing of grading activities, revegetation of graded areas, using hydro-seed and mulches to stabilize slopes, and control blankets. Furthermore, newly developed or redeveloped lands are required to maintain pre-development stormwater runoff rates and prevent stormwater pollution where possible through LID design.

The Sausalito Municipal Code Chapter 8.48 (Floodplain Management) includes standards of construction, elevation and flood proofing coastal and flood areas including the following requirements:

- New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.
- Within coastal high hazard areas all new construction and substantial improvements shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the lowest horizontal portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation.

The Project includes housing programs that accommodates additional residential development types within areas of the city that include existing and future development areas. Land uses types that generally store and use hazardous materials included industrial and manufacturing type's uses while residential type uses generally do not store or include hazardous material for everyday operation/living. Mandatory federal and State regulations govern the storage and use of hazardous materials to ensure appropriate containment to prevent spills, while the Sausalito Municipal Code identifies specific standards for development within flood and coastal hazard areas. Therefore, hazardous materials impacts from inundation by flooding will be ***less than significant***.

In addition, the General Plan includes policies and programs that will further ensure impacts remain less than significant. Policies HS-1.7 Flooding and HS-1.8 shoreline safety, and related programs, requires study, mapping and identification of adaptation and mitigation strategies. Program HS-1.8.3 requires site plans of shoreline development to identify areas of the parcel subject to flooding and wave action, and that shoreline development site plans must also be reviewed by BCDC and must follow BCDC guidelines, while Policy HS-1.11 Infrastructure and related programs require the evaluation of infrastructure and capital

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<sup>23</sup> City of Sausalito Department of Public Works, Engineering Division. Sea Level Rise and FEMA Flood Insurance. Website: <https://www.sausalito.gov/departments/public-works/engineering-division/sea-level-rise-and-fema-flood-insurance>. Accessed March 25, 2020.

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planning to ensure that upgrades are implemented where needed to ensure resiliency as part of the City's Capital Improvement Program. Policy HS 1.3 requires new development or substantial remodeling in relevant areas to incorporate climate resilience strategies into designs and follow BCDC guidance suggesting reduction of new development or substantial remodels in coastal zones. Earthquakes centered close to a dam or levee are typically the most likely cause of dam or levee failure. As discussed in the Environmental Setting, there are no significant levees or dams protecting the City of Sausalito. As previously stated, Alpine Dam reservoir located 10 miles to the north of the Planning Area and is the most likely reservoir to be affected by seismic activity. Current estimates indicate that if dam failure occurs during an earthquake, up to 8,892 acre-feet of water could be released into Tomales Bay, which is located over 22 miles northwest of the Planning Area. Therefore, development facilitated by implementation of Housing Element programs would not result in substantial inundation by dam or levee failure, and **no impact** would occur related to a release of pollutants due to inundation by dam or levee.

### **Inundation by Tsunami or Seiche**

Seiches are changes or oscillations of water levels within a confined water body. The Planning Area is located in proximity to the San Francisco Bay and Richardson Bay (semi-confined water bodies), which could pose a risk from a seiche events similar to that of a tsunami threat. A tsunami is a sea wave caused by a submarine earthquake, landslide, or volcanic eruption. Tsunamis can cause catastrophic damage to shallow or exposed shorelines. The coastal low-lying portions of Sausalito, portions of the low-lying plain along Richardson Bay, and most of the area east of Bridgeway are subject to the risk of tsunami inundation (see Figure 3.9-3). As such, some development facilitated by implementing the Housing Element Programs could be located within a tsunami inundation area.

In accordance with State and federal regulations, Program HS-1.4.7: Hazardous Materials Business Plan requires that all businesses that store more than 55 gallons of hazardous materials on-site file a Hazardous Materials Business Plan with the County Office of Waste Management. Implementation and maintenance in accordance with federal, state, and local regulations governing the storage of hazardous materials reduces significance of potential pollutant release.

Moreover, in the unlikely event of a tsunami, Sausalito would implement the City's emergency response plan (per General Plan Program HS-2.2.2), which would also address any release of pollutants due to inundation. Additionally, Program HS-2.2.1 would maximize participation in emergency preparedness efforts by ensuring that Sausalito maintains consistent, widespread, and centralized distribution of information throughout the city.

Additionally, the City's General Plan contains policies and programs to reduce the likelihood of development impacts within a tsunami inundation area. Pursuant to Program HS-2.2.10, Release of Pollutants Due to Project Site Inundation, the city will develop an action plan to identify how the city will address the potential release of pollutants within the city's flood

hazard and tsunami zones, should they become inundated. Program HS-1.8.1 requires the city to conduct sea level rise assessment (Policy S-3.1) and proactively pursue adaptation and mitigation strategies in coordination with the County (Policy S-3.2), including review of sea level rise, flooding, and tsunamis on parcels that have an elevation of 25 feet or less above Mean Lower Low Water level datum through the environmental review process. Program HS-1.8.3, requires submittal of shoreline development site plans to identify areas of the parcel subject to flooding and wave action. In addition, the policies and programs related to sea level rise would also assist in minimizing inundation in the event of a tsunami.

Therefore, potential impacts would be ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.9-8      Development facilitated by the Housing Element Programs would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.**

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The City of Sausalito is within a regional watershed administered by the RWQCB. The RWQCB has established regulatory standards and objectives for water quality in San Francisco Bay in its Water Quality Control Plan for the San Francisco Bay Basin, commonly referred to as the Basin Plan.

As discussed under Impact 3.9-1, construction and operation of development facilitated by the Housing Element Programs would be required to comply with Clean Water Act, the General Plan policies and programs, the Sausalito Municipal Code, and the mandatory NPDES permit requirements. Therefore, future development facilitated by the Project would need to, at the time of construction and operation, not violate a water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, in compliance with the San Francisco Bay Basin Plan. As such, implementation of the Housing Element Programs would result in a ***less than significant*** impact relative to this topic.

As discussed under Impact 3.9-2, there is no groundwater basin in the Sausalito Planning Area. As such, there is no existing groundwater management plan for the Planning Area. Therefore, implementation of the Housing Element Programs would not conflict with or obstruct implementation of a sustainable groundwater management plan and ***no impact*** would occur.

**Level of Significance before Mitigation**

Less than Significant with respect to water quality.

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No impact with respect to groundwater management plan.

### Mitigation Measures

None Required

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**Impact 3.9-9      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to hydrology and water quality.**

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This analysis evaluates whether the impacts associated with implementing the Housing Element Programs, together with the impacts of cumulative development would result in a cumulatively significant impact on hydrology or water quality. This analysis then considers whether incremental contribution of the impacts associated with the implementation of the Project would be significant. Both conditions must apply for cumulative impacts to rise to the level of significance.

Cumulative development contributes to an incremental increase in impervious surfaces that could introduce pollutants that are typically associated with urban runoff into the stormwater and/or contribute to cumulative flood conditions in the watersheds. Cumulative development could also contribute to water quality impacts in the watersheds from construction activities. Cumulative impacts would be less than significant because cumulative development, infrastructure, and planning projects would be subject to numerous federal, State, and local requirements responsible for maintaining flood protection features in the City of Sausalito, including the USACE, DWR, CDFW, BCDC, and MCSTOPPP. Accordingly, all cumulative projects would be subject to local, State and federal permit requirements and would be required to comply with city ordinances and General Plan policies, as well as other water quality regulations that control construction-related and operational discharge of pollutants in stormwater. The water quality regulations implemented by the RWQCB take a basin-wide approach and consider water quality impairment in a regional context. For example, the Construction General Permit ties receiving water limitations and basin plan objectives to terms and conditions of the permit, and the MS4 Permit works with all municipalities to manage stormwater systems to be collectively protective of water quality. For these reasons, cumulative impacts to hydrology and water quality would be ***less than significant***.

Moreover, the incremental contribution to less than significant cumulative impacts would not be significant. As discussed above, development resulting from the Housing Element's rezoning program is largely within similar development footprints and use types as what was already evaluated and disclosed as part of the 2021 General Plan EIR, and all future development within sites will be subject to both proven continuing policies and enhanced policies to reduce hydrology impacts. As previously discussed, development facilitated by the program would be required to conform to federal, State, and local policies that would reduce hydrology and water quality impacts to less-than-significant levels. More specifically,

potential changes related to stormwater quality, stormwater flows, drainage, impervious surfaces, and flooding would be minimized by the implementation of stormwater control measures, retention basins, infiltration, and LID measures, and review by the City's Public Works Department to integrate measures to reduce potential flooding impacts. Therefore, the limited scope and scale of the construction and other activities envisioned by the Project will not contribute to a cumulative hydrology impact.

For these reasons, the Plan's contribution to cumulative hydrology and water quality impacts would be ***less than significant***.

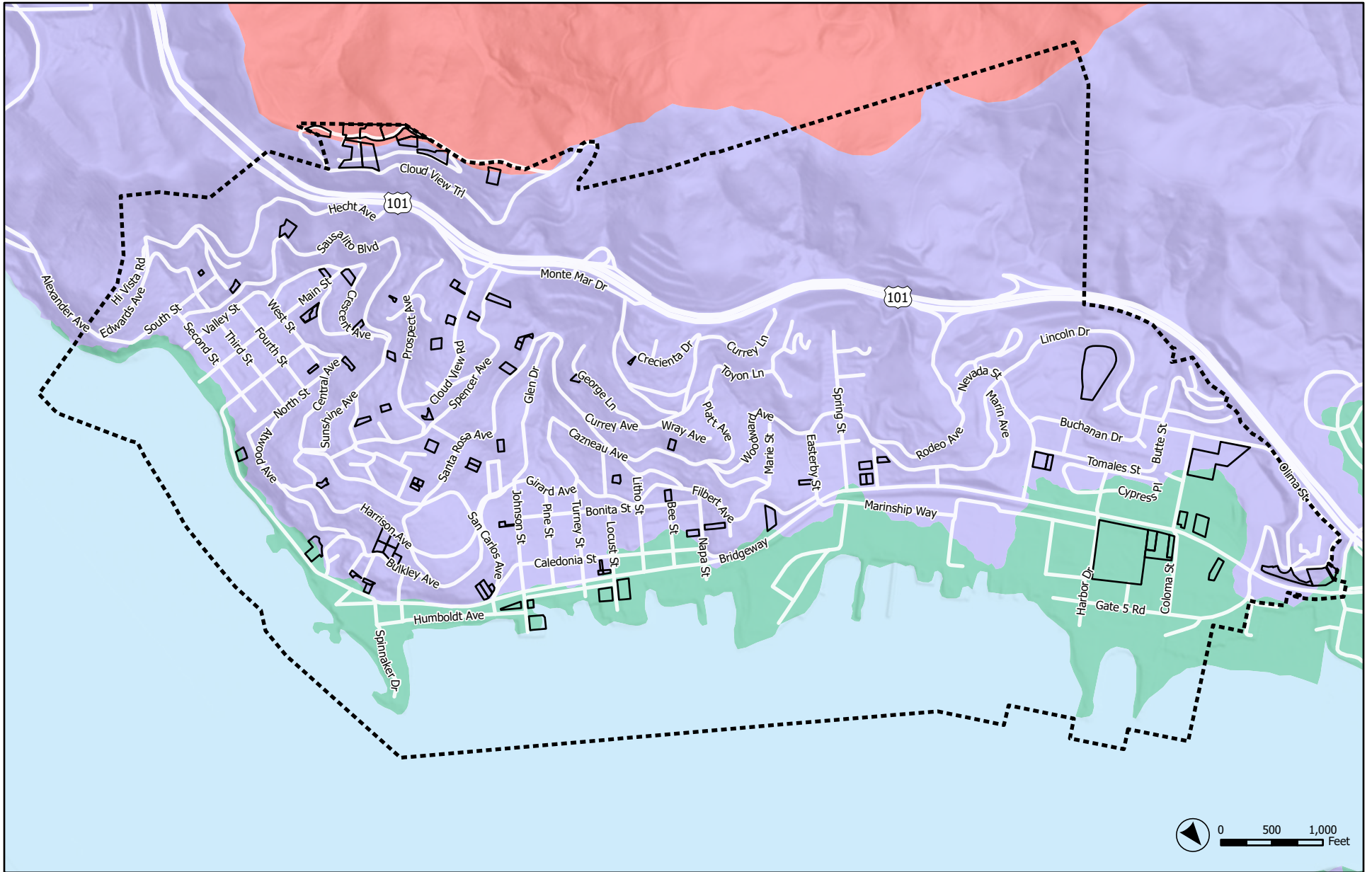
**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required





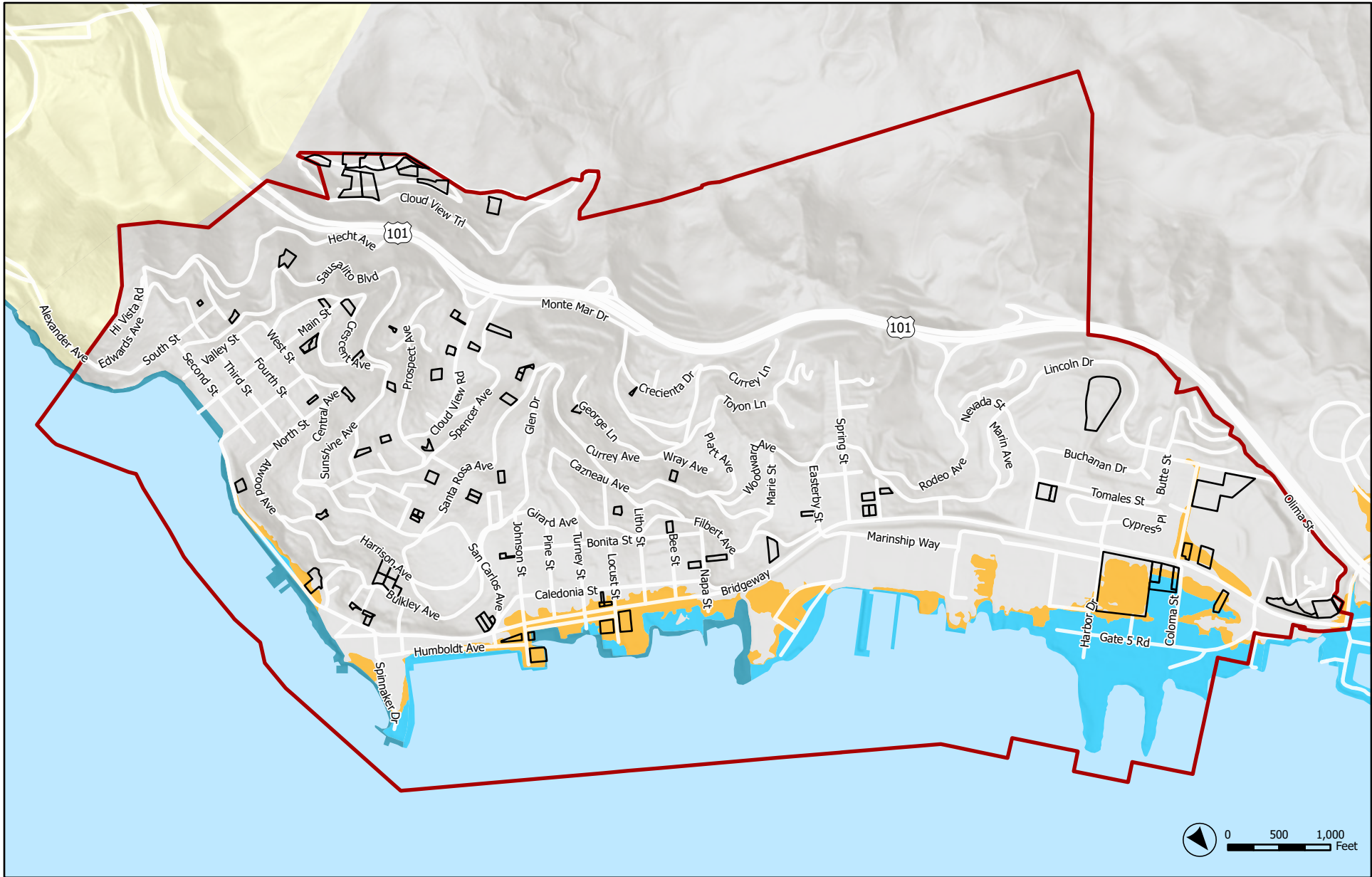
**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- Arroyo Corte Madera Del Presidio-Frontal San Francisco Bay Estuaries
- Redwood Creek-Frontal Pacific Ocean
- Angel Island-San Francisco Bay Estuaries
- Richardson Bay-San Francisco Bay

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.9-1. Watersheds

Sources: City of Sausalito; Marin GeoHub; USGS Watershed Boundary Dataset, HUC12. Map date: July 17, 2023.



**LEGEND**

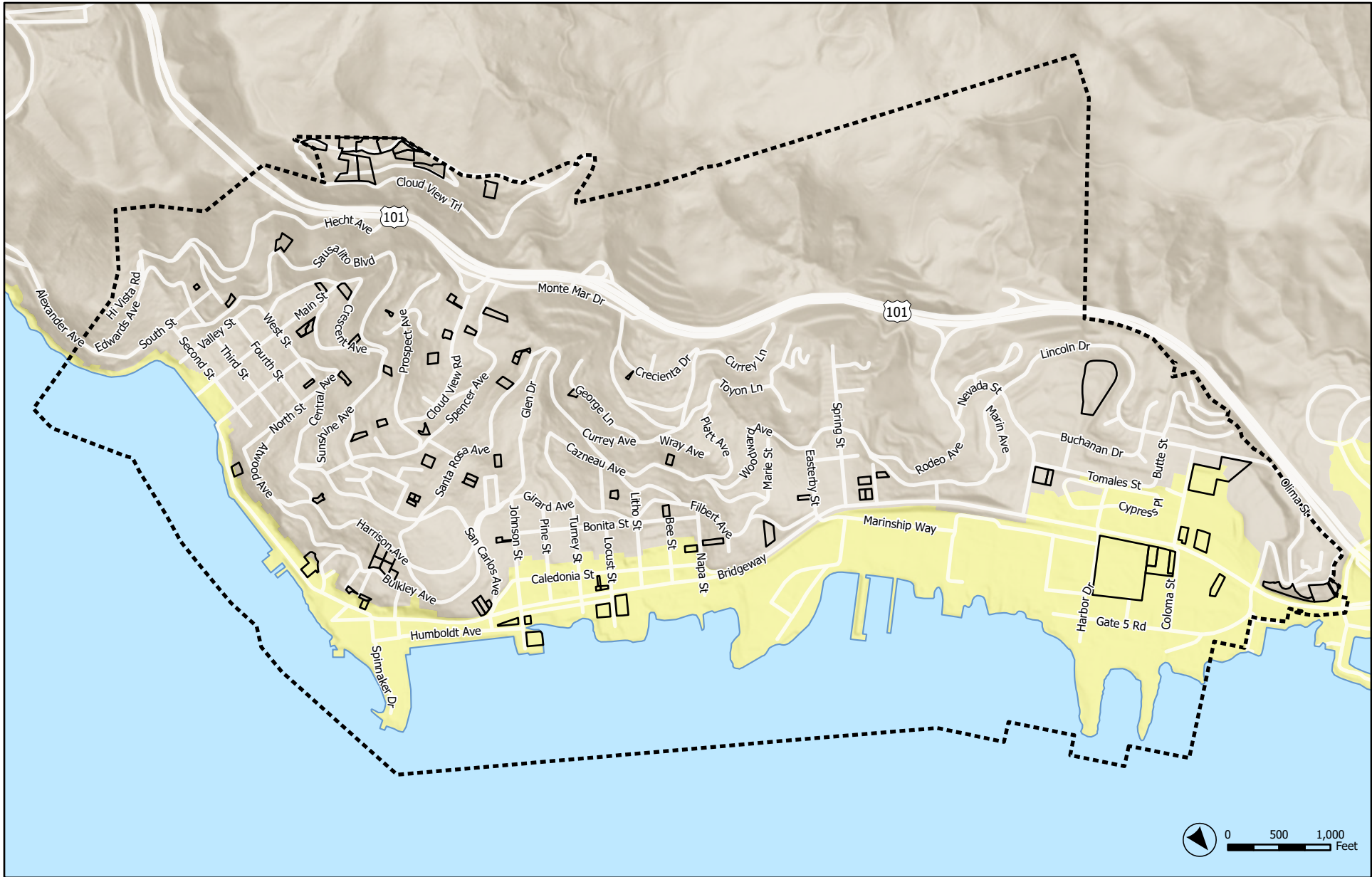
- Sausalito City Boundary
- Housing Element Programs Sites
- 100-year Flood Zone
- 100-year Flood Zone with Additional Storm Wave Hazard
- 500-year Flood Zone
- Area of Minimal Flood Hazard
- Area with Possible but Undetermined Flood Hazard

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.9-2. FEMA Flood Hazards

Sources: City of Sausalito; Marin GeoHub; FEMA 06041C\_20220910. Map date: July 19, 2023.





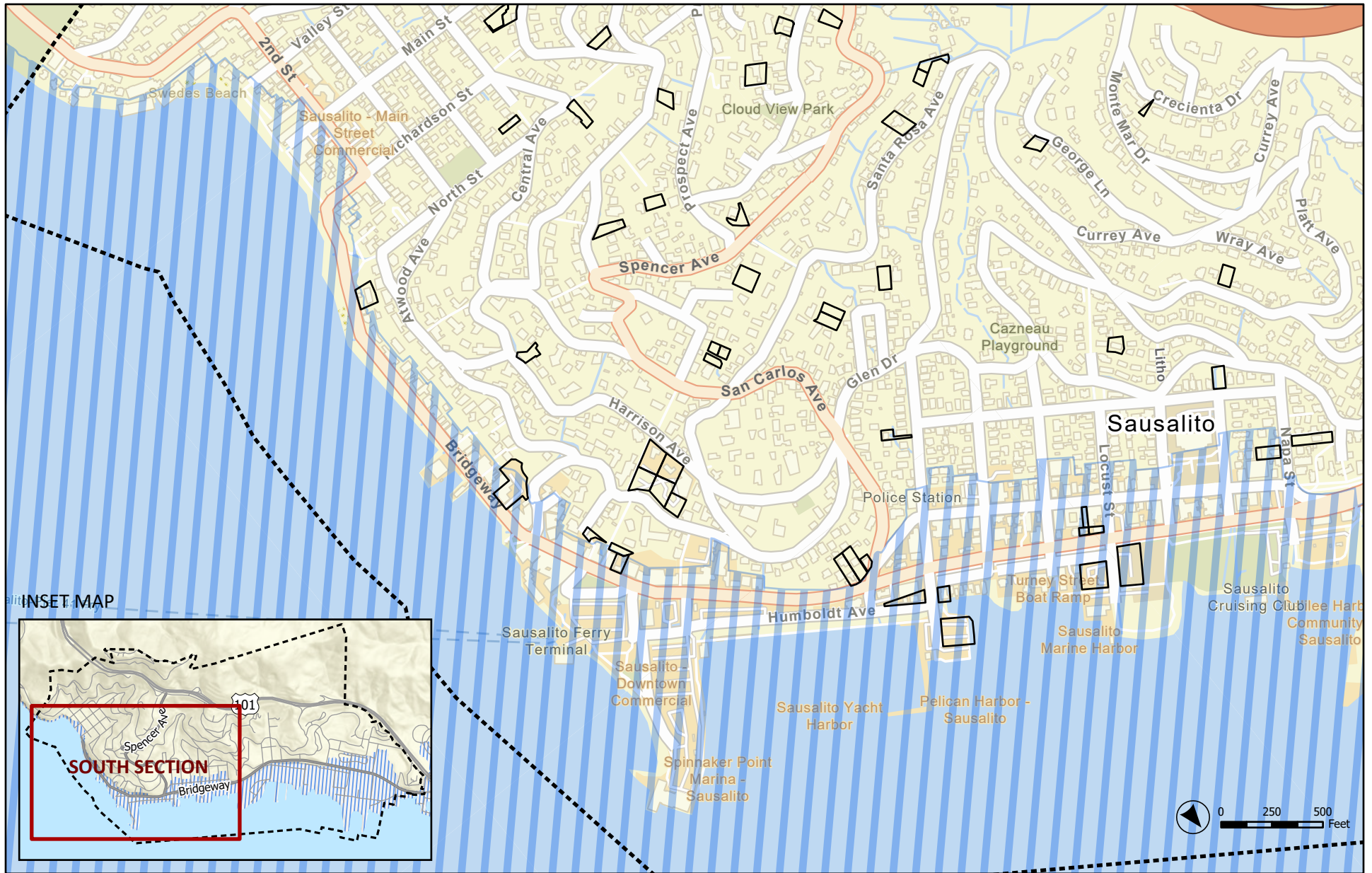
**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- Coastline
- Tsunami Hazard Zone
- Not within Tsunami Hazard Zone

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.9-3. Tsunami Hazard Zones

Sources: City of Sausalito; Marin GeoHub; CGS Information Warehouse, State of California 2020. Map date: July 19, 2023.



**LEGEND**

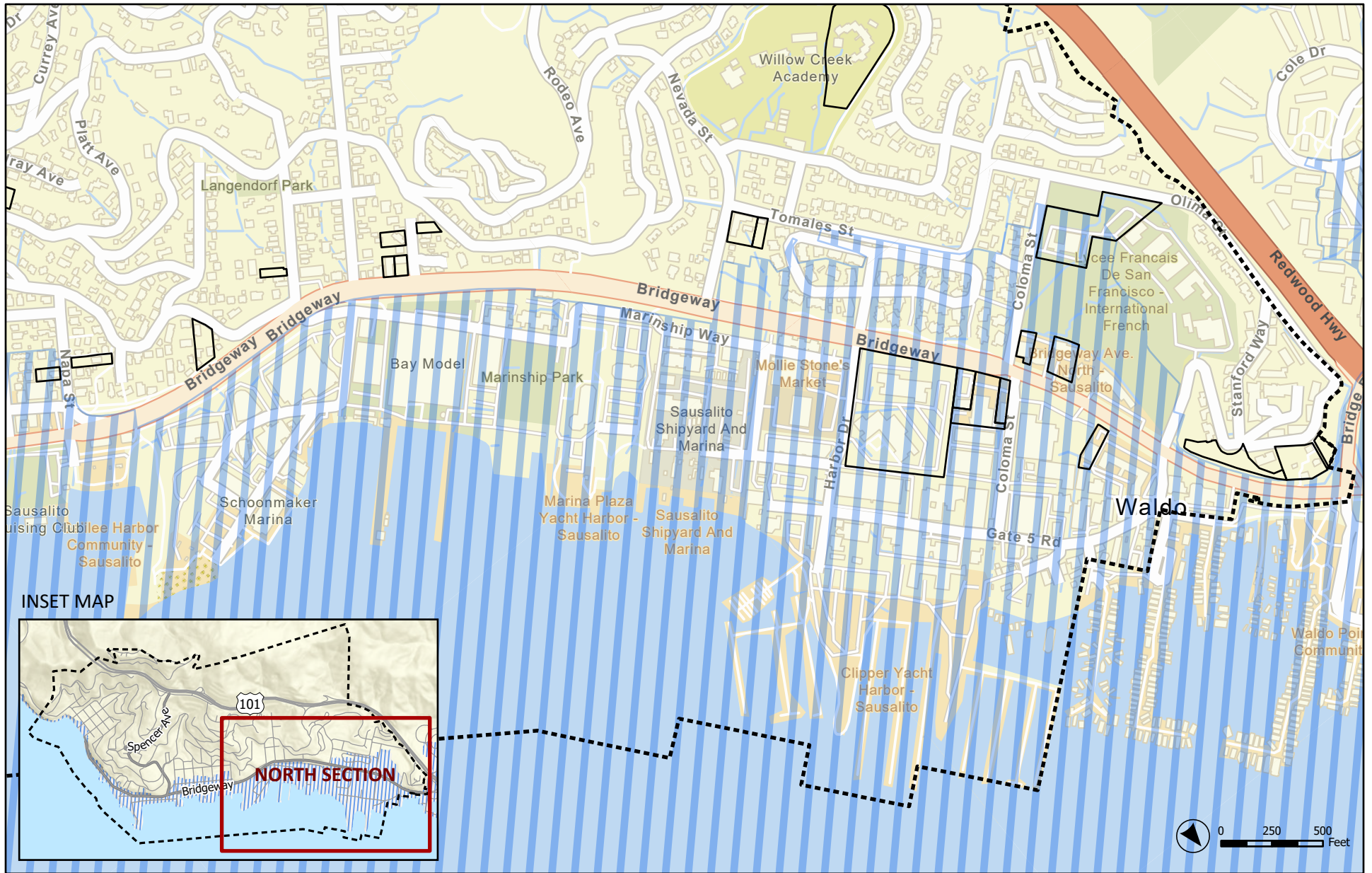
- Sausalito City Boundary
- Tsunami Hazard Zone
- Housing Element Programs Sites

**SAUSALITO HOUSING ELEMENT EIR**




Figure 3.9-3a. Tsunami Hazard Zones South Section

Sources: City of Sausalito; Marin GeoHub; CGS Information Warehouse, State of California 2020; ArcGIS Online Open Street Map. Map date: July 19, 2023.





**LEGEND**

-  Sausalito City Boundary
-  Tsunami Hazard Zone
-  Housing Element Programs Sites

**SAUSALITO HOUSING ELEMENT EIR**

Figure 3.9-3b. Tsunami Hazard Zones  
North Section

Sources: City of Sausalito; Marin GeoHub; CGS Information Warehouse, State of California 2020; ArcGIS Online Open Street Map. Map date: July 19, 2023.

### 3.10 LAND USE AND PLANNING

This section of the Draft EIR (Draft EIR) describes the existing character of the Sausalito Planning Area related to land use and addresses the consistency of the Housing Element Programs with any land use plan, policy, or regulation, which has been adopted for the purpose of avoiding or mitigating an environmental effect. Future discretionary projects facilitated by the Housing Element Programs will be evaluated for project-specific impacts to land use at the time they are proposed.

General Plan policies associated with other specific environmental topics (aesthetics, air quality, biological resources, cultural and tribal cultural resources, energy, geology/soils, greenhouse gas (GHG) emissions, hazards, hydrology/water quality, noise, population and housing, public services and recreation, transportation, and utilities) are discussed in their relevant sections of this Draft EIR.

The information in this section is based, in part, on information provided by the following reference materials:

- Marin County General Plan;
- Sausalito General Plan;
- City of Sausalito General Plan EIR; and
- Sausalito Municipal Code.

#### 3.10.1 EXISTING SETTING

The Planning Area for the Housing Element Programs is the same planning area that was considered by the 2021 General Plan, which encompasses all incorporated land in Sausalito and its sphere of influence in Richardson Bay, as shown in Figure 2-2 in Chapter 2.0. The Sausalito Planning Area consists of all properties located within the incorporated boundary of the city, as well as lands within the city's Sphere of Influence (SOI). The Planning Area is comprised of approximately 1,730 acres. Approximately 981 acres are located within the city limits, 143 acres of which encompass water areas. Approximately 749 acres are located within the SOI, 645 acres of which encompass water areas. The SOI, established by the Marin County Local Agency Formation Commission (Marin LAFCo) contains land that may ultimately be annexed into the city. The Planning Area boundaries for the General Plan are depicted in Exhibit 3.10-1. The Planning Area has a predominantly residential character, and includes larger residential parcels, long-established neighborhoods, scenic hillsides, open space areas, and established commercial and office areas.



**Land Use**

Sausalito’s residential areas feature open area and residential uses, most of which is medium and lower density, single-family homes. High density residential uses comprised primarily of townhome and apartment units are found near the Downtown and waterfront areas. The city designates approximately 1,007 acres as either open area or open space with approximately 788 of those open space acres being part of Richardson Bay and the other approximately 219 acres of open space being mostly located in the western area of the city adjacent to Highway 101.

The commercial and shopping areas are primarily resident-serving and include a range of restaurants, specialty retail, and personal services. Most of the commercial areas are located near the waterfront and Richardson Bay. Other commercial areas include:

- North of the Coloma Street and Bridgeway intersection;
- The east and west side of Spring Street and Bridgeway intersection; and
- Between Richardson Street and Valley Street; east of West Street.

There are designated industrial uses in the northern portion of the city east of Bridgeway.

The areas adjacent to Richardson Bay are primarily designated as Waterfront. Other major land uses in the city include community and public facilities sites such as the Sausalito Public Library, located on the south side of Caledonia Street.

The total acreage by land use category within the Planning Area is shown in Table 3.10-1. The most common existing land use category is open area, which comprises approximately 45.45 percent of the existing Planning Area.

**TABLE 3.10-1: EXISTING LAND USE SUMMARY**

LAND USE CATEGORY	ACRES	PERCENT OF TOTAL
<b>VERY LOW DENSITY RESIDENTIAL (VLR)</b>	25	1.4%
<b>LOW DENSITY RESIDENTIAL (LR)</b>	34	2%
<b>MEDIUM LOW DENSITY RESIDENTIAL (MLR)</b>	135	8%
<b>MEDIUM DENSITY RESIDENTIAL (MR)</b>	5.9	0.3%
<b>MEDIUM HIGH DENSITY RESIDENTIAL (MHR)</b>	85	5%
<b>PLANNED DEVELOPMENT - HIGH DENSITY RESIDENTIAL (PR)</b>	3.7	0.2%
<b>HIGH DENSITY RESIDENTIAL (HR)</b>	49	2.8%
<b>ARKS (A)</b>	0.3	0.02%
<b>HOUSEBOATS (H)</b>	49	2.8%

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LAND USE CATEGORY	ACRES	PERCENT OF TOTAL
MIXED RESIDENTIAL AND COMMERCIAL (CR)	7.6	0.4%
CENTRAL COMMERCIAL (CC)	7	0.4%
NEIGHBORHOOD COMMERCIAL (CN)	5.5	0.3%
COMMERCIAL WATERFRONT (CW)	9.4	0.5%
SHOPPING CENTER (CS)	1.6	0.1%
INDUSTRIAL (I)	65	3.8%
WATERFRONT (W)	109	6.3%
PUBLIC INSTITUTIONAL (PI)	64.7	3.7%
PUBLIC PARKS (PP)	16	1%
OPEN SPACE (OS)	219	13%
OPEN AREA (OA)	788	45%
GENERAL COMMERCIAL (SOI)	1	0.06%
CONSERVATION OVERLAY (SOI)	49.7	3%
<b>TOTALS</b>	<b>1,730</b>	<b>100%</b>

### 3.10.2 REGULATORY SETTING

#### State

##### California General Plan Law

California Government Code Section 65300 *et seq.* requires all counties and cities in the State to prepare and maintain a General Plan for the long-term growth, development, and management of the land within the jurisdiction’s planning boundaries. The General Plan acts as a “constitution” for development and is the city’s lead legal document in relation to growth, development, and resource management issues. Development regulations (e.g., zoning and subdivision standards and public improvement plans and projects, such as a Capital Improvement Program) are required by law to be consistent with the General Plan.

General Plans must address a broad range of topics, including, at a minimum, the following mandatory elements: land use, circulation, housing, conservation, open space, noise, and safety. At the discretion of each jurisdiction, the General Plan may combine these elements and may add optional elements relevant to the physical features of the jurisdiction.

The California Government Code also requires that a General Plan be comprehensive, internally consistent, and plan for the long term. Accordingly, the General Plan should be clearly written, easy to administer, and readily available to the public.

### ***Regional***

#### **Marin County Local Agency Formation Commission**

Marin LAFCo is a State-mandated independent agency with countywide jurisdiction established to oversee the boundaries of cities and special districts and charged with the responsibilities of encouraging orderly development, discouraging urban sprawl, and preserving agricultural and open space lands. Marin LAFCo is a seven-member body with two County Members, one Public Member, two Special Districts Members, and two City/Town Members. There are also four alternate members. State law requires LAFCo's to consider agricultural land and open space preservation in all decisions related to expansion of urban development.

### ***Local***

#### **Sausalito General Plan**

The General Plan contains the following policies and programs related to land use:

##### *Land Use and Growth Management Element*

Policy LU-1.1: Very Low, Low, and Medium Low Density Residential. Protect and preserve the existing single-family areas as described in Table 1-1 [of the General Plan].

Policy LU-1.2: Medium and Medium High Density Residential. Allow a mix of single- and two-family structures as described in Table 1-1 [of the General Plan].

Policy LU-1.3: Planned Development High Density. Allow clustered high-density housing which provides on-site amenities and is located near transportation, commercial and public services as described in Table 1-1 [of the General Plan].

Policy LU-1.4: High Density Residential. Allow a mix of high-density housing types in areas that are located a half-mile from a major transportation stop and commercial and public services as described in Table 1-1 [of the General Plan], while recognizing that the maximum number of units may not be achieved on all sites due to parcel configuration and other site constraints.

Policy LU-1.5: Houseboats. Maintain and enhance the City's diverse housing stock by continuing to allow houseboat uses on the City's waterfront.

# City of Sausalito

## Housing Element Programs EIR

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Policy LU-1.6: Residential Arks. Preserve the existing residential arks where designated by the General Plan Land Use Map (Figure 1-1) [of the General Plan].

Policy LU-1.7: Liveboards. Allow limited residential use of pleasure boats in the marinas located throughout the City for security purposes while prohibiting the multi-family or commercial use of liveboard recreational boats.

Policy LU-1.13: Non-Residential Facilities. Permit place of public assembly including houses or places of worship, private schools and private clubs in residential areas where such non-commercial uses will have minimal impact on the surrounding neighborhood.

Policy LU-1.14: Concentration of Non-Residential Facilities. Control the over concentration of permitted non-residential uses in all residential neighborhoods.

Policy LU-1.15: Child Care and Residential Care Facilities. Permit childcare facilities and residential care facilities as required by State law, ideally where such uses will have minimal impact on the surrounding neighborhood.

Policy LU-2.1: Downtown Land Use. Retain the boundaries of the visitor-serving commercial area in the Downtown to provide a clear distinction between the visitor-serving commercial activities and neighboring residential uses.

Policy LU-2.3: Tourist/Residential Serving Buffer. Provide a buffer so that the Downtown visitor commercial area and the Caledonia Street residential serving commercial areas remain distinct.

Policy LU-2.5: Commercial/ Residential Compatibility. Encourage rebuilding and reuse of commercial space in a manner which minimizes conflict with adjacent residential uses.

Policy LU-2.16: Marinship Office Uses Impacts. Continue to ensure that office uses do not adversely affect the desired continuance of marine related industrial and waterfront uses in the Marinship area.

Policy LU-4.1: Marinship Waterfront Uses. Promote marine industrial oriented uses that require waterfront locations and strongly encourage the success of the existing general industrial uses found in the Marinship waterfront area.

Policy LU-4.2: New Recreational Marinas. Prohibit the creation of new shoreline recreational marinas along the Marinship waterfront.

### Sausalito Municipal Code

Besides the General Plan, the Sausalito Municipal Code is the primary tool that regulates physical development in the Planning Area. The Municipal Code contains all ordinances for

the City, and identifies land use categories, site development regulations, and other general provisions that ensure consistency between the General Plan and proposed development projects. The Municipal Code contains all ordinances for the City and is organized by Title, Chapter, and Section. The Municipal Code was adopted through Ordinance 02-2023, passed February 7, 2023.

Chapter 9 (Subdivisions) supplements and implements the State Subdivision Map Act and the goals and policies of the General Plan and any applicable specific plan.

Chapter 10 (Zoning Regulations) sets forth the City's Zoning Ordinance, the primary purpose of which is "to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare." The Zoning Ordinance is the mechanism used to implement the land use goals, policies, and implementation measures of the General Plan and to regulate all land use within the City. The Zoning Ordinance establishes the zoning districts, contains the zoning map, and includes zoning regulations that govern the use of land for each zoning district, such as development standards and design review.

### 3.10.3 THRESHOLDS OF SIGNIFICANCE

According to the California Environmental Quality Act (CEQA) Guidelines Appendix G, the Housing Element Programs will have a significant impact related to land use if it would:

- Physically divide an established community; or
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect;

### 3.10.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to land use resulting from implementation of the Housing Element Programs are discussed below. The impact analysis is based on potential buildout under Program 4 of the Housing Element as detailed in Section 2.5.1 of Chapter 2.0, Project Description. Impacts related to land use are assessed using the significance criteria established by the CEQA Guidelines.

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**Impact 3.10-1      Development facilitated by the Housing Element Programs would not physically divide an established community.**

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The Housing Element Programs would not lead to new development or features that would physically divide established communities. The physical division of an established community typically refers to the construction of a physical feature (such as a wall, interstate highway, or railroad tracks) or the removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community

# City of Sausalito

## Housing Element Programs EIR

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and outlying areas. The Housing Element Programs do not contemplate or authorize any such physical changes to the community.

As described above, the Planning Area has a predominantly residential character, and includes larger residential parcels, long established neighborhoods, scenic hillsides, open space areas, and established commercial and office areas. The Housing Element Programs do not propose or approve specific development, rather it would preserve the existing pattern of uses and implement policies for protection and long-term maintenance of established neighborhoods and uses.

New development consistent with the proposed Project would represent an incremental increase in new residential uses throughout the city and along the waterfront areas. Such development would be limited to vacant and/or underutilized existing parcels as shown in Figure 2-5. Most development under the Housing Element Programs is expected to be on developed lots in areas where existing infrastructure (including highways and local roadways) are already in place.

The proposed Project would retain the existing roadway patterns and does not propose any new major roadways or other physical features, such as walls or bridges, that would create new barriers to connectivity in the Planning Area. Further, development under the Project would be located on sites either developed, underutilized, or near existing residential, commercial, and industrial uses. Accordingly, the potential growth in residential uses would be infill development and would occur within the fabric of already developed areas throughout the city.

The City's General Plan includes policies and programs that promote cohesive and compatible neighborhoods and prevent new development from dividing existing uses where different land uses abut one another. Policies LU-1.1 through LU-1.7 establish the allowable uses under each residential land use category. Policies LU-1.13 through LU-1.15 address the placement of non-residential facilities within and adjacent to residential areas to ensure compatibility between the two uses. Policy LU-2.1 requires the city to retain the boundaries of the visitor-serving commercial area in the Downtown to provide a clear distinction between the visitor-serving commercial activities and neighboring residential uses. Policy LU-2.3 provides a buffer between tourist and residential uses by ensuring that the Downtown visitor commercial area and the Caledonia Street residential serving commercial areas remain distinct. Policy LU-2.5 encourages rebuilding and reuse of commercial space in a manner which minimizes conflict with adjacent residential uses. Policy LU-2.16 requires the city to ensure that office uses do not adversely affect the desired continuance of marine related industrial and waterfront uses in the Marinship area. Policy LU-4.1 promotes marine industrial oriented uses that require waterfront locations and ensure the preservation of the existing general industrial uses found in the Marinship waterfront area. Moreover, the proposed Project maintains existing uses and limits the introduction of new uses. For example, Policy LU-4.2 prohibits the creation of new shoreline recreational marinas along



the Marinship waterfront. Future development in accordance with the Housing Element Programs would be subject to these General Plan policies.

Therefore, the Project would have **no impact** associated with the physical division of an established community.

**Level of Significance before Mitigation**

No impact

**Mitigation Measures**

None Required

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**Impact 3.10-2      Implementation of the Housing Element Programs would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.**

---

The Housing Element Programs were prepared in conformance with State laws and regulations associated with the preparation of the Housing Element. A discussion of the Project’s consistency with State regulations, plans, and policies associated with specific environmental issues (e.g., air quality, GHG emissions, transportation, water quality, etc.) is provided in the relevant sections of this Draft EIR. As discussed throughout this Draft EIR, the Project was found to be consistent with State plans, policies, and regulations. The State would continue to have authority over any State-owned lands in the vicinity of the Sausalito Planning Area and the Project would not conflict with continued application of State land use plans, policies, and regulations adopted to avoid or mitigate environmental effects.

Applicable regional and local plans and regulations include Plan Bay Area 2040, Bay Area Air Quality Management District (BAAQMD) 2017 Clean Air Plan, Marin BayWAVE Plan, Sausalito Climate Action Plan, San Francisco Bay Plan, San Francisco Bay Regional Water Quality Control Board’s (RWQCB) Water Quality Control Plan (Basin Plan), Marin County Stormwater Pollution Prevention Program (MCSTOPPP) Stormwater Program, Marin County Integrated Waste Management Plan, Marin County Transportation Authority plans, and the Marin County General Plan. A discussion of the Project’s consistency with regional and local regulations, plans, and policies associated with specific environmental issues (e.g., air quality, GHG emissions, transportation, water quality, etc.) is provided in the relevant sections of this Draft EIR. As discussed throughout this Draft EIR, the Project was found to be consistent with regional and local plans, policies, and regulations.

As set forth by state law, the General Plan serves as the primary planning document for the City and all subordinate documents and plans are required to be consistent with the General Plan. The Project’s inventory of sites is a State-mandated requirement to ensure that the City’s RHNA can be accommodated. In other words, the Housing Sites Inventory demonstrates that there is enough land zoned at appropriate densities to accommodate the

# City of Sausalito

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RHNA allocation. However, this Inventory does not include all potential development sites within Sausalito, and does not mean that sites in the Inventory will be developed at the allowable densities. In addition, information about the design and placement of buildings on the sites will not be available unless/until a specific development is proposed.

Implementation of the proposed Housing Element Programs do not, in and of themselves, directly cause new housing to be constructed in the City. However, rezoning would result in land use changes that could have an effect on the environment.

Sausalito's total RHNA for the 2023–2031 planning period is 724 units, allocated to specific income groups. Parcels to accommodate the City's RHNA fall into four categories:

1. Sites with zoning in place (vacant and underutilized);
2. Opportunity sites to be rezoned (vacant and underutilized);
3. Residential projects with development entitlements with occupancy post June 30, 2022; and
4. Projected accessory dwelling units and SB 9 units on underutilized sites.

All of the proposed housing sites are designated for urban or residential uses in the adopted General Plan; none of the existing and candidate sites are designated for conservation or preservation uses.

The Project's inventory of sites is a State-mandated requirement to ensure that the City's RHNA can be accommodated. In other words, the Housing Sites Inventory demonstrates that there is enough land zoned at appropriate densities to accommodate the RHNA allocation.

A main objective of the Housing Element is to meet the City's housing needs, including accommodating a variety of housing types and densities. Implementation of the Housing Element Programs and development of new housing in Sausalito would, for the most part, be in or adjacent to urbanized areas and would occur on properties that are currently designated in the General Plan for urbanization. The Housing Element Programs would identify locations city-wide (including those on the water) and funding sources to produce housing for Very Low, Low, and Moderate Income households in each Housing Element cycle (General Plan Program LU-1.19.1).

The housing sites identified by the Housing Element Programs have been identified as potential sites that could be used to address the need for housing within the City in areas designated for urban land uses under the General Plan. The housing sites are generally located in areas that would provide access to services, shopping, and public transportation, while accommodating the City's RHNA. Thus, the planned housing sites are consistent with the General Plan.

Subsequent development that is consistent with the Housing Element Programs, including the development of the existing and candidate housing sites, would be required to be consistent with the General Plan, including policies and programs adopted to address environmental impacts. These subsequent projects would be reviewed for consistency with

the City's development standards set forth in the Municipal Code and Design Guidelines as part of the design review process. The Project would not remove or modify any policies or measures from the General Plan that are intended for environmental protection and would not conflict with any General Plan policies or measures that are intended for environmental protection.

For these reasons, this impact would be ***less than significant***.

#### Level of Significance before Mitigation

Less than Significant

#### Mitigation Measures

None Required

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**Impact 3.10-3      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use.**

---

This analysis evaluates whether the impacts of the Housing Element Programs, together with the impacts of cumulative development, could result in a cumulatively significant impact with respect to land use. This analysis then considers whether incremental contribution of impacts associated with the implementation of the Housing Element Programs would be significant. Both conditions must apply for a project's cumulative effects to rise to the level of significance. The geographic context for the analysis of cumulative impacts related to land use includes the incorporated and unincorporated lands surrounding the Planning Area.

Cumulative development is likely to continue occurring in the surrounding Cities of Mill Valley, Tiburon, Larkspur, and San Rafael. However, most of this development would take place in urbanized areas as in-fill development and not require significant land use changes that would create land use conflicts, nor would they divide existing communities. Further, the unincorporated lands surrounding the Planning Area are mostly protected as parks and open space areas (see Section 3.13, Public Services and Recreation) and are not anticipated to be developed. The remaining unincorporated lands adjacent to the Planning Area are subject to the land use plans, policies, and regulations of Marin County. As such, development within unincorporated Marin County is not likely to create significant land use conflicts or divide existing communities. For these reasons cumulative impacts with respect to land use would be ***less than significant***.

The proposed project's incremental contribution to cumulative land use impacts would also not be significant. The land uses allowed under the Project provide opportunities for cohesive new growth in vacant and underutilized existing parcels within developed areas, as well as limited new development along the waterfront areas within the Planning Area. As discussed under Impacts 3.10-1 and 3.10-2, implementation of the Project would not physically divide an established community or conflict with any land use plan, policy, or

# City of Sausalito

## Housing Element Programs EIR

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regulation within or outside the City of Sausalito, adopted for the purpose of avoiding or mitigating an environmental effect. As such, development anticipated under the Project would not create substantial land use impacts or result in the physical division of existing communities. New development and redevelopment consistent with the Project would be designed to complement the character of existing neighborhoods and provide connectivity between existing development and new development within the cumulative analysis area. Further, the Project does not approve the construction or development of any new roadways, walls, bridges, major infrastructure, or other features that would divide existing neighborhoods within the cumulative analysis areas. Accordingly, the Project's contribution to cumulative impacts would also be ***less than significant***.

### **Level of Significance before Mitigation**

Less than Significant

### **Mitigation Measures**

None Required

### 3.11 NOISE

This section of the Draft EIR describes the existing noise environment in the Sausalito Planning Area and evaluates impacts anticipated to occur from the implementation of the Housing Element Programs. Future discretionary projects facilitated by the Housing Element Programs will be evaluated for project-specific impacts to noise at the time they are proposed.

The following resources were identified to inform and support this section:

- California Department of Transportation, various technical manuals;
- City of Sausalito Municipal Code; and
- Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018.

#### 3.11.1 EXISTING SETTING

##### *Noise Fundamentals*

Noise is defined as unwanted sound and is usually objectionable due to its disturbing or annoying nature. Environmental noise is a component of modern society and is produced by a variety of sources including automobiles, machinery, and people. Sounds that are considered desirable to some, may be considered objectionable to others.

**Table 3.11-1** includes a list of terms used throughout this section.

##### **Characteristics of Sound**

###### *Amplitude*

Sound is produced by the vibration of sound pressure waves in the air. Sound pressure levels are used to measure the intensity of sound and are described in terms of decibels (dB). The dB is a logarithmic unit that expresses the ratio of the sound pressure level being measured to a standard reference level. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. An increase of 10 dB represents an increase in acoustic energy of 10 times, where 20 dB is 100 times more intense, 30 dB is 1,000 times more intense, and so on. While there are several methods used to characterize sound, the A-weighted decibel (dBA) is most used as it gives greater weight to those frequencies which are audible to the human ear. For reference, a list of A-weighted noise levels associated with common noise sources are listed in Table 3.11-2. Ambient sounds generally range from 30 to 100 dBA. A change in sound of 3 dBA is considered the minimum change detectable to the human ear, where 5 dBA is detectable to most people in an exterior setting.

**TABLE 3.11-1: DEFINITION OF ACOUSTICAL TERMS**

NOISE DESCRIPTOR	DEFINITION
<b>DECIBEL (DB)</b>	A unit describing, the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20 micro Pascals.
<b>FREQUENCY, HZ</b>	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and Ultrasonic sounds are above 20,000 Hz.
<b>A-WEIGHTED SOUND LEVEL (dBA)</b>	The sound pressure level in dBs as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
<b>EQUIVALENT NOISE LEVEL, L<sub>EQ</sub></b>	The average A-weighted noise level during the measurement period.
<b>L<sub>MAX</sub>, L<sub>MIN</sub></b>	The maximum and minimum A-weighted noise level during the measurement period.
<b>L<sub>01</sub>, L<sub>10</sub>, L<sub>50</sub>, L<sub>90</sub></b>	The A-weighted noise levels that are exceeded 1 percent, 10 percent, 50 percent, and 90 percent of the time during the measurement period.
<b>DAY/NIGHT NOISE LEVEL, L<sub>DN</sub> OR DNL</b>	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 dB to levels measured in the night between 10:00 p.m. and 7:00 a.m.
<b>COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)</b>	The average A-weighted noise level during a 24-hour day, obtained after addition of 5 dB in the evening from 7:00 p.m. to 10:00 p.m. and after addition of 10 dB to sound levels measured in the night between 10:00 p.m. and 7:00 a.m.
<b>AMBIENT NOISE LEVEL</b>	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
<b>INTRUSIVE</b>	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

*Source: Data Compiled by FCS 2020.*

*Frequency*

Frequency is defined as the number of complete pressure fluctuations per second above and below atmospheric pressure and is measured in Hertz (Hz). Sound waves that are below 16 Hz and above 15,000 Hz are not typically perceptible to the human ear.



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**TABLE 3.11-2: TYPICAL NOISE LEVELS IN THE ENVIRONMENT**

COMMON OUTDOOR ACTIVITIES	NOISE LEVEL DBA	COMMON INDOOR ACTIVITIES
	<b>110 dBA</b>	Rock concert
Jet Fly-Over At 1,000 Feet		
	<b>100 dBA</b>	
Gas Lawn Mower At 3 Feet		
	<b>90 dBA</b>	
Diesel Truck Traveling At 50 Mph At 50 Feet		Household blender at 3 feet
	<b>80 dBA</b>	Garbage Disposal at 3 feet
Noisy Urban Area, Daytime		
	<b>70 dBA</b>	Vacuum cleaner at 10 feet
Commercial Area		Normal speech at 3 feet
Heavy Traffic At 300 Feet	<b>60 dBA</b>	
		Large business office
Quiet Urban Area, Daytime	<b>50 dBA</b>	Dishwasher running in the next room
Quiet Urban Area, Nighttime	<b>40 dBA</b>	
Quiet Suburban Area, Nighttime		
	<b>30 dBA</b>	Library
Quiet Rural Nighttime		Bedroom at night
	<b>20 dBA</b>	Whispering at 5 feet
		Broadcast/recording studio
	<b>10 dBA</b>	Normal breathing
Threshold Of Hearing	<b>0 dBA</b>	Threshold of hearing

Source: Adapted From: California Department of Transportation (Caltrans) Technical Noise Supplement 2013, Table 2-5, page 2-20; Center for Hearing and Communication, Common Environmental Noise Levels.

### Temporal Effects

Noise impacts are measured for both instantaneous events as well as noise measurements over an extended period. The longer the duration of sound, the more likely it is to be an annoyance or cause direct physical or environmental stress. The noise metric used to account for both duration and sound level is the equivalent noise level ( $L_{eq}$ ).  $L_{eq}$ , as defined

in Table 3.11-1, is the single steady A-weighted level that is equivalent to the amount of energy contained in the average noise level. Generally,  $L_{eq}$  is totaled over a one-hour period.

The period in which noise occurs is also an important factor to consider as it relates to impacts on people since nighttime noise tends to disturb people more than daytime noise. The day-night average ( $L_{dn}$ ) and the Community Noise Equivalent Level (CNEL) are noise metrics which account for the greater sensitivity to noise during the nighttime. With the  $L_{dn}$  metric, nighttime sensitivity is accounted for by adding 10 dB to the nighttime period (10:00 p.m. to 7:00 a.m.). The CNEL metric is identical to the  $L_{dn}$ , except that it also adds 5 dB to the evening period (7:00 p.m. to 10:00 p.m.). Since  $L_{dn}$  and CNEL levels typically do not differ by more than 1 dBA, they are often used interchangeably. This analysis has utilized the CNEL noise metric to analyze noise impacts.

#### *Sound Propagation*

Noise dissipates as distance from the source increases. The manner in which noise reduces with an increase in distance depends on geometric spreading, ground absorption, atmospheric impacts, and shielding by natural and man-made features. Sound produced by a point source travels uniformly away from the source in a spherical pattern and drops off at a rate of 6 dBA for each doubling of distance.

#### *Psychological and Physiological Effects of Noise*

Noise is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels can impact the entire human system. Noise exposure above 75 dBA increases body tensions, and thereby affects blood pressure, functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA could result in permanent hearing damage. Based on these known adverse effects of noise, the federal government, State of California, and local governments have established criteria to protect public health and safety and to prevent disruption of certain human activities.

#### **Groundborne Vibration**

Vibration is a trembling, quivering, or oscillating motion of the earth and is typically of a frequency that is felt rather than heard.

#### *Types of Vibration*

Vibration can be produced naturally, such as in the form of earthquakes, volcanic eruptions, sea waves, or landslides, or man-made such as from explosions, or the operation of heavy machinery or heavy vehicles such as trains. Both natural and man-made vibration may be continuous or transient. Vibration is transmitted through propagation. Propagation of earth borne vibrations is dependent upon the physical environment and is therefore complicated and difficult to predict. The following are three main types of vibration propagation:

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- **Surface waves** travel along the ground’s surface carrying most of their energy along an expanding circular wave front, similar to ripples produced by throwing a rock into a pool of water.
- **Compression waves**, also known as P waves, are body waves where particles are displaced parallel to the wave direction.
- **Shear waves**, also known as S waves, are body waves where particles are displaced perpendicular to the wave direction.

As vibration waves propagate from a source, the energy is spread over an increasing area reducing the energy level with increased distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. Wave energy is also reduced with distance because of material damping in the form of internal friction, soil layering, and void spaces. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

### Amplitude

Amplitude may be characterized in three ways: displacement, velocity, and acceleration. Particle displacement is a measure of the distance that a vibrated particle travels from its original position and for the purposes of soil displacement is typically measured in inches or millimeters. Particle velocity is the rate of speed at which soil particles move in inches per second or millimeters per second. Particle acceleration is the rate of change in velocity with respect to time and is measured in inches per second or millimeters per second. Typically, particle velocity (measured in inches or millimeters per second) and/or acceleration (measured in gravities) are used to describe vibration. Table 3.11-3 presents the human reaction to various levels of peak particle velocity (PPV).

**TABLE 3.11-3: HUMAN REACTION TO TYPICAL VIBRATION LEVELS**

VIBRATION PPV (IN/SEC)	VIBRATION VELOCITY LEVEL (VdB)	HUMAN REACTION	EFFECT ON BUILDINGS
0.006–0.019	64-74	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08	86	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	88	Level at which continuous vibration begins to annoy people	Virtually no risk of “architectural” (i.e., not structural) damage to normal buildings
0.20	94	Vibrations annoying to people in buildings	Threshold at which there is a risk to “architectural” damage to normal

VIBRATION PPV (IN/SEC)	VIBRATION VELOCITY LEVEL (VdB)	HUMAN REACTION	EFFECT ON BUILDINGS
			dwelling-houses with plastered walls and ceilings
0.40-0.60	100-104	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

*Source: California Department of Transportation (Caltrans). 2013. Transportation- and Construction-Induced Vibration Guidance Manual. June*

### Frequency

Vibrations also vary in frequency which affects perception. Typical construction vibrations are between 10 to 30 Hz and usually occur at 15 Hz. Traffic vibrations exhibit a similar range of frequencies; however, due to their suspension systems, buses often generate frequencies around 3 Hz at high vehicle speeds. It is less common, but possible, to measure traffic frequencies above 30 Hz.

### Noise Sources

#### Traffic

Traffic noise levels depend primarily on vehicular speed and total traffic volume, but also the type of vehicle. The primary source of noise from automobiles is high-frequency tire noise. Trucks, older automobiles, and motorcycles produce significant engine and exhaust noise, and trucks can also generate wind noise. Descriptions of major roadways in the City of Sausalito are found in the Circulation and Parking Element of the General Plan. However, the major noises of road traffic are Highway 101 and Bridgeway.

#### Boats and Ferry

Boat and Ferry noise is created by engines, cavitation<sup>1</sup> from propellers and activities associated with loading and unloading of vessels. No new ferry service or routes are planned by Golden Gate Bridge, Highway and Transportation District. However, the Sausalito Ferry Terminal is expected to receive an upgrade in its passenger boarding system as part of the Sausalito Ferry Terminal Improvements Project. The project proposes a wider, modern boarding facility that is ADA-compliant and will allow for easier boarding and unloading of passengers, including those with bicycles. This project would not result in increased capacity of the facility or any added frequency of services.

<sup>1</sup> Cavitation is the forming of gas bubbles in a liquid, caused by changes in pressure.

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### *Aircraft*

Occasional aircraft flyovers are generated by aircraft facilities including Oakland International Airport (OAK), San Francisco International Airport (SFO), and Marin Ranch Airport. Aircraft noise in Sausalito accounts for a small part of the city's noise environment. Flyovers of large aircraft from SFO and OAK are at altitudes that make their noise noticeable, but noise from aircraft is usually not intrusive at ground level.

There is a long history of seaplane operations in and around Sausalito within the County of Marin, beginning when the Federal government created a seaplane landing strip in Richardson Bay in April 1949. The seaplane area is adjacent to, but outside the Sausalito Planning Area. Marin County conducted a study of the Richardson Bay Sea Plane Base/Heliport for the Countywide Plan that revealed that the noise exposure from aircraft operations is below that from adjacent Highway 101 and off-ramp traffic.<sup>2</sup>

### **Existing Ambient Noise Environment**

To quantify the existing ambient noise environment in the project vicinity, Saxelby Acoustics conducted continuous (24-hr.) noise level measurements at two locations (northern end of Bridgeway and along Highway 101 at Wolfback Ridge Road) within the planning area and short-term noise level measurements at five locations. Noise measurement locations are shown in **Figure 3.11-1**. Locations for noise monitoring were chosen by proximity to opportunity sites that would be rezoned under the Housing Element Programs, near loud sources of background traffic such as Highway 101, and/or along key travel corridors in the city. A summary of the noise level measurement survey results is provided in Table 3.11-4. Appendix B of Appendix D contains the complete results of the noise monitoring.

The sound level meters were programmed to record the maximum, median, and average noise levels at each site during the survey. The maximum value, denoted L<sub>max</sub>, represents the highest noise level measured. The average value, denoted L<sub>eq</sub>, represents the energy average of all of the noise received by the sound level meter microphone during the monitoring period. The median value, denoted L<sub>50</sub>, represents the sound level exceeded 50 percent of the time during the monitoring period.

Larson Davis Laboratories (LDL) model 820 and 831 precision integrating sound level meters were used for the ambient noise level measurement survey. The meters were calibrated before and after use with a CAL 200 acoustical calibrator to ensure the accuracy of the measurements. The equipment used meets all pertinent specifications of the American National Standards Institute for Type 1 sound level meters (ANSI S1.4).

### **Existing Traffic Noise Levels**

Existing traffic noise levels were calculated through use of the Federal Highway Administration (FHWA) RD-77-108 model and the traffic volumes provided in the Future

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<sup>2</sup> Cinnidire Naruna Seaokan Base, County of Marin. Website: [https://marin.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=8710&meta\\_id=912592](https://marin.granicus.com/MetaViewer.php?view_id=3&clip_id=8710&meta_id=912592). Accessed April 20, 2020.

Circulations Conditions Memo. Table 3.11-5 shows each roadway segment’s noise level at 50 feet from the centerline as well as the distance to the 60 dBA CNEL noise contour.

**TABLE 3.11-4: SUMMARY OF EXISTING BACKGROUND NOISE MEASUREMENT DATA**

LOCATION	DATE	L <sub>DN</sub>	DAYTIME L <sub>EQ</sub>	DAYTIME L <sub>50</sub>	DAYTIME L <sub>MAX</sub>	NIGHTTIME L <sub>EQ</sub>	NIGHTTIME L <sub>50</sub>	NIGHTTIME L <sub>MAX</sub>
LT-1	6/30/23	68	67	64	86	60	48	79
	7/1/23	68	68	64	87	58	47	76
	7/2/23	67	68	63	87	57	46	76
LT-2	6/30/23	70	69	69	79	62	59	74
	7/1/23	70	69	68	82	61	59	76
	7/2/23	69	68	68	78	61	59	72
ST-1	6/29/23 – 2:55 p.m.	N/A	52	49	70	N/A	N/A	N/A
ST-2	6/29/23 – 2:30 p.m.	N/A	55	54	68	N/A	N/A	N/A
ST-3	6/29/23 – 3:20 p.m.	N/A	50	40	65	N/A	N/A	N/A
ST-4	6/29/23 – 3:40 p.m.	N/A	57	48	76	N/A	N/A	N/A
ST-5	6/29/23 – 3:55 p.m.	N/A	56	55	61	N/A	N/A	N/A

*Notes:*

- All Values Shown in dBA
- Daytime Hours: 7:00 A.M. To 10:00 P.M.
- Nighttime Hours: 10:00 P.M. To 7:00 A.M.
- Source: Saxelby Acoustics 2023

**TABLE 3.11-5: EXISTING ROADWAY NOISE CONTOURS**

ROAD	SEGMENT	CNEL AT 50 FEET FROM CENTERLINE (DBA)	DISTANCE – CENTERLINE TO 60 DBA CNEL NOISE CONTOUR (FEET)
BRIDGEWAY	South of US 101	63	164
BRIDGEWAY	South of Coloma St.	68	165



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ROAD	SEGMENT	CNEL AT 50 FEET FROM CENTERLINE (DBA)	DISTANCE - CENTERLINE TO 60 DBA CNEL NOISE CONTOUR (FEET)
BRIDGEWAY	North of Marinship Way	67	145
BRIDGEWAY	North of Napa St.	67	136
BRIDGEWAY	North of Anchor St.	59	89
COLOMA ST	West of Bridgeway	45	11
COLOMA ST	East of Bridgeway	38	4
BULKLEY AVE	East of Santa Rosa Avenue	41	3
BULKLEY AVE	West of Harrison Ave.	42	7

Notes:

RW = 60 dBA CNEL Noise Contour within the Public Road Right-of-Way.

Source: FHWA-RD-77-108 with Inputs from Saxelby Acoustics and Kittleson & Associates (see Appendix C of Appendix D).

### 3.11.2 REGULATORY SETTING

#### *Federal*

##### **United States Department of Transportation**

The United States Department of Transportation (USDOT) is a federal department responsible for maintaining and developing the nation's transportation and infrastructure. The Federal Aviation Administration (FAA), FHWA, Federal Railroad Administration (FRA), and Federal Transit Administration (FTA) address specific areas of the transportation network and have regulatory authority related to noise impacts.

The FAA has prepared guidelines for acceptable noise exposure in its Federal Aviation Regulations Part 150 Noise Compatibility Planning program for airports. The program aims to balance the operational needs of airports while also considering impacts on surrounding communities. The purpose of the program is to reduce noise impacts on existing incompatible land uses and prevent the introduction of new incompatible land uses in areas impacted by aircraft noise. The program establishes standard noise methodologies and metrics, identifies land uses normally compatible with various levels of airport noise, and provides for voluntary development and submission of noise exposure maps and noise compatibility programs by airport operators.

Through regulations in 23 Code of Federal Regulations Part 772, the FHWA, FRA, and FTA have established recommendations to conduct thorough noise and vibration assessments for any highway, high-speed railroad, or mass transit project that would be constructed proximate to residential areas. These recommendations apply to projects that are federally funded or that require federal review.

### **United States Department of Housing and Urban Development**

New residential developments that qualify for United States Department of Housing and Urban Development (HUD) financing and are proposed in high noise areas (exceeding 65 dBA  $L_{dn}$ ) are required to incorporate noise attenuation features to maintain acceptable interior noise levels. Attenuation requirements are intended to achieve a level of 45 dBA  $L_{dn}$  or less. It is assumed that standard construction will provide sufficient attenuation to achieve this goal if the exterior noise level is 65 dBA  $L_{dn}$  or less. Approvals in a "normally unacceptable noise zone" (exceeding 65 dBA but not exceeding 75 dBA) require a minimum of 5 dBA additional noise attenuation if the  $L_{dn}$  is greater than 65 dBA, but not exceeding 70 dBA. A minimum of 10 dBA additional noise attenuation is required if the  $L_{dn}$  is greater than 70 dBA but does not exceed 75 dBA.

### **United States Environmental Protection Agency**

The United States Environmental Protection Agency (EPA) has determined that over a 24-hour period, a  $L_{eq}$  of 70 dBA will result in some hearing loss. Interference with activity and annoyance will not occur if exterior noise levels remain at or below a  $L_{eq}$  of 55 dBA and interior levels at or below 45 dBA. Although these levels are relevant for planning and design and useful for informational purposes, they are not land use planning criteria because they do not consider economic cost, technical feasibility, or the needs of the community.

The EPA has set 55 dBA  $L_{dn}$  as the basic goal for residential environments. However, other federal agencies, in consideration of their own program requirements and goals, as well as difficulty of achieving a goal of 55 dBA  $L_{dn}$ , have generally agreed on the 65 dBA  $L_{dn}$  level as being appropriate for residential uses. At 65 dBA  $L_{dn}$  activity interference is kept to a minimum, and annoyance levels are still low. It is also a level that can be realistically achieved.

## **State**

### **California Government Code Section 65302(f)**

California Government Code Section 65302(f) requires that all General Plans include a Noise Element to address noise problems in the community. The State Office of Planning and Research has established guidelines for the content of the Noise Element. A noise element shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control and shall analyze and

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quantify to the extent practicable current and projected noise levels for all the following sources:

- Highways and freeways.
- Primary arterials and major local streets.
- Passenger and freight on-line railroad operations and ground rapid transit systems.
- Commercial, general aviation, heliport, and military airport operations, aircraft flyovers, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.
- Local industrial plants, including, but not limited to, railroad classification yards.
- Other stationary ground noise sources identified by local agencies as contributing to the community noise environment.

### **State of California Code of Regulations**

The State's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, California Building Standards Code (CBC). These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

### **California Department of Transportation Vibration Guidance**

Construction vibration is regulated in accordance with standards established by the Transportation and Construction-Induced Vibration Guidance Manual, issued by the California Department of Transportation (Caltrans). Transient sources create a single, isolated vibration event, such as blasting or drop-ball impacts. Continuous/frequent intermittent sources include multiple impacts from pile drivers, the use of vibratory compaction equipment, and other construction equipment that creates vibration other than in single events. Table 3.11-6 provides guidelines for vibration damage potential to existing structures and Table 3.11-7 provides guidelines for vibration annoyance potential criteria.

**TABLE 3.11-6: GROUNDBORNE VIBRATION EXPOSURE STANDARDS**

STRUCTURE AND CONDITION	MAXIMUM PPV (INCHES/SECOND)	
	TRANSIENT SOURCES	CONTINUOUS/FREQUENT INTERMITTENT SOURCES
Extremely fragile historic building, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.20	0.10
Historic and older residential structures with plaster walls and ceilings	0.50	0.25
New residential structures with gypsum board walls and ceilings	1.00	0.50
Modern commercial and industrial buildings	2.00	0.50

*Source: California Department of Transportation. 2004.*

**TABLE 3.11-7: GROUNDBORNE VIBRATION ANNOYANCE POTENTIAL CRITERIA**

HUMAN RESPONSE	MAXIMUM PPV (INCHES/SECOND)	
	TRANSIENT SOURCES	CONTINUOUS/FREQUENT INTERMITTENT SOURCES
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

*Source: California Department of Transportation. 2004.*

### California Noise Land Use Compatibility Matrix

The State Department of Health Services, Office of Noise Control establishes compatibility of land uses relative to existing and future ambient noise levels. Appendix D of the State of California General Plan Guidelines, prepared by the Governor’s Office of Planning and Research and reproduced below as Table 3.11-8, identifies noise level acceptability for each land use type from ‘normally acceptable’, to ‘clearly unacceptable’. Normally acceptable indicates new standard construction can occur with no special noise reduction requirements.

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**TABLE 3.11-8: PROPOSED LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS**

EXTERIOR NOISE EXPOSURE (L <sub>DN</sub> OR CNEL, DB)						
LAND USE TYPE	55	60	65	70	75	80
Residential, Hotels and Motels	Normally Acceptable	Conditionally Acceptable			Unacceptable	
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds	Normally Acceptable		Conditionally Acceptable			Unacceptable
Schools, Libraries, Museums, Hospitals, Churches, Personal Care, Meeting Halls	Normally Acceptable	Conditionally Acceptable			Unacceptable	
Office Buildings, Business Commercial, and Professional	Normally Acceptable	Conditionally Acceptable				Unacceptable
Auditoriums, Concert Halls, Amphitheaters	Conditionally Acceptable			Unacceptable		
Industrial, Manufacturing, Utilities and Agriculture	Normally Acceptable			Unacceptable		
<i>Key:</i>						
	<i>Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.</i>					
	<i>Conditionally Acceptable: Specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features included in the design.</i>					
	<i>Unacceptable: New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.</i>					

### Local

#### Sausalito General Plan

The General Plan includes the following relevant policies and programs that assist in reducing or avoiding potential noise impacts:

#### *Environmental Quality Element*

Policy EQ-3.2: Special Events. Permit safe special events in specific sites, managing the potential impacts of parking, noise, congestion, and lighting.

Program EQ-3.2.1: City Permit (Special Events). Continue to require that special events obtain a City permit (see Policy HS-3.4).

*Health, Safety, and Community Resilience Element*

Policy HS-3.1: Noise Guidelines. Maintain noise level guidelines to direct the siting, design, and insulation of new residential, commercial, and industrial development.

Program HS-3.1.1: Municipal Code (Noise Ordinance). In a public process, update the Noise Ordinance in the Sausalito Municipal Code to establish ambient sound levels that reflect actual conditions so that uses exceeding the ambient noise level can be cited for violation; establish standards for construction equipment and controls related to other potential nuisances such as music, dogs, special events, and mechanical/sound equipment; and encourage enforcement and penalties for violations of the Noise Ordinance. The update should not interfere with the regular course of business in commercial and industrial zones.

Program HS-3.1.2: Land Use Compatibility Standards. In a public process, update the zoning ordinance to integrate the Land Use Compatibility Standards (see Table 7-4 in the Background section [of the General Plan]) and noise contours shown on Figure 7-7 [of the General Plan] to review the siting and design of new or substantially remodeled structures.

Policy HS-3.4: Single-Event Noise. Allow single-event occurrences at specific sites per Policy EQ-3.2 subject to special permit conditions which alleviate noise to the greatest extent possible.

Policy HS-3.5: Construction Noise. Strive to reduce noise levels associated with construction activities.

Program HS-3.5.1 Equipment Noise. Require noise baffling devices to be installed on heavy equipment during site excavation, grading, or construction.

Program HS-3.5.2 Construction Noise. Continue to restrict construction activities to acceptable time periods.

Program HS-3.5.3 Sound Walls. Consider constructing temporary sound walls surrounding construction sites during construction. Program HS-3.5.4 Construction Hours. Clearly delineate working hours for construction project.

Policy HS-3.6: Vibrations. Mitigate Construction-related Vibration Impacts on Historic Structures

Program HS-3.6.1: Construction Vibration. Prior to issuance of grading permits for any project that is located within 150 feet of a historic structure that is depicted in Figure 4-1 of the General Plan and, if construction activities will require either: (1) pile driving within 150 feet; or (2) utilization of mobile construction equipment within 50 feet of the historic structure, the property owner/developer shall retain an acoustical engineer to conduct a vibration analysis for potential impacts from construction-related vibration impacts onto the historic structure. The vibration analysis shall determine the vibration levels created by construction activities at the historic structure, and if necessary, develop mitigation to reduce the vibration levels to within Caltrans threshold of 0.12 inches per second PPV for historic buildings.



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### Sausalito Municipal Code

Chapter 12.16 of the Sausalito Municipal Code (Noise Control) establish excessive noise guidelines and exemptions. The following portions of the Municipal Code address noise:

*SEC. 12.16.020 Definitions.*

- A. "Ambient noise" is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. For the purpose of this chapter, "ambient noise level" is the level obtained when the noise level is averaged over a period of 15 minutes without inclusion of noise from isolated identifiable sources, at the location and time of day near that at which a comparison is to be made.
- B. "Commercial purpose" means and includes the use, operation, or maintenance of any sound amplifying equipment for the purpose of advertising any business, or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition, or event, or for the purpose of demonstrating such sound equipment.
- C. "Decibel" means a unit for measuring the relative loudness of sounds equal approximately to the smallest degrees of difference of loudness ordinarily detectable by the human ear, whose range includes about 130 decibels on a scale beginning with one for the faintest audible sound.
- D. "Emergency work" means work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.
- E. "Motor vehicles" includes, but is not limited to, mini-bikes and go-carts.
- F. "Noncommercial purpose" means the use, operation, or maintenance of any sound equipment for other than a commercial purpose.  
"Noncommercial purpose" means and includes, but shall not be limited to, philanthropic, religious, political, patriotic, and charitable purposes.
- G. "Person" means a person, firm, association, copartnership, joint venture, corporation, or any entity, public or private in nature.
- H. "Sound amplifying equipment" means any machine or device for the amplification of the human voice, music, or any other sound. "Sound amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the

automobile radio is installed. "Sound amplifying equipment," as used in this chapter, shall not include warning devices on any vehicle used only for traffic safety purposes.

- I. "Sound level" (noise level), in decibels (dB), is the sound measured with the A weighting and slow response by a sound level meter.
- J. "Sound level meter" means an instrument including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels which satisfies the pertinent requirements in American Standard Specifications for sound level meters S1.4-1971 or the most recent revision thereof.
- K. "Sound truck" means any motor vehicle, or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon, or attached thereto, any sound amplifying equipment.

*SEC. 12.16.030 Sound Level Measurement Criteria.*

Any sound level measurement made pursuant to the provisions of this chapter shall be measured with a sound level meter using the A weighting and slow response.

*SEC. 12.16.040 Ambient Noise Levels.*

Where the ambient noise level is less than designated in this section, the respective noise level in this section shall govern (Table 3.11-9).

**TABLE 3.11-9: AMBIENT NOISE LEVEL**

ZONE	TIME	SOUND LEVEL A, DECIBELS COMMUNITY ENVIRONMENT CLASSIFICATION
R1 and R2	10:00 p.m. to 7:00 a.m.	45
R1 and R2	7:00 p.m. to 10:00 p.m.	50
R1 and R2	7:00 a.m. to 7:00 p.m.	55
R3	10:00 p.m. to 7:00 a.m.	50
R3	7:00 a.m. to 10:00 p.m.	55
CN, RC	10:00 p.m. to 7:00 a.m.	55
CC, W, OA, and CW	7:00 a.m. to 10:00 p.m.	60
CM	Anytime	70

*Source: Sausalito Municipal Code 2019.*

# City of Sausalito

## Housing Element Programs EIR

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### *SEC. 12.16.130 Machinery, Equipment, Fans and Air Conditioning.*

It is unlawful for any person to operate any machinery, equipment, pump, fan, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient base noise level by more than five decibels.

### *SEC. 12.16.140 Time Restrictions on Operating Construction Devices in Residential Zones.*

- A. The operation of construction, demolition, excavation, alteration or repair devices and equipment shall only take place during the following hours:
1. Weekdays: Between 8:00 a.m. and 6:00 p.m.
  2. Saturdays: Between 9:00 a.m. and 5:00 p.m.
  3. Sundays: Prohibited.
  4. Holidays officially recognized by the City of Sausalito not including Sundays: Between 9:00 a.m. and 7:00 p.m.
- B. Homeowners currently residing on the property and all other legal residents may operate construction, demolition, excavation, alteration or repair devices and equipment themselves on their own property on Sundays and holidays officially recognized by the City; provided, that such operations occur between 9:00 a.m. and 6:00 p.m. and otherwise comply with the City's laws regulating noise.
- C. For purposes of this section, "holidays officially recognized by the City" are those holidays indicated on the official City Calendar which is adopted by the City Council as it currently exists and may hereinafter be amended.

### *SEC. 12.16.150 Repairing, Rebuilding or Testing in Residential Zones.*

It is unlawful for any person within any residential zone, as defined in the zoning regulations of the City, to repair, rebuild, or test any motor vehicle in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance.

### **3.11.3 THRESHOLDS OF SIGNIFICANCE**

According to the California Environmental Quality Act (CEQA) Guidelines Appendix G, a significant noise impact would occur if rezoning facilitated by the Housing Element Programs would result in any of the following:

- Generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established by the local general plan, noise ordinance, or applicable standards of other agencies;

- Generate excessive groundborne vibration or groundborne noise levels; or
- Expose people residing or working within the vicinity of a private airstrip or an area within an airport land use plan to excessive noise levels, or where such a plan has not been adopted, within 2 miles of a public or private use airport, to excessive noise levels.

### 3.11.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Noise impacts resulting from implementation of the Housing Element Programs are discussed below. The following analysis is based on an assessment of existing and future conditions for the Planning Area. This analysis identifies potential noise impacts based on development anticipated from buildout of the Housing Element Programs.

#### *Environmental Topics Eliminated from Further Analysis*

Section 21002.1(e) of the CEQA statute requires an EIR discussion to focus on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant. Lead agencies may limit discussion on other effects to a brief explanation as to why those effects are not potentially significant.

#### *Expose People to Noise Generated from Airports*

A significant noise impact would occur if implementation of the Housing Element Programs would expose people residing or working within the vicinity of a private airstrip or an area within an airport land use plan to excessive noise levels, or where such a plan has not been adopted, within 2 miles of a public or private use airport. There is the Sausalito VOR,<sup>3</sup> which is located approximately 0.7 mile west of the city. However, the Sausalito VOR is an aviation radar and visual checkpoint for aircraft and there is no airstrip at this location. The closest public airport is Marin Ranch Airport, located approximately 9.8 miles north of the city. Additionally, SFO is located approximately 16 miles south of the city and OAK is located approximately 17 miles southeast of the city.

The city is not located within the area governed by an airport land use plan and is not within 2 miles of a public or private use airport and would therefore not expose people residing or working in the city to excessive noise levels. The CNEL noise contours from Marin Ranch, SFO

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<sup>3</sup> VHF navigational facility-Omnidirectional Course only.

# City of Sausalito

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and OAK do not impact the City of Sausalito.<sup>4,5</sup> Marin County conducted a study of the Richardson Bay Sea Plane Base/Heliport for the Countywide Plan that revealed that the noise exposure from aircraft operations is below that from adjacent Highway 101 and off-ramp traffic. Implementation of the Housing Element Programs would not expose people residing or working in Sausalito to significant noise levels generated by either facility. Therefore, noise from adjacent airports would have no impact and this topic is not analyzed any further.

### ***Environmental Topics Analyzed***

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**Impact 3.11-1      Implementation of the Housing Element Programs would not generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established by the local general plan, noise ordinance, or applicable standards of other agencies.**

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The Housing Element Programs involve the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. The goal is to create a capacity for 959 units based on opportunity sites that would be subject to the program of rezoning as identified in the Housing Element. The General Plan includes policies that require preparation of acoustical studies for residential development where the existing noise levels exceed an exterior noise level of 60 dBA CNEL. Additionally, policies require that new office and commercial development be designed to reduce interior noise levels. Individual development projects would be required to demonstrate compliance with these standards during the design review process. Temporary noise is typically related to construction noise, evaluated below, as well as single event noise, which can generate elevated sound levels associated with special events. The project does not propose any additional special events or sources of single-event noise. Single event noise is controlled through the issuance of a City permit as directed by Policy HS-3.4, which allows single-event occurrences at specific sites subject to special permit conditions which alleviate noise to the greatest extent possible. Program ES-3.2.1 requires that special events obtain a City permit to consider and address the potential impacts of parking, noise, congestion, and lighting. Moreover, Section 12.16.140 of the Municipal Code is applied to all construction permits and compliance is mandatory and is monitored by City grading and building department personnel, and is also monitored and addressed through reporting by members of the public if and when construction hours are

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<sup>4</sup> San Francisco Airport Final 2019 Noise Exposure Map (NEM). Website: [https://media.flysfo.com/media/sfo/noise-abatement/sfo\\_p150\\_2019-nem-36x24-plot-signed\\_ada.pdf](https://media.flysfo.com/media/sfo/noise-abatement/sfo_p150_2019-nem-36x24-plot-signed_ada.pdf). Accessed April 20, 2020. Alameda County Airport Land Use Commission. Oak Appendix B Airport Land Use Compatibility Concepts. Website: [https://www.acgov.org/cda/planning/generalplans/documents/OAK\\_Appendix\\_B\\_Airport\\_Land\\_Use\\_Compatibility\\_Concepts.pdf](https://www.acgov.org/cda/planning/generalplans/documents/OAK_Appendix_B_Airport_Land_Use_Compatibility_Concepts.pdf). Accessed April 20, 2020.

<sup>5</sup> Alameda County Airport Land Use Commission. Oak Appendix B Airport Land Use Compatibility Concepts. Website: [https://www.acgov.org/cda/planning/generalplans/documents/OAK\\_Appendix\\_B\\_Airport\\_Land\\_Use\\_Compatibility\\_Concepts.pdf](https://www.acgov.org/cda/planning/generalplans/documents/OAK_Appendix_B_Airport_Land_Use_Compatibility_Concepts.pdf). Accessed April 20, 2020.

not being observed. Accordingly, because buildout consistent with the General Plan will be required to demonstrate compliance with these policies, programs, and permits, as applicable, potential impacts related to single event noise are reduced to *less than significant*.

**Construction Noise**

Noise generated by individual construction projects are anticipated to occur under the Housing Element Programs and would temporarily increase ambient noise levels on adjacent sites from construction activities and from construction-related traffic. Since there are no specific development proposals associated with the Housing Element Programs, determining exact noise levels, locations, or time periods for construction of such projects is speculative. However, sites adjacent to areas where future development/redevelopment is anticipated to occur could expose people to construction noise throughout the construction period.

Construction activities, including traffic, demolition, and reconstruction, have the potential to generate temporary noise. Noise levels similar to those shown in Table 3.11-9 would be expected to occur with individual development projects. Table 3.11-10 illustrates typical noise levels associated with construction equipment at a distance of 50 feet from a construction site. Noise typically drops off at a rate of 6 dBA per doubling of distance. Noise levels at 100 and 200 feet were derived based on this assumption.

**TABLE 3.11-10: TYPICAL CONSTRUCTION EQUIPMENT NOISE EMISSION LEVELS**

EQUIPMENT	NOISE LEVEL (DBA)		
	50 FEET	100 FEET	200 FEET
AIR COMPRESSOR	80	74	68
BACKHOE	80	74	68
CONCRETE MIXER	85	79	73
BULLDOZER	85	79	73
GENERATOR	82	76	70
GRADER	85	79	73
JACKHAMMER	88	82	76
PAVER	85	79	73
SAW	76	70	64
SCRAPER	85	79	73
TRUCK	84	78	72

*Source: Federal Transit Administration. 2018. Transit Noise and Vibration Impact Assessment Manual, Table 7-1, page 176. September.*



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The City has not adopted numeric thresholds of significance for construction noise. Municipal Code Section 12.16.140 regulates the time when construction activities may occur, limiting such activities to the period between 8:00 a.m. and 6:00 p.m. on weekdays, 9:00 a.m. and 5:00 p.m. on Saturdays, and prohibiting construction from occurring on Sundays and holidays. Section 12.16.140 of the Municipal Code is applied to all construction permits and compliance is mandatory and is monitored by city grading and building department personnel, and is also monitored and addressed through reporting by members of the public if and when construction hours are not being observed. This ensures that construction noise will not occur during the evenings, overnight hours, Sundays, and holidays, when residents are most vulnerable to noise disturbance (i.e., when they are spending time at home, sleeping, attending religious services or holiday activities).

General Plan Program HS-3.5.2 requires the City to continue to restrict construction activities to acceptable time periods, as discussed above. Program HS-3.5.4. requires construction projects to clearly delineate working hours, which further ensures that the temporal restrictions on construction noise are observed. Program HS-3.5.1 requires noise baffling devices to be installed on heavy equipment during site excavation, grading, or construction. Installation of baffling devices on the loudest pieces construction equipment will ensure that maximum construction noise levels are reduced to acceptable levels. Furthermore, under Program HS-3.5.3, the city may require construction of temporary sound walls around construction sites on a case-by-case basis, to ensure that construction noise levels remain appropriate.

Therefore, while implementation of the project could result in construction noise that would disturb residents and workers, that construction noise will be temporary, intermittent, and a normal part of living an urban environment. Moreover, compliance with mandatory requirements of the Municipal Code and General Plan will ensure that construction noise occurs only at appropriate times of day and is reduced to acceptable levels. Therefore, impacts would be ***less than significant***.

### Traffic Noise

Implementation of the Housing Element Programs would generate additional vehicle trips on the city roadways. Noise from motor vehicles is generated by engine vibrations, the interaction between tires and the road, and the exhaust system. The traffic noise contours with buildout of the Housing Element Programs were calculated through use of the FHWA-RD-77-108 model and the traffic volumes provided by the traffic engineer (Kittleson & Associates). Table 3.11-11, shows each roadway segment's noise level at 50 feet from the centerline as well as the distance to the 60 dBA CNEL noise contour.

**TABLE 3.11-11: HOUSING ELEMENT PROGRAMS BUILDOUT ROADWAY NOISE CONTOURS**

ROAD	SEGMENT	CNEL AT 50 FEET FROM CENTERLINE (DBA)	DISTANCE - CENTERLINE TO 60 DBA CNEL NOISE CONTOUR (FEET)
BRIDGEWAY	South of US 101	63	177
BRIDGEWAY	South of Coloma St.	68	177
BRIDGEWAY	North of Marinship Way	68	157
BRIDGEWAY	North of Napa St.	67	149
BRIDGEWAY	North of Anchor St.	59	94
COLOMA ST	West of Bridgeway	45	11
COLOMA ST	East of Bridgeway	40	5
BULKLEY AVE	East of Santa Rosa Avenue	49	9
BULKLEY AVE	West of Harrison Ave.	42	7

Notes:

RW = 60 dBA CNEL Noise Contour within the Public Road Right-of-Way.

Source: Source: FHWA-RD-77-108 with Inputs from Saxelby Acoustics and Kittleson & Associates (see Appendix C of Appendix D).

Neither the General Plan nor the CEQA Guidelines define what constitutes a “substantial permanent increase”; as such, this analysis has utilized guidance from the FTA for a moderate impact and is summarized below:

- When ambient noise levels are between 45 and 49 dBA CNEL, an increase of more than 7 dB at the exterior of any nearby sensitive receptor is considered significant.
- When ambient noise levels are between 50 and 54 dBA CNEL, an increase of more than 5 dB at the exterior of any nearby sensitive receptor is considered significant.
- When ambient noise levels are between 55 and 59 dBA CNEL, an increase of more than 3 dB at the exterior of any nearby sensitive receptor is considered significant.
- When ambient noise levels are between 60 and 64 dBA CNEL, an increase of more than 2 dB at the exterior of any nearby sensitive receptor is considered significant.
- When ambient noise levels are between 65 and 74 dBA CNEL, an increase of more than 1 dB at the exterior of any nearby sensitive receptor is considered significant.
- When ambient noise levels are 75 dBA CNEL or greater, any measurable increase in noise levels at the exterior of any nearby sensitive receptor is considered significant.

The Housing Element Update traffic noise impacts have been analyzed for the Without Housing Element Update and the With Housing Element Update conditions. Table 3.11-12

# City of Sausalito

## Housing Element Programs EIR

presents a comparison between the Without Housing Element Update and the With Housing Element Update Buildout scenarios, and the FHWA model printouts are provided in Appendix C of Appendix D.

**TABLE 3.11-12: HOUSING ELEMENT PROGRAMS BUILDOUT TRAFFIC NOISE CONTRIBUTIONS**

ROADWAY	SEGMENT	DBA CNEL AT 50 FEET			INCREASE THRESHOLD
		WITHOUT PROJECT	WITH PROJECT	PROJECT CONTRIBUTION	
BRIDGEWAY	South of US 101	63	63	0	>2 dBA
BRIDGEWAY	South of Coloma St.	68	68	0	>1 dBA
BRIDGEWAY	North of Marinship Way	68	68	0	>1 dBA
BRIDGEWAY	North of Napa St.	67	67	0	>1 dBA
BRIDGEWAY	North of Anchor St.	59	59	0	>3 dBA
COLOMA ST	West of Bridgeway	45	45	0	>7 dBA
COLOMA ST	East of Bridgeway	40	38	-2	>7 dBA
BULKLEY AVE	East of Santa Rosa Avenue	49	54	6	>7 dBA
BULKLEY AVE	West of Harrison Ave.	42	41	-1	>7 dBA

*Notes: The calculated noise levels do not consider existing noise barriers.*

*Source: FHWA-RD-77-108 with Inputs from Saxelby Acoustics and Kittleson & Associates (see Appendix C of Appendix D).*

Table 3.11-12 shows that at Housing Element Programs buildout, noise generated by traffic along study area roadway segments would be expected to increase by 0 to 6 dBA CNEL above the Without Housing Element Programs Buildout conditions. Table 3.11-12 also shows that the Housing Element Programs' permanent roadway noise increases to the nearby sensitive receptors from the generation of additional vehicular traffic would not exceed any of the thresholds detailed above. Therefore, impacts associated with the project would be **less than significant**.

### Operational Noise

The project would potentially result in up to 959 new housing units. Typical noise sources associated with residential housing include garbage collection, private parking areas, and HVAC equipment located within yards or shielded areas. These types of noise sources are typical of all residential uses and are considered compatible with existing residential uses and other noise-sensitive receptors, without needing special noise control measures.

Additionally, these sources of noise are regulated by the Sausalito Municipal Code standards. Therefore, impacts associated with the project would be ***less than significant***.

**Level of Significance before Mitigation**

Therefore, implementation of the project would not result in a temporary or permanent increase in ambient noise levels above established standards and will have a ***less than significant*** impact.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.11-2      Development facilitated by the Housing Element Programs would not generate excessive groundborne vibration or groundborne noise levels.**

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Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of groundborne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Construction activities and the operation of heavy trucks, buses and trains can produce vibration that may be felt by adjacent uses. New development under the Housing Element Programs could result in up to 959 new residential units within the Sausalito Planning Area. The city contains several historic structures that have been identified in Figure 4-1 of the General Plan and have the potential of being damaged from exposure to substantial vibration levels. The short-term and long-term groundborne vibration impacts associated with construction and operations are discussed separately below.

**Construction-Related Vibration**

Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings in the vicinity of the construction site respond to these vibrations with varying results ranging from no perceptible effects at the low levels to slight damage at the highest levels. Table 3.11-13 gives approximate vibration levels from various construction equipment. The data in Table 3.11-13 provides a reasonable estimate for a wide range of soil conditions.

**TABLE 3.11-13: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT**

EQUIPMENT	PPV (INCHES/SECOND)	APPROXIMATE VIBRATION LEVEL AT 25 FEET
PILE DRIVER (IMPACT)	1.518 (upper range)	112
	0.644 (typical)	104
PILE DRIVER (SONIC)	0.734 (upper range)	105
	0.170 (typical)	93
CLAM SHOVEL DROP (SLURRY WALL)	0.202	94
HYDROMILL (SLURRY WALL)	0.008 (in soil)	66
	0.017 (in rock)	75
VIBRATORY ROLLER	0.210	94
HOE RAM	0.089	87
LARGE BULLDOZER	0.089	87
CAISSON DRILL	0.089	87
LOADED TRUCKS	0.076	86
JACKHAMMER	0.035	79
SMALL BULLDOZER	0.003	58

Source: Federal Transit Administration. 2018.

Since the city does not have a quantitative vibration standard in the General Plan or Sausalito Municipal Code, this analysis has utilized guidance provided by Caltrans, which identifies a standard for historical structures of 0.12 inch per second PPV for transient sources (see Table 3.11-6). As shown in Table 3.11-13, potential vibration levels from representative construction equipment that occur in close proximity to an existing historic structure, could potentially damage the structure.

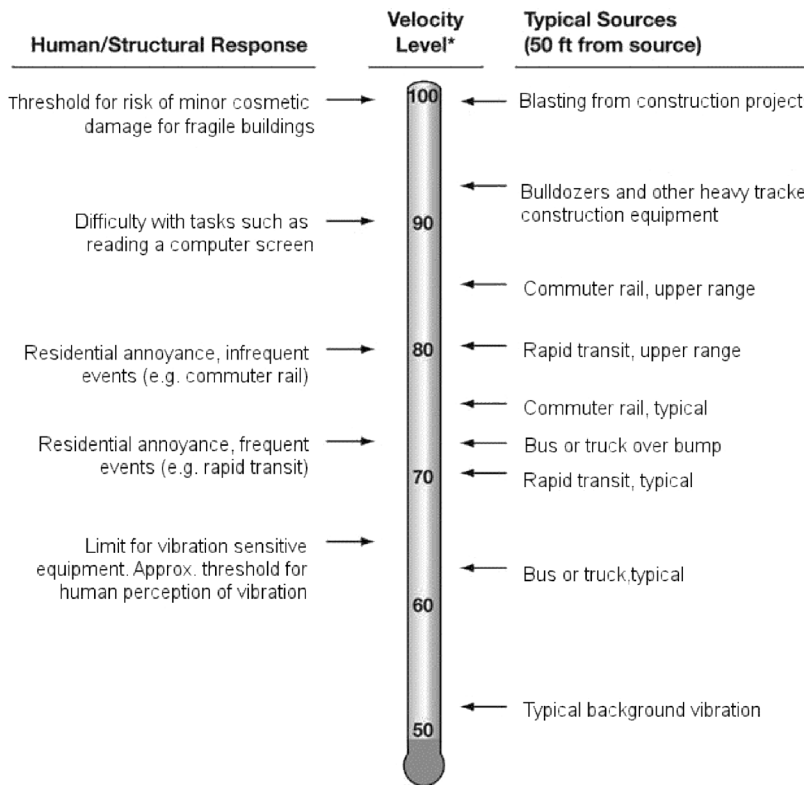
Since development facilitated by the Housing Element Programs may result in construction activities that occur immediately adjacent to existing historical structures, there is a possibility that vibration from construction equipment would exceed the 0.12 inch per second PPV threshold. Therefore, groundborne vibration impacts from construction activities could result in a **significant impact**.

*Operation-Related Vibration*

The primary source of vibration created from on-going operation of development facilitated by the Housing Element Programs would be from additional vehicle and truck trips on the city roadways. Since, the city does not have a quantitative vibration standard in the General Plan or Sausalito Municipal Code, this analysis has utilized guidance provided by Caltrans in Table 3.11-6 for historical structures of 0.12 inch per second PPV for transient sources.

The FTA Transit Noise and Vibration Impact Assessment Manual includes typical levels of groundborne vibration from various sources. As shown in Figure 3.11-2, the threshold for human perception of vibration is below many source levels including transportation and construction sources. Other factors impacting groundborne vibration from transportation sources include the condition of the roadbed, vehicle speed, suspension, and wheel condition and type.

**FIGURE 3.11-2: TYPICAL LEVELS OF GROUND-BORNE VIBRATION**



\* RMS Vibration Velocity Level in VdB relative to 10<sup>-6</sup> inches/second

As detailed in Figure 3.11-2, a bus or truck over a bump may create a vibration level as high as 72 VdB (0.015 inch per second PPV), with typical bus and truck vibration in the range of 62 VdB (0.005 inch per second PPV). Both the typical and maximum vibration levels created from a bus or truck operating on a city roadway would be within the Caltrans threshold for



# City of Sausalito

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historical structures of 0.12 inch per second PPV for transient sources. As such, any operational vibration impacts from increased vehicle traffic are expected to be less than significant. Therefore, operation-related vibration impacts would not expose persons to excessive vibration and impacts will be ***less than significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.11-2 Construction Vibration.** For any project that is located within 150 feet of a historic structure that is depicted in Figure 4-1 of the General Plan and, if construction activities will require either: (1) pile driving within 150 feet; or (2) utilization of mobile construction equipment within 50 feet of the historic structure, the property owner/developer shall retain an acoustical engineer to prepare a vibration plan for city review and approval. The City shall not issue a grading permit for such a project until it has approved the vibration plan. The vibration plan shall determine the vibration levels created by construction activities at the historic structure. The vibration plan shall include specific measures to reduce the vibration levels to within Caltrans threshold of 0.12 inches per second PPV for historic buildings. These measures could include, without limitation, utilization of equipment that create lower vibration levels, setbacks of stationary equipment from sensitive receptors, and setbacks of equipment staging areas from sensitive receptors, and/or shoring and foundation protections. The City shall not approve the vibration plan unless it satisfies the foregoing performance criteria. The property owner/developer shall include a copy of the vibration plan in the contract between property owner/developer and the construction contractor.

### Level of Significance after Mitigation

The General Plan includes Policy HS-3.6 and Program HS-3.6.1, which require that any property owner or developer of any new construction project located within 150 feet of a historical structure identified in Figure 4-1 of the General Plan, to submit a vibration analysis for potential impacts from vibration generated by construction equipment prior to issuance of grading permits. The projects that have the potential to impact historical structures during construction activities include those that will either: (1) conduct pile driving within 150 feet; or (2) utilize mobile construction equipment within 50 feet of any existing structure with sensitive receptors. As shown in Table 3.11-13, there are alternative types of pile drivers, such as sonic pile drivers that are capable of performing pile driving functions at much lower vibration levels. Table 3.11-13, also shows that there are similar pieces of earthmoving equipment, that while may not be as efficient, such as using a small dozer in place of large dozer, can be used to reduce vibration levels in vibration sensitive areas. Mitigation Measure

3.11-2 is added to reinforce the requirements of Program HS-3.6.1. Therefore, with implementation of Mitigation Measure 3.11-2 and Program HS-3.6.1, construction-related vibration impacts would not expose persons to excessive vibration and will have a **less-than-significant** impact.

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**Impact 3.11-3      Implementation of the Housing Element Programs would not result in cumulatively substantial increases in ambient noise levels and vibration in excess of standards established by the local general plan, noise ordinance, or applicable standards of other agencies.**

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The geographic context for the analysis of cumulative impacts related to noise includes the incorporated and unincorporated lands comprising the Sausalito Planning Area. This analysis evaluates whether the impacts of the project, together with the impacts of cumulative development, could result in a cumulatively significant impact related to noise, or result in a cumulatively significant impact related to noise. This analysis then considers whether the incremental contribution of the impacts associated with the implementation of the project would be significant. Both conditions must apply for a project's cumulative effects to rise to the level of significance.

Cumulative development would be required to comply with the design review regulations directing the siting, design, and insulation of new development and all applicable noise policies in local and regional plans, including the Marin Countywide Plan and Marin County Development Code to ensure that noise impacts are less than significant. In addition, construction noise and vibration are typically localized and temporary in nature. For these reasons, cumulative impacts to noise would be **less than significant**.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required



# City of Sausalito Housing Element




City of Sausalito, California

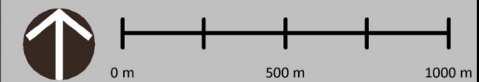
Figure 3.11-1

Noise Measurement Sites



### Legend

-  City Limits
-  Noise Measurement - Long Term
-  Noise Measurement Site - Short Term



Projection: UTM Zone 10 / WGS84 / meters  
Rev. Date: 08/04/2023



### 3.12 POPULATION, HOUSING, AND EMPLOYMENT

This section of the Draft EIR describes the existing population and housing characteristics in the City of Sausalito and evaluates the potential environmental consequences from development that could occur by implementing the Housing Element Programs. Future discretionary projects facilitated by the Housing Element will be evaluated for project-specific impacts to population, housing and employment at the time they are proposed.

Information in this section is based on information provided by the following reference materials:

- Plan Bay Area 2050, Supplemental Reports: Forecasting and Modeling Report, Metropolitan Transportation Commission and Association of Bay Area Governments, adopted October 21, 2021;<sup>1</sup>
- City of Sausalito 2023-2031 6<sup>th</sup> Cycle Housing Element, adopted January 30, 2023;<sup>2</sup>
- E-1 and E-1H Population and Housing Estimates for Cities, Counties and the State — January 1, 2022 and 2023, California Department of Finance, May 1, 2023;<sup>3</sup>
- E-4 Historical Population and Housing Estimates for Cities, Counties, and the State – 2021-2023, with 2020 Census Benchmark, May 2023;<sup>4</sup>
- E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2021-2023, with 2020 Benchmark, California Department of Finance, May 2023;<sup>5</sup> and
- E-8 Historical Population and Housing Estimates for Cities, Counties, and the State, 2000-2010, California Department of Finance, November 2012.<sup>6</sup>

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<sup>1</sup> Metropolitan Transportation Commission and Bay Area Association of Governments, 2021. Plan Bay Area 2050. October. Adopted October 21, 2021. Available: <https://planbayarea.org/finalplan2050>. Accessed May 31, 2023.

<sup>2</sup> City of Sausalito, 2023. 6<sup>th</sup> Cycle Housing Element. Adopted January 30, 2023. Available: <https://www.sausalito.gov/home/showdocument?id=32446&t=638188850327852255>. Accessed May 31, 2023.

<sup>3</sup> California Department of Finance, 2023. E-1 and E-1H Cities, Counties, and the State Population and Housing Estimates with Annual Percent Change – January 1, 2022 and 2023. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates-e1/>. Accessed May 31, 2023.

<sup>4</sup> California Department of Finance, 2023. E-4 Population Estimates for Cities, Counties, and the State, 2021-2023 with 2020 Census Benchmark. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/e-4-population-estimates-for-cities-counties-and-the-state-2021-2023-with-2020-census-benchmark/>. Accessed May 31, 2023.

<sup>5</sup> California Department of Finance, 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>. Accessed May 31, 2023.

<sup>6</sup> California Department of Finance, 2012. E-8 Historical Population and Housing Estimates for Cities, Counties, and the State, 2000-2010. November. Available: <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e8-2000-2010/>. Accessed May 31, 2023.



### 3.12.1 EXISTING SETTING

#### Population

The City of Sausalito is one of 11 cities and towns in the County of Marin. Table 3.12-1 compares Sausalito’s population growth trends with the County’s from 2010 to 2023. The population of Sausalito decreased from 7,058 in 2010 to 6,865 in 2023, a 2.7 percent decrease. The County grew from 252,279 in 2010 to 252,959 in 2023, a 0.27 percent increase. In 2023, Sausalito had a smaller population than the nearby City of Mill Valley (13,664) and the Town of Tiburon (8,798), and a larger population than nearby the City of Belvedere (2,045).<sup>7</sup>

#### Housing

Sausalito has an expensive housing market due to the area’s proximity to San Francisco and greater Bay Area, and natural landscapes consisting of open space, the waterfront, and the Marin Hills. Two types of housing data for the city are described below, total housing units and household size.

TABLE 3.12-1: POPULATION GROWTH 2010 – 2023

JURISDICTION	YEAR			2010-2023 CHANGE
	2010	2020	2023	
SAUSALITO	7,058	7,114	6,865	-2.7%
MARIN COUNTY	252,279	262,321	252,959	0.27%
SAUSALITO SHARE OF COUNTY	2.8%	2.7%	2.7%	-0.1%

Sources: California Department of Finance, 2012. E-8 Historical Population and Housing Estimates for Cities, Counties, and the State, 2000-2010. November. Available: <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e8-2000-2010/>. Accessed May 31, 2023.  
California Department of Finance, 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>. Accessed May 31, 2023.

The U.S. Census Bureau defines a “household” as all persons living in a single housing unit, whether or not they are related. One person living alone is considered a household, as is a group of unrelated people living in a single housing unit. The U.S. Census Bureau defines “family” as related persons living within a single housing unit.<sup>8</sup>

<sup>7</sup> California Department of Finance, 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>. Accessed May 31, 2023.

<sup>8</sup> United States Census Bureau. 2023. Subject Definitions. Available: <https://www.census.gov/programs-surveys/cps/technical-documentation/subject-definitions.html>. Accessed May 31, 2023.

# City of Sausalito

## Housing Element Programs EIR

### Housing Units

Table 3.12-2 shows growth in housing units in the City of Sausalito and Marin County from 2010 to 2023. The number of housing units in Sausalito decreased from 4,536 in 2010 to 4,439 in 2023, a 2.1 percent decrease. The County grew from 111,141 housing units in 2010 to 112,183 in 2023, a 0.9 percent increase. During the same period, Sausalito’s number of housing units comprised approximately 4 percent of the County’s housing units.

TABLE 3.12-2: HOUSING UNITS 2010 – 2023

JURISDICTION	YEAR			2010–2023 CHANGE
	2010	2020	2023	
<b>SAUSALITO</b>	4,536	4,583	4,439	-2.1%
<b>MARIN COUNTY</b>	111,141	112,516	112,183	0.9%
<b>SAUSALITO SHARE OF COUNTY</b>	4.1%	4.1%	4.0%	-0.1%

*Source: California Department of Finance. 2021. E-5 Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2020, with 2010 Benchmark. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2020/>. Accessed: May 31, 2023. California Department of Finance, 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>. Accessed May 31, 2023*

### Household Size

Small households (one to two persons/household) commonly reside in units with zero to two bedrooms; family households (three to four persons/household) normally reside in units with three to four bedrooms. Large households (five or more persons/household) typically reside in units with four or more bedrooms. However, the number of units in relation to the household size may also reflect preference and economics. Many small households obtain larger units, and some large households live in small units for economic reasons.

Table 3.12-3 compares household sizes in Sausalito and the County from 2010 to 2023. Average household size in Sausalito increased slightly in 2020, but stabilized between 2010 and 2023 to 1.71 persons/household. Average household size in the County slightly decreased from 2.36 persons/household in 2010 to 2.35 in 2023. Overall, the city has maintained a lower average household size than the County for more than 20 years.



TABLE 3.12-3: PERSONS PER HOUSEHOLD SIZE 2010 – 2023

JURISDICTION	YEAR		
	2010	2020	2023
<b>SAUSALITO</b>	1.71	1.74	1.71
<b>MARIN COUNTY</b>	2.36	2.39	2.35

*Sources: California Department of Finance. 2021. E-5 Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2020, with 2010 Benchmark. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2020/>. Accessed: May 31, 2023. California Department of Finance, 2023. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023. May. Available: <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/>. Accessed May 31, 2023.*

### **Employment**

Sausalito is near regional employment centers and major transportation thoroughfares. Two types of employment data are described below: total jobs within the community; and employed residents, including the number of residents of working age who actively participate in the civilian labor force. A comparison of these data can indicate commute patterns (i.e., whether significant out-commuting or in-commuting occurs).

The civilian labor force includes those who are employed (except in the armed forces) and those who are unemployed but actively seeking employment. Those who have never held a job, stopped looking for work, or have been unemployed for a long period of time are not considered to be in the labor force.

### **Total Jobs**

In the City of Sausalito, the top industries as tabulated by the Association of Bay Area Governments (ABAG) in 2015 were financial and professional services; and health, educational, and recreational services.<sup>9</sup> The city has limited opportunities for extensive employment growth because there are few remaining vacant parcels in the Planning Area.

Table 3.12-4 shows job growth in Sausalito and the County from 2002 to 2019. The number of jobs in Sausalito grew from 5,286 in 2002 to 5,627 in 2019, representing a 6.5 percent increase. The County grew from 105,571 jobs in 2002 to 113,255 jobs in 2019, representing a 7.3 percent increase. From 2002 to 2019, Sausalito’s number of jobs comprised an average of approximately 5.1 percent of the County’s total jobs.<sup>10</sup>

<sup>9</sup> Association of Bay Area Governments (ABAG). 2015. Plan Bay Area 2040 Projections.

<sup>10</sup> United States Census Bureau, Center for Economic Studies. 2019. OnTheMap Version 6.7: Work Area Profile Analysis. August 29. Website: <https://onthemap.ces.census.gov/>. Accessed March 24, 2020.

# City of Sausalito

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TABLE 3.12-4: JOBS 2002 – 2019

JURISDICTION	YEAR			2002–2019 CHANGE
	2002	2010	2019	
SAUSALITO	5,286	5,350	5,627	6.5%
MARIN COUNTY	105,571	101,475	113,255	7.3%
SAUSALITO SHARE OF COUNTY	5.0%	5.3%	5.0%	5.1%

Sources: United States Census Bureau. 2019. OnTheMap Version 6.7.

### Employed Residents

Table 3.12-5 shows employment growth in Sausalito from 2010 to 2022, and in the County from 2000 to 2022. Employed residents in Sausalito totaled 4,400 in 2010 and dropped to 4,100 in 2022. Between 2010 and 2022, employment never dropped below 3,200 and never exceeded 4,800.<sup>11</sup> Employed residents in the County fell from 140,700 in 2000 to 126,500 in 2022, representing a 3.6 percent decrease. Note that employment dropped from 2000 to 2010 as a result of the recession that lasted from 2007 to 2009.

TABLE 3.12-5: EMPLOYMENT 2000 – 2022

JURISDICTION	YEAR			2010–2022 CHANGE
	2000	2010	2022	
SAUSALITO	N/A	4,400	4,100	-6.8%
MARIN COUNTY	140,700	122,100	126,500	3.6%
SAUSALITO SHARE OF COUNTY	N/A	3.6%	3.2%	N/A

Note: At time of writing, only December 2019 data is finalized for the year, so data from December of 2000 and 2010 are also used.

Source: California Employment Development Department (EDD). 2019. Local Area Unemployment Statistics. December 1.

### Jobs to Housing Ratio

The jobs-to-housing ratio is used to evaluate whether a community has an adequate number of jobs available to provide employment for residents seeking employment. The jobs-to-housing ratio can be useful in understanding interconnections among housing affordability, traffic flows, congestion, and air quality within a city and larger region.

However, the jobs-to-housing ratio is best analyzed at the sub-regional or regional level due to the tendency of people to commute to jobs outside of their community. A jobs-to-housing ratio of 1.5 takes into account residents who do not participate in the labor force (e.g., those

<sup>11</sup> California Employment Development Department (EDD). 2019. Local Area Unemployment Statistics. December 1. Website: <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-/e6gw-gvii/data>. Accessed March 24, 2020.

who are retired, disabled, or students) and indicates that a community has an adequate number of jobs to meet its residents' demand for employment.

**Jobs to Employed Resident Ratio**

Another helpful indicator is the relationship between the number of jobs provided to the number of employed residents within a community. An ideal jobs-to-employed residents' ratio is 1.0, which implies that there is a job in the community for every employable resident. A jobs-to-employed residents' ratio greater than 1.0 indicates that the community provides more jobs than it has employable residents. In this situation, the community is likely to experience traffic congestion associated with employees travelling to jobs from outside the area, as well as intensified pressure for additional residential development to house the labor force. A jobs-to-employed residents' ratio of less than 1.0 indicates that a community has fewer jobs than employable residents, and that many residents would need to commute outside of the community for employment. The resulting commuting patterns can also lead to traffic congestion and affect both local and regional air quality.

Table 3.12-6 shows the jobs-to-housing ratio as well as the jobs-to-employed residents' ratio in Sausalito and the County from 2000 to 2019. Sausalito's average jobs-to-housing ratio from 2000 to 2019 was 1.2. The city's jobs-to-employed residents ratio for the same period was approximately 1.3, which indicates that the city has more jobs than employable residents, and that many people commute to the city for employment and that there is not enough housing for the labor force.

The County's average jobs-to-housing ratio from 2000 to 2019 was approximately 1.0, which indicates that there are a relatively adequate number of jobs in the County to meet its residents' demand for employment. The County's average jobs-to-employed residents' ratio for the same time period was 0.8, which indicates that there are not enough jobs in the County for every employable resident.

TABLE 3.12-6: JOBS HOUSING COMPARISONS

	YEAR		
	2000	2010	2019
<b>SAUSALITO</b>			
<b>HOUSING UNITS</b>	4,511	4,536	4,582
<b>JOBS</b>	5,286 <sup>a</sup>	5,350	5,659 <sup>b</sup>
<b>EMPLOYED RESIDENTS</b>	N/A	4,400	4,400
<b>JOBS-TO-HOUSING RATIO</b>	1.2	1.2	1.2
<b>JOBS-TO-EMPLOYED RESIDENTS</b>	N/A	1.2	1.3

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	YEAR		
	2000	2010	2019
<b>MARIN COUNTY</b>			
<b>HOUSING UNITS</b>	104,990	111,214	112,394
<b>JOB</b>	105,571 <sup>a</sup>	101,475	113,755
<b>EMPLOYED RESIDENTS</b>	140,700	122,100	137,900
<b>JOB</b> -TO-HOUSING RATIO	1.0	0.9	1.0
<b>JOB</b> -TO-EMPLOYED RESIDENTS	0.8	0.8	0.8

Notes:

a 2002 Value

b 2017 Value

Sources: California Department of Finance. 2019; California Employment Development Department. 2019; United States Census Bureau. 2000, 2019.

### Future Housing Needs

In 2021, ABAG identified Sausalito’s fair share of regional housing needs for the 2023–2031 planning period. Sausalito’s total RHNA for the 2023–2031 planning period is 724 units, allocated to specific income groups. The City’s inventory of residential sites, based on existing zoning, can accommodate approximately 118 units. After accounting for approved projects, projected ADUs, and projected SB 9 units, the City has a remaining unmet RHNA of 465 units, including 263 lower income units (extremely/very low and low), 52 moderate income units, and 166 above moderate income units, absent changes to land use policies and zoning, via the adoption of rezoning or overlay zones. The city recognizes that ADUs offer options for addressing lower income housing needs. In the 2015 Housing Element, the city sought to develop an average two new ADUs per year between 2015 and 2023, for a total of 16 by 2023.<sup>12</sup>

### Projections

Despite a slower growth rate over the past decade, ABAG predicts that city and County growth rates will decrease in coming decades. Regional projections estimate that the city will have approximately 7,765 residents by 2040 (Table 3.12-7). Typical of a community with few areas to expand and no Priority Development Areas, the projected city population growth rate is slower than County projections as a whole.

<sup>12</sup> City of Sausalito. 2015. City of Sausalito 2015-2023 Housing Element. January 13.

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TABLE 3.12-7: POPULATION PROJECTIONS 2010-2040

POPULATION PROJECTIONS				
	2010	2020	2030	2040
<b>SAUSALITO</b>	7,061	7,510	7,590	7,765
<b>MARIN COUNTY</b>	252,409	265,875	274,530	282,670
NUMERICAL CHANGE				
	-	2010-2020	2020-2030	2030-2040
<b>SAUSALITO</b>	-	449	80	75
<b>MARIN COUNTY</b>	-	13,466	8,655	8,140
PERCENT CHANGE				
	-	2010-2020	2020-2030	2030-2040
<b>SAUSALITO</b>	-	6.4%	1.1%	1.0%
<b>MARIN COUNTY</b>	-	5.3%	3.2%	3.0%

Sources: California Department of Finance. 2019. May; Association of Bay Area Governments. 2015.

ABAG predicts that job opportunities in Sausalito will grow from 5,350 in 2000 to 5,885 in 2040. Table 3.12-8 shows the ABAG projections for job growth in Sausalito and the County from 2020 to 2040. The largely residential character of Sausalito does not provide significant land area for commercial and employment growth. Job growth is more likely to take place elsewhere in the County.

TABLE 3.12-8: EMPLOYMENT PROJECTIONS 2010-2040

EMPLOYMENT PROJECTIONS				
	2010	2020	2030	2040
<b>SAUSALITO</b>	5,350	5,690	5,825	5,885
<b>MARIN COUNTY</b>	101,475	129,900	133,480	134,960
NUMERICAL CHANGE				
	-	2010-2020	2020-2030	2030-2040
<b>SAUSALITO</b>	-	340	135	60
<b>MARIN COUNTY</b>	-	28,425	3,580	2,480
PERCENT CHANGE				
	-	2010-2020	2020-2030	2030-2040

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<b>SAUSALITO</b>	-	6.4%	2.4%	1.0%
<b>MARIN COUNTY</b>	-	28%	2.8%	1.9%

Sources: United States Census Bureau. 2019. OnTheMap Version 6.7; Association of Bay Area Governments. 2015.

### 3.12.2 REGULATORY SETTING

#### State

##### State Housing Element Statutes

State housing element statutes (Government Code Sections 65580-65589.9) mandate that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, State housing policy rests largely upon the effective implementation of local general plans and in particular, housing elements. Additionally, Government Code Section 65588 dictates that housing elements must be updated at least once every eight years. The City of Sausalito's General Plan Housing Element is described under the Local subsection below.

##### Senate Bill 375

Senate Bill (SB) 375, adopted in October 2008, calls upon each of California's Metropolitan Planning Organizations (MPOs) to develop an integrated transportation, land use, and housing plan known as a Sustainable Communities Strategy (SCS). This SCS must demonstrate how the region will reduce greenhouse gas emissions through long-range planning. It also requires the Regional Housing Needs Allocation, which anticipates housing need for local jurisdictions, to conform to the SCS, which is an opportunity to advocate for increased access to and distribution of affordable housing across the region.

##### Housing Bills

Governor Gavin Newsom signed 18 Bills in October 2019 to address the Statewide housing crisis.<sup>13</sup> The Bills incentivize affordable housing, make ADUs easier to build, and streamline permitting and approvals to address the California housing crisis. The Governor signed SB 113 by the Committee on Budget and Fiscal Review, which will enable the transfer of \$331 million in State funds to the National Mortgage Special Deposit Fund, and establishes the

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<sup>13</sup> Office of Governor Gavin Newsom, Governor Gavin Newsom Signs 18 Bills to Boost Housing Production. October 9, 2019. Website: <https://www.gov.ca.gov/2019/10/09/governor-gavin-newsom-signs-18-bills-to-boost-housing-production/>. Accessed May 23, 2020.



Legislature's intent to create a trust to manage these funds to provide an ongoing source of funding for borrower relief and legal aid to vulnerable homeowners and renters.

The Governor signed the following bills to remove barriers and boost housing production:

- SB 330 by Senator Nancy Skinner (D-Berkeley) establishes the Housing Crisis Act of 2019, which will accelerate housing production in California by streamlining permitting and approval processes, ensuring no net loss in zoning capacity and limiting fees after projects are approved.
- AB 1763 by Assembly Member David Chiu (D-San Francisco) creates more affordable housing by giving 100 percent affordable housing developments an enhanced density bonus to encourage development.
- AB 116 by Assembly Member Philip Ting (D-San Francisco) removes the requirement for Enhanced Infrastructure Financing Districts to receive voter approval prior to issuing bonds.
- AB 1485 by Assembly Member Buffy Wicks (D-Oakland) will build on existing environmental streamlining law and encourage moderate-income housing production.
- AB 1255 by Assembly Member Robert Rivas (D-Hollister) requires cities and counties to report to the State an inventory of its surplus lands in urbanized areas. The Bill then requires the State to include this information in a digitized inventory of State surplus land sites.
- AB 1486 by Assembly Member Philip Ting (D-San Francisco) expands Surplus Land Act requirements for local agencies, requires local governments to include specified information relating to surplus lands in their housing elements and annual progress reports, and requires the State Department of Housing and Community Development to establish a database of surplus lands, as specified.
- SB 6 by Senator Jim Beall (D-San Jose) requires the State to create a public inventory of local sites suitable for residential development, along with State surplus lands.
- SB 751 by Senator Susan Rubio (D-Baldwin Park) creates the San Gabriel Valley Regional Housing Trust to finance affordable housing projects for homeless and low-income populations and address the homelessness crisis in the region.
- AB 1483 by Assembly Member Tim Grayson (D-Concord) requires local jurisdictions to publicly share information about zoning ordinances, development standards, fees, exactions, and affordability requirements. The Bill also requires the Department of Housing and Community Development to develop and update a 10-year housing data strategy.
- AB 1010 by Assembly Member Eduardo Garcia (D-Coachella) will allow duly constituted governing bodies of a Native American reservation or Rancheria to become eligible applicants to participate in affordable housing programs.
- AB 1743 by Assembly Member Richard Bloom (D-Santa Monica) expands the properties that are exempt from community facility district taxes to include

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properties that qualify for the property tax welfare exemption, and limits the ability of local agencies to reject housing projects because they qualify for the exemption.

- SB 196 by Senator Jim Beall (D-San Jose) enacts a new welfare exemption from property tax for property owned by a Community Land Trust and makes other changes regarding property tax assessments of property subject to contracts with Community Land Trusts.

The construction of ADUs can also help cities meet their housing goals and increase the State's affordable housing supply. The Governor signed the following Bills to eliminate barriers to building ADUs:

- AB 68 by Assembly Member Philip Ting (D-San Francisco) makes major changes to facilitate the development of more ADUs and address barriers to building. The Bill reduces barriers to ADU approval and construction, which will increase production of these low-cost, energy-efficient units and add to California's affordable housing supply.
- AB 881 by Assembly Member Richard Bloom (D-Santa Monica) removes impediments to ADU construction by restricting local jurisdictions' permitting criteria, clarifying that ADUs must receive streamlined approval if constructed in existing garages, and eliminating local agencies' ability to require owner-occupancy for 5 years.
- AB 587 by Assembly Member Laura Friedman (D-Glendale) provides a narrow exemption for affordable housing organizations to sell deed-restricted land to eligible low-income homeowners.
- SB 13 by Senator Bob Wieckowski (D-Fremont) creates a tiered fee structure that charges ADUs more fairly based on their size and location. The Bill also addresses other barriers by lowering the application approval timeframe, thereby creating an avenue to get unpermitted ADUs up to code, and enhancing an enforcement mechanism allowing the State to ensure that localities are following ADU statute.
- AB 671 by Assembly Member Laura Friedman (D-Glendale) requires local governments' housing plans to encourage affordable ADU rentals and requires the State to develop a list of State grants and financial incentives for affordable ADUs.

Further, the 2021 California Comeback Plan invested a historic \$10.3 billion into a comprehensive housing affordability strategy, while also implementing new laws and accountability measures. The State's 2022 budget invests an additional \$3.3 billion for affordable housing production and homeownership opportunities.

A full list of the bills in the housing and homelessness package can be found here:<sup>14</sup>

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<sup>14</sup> Office of Governor Gavin Newsom, California to Build More Housing, Faster. September 28, 2022. Website: <https://www.gov.ca.gov/2022/09/28/california-to-build-more-housing-faster/>. Accessed September 26, 2023.

- AB 252 by Assemblymember Mia Bonta (D-Oakland) – Floating home marinas: rent caps.
- AB 682 by Assemblymember Richard Bloom (D-Santa Monica) – Planning and zoning: density bonuses: shared housing buildings.
- AB 916 by Assemblymember Rudy Salas (D-Bakersfield) – Zoning: bedroom addition.
- AB 1206 by Assemblymember Steve Bennett (D-Ventura) – Property taxation: affordable housing: welfare exemption.
- AB 1551 by Assemblymember Miguel Santiago (D-Los Angeles) – Planning and zoning: development bonuses: mixed-use projects.
- AB 1654 by Assemblymember Robert Rivas (D-Salinas) – Low-income housing: insurance tax: credits: farmworker housing.
- AB 1695 by Assemblymember Miguel Santiago (D-Los Angeles) – Affordable housing loan and grant programs; adaptive reuse.
- AB 1719 by Assemblymember Christopher Ward (D-San Diego) – Housing: Community College Faculty and Employee Housing Act of 2022.
- AB 1743 by Assemblymember Tina McKinnor (D-Inglewood) – General plan: annual report.
- AB 1837 by Assemblymember Mia Bonta (D-Oakland) – Residential real property: foreclosure.
- AB 1933 by Assemblymember Laura Friedman (D-Glendale) – Property taxation: welfare exemption: nonprofit corporations: low-income families.
- AB 1978 by Assemblymember Christopher Ward (D-San Diego) – Department of Housing and Community Development: powers.
- AB 1991 by Assemblymember Jesse Gabriel (D-Encino) – Motels and hotels: publicly funded shelter programs.
- AB 2006 by Assemblymember Marc Berman (D-Menlo Park) – Regulatory agreements: compliance monitoring.
- AB 2011 by Assemblymember Buffy Wicks (D-Oakland) – Affordable Housing and High Road Act of 2022.
- AB 2031 by Assemblymember Alex Lee (D-San Jose) – Mobile-home Residency Law: management meetings with homeowners.
- AB 2094 by Assemblymember Robert Rivas (D-Salinas) – General plan: annual report; extremely low-income housing.
- AB 2221 by Assemblymember Sharon Quirk-Silva (D-Fullerton) – Accessory dwelling units.
- AB 2234 by Assemblymember Robert Rivas (D-Salinas) – Planning and zoning: housing: post entitlement phase permits.
- AB 2295 by Assemblymember Richard Bloom (D-Santa Monica) – Local Educational agencies: housing development projects.

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- AB 2334 by Assemblymember Buffy Wicks (D-Oakland) – Density Bonus Law: affordability: incentives or concessions in very low vehicle travel areas: parking standards: definitions.
- AB 2339 by Assemblymember Richard Bloom (D-Santa Monica) – Housing element: emergency shelters: regional housing need.
- AB 2483 by Assemblymember Brian Maienschein (D-San Diego) – Housing for individuals experiencing homelessness.
- AB 2651 by Assemblymember Cottie Petrie-Norris (D-Laguna Beach) – Property taxes: welfare exemption: community land trust.
- AB 2653 by Assemblymember Miguel Santiago (D-Los Angeles) – Planning and Zoning Law: housing elements.
- AB 2668 by Assemblymember Tim Grayson (D-Concord) – Planning and zoning.
- SB 6 by Senator Anna Caballero (D-Merced) – Local planning: housing: commercial zones.
- SB 649 by Senator Dave Cortese (D-San Jose) – Local governments: affordable housing; local tenant preference.
- SB 679 by Senator Sydney Kamlager (D-Los Angeles) – Los Angeles County: affordable housing.
- SB 869 by Senator Connie Leyva (D-Chino) – Housing: mobile-home parks: recreational Vehicle parks: manager training.
- SB 886 by Senator Scott Wiener (D-San Francisco) – California Environmental Quality Act: exemption: public universities: university housing development projects.
- SB 897 by Senator Bob Wieckowski (D-Fremont) – Accessory dwelling units: junior accessory dwelling units.
- SB 914 by Senator Susan Rubio (D-Baldwin Park) – HELP Act.
- SB 940 by Senator John Laird (D-Santa Cruz) – Mobile-home parks: local ordinances.
- SB 948 by Senator Josh Becker (D-Menlo Park) – Housing finance programs: development reserves.
- SB 959 by Senator Anthony Portantino (D-La Cañada Flintridge) – Surplus residential property: use of funds: priorities and procedures: City of Pasadena.
- SB 1252 by the Committee on Housing – Housing.
- SB 1307 by Senator Susan Rubio (D-Baldwin Park) – Department of Housing and Community Development: Mobile-home Parks Act: Special Occupancy Parks Act.
- SB 1396 by Senator Steven Bradford (D-Gardena) – Tenancy: credit reporting: lower income households: evaluation.
- SB 1421 by Senator Brian Jones (R-Santee) – California Interagency Council on Homelessness.
- SB 1444 by Senator Ben Allen (D-Santa Monica) – Joint powers authorities: South Bay Regional Housing Trust.

## **Regional**

### **Regional Housing Needs Plan**

A Regional Housing Needs Plan is required under California Government Code Section 65584 to enable regions to address housing issues and meet housing needs based on future growth projections for the area. The State determines the number of total housing units needed for each region. ABAG allocates housing needs among cities and counties in the nine-county ABAG region for each jurisdiction to use in drafting its housing element. The allocation comes after projection modeling based on current general plan policies, land use designations, and zoning. The allocations are based on “smart growth” assumptions in the modeling and aim to shift development patterns from historical trends (suburban sprawl) toward a better jobs/housing balance, increased preservation of open space, and development of mixed-use, transit-accessible areas. The regional housing need allocations are based on an analysis of the available housing stock and vacancy rate in each community, any existing unmet needs for housing, the projected growth in the number of households (population growth and household formation rate), the local and regional distribution of income, and the need for housing generated by local job growth.

ABAG adopted the Final RHNA Plan for 2023 through 2031 in December 2021 and the State Department of Housing and Community Development approved the plan in January 2022.

### **Plan Bay Area 2050**

ABAG is the official comprehensive planning agency for the San Francisco Bay region, which is composed of the nine counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma, and contains 101 jurisdictions. In October 2021, ABAG and the Metropolitan Transportation Commission (MTC), which is the region’s MPO, jointly adopted Plan Bay Area 2050, an integrated housing, economy, transportation and environment strategy through 2050 that meets the requirements of SB 375.<sup>15</sup> Working in collaboration with towns, cities, and counties, Plan Bay Area 2050 advances initiatives to expand housing and transportation choices, promote equity, create healthier communities, adapt to a changing climate, and build a stronger regional economy while accommodating anticipated growth in the Bay Area region. Plan Bay Area 2050 was developed to accommodate the Bay Area RHNA.

To achieve the ABAG and MTC sustainable vision for the Bay Area and advance equity throughout the region, future growth and development scenarios referred to as “Futures” were developed for the Plan Bay Area 2050 effort. Each Future varied in terms of economic vibrancy, population growth rates, severity of natural hazards like sea level rise and earthquakes, and adoption rates for telecommuting or autonomous vehicles, among other forces. The 35 strategies included in Plan Bay Area 2050 proved effective across multiple

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<sup>15</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 2017. Plan Bay Area 2040. July 26.

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Futures or respond to challenges that remained unaddressed after the conclusion of the Horizon effort. To best capture the impacts of these strategies and the financial capacity available to implement them, updated growth assumptions were developed for Plan Bay Area 2050. The revised Final Regional Growth Forecast anticipated 146,000 households and 118,000 jobs in Marin County in 2050, with 50,000 households and 40,000 jobs located in the Southern Marin subarea that includes Tiburon.

### **Local**

#### **Sausalito General Plan**

The General Plan includes the following policies and programs that assist in reducing or avoiding impacts related to population and housing:

##### *Land Use and Growth Management Element*

Policy LU-6.3: Shoreline Houseboats. Enhance and maintain the diverse housing stock outside the city's immediate jurisdiction by continuing to allow houseboat uses on Richardson's Bay.

Policy LU-9.1: Municipal Code Enforcement. The Land Use policies and programs will be implemented mainly through the City's Zoning Ordinance to promote a desired array of land uses in appropriate areas of Sausalito.

##### *Housing Element*

Policy H-1.2: Maintenance and Management of Quality Housing. Maintain the quality and design of housing through enforcing compliance with housing and property maintenance codes and standards and supporting housing rehabilitation programs and good property management practices.

Policy H-1.3: Rental Housing Conservation. Continue to conserve the existing rental housing stock by limiting the conversion of rental units to ownership or non-residential uses and limiting the conversion of ownership units to non-residential uses.

Policy H-1.4: Protection of Existing Affordable Housing. Ensure the continued affordability of income-restricted housing for lower and moderate income households and support partnerships of nonprofit organizations affordable housing developers, major employers, and for-profit developers to conserve affordable housing.

Policy H-2.1: Variety of Housing Choices. Encourage diversity in the type, density, size, affordability, and tenure of residential development in Sausalito, through developing partnerships with affordable, special needs, and workforce housing providers, developing incentives for needed housing types and affordability levels, supporting home ownership programs, and supporting rental assistance programs, while maintaining quality of life goals for the community.



Policy H-2.2: Adequate Sites. Provide adequate housing sites through regional housing growth needs.

Policy H-2.3 Adaptive Reuse. Support innovative strategies for the adaptive reuse of commercial structures to provide for a range of housing types and residential uses, for example, the residential use of upper floors of commercial buildings.

Policy H-2.4 Special Needs. Encourage and support the development of housing for those with special housing needs, including seniors, persons with a disability, including developmental, female heads of household with children, large families, the workforce, and unhoused.

Policy H-2.5 Unhoused and At Risk Populations. Continue to prioritize the needs of the unhoused and persons at risk of becoming unhoused, including existing anchor-outs, when emergency shelter, supportive and transitional housing, liveaboard berths, and permanent affordable housing opportunities become available and support additional housing opportunities for homeless persons through continued participation in the Marin Homeless Continuum of Care and through partnerships and collaboration with public and private organizations.

Policy H-2.6 Partnerships. Explore collaborative partnerships with nonprofit organizations, faith-based organizations, developers, governmental agencies, and the business community to develop, rehabilitate and preserve affordable housing.

Policy H-2.7 Senior and Accessible Housing. Support the concept of “aging in place” by supporting a range of housing types that allow people to remain in the community as their housing needs change.

Policy H-2.8 Creation of New Accessory Dwelling Units. Enable and support the construction, creation, and legalization of new accessory dwelling units to increase the supply of affordable housing, provide affordable opportunities in high resource areas, and address a portion of Sausalito’s regional housing needs. Ensure accessory dwelling units are designed to be compatible with the surrounding neighborhood.

Policy H-2.9: Liveaboard Housing. Protect liveaboards as a source of affordable housing and officially recognize them as part of the community’s housing stock. Work with residents, marine operators and owners, agencies and non-profit groups to identify ways to assist in the long-term affordability and maintenance of this unique form of housing in Sausalito.

Policy H-2.10 Workforce Housing. Ensure that adequate housing is available for the City’s workforce, including essential workers (e.g., first responders, teachers, and infrastructure and other essential service providers) and that non-residential development addresses its fair share of the regional housing need.

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Policy H-2.11 BCDC Coordination. Support and encourage BCDC to adopt standards and approaches that reflect the housing goals and objectives of ABAG and the State and assist local waterfront jurisdictions with meeting State-mandated housing requirements.

Policy H-3.1 Incentives for Affordable Housing. Support the use of various incentives, including regulatory incentives, streamlined approvals, site assembly assistance, and financial assistance, to offset the costs of affordable housing and encourage a variety of housing types and affordability levels throughout the community while ensuring that potential impacts are addressed.

Policy H-3.2 Flexible and Objective Development Standards. Ensure development standards are based on objective requirements and provide flexibility to accommodate creative approaches to providing housing, such as transit-oriented development, mixed use, and co-housing.

Policy H-3.3 Efficient Use of Land and Zoning. Encourage the sustainable use of land and promote affordability by encouraging development of two-family and multi-family housing within the City's multi-family zoning districts (R-2-5, R-2-2.5, R-3), districts that allow mixed use as well as in areas where multiple units are allowed under State law (e.g., SB 9).

Policy H-3.4 Development Review. Explore continued improvements to the entitlement process to reduce constraints through ensuring objective and achievable design and development standards and streamlining and coordinating the processing of development permits, design review, and environmental clearance.

Policy H-3.5 Zoning for Special Needs. Provide for transitional and supportive housing, emergency shelters, low barrier navigation centers, employee housing, residential care facilities, and single room occupancy uses, consistent with State law.

Policy H-4.1 Fair Access to Housing. Ensure that individuals and families at all income levels pursuing housing in Sausalito have access to safe and decent housing and do not experience discrimination on the basis of any arbitrary factors, including those identified in the Fair Housing Act.

Policy H-4.2 Fair Housing Education and Assistance. Assist in affirmatively furthering and enforcing fair housing laws by providing support to organizations that provide outreach and education regarding fair housing rights, receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.

Policy H-4.3 Senior Housing. Support development and maintenance of affordable senior rental and ownership housing and supportive services to facilitate maximum independence and the ability of seniors to remain in their homes and/or in the community.

Policy H-4.4 Female-Headed Households with Children and Large Family Housing. Support families and single heads of household with children by encouraging the development of

larger rental and ownership housing units for families with children, and the provision of family support services such as childcare and after-school care.

Policy H-4.5 Housing for Persons with Disabilities. Address the special housing needs of persons with disabilities through provision of supportive housing, homeowner accessibility grants, zoning for group housing, and continued implementation reasonable accommodation procedures.

Policy H-4.6 Housing for Essential Workers. Support affordable housing options for workers providing essential infrastructure and services, including first responders and teachers, to allow them to live in the community in which they work.

Policy H-4.7 Housing for Marine Workers. Support affordable housing options for persons employed in Sausalito's waterfront to allow them to live in the community in which they work.

Policy H-4.8 Homeless Housing and Services. Work cooperatively with Marin County and other applicable agencies to provide a continuum of care for the homeless, including emergency shelter, transitional housing, supportive housing and permanent affordable housing.

Policy H-4.9 Access to Affordable Housing. Ensure that units produced for lower- and moderate-income households are made available to those groups and maintained as affordable units.

### **Sausalito Municipal Code**

The Sausalito Municipal Code includes several provisions to address the location and design of new housing units. Mixed use development standards are addressed within Chapter 10.24, Chapter 10.44 regulates ADUs and junior ADUs, and Chapter 10.54 addresses design review. Chapter 10.28.070 Senior Housing promotes housing for senior citizens and disabled persons. Chapter 10.44.170 Liveaboards establishes standards for allowing and regulating liveaboards on private vessels in recreational marinas or harbors. Chapter 16.08 Houseboats provides provisions to houseboats and regulations for persons residing in houseboats within the city.

### **3.12.3 THRESHOLDS OF SIGNIFICANCE**

According to the CEQA Guidelines Appendix G, the proposed project would have a significant impact related to population and housing if it would:

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### 3.12.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to a substantial increase in or displacement of population and housing resulting from implementation of the Housing Element Programs are discussed below.

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**Impact 3.12-1      Development facilitated by the Housing Element Programs would not induce substantial unplanned population growth either directly or indirectly (for example, through extension of roads or other infrastructure) and would not displace a substantial number of people requiring the construction of new housing. This impact is less than significant.**

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Development accommodated under the Housing Element Programs would result in an incremental increase in new residential uses. Implementation of the Housing Element Programs involves the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. The goal is to create a capacity for 959 units based on opportunity sites that would be subject to the program of rezoning as identified in the Housing Element. Assuming an average household size of 1.78, a total of approximately 1,707 persons could be accommodated at buildout of the Housing Element.

As demonstrated in Table 3.12-7, ABAG projects that from 2020 to 2040 the population of Marin County will increase from approximately 265,875 to 282,670, an increase of 16,795 people. The city's General Plan includes policies and programs adequate to meet this expected and planned for growth for the City's portion of the County's population growth, while the proposed Housing Element Programs project involves the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites.

The proposed Housing Element identifies areas for future residential development and both the General Plan and the proposed Housing Element include a range of policies and programs to ensure that new development would not induce substantial unplanned population growth either directly or indirectly. General Plan Policy LU-9.1 requires that all Land Use policies be enforced. Housing Element Policies H-1.2 through H-1.4 protect existing housing stock in the city, including rental and affordable housing. Housing Element Policy H-2.2 aims to provide adequate housing sites through regional housing growth needs and Policy H-2.3 supports innovative strategies for the adaptive reuse of commercial structures to provide for a range of housing types and residential uses, allowing for distributed population growth. Additionally, Policies H-2.8 and H-2.9 protect and support the creation and legalization of ADUs and liveaboard housing, which also allow for distributed population growth. Lastly, Housing Element Policies H-3.2 through H-3.5 address residential development standards, efficient use of land and zoning, and design review and zoning for special needs to properly manage population growth. These General Plan and Housing Element policies and programs support the objectives of the city and would not result in any physical improvements that would displace residents or result in substantial adverse

impacts to population or housing. Future development in accordance with the Housing Element Programs would be subject to these General Plan policy requirements.

The Sausalito Housing Element provides a more detailed look at potential sites suitable for residential development. As noted previously, implementation of Program 4 involves the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. The goal is to create a capacity for 959 units based on opportunity sites that would be subject to the program of rezoning as identified in the Housing Element. There are no additional houseboat units projected in the Housing Element.

Additionally, the City's existing General Plan would accommodate public improvements throughout the city to accommodate growth resulting from implementation of Program 4 of the Housing Element. For example, the reconstruction of the Municipal Fishing Pier (General Plan Program EQ-3.1.5); minor expansion of existing recreational marinas in the Marinship (General Plan Policy LU-4.3); floating structures or temporary buildings along the waterfront to adapt to a shifting waterfront boundary (General Plan Program W-4.6.1); undergrounding of utilities (General Plan Policy CD-5.2); maintenance and enhancement of existing public stairways and pathways (General Plan Policy CD-7.1), bicycle and pedestrian facilities (General Plan Objectives CP-5 and CP-8), street network (General Plan Policy CP-1.1) and parks (Objective EQ-3), including Dunphy Park (General Plan Program CD-4.3.1b) and Vina Del Mar Park (General Plan Program CD-4.3.1d). These public improvements planned as part of the General Plan would enhance the city's character and access to resources. These public improvements would not facilitate or contribute to population growth. Future development in accordance with the Housing Element would be subject to these General Plan policy requirements.

Housing Element Policy 1.3 encourages repair and rehabilitation of existing housing stock. Implementation of this policy is expected to reduce displacement of residents from substandard or unsafe housing. Housing Element Policy 1.4 protects existing rental housing from conversion to non-residential use or ownership. Implementation of this policy will reduce potential for non-residential uses to displace residential units. It is also noted that any removal of housing resulting from implementation of Program 4 of the Housing Element would be replaced with an equal or greater amount of housing. Therefore, the General Plan Update would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

The fundamental purpose of the Housing Element is to plan for affordable housing associated with the City's future growth. It would not directly or indirectly induce unplanned growth and it does not authorize any development that would displace residents and require the construction of new housing. Additionally, future development would be required to comply with requirements of the General Plan and Sausalito Municipal Code protecting

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against substantial unplanned growth and displacement of existing residential uses. Therefore, there would be **no impact**.

### Level of Significance before Mitigation

No impact.

### Mitigation Measures

None Required

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**Impact 3.12-2**      **Development facilitated by the Housing Element Programs would not cumulatively induce substantial unplanned population growth either directly or indirectly and would not cumulatively displace a substantial number of people requiring the construction of new housing. This impact is less than significant.**

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The geographic context for analysis of cumulative impacts related to population and housing includes the unincorporated lands surrounding the Planning Area, including Marin City. This analysis evaluates whether impacts of the Housing Element Programs, together with impacts of cumulative development, would result in a cumulatively significant impact with respect to population and housing. This analysis then considers whether incremental contribution of the impacts associated with implementation of the Housing Element Programs would be significant. Both conditions must apply for cumulative effects to rise to the level of significance.

As demonstrated in Table 3.12-7, ABAG projects that from 2020 to 2040 the population of Marin County will increase from approximately 265,875 to 282,670, an increase of 16,795 people. Assuming an average household size of 1.78, a total of approximately 1,707 persons could be accommodated at buildout of the Housing Element. This increase in population would result in a rate of increase similar to the countywide rate. The limited number of remaining available sites to accommodate additional housing within the City of Sausalito indicates that regional growth will continue to occur in other parts of the region.

The general plans and other planning documents (including housing elements) prepared by the adjacent cities and counties would be required to develop a land use plan that would accommodate the existing and forecasted population. Consistent with State law, these planning documents would be required to include provide adequate housing to accommodate forecasted numbers of people within the jurisdiction, and displaced development, if any, would be replaced primarily within the jurisdiction. Because cumulative projects would comply with all applicable land use plans to provide adequate development within a jurisdiction, a significant cumulative impact would not occur.

Moreover, adoption of the Housing Element Programs would not result in any policies or physical improvements that would result in direct or indirect or cumulative impacts to



regional growth or result in substantial displacement of people or the need to construct additional housing and therefore would not contribute to a cumulative impact.

Therefore, cumulative impacts would be ***no impact***.

**Level of Significance before Mitigation**

No impact.

**Mitigation Measures**

None Required

### 3.13 PUBLIC SERVICES AND RECREATION

This section of the Draft EIR describes the existing fire protection services, police services, schools, and libraries and the environmental effects of implementation of the Housing Element Programs. This section also includes an overview of existing parks, recreational facilities, and open space areas and identifies potential impacts to City parks and recreational facilities, County parks, national parks, and open space areas from implementation of the Housing Element Programs. Future discretionary projects facilitated by the Housing Element Programs will be evaluated for project-specific impacts to public services and recreation at the time they are proposed.

Figure 3.13-1 illustrates the different public service facilities located in the City of Sausalito, including fire protection, law enforcement, schools, libraries, and City Hall. See Section 3.16, Wildfire, for a complete description of existing wildfire conditions in the Planning Area, regulatory framework, and an evaluation of the possible impacts related to wildfire that could result from implementation of Housing Element Programs. Figures related to wildfire risk are also contained within Section 3.16, Wildfire.

The following resources were used to inform and support this section:

- Sausalito General Plan;
- City of Sausalito General Plan EIR;
- City of Sausalito Department of Parks and Recreation;
- Southern Marin Fire Protection District Ordinance;
- 2016 Marin County Community Wildfire Protection Plan;
- 2016 Southern Marin Fire Protection District Deployment Analysis.
- Marin County Fire Department Strategic Plan 2017-2020;
- California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone Maps; and
- Golden Gate National Recreation Area Fire Management Plan.

#### 3.13.1 EXISTING SETTING

##### *Wildfire Risk*

The City of Sausalito could be susceptible to wildfires due to steep topography, abundant fuel load, and climatic conditions. Structures located at the tops of ridges or heads of canyons are particularly vulnerable to fires ignited from below since the community's hillside topography (steep slopes separated by dry drainage and canyons) lends itself to the creation of a "chimney effect" where the fires are drawn up the canyons and steep hillsides. Periodic high winds can exacerbate fire risk.

Most of the Planning Area is located within the Wildland-Urban Interface (WUI), the area where human development intermingles with unoccupied land and vegetative fuels (Figure 3.16-1). The Southern Marin Fire Protection District (SMFD) established the WUI in 2019 to identify areas with significant risk from wildfires.<sup>1</sup>

As shown in Figure 3.16-1, local, State, and federal agencies have separate jurisdictional areas related to potential fire hazard. The downtown commercial areas, lower elevation residential and commercial areas, and waterfront areas east of Bridgeway are all located outside of the Moderate, High, and Very High Fire Hazard Severity Zones (FHSZs) within the Local Responsibility Area (LRA). The remaining urban areas of the Planning Area, including the lands adjacent to Highway 101 are designated as Moderate, High, and Very High FHSZs within the LRA. The lands designated as Open Space west of Highway 101 are identified as Moderate, High, and Very High FHSZs within the Federal Responsibility Area.

There are no State Responsibility Areas (SRAs) in the Planning Area or adjacent to City limits. Land designated as Very High FHSZ within the SRA is located approximately 600 feet northwest of the City limits within unincorporated Marin County, including the community of Marin City. Land designated as High FHSZ within the SRA is located within the community of Marin City approximately 0.25 mile northwest of the City limits. Existing houseboats within Sausalito's Sphere of Influence (SOI) are located approximately 250 feet southeast of land designated as High FHSZ within the SRA (within the community of Marin City) and approximately 0.25 mile southeast of land designated as Very High FHSZ within the SRA (within the community of Marin City).

The Marin County Fire Department is responsible for wildland fire prevention and the protection of 340,000 acres of federal, State, local, and private lands, including the Golden Gate National Recreation Area (GGNRA) lands bordering Sausalito. The Marin County Fire Department's Strategic Plan 2020-2022 serves as a road map and guide for identifying priorities to provide fire, rescue, prevention, and emergency medical services for the county.

The risk of structural fire is highest in the eastern and central portions of Sausalito, where development is concentrated. Older structures that do not have sprinkler systems and taller buildings generally pose the highest risk. In southern Marin County, there were 86 building fires between 2013 and 2015, representing less than 1 percent of the total demand for fire protection services at that time.<sup>2</sup>

### ***Fire Protection Services***

The SMFD provides fire protection, rescue, emergency medical services, and fire marine services within a 34-square-mile area that includes the City of Sausalito, Fort Baker, and the

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<sup>1</sup> Southern Marin Fire Protection District. 2019. Ordinance No. 2019/2020-01. September 18.

<sup>2</sup> Citygate Associates. 2016. Fire and Emergency Medical Services Deployment Analysis: Southern Marin Fire Protection District, Vol.2 Technical Report. September 22.

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Marin Headlands as well as the communities of Tamalpais Valley, Almonte, Homestead Valley, Alto, Strawberry, and a portion of the town of Tiburon. The SMFD is an independent special district established by the Marin County Board of Supervisors in 1999 through the merger of the Alto-Richardson Fire Protection District and the Tamalpais Fire Protection District. The City of Sausalito was annexed into the SMFD on June 26, 2012.

The SMFD operates three stations and provides emergency response, fire suppression, fire protection and emergency medical services in response to about 4,500 incidents per year. The SMFD Administrative and Prevention Headquarters are located at 28 Liberty Ship Way, Suite 2800, in Sausalito. Station 9 in the unincorporated community of Strawberry houses the following equipment and personnel: two Type 1 Engines, a paramedic medium rescue, a Battalion Chief, and a Water Rescue Unit with rescue water crafts.<sup>3</sup> Station 1 is located at 333 Johnson Street in the City of Sausalito (see Figure 3.13-1). From this station, the SMFD serves City limits and the portions of the GGNRA within the Planning Area. Station 1 houses a Type 1 Engine, advanced life support ambulance, and the Dive Team. Additionally, the crews there cross-staff a fire boat and an inflatable rescue boat.<sup>4</sup> Station 4 is located in the unincorporated community of Tamalpais Valley at 309 Polar Avenue and houses an advanced life support ambulance, a Type 1 Engine, a Type 3 Wildland Engine, and a tiller aerial ladder truck.<sup>5</sup>

The SMFD has a staff of 52 full-time employees including a Fire Chief, a Deputy Fire Chief, three Battalion Chiefs, a Deputy Fire Marshal, 2.5 Fire Inspectors, a Vegetation Management Specialist, a Plan Reviewer, nine Captains, 36 Firefighters/Engineers (15 of whom are also Paramedics), and 3.5 administrative staff, and nine reserve firefighters. They serve a population of roughly 34,700 and over 14,100 homes and commercial properties.

The SMFD participates in automatic and mutual aid agreements with neighboring agencies. In January 2020, the SMFD entered into a shared services agreement with the City of Mill Valley, combining the upper and mid-management groups of both organizations into a single management team. Additionally, the fire prevention staff of both agencies were also combined into a single shared services team, serving both jurisdictions. The SMFD Fire Chief is now also the Fire Chief of the Mill Valley Fire Department and oversees a total staff of 84.

In 2016, the SMFD conducted a Fire and Emergency Medical Services Deployment Analysis to assist in setting service delivery objectives according to National Fire Protection Association (NFPA) Standard 1710 (see Section 3.13.2, Regulatory Framework). One recommendation included adoption of deployment measure policies. These policies addressed distribution of fire stations, multiple-unit effective response force for serious

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<sup>3</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-3.

<sup>4</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-3.

<sup>5</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-3.

emergencies, hazardous materials responses, and technical rescue.<sup>6</sup> Each policy contained the following standards:

1. Distribution of Fire Stations—first-due unit arrives within 9 minutes and 30 seconds of receipt of call 90 percent of the time.
2. Effective Response Force—minimum response of one ladder truck, four engines, one medic unit, and one Battalion Chief arrive within 11 minutes and 30 seconds from receipt of 9-1-1 call 90 percent of the time.
3. Hazardous Materials Response—first unit’s travel time is 6 minutes or less 90 percent of the time.
4. Technical Rescue—first unit arrives in 8 minutes or less 90 percent of the time and initiates rescue within a total response time of 11 minutes and 30 seconds, 90 percent of the time.

In 2017, 2018, and 2019, the SMFD met these standards 100 percent of the time.<sup>7</sup> The Deployment Analysis also concluded that current engine locations are adequate to meet current needs and that relocating or adding a station is not a necessary or cost-effective investment at this time. Instead, the study recommended that the SMFD focus on reducing crew turnout times to fall consistently below 2 minutes.<sup>8</sup> Compliance reports for 2017-2019 show that the SMFD has achieved this objective.

The SMFD participates in a countywide Community Emergency Response Teams (CERT) program to train amateur emergency workers to assist in the initial aftermath of a disaster to augment official emergency service staff. Established in 2011 by the Marin County Disaster Council, the CERT program provides 15 hours of hands-on training from Marin County fire professionals. In cases of large-scale disasters such as the Loma Prieta earthquake, the recent Sonoma/Napa County fires, Oakland Hills fire, and the Northridge earthquake, self-reliance and the use of volunteers has proven to be highly effective.

### ***Police Protection Services***

The Sausalito Police Department provides professional law enforcement services that enhance, protect, and promote the quality of life for local residents, businesses and visitors, operating with an annual budget of between \$5.3 million to \$5.6 million.<sup>9</sup> The Department headquarters is located at 29 Caledonia Street. The Department is organized into three main divisions—support services, records supervisor, and operations—headed by the Chief of

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<sup>6</sup> Citygate Associates, LLC. 2016. Fire and Emergency Medical Services Deployment Analysis: Southern Marin Fire Protection District, CA. September 22.

<sup>7</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-4.

<sup>8</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-4.

<sup>9</sup> City of Sausalito, 2016–2018 Strategic Resource Allocation Plan (FY 2016-17 Budget), page 24.

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Police.<sup>10</sup> The police force consists of a Chief, one Captain, one Lieutenant, four Sergeants, two Corporals, a Detective, 10 Officers, and a support staff of nine civilian employees for a total of 29 staff members.<sup>11</sup> The Department has been recruiting to hire a part-time Marine Patrol Police Officer and part-time civilian Harbor Assistant to provide police services on the waterfront and waters under City jurisdiction.<sup>12</sup>

Based on a review of the online Community Crime Map provided by the Department to help citizens visualize crime incidents and statistics in their neighborhoods, between November 2021 and 2022, reported crimes varied from motor vehicle theft to commercial and residential robberies.<sup>13</sup> The majority of reported crimes and violations involve theft and robbery.

The Department offers a variety of resources and avenues of assistance to residents and business owners to help prevent crime, including the Surveillance Camera Registry program, the Marine Patrol, the Homeless Advocacy program, and the Postal Carrier Alert program. The Department also collaborates with local neighborhood watch groups in a community-based approach to law enforcement. Each year, the Department runs a Citizen's Police Academy, designed to provide an inside look at how the Department operates. Academy classes are held weekly over a period of 2 months, focusing on topics such as use of force, drug recognition, DUI investigation, officer safety and laws of arrest. Additionally, in conjunction with the SMFD, Sausalito residents and businesses, and other concerned members of the public, the Department operates the Volunteers In Public Safety (VIPS) program to train volunteers to help resolve problems in our community using every available resource, including organizational partnerships, with the goal of long-term solutions.

Among other duties, the Department is tasked with preparing the City for disasters. The Sausalito Disaster Preparedness Operations Program is responsible for preparing the City of Sausalito for disasters and has provided disaster preparedness information and training to all City departments as well as citizens' groups that have requested assistance.<sup>14</sup>

In addition, the Community Safety/Disaster Preparedness Committee is a five-member civilian board tasked with advising the City Council on disaster preparedness in Sausalito that aims to achieve low cost, short-term and long-term actions that the City and its residents may take to facilitate its goals. The program provides information, training, and coordination

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<sup>10</sup> Email correspondence from Sausalito Police Department Acting Chief Gregory to Elise Laws, De Novo Planning Group. November 10, 2022.

<sup>11</sup> Email correspondence from Sausalito Police Department Acting Chief Gregory to Elise Laws, De Novo Planning Group. November 10, 2022.

<sup>12</sup> City of Sausalito City Council. 2017. Staff Report: Management Plan for Sausalito Waterfront. June 20.

<sup>13</sup> City of Sausalito, Crime Statistics & Mapping. Website: [www.sausalito.gov/departments/police-department/programs-services/crime-statistics-mapping](http://www.sausalito.gov/departments/police-department/programs-services/crime-statistics-mapping). Accessed November 2022.

<sup>14</sup> City of Sausalito, Crime Statistics & Mapping. Website: [www.sausalito.gov/departments/police-department/programs-services/crime-statistics-mapping](http://www.sausalito.gov/departments/police-department/programs-services/crime-statistics-mapping). Accessed November 2022.



with citizens' groups to address small and large disasters, including earthquakes, floods, fires, airplane crashes, chemical spills, and pipeline leaks.

## **Schools**

### **Sausalito Marin City School District**

The Sausalito Marin City School District provides elementary and middle school services to the City of Sausalito, the unincorporated community of Marin City, and generally the unincorporated area south of State Route 1. The Sausalito Marin City School District operates two schools: Bayside Martin Luther King Jr. Academy and the charter school Willow Creek Academy (Figure 3.13-1). Both provide educational services from kindergarten to 8<sup>th</sup> grade. Only Willow Creek Academy is within the City limits; Bayside Martin Luther King Jr. Academy is in the unincorporated community of Marin City. The Sausalito Marin City School District 2018-2019 enrolled student population was 528 students.<sup>15</sup>

### **Tamalpais Union High School District**

The Tamalpais Union High School District (TUHSD) serves students residing in communities and unincorporated areas generally to the south and west of San Rafael, including the City of Sausalito. The TUHSD operates three comprehensive high schools and two alternative programs. The TUHSD 2018-2019 enrolled student population is 5,043 students.<sup>16</sup> As there are no high schools in Sausalito, students residing in Sausalito attend Tamalpais High School in Mill Valley.

### **Marin Community College District**

The Marin Community College District provides community college educational services to most of Marin County, including Sausalito. It is governed by an elected, seven-member Board of Trustees, which in turn appoints a Superintendent/President to oversee daily operations. The Marin Community College District operates two facilities: College of Marin in Kentfield and the Indian Valley campus in Novato. There are no college facilities in Sausalito.

### **Private Schools**

Several private schools serve pre-school-aged children through Grade 12 within the City limits. Private schools offer alternatives to the public education system, including specialized services such as early childcare and immersive French programs.

- Sausalito Nursery School (Preschool)
- Robin's Nest (Preschool)
- Sparrow Creek (Preschool)

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<sup>15</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-6.

<sup>16</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-6.

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- Lycée François de San Francisco, Sausalito Campus (preschool to Grade 5) with 203 students
- Headlands Preparatory School (Grades 9-12)
- New Village School (K-12) with 140 students

### ***Public Libraries***

The Sausalito Library is within City Hall at 420 Litho Street and is open to the public every day of the week. In addition to a physical collection of over 50,000 books and other materials for adults and children, the library offers comfortable seating, public computers, free Wi-Fi, and an extensive collection of digital resources. The library also maintains a busy program calendar, including story times for kids, craft programs for adults, Thursday evening speakers, and Friday evening special programs.

### ***Other Municipal Services***

The Administration Department includes the City Manager, Assistant City Manager/Administrative Services Director and City Clerk. The City Manager is the administrative head of Sausalito City Government. The Assistant City Manager/Administrative Services Director manages the City's Finance, Human Resources, Information Technology, Property Leasing and Economic Development programs. The City Clerk manages the official records of the City, conducts local elections, and manages meetings of the City Council. The City also has a contract City Attorney, to advise the City Council and City staff on legal matters that affect the City of Sausalito.

The City of Sausalito Community Development Department guides physical development in the City, ensures new development is consistent with local, State, and federal regulations, and enforces the City's health, safety, and environmental regulations. The Community Development Department is comprised of the Planning Division, Building Division, and Code Enforcement. The Public Works Department maintains the roadway systems, including streets, signals, lighting, and storm drains. The Public Works Department also maintains the City's parks, trails, medians, rights-of-way, landscape districts, and City Hall.

### ***Golden Gate National Recreation Area***

The GGNRA encompasses 80,500 acres of land and water extending from Tomales Bay in Marin County to San Mateo County.<sup>17</sup> Each year, GGNRA attracts over 17 million visitors to its scenic and historic attractions that include Muir Woods National Monument, Alcatraz Island, Crissy Field, the Marin Headlands, Rancho Corral de Tierra, Lands' End, and former military forts. The GGNRA provides an abundance of recreational and educational

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<sup>17</sup> National Park Service. 2014. Golden Gate National Recreation Area Muir Woods National Monument. Final General Management Plan/Environmental Impact Statement. Volume II, page 15.

opportunities, with diverse active and passive recreational and educational opportunities from contemplative to active pursuits, including participation in stewardship and volunteer activities. A system of designated trails and scenic park roads supports access to sites that provide visitors with a broad range of activities and varied experiences.<sup>18</sup> The Marin Headlands, which encompasses approximately 7,500 acres, is located adjacent to the Sausalito Planning Area and provides an extensive network of trails and beach access. Of the 7,500 acres, approximately 182 acres are located within the Sausalito City limits.

**Fort Baker**

Fort Baker is a 335-acre former 1905 United States Army post and is located immediately north of the Golden Gate Bridge within the GGNRA and outside/adjacent to the Planning Area. The area includes 25 historic army buildings, a main parade ground, gun emplacements, children’s museum, beach, boat ramp, and trails.<sup>19</sup>

**City Parks**

The City of Sausalito owns and operates 20 parks and recreational facilities. These facilities are mapped in Figure 3.13-2 and described in Table 3.13-1. City parks and recreational facilities are relatively well distributed throughout the community, although areas of the City with the steepest terrain generally have fewer parks. Most City parks are less than 1 acre in size, offering passive recreational amenities, art structures, and children's play areas. The largest City park is MLK Park, which comprises 17.2 acres and provides a range of recreational amenities including a gymnasium, off-leash dog park, basketball courts, tennis courts, pickleball courts, adult exercise equipment, sports field and a 0.3-mile paved path. Several City facilities located on the waterfront, including Dunphy Park, Turney Street Boat Ramp and the three beaches, provide water-based recreational activities. There are also approximately 17 acres of open space within City limits.

TABLE 3.13-1: NEIGHBORHOOD, CITYWIDE, AND SPECIALTY PARKS

FACILITY	AMENITIES	ACRES
<b>BEACHES</b>		
<b>SWEDE'S BEACH</b>	Beach	0.12
<b>TIFFANY BEACH</b>	Beach	n/a
<b>PARKS</b>		
<b>CLOUD VIEW PARK</b>	Lawn area, children's playground, restroom, meeting room	0.52
<b>CAZNEAU PARK</b>	Open space	0.04
<b>DUNPHY PARK</b>	Lawn area, shoreline access, gazebo, restrooms, bocce ball courts, sand volleyball court, picnic areas	9.72
<b>GABRIELSON PARK</b>	Art structure, lawn area, picnic area	0.75

<sup>18</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-8.

<sup>19</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-8.

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FACILITY	AMENITIES	ACRES
<b>LANGENDORF PLAYGROUND</b>	Picnic area, lawn area, children's playground	0.33
<b>MARINSHIP PARK</b>	Art structure, restroom, picnic area, lighted tennis courts, lawn area	2.84
<b>MARY ANN SEARS PARK</b>	Picnic area, children's playground	0.13
<b>MARTIN LUTHER KING CAMPUS</b>	Basketball courts, adult exercise equipment, off-leash dog park, gymnasium, sports field, restrooms, picnic area, pickleball courts, children's playground, tennis courts, softball field, paved track	17.2
<b>ROBIN SWEENEY PARK</b>	Basketball court, lawn area, picnic area, children's playground, restrooms	0.8
<b>SOUTHVIEW PARK</b>	Basketball court, lawn area, picnic area, children's playground, tennis court	0.61
<b>TIFFANY PARK</b>	Art structure, landscaping, benches	0.26
<b>UNNAMED OPEN SPACE</b>	Undeveloped (near Woodward/Marin Ave)	0.14
<b>VIÑA DEL MAR PLAZA</b>	Historic fountain, landscaping, lawn area	0.32
<b>YEE TOCK CHEE PARK</b>	Landscaping, benches	0.07
<b>CASCAIS PLAZA</b>	Seating area, restroom, plants/landscaping, calcada (Portuguese-style pavement)	-
<b>POETS CORNER</b>	Historic bench	-
<b>OTHER FACILITIES</b>		
<b>420 LITHO STREET</b>	Meeting room, exercise area, game room	-
<b>TURNEY STREET BOAT RAMP</b>	Boat Launch	-

Source: City of Sausalito 2020.

The City has not adopted a Quimby Act ratio; however, the National Recreation and Parks Association recommends 5 acres of park land per 1,000 residents. With park and beach facilities totaling 34.95 acres and a population of 6,865 in January 2023,<sup>20</sup> the City currently has 5.09 acres of park land per 1,000 residents. When natural open space areas are factored in, the City further exceeds the recommended ratio of 5 acres per 1,000 residents. Additionally, residents have access to open space areas in the GGNRA, as well as fields at nearby Fort Baker. The General Plan recommends pursuing joint programming with the Marin City Recreation Department to supplement facilities and programming available to Sausalito residents.

The City of Sausalito Parks and Recreation Department offers a wide range of social and recreational programs and activities for people all ages, including exercise and instructional classes, the Bocce League, Edgewater Seniors, Playland, and Children's Birthday Parties. The Department also puts on special events throughout the year, including Jazz and Blues by the Bay, Chili Cook-Off, Fourth of July Parade, Fourth of July Picnic, Fourth of July Fireworks, Arias

<sup>20</sup> State of California Department of Finance. 2023. E-4 Population Estimates for Cities, Counties, and the State, 2021-2023, with 2020 Benchmark. May 1.

in the Afternoon, City Wide Yard Sale, Halloween Sausalito, Outdoor Movie Night, Breakfast with Santa, Sausalito's Souper Bowl, WAG Dog Festival, and Easter Parade and Egg Hunt. The City also coordinates with Willow Creek Academy on their After-School Program for children.

### ***Recreational Facilities***

The City of Sausalito provides public recreational facilities in addition to public parks. These facilities include the Dunphy Park Bocce Courts and sand volleyball court; MLK basketball, pickleball, and tennis courts; MLK Field and Gym; Marinship tennis courts; Robin Sweeny basketball court; Southview tennis and basketball courts; and recreational rooms and basketball courts at 420 Litho Street. These locations facilitate City-sponsored events and recreational activities throughout the year.

### ***City Open Space***

The City owns approximately 17 acres of open space, consisting of Shelter Cove, a 1.95-acre waterfront tidelands area including open water on the southern waterfront; Cypress Ridge, a 14.9-acre open space and view area located northeast of Highway 101 and southwest of Rodeo Avenue; and Wolfback Ridge, a 0.36-acre open space area west of Highway 101 at the southern City limits.

### ***Privately-Owned Open Space and Parkland***

Private open space land includes privately held properties with established open space uses. The Sausalito Creek Wildlife Refuge is a 2-acre open space area obtained by the non-profit group Open Space Sausalito in part by purchase of a private interest and the City's donation of its interest in the property to preserve habitat for local wildlife.<sup>21</sup> Schoonmaker Beach is a privately owned beach providing public shoreline access adjacent to 85 Liberty Ship Way.

## **3.13.2 REGULATORY SETTING**

### ***Federal***

#### **Golden Gate National Recreation Area General Management Plan**

The 2014 National Park Service General Management Plan for GGNRA identifies several Management Concepts and Goals that apply to the protection and preservation of natural resources.<sup>22</sup>

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<sup>21</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-10.

<sup>22</sup> Golden Gate National Recreation Area and Muir Woods National Monument General Management Plan/Environmental Impact Statement, Summary Edition, pp. 22–23.

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Goals for the "Connecting People with the Parks" for Management Concept:

- Maintain the integrity and diversity of natural resources and systems and mitigate the effects of climate change and urban pressures.
- Enhance the public's access to natural resources to promote visitor understanding and appreciation.
- Integrate natural resource preservation and concepts with visitor stewardship opportunities to deepen visitor understanding.
- Increase visitor understanding, awareness, and support for park resources through education and interpretive opportunities that include messages about the sensitivity of park resources, park regulations, and appropriate visitor behavior.

Goals for the "Focusing on National Treasures" for Management Concept:

- Emphasize the preservation of fundamental natural resources that contribute to the significance of each park unit. Manage all other resources to complement the distinctive resources and experiences.
- Protect or restore the integrity of fundamental natural resources and processes that support the significance of each park unit.
- Manage distinctive natural resources to ensure their ecological integrity while providing opportunities to engage visitors in hands-on stewardship and exploration.

In addition, the Plan identifies several Management Zones intended to outline the desired conditions for resources, visitor experience, and level of development. For example, the "Natural" Management Zone would "retain natural, wild, and dynamic characteristics and ecological functions" and would strive to ensure that natural resources are managed in a such a way as to "preserve and restore resource integrity while providing for backcountry types of visitor experiences;" the "Sensitive Resources" Management Zone would "consist of fundamental natural resources that are highly sensitive to a variety of activities and would receive the highest level of protection" through preservation, monitoring, and studying of these resources.<sup>23</sup>

### **Golden Gate National Recreation Area Fire Management Plan**

The GGNRA's Office of Fire Management, in accordance with the Fire Management Plan, manages fire in such a way as to retain its beneficial effects in the ecosystem while protecting resources, property and lives. The goals of the GGNRA Fire Management Program are:<sup>24</sup>

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<sup>23</sup> Golden Gate National Recreation Area and Muir Woods National Monument General Management Plan/Environmental Impact Statement, Summary Edition, page 25.

<sup>24</sup> Golden Gate National Recreation Area. 2008. Operational Strategy for the Fire Management Plan. April.



- Ensure that firefighter and public safety is the highest priority for all fire management activities.
- Reduce wildland fire risk to private and public property.
- Protect natural resources from adverse effects of fire and fire management activities and use fire management wherever appropriate to sustain and restore natural resources.
- Preserve historic structures, landscapes, and archeological resources from adverse effects of fire and fire management activities and use fire management wherever appropriate to rehabilitate or restore these cultural resources.
- Refine management practices by improving knowledge and understanding of fire through research and monitoring.
- Develop and maintain staff expertise in all aspects of fire management.
- Effectively integrate the fire management program into park and park partner activities.
- Foster informed public participation in fire management activities.
- Foster and maintain interagency fire management partnerships and contribute to the firefighting effort at the local, state, and national level.

The Office of Fire Management monitors and responds to all wildland fires within the park and maintains an appropriate preparedness level in accordance with the park's Wildland Fire Step-Up Plan.

#### **National Fire Protection Association Standard 1710**

The NFPA released NFPA 1710 (Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments), originally in 2001. The standard specifies minimum criteria addressing effectiveness and efficiency of public fire agencies. One element recommends that agencies establish service delivery objectives and specific time objectives. There is no national standard for response times, and NFPA 1710 recognizes the need to support communities in setting measurable outputs (response times) and outcomes (service delivery objectives).

#### **State**

##### **California Emergency Plan**

The California Emergency Plan describes how response to natural or human-caused emergencies occurs in California. The Emergency Plan is a requirement of the California Emergency Services Act, and describes methods for conducting emergency operations, the process for rendering mutual aid, emergency services of government agencies, how resources are mobilized, how the public is informed, and how continuity of government is

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maintained during emergency. The Emergency Plan further describes hazard mitigation (actions to reduce risk), as well as preparedness and recovery from disasters.

Preparing for and responding to wildland fire incidents is one part of this plan. The California Fire Service Task Force on Climate Impacts was established in July 2014. The Task Force is comprised of members from local, State, and federal jurisdictions, and continues to build upon the State's Blue Ribbon Fire Commission that was initially established following the 2003 wildfires, the most devastating of which was the Cedar Fire in San Diego. The objectives of the Task Force are to review the past Blue Ribbon Fire Commission recommendations and action plan, validate, and prioritize items that remain outstanding, and evaluate the most current climate threats, science, studies, and recommendations. The Task Force will also, as necessary, develop new or updated recommendations related to wildfire preparedness and mitigation needed to successfully adapt to California's changing climate, aligning actions and recommendations with the State's climate adaptation strategy and related efforts.

### **California Building Standards Code**

The State of California provides a minimum standard for building design through the 2022 California Building Standards Code (CBC), which is in Part 2 of Title 24 of the California Code of Regulations. The 2022 CBC is based on the 2021 International Building Code but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local City and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all new high-rise buildings and residential buildings; the establishment of fire resistance standards for fire doors; specifications for building materials; and particular types of construction.

### **California Fire Code**

The California Fire Code is Part 9 of Title 24, California Code of Regulations, also referred to as the CBC. The California Fire Code incorporates the 2021 International Fire Code of the International Code Council with necessary California amendments. The purpose of the California Fire Code is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations.

### **California Health and Safety Code**

State fire regulations are set forth in Sections 13000 *et seq.* of the California Health and Safety Code. This includes regulations for building standards (as also set forth in the CBC), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

### **California Code of Regulations**

Title 5, Section 14002 *et seq.* governs school facility design.

Title 8, Section 6150-6184 of the California Code of Regulations establishes general fire safety standards. The standards range from fire hose size requirements to the design of automatic sprinklers.

Title 14, Section 1270 *et seq.* of the California Code of Regulations establishes minimum standards for a variety of wildfire preparedness and prevention regulations.

Title 19 Section 1.00 *et seq.* of the California Code of Regulations, establishes the “Regulations of the State Fire Marshall” which includes a variety of emergency fire response, fire prevention and construction and construction materials standards.

### **California State Assembly Bill 2926—School Facilities Act of 1986**

In 1986, Assembly Bill (AB) 2926, entitled the School Facilities Act of 1986, was enacted by the State of California and added to the California Government Code (GOV § 65995). It authorizes school districts to collect development fees, based on demonstrated need, and generate revenue for school districts for capital acquisitions and improvements. It also established that the maximum fees (adjustable for inflation) which may be collected under this and any other school fee authorization are \$1.50 per square foot (\$1.50/square foot) of residential development and \$0.25/square foot of commercial and industrial space.

AB 2926 was expanded and revised in 1987 through the passage of AB 1600, which added Section 66000 *et seq.* of the Government Code. Under this statute, payment of statutory fees by developers serves as total mitigation under the California Environmental Quality Act (CEQA) to satisfy the impact of development on school facilities. However, subsequent legislative actions have alternatively expanded and contracted the limits placed on school fees by AB 2926.

### **California School Facility Program**

Proposition 1A/Senate Bill (SB) 50 (Chapter 407, Statutes of 1998) is a school construction funding measure that was approved by voters on the November 3, 1998 ballot. SB 50 created the School Facility Program, enabling eligible school districts to obtain state bond funds. State funding requires matching local funds that generally come from developer fees. The passage of SB 50 eliminated the ability of cities and counties to require full mitigation of school impacts and replaced it with the ability of school districts to assess fees directly to offset the costs associated with increasing school capacity as a result of new development. The old “Stirling” fees were incorporated into SB 50 and are referred to as Level 1 fees.

As of January 2012, the State Allocation Board authorized an adjustment to the Statutory School Fee amounts (Level 1 fees) for unified school districts pursuant to Government Code Section 65995(b)(3), to \$3.20 per square foot for new residential development and \$0.51 per square foot for commercial and industrial (nonresidential) development. Districts meeting certain criteria may collect Level 2 fees as an alternative to Level 1 fees. Level 2 fees are

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calculated under a formula identified in SB 50. Level 3 fees are approximately double Level 2 fees and are implemented only when the State Allocation Board is not apportioning state bond funds.

The passage of Proposition 51 on November 8, 2016, authorized an additional \$9 billion in general obligation bonds for the construction and modernization of schools across California. Although SB 50 states that payment of developer fees is “deemed to be complete and full mitigation” of the impacts of new development, fees and state funding do not fully fund new school facilities.

### **Mitigation Fee Act (California Government Code 66000-66008)**

Enacted as AB 1600, the Mitigation Fee Act requires a local agency establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development plan on which it is to be levied. The Act came into force on January 1, 1989.

### **The Mello-Roos Communities Facilities Act of 1982**

The Mello-Roos Community Facilities Act, Government Code Section 53311 *et seq.*, provides an alternative method of financing certain public capital facilities and services through a special property tax. This state law empowers local agencies to establish Community Facilities Districts to levy special taxes for facilities for public infrastructure such as roads, schools, and libraries. The creation of a Mello-Roos District requires the approval of two-thirds of the voters.

### **Quimby Act (California Government Code Section 66477)**

The 1975 Quimby Act (GOV § 66477), authorizes cities and counties to adopt ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. Revenues generated through the Quimby Act cannot be used for operation and maintenance of park facilities.<sup>25</sup> A 1982 amendment (AB 1600) requires agencies to clearly show a reasonable relationship between the public need for the recreation facility or parkland and the type of development project upon which the fee is imposed. Cities with a high ratio of park space to residents can set a standard of up to 5 acres per thousand persons for new development. Cities with a lower ratio can only require the provision of up to 3 acres of park space per thousand people. The calculation of a City’s park space to population ratio is based on a comparison of the population count of the last federal census to the amount of City-owned parkland.

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<sup>25</sup> City of Sausalito, City of Sausalito 2040 General Plan EIR (June 4, 2020), page 3.13-14.

## ***Regional***

### **Marin County Open Space**

The Marin County Open Space District is a non-profit organization that manages over 16,000 acres of parks and open space. The Marin County Open Space District services include operations and maintenance of open space and trails, research projects, oversee capital improvement projects, and provide educational events for the public.

### **Marin County Community Wildfire Protection Plan**

The Marin County Community Wildfire Protection Plan (CWPP), adopted in 2016, is an advisory document prepared by FIREsafe Marin in collaboration with stakeholder agencies pursuant to the Healthy Forests Restoration Act. The CWPP is a countywide strategic plan with action items to reduce fire hazard in the County, especially in areas of concern, which mostly fall within Marin's WUI boundary. The CWPP assists in protecting human life and reducing property loss from wildfire throughout Marin County. The CWPP describes wildfire risk, hazard, and recommendations for improving wildfire preparedness at the County level, achieving the following:

- Outlines community characteristics that relate to wildfire risk and hazard including climate, weather, vegetation, and population.
- Describes the fire environment, including the description of the County WUI and regional weather.
- Assesses wildfire hazard and risk at the County level.
- Describes existing and proposed community outreach that is integral to improving wildfire preparedness.
- Identifies mitigation strategies that could be applied to address wildfire hazard and risk.
- Describes the CWPP as a living document to be updated periodically.

The CWPP is accompanied by appendices that address specific areas and projects by agency to meet strategic goals. The lists of projects include past, current, and/or planned projects from the 2015 Marin Unit Fire Plan and are intended to provide a starting point for identifying and prioritizing a more complete, countywide list of future fuel reduction and outreach projects. The projects identified within the Sausalito Planning Area include:

- Highway 101/Wolfback Ridge Road: Eucalyptus removal, brush cut, and shaded fuel break.
- Edwards Avenue/Marion Avenue: Brush removal – shaded fuel break.

### **Southern Marin Fire Protection District Ordinance**

The SMFD Ordinance adopts and modifies the 2022 California Fire Code and Appendix A of the 2021 International Wildland-Urban Interface Code with amendments supported by local

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findings, prescribing regulations governing conditions hazardous to life and property from fire or explosion, providing for the issuance of permits for hazardous uses or operations, and defining the powers and duties of the Risk Reduction Prevention and Mitigation Division and officers. The Ordinance includes requirements for WUI fire areas to address the local climatic, geographic, and topographic conditions that impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in the community. Some of the requirements are related to hazardous vegetation and fuel management, defensible space, fire flow requirements for buildings, fire hydrant locations and distribution, and minimum widths and clearances for fire access roads. The Ordinance was approved by the SMFD Board of Supervisors in October 2022.

### ***Local***

#### **Sausalito General Plan**

The General Plan includes the following policies and programs that assist in reducing or avoiding impacts to public services, parks, and recreational facilities:

##### *Land Use and Growth Management Element*

Policy LU-5.1: City-Owned Open Space and Parks. Maintain existing City-owned lands as public open space or recreational parks.

Program LU-5.1.1: Municipal Parks. As required by Ordinance 1128, the City shall retain ownership of Gabrielson Park and Plaza Vina Del Mar and shall not sell, lease, or otherwise dispose of such parks without voter approval. Such areas shall not be used for any purpose other than public parks without voter approval. Such areas shall not be changed from their presently existing condition with the exception of minor maintenance and upkeep necessary to maintain such areas in their presently existing condition without voter approval.

##### *Environmental Quality Element*

Policy EQ-3.1: Parklands and Open Recreation Areas. Preserve and improve existing parks, parklands, and recreation areas for passive and active recreation use by residents.

Program EQ-3.1.1: Continual Maintenance. Develop a regular maintenance program for parks and open space to proactively maintain these areas for passive and active recreation use. The City's budgetary process may have to accommodate this new program.

Program EQ-3.1.2: Capital Improvement Program. Develop a robust capital improvement program that addresses short and long term improvement to Parks and Open space areas that benefit the community.

Policy EQ-3.3: Martin Luther King, Jr. Campus. Maintain the Martin Luther King, Jr. Campus to suit the community's recreational and educational needs.



Program EQ-3.3.1: Park and Recreation Facilities Master Plan. Prepare a Park and Recreation Facilities Master Plan to guide maintenance and development of the Martin Luther King, Jr. Campus (see Policy LU-5.2).

Policy EQ-3.4: Recreation Programs. Maintain recreational programs responsive to the assessed need.

### **Sausalito Municipal Code**

Section 10.10.030 of the Sausalito Municipal Code outlines the general purpose of Title 10 (Zoning), which is to promote and protect the public health, safety, peace, morals, comfort, convenience, and general welfare.

Chapter 10.20 (Open space and public districts) identifies the following specific purposes of the open space and public zoning districts:

- A. To preserve existing City-owned open space and parks; and
- B. To provide guidelines for development and use of facilities on City- and Federally owned lands.

Chapter 8.42 (Conditions of Building Permit Issuance–Adequacy of Fire Protection) of the Sausalito Municipal Code establishes fire protection requirements prior to the issuance of building permits along with penalties for violations. As stated in Section 8.42.010 (Adequacy of Fire Protection), the City Council finds that certain areas within the City are not provided with a public water supply sufficient to allow for safe and adequate fire protection. The City Council further finds that the hilly terrain, natural vegetation, narrow streets and other conditions prevailing within the City create unusual problems of fire protection and require the exercise of caution in allowing construction in those areas which are without a water supply sufficient to provide adequate fire protection or in those areas where there is inadequate access for fire suppression apparatus. Per Section 8.42.020 (Restrictions on Building Permit Issuance), in order to ensure so far as possible the safety of residents of the City from large and destructive fires, the Building Official shall not issue any building permits for any new structures in areas meeting the criteria described in Section 8.42.010 without the approval of the Fire Chief of the City of Sausalito.

Chapter 12.04 (Fire prevention regulations) makes outdoor fires unlawful and creates a penalty for violating the regulation. An oral permit can be obtained for confined outdoor fires in the form of barbecue pit, barbecue stove, or other outdoor cooking device from the SMFD.

### **City of Sausalito Ordinance No. 1128**

Section 2 of this ordinance establishes that the City shall retain ownership of Gabrielson Park and Plaza Vina Del Mar and, without voter approval, shall not sell, lease, or otherwise dispose of such parks, use the parks for any purpose other than public parks, or change the parks

from their presently existing condition except for minor maintenance and upkeep necessary to maintain them in their presently existing condition.

### 3.13.3 THRESHOLDS OF SIGNIFICANCE

According to the CEQA Guidelines Appendix G, the proposed Project will have a significant impact related to public services, parks, or recreational facilities if it would:

- Result in substantial adverse physical impacts associated with the provisions of new or physically altered government facilities, and/or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:
  - Fire Protection
  - Police Protection
  - Schools
  - Other public facilities
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

### 3.13.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

This analysis identifies potential impacts to fire protection, police protection, schools, parks, and recreational facilities based on development anticipated from future buildout in accordance with the Housing Element Programs. Impacts to public services, parks, and recreational facilities were assessed using the significance criteria established by the CEQA Guidelines, as well as State, and local plans, regulations, and ordinances.

The provision of recreational facilities and ability to fund their installation and maintenance is provided for at a statewide level under the Quimby Act, a regulation allowing cities to require dedication of land or payment of fees for parks and recreation as a condition of tentative or parcel map approval.

**Impact 3.13-1      Development facilitated by the Housing Element Programs would not result in the provision of or need for new or physically altered fire protection facilities, police protection facilities, school facilities, or library facilities, the construction or operation of which could cause significant environmental impacts.**

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Development accommodated the Housing Element Programs would result in an incremental increase in new residential uses. As described in Chapter 2.0, Project Description, the project constitutes the actions necessary to implement the Housing Element Programs. Implementation of the Housing Element Programs involves the City completing rezoning or adoption of overlay zones to allow development of residential units on identified opportunity sites at densities identified in the Housing Element. The goal is to create a capacity for 959 units based on opportunity sites that would be subject to the program of rezoning as identified in the Housing Element Programs. Using an average household size of 1.71,<sup>26</sup> the proposed Housing Element Programs project would result in the addition of approximately 1,640 residents to the City.

Residential development and growth in the City under the Housing Element Programs would incrementally increase demand for public services, including fire protection, law enforcement, schools, libraries, and other public and governmental services. (Parks and other recreational facilities are discussed under Impact 3.13-2.) As the demand for services increases, there may be a need to increase staffing and equipment to maintain acceptable service ratios, response times, and other performance standards.

The General Plan includes a range of policies and programs to ensure that public services are provided in a timely fashion, are adequately funded, are coordinated between the City and appropriate service agency, and that new development funds its fair share of services. The General Plan includes policies to ensure that fire protection and law enforcement services keep pace with new development and that school, library, and governmental services are adequately planned and provided. Future development in accordance with the Housing Element Programs would be subject to these General Plan policy requirements.

Accordingly, and based on consultation with the SMFD and SPD, and the anticipated population growth from implementation of the Housing Element Programs, the construction of new or expanded fire protection, police protection, school, library, or other municipal service facilities would not be required.

### **Fire Protection Services**

The pattern and amount of development envisioned by the Housing Element Programs would not result in a significant impact to fire protections services. As detailed below, and based on discussed with SMFD, the anticipated population growth from the Housing Element

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<sup>26</sup> State of California Department of Finance. 2023. E-4 Population Estimates for Cities, Counties, and the State, 2021-2023, with 2020 Benchmark. May 1.

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Programs and would not necessitate the construction of new or expanded fire protection facilities. The SMFD met response standards in 2017, 2018, and 2019, 100 percent of the time.<sup>27</sup> A response time study commissioned by the SMFD in 2016 concluded that current facilities and engine locations are adequate to meet existing needs, and that relocating or adding a station is not a necessary or cost-effective investment. Instead, the study recommended that SMFD focus on reducing crew turnout times to fall consistently below 2 minutes.<sup>28</sup> In addition, the response time study recommended that the SMFD implement policy recommendations, adopt updated performance measures, and identify funding and timing for an added crew member per day at Station 4. The study concluded that the implementation of deployment recommendations contained in the study and monitoring staff workload to ensure capacity is not exceeded would ensure the SMFD could continue to meet its goals.

Further, informationally, the City notes that the increased property taxes from development facilitated by the Housing Element Programs would result in additional funding being available to the SMFD to accommodate future growth.

### Police Services

The pattern and amount of development envisioned by the Housing Element Programs would not result in a significant impact to police services. Based on the analysis below and discussions with Sausalito Police Department, the anticipated population growth from the Housing Element Programs would not necessitate the construction of new or expanded police facilities. The SPD provides police services to the City of Sausalito. As described previously, it offers a variety of resources and avenues of assistance to residents and business owners to help prevent crime, including the Surveillance Camera Registry program, the Marine Patrol, the Homeless Advocacy program, and the Postal Carrier Alert program. Furthermore, the SPD collaborates with local neighborhood watch groups in a community-based approach to law enforcement and each year, the Department runs a Citizen's Police Academy, designed to provide an inside look at how the department operates. As the waterfront and Marinship areas of the City continue to grow throughout Housing Element Programs buildout, the Department's need for a part-time Marine Patrol Police Officer and part-time civilian Harbor Assistant will become more pressing. However, the Department has been working to staff these positions since 2017 and continues to search for individuals to fill them.<sup>29</sup> The Department expects to eventually create a new patrol beat including City waters, the shoreline, and new development in the Marinship to be staffed seven days a

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<sup>27</sup> Email correspondence with Southern Marin Fire Protection District (SMFD) Fire Chief Chris Tubbs. April 11, 2020.

<sup>28</sup> Citygate Associates. 2016, Fire and Emergency Medical Services Deployment Analysis: Southern Marin Fire Protection District, Vol.1 Executive Summary, p. 11. September 22.

<sup>29</sup> Email correspondence from Sausalito Police Department Acting Chief Gregory to Elise Laws, De Novo Planning Group. November 10, 2022.

week by three new full-time officers.<sup>30</sup> For assistance for marine responses, the SPD currently partners with the Marin County Sheriff's Office.

Additionally, the potential increase in SPD staffing required to serve future development of the Project would likely be 19 percent or less, which is the ratio of existing homes to proposed new housing under the Housing Element Programs. This would represent four new SPD staff positions. Because the Housing Element Programs involve infill housing in already developed locations within existing service areas, no new service stations would be required to service new geographic areas. .

Further, in conjunction with the SMFD, Sausalito residents and businesses, and other concerned members of the public, the Department operates the VIPS program to train volunteers to help resolve problems in our community using every available resource.

### **School Facilities**

The pattern and amount of development envisioned by the Housing Element Programs will not result in a significant impact to school facilities, as new development provides impact mitigation fees of offset the impacts to school facilities. The anticipated population growth from the Housing Element Programs would be less than 25 percent of the City's current population and would not necessitate the construction of new or expanded school facilities. The California State Legislature, under SB 50, has determined that payment of school impact fees provides full and complete mitigation for impacts to school facilities. All development facilitated by the Housing Element Programs would be required to pay the school impact fees adopted by each school district, and this requirement is considered to fully mitigate the impacts of the Housing Element Programs on school facilities.

### **Library Services**

The pattern and amount of development envisioned by the Housing Element Programs would not result in a significant impact on library services. Although the project would increase the population in the City, the estimated new residents would represent less than 25 percent of the existing population. Additionally, the Sausalito Library was renovated in 2013 to accommodate future growth in the City as well as provide more services to residents. Therefore, development anticipated under the Housing Element Programs would not be expected to result in the need for new or expanded library facilities or services.

### **Other Municipal Services**

The pattern and amount of development envisioned by the Housing Element Programs would not result in a significant impact to other municipal services. The anticipated population growth from the Housing Element Programs would be less than 25 percent of the City's current population. As a result, the budgets for the Administration Department,

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<sup>30</sup> Email correspondence from Sausalito Police Department Acting Chief Gregory to Elise Laws, De Novo Planning Group. November 10, 2022.

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Community Development Department, and Public Works Department are expected to be minimally impacted. Further, the allocation of other municipal services is determined annually by the City Council based upon local needs and resources. Since the Housing Element Programs assumes that any additional development would be primarily infill in nature (i.e., replacing existing development and building on existing vacant parcels), impacts to other municipal services is not expected to be significant. For the same reasons, the Housing Element Programs would not result in the need for new or expanded other municipal service facilities.

### Conclusion

In conclusion, no new construction of or expansion to fire protection, police protection, library, school, or other municipal service facilities is anticipated under the Housing Element Programs. Development envisioned by the Housing Element Programs would result in an incremental increase in the demand for public services in the Planning Area, and as demand for services increases, there may be a need to increase staffing and equipment to maintain acceptable service ratios, response times, and other performance standards. However, based on consultation with the SMFD and Sausalito Police Department, and the anticipated population growth from the Housing Element Programs, the construction of new or expanded fire protection, police protection, school, library, or other municipal service facilities would not be required.

Further, as the City receives development applications for subsequent development under the Housing Element Programs, those applications will be reviewed by the City for compliance with the policies and programs of the General Plan to ensure that that fire protection and police protection services keep pace with new development and that school, library, and other municipal services are adequately planned and provided. Therefore, impacts related to public services would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.13-2**      **Implementation of the Housing Element Programs would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur, or be accelerated.**

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The City of Sausalito has not adopted a Quimby Act ratio. The City has an existing parkland ratio of 5.09 acres of parkland per 1,000 residents, based upon park and beach facilities



totaling 34.95 acres and a population of 6,865 in January 2023.<sup>31</sup> Within the City limits, the GGNRA covers approximately 182 acres of open space, while the City owns approximately 17 acres of open space (not associated with GGNRA). Although most of GGNRA and all of Fort Baker are not located within the Planning Area, these national parks are adjacent to the City and provide approximately 7,653 additional acres of open space and open space amenities that supplement the City's parks.

New development accommodated under the Housing Element Programs would result in an incremental increase in new residential uses. As described in Chapter 2.0, Project Description, throughout its planning horizon the Housing Element Programs is expected to accommodate approximately 959 new residential dwelling units within the Planning Area. This new growth would increase the City's population by approximately 1,640 residents. Some of these new employees are expected to be residents of the Planning Area. This new growth would incrementally increase demand for parks and other recreational facilities in the Planning Area. The City projects a population of 7,883 by 2040 based on buildout of the General Plan, including implementation of the Housing Element Programs.

The anticipated population growth from the Housing Element Programs would be less than 25 percent of the City's current population. This limited population growth would not substantially increase existing use of park facilities, nor cause or accelerate their deterioration.

Moreover, the General Plan includes policies and programs that protect parks and recreational facilities, and future development in accordance with the Housing Element Programs would be subject to these policies and programs. Policy EQ-3.1 requires the City to preserve and improve existing parks and parkland for City residents. In addition, Programs EQ-3.1.1 and EQ-3.1.2 would ensure that park facilities are continually improved by a Capital Improvement Program. The Sausalito Municipal Code also contains rules and regulations to protect and preserve parks and recreational facilities within the Planning Area. Chapter 10.20 aims to preserve existing City-owned open space and parks and provide guidelines for development and use of facilities on City and federally owned lands (see e.g., Policy LU 5-1 and Program LU 5.11). The City would need to provide 39.42 acres of parkland to meet the recommended ratio of 5 acres per 1,000 residents as a result of implementation of the Housing Element Programs. When natural open space areas are factored in, the City would continue to exceed the recommended ratio of 5 acres per 1,000 residents.

In conclusion, development envisioned by the Housing Element Programs could result in an incremental increase in new development. However, given the incremental increase in residential growth anticipated during the buildout of the Housing Element Programs, such population growth would not result in a significant acceleration in deterioration of parkland facilities. Furthermore, compliance with the General Plan policies and programs and

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<sup>31</sup> State of California Department of Finance. 2023. E-4 Population Estimates for Cities, Counties, and the State, 2021-2023, with 2020 Benchmark. May 1.

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adherence to the Sausalito Municipal Code would ensure that future developments provide their fair share of maintenance and upkeep to City parks. Impacts would remain at ***less than significant*** levels.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.13-3      Implementation of the Housing Element Programs would not include or require the construction or expansion of parks and other recreational facilities, which might have an adverse physical effect on the environment.**

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As discussed in the Regulatory Setting section, the General Plan contains policies that guide the maintenance and funding of parks and recreational areas within the Planning Area. The General Plan contains policies and programs that identify specific recreational facilities for development as well as the goal of developing a Parks and Recreation Facilities Master Plan.

To maintain existing parks and recreational facilities within the Planning Area, the General Plan contains policies and programs that require maintenance and expansion of park, open space, and recreational facilities as well as recreational programs. For example, Policy EQ-3.1 ensures the City preserves and improves existing parks, parkland, and recreation areas for passive and active recreation use by City residents. Program EQ-3.1.1 requires the City to develop a maintenance program for parks and open space to proactively manage these areas for recreational use. Policies EQ 3.3 and 3.4 and Program EQ 3.3.1 provide for the continued maintenance and development of recreational facilities in the City. As such, development facilitated by implementation of the Housing Element Programs could include the construction of new or expanded parks and other recreational facilities in conjunction with development of various housing sites throughout the Planning Area.

There could be environmental impacts associated with the construction of new or expanded parks and other recreational facilities. It is not possible to identify the timing or relative specifics of these improvements is unknown at this time and it would be premature to consider these projects on a project-specific level as part of the EIR for the Housing Element Programs, as these projects have not yet been designed and other key project components that would influence potential environmental impacts have not yet been determined. Accordingly, it would be inappropriate and speculative under CEQA to conduct a project-specific analysis in this Draft EIR. As the City proceeds with the construction of new or expanded parks and other recreational facilities, including those that would result from implementation of the Housing Element Programs, those projects will be reviewed by the City of Sausalito for compliance with the policies and programs of the General Plan as well as the City's Municipal Code, which implements the City's General Plan, related to physical

effects these projects may have on the environment. Likewise, as the City receives development applications for subsequent development under the Housing Element Programs that includes new or expanded parks and other recreational facilities, those future discretionary actions would be evaluated for project-specific environmental effects at the time they are proposed. Therefore, the physical effects on the environment from the construction of new or expanded parks and other recreational facilities would be **less than significant**.

#### Level of Significance before Mitigation

Less than Significant

#### Mitigation Measures

None Required

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**Impact 3.13-4      Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to fire protection facilities, police protection facilities, school facilities, library facilities, parks, or recreational facilities.**

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This analysis evaluates whether the impacts of implementation of the Housing Element Programs, together with the impacts of cumulative development, would result in a cumulatively significant impact with respect to fire protection facilities, police protection facilities, school facilities, library facilities, parks or recreational facilities.

Cumulative development with unincorporated Marin County is identified in the Marin Countywide Plan Update Final EIR. Cumulative development would be required to comply with design review regulations and policies in local and regional plans, including the Marin Countywide Plan and Marin County Development Code to ensure that impacts are less than significant. Cumulative projects within unincorporated Marin County, including the community of Marin City would be required to comply with applicable Marin Countywide Plan policies and programs and adhere to development and design standards in the Marin County Municipal Code For these reasons, cumulative impacts to public services and recreation would be **less than significant**.

#### Fire Protection Services

The geographic context for the analysis of cumulative impacts related to fire protection services includes the SMFD service area, which comprises City of Sausalito, Fort Baker, and the Marin Headlands as well as the communities of Tamalpais Valley, Almonte, Homestead Valley, Alto, Strawberry, and a portion of the town of Tiburon. A significant cumulative environmental impact would result if this cumulative growth exceeded the ability of SMFD to adequately serve their service area, thereby requiring construction of new facilities or modification of existing facilities. All cumulative projects within the SMFD service area would

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be required to comply with City ordinances and General Plan policies that address fire protection services. Therefore, cumulative impacts would be ***less than significant***.

Moreover, the Housing Element Programs' incremental contribution to less than significant cumulative impacts would not be significant. As discussed under Impact 3.13-1, implementation of the Housing Element Programs would not create a need for new or physically altered facilities for the SMFD to provide fire protection services to its service area.

Further, as an informational note, the increased property taxes from development facilitated by the Housing Element Programs, as well as the cumulative development projects, would result in additional funding being available to the SMFD to allow for future growth.

As previously discussed, development facilitated by the Housing Element Programs would be required to comply with the policies and programs in the General Plan as well as the Sausalito Municipal Code, to ensure that fire protection services are adequate as future development is proposed. All cumulative projects within the SMFD service area would be required to comply with City ordinances and General Plan policies that address fire protection services. Therefore, impacts of the Housing Element Programs on fire protection services are not cumulatively considerable and the cumulative impact would be ***less than significant***.

### Police Protection Facilities

The geographic context for the analysis of cumulative impacts related to police protection facilities includes the Sausalito Police Department service area, which comprises the City of Sausalito. Since police protection services in Sausalito are provided by the Department, changes and growth anticipated under the Housing Element Programs would not have any cumulative impact beyond Sausalito's SOI. A significant cumulative environmental impact would result if this cumulative growth exceeded the ability of the Department to adequately serve their service area, thereby requiring construction of new facilities or modification of existing facilities. All cumulative projects within the Department service area would be required to comply with City ordinances and other policies that address police protection services. Therefore, cumulative impacts would be ***less than significant***.

The Housing Element Programs' incremental contribution to less than significant cumulative impacts would not be significant. As discussed under Impact 3.13-1, implementation of the Housing Element Programs would not create a need for new or physically altered facilities for the Department to provide police protection services to its service area.

As previously discussed, development facilitated by the Housing Element Programs would be required to comply with the policies and programs in the General Plan as well as the Sausalito Municipal Code, to ensure that police protection services are adequate as future development is proposed. Therefore, impacts of the Housing Element Programs on police protection services are not cumulatively considerable and the cumulative impact would be ***less than significant***.

### School Facilities

The geographic context for the analysis of cumulative impacts related to school facilities includes the Sausalito Marin City School District, TUHSD, Marin Community College District, and private schools that serve Sausalito and surrounding cities. Regional growth resulting from past, present, and reasonably foreseeable projects would result in increased demand for additional school facilities within all three public school districts serving the City of Sausalito. Like development in Sausalito, the schools are expected to receive development impact fees from cumulative development within other jurisdictions. The payment of school impact fees would ensure that school facilities can accommodate future students. Therefore, cumulative impacts would be ***less than significant***.

Development envisioned by the Housing Element Programs would contribute to an incremental cumulative increase in the demand for school facilities within the three school districts serving the City. The Housing Element Programs' incremental contribution to less than significant cumulative impacts would not be significant. As discussed under Impact 3.13-1, all development facilitated by the Housing Element Programs will be required to pay the school impact fees adopted by each school district, and this requirement is considered to fully mitigate the impacts of the Housing Element Programs on school facilities.

Therefore, impacts of the Housing Element Programs on school facilities are not cumulatively considerable and the cumulative impact would be ***less than significant***.

### Library Facilities

The geographic context for analysis of cumulative impacts to library facilities includes the Sausalito Library. A significant cumulative environmental impact would result if cumulative growth exceeded the ability of the Sausalito Library to adequately serve people within their service area, thereby requiring construction of new facilities or modification of existing facilities. All cumulative projects would be required to comply with City ordinances and other policies that address library facilities and services. Therefore, cumulative impacts would be ***less than significant***.

The Housing Element Programs' incremental contribution to less than significant cumulative impacts would not be significant. At buildout, development envisioned by the Housing Element Programs would result in a population increase of less than 25 percent, which would not significantly increase demand for library services. For these reasons, impacts of the Housing Element Programs on library facilities are not cumulatively considerable and the cumulative impact would be ***less than significant***.

### Other Municipal Services

The geographic context for analysis of cumulative impacts to other municipal services is the City and SOI. Development envisioned by the Housing Element Programs would contribute to an incremental cumulative increase in the demand for other municipal services. All cumulative projects would be required to comply with City ordinances and other policies that

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address municipal services. Therefore, cumulative impacts would be ***less than significant***. The Housing Element Programs' incremental contribution to less than significant cumulative impacts would not be significant. At buildout, the anticipated population growth from the Housing Element Programs is less than ten percent of the City's current population. As a result, the cumulative impact on the City budget is expected to be minor. Furthermore, the allocation of other municipal services is determined annually by the City Council based upon local needs and resources. For these reasons, impacts of the Housing Element Programs on other municipal services are not cumulatively considerable and the cumulative impact would be ***less than significant***.

### **Parks and Recreational Facilities**

The geographic context for the analysis of cumulative impacts of parks and recreational facilities includes those located within the City boundary. A significant cumulative environmental impact would result if this cumulative growth resulted in an increase in the use of existing parks and recreational facilities, such that substantial physical deterioration of the parks or recreational facilities would occur, be accelerated, to require the construction of new parks and recreational facilities or modification of existing parks and recreational facilities. All cumulative projects would be required to comply with City ordinances and General Plan policies that address parks and recreational facilities, such as paying park in-lieu fees and maintaining adequate parkland ratios. Therefore, cumulative impacts to parks and recreational facilities would be ***less than significant***. The Housing Element Programs' incremental contribution to less than significant cumulative impacts would not be significant. As discussed under Impact 3.13-2, implementation of the Housing Element Programs would not increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated. As discussed under Impact 3.13-3, the construction or expansion of parks and other recreational facilities are not expected to result in an adverse physical effect on the environment. As such, development anticipated under the Housing Element Programs would not create substantial impacts related to parks and other recreational facilities.

Further, potential future impacts to Sausalito parks and recreational facilities would be further reduced through the contribution of property taxes to ensure facilities at these locations are adequately maintained and sufficient to accommodate growth associated with cumulative development. Therefore, impacts of the Housing Element Programs on parks and other recreational facilities are not cumulatively considerable and the cumulative impact would be ***less than significant***.

In conclusions, implementation of the Housing Element Programs are not expected to result in the need for new or expanded fire protection facilities, police protection facilities, school facilities, library facilities, other municipal service facilities, parks or recreational facilities. If future requests for land use amendments cause the need for new facilities, development of such facilities would be located within the planning area analyzed in this Draft EIR. The



General Plan includes policies and programs that are specifically designed to reduce or avoid environmental impacts of construction, including construction of public facilities. The policies related to each environmental topic area are shown throughout this Draft EIR. There are no additional significant impacts related to construction of public service, recreational or park facilities beyond the construction impacts that are analyzed throughout this Draft EIR. As appropriate, future facility construction plans would be subject to project-level CEQA analysis and additional feasible mitigation, if appropriate. Therefore, there would be no significant adverse physical cumulative environmental effects associated with construction and operation of new fire protection facilities, police protection facilities, school facilities, library facilities, other municipal service facilities, parks or recreational facilities, and this impact is considered ***less than significant***.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required



**LEGEND**

-  Sausalito City Boundary
-  Housing Element Programs Sites
-  City Hall and Library
-  Fire Station
-  Police Station
-  Willow Creek Elementary School
-  Bay Model Visitor Center
-  City Park

**HOUSING ELEMENT PROGRAMS EIR**

**Figure 3.13-1. Public Facilities**

Sources: City of Sausalito; Marin GeoHub, Google Maps. Map date: July 19, 2023.





**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- Public Parks
- Public/Institutional with Recreation
- Open Space

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.13-2. Parks and Open Space

Sources: City of Sausalito; Marin GeoHub; Sausalito General Plan. Map date: July 19, 2023.

### 3.14 TRANSPORTATION AND CIRCULATION

This section describes existing and projected transportation conditions in Sausalito, including an analysis of potential impacts associated with adoption and implementation of the Housing Element programs. The transportation analysis has been prepared to satisfy CEQA requirements by W-Trans, with modeling support provided by Kittelson & Associates. The programmatic nature of the project was recognized in preparing the analysis, including assessments of whether it would conflict with adopted plans or policies addressing the circulation system including transit, roadway, bicycle and pedestrian facilities; result in hazards due to geometric design features; or result in inadequate emergency access to a site.

As required by the CEQA Guidelines, the primary determinant of significance related to transportation is focused on a quantitative assessment of vehicle miles traveled (VMT). As described below, this focus on VMT is a relatively recent change in CEQA, and relevant in that it has replaced the congestion-based level of service (LOS) metric that had previously been used.

In 2013, Governor Brown signed SB 743, requiring amendments to the CEQA guidelines for analyzing transportation impacts. Through this action, Public Resources Code Section 21099 (b)(1) directed the California Governor's Office of Planning and Research (OPR) to prepare updated CEQA guidelines for adoption by the Natural Resources Agency, including revised transportation significance criteria. PRC Section 21099 (b)(2) further specifies that upon certification of the updated CEQA guidelines, "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment." The use of VMT as a CEQA significance threshold became mandatory on July 1, 2020. Accordingly, consistent with the requirements set forth in SB 743 and current CEQA guidelines, the transportation analysis completed for the Sausalito Housing Element programs focuses on the analysis of VMT rather than LOS.

All figures referenced are located at the end of the chapter.

#### 3.14.1 EXISTING SETTING

##### *Regional Context*

Sausalito is located in southern Marin County alongside San Francisco Bay, just north of San Francisco and the Golden Gate Bridge. The City is bounded by unincorporated Marin County including the Marin City area to the north, the Golden Gate National Recreation Area to the south and west, and San Francisco Bay to the east. US 101 is a major freeway running through the western portion of Sausalito that functions as the primary north-south route through Marin County, connecting major population centers to destinations to the south



(including San Francisco) via the Golden Gate Bridge, as well as Sonoma County and northern California to the north.

### ***Existing Roadway Network***

This section describes the physical characteristics of the primary roadway network within and serving Sausalito. A map of key roadway and transportation facilities is shown in Figure 3.14-1.

#### **Freeway**

**US 101** is Marin County's primary north-south highway, connecting to San Francisco via the Golden Gate Bridge and to Sonoma County in the north. Within Sausalito, US 101 is an eight-lane freeway located along the western edge of the City, with interchanges at North Bridge Boulevard (Marin City) at the northern end of the City, Alexander Avenue to the south of the City, Spencer Avenue, and a northbound-only interchange at Rodeo Avenue.

#### **Arterial Streets**

**Bridgeway** is the primary corridor serving the City of Sausalito, running north-south generally along the waterfront. The northern end of the corridor between the US 101 Marin City interchange and Napa Street is a four-lane median-divided street. From Napa Street southward to Richardson Street, the corridor includes three lanes (one lane in each direction plus a center turn lane). Speed limits range from 25 to 35 mph.

**Richardson Street – Second Street – South Street** include segments designated as minor arterials and link the southern end of Bridgeway to the Alexander Avenue corridor at the southern City limits which extends to US 101 near the Golden Gate Bridge. The streets include one travel lane in each direction and have 25 mph speed limits.

#### **Collector Streets**

**Spencer Avenue – San Carlos Avenue** include segments designated as collector streets and connect the US 101 freeway interchange at Spencer Avenue to Bridgeway. The streets include two lanes and have 25 mph speed limits.

**Rodeo Avenue – Nevada Street** include segments designated as collector streets and connect the US 101 northbound freeway interchange at Rodeo Avenue to Bridgeway. The streets include two lanes and have 25 mph speed limits.

### ***Transit Service***

Sausalito is served by several modes of public transportation, including regional and local buses and ferries, as described below. The transit routes serving Sausalito are shown in Figure 3.14-2.

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### Golden Gate Transit

Golden Gate Transit provides regional bus service to locations in Marin County, with connections to San Francisco, Sonoma County, and the East Bay. Route 130 operates along the Bridgeway and Alexander Avenue corridors within Sausalito, connecting downtown San Francisco to the San Rafael Transit Center. Route 130 operates with approximately one-hour headways in each direction (northbound and southbound) seven days a week. Golden Gate Transit also operates several routes along the US 101 corridor that stop at the Spencer Avenue bus pads, including Route 101 which runs daily at regular intervals between San Francisco and Santa Rosa, Route 132 which provides eight southbound morning and six northbound afternoon commute express buses between San Anselmo and San Francisco, and Route 150 which runs seven days a week at hourly intervals in each direction between San Francisco and the San Rafael Transit Center.

Many Golden Gate Transit bus stops include bicycle racks. Up to two bicycles can be accommodated on buses.

### Marin Transit

Marin Transit provides several types of transit service within Marin County, offering routes primarily between and within communities along the US 101 corridor, with many including connections at the San Rafael Transit Mall. Two Marin Transit routes provide local service in Sausalito along Bridgeway between the northern City limits and the Ferry Terminal at Bridgeway/Bay Street. Route 17 provides daily service between the Sausalito Ferry Terminal and San Rafael Transit Center at 30-to-60-minute headways in each direction on weekdays, and hourly headways in each direction on weekends. Route 61 runs between the Sausalito Ferry Terminal and Bolinas, with four daily buses in each direction on weekdays and six daily buses in each direction on weekends.

All Marin Transit vehicles include a lift or wheelchair ramp and can accommodate at least two wheelchairs, as well as racks that can accommodate at least two bikes.

### Ferry Service

Golden Gate Transit operates ferry service between the San Francisco Ferry Terminal and the Sausalito Ferry Terminal near Bridgeway/Bay Street. On weekdays, there are seven daily ferries in each direction, and on weekends there are five daily ferries in each direction. In addition to Golden Gate Transit, the private operator Blue & Gold Fleet operates ferry service between the Sausalito Ferry Terminal and Pier 41 in San Francisco. Blue & Gold Fleet operates five daily ferries in each direction seven days a week.<sup>1</sup>

### Marin Access Paratransit

Marin Access Paratransit offers a dial-a-ride, door-to-door, shared service for people with disabilities who are unable to use Marin Transit or Golden Gate Transit fixed route transit

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<sup>1</sup> Blue and Gold Fleet, *Sausalito Ferry*, <https://www.blueandgoldfleet.com/sausalito/>, accessed May 2023.



service. Paratransit operates within three-quarters of a mile of fixed route service during the same hours of operation.

### **Call a Ride for Sausalito Seniors (CARSS)**

Residents of Sausalito that are age 60 or older are eligible for the CARSS free transportation program, which offers rides provided by volunteers. The service is available within the broader Sausalito area on weekdays between 10:00 a.m. and 2:00 p.m.<sup>2</sup>

### **Marin Catch a Ride**

Marin Catch a Ride is a discount taxi program overseen by Marin Transit that offers discounted rides by taxi and other licensed vehicles for people at least 80 years old, 60 and unable to drive, or who are eligible for ADA paratransit service.

### **Bicycle Facilities**

Bicycle circulation in Sausalito is accommodated on a network of paths, bike lanes, designated bike routes, and supporting facilities. Several planned bike facilities have also been identified, including several intended to further strengthen north-south routes through town. A map excerpt from the Sausalito General Plan showing the City's existing and proposed bicycle network is provided in Figure 3.14-3.

The *Highway Design Manual*, Caltrans, 2020, classifies bikeway facilities into five categories:

- Shared Roadway (No Bikeway Designation) – no bikeway signage or striping is provided, although treatments such as edgeline striping and shoulders may be provided to enhance bicyclist access and safety.
- Class I Multi-Use Path – a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized.
- Class II Bike Lane – a striped and signed lane for one-way bike travel on a street or highway.
- Class III Bike Route – signing only for shared use with motor vehicles within the same travel lane on a street or highway.
- Class IV Bikeway – also known as a separated bikeway, a Class IV Bikeway is for the exclusive use of bicycles and includes a separation between the bikeway and the motor vehicle traffic lane. The separation may include, but is not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

The 2021 Sausalito General Plan Circulation Element identifies the following future bicycle facility improvements in the City.

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<sup>2</sup> Call a Ride for Sausalito Seniors (CARSS), *Rider Information*, <https://www.carss4you.org/copy-of-volunteer-information>, accessed September 2022.

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- Bridgeway Bikeway South: Policy CP-5.3.1 calls for installing new lane striping, signing, and other improvements to enhance the Bridgeway south corridor (Alexander Avenue, South Street, Second Street, Richardson Street, and Bridgeway) from the south city limits to Johnson Street as a largely Class III bike facility with Class II facilities where feasible, and to consider installation of a Class IV bike facility along portions of the corridor.
- Bridgeway Bikeway North: Policy CP-5.3.2 states that the City will consider modifying the street alignment on Bridgeway to include a Class IV bikeway, if feasible. The Bridgeway Bikeway North segment extends from Johnson Street to the northern City limits.
- North-South Family Bikeway: Policy CP-5.3.3 calls for the City to complete and enhance the existing off-street bike path to provide a largely Class I bike facility parallel to Bridgeway from Johnson Street, through the Marinship area, and to the northern city limits.
- North-South Greenway: Policy CP-5.3 seeks to link Sausalito to the North-South Greenway, which is a planned countywide bicycle and pedestrian corridor running from the Golden Gate Bridge to northern Novato. Within Sausalito, gaps in the North-South Greenway exist including off-street path segments on Bridgeway between Donahue Street and Johnson Street, along the bayfront between Johnson Street and the ferry terminal, and on Bridgeway between Princess Street and Richardson Street.

The *Caltrans District 4 Bike Plan* (2018) includes recommendations for facilities to enhance bicycle safety and access along and across state highway facilities. Near Sausalito, it identifies implementation of bike lanes on Donahue Street to improve bicycle connectivity under US 101, connecting the Marin City area to the Mill Valley Sausalito Path east of Bridgeway.<sup>3</sup>

The City of Sausalito recently constructed enhancements to improve bicycle circulation and safety at the Bridgeway/Gate 6 Road intersection. The project included adding bicycle detection, pavement rehabilitation, and improvements to curb ramps and crosswalk bicycle/pedestrian waiting areas.

### **Pedestrian Facilities**

Pedestrian facilities include components such as sidewalks, trails, crosswalks, pedestrian signals, and pedestrian crossing warning devices. In the flatter areas of Sausalito where pedestrian volumes are highest, including along the Bridgeway and Caledonia Street corridors, commercial districts, schools, and recreational areas, networks of sidewalks and multi-use pathways are typically available to accommodate pedestrian travel. In the Marinship area most public streets have sidewalks on one or both sides of the roadway,

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<sup>3</sup> California Department of Transportation (Caltrans), *Caltrans District 4 Bike Plan for the San Francisco Bay Area*, 2018.

though there are some exceptions such as the northern portion of Marinship Way that lacks pedestrian facilities. Sidewalks are generally present in areas where recent development or redevelopment activity has occurred.

Sidewalks and pathways are more limited in the City's mountainous residential areas though several pathways and stairways do extend into these areas, including connections to passive recreation and open space areas to the west of the City.

### 3.14.2 REGULATORY SETTING

#### **State**

##### **Senate Bill 743**

SB 743, signed into law in 2013, required CEQA lead agencies to shift away from using traditional congestion-based level of service standards and automobile delay to determine significant traffic impacts. As a result of SB 743, the CEQA guidelines have been updated to reflect VMT as the primary metric for evaluating transportation impacts. Pursuant to Public Resources Code Section 21099(b)(2), "automobile delay, as described solely by level of service of similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment." The *Technical Advisory on Evaluating Transportation Impacts in CEQA*, California Governor's office of Planning and Research (OPR), December 2018, referred to herein as the "OPR Technical Advisory," provides details on VMT assessment, methodologies, and suggested metrics. It is important to note that while jurisdictions including Sausalito may continue to maintain LOS standards for non-CEQA planning purposes, effects on LOS are no longer considered an environmental impact.

##### **California Department of Transportation (Caltrans)**

Caltrans has not established formal VMT significance thresholds, though in May 2020 released the *VMT-Focused Transportation Impact Study Guide* (TISG) that refers to guidance provided in the OPR Technical Advisory, which recommends VMT per capita thresholds 15 percent below existing city or regional levels. The Caltrans TISG also refers to OPR Technical Advisory guidance on the types of projects that can be presumed to have a less-than-significant transportation impact. The TISG reiterates that automobile delay is no longer considered a significant impact on the environment within CEQA transportation analysis, indicating that the agency's Local Development-Intergovernmental Review (LD-IGR) program will focus on VMT consistent with the CEQA guidelines.

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### ***Regional***

#### **Transportation Authority of Marin (TAM)**

TAM is designated as the congestion management agency for Marin County. TAM is responsible for managing a variety of transportation projects and programs in Marin County, receiving federal, State, regional, and local funds, and working closely with all eleven cities and towns as well as the County. Historically, TAM was responsible for administering a countywide Congestion Management Program, which included congestion-based level of service performance requirements for designated roadways in the County. Within and near Sausalito, these included US 101 and Bridgeway.

On April 28, 2022, the TAM Board of Commissioners unanimously directed TAM staff to initiate the process of opting out of the CMP and focus future efforts on the development of a Comprehensive Transportation Plan. In August 2022, TAM notified the Metropolitan Planning Commission (MTC) that it had received sufficient support from Marin County jurisdictions to formally opt out of the CMP. With this change, CMP requirements pertaining to analysis of consistency with LOS-based metrics no longer apply. One of the reasons cited by TAM for this change is to address inconsistencies with CEQA, which no longer considers traffic congestion (as measured by LOS) to constitute a significant environmental impact, instead requiring assessment of VMT.

### ***Local***

#### **Sausalito General Plan**

The General Plan contains the following policies and programs in its Circulation and Parking Element that are relevant to the project:

##### *Circulation and Parking Element*

Policy CP-1.1 Street Network. Emphasize maintenance and improvements to the street network that will not require construction or major roadway widening.

Program CP-1.2.1 Commuter Through Traffic. Investigate methods to minimize commuter through traffic in residential areas including the consideration of expanding existing regional bike facilities through Sausalito.

Program CP-1.3.1 On-Street Parking Restrictions. Consider restricting on-street parking on primary arterial roadways in order to maintain the desired VMT standards and provide safer bicycling facilities.

Program CP-1.4.1 VMT Standard. Transition to a citywide VMT standard when considering traffic impacts of new development, in keeping with CEQA requirements.

Program CP-1.4.2 VMT Transition. Fund and maintain a program that supplies an annual Traffic Report Card with both level of service and vehicle miles traveled data throughout the LOS-to-VMT Transition process.

Policy CP-2.5 Residential On-Street Parking. Manage the supply of on street parking in residential areas.

Program CP-2.5.1 Residential Parking Goals. Develop goals for parking on residential streets that include preserving neighborhood character, promoting circulation safety, and potentially managing household delivery and home health services.

Policy CP-3.1 Public Bus Service. Encourage the maintenance of a safe, efficient, and reliable bus service.

Program CP-3.1.2 Enhance Bus Stops. Work with the GGT and Marin County Transit District (MCTD) to provide bus stop amenities that facilitate greater use by Sausalito transit riders.

CP-3.1.3 Direct Commuter Service. Work with GGT and MCTD to provide direct (no transfer) commuter service for people employed in Sausalito.

Policy CP-3.2 Alternative Transportation. Improve the efficiency of the existing transportation system and reduce the reliance on the private automobile by emphasizing alternative transportation modes.

Program CP-3.2.1 Shuttle Service. Explore alternative forms of transit service, including recommendations from the Low Emissions Action Plan and Climate Action Plan, such as shuttle service from remote parking sites and local shuttle bus service throughout the community.

Program CP-3.2.2 School Bus System. Promote school bus usage by school systems and families.

Program CP-3.2.3 Information on Transit. Work with local businesses to provide information on transit alternatives for distribution at local stores and hotels.

Program CP-3.3.1 Multimodal Considerations. Identify and implement best practices to link public transit to rideshare and micromobility platforms.

Program CP-4.1.3 Bus/Ferry Connections. Encourage the transit district to improve the ferry and bus connection points as well as timing of the schedules.

Program CP-4.1.5 Multimodality. Improve rideshare, bicycle parking, and micro-mobility staging near the ferry terminal.

Program CP-4.2.1 Small-Craft Shared Mobility. Consider the feasibility of small-craft shared mobility platforms in Sausalito.

Policy CP-5.1 Bicycle Master Plan. Plan, design, implement, and maintain bicycle infrastructure in Sausalito according to the Bicycle Master Plan.

Program CP-5.1.3 Local Bicycle Trips. Promote local bicycle trips by Sausalito residents and workers when updating the Bicycle Master Plan, including encouraging trips to commercial areas of the city.

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Policy CP-5.2 Bicyclist Safety. Provide a safe environment for bicycling along city streets and bicycle trails.

Program CP-5.2.2 Safe Routes to School. Support the Safe Routes to School Program.

Program CP-5.3.1 Bridgeway Bikeway South. Consider installation of a Class IV Bike facility along portions of Bridgeway. Install new lane striping, signing, and other improvements to enhance the Bridgeway corridor (Alexander Avenue, South Street, Second Street, Richardson Street, and Bridgeway) from the south city limits to Johnson Street as a largely Class III Bike facility with Class II facilities where feasible.

Program CP-5.3.2 Bridgeway Bikeway North. Consider modifying the street alignment on Bridgeway to include a Class IV Bikeway, if feasible.

Program CP-5.3.3 North-South Family Bikeway. Complete and enhance the existing off-street bike path to provide a largely Class I Bike facility parallel to Bridgeway from Johnson Street, through the Marinship area, and to the northern city limits.

Program CP-5.3.5 Bicycle Parking Standards. Amend the Zoning Ordinance to require bicycle parking facilities and standards for new development, redevelopment, and/or intensification of existing developed sites.

Policy CP-5.4 Bridgeway Bikeway South: Long-Term Solutions. Investigate and study long-term solutions to either ameliorate or bypass the most constricted and/or congested conditions at Alexander Avenue, South Street, and Bridgeway south of the downtown.

Policy CP-5.5 Bicycle Route Design and Standards. Ensure that all existing and proposed bike routes, lanes, paths, and intersections are compliant with the most up-to-date standards to reduce conflicts between bicyclists, vehicles, and pedestrians, promote safety, and encourage the use of nonmotorized travel modes.

Program CP-5.6.2 South Connector Trail. Work with ABAG and the San Francisco Bay Trail Project to provide a connector trail from the Ferry Terminal south to East Fort Baker.

Program CP-5.6.3 Regional Bike Route Alternative. Work with the County of Marin, GGNRA, Caltrans, GGT, MCTD, and other relevant agencies to establish an alternate north-south connector bike route to bypass the urbanized areas of Sausalito and alleviate bicycle through-traffic on Bridgeway, particularly in the south corridor.

Program CP-5.7.1 Priority Segments. Implement a study of all existing stair systems and public easements to identify the priority stair connectors that can be utilized as emergency exits and implement improvements to these systems.

Program CP-5.7.2 Connector Segments. Consider purchasing connector segments to complete the pedestrian trail and pathway system.

Program CP-5.7.3 Access Easements. Require new projects, as appropriate, to dedicate access easements.



Program CP-5.7.4 Paper Streets. Investigate the use of existing unimproved portions of public rights-of-way as new pathway connectors.

Program CP-5.7.5 Private Encroachments. Identify private encroachments onto trail and pathway easements and restore those trails and pathways wherever possible.

Policy CP-5.8 Pedestrian Safety. Provide a safe walking environment along city streets and pathways.

Program CP-5.8.1 Coordination with School District. Coordinate with the School District and the Transit Agency of Marin to identify Safe Routes for children on the way to school.

Policy CP-5.9 Accessibility. Ensure city sidewalks and pathways are accessible for people of all abilities.

Program CP-5.9.1 Review of New Projects. Continue to review all projects, including installations of ramps and curb cuts, for compliance with accessibility standards in accordance with Title 24 of the California Administrative Code and the Americans with Disabilities Act of 1991.

Program CP-5.10.1 Complete Streets Implementation. Implement a complete streets policy to include multi-modal aspects of access improvements, including but not limited to bicycle access, pedestrian improvements, and accessibility improvements, to all capital projects wherever practical.

Policy CP-5.11 Development Plan Review. New development and substantial remodels in the Marinship should give special attention to the establishment and enhancement of pedestrian and bicycle pathways.

Program CP-5.11.1 Marinship Pedestrian Incentives. Prioritize the creation and maintenance of pedestrian and bicycle paths as part of new development or substantial remodeling projects in the Marinship.

Policy CP-6.1 Development Requirements. Require developers of new and redevelopment projects to contribute to the cost of needed traffic and transit improvement.

Program CP-6.1.2 Maximize Transit Ridership. During review of proposed development, encourage improvements that will maximize ridership of public transit, such as those recommended by the Low Emissions Action Plan and Climate Action Plan.

Program CP-6.3.1 Circulation Coordination. Consider a strategy to improve circulation on public and privately-owned rights-of-way in the Marinship as part of a potential Marinship Infrastructure Needs Analysis.

Program CP-6.3.2 Pedestrian/Bicycle Marinship Circulation. Encourage development of bicycle and pedestrian-oriented circulation that does not interfere with the economic sustainability of the working waterfront maritime and industrial neighborhood character of the Marinship.

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Policy CP-7.4 Equitable Transportation. Integrate equity into Sausalito's circulation and parking projects, working with Caltrans and other agencies to strive towards meeting the transportation needs of all households and community members, including those with limited mobility and/or travel options. Explore ways to increase the scope of equitable transportation in Sausalito.

Program CP-7.4.1 Transit Improvements. Work with Marin Transit, Caltrans, and other relevant organizations to better connect Sausalito residents to their workplaces and Sausalito workers to their residences, including optimizing transit routes and schedules. This strategy should promote car-free transportation and it may include data collection and analysis improvements.

Program CP-7.4.2 Pedestrian Improvements. Promote safe pedestrian walkways throughout the city, including paths, stairways, sidewalks, and crosswalks. This may include maintenance as well as the creation of new walkways where appropriate.

Program CP-7.4.3 Innovative Transportation. Consider support for existing innovative car-sharing (such as CARSS) and new transportation methods that will increase equitable access to the city for members of the Sausalito community, particularly those with lower incomes or mobility issues.

### *Health, Safety, and Community Resilience Element*

Policy HS-2.4 Access for Emergency Vehicles. Provide and maintain adequate access for emergency vehicles and equipment, particularly firefighting equipment. Proactive measures may be necessary to encourage efficient measures, including ensuring adequate width of roadways, and not siting critical egress and ingress within flood zones to the extent possible.

Program HS-2.4.1 Street Encroachment Permit Process. Maintain a temporary street encroachment permit process so that construction and other large pieces of equipment or vehicles occupying the public right-of-way may be regulated.

Program HS-2.4.2 Street Frontage Improvement. Require frontage improvements when private development is proposed and where neighborhood compatibility concerns can be addressed (see policy CP-2.5).

### **3.14.3 THRESHOLDS OF SIGNIFICANCE**

According to CEQA Guidelines Appendix G, except as provided in Public Resources Code Section 21099, the proposed project would have a significant impact related to transportation if it would:

- Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b);

- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- Result in inadequate emergency access.

### ***Vehicles Miles Traveled Thresholds***

CEQA Guidelines Section 15064.3, subdivision (b) pertains to the use of VMT as a significance threshold. As described in the methodology section that follows below, residential projects are analyzed using a home-based VMT per capita performance metric. The OPR Technical Advisory states that the VMT significance threshold for residential projects should be established using the citywide or regional average VMT per capita, with the region in this case defined as the nine-county Bay Area. Many incorporated cities establish their residential VMT significance threshold using an intermediate geographical area based on the countywide average instead of the citywide or regional average. The countywide average was used to determine the residential VMT threshold for the proposed project for two key reasons. First, the proposed project affects sites throughout the City of Sausalito, so comparing its VMT effects to a citywide average could make results difficult to discern; using the Marin countywide average provides a much clearer comparison of how Sausalito's vehicle travel patterns relate to its surrounding area. Second, comparing the project's residential VMT to the Bay Area regional average is overly-conservative as the regional average heavily "weights" travel patterns occurring in major metropolitan areas including San Francisco and Oakland that have especially robust transit systems; again, using the Marin countywide average provides a much clearer and more appropriate comparison to the surrounding area's physical environment and land use context. Per OPR Technical Advisory guidance, a residential project exceeding a level of 15 percent below the existing average VMT per capita is considered to have a significant transportation impact. The existing average Marin countywide VMT per capita is 14.8 miles, as reported from the TAMDM model used in this analysis, which has a base year of 2019 (the most current data available). The applicable residential VMT significance threshold is therefore 15 percent below this value, or 12.6 VMT per capita.

For the purposes of this analysis, the nonresidential components of the project that would be associated with mixed-use development on potential housing sites was conservatively treated as employment-based or office uses (this is conservative because retail uses occurring at the sites would be "screened" from VMT analysis since they would be considered local-serving and presumed to have a less than significant VMT impact, whereas employment/office uses are analyzed for their VMT-generating characteristics). The OPR Technical Advisory indicates that the VMT significance threshold for employment/office projects should be established using the regional average home-based commute VMT per employee. The existing regional average VMT per employee is 18.1 miles as reported from

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the TAMDM model used in this analysis. The applicable VMT significance threshold for employment-based uses is therefore 15 percent below this value, or 15.4 VMT per employee.

### ***Methodology***

As described in Chapter 2, Project Description, the potential housing sites identified in the Housing Element update are located throughout Sausalito. Including potential ADUs as well as potential units associated with State Density Bonus provisions and SB 9, the combined sites could accommodate an estimated total of 1,146 new residential units. The Project would also accommodate an estimated net increase of up to 16,852 square feet of commercial space on housing sites identified as mixed use. These 1,146 potential residential units and 16,852 square feet of commercial uses are evaluated as the Project in the transportation analysis.

### **Vehicle Miles Traveled Methodology**

This section provides a background on VMT and describes the methodology used to assess the potential VMT impacts that could result from the proposed Housing Element programs.

#### *VMT Background*

VMT represents a number of daily miles driven and can be expressed in different ways including total VMT, which is an aggregate value measured in miles, and VMT per capita, which is a performance metric measured in the number of miles driven per person. Many factors affect VMT including the average distance residents commute to work, school, and shopping, as well as the proportion of trips that are made by non-automobile modes. Areas that have a diverse land use mix and ample facilities for non-automobile modes of travel, including transit, tend to generate lower VMT than auto-oriented suburban areas.

#### *TAMDM Model*

Forecasts of regional travel by various modes as well as regional average VMT per capita values are determined using the Transportation Authority of Marin Demand Model (TAMDM). The travel model is a set of mathematical procedures and equations that represent the variety of transportation choices that people make, and how those choices result in trips on the transportation network. The TAM regional travel model is an activity-based model that is a member of the Coordinated Travel – Regional Activity-Based Modeling Platform (CT-RAMP) family of models. TAMDM is nested within the nine-county Bay Area Travel Model Two activity-based model maintained by the Metropolitan Transportation Commission (MTC). The MTC version of the CT-RAMP features a very detailed spatial system including an all-streets transportation network with 4,800 Transportation Analysis Zones (TAZs) and almost 40,000 Micro-Analysis Zones (MAZs). The model also utilizes 6,200 transit access points (TAPs).

The most recently updated version of the TAM regional activity-based travel demand model is used to identify the VMT generated by land uses in Sausalito, Marin County, and the entire

Bay Area region. For the Sausalito Housing Element programs analysis, the 2019 version of the TAMDM that includes the SMART commuter rail service, and the 2040 version that incorporates changes envisioned by long-range land use plans throughout the County, were used to produce VMT estimates. The TAMDM requires land uses to be defined for each geographic area in the region, i.e., the MAZ. The model land use inputs include numbers of households, persons and their attributes, employees by employment category, as well as enrollment at schools. TAMDM had defined a 2040 land use forecast for the RTP/SCS based on regional economic forecasts. This forecast was assumed to be generally consistent with the allowable land uses in the Sausalito General Plan.

The transportation modeling completed for the Housing Element programs includes all of the sites identified in the Housing Element, which contain a total of 1,146 potential residential units. The modeling also includes a net increase of 16,852 square feet of mixed-use commercial space that could be accommodated on the housing sites.

The land use and population changes associated with the proposed Housing Element programs were compiled into two project-specific model runs, one of which was performed for base year 2019 plus project and the other of which was performed for the forecast year 2040 plus project. The year 2019 was used as a base year as that is the year with the most recent traffic data available. From these model runs as well as the “no project” 2019 and 2040 runs, VMT per capita and VMT per employee metrics were extracted. The residential VMT per capita metrics include all home-based trips made by residents but do not include trips visiting residences (e.g., non-home-based trips made by deliveries and visitors). The citywide average VMT per capita is calculated by summing the vehicle mileage (excluding trips made by transit, bicycle or walking) for all trips made by Sausalito residents and dividing by the City’s population. VMT per employee estimates are based on home-based work VMT (i.e., the VMT generated by employee commute travel) divided by the number of employees. The same approach is used for determining the VMT performance metrics for the County of Marin and Bay Area. VMT estimates for the 2019 baseline modeled conditions are shown in Table 3.14-1.

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TABLE 3.14-1: TAMDM DEMOGRAPHICS AND VMT, 2019 BASELINE CONDITIONS

CATEGORY	SAUSALITO	MARIN COUNTY	BAY AREA
<b>Residential VMT</b>			
Home-Based VMT	111,668	3,857,629	98,849,727
Population	7,403	261,431	7,891,837
VMT per Capita	15.1	14.8	12.5
<b>Employment VMT</b>			
Employment Home-Based (Commute) VMT	182,445	2,820,978	66,834,439
Employees	7,052	121,196	3,694,811
VMT per Employee	25.9	23.3	18.1

**NOTE: VMT = VEHICLE MILES TRAVELED; REPORTED VALUES ARE MEASURED IN MILES.**

Source: TAMDM, Kittelson & Associates, W-Trans, 2023

### VMT Performance Metrics

The VMT performance metrics applied in the analysis of the Housing Element programs are consistent with guidance contained in the OPR Technical Advisory. Potential impacts associated with residential uses were analyzed by measuring VMT per capita, while potential impacts associated with nonresidential uses were assessed using VMT per employee. Further information on the applied VMT significance thresholds is provided in the Thresholds of Significance section above.

### Screening

CEQA allows for the use of screening thresholds or criteria to identify certain types of projects that can be expected to cause a less-than-significant impact without needing to conduct a detailed analysis (CEQA Guidelines sections 15063(c)(3)(C), 15128, and the environmental checklist included in CEQA Appendix G). The OPR Technical Advisory suggests that lead agencies use such criteria to “screen out” VMT impacts for qualifying projects and includes descriptions of several screening types. Following are screening criteria identified in the OPR Technical Advisory that may pertain to residential projects:

- **Small Project Screening:** Projects that generate or attract fewer than 110 trips per day may be presumed to have a less-than-significant impact.
- **Map-Based Screening:** Projects located within areas that have been mapped by jurisdictions as being low-VMT areas, as evidenced through quantified VMT data. While such VMT data is available from the TAMDM model, the City of Sausalito has thus far not produced formal VMT screening maps, so this measure does not currently apply.
- **Screening of Sites Near Major Transit Stops:** Projects located within one-half mile of a major transit stop as defined in Public Resources Code 21064.3. In Sausalito the only location that currently qualifies for major transit stop screening is the area within one-half mile of the ferry terminal.



- **Local-Serving Retail:** Unlike regional retail, local-serving retail development typically redistributes shopping trips rather than creating new trips. The OPR Technical Advisory states that “lead agencies generally may presume such development creates a less-than-significant transportation impact.” Based on OPR guidance, retail projects less than 50,000 square feet in size are typically considered to be local-serving.
- **Affordable Residential Development Screening:** Projects containing 100 percent affordable residential development in infill locations.

In addition to the screening parameters listed above, small nonresidential components of sites containing mixed uses may not require quantitative VMT analysis. The OPR Technical Advisory states that lead agencies may evaluate each component of a mixed-use project independently or may consider only the project’s dominant use. For the proposed project, residential uses are inherently the dominant use, with nonresidential uses generally comprising only a small portion of the overall square footage. While the VMT modeling that was performed for the Housing Element programs includes all potential nonresidential uses, when analyzing individual development projects during the entitlement process, it would be reasonable for the City to focus only on the residential VMT component, or establish a level at which minor commercial components of residential projects need not be assessed (for example, projects where nonresidential uses generate less than 20 percent of the overall daily traffic generated by the project).

For the purposes of the Housing Element programs VMT analysis, all potential housing units and nonresidential uses that could occur on designated sites were included in the VMT modeling results. No sites were excluded from the analysis under the presumption that they would qualify for VMT screening. This approach was used to ensure a conservative analysis, and in recognition that the potential for VMT screening is best assessed at an individual development level during the entitlement process when project-specific details are known.

### ***Non-CEQA Issue – Traffic Congestion***

As previously discussed in this chapter, LOS and congestion-related measures are no longer considered in CEQA, and accordingly have not been analyzed as part of the Housing Element Programs EIR. The following qualitative discussion of potential impacts to congestion is provided for informational purposes.

The proposed project includes the potential development of more housing units than were evaluated in LOS analyses conducted as part of the 2020 General Plan update (contained in Appendix F of the 2020 City of Sausalito Revised General Plan EIR). The General Plan traffic analysis indicates that under future p.m. peak hour buildout volumes at ten key signalized intersections along the Bridgeway corridor, traffic operation is projected to be LOS C or better, which is one or more letter grades above the City’s LOS D standard specified in General Plan Policy CP-1.6. This suggests that, from a traffic operation perspective, these intersections have reserve capacity to accommodate further increases in vehicular traffic

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before being at risk of exceeding the LOS D standard. Despite this reserve capacity, the proposed Housing Element programs do identify several potential housing sites directly along the Bridgeway corridor, and the potential that one or more signalized intersections would drop below LOS D at buildout of the General Plan and sites identified in the Housing Element Update does exist if no corrective actions were taken. However, the City of Sausalito will continue to assess traffic impacts outside of CEQA as part of the entitlement process and retains the authority to require individual development projects to complete traffic improvements needed to maintain acceptable LOS. Such measures would be required by imposing conditions of approval or similar mechanisms, rather than through CEQA-based mitigation measures.

### 3.14.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

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**Impact 3.14-1 Implementation of the Housing Element Programs would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.**

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#### *Auto Circulation*

The Housing Element programs would be substantially consistent with the Sausalito General Plan's policies regarding auto circulation. The General Plan Circulation and Parking Element contains policies and programs intended to maintain and improve the City's roadway network without major roadway widening (Policy CP-1.1), develop a VMT standard (Program CP-1.4.1), include Complete Streets multimodal improvements in capital projects wherever possible (Program CP-5.10.1), and consider a strategy to improve circulation in the Marinship (Program 6.3.1). Policy CP-6.1 requires developers to contribute to the cost of transportation improvements. These policies and programs would help manage the roadway needs created by development of the housing sites identified in the Housing Element.

General Plan Policy CP-1.6 calls for the City to maintain an LOS D standard for signalized intersections during the weekday p.m. peak hour except on Johnson, Bay, and Princess Streets. Note that while LOS is no longer considered in CEQA assessments, Sausalito still maintains this LOS D standard, and may continue to require the preparation of traffic impact studies for development projects in the same manner that is currently applied. Any circulation constraints or deficiencies that are identified in such studies, including measures needed to maintain roadway performance, would typically be addressed as conditions of approval rather than CEQA mitigation measures. The Proposed Plan would not preclude traffic impact studies from being prepared and would not preclude the City from requiring transportation improvements to be completed by development projects (including modifications to improve traffic operation, access, and bicycle, pedestrian, and transit improvements), so would not be in conflict with Policy CP-1.6.

### ***Bicycle and Pedestrian Circulation***

The proposed Housing Element programs would be substantially consistent with policies and programs in the Sausalito General Plan pertaining to bicycle and pedestrian facilities. The General Plan identifies several policies and programs intended to improve facilities for non-auto modes and promote non-auto travel. These include improving and maintaining bicycle infrastructure according to the Bicycle Master Plan (Policy CP-5.1), supporting the Safe Routes to School program (Program CP-5.2.2), and implementation of the Bridgeway and North-South Family Bikeways (Programs CP-5.3.1 through CP-5.3.3 and Policy CP-5.4). Regarding pedestrian facilities, the General Plan calls for improvements to the City's existing stair systems and public easements (Program CP-5.7.1), establishment of new connector segments through potential City purchases (Program CP-5.7.2) and requiring development projects to dedicate access easements (Program CP-5.7.3), ensuring that City sidewalks and pathways are accessible for people of all abilities (Policy CP-5.9), and promoting safe pedestrian walkways throughout the City (Program 7.4.2). The proposed project would not conflict with these policies and programs.

General Plan Policy CP-5.11 requires new development and substantial remodels in the Marinship to establish and enhance pedestrian and bicycle pathways, and Program CP-5.9.1 calls for the City to continue requiring all development projects to be compliant with accessibility standards. Program CP-5.11.1 further calls for creation and maintenance of pedestrian and bicycle paths as part of development projects in the Marinship. The proposed project would not conflict with these policies and programs.

Individual development projects proposed on any of the sites identified in the proposed Housing Element programs would be subject to review by the City of Sausalito during the entitlement process to ensure that adequate pedestrian and bicycle facilities are provided, and to confirm that the projects are consistent with the General Plan policies and programs outlined above. As appropriate, the City would identify required improvements such as (for example) internal and offsite connections, completion of planned bicycle facilities along project frontages, provision of pedestrian connections to bus stops, implementation of crossing improvements including accessible curb ramps, and provision of bike parking.

### ***Public Transit System***

With respect to policies and programs relating to Public Transit, the Sausalito General Plan encourages the maintenance of safe and efficient bus services (Policy CP-3.1) and improvement of ferry and bus connection points by the transit district (Program CP-4.1.3). Program CP-3.1.2 calls for the City to coordinate with transit agencies to provide bus stop amenities that facilitate greater use by Sausalito riders, Program CP-3.2.1 calls for exploring alternative forms of transit including shuttles, Program 3.2.2 addresses promoting school bus usage, and Program 7.4.1 includes working with transit and other agencies to better connect Sausalito residents to workplaces and vice versa. Program CP-6.1.2 indicates that

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during review of proposed development, the City should encourage improvements that will maximize public transit ridership.

Individual development projects proposed on any of the housing sites identified in the Housing Element programs would be subject to review by the City of Sausalito and applicable transit agencies to ensure that adequate access to available transit would be provided. During these project-specific reviews, overseeing agencies would identify required improvements such as (for example) bus pullouts, transit shelters, and sidewalks or pedestrian paths connecting to transit stops.

Because the proposed project would not conflict with policies, plans, or programs regarding roadways, bicycle and pedestrian facilities, and public transit, and because individual developments will be reviewed through the entitlement process to determine necessary transportation improvements, the impact is considered to be **less than significant**.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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#### Impact 3.14-2 Implementation of the Housing Element Programs would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).

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With implementation of the proposed Housing Element programs, the residential VMT per capita in the City of Sausalito is projected to be 13.3 miles, which is a reduction from existing levels. The applicable significance threshold of 12.6 VMT per capita would, however, be exceeded by approximately 5.6 percent overall. Based on review of VMT per capita results at smaller geographic levels (the micro-analysis zone—or MAZ—level in the TAMDM model), some potential housing locations may exceed significance thresholds by as much as 58 percent.

The 19.4 VMT per employee associated with Housing Element sites containing nonresidential uses would also be lower than existing citywide levels. VMT per employee would, however, exceed the applicable significance threshold of 15.4 VMT per employee by approximately 26.0 percent overall.

Because buildout of sites associated with the proposed Housing Element programs would fall short of meeting VMT significance thresholds for residential and nonresidential uses, the project would be considered to have a **significant impact** on VMT.

Table 3.14-2 summarizes the VMT efficiency metrics assessed for the project.

TABLE 3.14-2: VMT ANALYSIS SUMMARY

	RESIDENTIAL VMT PER CAPITA	NONRESIDENTIAL VMT PER EMPLOYEE	TOTAL VMT
<b>Threshold of Significance</b>			
Applicable Geographic Area	Countywide	Regional	-
A. Existing	14.8	18.1	-
B. 15% below Existing (Threshold)	12.6	15.4	-
<b>City of Sausalito</b>			
C. Existing	15.1	25.9	275,631
<b>Proposed Project</b>			
Project Area Assessed	City of Sausalito	Affected MAZs <sup>1</sup>	City of Sausalito
D. Existing plus Project	13.3	19.4	285,421
E. 2040 plus Project	16.7	20.6	333,016
<b>Impact Determination</b>			
Above Threshold?	Yes (+5.6%)	Yes (+26.0%)	-
Impact <sup>2</sup>	Significant	Significant	-

**NOTES:**

**1. TAMDM MICRO ANALYSIS ZONES (MAZS) IN SAUSALITO THAT CONTAIN HOUSING ELEMENT SITES WITH CHANGES IN NONRESIDENTIAL USES.**

**2. A SIGNIFICANT IMPACT OCCURS IF THE RESULTS SHOWN IN ROW D ARE GREATER THAN THE THRESHOLDS SHOWN IN ROW B; VMT VALUES ARE REPORTED IN MILES.**

Source: TAMDM, Kittelson & Associates, W-Trans, 2023

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.14-2** Residential and nonresidential development projects occurring on sites identified in Housing Element programs shall implement travel demand measures (TDM) to reduce VMT.

VMT reduction techniques will vary depending on the location of each development site and the availability of nearby transportation services, though utilization of TDM strategies will play a major role in most cases. The publication *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, California Air Pollution Control Officers Association (CAPCOA), 2021, contains transportation-focused measures that may be implemented to reduce VMT. Following are TDM and other strategies that may be applied; additional measures beyond those provided in this list may be allowed if supported by evidence.

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- Subsidize transit passes;
- Provide or participate in established ride-matching program(s);
- Provide information, educational, and marketing resources for residents, employees, and visitors managed by a TDM Coordinator;
- Complete bus stop improvements or on-site mobility hubs;
- Construct off-site pedestrian and/or bicycle network improvements, particularly those that fill gaps and/or connect the project and surrounding neighborhood to transit;
- Reduce parking supply at affordable or senior residential projects and projects that are well-served by transit;
- Unbundle residential parking costs (sell or lease parking separately from the housing unit) where appropriate on-street management is present;
- Provide or participate in car-sharing, bike sharing, or scooter sharing program(s);
- Emergency Ride Home Program (applies to nonresidential uses);
- Contribute to future VMT mitigation fee programs, banks, or exchanges as they become available.

### **Level of Significance after Mitigation**

#### Significant and Unavoidable

Implementation of this mitigation measure would reduce the VMT impacts associated with future development projects, but quantifying the reduction would be difficult as some of these measures may not be feasible depending on the type of project proposed. There are two important elements that introduce uncertainty as to whether VMT reductions can consistently be achieved. First, the proposed project is programmatic in nature. Specific development plans defining the size, configuration, and characteristics of potential future development projects could potentially result in VMT projections that differ from those reflected in the TAMDM modeling completed for this analysis, but site-specific information about future development projects is not available at this time. Because VMT performance is sensitive to these factors, it is not currently possible to conclusively determine VMT performance metrics and the effectiveness of project-level VMT reduction strategies for individual sites or for the Housing Element sites as a whole. Second, there is uncertainty about the ability for development projects on all project sites to achieve VMT reductions—particularly those projects on sites where it is infeasible to provide new or more frequent transit service and few alternative VMT reduction strategies are viable, at least until such time that VMT mitigation fee programs, banks, or exchanges can be established.



The program-level VMT impact described above does not preclude the finding of less-than-significant impacts for future development projects that achieve VMT levels that are below applicable thresholds of significance, including those that qualify for VMT screening as defined in OPR Technical Advisory or future VMT policies adopted by the City of Sausalito. It is likely that at least some of the sites identified in the Housing Element Programs would meet one or more of the following VMT screening parameters:

- Small projects few daily trips based on ITE trip generation rates, which for example may include:
  - a small number of new single-family homes
  - a small number of attached townhomes or low-rise apartments (apartment buildings with one to three stories of living space)
  - a small number of mid-rise apartments (apartment buildings between four and 10 stories of living space)
  - a small number of senior apartments
- Local-serving retail and service uses
- Projects containing 100 percent deed-restricted affordable housing
- Projects within one-half mile of the Sausalito Ferry Terminal

Given the inability to assure that the residential VMT per capita and employment VMT per employee associated with the proposed project would be reduced below a VMT significance threshold of 15 percent below the countywide average residential and nonresidential VMT, despite implementation of VMT reduction strategies, this impact would be ***significant and unavoidable***.

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**Impact 3.14-3: Implementation of the Housing Element Programs would not substantially increase hazards due to a geometric design feature or incompatible use.**

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While the designs of individual residential development projects covered by the Sausalito Housing Element programs are not known at this time, vehicular access is anticipated to generally take place via existing streets. Where new roads or access points are required, specific access schemes would be determined during project design, and would undergo review for compliance with safety and design standards by the City of Sausalito as required. During such reviews, routine assessments include consideration of the potential need for traffic control or turn lane improvements to maintain safety, the potential for queueing conditions that could lead to safety concerns, and safety related to site accessibility for non-auto modes. Any new transportation facilities would be designed and constructed to local, regional, and federal standards, and as such, would not be expected to introduce any hazardous design features.

The memorandum *Traffic Safety Bulletin 20-02-R1: Interim Local Development Intergovernmental Review Safety Review Practitioner's Guidance*, California Department of

# City of Sausalito

## Housing Element Programs EIR

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Transportation (Caltrans), 2020, provides guidance on how jurisdictions and practitioners may assess transportation safety topics associated with local development projects. The memorandum notes that, “This interim guidance is intended to apply to proposed land use projects and plans affecting the State Highway System (SHS). Specific effects may include but are not limited to adding new automobile, bicycle, or pedestrian trips to state roadways; modifying access to state roadways; or affecting the safety of connections to or travel on state roadways.” The memorandum further explains that the guidance “does not establish thresholds of significance for determining safety impacts,” and reiterates that “Automobile congestion or delay itself does not constitute a significant environmental impact (Public Resources Code, §21099(b)(2)), and traffic safety should not be used as a proxy for road capacity.” As previously noted, development proposals would be reviewed by the City of Sausalito, who, as part of standard procedures, may also refer larger projects located near US 101 to Caltrans for review. Site-specific safety assessments and required improvement measures would be established during such reviews, ensuring that project design features do not create safety hazards.

In summary, development of sites identified in Housing Element programs would be reviewed during standard entitlement processes for conformance with applicable design standards and regulations, ensuring that developments will not substantially increase transportation hazards. Impacts would be considered ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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### **Impact 3.14-4: Implementation of Housing Element Programs would not result in inadequate emergency access**

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The proposed project is programmatic in nature and does not directly assess or analyze the emergency access needs of individual development sites, though the City has existing policies and practices in place that require emergency access to be analyzed during development project entitlement reviews. Because Sausalito is predominantly built out, emergency access to potential housing sites would generally occur via existing roadways. Housing Element programs do not identify any new major roadways or other physical features that would result in inadequate emergency access.

The Sausalito General Plan includes several policies and programs addressing emergency access. Policy HS-2.4 requires the City to “provide and maintain adequate access for emergency vehicles and equipment, particularly firefighting equipment,” and Program HS-2.4.2 requires private development to construct street frontage improvements to preserve safety where neighborhood compatibility concerns can be addressed. Program CP-2.5.1 calls

for the City to develop goals for residential street parking including addressing circulation safety. With respect to construction activity, HS-2.4.1 calls for the City to maintain an encroachment permit process regulating construction vehicles and equipment that occupy the public right-of-way.

The City of Sausalito and responsible emergency service agencies including Southern Marin Fire Protection District will review individual development projects to confirm that they conform to applicable regulations as governed by State laws, including the 2019 California Building Code, as well as the Southern Marin Fire Protection District Wildland Interface (WUI) ordinance (ratified by the City of Sausalito in March 2019), which outlines specific emergency access requirements for development in these areas. During such development reviews, responsible agencies will confirm that emergency vehicle access is adequate, including access from public streets to sites, internal circulation, and maneuverability at intersections. Proposed development projects that do not meet required standards and codes would not be permitted.

The added vehicular traffic associated with development of potential housing sites could affect emergency response vehicles during peak commute hours; however, responders are trained to manage congested conditions by employing tactics such as using sirens, making use of turn lanes and shoulders to bypass stopped traffic, and utilizing alternate routes to bypass congestion and minimize response times. California law also requires drivers to yield the right-of-way to emergency vehicles and remain stopped until emergency vehicles pass. With respect to conditions that may occur during emergency evacuations, please see section 3.8, Hazards and Hazardous Materials.

Considering that individual development projects proposed on potential sites identified in the Housing Element will be subject to established procedures for reviewing project-level emergency access needs and compliance with State and local law as part of the entitlement process, the project's impacts to emergency access would be considered ***less than significant***.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required

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**Impact 3.14-5      Implementation of the Housing Element Programs, in conjunction with cumulative development, would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).**

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Cumulative development in the Bay Area was evaluated in Plan Bay Area 2050. The Plan Bay Area 2050 EIR notes that although VMT is expected to decline in the by Bay Area by 2050, there remains a gap between SB 375 targets and the targets needed to meet State GHG

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## Housing Element Programs EIR

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reduction goals linked to transportation. The ability to reduce regional VMT is tied to local jurisdictions and their ability to meet VMT targets in compliance with thresholds they set to meet CEQA Guidelines Section 15064(3)(b). Because regional entities, such as MTC and ABAG, cannot require local jurisdictions to reduce their local VMT, the cumulative impact of regional growth on VMT would be potentially significant.

With respect to significant VMT impacts, significance is established by comparing Existing plus Project conditions to VMT thresholds based on VMT per capita and VMT per employee performance metrics, as summarized above. As the OPR Technical Advisory states, “A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact.” While not used in this analysis for the purposes of establishing impact significance, the cumulative 2040 plus Project VMT per capita and VMT per employee associated with the proposed Housing Element Programs were projected using the TAMDM model. As shown in Table 3.14-2, the results indicate that the 2040 plus Project residential VMT per capita would be 16.7 miles, which continues to be above the significance threshold of 12.6 miles. For the sites containing nonresidential uses, the cumulative VMT per employee of 20.6 is also projected to remain above the significance threshold of 15.4 VMT per employee. As a result, it can be concluded that the project’s contribution to VMT impacts would be cumulative considerable, and the cumulative impact would be potentially significant.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

**MM 3.14-5** Implement Mitigation Measure 3.14-2.

### Level of Significance after Mitigation

Significant and Unavoidable

Implementation of this mitigation measure would reduce the VMT impacts associated with future development projects. Due to the uncertainty about the ability for development projects on all opportunity sites to achieve the required VMT reductions—particularly those projects on sites where it is infeasible to provide new or more frequent transit service and few alternative VMT reduction strategies are viable, this impact would be **significant and unavoidable**.



**Legend**

**Roads & Piers**

- Highway 101
- Local Road (Unseparated)
- Local Road (Separated)
- Private Roads
- Service Paths
- Piers
- Truck Routes

**Trails**

- City Stairs and Paths
- Paved Path
- Combined Use Trail (Open)
- Combined Use Trail (ROW Secured)
- Hiking/Equestrian (Open)
- Hiking (Open)
- Hiking (Proposed)
- ◆ Trailhead

**Boundaries**

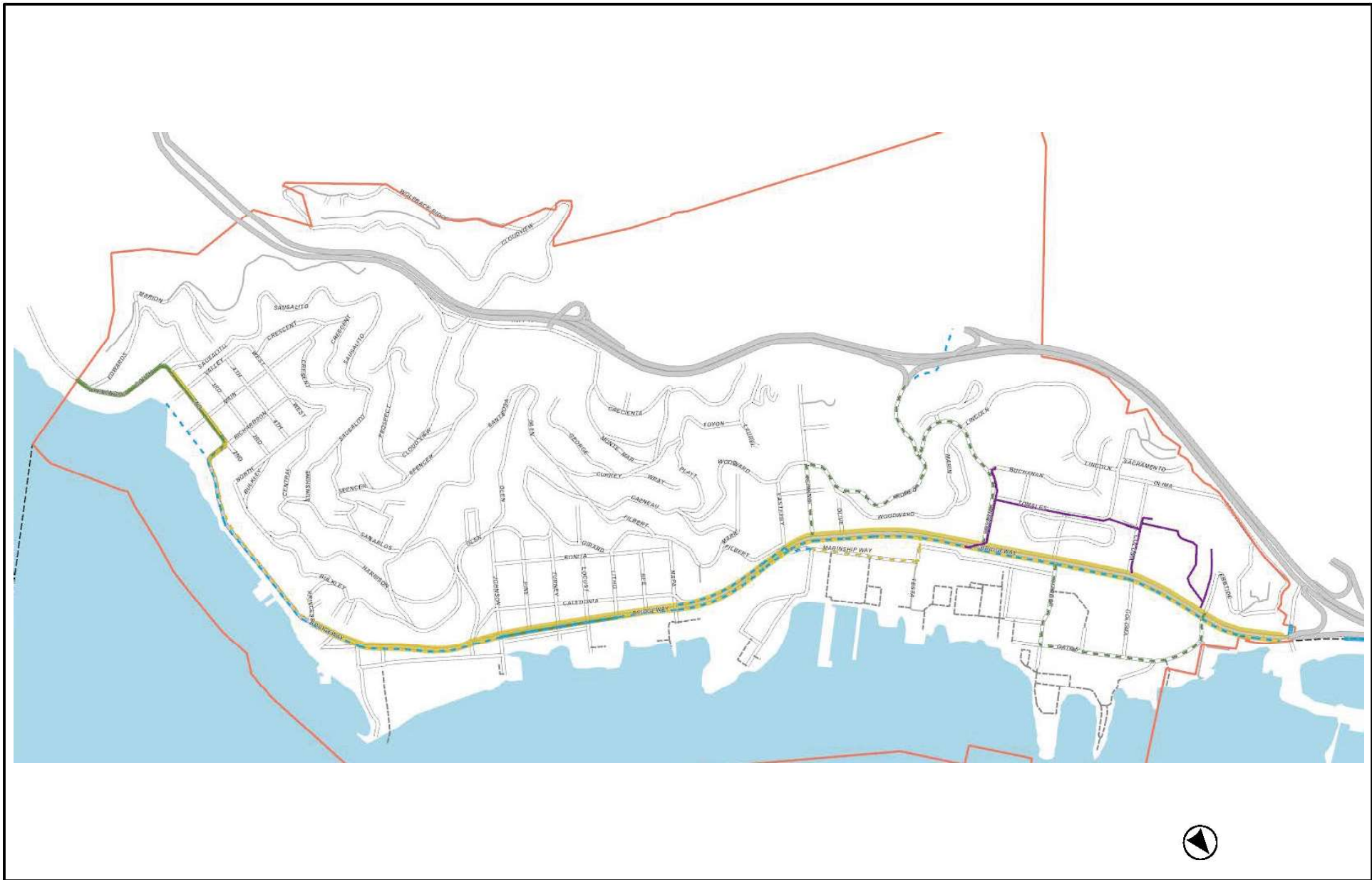
- Ferry Terminal (Major Transit Stop)
- Transit Priority Area (.5 mile radius of Terminal)
- City Boundary
- - - Sphere of Influence

**SAUSALITO HOUSING ELEMENT EIR**

Figure 3.14-1. General Plan Circulation Diagram







**Legend**

Safe Routes to School

**Bikeways**

**Existing**

- Class 1: Separate ROW
- Class 2: Separate Lane
- Class 3: Shared Lane

**Proposed**

- Class 1: Separate ROW
- Class 2: Separate Lane
- Class 3: Shared Lane

**Roads**

- Highway 101
- Local Road (Unseparated)
- Local Road (Separated)
- Private Roads

**Boundaries**

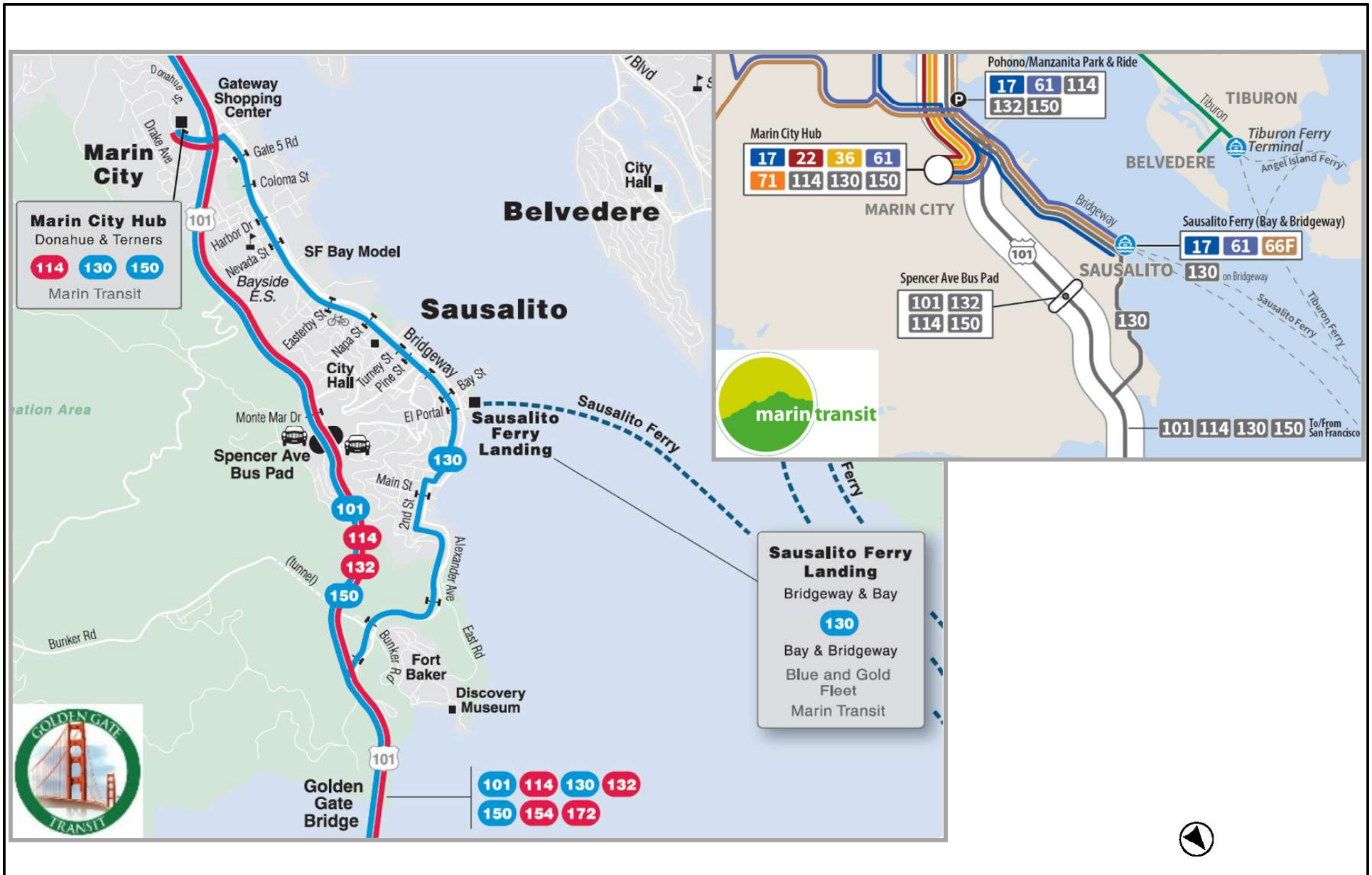
- City Boundary
- Sphere of Influence

**SAUSALITO HOUSING ELEMENT EIR**

Figure 3.14-2. Bicycle Facilities







SAUSALITO HOUSING ELEMENT EIR

Figure 3.14-3. Sausalito Transit Routes

### 3.15 UTILITIES AND SERVICE SYSTEMS

This section Draft EIR evaluates the potential effects on utilities related to implementation of the Housing Element Update by identifying anticipated demands and existing and planned service availability. For the purposes of this Draft EIR, utilities consist of water supply; wastewater; solid waste; and storm drain facilities. Future discretionary projects will be evaluated for project-specific impacts to utilities and service systems at the time they are proposed.

Information in this section is based on information provided by the following reference materials:

#### ***Water Supply***

- Urban Water Management Plan 2020 Update, Marin Municipal Water District, May 2021;
- Urban Water Management Plan 2015 Update, Marin Municipal Water District, June 2016;
- Water Resources Plan 2040, Marin Municipal Water District, March 2017; and
- Marin County Groundwater Elevation Monitoring Program, Marin Municipal Water District, December 2011.

#### ***Wastewater***

- Sewer System Management Plan, Sausalito-Marín City Sanitary District, Adopted August 2013;
- Strategic Plan 2019-2024, Sausalito-Marín City Sanitary District West Valley Sanitation District, adopted May 2019; and
- San Francisco Bay Regional Water Quality Control Board, Sausalito-Marín City Sanitary District Wastewater Treatment Plant and collection system, Order No. R-2-2018-0025, National Pollutant Discharge Elimination System No. CA0038067.

#### ***Solid Waste***

- California Department of Resources Recycling and Recovery website.

### 3.15.1 ENVIRONMENTAL SETTING

#### **Water Supply**

Water for the City of Sausalito is provided by the Marin Municipal Water District (MMWD), which serves the populous eastern corridor of Marin County from the Golden Gate Bridge northward up to, but not including, Novato, Muir Woods, Stinson Beach, Olema, Point Reyes Station, Nicasio, or other West Marin communities that are served by North Marin Water District. The MMWD's service area covers approximately 147 square miles and serves a population of approximately 190,000 customers.<sup>1</sup>

#### **Surface Water**

The MMWD 2015 Urban Water Management Plan (UWMP) describes existing and future sources of water available to the MMWD. As indicated in its 2015 UWMP, most of MMWD's water supply comes from a network of seven local, rain-fed reservoirs. Total reservoir storage operated by the MMWD is 25.9 billion gallons (79,566 acre-feet [AF]). This supply is supplemented with water imported from the Russian River and purchased from the Sonoma County Water Agency (SCWA or Sonoma Water). The MMWD has contracted with SCWA for this source of water since 1975. The current contract allows for the MMWD to purchase up to 14,300 AF. Based on comparison of demands and available supplies, the District's Water service reliability is assessed during normal, single dry-year, and multiple dry-year hydrologic conditions. Based on this analysis, the MMWD expects the available supplies to be sufficient to meet projected demands in all hydrologic conditions, including a five-year drought period, and considering the impacts of climate change.<sup>2</sup>

#### **Groundwater**

There are three groundwater basins identified in the Department of Water Resources (DWR) Bulletin 118 that are at least partially within the MMWD's service area. These three basins include Ross Valley, San Rafael Valley, and part of the Novato Basin. All three basins are categorized by the California Statewide Groundwater Elevation Monitoring program as very low priority basins. Groundwater use within the MMWD's service area is limited to small, domestic use through private groundwater pumping wells. The MMWD has studied the potential for municipal groundwater use since the 1970s. Several studies since that time have determined that the potential for municipal groundwater use within the boundaries of the MMWD's service area is very limited due to limited production capabilities, water quality constraints, and potential water rights issues. As a result of these studies, groundwater is

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<sup>1</sup> Marin Municipal Water District (MMWD). 2016. Billing Areas. Website: <http://www.marinwater.org/documentcenter/view/601>. Accessed March 25, 2020.

<sup>2</sup> MMWD 2020 Urban Water Management Plan

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not currently or planned to be used as a municipal water supply source by the MMWD, though private groundwater wells are used in the MMWD's service area.<sup>3</sup>

### Recycled Water

MMWD also provides recycled water to customers in the Terra Linda area of San Rafael for non-potable uses, including irrigation, cooling towers, car washes, and toilet flushing. Recycled water demand was 638 acre-feet per year (AFY) on average between 2016 and 2020, and is projected to increase to 750 AFY by 2045, an increase of 15% compared to the 2016-2020 average.

There are five wastewater treatment plants within the MMWD's service area that collectively treat roughly 17,200 AFY of wastewater. The MMWD produces its own recycled water by treating secondary effluent provided to the MMWD by the Las Gallinas Valley Sanitary District to tertiary levels before being distributed to customers. MMWD's recycled water system consists of nearly 25 miles of pipeline, which delivered about 748 AFY through approximately 300 service connections in 2020.

### Water Distribution System

The MMWD's potable water distribution system includes approximately 886 miles of water mains, 94 pump stations, and 127 treated water storage tanks with a total storage capacity of 81.9 million gallons. MMWD treats water at its three treatment plants, the Bon Tempe Treatment Plant west of Ross, the San Geronimo Treatment Plant in Woodacre, and the Ignacio Water Quality and Pumping Station.

Water from SCWA flows through SCWA pipelines to Petaluma. From Petaluma, the water flows southward in MMWD's aqueduct for 8 miles to the northern end of MMWD's pipeline facilities in Novato. Water imported from SCWA is naturally filtered in the deep sand and gravel below the riverbed and requires no further clarification. This water enters MMWD's system at the Ignacio treatment facility, where the water is further treated, and water quality is monitored continually and adjusted as needed.

The MMWD's raw and potable water pipelines range from ¾-inch pipes connecting customers' water meters to the MMWD's mains, to the 42-inch transmission mains that carry source water to the treatment plants. The pipes are made of various materials depending on when and where they were installed.

The water system within Sausalito comprises 10 reservoir tanks with a total storage capacity of just over 3 million gallons. The distribution system within Sausalito consists of over 32 miles of pipeline ranging in size from ¾-inch service connections to 16-inch water mains

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<sup>3</sup> RMC Water and Environment. 2016. Marin Municipal Water District Urban Water Management Plan: 2015 Update. June.

**(Figure 3.15-1).**<sup>4</sup> The pipes are made of various materials depending on when and where they were installed. There are also six pump stations that serve the area.

The MMWD's recycled water system consists of nearly 25 miles of pipeline, 1.7 MG of storage, 4 pump stations, and serves about 520 afy of recycled water through 342 service connections. All components of the system are located along the recycled water transmission pipeline network between the Marin County Civic Center, the Terra Linda district of the City of San Rafael and the Marinwood Community Service District area in Marin County. No recycled water is currently produced at the Sausalito-Marin City Sanitary District's Treatment Plant at Ft. Baker and the production at the Sewerage Agency of Southern Marin Plant in Mill Valley is currently very small.

#### *Water Treatment*

To treat raw water before supplying it to customers, MMWD operates three water treatment plants, as previously noted: the Bon Tempe Treatment Plant, the San Geronimo Treatment Plant, and the Ignacio Treatment Facility. Together, these facilities have a combined design capacity of 71 mgd. Observed high flows have reached 45 mgd in July 2006; however, the average daily maximum flow is approximately 22.4 mgd over the last 10 years. In 2019, the total production of the three plants averaged 22.8 mgd.

#### *Wastewater*

In the City of Sausalito, wastewater is collected and conveyed to the Sausalito-Marin City Sanitary District (SMCSD) sewer interceptor and then by the SMCSD to its WWTP for treatment and disposition (Figure 3.15-2). Based on the city's most recent Sewer Rate Study Report,<sup>5</sup> the city's sanitary sewer system serves approximately 4,000 equivalent dwelling units (EDUs) and approximately 1,200 EDUs in the form of 200 non-residential customers. Wastewater is collected through approximately 28 miles of gravity sewer pipes that are owned and operated by the City of Sausalito.

The SMCSD operates and maintains a WWTP on East Road just south of Sausalito city limits within the Golden Gate National Recreation Area. The WWTP provides secondary treatment of wastewater, which is subsequently discharged into San Francisco Bay. It processes an Average Daily Dry Weather Flow (ADWF) of 1.8 mgd of wastewater, and a maximum daily wet weather flow of 6.6 mgd. The WWTP has a maximum design capacity of 6.0 mgd, which is currently limited by fixed-film reactor treatment capacity. Wet weather conditions sometimes cause influent flow to exceed 6.0 mgd. Under these conditions, excess flow above 6.0 mgd is diverted from a primary clarifier directly to secondary clarifiers. The City of

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<sup>4</sup> GIS database file provided by the MMWD. Sausalito General Plan Draft EIR (2021)

<sup>5</sup> NBS. 2014. Sewer Rate Study Report.

# City of Sausalito

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Sausalito contributes approximately 47 percent of the daily wastewater processed by the WWTP, which is approximately 0.85 mgd.<sup>6,7</sup>

### Capital Improvements

The SMCS D is engaged in construction of more than \$30 million in critically needed improvements to its sewer pipelines, pumps, manholes and treatment facilities.

The City of Sausalito has been in the process of rehabilitating its aging sanitary sewer infrastructure. The 2014 Sewer Rate Study identified 32 sewer capital improvement projects totaling approximately \$8 million over 9 years.

### Solid Waste

Solid waste includes all materials discarded, whether they are later recycled, composted, or disposed in a landfill. Bay Cities Refuse is the City of Sausalito's provider of garbage, recycling, and green waste collection services. Bay Cities Refuse provides three bins—one for garbage, one for recyclable materials, and one for "green waste" (yard waste, plant materials, food scraps, etc.). Collection days are based on geographical location.

Bay Cities Refuse transports waste to the Golden Bear Waste Recycling Center in Richmond. The Golden Bear Waste Recycling Center is a large volume waste transfer and processing facility that also contains a composting facility. Golden Bear accepts mixed municipal, agricultural, and construction/demolition solid waste, along with biosolids, asbestos, tires, ash, and wood waste. The facility has a maximum permitted throughput of 1,000 tons per day (7-day average) and a maximum permitted capacity of 1,400 tons per day, not to exceed 7,000 tons per week.<sup>8</sup>

From the Golden Bear Waste Recycling Center, the recycling is transferred to the West County Resource Recovery facility in Richmond. The recycling facility has a maximum permitted throughput of 1,200 tons per day and a maximum permitted capacity of 1,200 tons per day.<sup>9</sup> The food waste/green waste is taken to the West Contra Costa County Sanitary Landfill Organic Materials Processing facility in Richmond where it is processed and turned into compost on-site. The composting facility has a maximum permitted throughput of 1,134

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<sup>6</sup> Calculation:  $(47\% \times 1.8 \text{ mgd}) = 0.85 \text{ mgd}$ .

<sup>7</sup> United States Environmental Protection Agency (EPA) and San Francisco Bay Regional Water Quality Control Board (RWQCB). 2007. Sausalito – Marin City Sanitary District (NPDES No. CA 0038067) Wastewater Treatment Plant Inspection.

<sup>8</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2020. Golden Bear Waste Recycling Center. Website: <https://www2.calrecycle.ca.gov/swfacilities/Directory/07-AA-0056>. Accessed June 4, 2020.

<sup>9</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2020. West County Resource Recovery Facility. Website: <https://www2.calrecycle.ca.gov/SWFacilities/Directory/07-AA-0034/Detail/>. Accessed June 4, 2020.



tons per day.<sup>10</sup> The remainder of the solid waste is transferred to the Keller Canyon Landfill in Pittsburg. The landfill has a permitted maximum tonnage of 3,500 tons per day and a maximum permitted capacity of 75,018,280 cubic yards. As of November 16, 2004, the Keller Canyon Landfill had a remaining capacity of 63,408,410 cubic yards. The estimated closure date for this facility is December 31, 2030.<sup>11</sup>

Another landfill in the region that has capacity is the Potrero Hills Landfill in Suisun City. The Potrero Hills Landfill has a permitted maximum tonnage of 4,330 tons per day and a maximum permitted capacity of 83,100,000 cubic yards. As of January 1, 2006, the Potrero Hills Landfill had a remaining capacity of 13,872,000 cubic yards. The estimated closure date for this facility is February 14, 2048.<sup>12</sup>

The Marin Household Hazardous Waste Facility, at 565 Jacoby Street in San Rafael, accepts a wide variety of hazardous materials such as electronic products, batteries, light bulbs, cleaning products, auto care products, and pressurized containers. Hazardous waste may also be taken to the Novato Hazardous Waste Facility at 500 Davidson Street in Novato. There is also a collection bin for batteries in the central hallway on the main floor of Sausalito City Hall. The city hosts occasional e-waste collection events in the City Hall parking lot and at other locations as appropriate.

### **Storm Drain Facilities**

Because of its steep terrain and proximity to Richardson's and San Francisco Bays, the City of Sausalito does not depend on a large storm drain network for flood control. Rather, the city's storm drainage infrastructure consists of a collection of catch basins, inlets and outlets, vaults, and storm drainage lines, both publicly and privately owned (Figure 3.15-3).

The public facilities were largely constructed first with property taxes enabled by the Improvement Act of 1911 and the Municipal Improvement Act of 1913 (codified in the California Street and Highways Code (SHC) in Sections 5000 *et seq.*, and 10000 *et seq.*), and the Improvement Bond Act of 1915 (SHC § 8500 *et seq.*). Additional facilities were constructed when the California Department of Transportation constructed Highway 101 and State Route

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<sup>10</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2020. West Contra Costa County Sanitary Landfill Organic Materials Processing. Website: <https://www2.calrecycle.ca.gov/swfacilities/Directory/07-AA-0044/>. Accessed June 4, 2020.

<sup>11</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2020. Keller Canyon Landfill. Website: <https://www2.calrecycle.ca.gov/swfacilities/Directory/07-AA-0032>. Accessed May 31, 2020.

<sup>12</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2020. Potrero Hills Landfill. Website: <https://www2.calrecycle.ca.gov/swfacilities/Directory/48-AA-0075/>. Accessed May 31, 2020.

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1 as part of the construction of the Golden Gate Bridge.<sup>13</sup> Other facilities were constructed when Bechtel constructed the Marinship Corporation Yard beginning in March, 1942.<sup>14</sup>

Stormwater runoff coming down from the hillside is conveyed through overland flow, along curbs and gutters, culverts, and smaller individual storm drainpipe networks. All stormwater is discharged into Richardson's or San Francisco Bay from overland flow or through one of at least 30 bay outlets. Most of the city's storm drain infrastructure is beyond its expected useful life. Storm drain facilities are rehabilitated as part of street improvement projects as funding permits and necessity dictates. Locations where capacity issues or infrastructure failures occur are rehabilitated or replaced as necessary, but the funds available are not dedicated for storm drainage. As indicated above, the fees currently collected under Sausalito Municipal Code Chapter 11.18 are used almost completely to cover the cost of the Marin County Stormwater Pollution Prevention Program (MCSTOPPP). Each MCSTOPPP member agency implements a local stormwater pollution prevention program and funds the countywide MCSTOPPP, which provides for the coordination and consistency of approaches between the local stormwater programs.<sup>15</sup>

### ***Telecommunications, Electricity, and Natural Gas Facilities***

The electrical power distribution system within the City of Sausalito is owned and operated by Pacific Gas & Electric Company (PG&E). This electrical power grid consists of both overhead and underground electrical lines located predominantly in the public street rights-of-way and easements.

Provision of electricity is through PG&E with the option of purchasing electricity through Marin Clean Energy (MCE), which is delivered by PG&E. MCE is a public, nonprofit electricity provider established in 2008 under State legislation permitting the formation of community choice aggregation agencies. MCE's service area includes all of Marin and Napa Counties, along with several cities in the Easy Bay region. MCE customers have the option of receiving 50 or 100 percent of renewable electricity from solar, wind, bioenergy, geothermal, and hydroelectric sources.

The natural gas distribution system within the City of Sausalito is also owned and operated by PG&E. It consists of a pipe network that lies predominantly beneath the traveled roadway in public street right-of-way.

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<sup>13</sup> Marin Magazine. 2009. Website: <http://www.marinmagazine.com/May-2009/History-of-a-Highway/>. Accessed March 25, 2020.

<sup>14</sup> Advance Design Consultants. 2011. Evaluation of Historic Resources In Compliance With the National Historic Preservation Act of 1966 (as amended) 36 CFR Part 800 – Section 106 To Consider the Potential for Historic Resources to be Affected by the Development of a U.S. Department of Veterans Affairs Medical Research Facility in Sausalito, California, Inc.

<sup>15</sup> County of Marin. Website: <https://www.marincounty.org/depts/pw/divisions/creeks-bay-and-flood/mcstoppp/about-mcstoppp>. Accessed May 1, 2020.

Sausalito residents and businesses have a growing range of telecommunications services and options to choose from today. As in communities throughout California, the shift from traditional home phone service (landlines) to wireless telephone connections and other options has been pronounced in Sausalito in recent years. Landline service is provided by ATT, ECG, and Pioneer Telephone. In 2017, wireless phone service is the most commonly used phone service in Sausalito, largely because of its portability and convenience.<sup>16</sup> Another option is DSL service, which runs via copper lines and makes use of a modem in the home to allow customers to connect to both the internet and a telephone line at the same time. Today, more than 90 percent of Sausalito residents make use of multiple wired providers for telephone, internet, and cable services.

Additionally, there are 17 internet providers in Sausalito with nine of them specializing in services for business. Wired broadband services are not uniformly available throughout Sausalito however, and it is estimated that approximately six percent of households in the community have limited choice of providers.

### **3.15.2 REGULATORY SETTING**

#### ***Federal***

##### **Clean Water Act**

As described in Section 3.9, Hydrology and Water Quality, the Clean Water Act (CWA) authorizes the United States Army Corp of Engineers (USEPA) to implement water quality regulations. The National Pollutant Discharge Elimination System (NPDES) permit program under Section 402 of the CWA controls water pollution by regulating soil erosion and stormwater discharges into the waters of the United States. NPDES permitting authority is administered by the California State Water Resources Control Board (State Water Board) and its nine Regional Water Quality Control Boards (RWQCBs).

The San Francisco Bay RWQCB has established wastewater treatment requirements for the SMCSO, which operates the WWTP for Sausalito, Marin City, and a portion of the Tamalpais Community Services District. The WWTP is currently regulated under NPDES Permit No. CA0038607.

##### **Safe Drinking Water Act**

The Safe Drinking Water Act authorizes the United States Environmental Protection Agency (EPA) to set national standards for drinking water, called the National Primary Drinking Water Regulations, to protect against both naturally occurring and man-made contaminants. These standards set enforceable maximum contaminant levels in drinking water and require all water providers in the United States to treat water to remove contaminants, except for

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<sup>16</sup> Wirefly. Home Phone Service Providers in Sausalito. Website: <https://www.wirefly.com/compare-home-phone-service/california/Sausalito>. Accessed May 31, 2020.

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private wells serving fewer than 25 people. In California, the State Water Board sets further standards and conducts most enforcement activities. If a water system does not meet standards, it is the water supplier's responsibility to notify its customers.

### **Title 40 of the Code of Federal Regulations**

Title 40 of the Code of Federal Regulations, Part 258 contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the Federal landfill criteria.

## **State**

### **Water Supply**

#### *Urban Water Management Planning Act*

The Urban Water Management Planning Act has as its objectives the management of urban water demands and the efficient use of urban water. Under its provisions, every urban water supplier is required to prepare and adopt an UWMP. An "urban water supplier" is a public or private water supplier that provides water for municipal purposes either directly or indirectly to more than 3,000 connections or supplying more than 3,000 acre-feet of water annually. The UWMP must identify and quantify the existing and planned sources of water available to the supplier, quantify the projected water use for a period of 20 years, and describe the supplier's water demand management measures. The urban water supplier should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry years. The DWR must receive a copy of an adopted UWMP.

#### *Senate Bills 610 and 221, Water Supply Assessment and Verification*

Senate Bill (SB) 610 and SB 221 amended State law to ensure better coordination between local water supply and land use decisions and confirm that there is an adequate water supply for new development. Both statutes require that detailed information regarding water availability be provided to city or County decision-makers prior to approval of large development projects. SB 610 requires the preparation of a Water Supply Assessment (WSA) for certain types of projects, as defined by Water Code Section 10912, which are subject to the CEQA. Projects required to prepare a WSA are defined as follows:

- Residential development of more than 500 dwelling units.
- Shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor area.
- Hotel or motel, or both, having more than 500 rooms.
- Industrial, manufacturing or processing plant, or industrial park planned to employ more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

- Mixed-use project that includes one or more of the projects specified above.
- Project that would demand an amount of water equivalent to, or greater than, the amount of water required for 500 dwelling units.

SB 221 establishes consultation and analysis requirements related to water supply planning for residential subdivisions including more than 500 dwelling units. The water supplier must provide written verification that sufficient water is available for a project before construction begins. The document used to determine compliance with both SB 610 and SB 221 is the adopted UWMP.

### ***Water Conservation Act of 2009***

The Water Conservation Act of 2009 (SB X7-7) requires all water suppliers to increase water use efficiency. The legislation sets an overall goal of reducing per capita water by twenty percent by 2020 in each water district. Effective in 2016, urban retail water suppliers who do not meet the water conservation requirements established by this bill are not eligible for State water grants or loans.

The MMWD's 2020 daily water use target is 124 gallons per capita per day. In 2015, the MMWD had already met this target with daily water use at 110 gallons per capita per day and expected to continue meeting the target through 2020 by continuing to implement demand management measures and conservation activities.<sup>17</sup>

### ***State Model Efficient Landscape Ordinance***

Under AB 1881, cities and counties to adopt landscape water conservation ordinances by January 31, 2010 or to adopt a different ordinance that is at least as effective in conserving water as the Department of Water Resources' updated Model Water Efficient Landscape Ordinance (MWELO),. In 2009, the Office of Administrative Law approved the updated MWELO, and jurisdictions are required to adopt the provisions of the MWELO by January 1, 2010, or to enact their own provisions equal to or more restrictive than the MWELO provisions. Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15) directed the DWR to update the MWELO through expedited regulation. The California Water Commission approved the revised MWELO Ordinance on July 15, 2015. The executive order required local agencies to adopt the updated MWELO or adopt a local ordinance with at least as effective water conserving measures by December 1, 2015. The City of Sausalito Municipal Code Chapter 8.52 requires compliance with the MMWD's water conservation ordinance. The MMWD Water Conservation Code Section 13.02.021 complies with the MWELO.

### ***California Building Codes***

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR] Title 24, Part 6) were first established in 1978 to reduce

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<sup>17</sup> RMC Water and Environment. 2016. Marin Municipal Water District Urban Water Management Plan: 2015 Update. June.

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California's energy consumption. Energy efficient buildings require less electricity, natural gas, and other fuels, the use of which creates greenhouse gas (GHG) emissions. The Title 24 standards are updated on a three-year schedule and since 2008 the standards have been incrementally moving to the goal of the zero-net-energy use. On January 1, 2023 the 2022 standards went into effect, that have been primarily designed to include new standards or revisions for automatic sprinkler system protection; fire protection curtain assemblies; paths of egress and emergency exits; and control and venting of smoke and hot gases.

CALGreen requires all new buildings in the State to be more energy efficient and environmentally responsible, took effect in January 2011. CALGreen is also updated every three years and the current version is the 2022 CALGreen that became effective on January 1, 2023. The CALGreen Code contains requirements for construction site selection; stormwater control during construction; construction waste reduction; indoor water use reduction; material selection; natural resource conservation; site irrigation conservation; and more. The code provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for verifying that all building systems (e.g., heating and cooling equipment and lighting systems) are functioning at their maximum efficiency.

The CALGreen Code provides standards for bicycle parking, carpool/vanpool/electric vehicle spaces, light and glare reduction, grading and paving, energy efficient appliances, renewable energy, graywater systems, water efficient plumbing fixtures, recycling and recycled materials, pollutant controls (including moisture control and indoor air quality), acoustical controls, stormwater management, building design, insulation, flooring, and framing, among others. Implementation of the CALGreen Code measures reduces energy consumption and vehicle trips and encourages the use of alternative-fuel vehicles, which reduces pollutant emissions.

Some of the notable changes in the 2022 CALGreen Code over the prior 2019 CALGreen Code include the following: new definitions for electric vehicle spaces, zero emission vehicles, and high efficiency vehicles; new code requirements for additions or alterations of existing parking facilities; provides specific requirements for new multi-family dwellings with less than 20 dwelling units, and for those with more than 20 dwelling units; provides new requirements added to the Operation and Maintenance Manual; eliminates the separate requirements for single spaces requirements and multiple space requirements; provides specific electric vehicle charging station requirements for warehouses, grocery stores, and retail stores; provides exceptions to parking areas and landscape areas covered by photovoltaic systems; provides a new detailed requirements on CO2 monitoring and controls in classrooms; provides new EV Ready requirements for new multi-family development projects and hotels and motels; revises the Energy Design Rating (EDR1) compliance margins; revises Non-Residential Voluntary Measures Tier 1 and Tier 2 Clean Air Vehicle parking requirements.



## Wastewater

### *Title 22 of California Code of Regulations*

Title 22 regulates the use of reclaimed wastewater. In most cases, only disinfected tertiary water may be used on food crops where recycled water would encounter the edible portion of a crop. Disinfected secondary treatment may be used for food crops where the edible portion is produced below ground and will not encounter secondary effluent. Lesser levels of treatment are required for other types of crops, such as orchards, vineyards, and fiber crops.

### *General Waste Discharge Requirement*

On May 2, 2006, the State Water Board adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than one mile of sewer pipe. The order provides a consistent statewide approach to reducing sanitary sewer overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharged into the system, to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sewer System Management Plan (SSMP). The General Waste Discharge Requirement also requires that storm sewer overflows be reported to the State Water Board using an online reporting system. The State Water Board delegated authority to its nine RWQCBs to enforce these requirements.

## Solid Waste

### *Assembly Bill 341*

The purpose of Assembly Bill (AB) 341 is to reduce GHG emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California. In addition to Mandatory Commercial Recycling, AB 341 sets a Statewide goal for 75 percent disposal reduction by the year 2020.

### *Assembly Bill 939*

AB 939 (Public Resources Code 41780) requires cities and counties to prepare Integrated Waste Management Plans (IWMPs) and to divert 50 percent of solid waste from landfills beginning in calendar year 2000 and each year thereafter. AB 939 also requires cities and counties to prepare Source Reduction and Recycling Elements as part of the IWMP. These elements are designed to develop recycling services to achieve diversion goals, stimulate local recycling in manufacturing, and stimulate the purchase of recycled products.

### *Senate Bill 1016*

Senate Bill (SB) 1016 builds on AB 939 compliance requirements by requiring that the 50 percent solid waste diversion be measured in terms of per-capita disposal expressed as pounds per person per day. The new per capita disposal and goal measurement system

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moves the emphasis from an estimated diversion measurement number to using an actual disposal measurement number as a factor. Every year the California Department of Resources Recycling and Recovery (CalRecycle) will calculate each jurisdiction's per capita (per resident and per employee) disposal rates and will review jurisdiction compliance on a case-by-case basis. Jurisdictions will not be compared to other jurisdictions or the Statewide average but compared to their own 50 percent per capita disposal target.

### *Senate Bill 1383*

As described in Section 3.7, Greenhouse Gas Emissions, SB 1383 was signed in September 2016 to reduce emissions of short-lived climate pollutants. As it pertains to CalRecycle, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.<sup>18</sup> SB 1383 further supports California's efforts to achieve the statewide 75 percent recycling goal by 2020 established in AB 341.

### **Regional**

#### **Marin Municipal Water District**

The MMWD is a special district that provides water services to much of Marin County. It is overseen by an elected Board of Directors. The MMWD has developed a District Code that sets rules for connection to its water services and charging for its services. Chapter 13.02 of the District Code sets forth the MMWD's Water Conservation and Dry Year Program. The MMWD adopted the 2020 UWMP that evaluates water deliveries and uses, water supply sources, efficient water uses, and demand management measures. Additionally, in 2017, MMWD adopted Water Resources Plan 2040, which seeks to enhance the resiliency of MMWD's water supply in the face of events such as earthquakes and drought.

### **Local**

#### **City of Sausalito Climate Action Plan**

Adopted in 2015, the City of Sausalito CAP notes that the city is subject to MMWD's water conservation measures, which reduce electricity use and the need for additional wastewater processing, both of which GHG emissions. The CAP recommends several actions related to water use, including increased indoor and outdoor water efficiency, promotion of rainwater

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<sup>18</sup> California Department of Resources Recycling and Recovery (CalRecycle). Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reductions. Website: <https://www.calrecycle.ca.gov/Climate/SLCP/>. Accessed March 26, 2020.

catchments and rainwater storage facilities, and improvements to plumbing fixtures, pipes, and irrigation systems in city buildings, facilities, and landscaping.

### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing or avoiding impacts to utilities and service systems:

#### *Sustainability Element*

Policy S-2.1: Waste Reduction, Reuse, Recycling. Increase the waste diversion rate to 94 percent by the year 2025.

Program S-2.1.1: County Solid Waste Management Plan. Coordinate local recycling efforts and publicity efforts with those of the County Solid Waste Program.

Program S-2.1.2: Hazardous and Solid Waste. Continue to participate in the Marin County Hazardous and Solid Waste Joint Powers Authority program.

Program S-2.1.5: Residential and Commercial Recycling. Continue and expand existing residential recycling program and establish a commercial recycling program in coordination with the Chamber of Commerce and local businesses.

Program S-2.1.12 Zero Waste Resolution. Adopt a Zero Waste Resolution with the goal of diverting 94 percent of waste from landfills by 2025.

Program S-2.1.13 Zero Waste. Implement actions to reduce waste both citywide and in government operations as described in the City's CAP.

Policy S-2.2: Waste Education. Implement education and social media programs to change Sausalito's waste-related behavior, emphasizing composting and recycling.

Policy S-3.8: Adequacy of Facilities. Allow construction to proceed only for projects that demonstrate the availability of adequate potable water, sewer, septic leach fields, and storm drainage.

Program S-3.8.2: Marin Municipal Water District. Require written documentation from MMWD for proof of service prior to project approval for those projects subject to MMWD review.

Program S-3.8.3: Sausalito-Marin City Sanitation District. Require written documentation from the Sausalito-Marin City Sanitation District that there is available and adequate sewer capacity prior to project approval for those projects subject to SMCS D review.

Program S-3.8.4: Well Water. Require written documentation from the City Engineer of proof of adequate domestic water supply (well water) if water service is not available from MMWD prior to project approval.

Program S-3.8.5: Marin County Environmental Health Department. Require written documentation from the Marin County Environmental Health Department that there is

# City of Sausalito

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sufficient capacity for leach fields prior to project approval in areas dependent upon septic tanks.

Program S-3.8.6: Sausalito Storm Drain System. Implement a policy that new development shall not change the drainage characteristic across property lines.

Program S-3.8.7: Sewer Ordinance. Enforce the Sausalito Sewer Ordinance adopting the standard specifications of the Sausalito-Marín City Sanitary District.

Program S-3.8.8: Sewer System. Continue to upgrade the City's sewer system based on prioritization in Sausalito's Capital Improvement and Strategic Plans.

### *Environmental Quality Element*

Policy EQ-4.2 Stormwater Management. Manage flooding, mitigate hazardous runoff from stormwater, and mitigate landslides.

Program EQ-4.2.2 Storm Drain System Improvements. Improve the existing storm drain system by considering funding improvements and maintenance in the Capital Improvement budget and through requirements imposed on private development.

Policy EQ-4.4: Water Conservation. Promote and encourage water conservation measures to assure that an adequate and safe supply of high-quality water is available for residents.

Program EQ-4.4.2: Local Water Conservation Ordinance. Continue to implement the local water conservation ordinance in coordination with MMWD.

Program EQ-4.4.3: Future Water Supply Planning. Continue to implement programs from MMWD's Water Resources Plan 2040.

Program EQ-4.4.4: Rainwater Catchment. Implement rainwater catchment systems, including rain barrels, on City-owned land and promote their use on residential properties.

Program EQ-4.4.5: Conservation Outreach. Collaborate with MMWD to inform water customers on water conservation techniques, services, devices, and rebates (including greywater use) through online and in-person community outreach.

### **Sausalito Municipal Code**

Chapter 18.16 (Water Wells) of the Municipal Code is intended to protect public health and groundwater quality by assuring that wells are constructed, repaired, or destroyed in an environmentally and biologically safe manner, and to establish standards regulating the use of private water supplies for human consumption in order to protect the health, safety, and welfare of the public.

Design and construction of domestic water systems shall be in accordance with the current "Rules and Regulations for Establishing Minimum Domestic Water Supply Requirements" adopted by resolution of the City Council and the provisions of Chapter 9.10 (Subdivision Regulations). No person shall develop any well within the city without first applying to and receiving a permit from the City Engineer.

The Marin County Community Development Agency, Environmental Health Services Division also regulates water wells, groundwater monitoring wells, heat exchange or groundwater source heat pump wells, cathodic protection wells and soil borings within the City of Sausalito.

Chapter 18.12 (Sewers) regulates the city's sanitary sewer system. Section 18.12.060 requires that a permit be obtained from the City Engineer for the connection of any sewer service lateral to any sewer main. Every premises improved with a building where persons reside, congregate, or are employed shall be connected to the sewer main by the owner of the premises. No such premises shall utilize a septic tank, cesspool, or other individual sewage disposal system. The city may require such connection to be made by the property owner through the extension of a sewer main within a public utility easement or city street right-of-way to the point of the service lateral connection as determined by the City Engineer.

### **3.15.3 THRESHOLDS OF SIGNIFICANCE**

According to the CEQA Guidelines Appendix G, the Project would have a significant effect on water supplies, wastewater, solid waste, or stormwater conveyance if demand associated with projected growth would result in any of the following conditions:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;
- Have insufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years;
- Result in a determination by the wastewater treatment provider which serves or may serve the General Plan that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments;
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; and
- Result in non-compliance with federal, State, and local statutes and regulations related to solid waste.

### **3.15.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES**

Impacts to utilities and service systems resulting from implementation of the Project are discussed below. The following impact analysis is based on an assessment of existing and future conditions for the Sausalito Planning Area related to water supplies, wastewater treatment capacity, landfill capacity, and storm drain capacity. This analysis identifies

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potential impacts to water supply, wastewater, solid waste, and storm drains based on development anticipated to support regional housing needs.

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**Impact 3.15-1      The Housing Element Update could require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.**

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### **Water**

Water supply and distribution in Sausalito is provided by the Marin Municipal Water District (MMWD). MMWD serves the majority of southern Marin County and serves all incorporated cities and towns in the County, except Novato. Approximately 75% of drinking water comes from rainwater captured on 21,500 acres of protected watershed in seven reservoirs on Mt. Tamalpais and in west Marin County.

MMWD manages a distribution system of reservoirs, tanks, pumps, and pipelines to deliver water. According to the Sausalito General Plan EIR (June 2020), the projected 2040 water supplies are adequate to meet demand that would be generated by the Project. In addition, most new development accommodated under the proposed Project is expected to be infill and would rely on the existing distribution network to convey available water supplies, however individual project would be required to identify if any site specific improvements to serve future development is necessary. As described in the General Plan EIR (2021), implementation and buildout of the proposed 2040 General Plan would not result in the need to construct or expand water supply and treatment facilities that were not already accounted for in the MMWD Urban Water Management Plan (UWMP) and Water Resources Plan 2040. While the General Plan EIR assumed fewer units for the RHNA than the Housing Element Programs, any additional water conveyance and treatment infrastructure needed in the future would be considered and approved by the MMWD; however, as discussed below, such needs are not presently anticipated during the relevant planning period.

MMWD can meet future demands from buildout of the proposed 2040 General Plan with no new or expanded water supply or treatment facilities that would be needed to service development under the City's proposed 2040 General Plan. Considering the actions in the Project to accommodate the RHNA, as well considering all additional growth in the Marin Water service area associated with the RHNA of jurisdictions that receive service in MMWD, could result in growth beyond the anticipated service population projected in the MMWD's most recent UWMP. The total RHNA for the jurisdictions served by MMWD is 10,887 (approximately 26,130 persons) – this excludes the City of Novato and approximately 40% of the Countywide RHNA. This potential population growth under the RHNA exceeds the Marin Water's planned service population, which was anticipated to increase by 20,629 during the period from 2020 to 2045 (UWMP Table 3-1).



While accommodating the population growth associated with the RHNA for all jurisdictions served by MMWD would exceed MMWD's anticipated population growth during the planning period, the UWMP demonstrates that MMWD will have a robust water supply under normal year, single dry year, and multiple dry year conditions and is anticipated to have excess supply under all of these conditions and in all study years (2025, 2030, 2035, 2040, and 2045) as shown in Tables 7-7 through 7-9 of the 2020 UWMP. The lowest excess supply of 13,942 acre feet per year is projected in 2045 under a single dry year condition (2020 UWMP Table 7-8). This excess supply is more than adequate to serve the 328.6-acre feet per year demand for water that would occur with additional population growth of 5,501 under full buildout of the RHNA (approximately 2,292 households [128 gallons per capita per day x 2,292 = 293,376 gallons per day or 328.6 acre feet per year]). Furthermore, Marin Municipal Water District's 2020 UWMP indicates that based on historical water supply patterns, the MMWD can meet future demands for the district, including Sausalito, under normal, single-dry year, and multiple-dry year scenarios.

Absent a five-year drought, Sausalito will have adequate water supplies from MMWD to support existing and future demand in the City due to the Project. Additionally, it cannot be determined with sufficient certainty at this time if MMWD has adequate capacity to serve the Sausalito RHNA when accounting for all additional future development within the MMWD service area. As mentioned above, water supply is more than adequate to serve the 328.6 acre feet of year demand for water that would occur with additional population growth of 5,501 under full buildout of the RHNA (approximately 2,292 households [128 gallons per capita per day x 2,292 = 293,376 gallons per day or 328.6 acre feet per year]). Additional water capacity needs in the future would also be considered and approved by the MMWD, however such needs are not presently anticipated during the relevant planning period. According to the Marin Municipal Water District, once the MMWD receives the updated Housing Elements from all jurisdictions served, MMWD will be amending its Urban Water Management Plan to evaluate water capacity.

The City's General Plan requires development to demonstrate adequacy of facilities and water supplies through Policy S-3.8 and Programs S-3.8.2 and S-3.8.4. Additionally, Programs EQ 4.4.2 and 4.4.5 ensure continued collaboration between the city and MMWD regarding water conservation. Therefore, development facilitated under the Housing Element Programs to serve regional housing needs would not be expected to result in insufficient water supplies from MMWD, and no new or expanded water treatment facilities are proposed.

Marin Water must update the UWMP every five years to accommodate new and projected population growth, and Marin Water intends to update the plan to reflect the 6th Cycle Housing Element Updates and to ensure sufficient water supplies to support the anticipated increase in residential development.

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However, out on an abundance of caution, even with implementation of the above policies and programs, the uncertainty associated with drought impacts on future water supply and with the timing and fruition of efforts by Marin Water and other regional districts to supplement water supplies in dry and multiple dry years presents the possibility that Marin Water may not be able to supply water for the Project and cumulative (Project and Marin Water's commitments outside of the Project) scenarios. Because of these uncertainties, and because the current UWMP does not account for population projections associated with RHNA for all of the jurisdictions within Marin Water's service area, impacts to water supply for the Project are **significant and unavoidable** with no feasible mitigation measures.

### **Wastewater**

As described under Impact 3.15-3, SMCSO has capacity to accommodate wastewater treatment for the housing development that would be facilitated by the Project. With a current dry weather flow of approximately 1.1 mgd, there is approximately 0.7 mgd capacity available of dry weather flow. SMCSO estimates a generation rate of 200 gallons per day per EDU (SMCSO Code Chapter 3.05.030.D.); the Project's 959 units would result in approximately 191,800 gallons per day, or 0.19 mgd of dry weather flows and would be within the total capacity of the WWTP. Future development would be located within the City of Sausalito and near existing wastewater infrastructure. As such, implementation of the Project would not result in the need to construct or expand wastewater treatment facilities that have not already been described and accounted for in the SMCSO Sewer System Master Plan and Strategic Plan. As individual future projects are proposed throughout the city, each project would require site specific evaluations for potential collection system improvements, including potential upsizing. The MMWD will be able to accommodate the additional connections but some capital improvements may be required. The City currently complies with the statutory requirements listed in the regulatory section, and the General Plan ensures that the city will continue to comply with the state and federal regulatory requirements. Therefore, development facilitated under the Project to serve regional housing needs would not result in insufficient wastewater collection and treatment, and no new or expanded wastewater treatment facilities would be needed as part of the Project. Thus, impacts would be considered **less than significant**.

### **Storm Drain Capacity**

Much of the storm drainage infrastructure within Sausalito is dated and beyond its reasonable life expectancy. New drainage infrastructure (including green drainage infrastructure) and maintaining existing culverts (through mitigating erosion and silt buildup) is key to reducing the risk of soil instability. This is an existing condition that is part of the environmental baseline, and not a condition that would result from implementation of the Project. Under existing conditions, as described under Impact HYD-

5, the city's stormwater system has sufficient capacity to accommodate additional stormwater runoff generated by future construction of projects. The City also conducts regular maintenance and upgrades to the system to ensure that it continues to function effectively.

Additionally, General Plan Program EQ-4.2.2 (Storm Drain System Improvements), directs the city to improve the existing storm drain system by considering funding improvements and maintenance in the capital improvement budget and by imposing storm drain requirements on private development as applications are received. Updates, improvements, replacements, or construction of new stormwater drainage infrastructure which are funded or result from new development elsewhere in the service area, would be required to comply with SBWCB and RWQCB construction orders for onsite stormwater management. These which include the implementation of best management practices (BMPs) such as sediment and erosion control measures, stormwater detention and treatment systems, regular monitoring, and capacity requirements.

These storm drain improvements generally would not generally result in significant environmental impacts because they would be limited to maintenance, repair, and replacement of existing facilities and would not involve significant new disturbance or development. In addition, Program S-3.8.6 would require that new development not change drainage characteristics across property lines, further ensuring that storm drain work will not result in significant changes to the existing conditions.

The City currently complies with the statutory requirements listed in the regulatory section, and the General Plan ensures that the city will continue to comply with the state and federal regulatory requirements.

Thus, impacts would be ***less than significant***.

### ***Electric Power, Natural Gas, and Telecommunications***

As described previously, the electrical power distribution system within the City of Sausalito is owned and operated by PG&E and home phone service and internet service is provided by ATT, ECG, and Pioneer Telephone. Future development facilitated under the Project would be located within the city and near existing electric power, natural gas, and telecommunications infrastructure. This new growth would increase the city's population however, this relatively small increase in population and employment would not be expected to substantially increase demand for electric power, natural gas, and telecommunications. An analysis of energy requirements and the potential for wasteful energy use is included in DEIR Section 3.5. New development would be able to connect to existing infrastructure located within the city. Therefore, the Project would not result in insufficient electric power, natural gas, and telecommunications infrastructure capacity, and no new or expanded electric power, natural gas, and telecommunications facilities would be needed as part of the General Plan.

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The City's General Plan Policy HS-2.5 prioritizes the undergrounding of existing utilities and powerlines, which are at risk of hindering the movement of emergency vehicles. In general, undergrounding is assumed to occur within existing rights of way and would be subject to project-specific environmental review, if required, when a project is submitted for review.

The City currently complies with the statutory requirements listed in the regulatory section, and the General Plan ensures that the city will continue to comply with the state and federal regulatory requirements.

Thus, impacts would be ***less than significant***.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

Minimized to the greatest extent feasible through General Plan policies and programs, compliance with statutory requirements, and utility plans, and through implementation of the municipal code that require individual projects to prove adequate utility capacity and infrastructure prior to approval. No additional feasible mitigation is available.

### Level of Significance After Mitigation

Significant and Unavoidable

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#### **Impact 3.15-2 Sufficient water supplies may not be available to serve development facilitated by the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.**

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Development and growth in the city would result in an increased demand for potable water. As previously stated, the City of Sausalito receives its water supply from the MMWD. The Project would have a significant impact if water demand for development facilitated that is facilitated by the Project could not be met by MMWD's entitlements and water supply resources.

The City's RHNA as well as additional growth in the MMWD service area associated with the RHNA would result in growth beyond the service population projected in the UWMP. The total RHNA for the jurisdictions served by MMWD is 10,887 (approximately 26,130 persons) – this excludes the Novato, Muir Woods, Stinson Beach, Olema, Point Reyes Station, Nicasio, or other West Marin communities and approximately 40% of the Countywide RHNA, which are served by North Marin Water District.<sup>19</sup> This potential population growth under the RHNA

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<sup>19</sup> Marin Municipal Water District (MMWD). 2016. Billing Areas. Website: <http://www.marinwater.org/documentcenter/view/601>. Accessed March 25, 2020.

exceeds the Marin Water's planned service population, which was anticipated to increase by 20,629 from 2020 to 2045 (UWMP Table 3-1).

While the population growth associated with the RHNA for all jurisdictions served by MMWD would exceed MMWD's expectations for anticipated population growth during the planning period, the UWMP demonstrates that MMWD will have a robust water supply under normal year, single dry year, and multiple dry year conditions and is anticipated to have excess supply under all of these conditions and in all study years (2025, 2030, 2035, 2040, and 2045) as shown in Tables 7-7 through 7-9 of the 2020 UWMP. The lowest excess supply of 13,942 acre feet per year is projected in 2045 under a single dry year condition (2020 UWMP Table 7-8). This excess supply is more than adequate to serve the 328.6 acre feet of year demand for water that would occur with additional population growth of 5,501 under full buildout of the RHNA (approximately 2,292 households [128 gallons per capita per day x 2,292 = 293,376 gallons per day or 328.6 acre feet per year]). Therefore, MMWD has the capacity to accommodate the Project's requirements, in addition to meeting RHNA-generated requirements for all the jurisdictions it serves. Furthermore, MMWD's 2020 UWMP indicates that based on historical water supply patterns, the MMWD can meet future demands for the entire service area of MMWD, including Sausalito, under normal, single-dry year, and multiple-dry year scenarios. However, there is uncertainty in the future due to climate change. A five-year drought would be particularly problematic. Absent a five-year drought, MMWD currently has adequate water supplies to support existing and future demand in the City.

If MMWD should experience a shortage of supply during a drought, it will activate its current Water Shortage Contingency Plan to reduce water consumption. Any direction by MMWD for reduced consumption would be applicable to all MMWD customers, not only the increased demand resulting from the Project.

In addition, with SB X7-7 and the State and county water conservation ordinances in place, each jurisdiction within the MMWD service area is required to conserve its water use through establishing water efficiency measures. As required by the City's General Plan, the City of Sausalito will continue to coordinate with MMWD regarding water conservation efforts, demand management measures promoted by MMWD, compliance with the MWELo for new landscaping, compliance with current CalGreen measures and Sausalito CAP measures promoting efficient indoor and outdoor water use. These measures would serve to reduce water use and demand overall and especially during drought years.

The City's General Plan requires development to demonstrate adequacy of facilities and water supplies through Policy S-3.8 and Programs S-3.8.2 and S-3.8.4. Additionally, Programs EQ 4.4.2 and 4.4.5 ensure continued collaboration between the city and MMWD regarding water conservation. Therefore, development facilitated under the Project to serve regional housing needs would not be expected to result in insufficient water supplies from MMWD, and no new or expanded water treatment facilities are currently proposed. The City currently

# City of Sausalito

## Housing Element Programs EIR

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complies with the statutory requirements listed in the regulatory section, and the City will continue to comply with the state and federal regulatory requirements.

However, out of an abundance of caution as the MMWD's UWMP would need to be updated to identify the capacity and ability to serve future regional development, and there remains uncertainty related to water supply availability during periods of prolonged drought which may be more likely as a result of climate change, this impact is considered **significant and unavoidable**.

### Level of Significance before Mitigation

Potentially Significant

### Mitigation Measures

Minimized to the greatest extent feasible through General Plan policies and programs, compliance with statutory requirements, and utility plans, and through implementation of the municipal code that require individual projects to prove adequate utility capacity and infrastructure prior to approval. No additional feasible mitigation is available.

### Level of Significance After Mitigation

Significant and Unavoidable

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**Impact 3.15-3      The wastewater treatment provider would have adequate capacity to serve the demand generated by the Project in addition to the provider's existing commitments.**

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The San Francisco Bay RWQCB established wastewater treatment requirements for the SMCSD WWTP in NPDES Permit (Order No. R2-2018-0025), adopted June 13, 2018 and effective August 1, 2018. The Order sets out a framework for compliance and enforcement applicable to operation of the WWTP and its effluent, as well as those contributing influent to the SMCSD WWTP. This NPDES Order currently allows peak wet weather discharges of up to 6 mgd.

The SMCSD SSMP included a capacity assessment to determine the adequacy of the collection system to handle current and future wastewater flows. The Plan also included a system evaluation, based on results of two sewer system capacity studies, as well as an extensive wet weather flow monitoring program as required under the administrative compliance order by the U.S. EPA in 2008, and a Capacity Assessment and Capacity Assurance Plan as part of the third submittal of its Sewer Spill Reduction Action Plan, required by the EPA order.

The hydraulic analysis evaluated the SMCSD capacity based on peak wet weather flow conditions, which demonstrate the maximum potential wastewater flows that could impact the system. The hydraulic analysis identified several deficiencies including inadequate



gravity interceptor systems upstream of the Locust Street Pump Station and capacity limitations leading to potential overflows. As stated in the SSMP, all of the deficiencies will be addressed with CIP projects as well as planned improvements to the pump stations and upgrades to the WWTP. In addition, both Sausalito and Tamalpais Community Services District are also undertaking sewer rehabilitation work, which will contribute to reductions in deficiencies in the SMCSD system. Furthermore, the SMCSD continues to update its sewer system rate plan to fund capacity enhancements.

According to the Final Sanitary Sewer Strategic Plan 2019-2024, the Treatment and Wet Weather Flow Upgrade Project (Upgrade Project) includes needed upgrades and rehabilitation of the SMCSD's infrastructure addressing new discharge regulations, mitigates peak wet weather overflows, and improves treatment plant performance and reliability. Upon completion, the Upgrade Project would increase the plant's secondary treatment capacity from 6.5 mgd to 9.0 and increase tertiary treatment capacity from 1.0 mgd to 6.0 mgd.

The General Plan includes policies and programs to support and enhance efforts to reduce wastewater generation flows in the Planning Area. For example, Policy S-3.8 would allow construction to proceed for only those projects that demonstrate the availability of adequate potable water, sewer, septic leach fields, and storm drainage. Program S-3.8.3 requires written documentation from the Sausalito-Marin City Sanitation District that there is available and adequate sewer capacity prior to project approval. Program S-3.8.8 requires the city to continue to upgrade the city's sewer system in accordance with prioritization Sausalito's Capital Improvement and Strategic Plans.

The Sausalito Municipal Code also contains rules and regulations related to wastewater. Chapter 18.12 establishes standards for connecting to the public sanitary sewer system. Section 18.12.060 includes regulations regarding the process for connecting to the public sanitary sewer system. The requirements include prohibitions on septic tanks, cesspools, or other individual sewage disposal systems, and may also require the installation, by a property owner, of an extension of a sewer main within a public utility easement or city street right-of-way to the point of the service lateral connection as determined by the City Engineer to address any leaks and/or ensure sufficient capacity.

According to the City's 2019 Sewer System Management Plan, the City provides sewer service to 3,041 parcels. The sanitary sewer collection system serves 4,185 residential dwelling units and 1,340 non-residential customers. The City's wastewater collection system consists of 20.9 miles of gravity pipelines, four lift stations, three force mains, and one open-ended force main totaling 1,773 linear feet, 650 manholes and access points, with 635 main lines in the collection system. The City's sewer system is shown on Figure 3.15-2.

The City of Sausalito has been in the process of rehabilitating its aging sanitary sewer infrastructure. The 2014 Sewer Rate Study identified 32 sewer capital improvement projects totaling approximately \$8 million over nine years. Since then, a number of projects have been

# City of Sausalito

## Housing Element Programs EIR

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completed, are under construction, or have either been designed or are currently in the design process.

The wastewater transported through the City's collection system is discharged into the Sausalito-Marin City Sanitary District (SMCSD) conveyance system for final transport, treatment, and disposal through a deep-water discharge to the San Francisco Bay. The City is responsible for the gravity sewer mains; SMCSD is responsible for the operation and maintenance of the three City lift stations and force mains.

The Sausalito-Marin City Sanitary District operates and maintains a wastewater treatment plant (WWTP) on East Road just south of Sausalito city limits within the Golden Gate National Recreation Area. The WWTP provides secondary treatment of wastewater, which is subsequently discharged into San Francisco Bay. It is designed to process an average daily dry weather flow (ADWF) of 1.8 million gallons per day (mgd) of wastewater and a maximum daily wet weather flow of 12.0 mgd, with the capability to treat up to 9.0 mgd of full secondary treatment and firm tertiary treatment capacity of 3.0 mgd, with a potential of up to 6.0 mgd tertiary treatment during wet weather flow.<sup>20</sup> The WWTP's maximum capacity had been limited to approximately 6.0 mgd by fixed-film reactor treatment capacity and recent upgrades in 2021 to the WWTP addressed these limitations and increased capacity to 12.0 mgd as described.

The WWTP serves approximately 10,000 equivalent dwelling units (EDUs) and a population of approximately 18,000. The dry weather flow to the WWTP is approximately 1.1 mgd.<sup>21</sup> Wet weather flows have been recorded up to 6.6 mgd. Sausalito uses approximately 47% of the WWTP capacity.<sup>4</sup>

The Sausalito-Marin City Sanitary District can accommodate wastewater treatment generated by additional development facilitated by the Housing Element Update and new development would be near existing wastewater infrastructure. As individual future projects are proposed throughout the city and the district would be required to evaluate each site for potential collection system improvements, including potential upsizing to accommodate development. The Sausalito-Marin City Sanitary District will be able to accommodate the additional connections, but some capital improvements may be required.<sup>22</sup>

With a current dry weather flow of approximately 1.1 mgd, there is approximately 0.7 mgd capacity available of dry weather flow. SMCSD estimates a generation rate of 200 gallons per day per EDU (SMCSD Code Chapter 3.05.030.D.); the Project's 959 units would result in approximately 191,800 gallons per day, or 0.19 mgd of dry weather flows and would be within the total capacity of the WWTP. Therefore, while a need to improve the City's wastewater

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<sup>20</sup> Sausalito-Marin City Sanitary District Strategic Plan 2022-2027, May 3, 2022

<sup>21</sup> San Francisco Bay Regional Water Quality Control Board Order No. R2-2018-0025, June 13, 2018

<sup>22</sup> Sausalito-Marin City Sanitary District Kevin Rahman, PE District Engineer Email Correspondence 11/9/22

conveyance infrastructure remains due to the aging infrastructure within the City, the WWTP would have the capacity to serve development anticipated with the City's RHNA.

In conclusion, while development facilitated by the Project would result in an incremental increase in the demand for wastewater collection and treatment, the SMCSD WWTP has sufficient capacity to support new infill development within the Planning Area. Furthermore, the CIP contains projects and improvements to the SMCSD system that would ensure sufficient capacity for future development. In addition, future projects would be required to comply with requirements of the City's General Plan and Municipal Code to reduce wastewater generation flows. Lastly, the City will continue to coordinate with the SMCSD to ensure that adequate wastewater collection and treatment facilities are provided to serve development in the city. Therefore, impacts related to wastewater collection and treatment would be ***less than significant***.

#### Level of Significance before Mitigation

Less than Significant

#### Mitigation Measures

None Required

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**Impact 3.15-4**      **Development facilitated by the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.**

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As described in Section 2.0, Project Description, the Project is expected to accommodate up to 959 total housing units. As such, development and growth identified in the city under the Housing Element would result in an increased generation of solid waste.

As detailed in the Regulatory Setting section, under the Marin County IWMP, each jurisdiction in the County is required to divert 50 percent of its solid waste from landfills. The City of Sausalito is a member of the Marin County Hazardous and Solid Waste Joint Powers Authority (Zero Waste Marin), which reports the number of solid waste programs and annual per capita disposal rates to CalRecycle. In 2021, the disposal rate was 4.8 pounds/person/day for residents and 12.1 pounds/person/day per employee.<sup>23</sup> The County has been exceeding the 50 percent diversion goal for many years and in 2017 had a CalRecycle equivalent diversion rate of 69 percent. However, this was down from 75 percent from 2011-2014 and did not meet the County 80 percent goal for 2012.<sup>24</sup>

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<sup>23</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2021. Website: <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionDetail?year=2018&jurisdictionID=110>. Accessed September 29, 2023.

<sup>24</sup> Marin County Hazardous and Solid Waste Joint Powers Authority. 2018. Financial Statements and Auditors' Report.

# City of Sausalito

## Housing Element Programs EIR

Table 3.15-1 summarizes the additional solid waste that could be generated from development identified under the RHNA.

TABLE 3.15-1 SOLID WASTE GENERATION ESTIMATE

CATEGORY	WASTE GENERATION RATE	NET NEW SERVICE POPULATION	WASTE GENERATION INCREASE	
			DAILY	ANNUALLY
Resident	5.2 pounds/day	1,678 residents	8,727 pounds	1,593 tons

Notes:

1 ton=2,000 pounds

1 cubic yard=1.4 tons

1.75 PPH per DOF 2022

Source: FCS, 2020; DOF 2022

Assuming disposal rates established by CalRecycle remains constant through, new population growth facilitated by the Project would result in an increase of approximately 8,727 additional pounds (4.36 tons) per day of additional solid waste or 1,593 additional tons of solid waste per year. All future development anticipated under the Project would be required to be in compliance with General Plan Policy S-2.1 Waste Reduction, Reuse, Recycling, which would result in a steady increase in the rate of diversion of solid waste from landfills to recycling and composting centers to achieve a 94 percent diversion rate by the year 2025.

As previously stated, the City of Sausalito is served by Bay Cities Refuse, which transports the city's solid waste to the Golden Bear Waste Recycling Center located in Richmond. As described by CalRecycle SWIS Facility/Site Activity Details<sup>25</sup>, the facility had a permitted capacity to accept 1,400 tons of material daily. The city's additional solid waste of 4.36 tons per day from the additional development to accommodate the Housing Element program growth would not exceed the existing daily capacity of the Golden Bear Waste Recycling Center. The city's annual solid waste generation under the General Plan is well within the permitted capacity of the Golden Bear Waste Recycling Center. The recyclable materials generated within the City would be transferred to the West County Resource Recovery facility in Richmond, The food waste/green waste would be taken to the West Contra Costa County Sanitary Landfill Organic Materials Processing facility in Richmond.

The remainder of the solid waste would be transferred to the Keller Canyon Landfill in Pittsburg. Another landfill in the region that has capacity is the Potrero Hills Landfill in Suisun City. As shown in Table 3.15-2, these two landfills combined have approximately 77.2 million cubic yards of capacity remaining. Accordingly, adequate landfill capacity exists to serve the development anticipated to occur as a result of the Project.

<sup>25</sup> SWIS Facility/Site Activity Details - Golden Bear Waste Recycling Center (07-AA-0056) Accessed 11/3/22

TABLE 3.15-2: LANDFILL SUMMARY

NAME	LOCATION	PERMITTED DAILY THROUGHPUT	REMAINING CAPACITY	ESTIMATED CLOSURE DATE
Potrero Hills Landfill	Suisun City	4,300 tons/day	13.8 million cubic yards	2/14/2048
Keller Canyon Landfill	Pittsburg	3,500 tons/day	63.4 million cubic yards	12/31/2030

*Source: California Department of Resources Recycling and Recovery (CalRecycle). 2020.*

While it is anticipated that there is adequate permitted landfill capacity to accommodate future growth, all future development facilitated by the Project would be required to be consistent with the policies and programs identified in the City’s General Plan. Specifically, the Sausalito General Plan includes programs and policies to reduce impacts on solid waste services. Policy S-2.1 requires the city to reduce the amount of solid waste generated in Sausalito in accordance with State law and Zero Waste Marin goals. Program S-2.1.1 requires the city to coordinate local recycling efforts and publicity efforts with those of the County Solid Waste Management Plan. Program S-2.1.2 requires the city to continue to implement the existing residential recycling program and establish a commercial recycling program in coordination with the Chamber of Commerce and local businesses. Program S-2.1.12 requires the city to adopt a Zero Waste Resolution with the goal of diverting 94 percent of waste from landfills by 2025, and Program S-2.1.13 requires the city to implement actions to reduce waste both citywide and in government operations as described in the City’s CAP. Policy S-2.2 requires the city to implement education and social media programs to change Sausalito’s waste-related behavior, emphasizing composting and recycling.

Zero Waste Marin has developed programs for residential and businesses that are designed to meet the zero waste goal. For example, residential programs include a recycling guide, online suggestions for recycling various wastes, and required composting for multifamily complexes generating four cubic yards of trash per week. Business programs include 65 percent diversion of construction and demolition waste, and compliance with State recycling and composting statutes. As mentioned prior, in 2021, the disposal rate of the Marin County Hazardous and Solid Waste Management Authority (which Sausalito is a member of) was 4.8 pounds/person/day for residents, with a population disposal target of 7.6, and 12.1 pounds/person/day per employee, with a employment disposal target of 17.3.<sup>26</sup> This indicates that the City is meeting diversion rate requirements, pursuant to SB 1383.

The Sausalito Municipal Code contains rules and regulations related to solid waste. Chapters 12.24, 11.40, and 11.30 set policies on collection and removal of solid waste and prohibits the use of single use plastic bags and packaging materials. The city would be required to

<sup>26</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2021. Website: <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionDetail?year=2018&jurisdictionID=110>. Accessed September 29, 2023.

# City of Sausalito

## Housing Element Programs EIR

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continue to comply with all federal, State, and local statutes and regulations related to solid waste.

While development facilitated by the Project would result in increased generation of solid waste in the Planning Area, future projects would be required to comply with the requirements of the General Plan and Sausalito Municipal Code to divert solid waste from the local landfills pursuant to SB 1383, including Program S-2.1.12 requiring the adoption of a Zero Waste Resolution with the goal of diverting 94 percent of waste from landfills by 2025, and Program S-2.1.13, which requires the city to implement actions to reduce waste both citywide and in government operations as described in the City's CAP. In addition, the city will be required to comply with existing and new federal, State, and local statutes and regulations related to solid waste. Therefore, impacts related to solid waste would be **less than significant**.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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#### Impact 3.15-5      Implementation of the Project would comply with federal, State, and local statutes and regulations related to solid waste.

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Development and growth in the city would result in an increased generation of solid waste. As described in Impact 3.15-4, the City of Sausalito would not result in a significant impacts to solid waste generation such that the landfills in the region would not have adequate capacity to serve future housing needs development. The City's General Plan contains policies to ensure compliance with the goals of waste reduction and implement recycling programs. In addition, the Sausalito Municipal Code contains measures that aim to reduce solid waste generation, such as prohibiting single-use plastic bags and packaging materials. Furthermore, Zero Waste Marin has developed programs for residential and businesses that are designed to meet the zero waste goal consistent with State regulations. Program S-2.1.12 requires the city to adopt a Zero Waste Resolution with the goal of diverting 94 percent of waste from landfills by 2025, and Program S-2.1.13 requires the city to implement actions to reduce waste both citywide and in government operations as described in the City's CAP.

While development facilitated by the Project would result in an increased generation of solid waste in the Planning Area, future projects would be required to comply with requirements of the Sausalito General Plan and Municipal Code to divert solid waste from the local landfills. In addition, the city will be required to comply with existing and new federal, State, and local statutes and regulations related to solid waste. Therefore, impacts related to solid waste regulations would be **less than significant**.



**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.15-6      Development facilitated by the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to water supply, wastewater, solid waste, and storm drain facilities.**

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This analysis evaluates whether the impacts of the Project, together with the impacts of cumulative development, would result in a cumulatively significant impact with respect to water supply, wastewater, solid waste, or storm drain facilities. This analysis then considers whether incremental contribution of impacts associated with the implementation of the Project would be significant. Both conditions must apply for a project's cumulative effects to rise to the level of significance.

**Water Supply**

The geographic context for the analysis of cumulative impacts related to water supply includes the MMWD service area. Overall, cumulative water demands may exceed planned levels of supply or require building new water treatment facilities or expanding existing facilities beyond what is currently planned. For these reasons, cumulative impacts to water supply would be **significant and unavoidable**.

While development facilitated by the Project would contribute to an increased cumulative demand for water supply within the MMWD service area, the increased demand may exceed the long-term supply under normal circumstances, and drought years as discussed under Impact 3.15-2.

As discussed under Impact 3.15-2, if MMWD should experience a shortage of supply during a prolonged drought, it will activate its Water Shortage Contingency Plan to reduce water consumption. These measures would be implemented in conjunction with other State, County, and local water conservation requirements and water efficiency measures.

As previously discussed, development facilitated by the Project would be required to conform to federal, State, and local policies that would reduce water supply impacts. When applicable, any additional new development within the Sausalito Planning Area would be subject, on a project-by-project basis, to independent CEQA review as well as policies in the General Plan, the Sausalito Municipal Code, and SB 610 and SB 221, which require WSAs for large development projects prior to approval.

However, there is uncertainty in the future due to climate change. A five-year drought would be particularly problematic in a climate change scenario. Absent a five-year drought,

# City of Sausalito

## Housing Element Programs EIR

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Sausalito currently has adequate water supplies to support existing and future demand in the City. As discussed prior, while accommodating the population growth associated with the RHNA for all jurisdictions served by MMWD would exceed MMWD's anticipated population growth during the planning period, the UWMP demonstrates that MMWD will have a robust water supply under normal year, single dry year, and multiple dry year conditions and is anticipated to have excess supply under all of these conditions and in all study years (2025, 2030, 2035, 2040, and 2045) as shown in Tables 7-7 through 7-9 of the 2020 UWMP. The lowest excess supply of 13,942 acre feet per year is projected in 2045 under a single dry year condition (2020 UWMP Table 7-8). This excess supply is more than adequate to serve the 328.6 acre feet of year demand for water that would occur with additional population growth of 5,501 under full buildout of the RHNA (approximately 2,292 households [128 gallons per capita per day x 2,292 = 293,376 gallons per day or 328.6 acre feet per year]). Furthermore, Marin Municipal Water District's 2020 UWMP indicates that based on historical water supply patterns, the MMWD can meet future demands for the district, including Sausalito, under normal, single-dry year, and multiple-dry year scenarios.

If the MMWD should experience a shortage of supply during a drought, it will activate its current Water Shortage Contingency Plan to reduce water consumption. Any direction by MMWD for reduced consumption would be applicable to all MMWD customers, not only the increased demand resulting from the adoption of the Housing Element Update.

In addition, with SB X7-7 and the State and county water conservation ordinances in place, each jurisdiction within the MMWD service area is required to conserve its water use through establishing water efficiency measures. As required by the City's General Plan, the City of Sausalito will continue to coordinate with regional water districts regarding water conservation efforts, demand management measures promoted by MMWD, compliance with the MWELo guidance for new landscaping, compliance with current CalGreen measures and Sausalito CAP measures promoting efficient indoor and outdoor water use. These measures would serve to reduce water use and demand overall and especially during drought years.

The City's General Plan requires development to demonstrate adequacy of facilities and water supplies through Policy S-3.8 and Programs S-3.8.2 and S-3.8.4. Additionally, Programs EQ 4.4.2 and 4.4.5 ensure continued collaboration between the city and MMWD regarding water conservation. Therefore, development facilitated by the Project to serve regional housing needs would not be expected to result in insufficient water supplies from MMWD, and no new or expanded water treatment facilities are proposed. The City currently complies with the statutory requirements listed in the regulatory section, and the City will continue to comply with the state and federal regulatory requirements.

However, as previously discussed, due to the increased uncertainty posed by prolonged drought conditions and the impacts of climate change, the MMWD's UWMP would need to

be updated to assess capacity and service in accommodating future regional development. Therefore this impact is considered potentially significant.

Implementation of the Housing Element Programs would further exacerbate the demand for water within MMWD's jurisdiction. Due to the uncertainty regarding future drought conditions, the Project's contribution to the impact would be considerable, and the cumulative impact on water supply would be **potentially significant**.

### Wastewater

The geographic context for the analysis of cumulative impacts related to wastewater conveyance and treatment includes the SMCSO. All cumulative projects would be required to comply with city/County ordinances and the City's General Plan policies, as well as other regulations related to wastewater collection and treatment. As described under Impact 3.15-3, the SMCSO WWTP would have sufficient wastewater conveyance and treatment capacity. The WWTP is currently allowed peak wet weather discharges of up to 6 mgd. Planned CIP programs as described in the SSMP would ensure the SMCSO would contain sufficient capacity to convey and treat wastewater within its service area. For these reasons, cumulative impacts to waste water would be **less than significant**.

Additionally, the Project's contribution to cumulative impacts would be less than significant. While development facilitated by the Project would result in an increased demand for wastewater collection and treatment, the SMCSO can accommodate wastewater collection and treatment generated by such buildout (see Impact 3.15-3). In addition, future projects within the Sausalito Planning Area would be required to comply with requirements of the City's General Plan and Sausalito Municipal Code that aim to reduce wastewater generation flows. For the reasons described above, impacts of the Project related to wastewater conveyance and treatment in conjunction with other cumulative development is not cumulatively considerable. The Project's contribution to cumulative impacts would be **less than significant**.

### Solid Waste

Cumulative development within Sausalito and other jurisdictions served by local solid waste facilities would contribute to an incremental increase in solid waste delivered to the Keller Canyon Landfill and other landfills in the region. Other future projects within the cumulative geographic context, would be required to comply with federal, State, and local laws and policies to address potential impacts related to solid waste. For these reasons, cumulative impacts to solid waste would be **less than significant**.

While development and growth in the city would result in an increased generation of solid waste, the Keller Canyon Landfill and other regional landfills have enough capacity to serve the city (see Impact 3.15-4). In addition, development facilitated by the Project would be required to comply with City's policies and programs of the General Plan and the regulations of the Sausalito Municipal Code that aim to divert solid waste from the local landfill. The City

# City of Sausalito

## Housing Element Programs EIR

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will also be required to comply with existing and new federal, State, and local statutes and regulations related to solid waste (See Impact 3.15-5). Therefore, as discussed, development consistent with the Project would have a **less than significant** contribution to cumulative impacts.

### Storm Drainage

The geographic context for analysis of cumulative impacts to storm drain facilities includes the incorporated and unincorporated lands surrounding the Sausalito Planning Area. Cumulative development contributes to an incremental increase in impervious surfaces that could increase stormwater runoff and impact existing storm drain facilities. All cumulative projects would be required to comply with city/County ordinances and General Plan policies, as well as other regulations that minimize stormwater runoff, such as the Clean Water Act. For these reasons, cumulative impacts to storm drainage would be **less than significant**. As discussed under Impact 3.15-1, the Project's contribution to cumulative impacts would be less than significant. The City's General Plan contains policies and programs to reduce stormwater runoff. Likewise, the sections of the Sausalito Municipal Code that protect water quality, also minimize stormwater runoff, such as Chapter 11.17 and 11.18. All future development under the Project would also be required to comply with the Clean Water Act and regulations enforced by the SWQCB and RWQCB, which require reductions to stormwater runoff and protection of waterways from impacts of development. Therefore, as discussed, development consistent with the Project Update would have a less than significant contribution to cumulative impacts.

In conclusion, cumulative impacts on utilities and service systems are **less than significant** with implementation of regulatory requirements and the City's existing General Plan Programs and Policies. Additionally, the collective, cumulative mitigating benefits from implementation of the City's General Plan Programs and Policies discussed above, are intended to reduce developments contribution to cumulative utility impacts throughout the Planning Area. Specific Programs and Policies support development that meets or exceeds standards for energy-efficient building design, supports educational and outreach programs that provide information on energy conservation, encourages the utilization of native landscaping that reduces heat island effect and energy consumption, and promotes and encourages efficient use of energy and the conservation of available resources in the design, construction, maintenance, and operation of public facilities, infrastructure, and equipment. All development facilitated under the Project would be required to comply with all General Plan Policies and Programs that encourage the use of drought tolerant landscape and waterwise development practices, energy efficient building and maintenance practices. Accordingly, the cumulative impacts of the Project with respect to storm drainage would be **less than significant**.

### Level of Significance before Mitigation

Potentially Significant

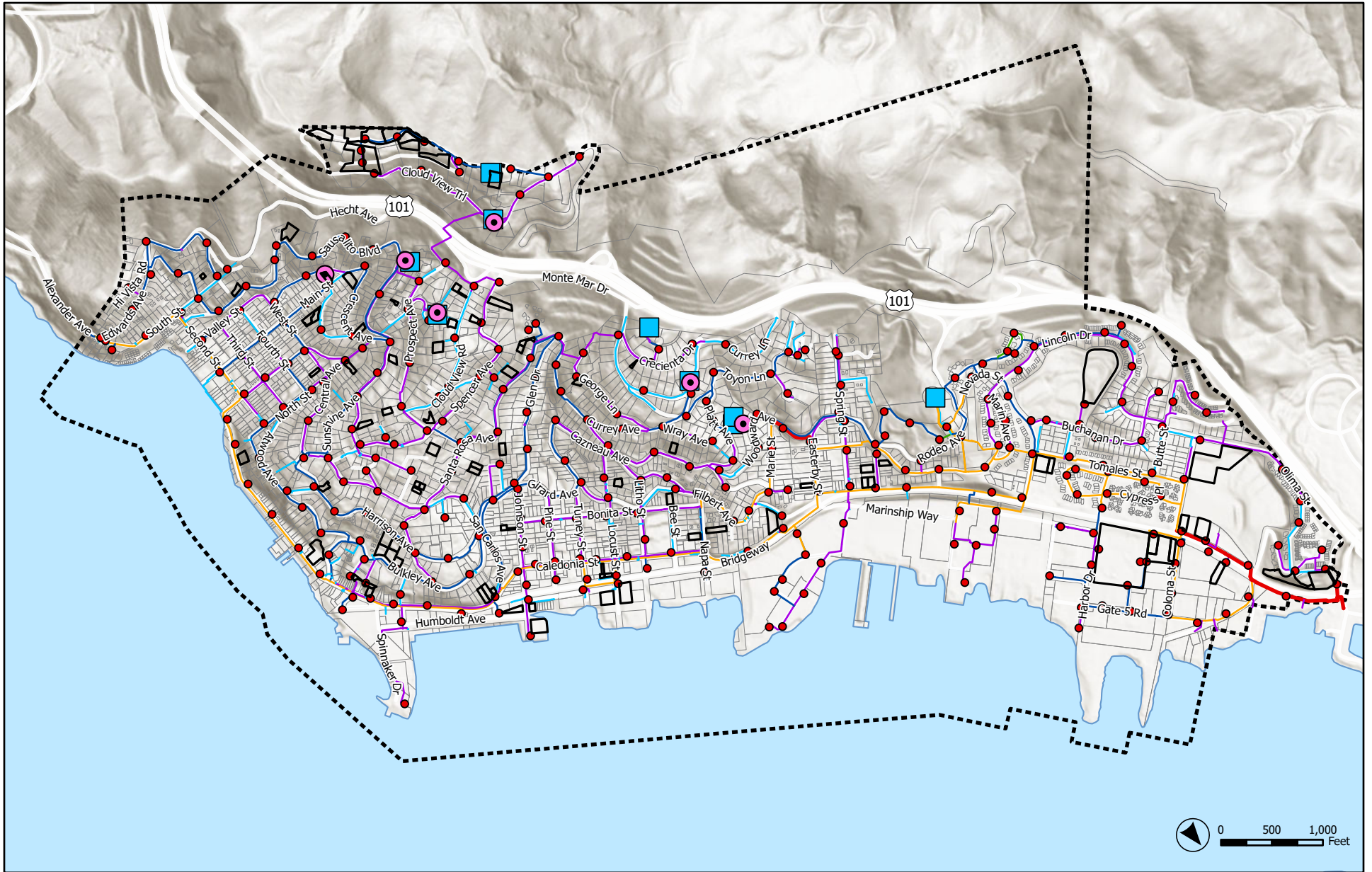
**Mitigation Measures**

Minimized to the greatest extent feasible through General Plan policies and programs, compliance with statutory requirements, and utility plans, and through implementation of the municipal code that require individual projects to prove adequate utility capacity and infrastructure prior to approval. No additional feasible mitigation is available.

**Level of Significance After Mitigation**

Significant and Unavoidable





**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- Assessor Parcel
- Pump Station
- Tank Reservoir
- Hydrant
- 16" Water Main
- 12" Water Main
- 10" Water Main
- 8" Water Main
- 6" Water Main
- Water Main < 6"

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.15-1. Water Distribution System

Sources: City of Sausalito; Marin GeoHub; MMWD. Map date: July 19, 2023.





**LEGEND**

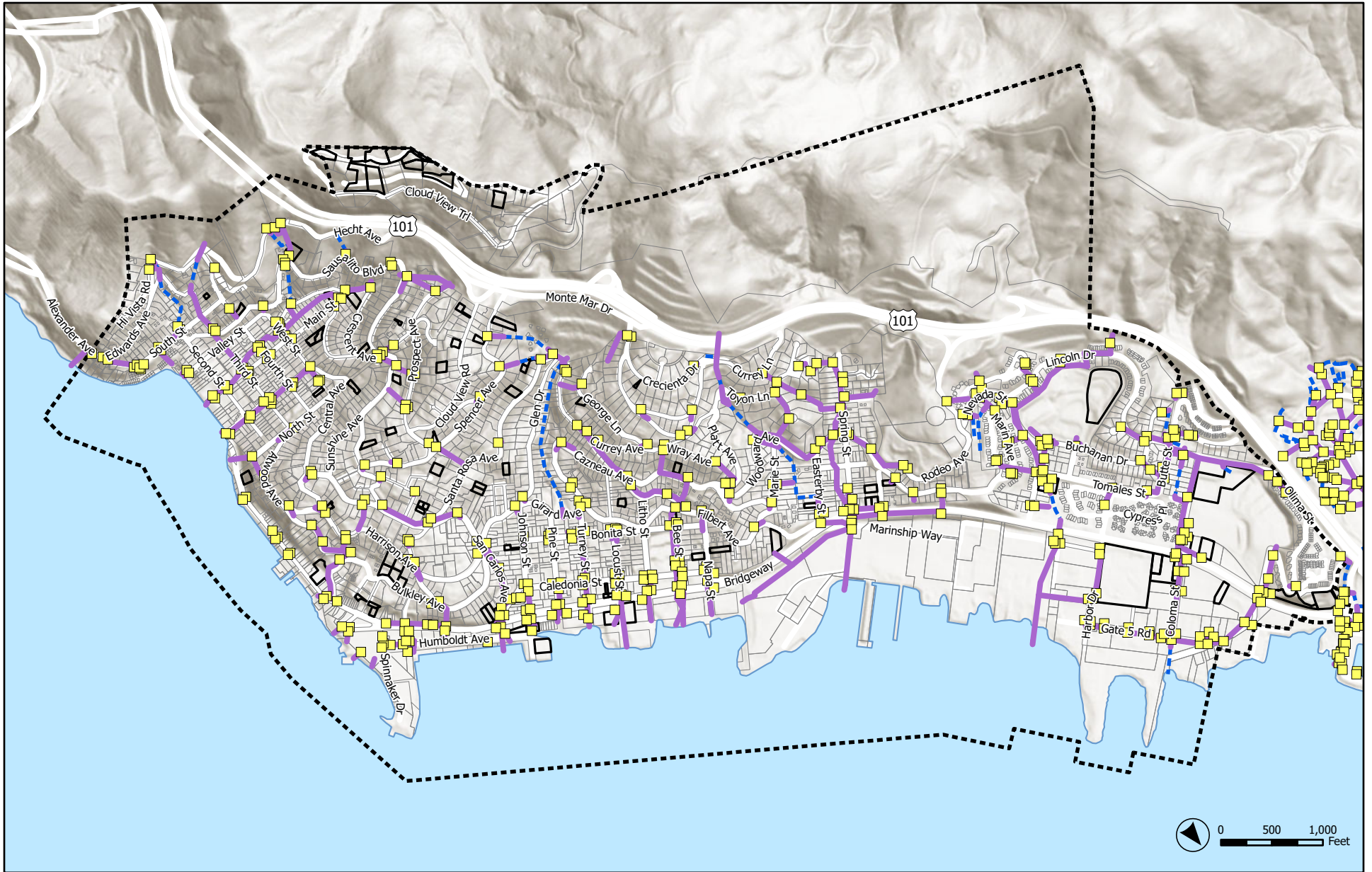
- Sausalito City Boundary
- Assessor Parcel
- Interceptor
- Housing Element Programs Sites
- Gravity Main

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.15-2. Sanitary Sewer System

Sources: City of Sausalito; Marin GeoHub, MarinMap. Map date: July 19, 2023.





**LEGEND**

- Sausalito City Boundary
- Housing Element Programs Sites
- Assessor Parcel
- Catch Basin
- Pipeline
- Channel

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.15-3. Storm Drain System

Sources: City of Sausalito; Marin GeoHub; MarinMap DPW Stormwater. Map date: July 19, 2023.

### 3.16 WILDFIRE

Wildfires are, on average, becoming more frequent and more destructive due to a combination of higher temperatures, longer dry periods, and increased human development within wooded areas. Grassland or other vegetation in California is easily ignited, particularly in dry seasons. Wildfire is a serious hazard in high, dry fuel load areas, particularly near areas of natural vegetation and steep slopes since fires tend to burn more rapidly on steeper terrain. Wildfire is also a serious hazard in areas of high wind, given that fires will travel faster and farther geographically when winds are higher. Furthermore, wildfire is more likely in areas where electric power lines are located above ground where they can encounter either vegetation or building materials.

This section of the Draft EIR describes the existing wildfire conditions in the Sausalito Planning Area as well as the relevant regulatory framework. This section also evaluates the possible impacts related to wildfire that could result from the Project, which would implement the Housing Element's Programs. Future discretionary projects will also be evaluated for project-specific impacts to wildfire at the time they are proposed. See Section 3.13, Public Services and Recreation, for a discussion of fire protection services.

Information in this section is based, in part, on statements, data, and figures provided by the following reference materials:

- Sausalito General Plan and General Plan EIR (2021);
- Southern Marin Fire Protection District (SMFD) Ordinance;
- 2020 SMFD Wildland-Urban Interface Wildfire Hazard and Risk Assessment;
- 2016 Marin County Community Wildfire Protection Plan;
- Marin County Multi-Jurisdictional Local Hazard Mitigation Plan;
- Marin County Fire Department Strategic Plan 2017-2020;
- California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone Maps; and
- Golden Gate National Recreation Area Fire Management Plan.

#### 3.16.1 EXISTING SETTING

##### *Wildfire Risk*

##### **CAL FIRE Fire Hazard Severity Zones**

The City of Sausalito could be susceptible to wildfires due to steep topography, fuel load, and climatic conditions.

As shown in **Figure 3.16-1**, local, state and federal agencies have separate jurisdictional areas related to potential fire hazard. Small portions of the western Planning Area are within a

Federal Responsibility Area, and the remainder of the Planning Area is within a Local Responsibility Area. There are no State Responsibility Areas (SRAs) in the Planning Area or directly adjacent to city limits.

As shown on Figure 3.16-1 no areas within the city are designated within a Very High Fire Severity Zone (VHFSZ) by CAL FIRE. Land designated by CAL FIRE as Very High FHSZ within the SRA is located northwest of the city limits within unincorporated Marin County, including the community of Marin City.

### **Southern Marin Fire Protection District (SMFD) - Wildland-Urban Interface**

Most of the Planning Area is located within the Wildland-Urban Interface (WUI), the area where human development intermingles with unoccupied land and vegetative fuels. The SMFD independently established the WUI in 2019 to identify local areas with significant risk from wildfires.<sup>1</sup> These areas may or may not overlap with federal, State, or local responsibility areas, but should be evaluated separately. Areas within the WUI zone are at high risk for wildfires. Areas located at the tops of ridges or heads of canyons are particularly vulnerable to fires ignited from below since the community's hillside topography (steep slopes separated by dry drainage and canyons) lends itself to the creation of a "chimney effect" where the fires are drawn up the canyons and steep hillsides. Periodic high winds can exacerbate fire risk.

Each area of the city has a different level of Wildland-Urban Interface fire hazard potential, which can range from Very High to Urban (no interface). **Figure 3.16-2** identifies areas SMFD has designated as Very High, High, and Moderate Fire Hazard Severity Zones. Very High FHSZs are located adjacent to Highway 101, and in the northern portion of the city along the Highway 101 corridor in the Nevada Street Valley neighborhood. High FHSZs are located along the Highway 101 corridor, adjacent to Very High FHSZs. High FHSZs are also located in the southern portion of the city in the Old Town/Hurricane Gulch neighborhood and adjacent to the Golden Gate National Recreation Area. Moderate FHSZs are located both in the Golden Gate National Recreation Area west of Highway 101 and in neighborhoods east of Highway 101.

In order to inform residents of their fire hazard risk, the SMFD utilizes hazard mapping from the Marin County Community Wildfire Protection Plan (CWPP). The CWPP is a wildfire risk reduction plan adopted throughout the county in 2016 and the City of Sausalito is included in the plan. The City ratified the Southern Marin Fire Department regulations, which include WUI regulations.

Designated higher fire hazard areas would require a higher fire rating for construction materials as appropriate. Furthermore, the City will continue to require that all roofing materials be fire rated class "A" or better, regardless of the fire hazard zone.

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<sup>1</sup> Southern Marin Fire Protection District (SMFD). 2019. Ordinance No. 2019/2020-01. September 18.

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The Marin County Fire Department is responsible for wildland fire prevention and the protection of 340,000 acres of federal, State, local, and private lands, including the Golden Gate National Recreation Area (GGNRA) lands bordering the City of Sausalito. The Marin County Fire Department's Strategic Plan 2017-2020 serves as a road map and guide for identifying priorities to provide fire, rescue, prevention, and emergency medical services for the County.

### ***Southern Marin Fire Protection District***

The SMFD provides fire protection, rescue, emergency medical services, and fire marine services within a 34-square-mile area that includes the City of Sausalito, Fort Baker, and the Marin Headlands as well as the communities of Tamalpais Valley, Almonte, Homestead Valley, Alto, Strawberry, and a portion of the town of Tiburon. The SMFD is an independent special district established by the Marin County Board of Supervisors in 1999 through the merger of the Alto-Richardson Fire Protection District and the Tamalpais Fire Protection District. The City of Sausalito was annexed into the SMFD on June 26, 2012.

The SMFD operates three stations and provides emergency response, fire suppression, fire protection and emergency medical services in response to about 4,500 incidents per year. The SMFD Administrative and Prevention Headquarters are located at 28 Liberty Ship Way, Suite 2800, in Sausalito. Station 9 in the unincorporated community of Strawberry houses the following equipment and personnel: two Type 1 Engines, a Paramedic medium rescue, a Battalion Chief, and a Water Rescue Unit with rescue water crafts.<sup>2</sup> Station 1 is located at 333 Johnson Street in the City of Sausalito. From this station, the SMFD serves city limits and the portions of the GGNRA within the Planning Area. Station 1 houses a Type 1 Engine, advanced life support ambulance, and the Dive Team. Additionally, the crews there cross-staff a fire boat and an inflatable rescue boat.<sup>3</sup> Station 4 is located in the unincorporated community of Tamalpais Valley at 309 Polar Avenue and houses an advanced life support ambulance, a Type 1 Engine, a Type 3 Wildland Engine, and a tiller aerial ladder truck.<sup>4</sup>

The SMFD participates in a countywide Community Emergency Response Teams (CERT) program to train amateur emergency workers to assist in the initial aftermath of a disaster to augment official emergency service staff. Established in 2011 by the Marin County Disaster Council, the CERT program provides 15 hours of hands-on training from Marin County fire professionals. In cases of large-scale disasters such as the Loma Prieta earthquake, the recent

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<sup>2</sup> Southern Marin Fire Protection District (SMFD). Apparatus. Website: <https://southernmarinfire.org/operations/apparatus>. Accessed May 26, 2020.

<sup>3</sup> Southern Marin Fire Protection District (SMFD). Apparatus. Website: <https://southernmarinfire.org/operations/apparatus>. Accessed May 26, 2020.

<sup>4</sup> Southern Marin Fire Protection District (SMFD). Apparatus. Website: <https://southernmarinfire.org/operations/apparatus>. Accessed May 26, 2020.



Sonoma/Napa County fires, Oakland Hills fire, and the Northridge earthquake, self-reliance and the use of volunteers has proven to be highly effective.

### ***Post-fire Slope Instability and Drainage Pattern Hazards***

Although there have not been major fires in Sausalito, the major post-wildfire hazards in Marin County are unstable hill slopes and altered drainage patterns. Slope instability from wildfire scarring of the landscape can result in slope instability in the form of more intensive flooding, landslides, and rockslides. These post-fire slope soils and altered drainage patterns can more easily creep away downslope sides of foundations and reduce lateral support. To direct drainage, runoff from the hillside is captured and diverted into Richardson Bay or San Francisco Bay.

Several landslides have been recorded within city limits. In February 2017, a landslide on San Carlos Avenue near Bridgeway caused city-wide power outages, and a landslide on Alexander Avenue south of city limits forced the road to close. On February 14, 2019 a landslide originated downslope of Highway 101 and destroyed a duplex and a single-family home.<sup>5</sup> Additionally landslides were experienced during the heavy rains in winter 2022/2023. However, it should be noted that none were caused or exacerbated by Post-fire Slope Instability, but are a result of underlying geologic conditions and slope.

## **3.16.2 REGULATORY SETTING**

### ***Federal***

#### **United States Department of Interior**

##### *Review and Update of the 1995 Federal Wildland Fire Management Policy*

1. **Safety**—Firefighter and public safety is the first priority. All Fire Management Plans and activities must reflect this commitment.
2. **Fire Management and Ecosystem Sustainability**—The full range of fire management activities will be used to help achieve ecosystem sustainability, including its interrelated ecological, economic, and social components.
3. **Response to Wildland Fire**—Fire, as a critical natural process, will be integrated into land and resource management plans and activities on a landscape scale, and across agency boundaries. Response to wildland fire is based on ecological, social, and legal consequences of the fire. The circumstances under which a fire occurs, and the likely consequences on firefighter and public safety and welfare, natural and cultural

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<sup>5</sup> CaliforniaGeologicalSurvey.ReportedCaliforniaLandslides.Website:  
<https://www.conservation.ca.gov/cgs/landslides>. Accessed April 23, 2020.



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resources, and values to be protected dictate the appropriate management response to the fire.

4. **Use of Wildland Fire**—Wildland fire will be used to protect, maintain, and enhance resources and, as nearly as possible, be allowed to function in its natural ecological role. Use of fire will be based on approved Fire Management Plans and will follow specific prescriptions contained in operational plans.
5. **Rehabilitation and Restoration**—Rehabilitation and restoration efforts will be undertaken to protect and sustain ecosystems, public health, and safety, and to help communities protect infrastructure.
6. **Protection Priorities**—The protection of human life is the single, overriding priority. Setting priorities among protecting human communities and community infrastructure, other property and improvements, and natural and cultural resources will be based on the values to be protected, human health and safety, and the costs of protection. Once people have been committed to an incident, these human resources become the highest value to be protected.
7. **Wildland Urban Interface**—The operational roles of federal agencies as partners in the Wildland Urban Interface are wildland firefighting, hazardous fuels reduction, cooperative prevention and education, and technical assistance. Structural fire suppression is the responsibility of tribal, State, or local governments. Federal agencies may assist with exterior structural protection activities under formal Fire Protection Agreements that specify the mutual responsibilities of the partners, including funding. (Some federal agencies have full structural protection authority for their facilities on lands they administer, and may also enter into formal agreements to assist State and local governments with full structural protection.)
8. **Planning**—Every area with burnable vegetation must have an approved Fire Management Plan. Fire Management Plans are strategic plans that define a program to manage wildland and prescribed fires based on the area's approved land management plan. Fire Management Plans must provide for firefighter and public safety; include fire management strategies, tactics, and alternatives; address values to be protected and public health issues; and be consistent with resource management objectives, activities of the area, and environmental laws and regulations.
9. **Science**—Fire Management Plans and programs will be based on a foundation of sound science. Research will support ongoing efforts to increase our scientific knowledge of biological, physical, and sociological factors. Information needed to support fire management will be developed through an integrated interagency fire science program. Scientific results must be made available to managers in a timely manner and must be used in the development of land management plans, Fire Management Plans, and implementation plans.
10. **Preparedness**—Agencies will ensure their capability to provide safe, cost-effective fire management programs in support of land and resource management plans

through appropriate planning, staffing, training, equipment, and management oversight.

11. **Suppression**—Fires are suppressed at minimum cost, considering firefighter and public safety, benefits, and values to be protected, consistent with resource objectives.
12. **Prevention**—Agencies will work together and with their partners and other affected groups and individuals to prevent unauthorized ignition of wildland fires.
13. **Standardization**—Agencies will use compatible planning processes, funding mechanisms, training and qualification requirements, operational procedures, values-to-be-protected methodologies, and public education programs for all fire management activities.
14. **Interagency Cooperation and Coordination**—Fire management planning, preparedness, prevention, suppression, fire use, restoration and rehabilitation, monitoring, research, and education will be conducted on an interagency basis with the involvement of cooperators and partners.
15. **Communication and Education**—Agencies will enhance knowledge and understanding of wildland fire management policies and practices through internal and external communication and education programs. These programs will be continuously improved through the timely and effective exchange of information among all affected agencies and organizations.
16. **Agency Administrator and Employee Roles**—Agency administrators will ensure that their employees are trained, certified, and made available to participate in the wildland fire program locally, regionally, and nationally as the situation demands. Employees with operational, administrative, or other skills will support the wildland fire program as necessary. Agency administrators are responsible and will be held accountable for making employees available.
17. **Evaluation**—Agencies will develop and implement a systematic method of evaluation to determine effectiveness of projects through implementation of the 2001 Federal Fire Policy. The evaluation will assure accountability, facilitate resolution of areas of conflict, and identify resource shortages and agency priorities.

### Golden Gate National Recreation Area Fire Management Plan

The GGNRA Office of Fire Management, in accordance with the Fire Management Plan, manages fire in such a way as to retain its beneficial effects in the ecosystem while protecting resources, property, and lives. The goals of the GGNRA Fire Management Program are:<sup>6</sup>

- Ensure that firefighter and public safety is the highest priority for all fire management activities.

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<sup>6</sup> Golden Gate National Recreation Area (GGNRA). 2008. Operational Strategy for the Fire Management Plan. [https://home.nps.gov/goga/learn/management/upload/fire\\_fmp\\_op\\_strat\\_chapters.pdf](https://home.nps.gov/goga/learn/management/upload/fire_fmp_op_strat_chapters.pdf)

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- Reduce wildland fire risk to private and public property.
- Protect natural resources from adverse effects of fire and fire management activities and use fire management wherever appropriate to sustain and restore natural resources.
- Preserve historic structures, landscapes, and archeological resources from adverse effects of fire and fire management activities and use fire management wherever appropriate to rehabilitate or restore these cultural resources.
- Refine management practices by improving knowledge and understanding of fire through research and monitoring.
- Develop and maintain staff expertise in all aspects of fire management.
- Effectively integrate the fire management program into park and park partner activities.
- Foster informed public participation in fire management activities.
- Foster and maintain interagency fire management partnerships and contribute to the firefighting effort at the local, state, and national level.

The Office of Fire Management monitors and responds to all wildland fires within the park and maintains an appropriate preparedness level in accordance with the park's Wildland Fire Step-Up Plan.

### **State**

#### **California Emergency Plan**

The California Emergency Plan describes how response to natural or human-caused emergencies occur in California. The Emergency Plan is a requirement of the California Emergency Services Act, and describes methods for conducting emergency operations, the process for rendering mutual aid, emergency services of government agencies, how resources are mobilized, how the public is informed, and how continuity of government is maintained during an emergency. The Emergency Plan further describes hazard mitigation (actions to reduce risk), as well as preparedness and recovery from disasters.

Preparing for and responding to wildland fire incidents is one part of this plan. The California Fire Service Task Force on Climate Impacts was established in July 2014. The Task Force is comprised of members from local, State, and federal jurisdictions, and continues to build upon the State's Blue Ribbon Fire Commission that was initially established following the 2003 wildfires. The objectives of the Task Force are to review the past Blue Ribbon Fire Commission recommendations and action plan, validate, and prioritize items that remain outstanding, and evaluate the most current climate threats, science, studies, and recommendations. The Task Force will also, as necessary, develop new or updated recommendations related to wildfire preparedness and mitigation needed to successfully

adapt to California's changing climate, aligning actions and recommendations with the State's climate adaptation strategy and related efforts.

### **California Code of Regulations**

Title 8, Section 6150-6184 of the California Code of Regulations establishes general fire safety standards. The standards range from fire hose size requirements to the design of automatic sprinklers.

Title 14, Section 1270 *et seq.* of the California Code of Regulations establishes minimum standards for a variety of wildfire preparedness and prevention regulations.

Title 19 Section 1.00 *et seq.* of the California Code of Regulations, establishes the "Regulations of the State Fire Marshall" which includes a variety of emergency fire response, fire prevention and construction and construction materials standards.

### **California Building Standards Code**

The State of California provided a minimum standard for building design through the California Building Standards Code (CBC), which is in Part 2 of Title 24 of the California Code of Regulations. The 2022 CBC is based on the 2021 International Building Code, but has been modified for California conditions. It is generally adopted on a jurisdiction by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all new high-rise buildings and residential buildings; the establishment of fire resistance standards for fire doors, building material; and particular types of construction.

The California Fire Code is Part 9 of Title 24, California Code of Regulations, also referred to as the CBC. The purpose of the California Fire Code is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations.

### **California Public Resources Code**

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that use an internal combustion engine;<sup>7</sup> specify requirements for

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<sup>7</sup> A spark arrestor is any device that prevents the emission of flammable debris from a combustion source (i.e., fireplaces, internal combustion engines, and wood burning stoves).

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the safe use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided on-site for various types of work in fire-prone areas.

These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines shall be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code [PRC] § 4442);
- Appropriate fire suppression equipment shall be maintained during the highest fire danger period—from April 1 to December 1 (PRC § 4428);
- On days when a burning permit is required, flammable materials shall be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor shall maintain the appropriate fire suppression equipment (PRC § 4427); and
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines shall not be used within 25 feet of any flammable materials (PRC § 4431).

### California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection (CAL FIRE) provides fire protection services for over 31 million acres of California’s privately-owned wildlands, also known as SRA lands. CAL FIRE is divided into 21 operational units Statewide. Within these units, CAL FIRE operates 802 fire stations (234 State and 568 local government).<sup>8</sup> There are no SRAs in the Planning Area (see Exhibit 3.16-1). The closest land designated as Very High FHSZ within an SRA is located approximately 600 feet northwest of the city limits within unincorporated Marin County, including the community of Marin City. The closest land designated as High FHSZ within an SRA is located within the community of Marin City approximately 0.25 mile northwest of the city limits. Existing houseboats within Sausalito’s SOI are located approximately 250 feet southeast of land designated as High FHSZ within an SRA (within the community of Marin City) and approximately 0.25 mile southeast of land designated as Very High FHSZ within an SRA (within the community of Marin City).

CAL FIRE has mapped fire threat potential throughout California and ranks fire threat based on availability of fuel and likelihood of an area burning (based on topography, fire history, and climate). Rankings include no fire threat, moderate, high, and very high fire threat. Additionally, CAL FIRE produced the 2018 Strategic Fire Plan for California, which contains goals, objectives, and policies to prepare for and mitigate effects of fire on California’s natural and built environments

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<sup>8</sup> California Department of Forestry and Fire Protection (CAL FIRE). 2018. What is CAL FIRE? September. <https://www.fire.ca.gov/media/sp0fb3k3/whatiscalefire.pdf>

## **Regional**

### **Marin County Multi-Jurisdictional Local Hazard Mitigation Plan**

The Marin County Multi-Jurisdictional Local Hazard Mitigation Plan (MCM LHMP), updated in 2018, was developed to reduce risks from natural disasters in unincorporated portions of the County and all incorporated Cities in Marin County. The MCM LHMP was adopted by the City of Sausalito on May 14, 2019. The MCM LHMP identifies hazards within the city, such as earthquakes, liquefaction, severe storms, debris flow (landslides), flooding, wind, tsunamis, wildfire, and post-fire landslides. The MCM LHMP also contains a vulnerability analysis highlighting specific facilities at risk to natural hazards and outlines mitigation strategies for reducing risk of identified hazards.<sup>9</sup>

### **Marin Operational Area Emergency Operations Plan**

The purpose of the Marin Operational Area Emergency Operations Plan (EOP) is to plan responses to extraordinary emergencies due to large-scale disasters that affect Marin County.<sup>10</sup> The EOP identifies and facilitates inter-agency coordination in emergency operations, and applies to all emergencies in incorporated and unincorporated areas of Marin County when those emergencies require multi-agency coordination at the operational area level.

### **Marin County Community Wildfire Protection Plan**

The Marin County Community Wildfire Protection Plan (CWPP), adopted in 2016, is an advisory document prepared by FIREsafe Marin in collaboration with stakeholder agencies pursuant to the Healthy Forests Restoration Act. The CWPP is a countywide strategic plan with action items to reduce fire hazard in the County, especially in areas of concern, which mostly fall within Marin's WUI boundary. The CWPP assists in protecting human life and reducing property loss from wildfire throughout Marin County. The CWPP describes wildfire risk, hazard, and recommendations for improving wildfire preparedness at the County level, achieving the following:

- Outlines community characteristics that relate to wildfire risk and hazard including climate, weather, vegetation, and population.
- Describes the fire environment, including the description of the County WUI and regional weather.
- Assesses wildfire hazard and risk at the County level.
- Describes existing and proposed community outreach that is integral to improving wildfire preparedness.
- Identifies mitigation strategies that could be applied to address wildfire hazard and risk.

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<sup>9</sup> Marin County. 2018. Marin County Multi-Jurisdictional Local Hazard Mitigation Plan (MCM LHMP).

<sup>10</sup> Marin County Sheriff's Office of Emergency Services. 2014. Marin Operational Area Emergency Operations Plan. October.



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- Describes the CWPP as a living document to be updated periodically.

The CWPP is accompanied by appendices that address specific areas and projects by agency to meet strategic goals. The lists of projects include past, current, and/or planned projects from the 2015 Marin Unit Fire Plan and are intended to provide a starting point for identifying and prioritizing a more complete, countywide list of future fuel reduction and outreach projects. The projects identified within the Sausalito Planning Area include:

- Highway 101/Wolfback Ridge Road: Eucalyptus removal, brush cut, and shaded fuel break.
- Edwards Avenue/Marion Avenue: Brush removal – shaded fuel break.

### **Southern Marin Fire Protection District Ordinance**

The SMFD Ordinance<sup>11</sup> adopts the 2022 California Fire Code (effective January 1st, 2023), and Appendix A of the 2021 International Wildland-Urban Interface Code. The Ordinance contains amendments to the California Fire Code and includes requirements for WUI fire areas to address the local climatic, geographic, and topographic conditions that impact fire prevention efforts, and the frequency, spread, acceleration, intensity, and size of fire involving buildings in the community. Some of the requirements are related to hazardous vegetation and fuel management, defensible space, fire flow requirements for buildings, fire hydrant locations and distribution, and minimum widths and clearances for fire access roads. The Ordinance was approved by the SMFD Board of Supervisors in October 2022.

### **2020 Southern Marin Fire Protection District WUI Wildfire Hazard and Risk Assessment**

XMR Fire Consulting prepared an assessment to assist the SMFD in assessing hazards within the WUI areas encompassed by the SMFD.<sup>12</sup> The assessment builds upon the 2016 CWPP and the SMFD's plans, policies, and ongoing wildfire mitigation activities. The assessment looks at current conditions and predicted trends and recommends long-term strategies for reducing structural ignitability, managing and reducing vegetation fuel loads on public lands and private property, and improving wildfire response and suppression capabilities within the boundaries of the SMFD. The hazard assessment covers the communities of the Tamalpais and Homestead Valley Area, the Strawberry-Alto area, and the City of Sausalito. The recommendations in the assessment focus on:

- Public and Community Outreach
- Wildfire Preparedness and Planning
- Reducing Structural Ignitability

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<sup>11</sup> Southern Marin Fire District. 2022. Ordinance No. 2022/2023-01. September 22. Available: <https://www.smfd.org/home/showpublisheddocument/2667/638073891519600000>. Accessed: November 28, 2023.

<sup>12</sup> XMR Fire Consulting. 2020. 2020 Southern Marin Fire Protection District WUI Wildfire Hazard and Risk Assessment. July 22.

- Vegetation Management and Defensible Space
- Evacuation Planning and Preparation

## ***Local***

### **Sausalito General Plan**

The General Plan includes the following relevant policies and programs that assist in reducing or avoiding potential impacts related to wildfires:

#### *Environmental Quality Element*

Program EQ-1.4.5: Eradication. Attempt to eradicate broom populations in open space areas where the plant serves as a fuel in the Wildland-Urban Interface (WUI) or threatens important native plants or wildlife habitats.

Policy EQ-2.4: Open Space Management. Maintain habitat and scenic value of open space and ensure the protection of public health and safety through the well-planned management of open space lands.

Program EQ-2.4.3: Urban Wildland Interface. Work with local agencies to address hazards within existing and proposed open space areas related to wildfire prevention.

#### *Health, Safety, and Community Resilience Element*

Policy HS-1.3: Fire Safety. Minimize the risk of property damage and personal injury resulting from structural and wildland fires.

Program HS-1.3.1: Building and Fire Codes Amendment. Amend the Building and Fire codes as necessary to address fire hazard conditions unique to Sausalito.

Program HS-1.3.2: Plant Materials List. Develop a list of plant materials selected to minimize fire hazards to residential structures as a resource to potential applicants.

Program HS-1.3.3: Water Fire and Rescue Equipment. Continue to study the potential location of a boathouse or other means to house City water-based fire and rescue safety equipment.

Program HS-1.3.4: Roofing Material. Continue to require that all roofing material used in new construction or substantial remodel be fire rated "A."

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Program HS-1.3.5: Removal of Brush. Establish a program for the removal of brush, certain trees, and other excess fuel materials on public and/or lands in coordination with open space management programs (see Policy EQ-1.4).<sup>13</sup>

Program HS-1.3.6: Public Awareness of Fire Safety. Develop and initiate a public awareness educational program about fire safety through the Community Safety/Disaster Preparedness Committee.

Program HS-1.3.8: Mapping of Fire Hazard Areas. Maintain a mapping program which identifies and maps fire hazard areas.

Program HS-1.3.9: Fire Suppression Plans. Develop fire suppression plans and strategies for those areas that are mapped as fire hazard areas.

Program HS-1.3.10: Water-Deficient Areas. Develop a plan to correct the fire suppression water supply deficiencies for the areas designated on Figure 7-8 [of the General Plan].

Program HS-1.3.11: Inter-Jurisdictional Cooperation. Coordinate with local and regional jurisdictions for fire protection.

Program HS-1.3.12: Floating Homes. Require that all floating home areas, whether in the City or within the Sphere of Influence, have a dedicated fire main at MMWD [Marin Municipal Water District] pressure.

Program HS-1.3.13: Construction Requirements. Require that all floating homes have the same fire construction requirements as land-based homes.

Policy HS-2.1: Disaster Plan. Publish a disaster plan that promotes disaster mitigation and potential evacuation.

Program HS-2.1.1: Private Disaster Planning. Consider requiring any new development to include a disaster evacuation plan away from the city in case of wildfire, earthquake, tsunami, or other disaster.

Program HS-2.1.2: Equitable Planning. Any disaster plan should take equitable planning into account, ensuring that members of the Sausalito community are fairly treated by the disaster plan, no matter their language, mobility, age, citizenship status, gender, or income level.

Program HS-2.1.3: Disaster Plan Maintenance. Publish the disaster plan and continually study, maintain, and update the document to ensure safety of the Sausalito community.

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<sup>13</sup> Policy EQ-1.4 requires the city to protect threatened and endangered wildlife and plant species native to Sausalito and the Southern Marin area.

Policy HS-2.2: Emergency Preparedness. Ensure that the City, its citizens, businesses, and services are prepared for an effective response and recovery in the event of emergencies or disasters.

Policy HS-2.4: Access for Emergency Vehicles. Provide and maintain adequate access for emergency vehicles and equipment, particularly fire-fighting equipment. Proactive measures may be necessary to encourage efficient measures, including ensuring adequate width of roadways, and not siting critical egress and ingress within flood zones to the extent possible.

Policy HS-2.5: Overhead Utilities. Minimize the risk to public health and safety from overhead utilities via undergrounding.

Policy HS-2.6: Fire load. Manage plants in Wildland-Urban Interface (WUI) area to minimize fuel load for potential wildfire.

Program HS-2.6.1: Open Space Management. Work with the Marin County Fire Department and open space property owners to manage fuel load for potential wildfires.

Program HS-2.6.2: Residential Landscaping. Inform residential property owners about FIRESafe Marin's home hardening education program and other methods of reducing fuel load in residential areas.

Program HS-2.6.3: Firewise Communities. Promote and support the growth of Firewise Communities throughout the City. Firewise Communities can also be the basis for forming Neighborhood Response Groups (NRGs).

#### *Sustainability Element*

Policy S-3.4: Resilient Plants. Promote planting and maintenance of plants which are drought, fire, and disease-resistant and promote erosion control.

Program S-3.4.1: WUI Ordinance. Maintain Wildland Urban Interface program under City's WUI Ordinance.

Program S-3.4.2: Plant Inventory. Create and maintain an inventory of desired plant species for private landscaping projects.

Policy S-3.6: Wildfires and Wildfire Smoke. Reduce impacts of wildfires and wildfire smoke on public health, private and public property, and infrastructure.

Program S-3.6.1: Safety. Minimize risk of fire damage to property and infrastructure by supporting Policy HS-1.3 Fire Safety and supporting programs.

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Program S-3.6.2: Protocol. Develop a protocol informed by the Marin County Public Health Officer, BAAQMD, and other regional guidelines to respond to poor air quality caused by wildfires.

Program S-3.6.3 Alert System. Develop or leverage early warning systems that will alert the community of poor air quality days resulting from wildfire smoke, and coordinate with regional partners to provide access to safe air shelters for refuge. Program S-3.6.4: Clean Air Shelters. Coordinate facilities that can be used as designated community clean air shelters during poor air quality days.

### **Sausalito Municipal Code**

Chapter 8.42 (Conditions of Building Permit Issuance–Adequacy of Fire Protection) of the Sausalito Municipal Code establishes fire protection requirements prior to the issuance of building permits along with penalties for violations. As stated in Section 8.42.010 (Adequacy of Fire Protection), the City Council finds that certain areas within the city are not provided with a public water supply sufficient to allow for safe and adequate fire protection. The City Council further finds that the hilly terrain, natural vegetation, narrow streets and other conditions prevailing within the city create unusual problems of fire protection and require the exercise of caution in allowing construction in those areas which are without a water supply sufficient to provide adequate fire protection or in those areas where there is inadequate access for fire suppression apparatus. Per Section 8.42.020 (Restrictions on Building Permit Issuance), in order to ensure so far as possible the safety of residents of the city from large and destructive fires, the Building Official shall not issue any building permits for any new structures in areas meeting the criteria described in Section 8.42.010 without the approval of the Fire Chief of the City of Sausalito.

Chapter 12.04 (Fire prevention regulations) makes outdoor fires unlawful and creates a penalty for violating the regulation. An oral permit from the SMFD can be obtained for confined outdoor fires in the form of barbecue pit, barbecue stove, or other outdoor cooking device.

Title 8 Chapter 9 addresses fire-retardant (Class A) roof covering. This chapter states that the entire roof covering of every existing structure, where more than 50% of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

Additionally, roofing requirements in a Wildland-Urban Interface Fire Area (WUI) shall be a minimum Class A roof covering and shall also comply with California Residential Code Section 337.5.

### 3.16.3 THRESHOLDS OF SIGNIFICANCE

According to the California Environmental Quality Act (CEQA) Guidelines Appendix G, the proposed Project will have a significant impact related to wildfire if it would:

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires;
- If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:
  - Substantially impair an adopted emergency response plan or emergency evacuation plan;
  - Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
  - Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
  - Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

### 3.16.4 ANALYSIS, IMPACTS, AND MITIGATION MEASURES

Impacts related to wildfires resulting from the Project which would implement the Housing Element are discussed below. The following impact analysis is based on an assessment of baseline conditions for the Sausalito Planning Area, including emergency response and evacuation plan requirements, wildland fire exposure risk, and post-fire hazards. The evaluation also includes a determination of whether changes to the physical environment caused by the Project to implement the Housing Element impair or interfere with emergency response plans, expose people to pollutant concentrations from a wildfire or uncontrolled spread of a wildfire, expose people/structures to downslope flooding or landslides, or include installation or maintenance of infrastructure that may exacerbate fire risk.

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**Impact 3.16-1-1 Implementation of the Project could result in the exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.**

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Development facilitated due to implementation of the Project would be within the existing city limits and would generally consist of infill development within already established neighborhoods, developed areas, and areas currently planned for developed uses. Fire



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Hazard Severity Zone Maps for State Responsibility Area lands and Very High Fire Hazard Severity Zone Maps for Local Responsibility Area lands indicated that no Very High Fire Hazard Severity Zones are included within the city as delineated by CAL FIRE. Development and growth accommodated by the Project could result in an incremental increase in the number of people and structures exposed to wildland fire hazards within the WUI and locally designated wildfire hazard areas.

**Table 3.16-1: Housing Program Sites by WUI Rating**

WUI Rating	Parcel/Site Count	Unit Count
Very High	1	27
Very High/High*	1	80
High	29	110
Moderate	13	143
Urban Unzone/Moderate*	1	123
Urban Unzoned	45	427
<b>Total</b>	<b>90</b>	<b>910</b>

\*denotes parcels that include multiple ratings.

As shown in **Table 3.16-1**, additional future development to support housing goals could expose people or structures, either directly or indirectly, to a risk of loss, injury, or death involving wildland fires. However, it should be noted that urban land use designations in the city are not being expanded or proposed within areas that do not contain existing developments. As a result, the degree of exposure of people or structures, either directly or indirectly, to a risk of loss, injury, or death involving wildland fires would not substantially change with approval of the Project, and current hazards would not be significantly increased.

The GGNRA, County of Marin, SMFD, and City of Sausalito have plans, policies, programs, and ordinances in place to reduce the risks associated with wildland fires as described previously in the regulatory setting and summarized below. In addition, future discretionary projects facilitated by the Project will be evaluated for project-specific impacts through the development review and CEQA process at the time they are proposed.

The Fire Management Plan for the GGNRA identifies specific strategies that address preparedness, prevention, suppression, fuels management, rehabilitation, fire communication and education, monitoring, and fire and fuels research for the lands adjacent to and within the Sausalito Planning Area. Specifically, the Fire Management Plan identifies reducing the density of the eucalyptus forest west and east of the Wolfback Ridge neighborhood as a fire management mechanism that would assist in reducing wildfire risk within the Sausalito Planning Area.

The MCM LHMP dedicates a subsection to wildfire and post-fire debris flow. The LHMP identifies the following to assist the County in reducing wildfire risk, which in turn can assist in reducing wildfire risk within the Sausalito Planning Area:

- Provide potential mitigation such as advance identification of evacuation routes and no parking zones near fire hazard zones, and expanding vegetation management
- Ensure adequate water supply in high risk wildfire areas for local fire departments.

The Marin Operational Area EOP assists in inter-agency coordination in emergency operations. The city also participates in programs to reduce wildfire risks that are offered by SMFD, FIRESafe Marin, and CAL FIRE.

As described in the Regulatory Setting section, the CWPP, adopted in 2016, is an advisory document prepared by FIRESafe Marin in collaboration with stakeholder agencies pursuant to the Healthy Forests Restoration Act. The CWPP is accompanied by appendices that address specific areas and projects by agency to meet strategic goals.

Although the CWPP is an advisory document, the SMFD has made progress towards accomplishing the goals listed in the adopted CWPP. Some of the accomplishments made in 2019 to assist in wildland fire management in the Sausalito Planning Area included:<sup>14</sup>

- Identified and mapped out 28 potential fuel breaks on Marin Maps for Sausalito, Mill Valley, Alto, Tamalpais Valley, Tiburon, Strawberry, Homestead Valley.
- Researched and began development for fire prevention drone program (fuels modeling, home assessments, and fuel breaks).
- Conducted neighborhood assessment for Central Avenue to point out and discuss concerns and appropriate homeowner actions to improve a property's defensible space and a structure's fire resistance (home hardening).
- Completed first evacuation drill for Northern Sausalito to educate and help prepare residents for a disaster.
- Increased community awareness of red flag days, power outages, and other hazards through SMFD social-media accounts.
- Created the SMFD Vegetation Management Plan brochure which outlines our strategies, services, and programs for fuel reduction.
- Created an evacuation brochure detailing temporary refuge areas (TRA) and evacuation routes. These brochures were distributed to residents within the District.

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<sup>14</sup> Southern Marin Fire Protection District. 2020. Southern Marin Fire Announces List of Accomplishments from Community Wildfire Protection Plan. Website: <https://www.southernmarinfire.org/about/news/entry/southern-marin-fire-announces-list-of-accomplishments-from-community-wildfire-protection-plan>. Accessed September 27, 2020.

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- Conducted individual home assessment site visits to educate property owners about defensible space and wildfire preparedness.
- Conducted defensible space inspections in the District, including 225 inspections in Sausalito.
- Conducted vacant lot defensible space inspections to meet wildland-urban interface code requirements.
- Performed paved road fuel reduction (trimming tree branches over roadways, climbing up tree branches off of the ground, removing ladder fuels and encroaching vegetation from roadsides and sidewalks and the clearing of vegetation around fire hydrants) in Zone 1-Atwood Avenue, Booker Avenue, Bulkely Avenue, Cable Roadway, Central Avenue, Channing Way, Cloudview Circle, Cloudview Road, Crescent Avenue, Edwards Avenue, Excelsior Lane, Fourth Street, Harrison Avenue, Josephine Avenue, Lower Crescent, Main Street, Marion Avenue, Miller Avenue, Miller Lane, North Street, Princess Street, Prospect Avenue, Read Lane, Richardson Street, San Carlos Avenue, Santa Rosa Avenue, Sausalito Boulevard, Second Street, South Street.
- Cleared roadways through the Paved Road Fuel Reduction program for Zone 1- Sacramento Avenue, Spring Hill Circle, Spring Street, Stanford, Tomales Street, Wateree Street, West Harbor Drive, William Court, Willow Lane, Gordon Street, Kendell Court, Lincoln Drive, Marin Avenue, Nevada Street, Olima Street, Pearl Street, Rodeo Avenue, Ross Road, Cypress Ridge.
- Coordinated with Caltrans for the removal of 3 dead pine trees along Wolfback Ridge overpass.
- Constructed multiple vegetation fuel breaks on Nevada Street.
- Completed chipper program on 38 streets.
- Established Terraces as a Firewise Community.

In addition to the general long-term strategies identified in the 2020 SMFD WUI Wildfire Hazard and Risk Assessment, the following specific programs and goals were identified for the Sausalito Planning Area to reduce wildfire hazards:

- Encourage the WUI communities of Glen and Hurricane Gulch in Sausalito to obtain Firewise USA® Recognition, which provides direct and indirect benefits to the community such as educational programs and annual fuel mitigation efforts.
- Installation of Long Range Acoustic Devices for wildfire and disaster evacuation alerts within Wolfback Ridge, Prospect Avenue, and Glen Drive. Long Range Acoustic Devices send voice messages and warning tones over long distances at high volumes for alerting residents and visitors in locations at risk for wildfires.
- Identification of parcels within Sausalito that may be at particular risk from wildfire. Some of the identified parcels are located along Wolfback Ridge Road, Cloud View Trail, Spencer Avenue, and Rose Bowl Drive.

Furthermore, the SMFD conducts evacuation exercises annually to prepare for emergency situations. Evacuations in the planning area are an emergency support function that local law enforcement organizes and coordinates with the SMFD.<sup>15</sup>

The SMFD Ordinance contains rules and regulations for existing development as well as future development, within WUI Fire Areas to reduce the risks from wildland fires. For example, buildings and structures located within the WUI Fire Areas, shall maintain the required hazardous vegetation and fuel management as well as defensible space as outlined in Government Code Sections 51175-51189 and local standards of the City of Sausalito. In addition, any person who owns, leases, controls, or maintains any building or structure, vacant lands, open space, and/or lands within specific WUI areas of the jurisdiction of the SMFD, shall comply with the fire hazard reduction items identified in the California Fire Code Section 4907.2, including but not limited to, cutting and removing all fire prone vegetation within 30 feet of structures, removing accumulated dead vegetation on the property, cutting/removing tree limbs that overhand wood decks and roofs, cleaning leaves and needles from rooftops and gutters, and clearing flammable brush and vegetative growth from fire access roads or driveways.

The Sausalito General Plan contains policies and programs that reduce risks from wildland fires before development occurs. Specifically, Policy HS-1.3 contains several programs to minimize fire risk to property and people, including maintaining building codes and construction requirements related to fire hazards. Additionally, Objective HS-2 (Engage in Disaster Planning) includes policies and specific programs with requirements and enforcement measures to reduce fire risk. Examples include Policy HS-2.1, which requires publication of a disaster plan to identify disaster mitigation and evacuation; Policy HS-2.4, which ensures adequate access throughout the city for emergency vehicles equipment, including ensuring adequate width of roadways; Policy HS-2.5 and related programs that prioritize undergrounding of overhead utilities that could hinder the movement of emergency vehicles; and Policy HS-2.6, which requires management of fuel loads in open space areas and maintenance of defensible space around residences.

As the City receives development applications for subsequent development projects, those applications will be reviewed by the City of Sausalito for compliance with the policies and programs of the General Plan to reduce the exposure of people or structures, either directly or indirectly, to a risk of loss, injury, or death involving wildland fires. In particular, all development would be subject to the Building and Fire codes to address fire hazard conditions unique to Sausalito (Program HS-1.3.1); the requirement that all roofing material used in new construction or substantial remodel be fire rated "A" (Program HS-1.3.4); and private disaster evacuation planning for new development in case of a wildfire (Policy HS-2.1). In addition, the City's Municipal Code would be reviewed at the time that development

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<sup>15</sup> Chris Tubbs, Fire Chief. Southern Marin Fire Protection District (SMFD) 2020. Email correspondence with Lilly Whalen, Community Development Department Head. April 20.

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applications are received. Under Section 8.42.020 of the Municipal Code, in order to ensure so far as possible the safety of residents of the city from large and destructive fires, the Building Official shall not issue any building permits for any new structures in areas meeting the criteria described in Section 8.42.010 without the approval of the Fire Chief of the City of Sausalito.

In conclusion, development accommodated under the Project is generally focused in infill areas, within the currently city limits, and in already developed areas of the city; however, development could result in an incremental increase in exposure of people and structures to wildland fires and associated hazards within the Planning Area as all future development (including Housing Element sites) would add more people and structures within the city. No areas or development would be included within or adjacent to VHFSZs as designated by CAL FIRE. However, development allowed and facilitated by the Project, which would implement the Housing Element update would place more people and structures in areas of the city that have been locally designated as high fire hazard areas and within the Wildland Urban Interface.

Future development would be required to comply with the provisions of federal, State, and local requirements related to wildland fire hazards, including State fire safety regulations associated with wildland-urban interfaces, fire-safe building standards, and defensible space requirements.

As described previously, future projects would be required to comply with fire protection measures in the SMFD Ordinance, policies and programs within the General Plan, and the Sausalito Municipal Code. Further, continued implementation of the CWPP, Marin Operational Area Emergency Operations Plan, GGNRA Fire Management Plan, and recommendations identified in the 2020 SMFD WUI Wildfire Hazard and Risk Assessment, will assist in protecting life and property in the event of a wildfire, and as identified above reduces potential impacts related to exposure to wildland fires and associated hazards.

Therefore, through compliance with existing federal, State, and local laws and regulations related to wildland fire hazards and implementation of the Sausalito General Plan policies and programs, and other local municipal code requirements described in the regulatory setting, impacts regarding the exposure of people or structures to significant loss, injury, or death involving wildland fires would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

**Impact 3.16-2      Development facilitated by the Project in or near State responsibility areas or lands classified as very high fire hazard severity zones would not substantially impair an adopted emergency response plan or emergency evacuation plan.**

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As described previously, there are no SRAs in the Planning Area and according to CAL FIRE, there are no high Fire Hazard Severity Zones within the Planning Area. As such, the Housing Element Update did not approve, propose or authorize development in a SRA. However, as described previously there are locally designated high fire threats areas located throughout the Planning Area. The majority of development facilitated by implementing the Project would be located in existing developed areas, would be infill development, and all would be located within the existing city limits. Because most of the development would occur as infill and redevelopment within the urbanized areas of the city, the Project would not materially overburden evacuation routes nor substantially impair any emergency response plans or emergency evacuation plans (see **Figure 3.16-3**). No specific roadways or other features are proposed or would be approved through implementation of the Project that would impact existing or planned evacuation routes or plans. Furthermore, it should be noted that the development that could occur would include additional residential infill development within the existing city limits, and would be substantially similar to the development types and developable areas as what was already planned for. As part of the rezoning program intended to create a housing inventory that satisfies the requirements of State Housing Element Law, including fulfillment of the requirements of Government Code Section 65583.2 (h) and (i), the City has identified opportunity sites for rezoning and increased in residential densities. These are located within portion of the city that have existing emergency services. Additionally, no changes to existing services or emergency evacuation routes are proposed. Development and growth in the City would result in an incremental increase in demand for emergency evacuation routes within the Planning Area. As described in Chapter 3.13 of this DEIR, the City has existing policies and practices in place that require emergency access to be analyzed during development project entitlement reviews.

Development sites in relation to SRAs and FHSZs are shown on Figure 3.16-1. As shown, lands within the city are not located within land designated by CAL FIRE as Very High VFHSZ or located within a SRAs. Small areas of SRAs are located beyond the city limits across Highway 101 north of the city are categorized as a VHFHSZ.

As shown on Figure 3.16-1 and Figure 3.16-2 development could be within approximately 0.25 miles away from land designated as High FHSZ within the SRAs, and in areas locally designated for fire hazards within the WUI. As shown on Figure 3.16-1 and Figure 3.16-2, 107 new dwelling units are provided on program sites within the WUI Very High Fire hazard area, and these sites are also within approximately 0.25 miles from SRAs that also have a VHFHSZ Rating.



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Goals and policies contained with the General Plan provide guidance for preventative measures and practices to minimize wildland fire hazards and maintain adequate evacuation and access routes for vehicles in the event of an emergency, including wildland fires. Examples include Policy HS-2.1, which requires publication of a disaster plan to identify disaster mitigation and evacuation; Policy HS-2.4, which ensures adequate access throughout the city for emergency vehicles equipment including ensuring adequate width of roadways; Policy HS-2.5 and related programs that prioritize undergrounding of overhead utilities that could hinder the movement of emergency vehicles; and Policy HS-2.6, which requires management of fuel loads in open space areas and maintenance of defensible space around residences. To the extent that these requirements facilitate emergency access, they also facilitate emergency evacuation which is further addressed in Policy HS-2.1. promotes disaster mitigation and potential evacuation in the city.

Additionally, all development in the city will demonstrate compliance with applicable codes and regulations. Development would require continued implementation of the CWPP, Marin Operational Area Emergency Operations Plan, GGNRA Fire Management Plan, and recommendations identified in the 2020 SMFD WUI Wildfire Hazard and Risk Assessment to assist in the implementation of emergency plans and responses. Further, the California Fire Code establishes requirements for emergency access for fire apparatus. Examples include requirements for multiple points for access for certain types of development, minimum street widths, and maximum acceptable grades for new roads. Chapter 8.42 of the Municipal Code requires development to demonstrate compliance with applicable fire safety measures prior to the issuance of building permits. Additionally, Program EQ-2.4.3 requires interagency coordination with respect to fire safety. As such new development projects that support regional housing goals identified by the Housing Element Update would be assessed for compliance with applicable Fire Code requirements that pertain to emergency access as well as compliance with proposed policies and programs of the General Plan which would further enhance emergency response, as described. By involving the Police and Fire Departments in the development review process, the city ensures adequate emergency vehicle access and ensures that development is designed and operated in a manner that minimizes fire hazards and maximizes the potential for responsive emergency services.

There are no SRAs in the Planning Area and there are no Fire Hazard Severity Zones within the Planning Area as designated by CAL FIRE. Accordingly, compliance with General Plan policies, combined with requirements to comply with the California Building Standards Code, including Fire Code requirements, and review of all new structures by the SMFD and the City building department to ensure adequate emergency access, brings potential impacts to a less-than-significant level. Therefore, impacts would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

## Mitigation Measures

None Required

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**Impact 3.16-3**      **Development facilitated by the Project to implement the Housing Element in areas located in or near State responsibility areas or lands classified as very high fire hazard severity zones would not due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire, due to slope, prevailing winds, and other factors.**

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There are no SRAs in the Planning Area and according to CAL FIRE, there are no Fire Hazard Severity Zones within the Planning Area as designated by CAL FIRE. Development sites in relation to SRAs and FHSZs is shown on Figure 3.16-1. As shown, lands within the city are not located within land designated by CAL FIRE as Very High VFHSZ or located within a SRA. Small areas of SRAs are located beyond the city limits across Highway 101 north of the city are categorized as a VHFHSZ. One hundred seven new dwelling units would be provided on program sites within within approximately 0.25 miles from SRAs that have a VHFHSZ Rating.

However, as described previously there are locally designated high fire threats areas located throughout the Planning Area. The majority of development is located in existing developed areas, would be infill development, and all is located within the existing city limits. One hundred seven new dwelling units are provided on program sites within the WUI Very High Fire hazard area.

The degree of wildland fire hazard, including the exposure of future occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire due to slope or prevailing winds, would not substantially change with adoption of the Project compared to existing conditions, however additionally increases in residential units and residents would be anticipated.

Fire tends to burn and spread uphill, and the northwest area of the Planning Area, where limited potential development may occur adjacent to undeveloped lands, generally slopes uphill toward the west, away from the developable areas of the city. As stated in Section 3.2, Air Quality, during the summer, the Pacific high-pressure cell is centered over the northeastern Pacific Ocean, resulting in stable meteorological conditions and a steady northwesterly wind flow, which would tend to move wildfire away from the more heavily populated areas of the city. Nevertheless, smoke from wildfires occurring in remote parts of the state have at times resulted in poor air quality throughout the Bay Area, as experienced during recent fire seasons.

Development facilitated under the Housing Element Update is required to be consistent with the GGNRA, County of Marin, SMFD, and City of Sausalito plans, policies, programs, and ordinances in place to reduce the risks associated with wildland fires. As described below,

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these existing policies and programs reduce the potential for exposure to wildland fires through preventative and proactive measures to reduce fuel load, maintain robust communications, and ensure access to evacuation routes.

The Fire Management Plan for the GGNRA identifies specific strategies that address preparedness, prevention, suppression, fuels management, rehabilitation, fire communication and education, monitoring, and fire and fuels research for the lands adjacent to and within the Sausalito Planning Area. Specifically, the Fire Management Plan identifies reducing the density of the eucalyptus forest west and east of the Wolfback Ridge neighborhood as a fire management issue to assist in reducing wildfire risk within the Sausalito Planning Area.

The MCM LHMP dedicates a subsection to wildfire and post-fire debris flow. The LHMP identifies the following to assist the County in reducing wildfire risk, which in turn can assist in reducing wildfire risk within the Sausalito Planning Area:

- Provide potential mitigation such as advance identification of evacuation routes and no parking zones near fire hazard zones, and expanding vegetation management.
- Ensure adequate water supply in high risk wildfire areas for local fire departments.

The Marin Operational Area EOP assists in inter-agency coordination in emergency operations. The city also participates in programs to reduce wildfire risks that are offered by SMFD, FIRESafe Marin, and CAL FIRE.

Furthermore, implementation of the CWPP and Marin Operational Area EOP include public education programs to reduce potential for fires to start, and also set action plans to remove flammable vegetation from around buildings and ensure adequate water supply in high risk wildfire areas. Reducing potential for fires to start and mitigating wildfire spread once started reduces exposure to smoke and air pollution. Safely evacuating people affected by wildfires also reduces exposure. General Plan Policy S-3.6 calls for reducing impacts of wildfires and wildfire smoke on public health, private and public property, and infrastructure. Program S-3.6.4 also recognizes the need to provide relief from the potential effects of wildfires on air quality and directs the city to coordinate facilities that can be used as designated community clean air shelters during poor air quality days, thus reducing the exposure of residents to pollutants.

Development facilitated by implementing the Project would be required to be consistent with the GGNRA, County of Marin, SMFD, and City of Sausalito plans, policies, programs, and ordinances in place to reduce the risks associated with wildland fires. Moreover, additional development envisioned after implementing the Project will generally be constructed in the existing, developed areas of the city and all identified housing sites are all located within the existing city limits. As a result, the degree of wildland fire hazard would not substantially change with the implementation of the Project, and current hazards existing fire hazards

would not be significantly increased. Therefore, impacts under this topic would be *less than significant*.

**Level of Significance before Mitigation**

Less than Significant

**Mitigation Measures**

None Required

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**Impact 3.16-4**      **Implementation of the Project in areas located in or near State responsibility areas or lands classified as very high fire hazard severity zones would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities); however, the installation and maintenance of such infrastructure would not substantially exacerbate fire risk or result in significant temporary or ongoing impacts to the environment.**

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According to CAL FIRE, there are no Fire Hazard Severity Zones within the Planning Area nor is the Planning Area in a SRA. Development sites in relation to SRAs and FHSZs is shown on Figure 3.16-1. As shown, lands within the city are not located within land designated by CAL FIRE as Very High VFHSZ or located within a SRA. Small areas of SRAs are located beyond the city limits across Highway 101 north of the city approximately 0.25 miles are categorized as a VHFHSZ. One hundred seven new dwelling units are proposed on program sites within approximately 0.25 miles from SRAs that also have a VHFHSZ Rating.

The majority of development sites identified in the Housing Element are located in existing developed areas, would be infill development, and all are located within the existing city limits and not within areas identified within the WUI Very High Fire zone. However, high fire hazard areas and areas within the WUI that are at risk of wildfire are designated locally as shown on Figure 3.16-2. One hundred seven new dwelling units are provided on program sites within the WUI Very High Fire hazard area.

Additionally, as discussed in Section 3.15 (Utilities and Service Systems), such development would not require or result in the relocation or construction of expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects or exacerbate fire risk. Further, development sites identified in the Housing Element and thus implemented by the Project were selected in part based on the availability of existing services and is expected in areas where existing infrastructure (including highways and local roadways) and services are already in place, or readily available. The implementation of the Project is not expected to significantly alter existing roadway and other infrastructure patterns and does not propose any new roadways or other major infrastructure improvements or extensions into undeveloped areas which would pose an additional or increase to wildfire risk. As such, the Project does not propose or require the

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installation and maintenance of any new infrastructure that would substantially exacerbate fire risk, and impacts would be ***less than significant***.

### Level of Significance before Mitigation

Less than Significant

### Mitigation Measures

None Required

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**Impact 3.16-5**      **Development facilitated by the implementation of the Project in areas located in or near State responsibility areas or lands classified as very high fire hazard severity zones would not substantially expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.**

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According to CAL FIRE, there are no State Responsibility Areas or Fire Hazard Severity Zones mapped within the Planning Area. As such, the General Plan's Housing Element Update did not approve, propose, or authorize development in a SRA or Fire Hazard Severity Zone per CAL FIRE regulatory map, nor does the Project implementing the Housing Element Update.

However, high fire hazard areas and areas within the WUI that are at risk of wildfire are designated locally as shown on Figure 3.16-2. The majority of development that would be allowed following implementation of the Project would occur in already urbanized areas, which are less susceptible to wildfire because they are surrounded by existing development and are in areas easily accessible to fire protection services with adequate water capacity for fire protection. If a fire were to occur in the more flat and urbanized areas of the city, the risk of flooding or landslides afterward would be negligible because of the nearly flat topography and because little soil would be exposed due to the developed conditions.

Some development may occur areas currently designated for urban uses but are currently vacant. The western portion of the city contains sloping hillsides that are susceptible to landslides and flooding after fire has removed protective vegetative cover. These secondary hazards associated with wildfires are described in the MCM LHMP. In a post-fire scenario, wildfires can secondarily cause contamination of reservoirs, as well as transmission line and road destruction. Slopes that have been stripped of vegetation are exposed to greater amounts of erosive runoff, which can weaken soils and cause slope failure. Major landslides can occur several years after a wildfire. Most wildfires burn hot and for long durations and can bake soils, especially those high in clay content, thus increasing ground imperviousness and runoff generated by storm events, thereby increasing the chance of flooding.

Land use designations and development types would be substantially similar to the existing and planned site uses throughout the city, with targeted increased in density in overlays areas as described in Section 2.0 (Project Description) to accommodate regional housing

needs. As a result, the degree of secondary wildland fire hazard exposure from additional residents and developments within the WUI and within locally designated fire threat areas would increase with approval of the Project. Furthermore as described previously, the city has had a history of landslides that may also be exacerbated by post fire conditions. The major post-wildfire hazards in Marin County are unstable hill slopes and altered drainage patterns. Slope instability from wildfire scarring of the landscape can result in slope instability in the form of more intensive flooding, landslides, and rockslides. These post-fire slope soils and altered drainage patterns can more easily creep away downslope sides of foundations and reduce lateral support.

Combined with the implementation by the SMFD of projects and initiatives listed in Impact 3.16-1, these policies and program provide additional proactive measures to refine and enhance the resiliency of the city, as well as strengthening the city's review of new applications for development to ensure that potential exposure to secondary wildland fire hazards are minimized.

Development accommodated under Project is could result in an increase in exposure of people and structures to wildland post fire hazards within the Planning Area as all future development would add more people and structures within the city and within areas that contain locally designated fire hazards. Development would place more people and structures in areas of the city that have been locally designated as high fire hazard areas, within the Wildland Urban Interface and in areas that may be susceptible to post fire hazard conditions. Future projects would be required to comply with fire protection measures in the SMFD Fire Ordinance. Furthermore, as described in Section 3.6, Geology, Soils, and Seismicity, and Section 3.9, Hydrology and Water Quality, all future development would be subject to the rules and regulations of the Sausalito Municipal Code and the General Plan regarding development on unstable geologic soils and controlling stormwater runoff during and after construction. Additionally, as described previously, there are no State Responsibility Areas or Very High Fire Hazard Severity Zones mapped within the Planning Area. As such, the Project does not approve, propose, or authorize development in a SRA or Fire Hazard Severity Zone per CAL FIRE regulatory maps. Therefore, impacts related to exposure of people and structures to post wildfire hazards and associated hazards, either directly or indirectly within a SRA or VHFHSZ, would be considered ***less than significant***.

#### **Level of Significance before Mitigation**

Less than Significant

#### **Mitigation Measures**

None Required



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**Impact 3.16-6      Development facilitated by the Project to implement the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to wildfire.**

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All cumulative projects would be subject to similar fire protection development standards and be required to comply with Marin County ordinances and General Plan policies to assist in protecting life and property in the event of a wildfire. In addition, all cumulative projects would be covered under existing emergency response plans by the County. Lastly, implementation of the Marin County Community Wildfire Protection Plan throughout the Planning Area and adjacent unincorporated areas, would reduce cumulative impacts related to wildfire. For these reasons, cumulative impacts with respect to wildfire hazards would be ***less than significant***.

The Project's incremental contribution to cumulative wildfire hazard impacts would not be significant. As previously discussed, development and growth in the city under would largely occur in already developed areas of the city and would involve infill development and redevelopment. Limited development could result in an incremental increase in exposure of people and structures to wildland fires and associated hazards, particularly for development within the WUI. As a result, the degree of wildland fire hazard, including secondary hazards, would not substantially change with implementation of the Project, and current hazards would not significantly increase.

As described previously, there are no SRAs or Very High Fire Hazard Severity Zones mapped within the Planning Area as delineated by CAL FIRE. As such, the Project does not approve, propose, or authorize development in a SRA or Fire Hazard Severity Zone per CAL FIRE regulatory maps.

New development would be required to comply with the fire protection measures identified in the SMFD Ordinance. Continued implementation of the Marin County Community Wildfire Protection Plan and Marin Operational Area Emergency Operations Plan will assist in protecting life and property in the event of a wildfire. The city would also continue to work and coordinate with other jurisdictions to minimize and reduce impacts. Program HS-1.3.1 directs the city to coordinate with local and regional jurisdictions for fire protection.

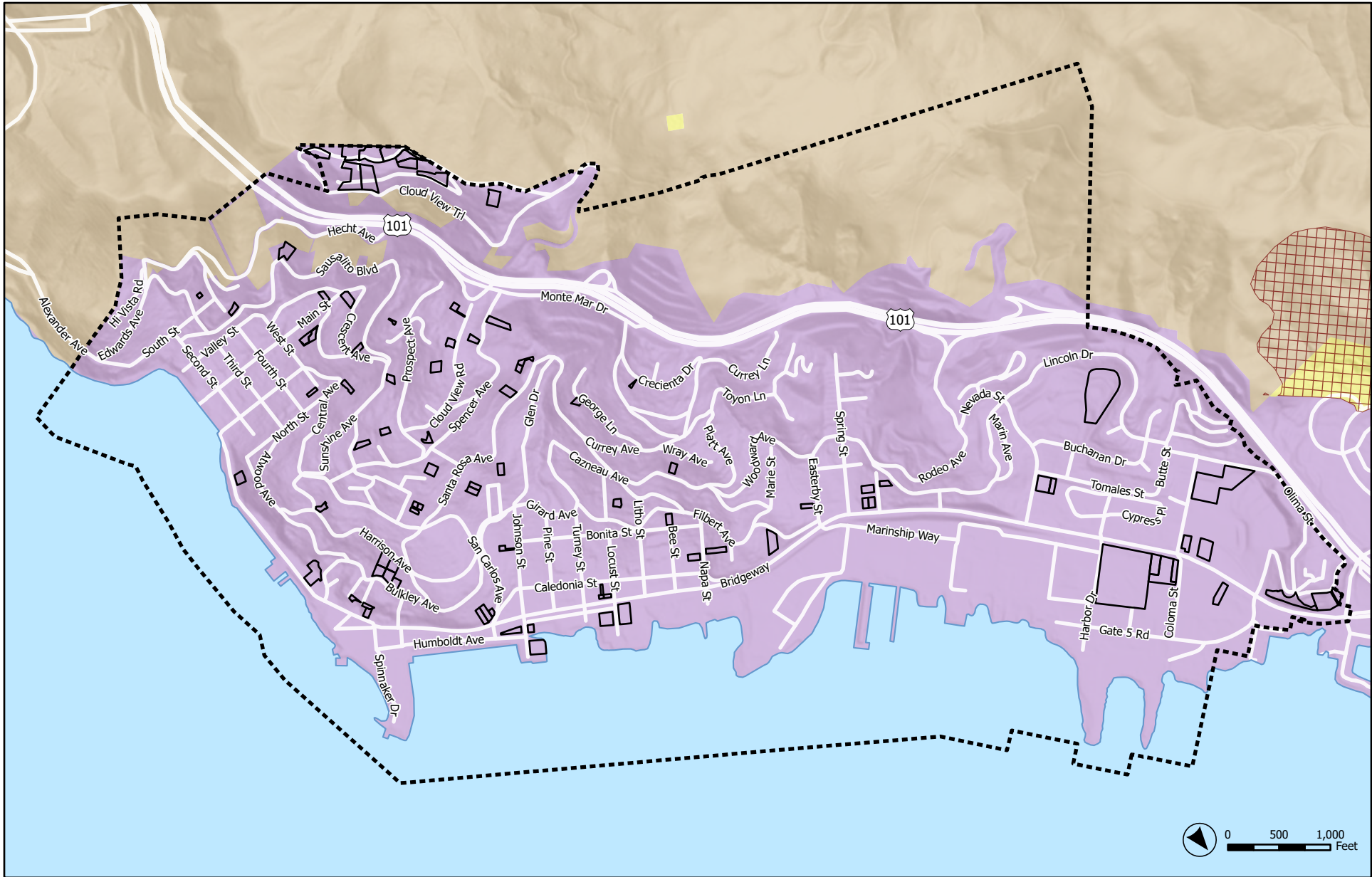
Accordingly, the Project's contribution to cumulative impacts would also be ***less than significant***.

### **Level of Significance before Mitigation**

Less than Significant

### **Mitigation Measures**

None Required



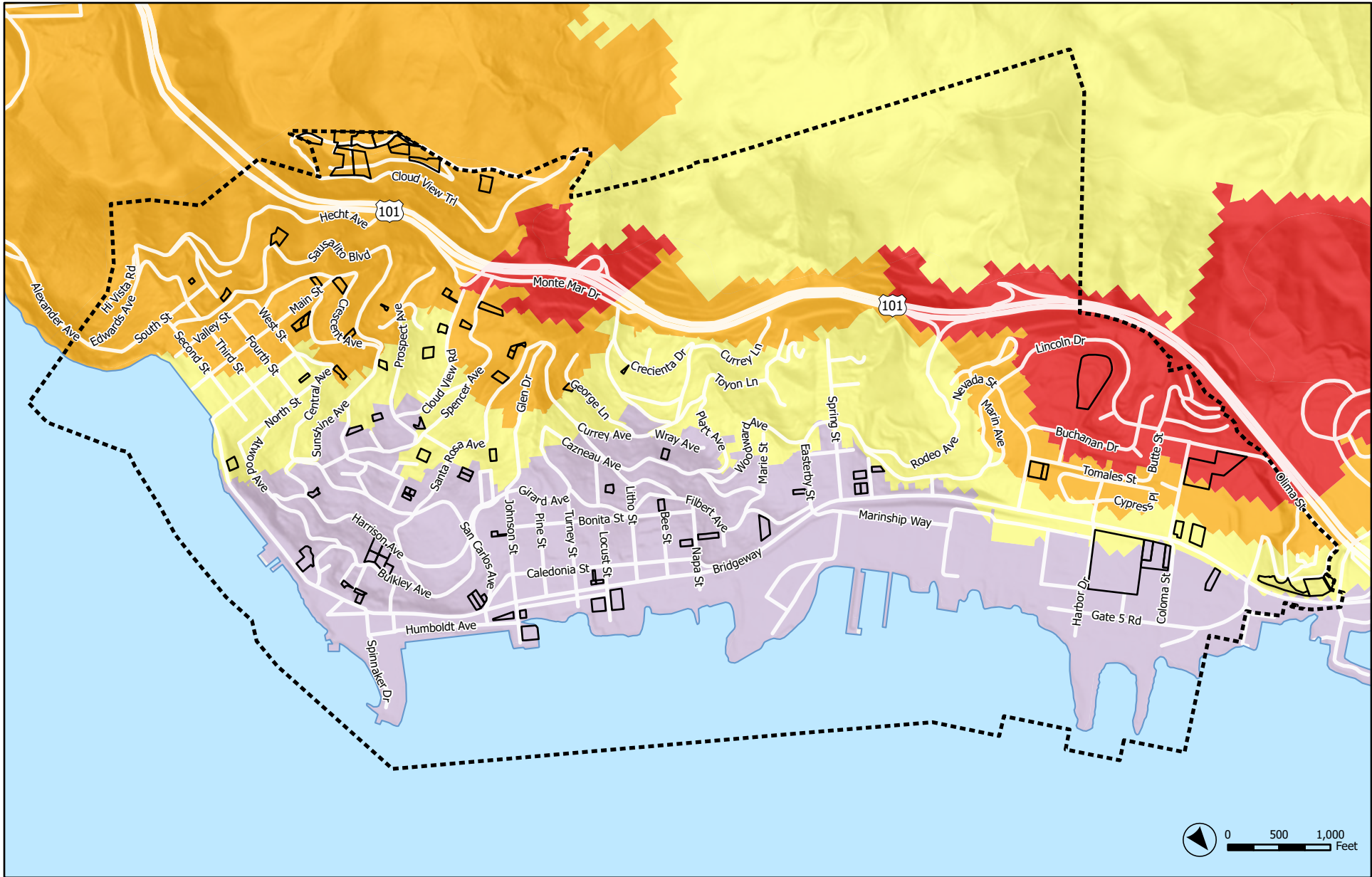
**LEGEND**

Sausalito City Boundary	Federal Responsibility Area
Housing Element Programs Sites	State Responsibility Area
Very High Fire Hazard Severity Zone	Local Responsibility Area

**HOUSING ELEMENT PROGRAMS EIR**

**Figure 3.16-1. CAL FIRE Fire Hazard Severity Zones and Responsibility Areas**

Sources: City of Sausalito; Marin GeoHub; California Department of Forestry and Fire Protection (CAL FIRE), 2007. Map date: July 19, 2023.



**LEGEND**

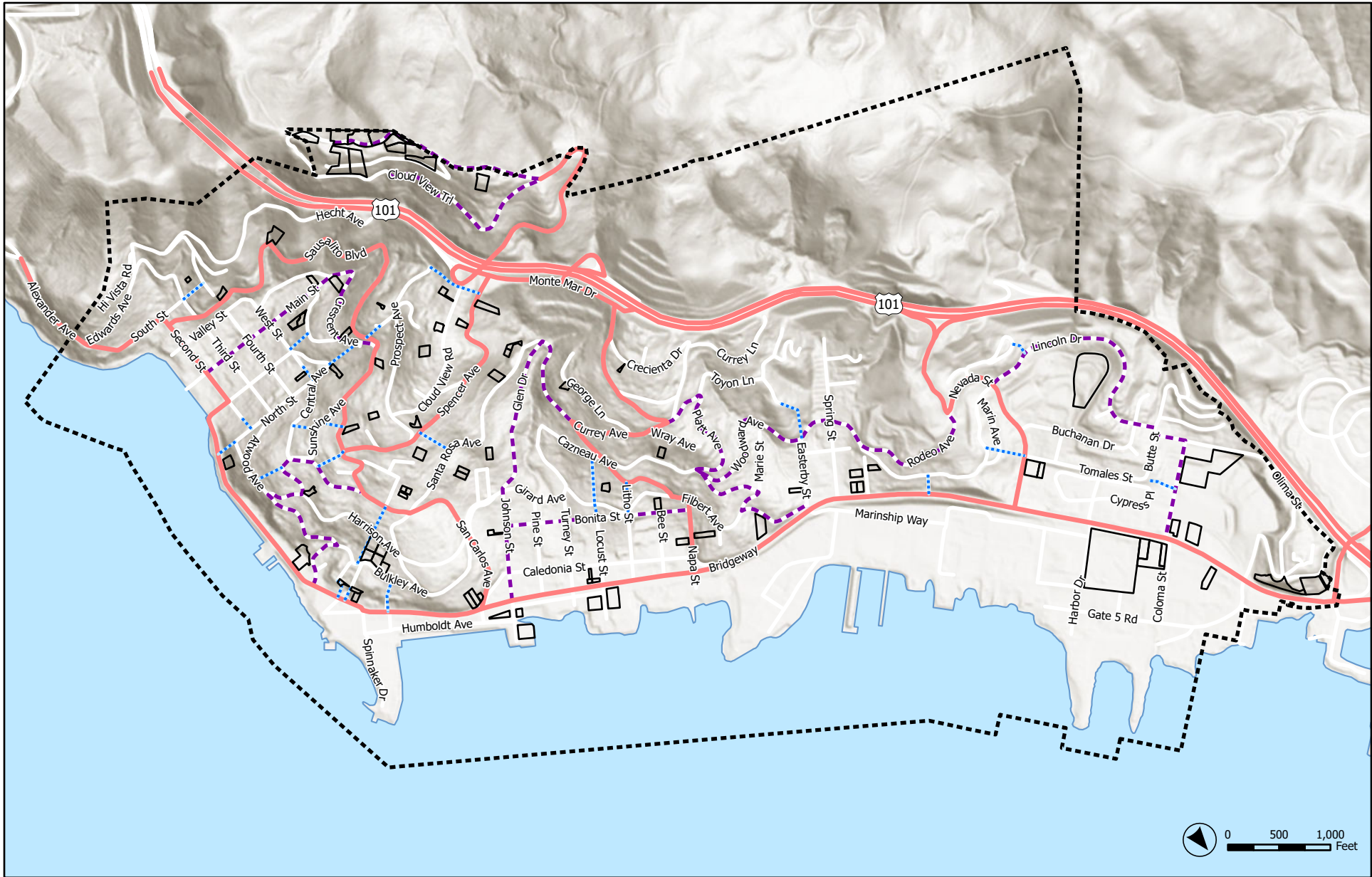
Sausalito City Boundary	Very High	Moderate
Housing Element Programs Sites	High	Urban Unzoned

**HOUSING ELEMENT PROGRAMS EIR**



**Figure 3.16-2. Marin County Fire Hazard Severity Zones**

Sources: City of Sausalito; Marin GeoHub: Marin County Fire Hazard Severity Zones DRAFT boundaries 6-1-2017, updated 11-10-2020. Map date: July 19, 2023.








**LEGEND**

-  Sausalito City Boundary
-  Housing Element Programs Sites

**Evacuation Routes**

-  Primary
-  Secondary
-  Stairs, Lanes, Paths

**HOUSING ELEMENT PROGRAMS EIR**

Figure 3.16-3. Evacuation Routes - Fire

Sources: City of Sausalito; Marin GeoHub; Southern Marin Fire Protection District/Lynx Technologies October 2022. Map date: July 19, 2023.

## 4.0 ALTERNATIVES TO THE HOUSING ELEMENT PROGRAMS

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Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15126.6, this environmental impact report (EIR) must describe a range of reasonable alternatives to the proposed project that might feasibly accomplish most of the basic objectives of the proposed project and avoid or substantially lessen one or more of the significant effects of the project. The feasibility of an alternative is determined by the lead agency based on a variety of factors including but not limited to site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines Section 15126.6(f)(1)).

The chapter discloses the comparative effects of each of the alternatives relative to Housing Element Programs project, and evaluates the relationship of the alternatives to the objectives of the project. As required under Section 15126.6(e) of the CEQA Guidelines, an environmentally superior alternative for the proposed Housing Element Programs project is identified at the end of this chapter.

### 4.1 FACTORS IN THE SELECTION OF ALTERNATIVES

#### 4.1.1 PROJECT OBJECTIVES

CEQA Guidelines Section 15124(b) requires a statement of objectives sought by a proposed project, including the underlying purpose of the project. The Housing Element Programs project is intended to guide housing development in order for the City to meet its RHNA requirement. For the purpose of this EIR analysis, the following objectives have been identified for the Housing Element Programs:

- Implement actions to accommodate a RHNA of 724 units at the income levels mandated by state law, specifically, 200 very low income units, 115 low income units, 114 moderate units, 295 above moderate units.
- Implement further actions to create an overall excess capacity of at least 25 percent, in order to ensure that the housing inventory is maintained in accordance with No Net Loss requirements under Government Code Section 65863 throughout the planning period, via the creation of a buffer that provides for additional capacity at each income level category: additional very low units of at least 37 units, 39 units for low income, and 80 units for moderate income, and 28 units for above moderate income categories.

## 4.2 SIGNIFICANT EFFECTS OF THE PROPOSED PROJECT

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. The environmental effects of the proposed Housing Element Programs project on various aspects of the environment are discussed in detail in Chapter 3, Environmental Impacts, Setting, and Mitigation Measures. The project-specific and cumulative impacts that cannot be avoided if the proposed Housing Element Programs project are approved as proposed are listed below.

### 4.2.1 PROJECT-SPECIFIC SIGNIFICANT AND UNAVOIDABLE EFFECTS

**Impact 3.4-1:** Development facilitated by the Housing Element Programs project could result in a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

**Impact 3.4-2:** Development facilitated by the Housing Element Programs could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

**Impact 3.4-3:** Implementation of the Housing Element Programs could result in disturbance of human remains, including those interred outside of formal cemeteries.

**Impact 3.4-4:** Implementation of the Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k).

**Impact 3.4-5:** Implementation of Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

**Impact 3.14-2:** Implementation of the Housing Element Programs would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).

**Impact 3.15-1:** Implementation of the Housing Element Programs could require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

**Impact 3.15-2:** Sufficient water supplies may not be available to serve development facilitated by the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.



### 4.2.2 CUMULATIVE SIGNIFICANT AND UNAVOIDABLE EFFECTS

**Impact 3.4-6:** Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to historic, cultural, or tribal cultural resources.

**Impact 3.14-5:** Implementation of the Housing Element Programs, in conjunction with cumulative development, would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).

**Impact 3.15-6:** Development facilitated by the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to water supply, wastewater, solid waste, and storm drain facilities.

### 4.3 ALTERNATIVES CONSIDERED BUT DISMISSED FROM FURTHER CONSIDERATION

In identifying alternatives to implement the proposed Housing Element Programs project, primary consideration was given to alternatives that could reduce significant unavoidable impacts resulting from development that would be allowed under the proposed Housing Element Programs while still achieving the basic objectives of the proposed project. Certain impacts that are identified as being significant and unavoidable under the proposed project would be due primarily to redeveloping underdeveloped or vacant sites. These impacts would not be eliminated, but could be reduced, for example, by limiting the scale of development allowed under the proposed Housing Element Programs project, or implementing specific measures. Alternatives that would reduce the intensity of development allowed under the proposed project are addressed later in this chapter. Section 15126.6(c) of the CEQA Guidelines requires the City to disclose alternatives that were considered but rejected from further analysis in this Draft EIR and provide the rationale for dismissal of those alternatives.

#### 4.3.1 EXPANDED OPPORTUNITY SITE 84

The Martin Luther King, Jr. Park is approximately 17 acres and is located in an area close to community services which could serve new housing (see Figure 4-1). One alternative considered but dismissed would develop all of Martin Luther King, Jr. Park, including Buildings 1-7 which house a variety of community resources such as preschools, recreational programming, art classes, community centers, school camps, a French immersion school – Lycée Français de San Francisco, The New Village School which serves preschool through 8<sup>th</sup> grade students, the MLK Gym which includes the Playland Indoor Bounce House Playground, an outdoor playground, and basketball courts.

Another similar alternative could retain the existing buildings onsite and develop the portions of the site that do not currently have structures, including the existing parking lots, grassy areas, and Remington Dog Park.

Either of these development scenarios could allow for significant residential development due to the sheer size of the parcel. However, both of these alternatives would remove the Martin Luther King, Jr. Park and remove recreational resources from the community. Particularly, removal of the buildings onsite would eliminate schools and recreational programming spaces that the entire community enjoys. Under both alternatives, significant outdoor recreational space would be eliminated. Removal of Martin Luther King, Jr. Park would have a significant social impact on the residents of Sausalito. There is not another location within the city to which these resources could be relocated. Outright elimination of these recreational facilities would adversely affect the social balance of the city, remove recreational opportunities, and decrease the quality of life Sausalito residents enjoy. Therefore, this alternative was rejected and was not analyzed further.

#### **4.3.2 OPPORTUNITY SITE 68**

The site located at 2320/2330 Marinship Way (APN 063-110-37) currently houses two 3-story office buildings and a large private surface parking lot (see Figure 4-2). The site is surrounded by Marinship Way, Bridgeway, and residential uses to the west; vacant land, recreational uses, and office uses to the south; recreational uses and Richardson Bay to the east; and heavy industrial and manufacturing uses to the north. Development of this site with residential or mixed-use development was considered but rejected due to the adjacency of the heavy industrial uses to the north of the property. Potential odors, excessive noise from industrial activities or heavy equipment, and heavy truck traffic through the area would all contribute to nuisances to and incompatibility with new residents of the site. Housing units placed adjacent to active industrial uses are less conducive to a high quality of life for residents. Further, one of the City's economic goals is to preserve and expand job opportunities and maintain a thriving, working waterfront. The introduction of significant, new housing development within the working waterfront would not be compatible with the heavy industrial activities and may stunt waterfront-related growth. Therefore, Opportunity Site 68 was eliminated from further consideration.

#### **4.4 ALTERNATIVES SELECTED FOR FURTHER CONSIDERATION**

This section describes the range of alternatives to the proposed project that are analyzed in this Draft EIR and examines how specific environmental impacts would differ in severity compared to those associated with the proposed project. For the most part, significant impacts of the alternatives can be mitigated to less-than-significant levels through adoption of the mitigation measures identified in Chapter 3, which contains the environmental analysis of the proposed project. To varying degrees, the following alternatives would also

# City of Sausalito

## Housing Element Programs EIR

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avoid and/or lessen impacts, including some or all of the significant and unavoidable impacts, of the proposed project. The following alternatives are considered in this section:

- Alternative 1 – No Project
- Alternative 2 – Removed Sites
- Alternative 3 – Different Sites

CEQA requires consideration of the No Project Alternative, which addresses the impacts of not moving forward with the proposed project. The No Project Alternative can take many forms, including doing nothing, depending on what may likely occur if a project is not developed. In the case of the proposed project, the “No Project” alternative consists of developing Opportunity Sites under the City of Sausalito’s existing Zoning Map designations.

The three alternatives further analyzed in this EIR identify ways to reduce environmental impacts from the proposed Housing Element Programs project. All three alternatives result in a different number of housing units to be constructed to meet the City’s RHNA minimum requirement of 724 units. Table 4-1 compares the alternatives’ unit counts to the proposed project’s unit count.

TABLE 4-1: COMPARISON OF HOUSING UNITS

	TOTAL NUMBER OF NEW HOUSING UNITS	UNIT DIFFERENCE FROM PROPOSED PROJECT
Housing Element Programs (Proposed Project)	959	---
Alternative 1 – No Project	148	-811
Alternative 2 – Removed Sites	843	-116
Alternative 3 – Different Sites	1,151	+192

*SOURCE: De Novo Planning Group, 2023.*

### 4.4.1 ALTERNATIVE 1 — NO PROJECT

CEQA Guidelines Section 15126.6(e) requires an EIR to evaluate a ‘No Project Alternative,’ which is defined as what would be reasonably expected to occur in the foreseeable future if the project were not approved. The No Project Alternative would allow the 6<sup>th</sup> Cycle Housing Element to remain in place and the City would have a Housing Element that meets the requirements of the Regional Housing Needs Assessment (RHNA) by demonstrating how the jurisdiction could meet its RHNA requirement. Alternative 1, however, would not implement programs to facilitate the Housing Element, including construction of housing units in the city, as described by the Housing Element Programs (see Figure 4-3). No housing units would be facilitated or constructed by Alternative 1, and there would be no progress toward implementing the City’s Housing Element.

Alternative 1 would not rezone any parcels within the city to accommodate very low, low, moderate, or above moderate-income housing. Zoning overlays would not be developed or implemented on parcels throughout the city to identify minimum residential and mixed-use

densities. The City would not make publicly-owned sites available for development during the 2023-2031 Housing Element planning period, as described in Housing Element Policy 8. Further, Alternative 1 would not develop design standards, height limits, streamlined ministerial review, historic preservation, and historic design guidelines to support removing governmental constraints and making the sites identified by Program 4 available for development as envisioned by the Housing Element Programs.

Under Alternative 1, sites anticipated for rezoning under the proposed project would not be rezoned, including those sites subject to a vote of the electorate as set forth in Ordinance 1022 and Ordinance 1128. The City would not initiate or conduct an election to rezone specific sites identified as initiative-restricted, specifically Sites 39, 44, 47, 72, 79, 81, 84, 201, 211, 212, 301, 303, 304, and 306, as identified in Appendix D1 of the Housing Element.

This alternative would not result in the establishment of new zoning overlay designations, would not change the City's Zoning Code, and would not change the existing Zoning Map. Further, preparation of Objective Design and Development Standards (ODDS) would not occur, and the City would continue to use the General Plan policies and Zoning Code standards to direct and inform growth in the city. All sites identified as Opportunity Sites in this EIR would retain their existing zoning designations and would be anticipated to build out using the same zoning designations as currently exist, and at the maximum densities allowable, consistent with the General Plan.

All sites identified as Inventory Sites and sites that have approved but not yet constructed units would be developed according to their existing zoning or approved plans, respectively. As a result, approximately 148 units would be constructed, which would be 811 units less than those proposed under the Housing Element Programs project.

### ***Comparative Analysis of Environmental Effects***

In general, the effects of the No Project Alternative would be a continuation of the existing zoning designations, with Opportunity Sites developing according to the Zoning Map currently in place.

#### ***Impacts Identified as Being the Same as or Similar to Those of the Proposed Project***

Because the No Project Alternative would develop the same total area, impacts determined by the development footprint of future projects would be substantially the same as the proposed project. These impacts would include disturbance to special-status species, riparian habitats (Impact 3.3-1); sensitive natural communities, wetlands, waters of the United States (Impact 3.3-2); migratory fish or wildlife species (Impact 3.3-3); damage to historic, archaeological, paleontological, and tribal cultural resources (Impacts 3.4-2, 3.4-3, 3.4-5, 3.4-6, 3.6-6, and 3.6-7); or substantial alteration of drainage patterns resulting in erosion or siltation (Impact 3.9-3).

# City of Sausalito

## Housing Element Programs EIR

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Similar to the proposed project, Alternative 1 would not result in unplanned population growth such that the provision of new housing would be required. The alternative would appropriately plan for population growth in the city, and there would be no impact (Impacts 3.12-1 and 3.12-2).

### *Impacts Identified as Being Less Severe than Those of the Proposed Project*

While development of vacant parcels could still occur under Alternative 1, it is likely to occur at a less density. Setbacks from existing buildings, including historic structures, would be greater under Alternative 1 than the proposed project, and construction-related vibration impacts would be less (Impact 3.11-2). Similarly, light and glare impacts would be reduced as less development is likely to occur (Impacts 3.1-5 and 3.1-6).

Growth projections would be lower under Alternative 1 compared to the proposed project. Therefore, population demand-related impacts would be less under Alternative 1, including for public infrastructure and utility systems, including water supply systems (Impacts 3.15-1 through 3.15-6); public services and recreation (Impacts 3.13-1 through 3.13-4); and energy (Impacts 3.5-1 through 3.5-3). Exposure of residents to potential hazards would also be slightly less under Alternative 1 because there would be fewer residents compared to the proposed project. Impacts would be less related to geology and seismicity (Impacts 3.6-1 through 3.6-7), hazards and hazardous materials (Impacts 3.8-1 through 3.8-6), hydrology and water quality (Impacts 3.9-1 through 3.9-9), and wildfire (Impacts 3.16-1 through 3.16-6).

Alternative 1 would leave existing zoning and housing programs unchanged and would be expected to result in 148 additional residential units in Sausalito. Many of these would consist of single homes on currently-vacant lots, accessory dwelling units, or SB 9 lot splits containing up to two single-family homes with two ADUs. Such projects are generally exempt from CEQA and would not be subject to a VMT analysis. In fact, only one of the sites included in Alternative 1, the currently-proposed 19-unit project at 1757 Bridgeway, would potentially be subject to a VMT analysis, since it would likely generate just over 110 daily vehicle trips. Projects generating fewer than 110 daily trips qualify for the “small project” screening provision and may be considered to have a less-than-significant VMT impact. Based on TAMDM modeling output, the TAZ encompassing the 1757 Bridgeway project is projected to have an average VMT per capita of 13.2, which exceeds the significance threshold of 12.6 VMT per capita by 4.8 percent. However, further adjustments to the model’s base VMT projections would be warranted due to the 1757 Bridgeway project’s density of over 40 units per acre, as well as its incorporation of three deed-restricted moderate income affordable units. Increases to residential density and provision of affordable housing have both been found to reduce VMT, as discussed and quantified in the *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, California Air Pollution Control Officers Association (CAPCOA), 2021. With these adjustments, the VMT per capita at the 1757 Bridgeway site would be reduced at least 15 percent below

the values produced by the TAMDM model, bringing it to a level that is below the VMT significance threshold.

With respect to total home-based VMT, Alternative 1 is estimated to generate 18,000 to 24,000 fewer miles traveled than the proposed project. This is primarily because Alternative 1 would result 811 fewer residential units than the proposed project, though the unit locations also play a modest role.

Because all potential housing units included in Alternative 1 would either be screened from CEQA-based VMT analysis or be expected to result in a less-than-significant VMT impact, implementation of Alternative 1 would also be considered to have a less-than-significant VMT impact.

As VMT levels would decrease, so would the emissions associated with vehicle travel. Therefore, air quality impacts (Impacts 3.2-1 through 3.2-5) and greenhouse gas emissions (Impacts 3.7-1 through 3.7-3) would also be slightly less than the proposed project.

#### *Impacts Identified as Being More Severe than Those of the Proposed Project*

There are no impacts from the implementation of Alternative 1 that would be greater than the proposed project.

#### ***Relationship to Significant and Unavoidable Impacts***

Implementation of Alternative 1 would eliminate the significant and unavoidable VMT impacts (Impact 3.14-2 and Impact 3.14-5) associated with the proposed project.

Alternative 1 would also reduce the demand for public utilities including water supplies (Impact 3.15-2 and Impact 3.15-6). Further, it would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities (Impact 3.15-1).

Alternative 1 would not eliminate any of the Cultural and Tribal Cultural significant and unavoidable impacts (Impacts 3.4-1 through 3.4-6) as previously unidentified resources could still be encountered during construction activities.

#### ***Relationship to Project Objectives***

Development under the No Project Alternative would not achieve either of the project objectives. Development under the existing General Plan, including the Housing Element, and Zoning Code would not develop enough housing units to accommodate the RHNA-required minimum of 724 units at the income units mandated by State law. Not only would the No Project Alternative fail to accommodate the minimum number of housing units, it would not create an excess capacity of housing units to allow for flexibility in development throughout the city and would not maintain a housing inventory in accordance with No Net Loss requirements.



### 4.4.2 ALTERNATIVE 2 — REMOVED SITES

Alternative 2 focuses on removing sites that were identified in the Housing Element and are now proposed to be implemented by the Housing Element Programs but that have challenging geographic locations. Specifically, Opportunity Sites that are located in micro-analysis zones (MAZs) that have high residential VMT levels (>18.0 per capita) in the Cumulative + Project scenario were removed. Removal of these sites reduces the number of housing units far from employment and services hubs, and concentrates new housing more proximate to those uses.

Additionally, Opportunity Sites located in high-risk landslide hazard areas (rated as 8 or above) were also removed from the list of potential sites to be implemented by the Housing Element Programs. This alternative reduces the risk of natural disasters adversely affecting a significant number of housing units. All other Opportunity Sites identified in the Housing Element and proposed to be implemented under the Housing Element Programs project would be rezoned as anticipated under the project.

As a result of Alternative 2, the number of units to be developed under the implementation of the Housing Element Programs would be 843 meeting the minimum RHNA requirement of 724 units. However, the development buffer (235 units) in the Housing Element inventory would be reduced to only 119 units. As such, most of the proposed sites would need to be developed at residential densities as planned – with little deviation to replace planned residential uses or reduce the number of units – in order to comply with the RHNA requirements.

Table 4-2 identifies the sites that would remain zoned according to their existing zoning designation (Sites 8, 23, 24, 56, 59, 63, 86, 87, 201, 207, and 212).

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TABLE 4-2: ALTERNATIVE 2 – REMOVED SITES

OPP. SITE #	ADDRESS	CURRENT USE	ACRES	EXISTING UNITS ON SITE	EXISTING ZONING UNIT CAPACITY	PROPOSED PROJECT UNIT CAPACITY	ALT. 2 UNIT CAPACITY	EXISTING ZONING	PROPOSED PROJECT ZONING	ALT. 2 ZONING	RESTRICTION
<b>Removed Sites</b>											
8	Main St./Crescent Ave.	Vacant	0.12	0	1	5	1	R-2-2.5	Housing-49	R-2-2.5	High VMT
23	10 Reade Ln.	Vacant	0.07	0	2	3	2	R-3	Housing-49	R-3	High VMT
24	10 Excelsior Ln.	Vacant	0.08	0	2	3	2	R-3	Housing-49	R-3	High VMT
56	412 Napa St.	Residential	0.23	1	6	9	1	R-3	Housing-49	R-3	High VMT
59	Easterby St.	Vacant	0.12	0	2	5	2	R-2-2.5	Housing-49	R-2-2.5	High VMT
63	Olive St. and Bridgeway Blvd.	Vacant / Office	0.59	0	1	18	1	R-2-2.5 CN-1	Housing-49	R-2-2.5 CN-1	Landslide 8
86	330 Ebbtide Ave.	Residential	0.75	2	21	27	21	R-3	Housing-49	R-3	Landslide 10
87	Ebbtide Ave.	Vacant	0.17	0	4	6	4	R-3	Housing-49	R-3	Landslide 10
201	several	Vacant	2.3	0	15	5	15	R-1-6 CC	Housing-49	R-1-6 CC	High VMT
207	911-917, 925 Bridgeway	Residential / Underutilized	0.39	2	11	8	11	R-3	Housing-49	R-3	Landslide 9
212	Multiple	Vacant	0.19	0	3	10	3	R-1-6	Housing-70	R-1-6	High VMT
<b>Alt. 2 Units</b>				<b>5</b>	<b>68</b>	<b>179</b>	<b>63</b>				
<b>TOTAL</b>						<b>959</b>	<b>843</b>				

*Source: De Novo Planning Group, 2023.*

### ***Comparative Analysis of Environmental Effects***

#### *Impacts Identified as Being the Same as or Similar to Those of the Proposed Project*

Construction-related vibration impacts would be similar under Alternative 2 compared to the proposed project (Impact 3.11-2) as sites near historic structures would still be anticipated to develop with residential uses. Noise levels would also be similar as the sites removed from development consideration would be small and spread across the city, and no difference in noise levels (Impact 3.11-1 and Impact 3.11-3) under Alternative 2 would be detected.

Similar to the proposed project, Alternative 2 would not result in unplanned population growth such that the provision of new housing would be required. The alternative would appropriately plan for population growth in the city, and there would be no impact (Impacts 3.12-1 and 3.12-2).

#### *Impacts Identified as Being Less Severe than Those of the Proposed Project*

As units would be consolidated to fewer sites, a smaller footprint of development would occur, and would be less likely to encounter previously unidentified historic, archaeological, paleontological, and tribal cultural resources (Impacts 3.4-2, 3.4-3, 3.4-5, 3.4-6, 3.6-6, and 3.6-7). Light and glare impacts would also be consolidated to few sites instead of locations spread throughout the city.

Alternative 2 includes 923 residential units, which in comparison to the proposed project is a reduction of 36, including elimination of units on nine sites and an increase in units on two sites. An assessment of how the residential VMT per capita associated with Alternative 2 would compare to the proposed project was performed using MAZ (micro analysis zone) outputs from the TAMDM travel demand model projections, along with the net differences in units per MAZ that Alternative 2 would yield as compared to the proposed project. While this approach is less precise than conducting extensive full model runs for the Alternative 2 land use inventory, its balance of quantitative and qualitative information remains valuable in assessing whether the alternative would result in VMT impacts that are less severe, equivalent, or more severe than the proposed project.

It was determined that the combined Alternative 2 residential units would generate approximately 800 to 1,000 fewer home-based vehicle miles traveled than the combined residential units associated with the proposed project. However, Alternative 2 would also have fewer units and less population than the project. Upon comparing the average VMT per capita associated with the Alternative 2 units versus the proposed project units, it was determined that the VMT per capita performance metric would essentially remain unchanged. The citywide VMT per capita would therefore also remain approximately the same as the proposed project. The lack of a discernible effect is likely due to several factors including the relatively low number of units on high-VMT sites that Alternative 2 eliminates,

VMT characteristics of sites that were also removed for landslide risks, and overall weighting of the larger pool of remaining sites throughout the city.

While Alternative 2 would not be expected to measurably change VMT per capita performance metrics, it would eliminate several of the proposed project's sites that are located within Sausalito's highest-VMT areas. By doing so it would eliminate the potential for VMT impacts to occur on these individual sites and would also shift some of these units to more VMT-efficient areas of the city. Therefore, Alternative 2 would still be considered to have modestly less severe VMT impacts than the proposed project, despite not changing the VMT per capita metric. Alternative 2 would still result in a significant and unavoidable VMT impact.

As VMT levels would decrease, so would the emissions associated with vehicle travel. Therefore, air quality impacts (Impacts 3.2-1 through 3.2-5) and greenhouse gas emissions (Impacts 3.7-1 through 3.7-3) would also be slightly less than the proposed project.

Growth projections would be lower under Alternative 2 compared to the proposed project. Therefore, population demand-related impacts would be higher under Alternative 2, including for public infrastructure and utility systems, including water supply systems (Impacts 3.15-1 through 3.15-6) and public services and recreation (Impacts 3.13-1 through 3.13-4).

This alternative would not develop sites that are at high risk of landslides. Therefore, exposure of residents to unstable geological units or effects from seismic events would be lower (Impacts 3.6-1 through 3.6-7) under Alternative 2 compared to the proposed project.

Exposure of residents to potential hazards would also be slightly lower under Alternative 2 because there would be fewer residents compared to the proposed project. Likewise, the number of sites to be developed under Alternative 2 would decrease. Impacts would be slightly higher related to hazards and hazardous materials (Impacts 3.8-1 through 3.8-6), hydrology and water quality (Impacts 3.9-1 through 3.9-9), and wildfire (Impacts 3.16-1 through 3.16-6).

#### *Impacts Identified as Being More Severe than Those of the Proposed Project*

There are no impacts from the implementation of Alternative 2 that would be greater than the proposed project.

#### ***Relationship to Significant and Unavoidable Impacts***

While fewer individual potential housing sites are likely to have significant VMT impacts, implementation of Alternative 2 would still be expected to result in a significant and unavoidable VMT impact (Impact 3.14-2 and Impact 3.14-5), the same as the proposed project.

# City of Sausalito

## Housing Element Programs EIR

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Alternative 2 would reduce the demand for public utilities including water supplies (Impact 3.15-2 and Impact 3.15-6) as fewer housing units would be developed. Further, it may require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities (Impact 3.15-1), similar to the proposed project but with a smaller geographic footprint.

Alternative 2 would not eliminate any of the Cultural and Tribal Cultural significant and unavoidable impacts (Impacts 3.4-1 through 3.4-6) as previously unidentified resources could still be encountered during construction activities.

### ***Relationship to Project Objectives***

Alternative 2, Removed Sites would meet the first project objective by implementing the facilitation of enough capacity to meet the State's RHNA requirements to accommodate 724 units of varying income levels. However, this alternative would only facilitate development of 843 units, falling short of the second objective's goal of creating an excess capacity of at least 25 percent (905 units total). The development buffer would be reduced to only 119 units, or approximately a 13 percent buffer over the minimum.

### **4.4.3 ALTERNATIVE 3 — DIFFERENT SITES**

Alternative 3 identifies different sites to be rezoned for residential and mixed-use development through implementation of the Housing Element Programs. The purpose of this alternative is to relocate anticipated residential units from areas that are far from community services, and place them closer to community services such as commercial, employment, and neighborhood services. This alternative would not rezone seven Opportunity Sites to higher density residential or mixed-use, instead keeping those sites as they are currently designated on the existing Zoning Map. The Opportunity Sites that would not be rezoned are sites 8, 9, 10, 59, 63, 75, and 101.

Opportunity Site 84 (MLK Park) would be upzoned to Housing-70, allowing up to 70 du/ac on the 2-acre site. This site is proposed to be MU-49/85% under the proposed Housing Element Programs project. By upzoning this site, an additional 60 units could be accommodated as compared to the proposed Housing Element Programs project.

Alternative 3 would include the addition of a new Opportunity Site, formerly known as Opportunity Site 67, to the Housing Element. This 4.36-acre site, located at 2200 Marinship Way, is currently vacant. It is surrounded by surface parking and an office building to the north, another office building to the east, Marinship Park to the south, and Bridgeway to the west. This site would be rezoned from its current designation of Industrial (I) to Mixed Use (MU-49/85%), which would create the opportunity to construct up to 180 dwelling units and up to 28,000 square feet of ground floor mixed use.

The total number of units that could be accommodated under Alternative 3 is 1,151, a 192-unit increase over the proposed Housing Element Programs project of 959 units.

Table 4-3 identifies the sites that would remain zoned according to their existing zoning designation (Sites 8, 9, 10, 59, 63, 75, and 101), the one site that would be intensified for residential development (Site 84), and one previously unincorporated site that would be rezoned to accommodate residential uses (Site 67).



# City of Sausalito

## Housing Element Programs EIR

TABLE 4-3: ALTERNATIVE 3 – DIFFERENT SITES

OPP. SITE #	ADDRESS	CURRENT USE	ACRES	EXISTING UNITS ON SITE	EXISTING ZONING UNIT CAPACITY	PROPOSED PROJECT UNIT CAPACITY	ALT. 3 UNIT CAPACITY	EXISTING ZONING	PROPOSED PROJECT ZONING	ALT. 3 ZONING
<b>Removed Sites</b>										
8	Main St./Crescent Ave.	Vacant	0.12	0	1	5	1	R-2-2.5	Housing-49	R-2-2.5
9	Lower Crescent Ave.	Vacant	0.18	0	1	8	1	R-2-2.5	Housing-49	R-2-2.5
10	18 West Ct.	Vacant	0.08	0	1	3	1	R-2-2.5	Housing-49	R-2-2.5
59	Easterby St.	Vacant	0.18	0	1	5	1	R-2-2.5	Housing-49	R-2-2.5
63	522 Olive St.	Vacant	0.59	0	5	18	5	R-2-2.5	Housing-49	R-2-2.5
75	530 Nevada St. and Tomales St.	City Corp Yard	0.61	0	0	31	0	PI	Housing-70	PI
101	357 Sausalito Blvd.	Vacant / Residential	0.37	7	8	9	8	R-2-5 R-1-6 R-2-2.5	Housing-49	R-2-5 R-1-6 R-2-2.5
<b>Densified Sites</b>										
84	100 Ebbtide Ave.	MLK Jr. Park	2.0	0	0	80	140	PI	MU-49/85%	Housing-70
<b>Added Sites</b>										
67	2200 Marinship Way	Vacant/ Office	4.36	0	0	0	180	I	I	MU-49/85%
<b>Alt. 3 Units</b>						<b>145</b>	<b>337</b>			
<b>TOTAL</b>						<b>959</b>	<b>1,151</b>			

Source: De Novo Planning Group, 2023.

### ***Comparative Analysis of Environmental Effects***

#### *Impacts Identified as Being the Same as or Similar to Those of the Proposed Project*

Similar to the proposed project, Alternative 3 would not result in unplanned population growth such that the provision of new housing would be required. The alternative would appropriately plan for population growth in the city, and there would be no impact (Impacts 3.12-1 and 3.12-2).

Noise levels would also be similar as the sites removed from development consideration would be small and spread across the city, and no difference in noise levels (Impact 3.11-1 and Impact 3.11-3) under Alternative 3 would be detected.

#### *Impacts Identified as Being Less Severe than Those of the Proposed Project*

As units would be consolidated to fewer sites, a smaller footprint of development would occur, and would be less likely to encounter previously unidentified historic, archaeological, paleontological, and tribal cultural resources (Impacts 3.4-2, 3.4-3, 3.4-5, 3.4-6, 3.6-6, and 3.6-7). Light and glare impacts would also be consolidated to a more focused areas instead of locations spread throughout the city.

The process used to assess how Alternative 3 would be likely to perform from a VMT perspective is the same as that previously described for Alternative 2. Alternative 3 would include 1,137 total units, which is 178 more units than the proposed project. Compared to the proposed project, Alternative 3 would eliminate 62 units on seven sites, provide 60 additional units at the Martin Luther King, Jr. Park site through an increased density, and add 180 units at a new site at 2200 Marinship Way.

Preliminary review of VMT estimates indicates that the units comprising Alternative 3 would be expected to have an average VMT per capita that is approximately five percent higher than the proposed project, based on TAMDM output. However, this estimate does not fully consider Alternative 3's particularly high densities of 70 units per acre on the Martin Luthur King, Jr. site and just over 40 units per acre at the 2200 Marinship Way site. Upon accounting for the VMT-reduction effects of these higher densities, it was determined that the aggregate units included in Alternative 3 would generate an average VMT per capita that is approximately six percent below that associated with the proposed project. With respect to the total home-based VMT generated, the higher number of units associated with Alternative 3 are estimated to generate 2,000 to 3,000 more VMT than would be generated by the proposed project's units.

Considered at the citywide level, which is the geographic area used to determine the significance of VMT impacts, Alternative 3 would be expected to perform slightly better than the proposed project. The estimated citywide residential VMT per capita with Alternative 3 under existing plus project conditions is 12.7 to 12.9 miles, as compared to the proposed project's 13.3 miles. As with the proposed project, Alternative 3 would exceed the applied

# City of Sausalito

## Housing Element Programs EIR

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significance threshold of 12.6 VMT per capita. Mitigation Measure 3.14-2 would therefore still apply. As discussed below and in the discussion of the proposed project's VMT impacts, there is uncertainty as to whether all Alternative 3 sites can achieve significance thresholds, even with mitigation. The impact is therefore considered significant and unavoidable.

While Alternative 3 would be expected to result in a significant and unavoidable VMT impact, the VMT per capita associated with its residential units as well as its effects on citywide VMT per capita are anticipated to be slightly less than the proposed project. Accordingly, the VMT impacts associated with Alternative 3 would be slightly less severe than those associated with the project.

As VMT levels would decrease, so would the emissions associated with vehicle travel. Therefore, air quality impacts (Impacts 3.2-1 through 3.2-5) and greenhouse gas emissions (Impacts 3.7-1 through 3.7-3) would also be slightly less than the proposed project.

### *Impacts Identified as Being More Severe than Those of the Proposed Project*

Energy consumption may be slightly higher under Alternative 3 as 192 more residential units would be constructed compared to the proposed project. However, similar to the proposed project, energy usage would not be wasteful, inefficient, or unnecessary as units would be constructed to Title 24 standards (Impact 3.5-1).

Growth projections would be higher under Alternative 3 compared to the proposed project. Therefore, population demand-related impacts would be higher under Alternative 3, including for public infrastructure and utility systems, including water supply systems (Impacts 3.15-1 through 3.15-6) and public services and recreation (Impacts 3.13-1 through 3.13-4). Exposure of residents to potential hazards would also be slightly higher under Alternative 3 because there would be more residents compared to the proposed project. Impacts would be slightly higher related to geology and seismicity (Impacts 3.6-1 through 3.6-7), hazards and hazardous materials (Impacts 3.8-1 through 3.8-6), hydrology and water quality (Impacts 3.9-1 through 3.9-9), and wildfire (Impacts 3.16-1 through 3.16-6). However, the number of sites to be developed under Alternative 3 would decrease, concentrating a higher population in the northern portion of the city and near the waterfront.

Construction-related vibration impacts would be similar under Alternative 3 compared to the proposed project (Impact 3.11-2) as sites near historic structures would still be anticipated to develop with residential uses. Construction and operational noise levels would increase near Site 67 as that site was not previously anticipated to redevelop (Impact 3.11-1).

### ***Relationship to Significant and Unavoidable Impacts***

Alternative 3 would not eliminate any of the Cultural and Tribal Cultural significant and unavoidable impacts (Impacts 3.4-1 through 3.4-6) as previously unidentified resources could still be encountered during construction activities.

As noted in the proposed project's VMT impact discussion (Impact 3.14-2 and Impact 3.14-5), there are two important elements that introduce uncertainty as to whether all of the sites contained in Alternative 3 can achieve the applicable VMT significance thresholds. First, specific development plans defining the size, configuration, and characteristics of potential future development projects on each site could result in VMT projections that differ from those reflected in the TAMDM modeling completed for this analysis. Given the programmatic nature of Alternative 3 and the proposed project, such details are not currently available. Second, while it is reasonable to assume that future development projects on many of the project sites will either screen from VMT or analysis or be able to achieve the required VMT reductions required by Mitigation Measure 3.14-2, full mitigation may not be possible on all sites, particularly those in higher-VMT areas beyond the reach of transit. Given the inability to assure that all Alternative 3 sites will be able to achieve VMT significance thresholds, the impact would remain significant and unavoidable, same as the proposed project.

Alternative 3 would increase the demand for public utilities including water supplies (Impact 3.15-2 and Impact 3.15-6) because more housing units would be constructed. The alternative may require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities (Impact 3.15-1), similar to the proposed project, but over a smaller geographical area.

### ***Relationship to Project Objectives***

Development under Alternative 3 would achieve both of the project objectives. Development under Alternative 3 would develop 1,151 housing units, or 427 more dwelling units than the RHNA-required minimum of 724 units at the income units mandated by State law. Further, Alternative 3 would meet the second objective's goal of creating an excess capacity of at least 25 percent (905 units); the development buffer would be increased to 427 units, or approximately a 47 percent buffer over the minimum.

## **4.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

The qualitative environmental effects of each alternative in relation to the Housing Element Programs project are summarized in Table 4-7.

CEQA Guidelines Section 15126(e)(2) requires an EIR to identify an environmentally superior alternative. If the No Project Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives.

From the alternatives to the proposed project evaluated in this EIR, the environmentally superior alternative would be Alternative 2.

# City of Sausalito

## Housing Element Programs EIR

TABLE 4-1: COMPARISON OF ALTERNATIVES

ENVIRONMENTAL TOPIC AREA	HOUSING ELEMENT PROGRAMS SIGNIFICANCE LEVEL	ALTERNATIVE 1 NO PROJECT	ALTERNATIVE 2 REMOVED SITES	ALTERNATIVE 3 DIFFERENT SITES
Aesthetics, Light, and Glare	LTS	Less	Less	Less
Air Quality	LTS	Less	Less	Less
Biological Resources	LTSWM	Similar	Less	Less
Cultural Resources/Tribal Cultural Resources	LTSWM	Similar	Less	Less
Energy	LTS	Less	Less	More
Geology, Soils, and Seismicity	LTSWM	Less	Less	More
Greenhouse Gas Emissions	LTS	Less	Less	Less
Hazards and Hazardous Materials	LTS	Less	Less	More
Hydrology and Water Quality	LTSWM	Similar	Less	More
Land Use	LTS	Less	Less	Less
Noise	LTSWM	Less	Similar	Similar
Population and Housing	LTS	Less	Similar	Similar
Public Services and Utilities	LTS	Less	Less	More
Transportation	SU	Less	Less	Less
Utilities and Service Systems	SU	Less	Less	More
Wildfire	LTS	Less	Less	More

Notes:

NI = No Impact

LTS = Less than Significant

LTSWM = Less than Significant with Mitigation

SU = Significant and Unavoidable

Source: De Novo Planning Group, 2023.





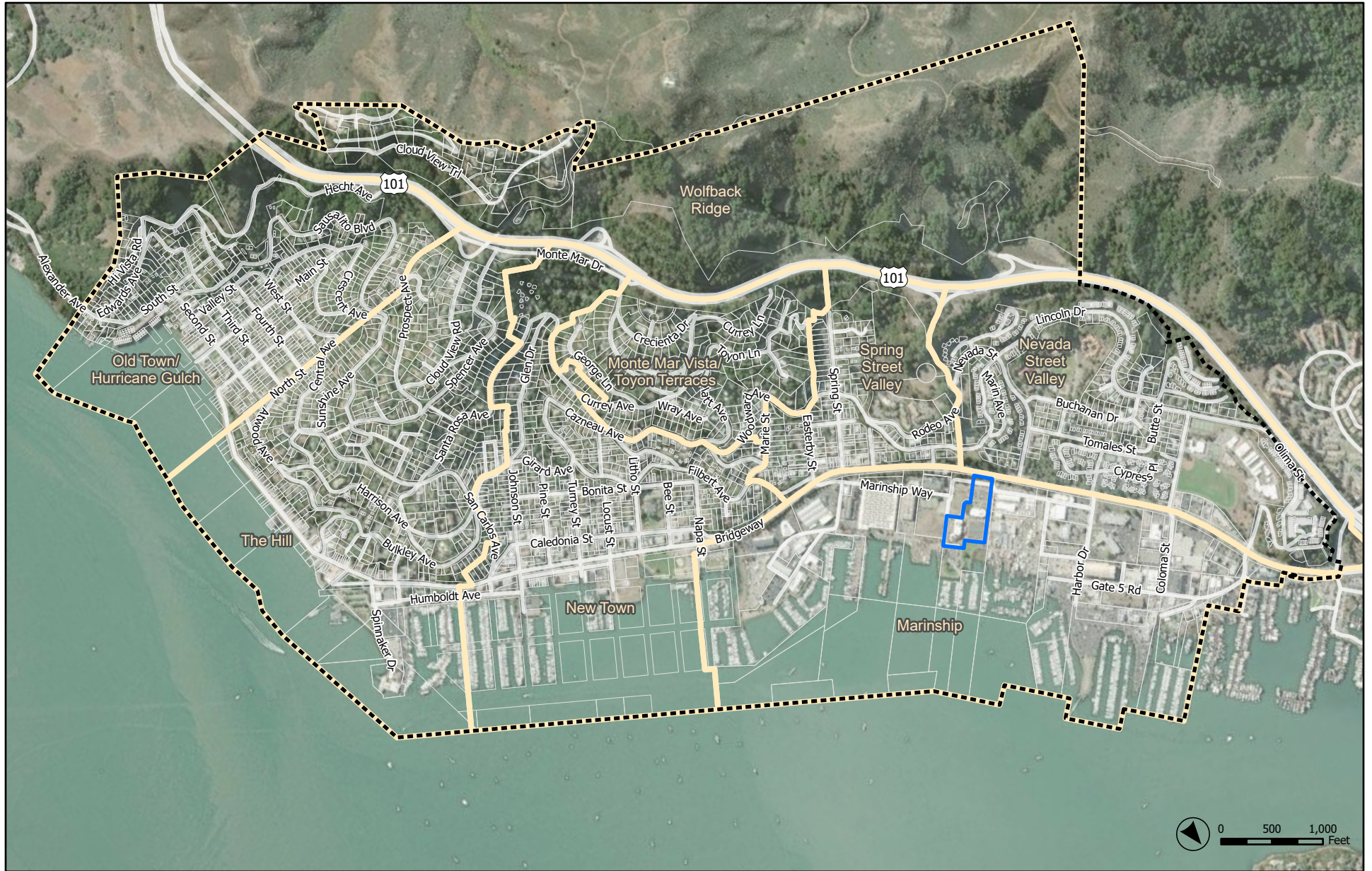
**LEGEND**

- Sausalito City Boundary
- Neighborhood
- Existing Opportunity Site 84
- Expanded Opportunity Site 84

**HOUSING ELEMENT PROGRAMS EIR**

Figure 4-1.  
 Considered but Rejected: Expanded Opportunity Site 84





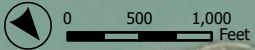
**LEGEND**

- Sausalito City Boundary
- Opportunity Site 68
- Neighborhood

**HOUSING ELEMENT PROGRAMS EIR**

Figure 4-2.  
 Considered but Rejected: Opportunity Site 68





**LEGEND**

- Sausalito City Boundary
- Housing Element Inventory Sites
- Neighborhood

**HOUSING ELEMENT PROGRAMS EIR**

Figure 4-3.  
Alternative 1: No Project

Sources: City of Sausalito; Marin GeoHub. Map date: October 10, 2023.





**LEGEND**

Sausalito City Boundary

Neighborhood

Site to be Removed under Alternative 2  
(Sites 8, 23, 24, 56, 59, 63, 86, 87, 201, 212)

Housing Element Sites

Inventory Sites

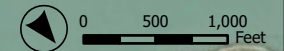
Opportunity Sites

Housing-49

Housing-70

MU-49/85%

MU-70/85%



**HOUSING ELEMENT PROGRAMS EIR**

Figure 4-4.

Alternative 2: Removed Sites





**LEGEND**

--- Sausalito City Boundary

Neighborhood

X Sites to be Removed under Alternative 3  
(Sites 8, 9, 10, 59, 63, 75, 101)

Housing Element Sites

Inventory Sites

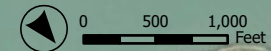
Opportunity Sites

Housing-49

Housing-70

MU-49/85%

MU-70/85%



**HOUSING ELEMENT PROGRAMS EIR**

Figure 4-5.

Alternative 3: Different Sites

## 5.0 OTHER CEQA CONSIDERATIONS

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### 5.1 INTRODUCTION

CEQA Guidelines Section 15126 requires that all phases of a project—planning, acquisition, development, and operation—be considered when evaluating the project’s impact on the environment. Further, CEQA Guidelines Section 15126.2(a) requires that the evaluation of significant impacts consider direct and reasonably foreseeable indirect effects of the proposed project over the short term and long term. Section 15126 of the CEQA Guidelines also requires an EIR to identify all of the following:

- Significant environmental effects of the proposed project.
- Potentially feasible mitigation measures proposed to avoid or substantially lessen significant effects.
- Significant environmental effects that cannot be avoided if the proposed project is implemented.
- Significant irreversible environmental changes that would result from implementation of the proposed project.
- Growth-inducing impacts of the proposed project.
- Alternatives to the proposed project.<sup>1</sup>

The Summary and Chapter 3, Environmental Impact Analysis, of this Draft EIR provide a comprehensive presentation of the proposed project’s environmental effects, potentially feasible mitigation measures, and conclusions regarding the level of significance of each impact both before and after mitigation. Chapter 4, Project Alternatives, presents a comparative analysis of alternatives to the proposed project. The other CEQA-required analyses described above are presented below.

### 5.2 SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. The environmental effects of the proposed Housing Element Programs project on various aspects of the environment are discussed in detail in Chapter 3, Environmental Impact Analysis. Project-specific and cumulative impacts that cannot be avoided if the project is approved as proposed are identified below.

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<sup>1</sup> CEQA Guidelines Sections 15126.2(a), 15126.2(c), 15126.2(d), 15126.2(e), 15126.4, and 15126.6.



### 5.2.1 PROJECT-SPECIFIC SIGNIFICANT AND UNAVOIDABLE IMPACTS.

**Impact 3.4-1:** Development facilitated by the Housing Element Programs project could result in a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

**Impact 3.4-2:** Development facilitated by the Housing Element Programs could result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

**Impact 3.4-3:** Implementation of the Housing Element Programs could result in disturbance of human remains, including those interred outside of formal cemeteries.

**Impact 3.4-4:** Implementation of the Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k).

**Impact 3.4-5:** Implementation of Housing Element Programs could cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

**Impact 3.14-2:** Implementation of the Housing Element Programs would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).

**Impact 3.15-1:** Implementation of the Housing Element Programs could require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

**Impact 3.15-2:** Sufficient water supplies may not be available to serve development facilitated by the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.

### 5.2.2 CUMULATIVE SIGNIFICANT AND UNAVOIDABLE IMPACTS

**Impact 3.4-6:** Development facilitated by the Housing Element Programs, in combination with past, present, and reasonably foreseeable projects, could result in significant cumulative impacts with respect to historic, cultural, or tribal cultural resources.

**Impact 3.14-5:** Implementation of the Housing Element Programs, in conjunction with cumulative development, would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (a).



**Impact 3.15-6:** Development facilitated by the Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to water supply, wastewater, solid waste, and storm drain facilities.

### 5.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Under CEQA, an EIR must analyze the extent to which a project's primary and secondary effects would generally commit future generations to the allocation of nonrenewable resources and to irreversible environmental damage (CEQA Guidelines Sections 15126.2(d) and 15127). Section 15126.2(d) states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The evaluation in this section addresses whether the proposed project would result in significant irreversible environmental changes if it would do any of the following:

- Involve a large commitment of nonrenewable resources.
- Result in primary or secondary impacts that would generally commit future generations to similar uses.
- Involve uses in which irreversible damage could result from any potential environmental accidents associated with the project.
- Result in consumption of resources that is not justified (e.g., involve the wasteful use of energy).

#### 5.3.1 LONG-TERM COMMITMENT OF RESOURCES

The Housing Element Programs project contemplates development of 959 new dwelling units and 16,852 square feet of new nonresidential uses at buildout, which is anticipated in 2031 coinciding with the conclusion of the 6<sup>th</sup> Cycle RHNA.

Construction would include use of building materials such as petroleum-based products and metals that cannot reasonably be recreated. Construction also would involve significant consumption of energy, usually petroleum-based fuels that deplete supplies of nonrenewable resources. Construction of structures and infrastructure would consume energy and water. Construction debris recycling practices would be expected to allow for

recovery and reuse of building materials such as concrete, lumber, and steel, and would limit disposal of these materials, some of which are non-renewable. Additionally, construction equipment would have to meet Bay Area Air Quality Management District (BAAQMD) standards as described in Section 3.2, Air Quality. Section 3.5, Energy, addresses appropriate consumption of energy for development construction.

Once construction is complete, which is expected to be after eight years, land uses associated with buildout of the Housing Element Programs project would use some nonrenewable fuels to heat and light structures and would consume water. New residential uses would be required to be built and adhere to the latest adopted edition of the California Green Building Standards Code, which would reduce energy demand, water consumption, and wastewater and solid waste generation that would collectively reduce demand for resources. This would lessen emissions and generation of pollution and effluent, and so the severity of corresponding environmental effects. Due to the uncertainty regarding exact development proposals under the Housing Element Programs, it is unknown as to exactly how individual development projects would achieve energy reduction, water conservation, and conservation of other non-renewable resources. Therefore, it is possible that implementation of the Housing Element Programs project could result in an irretrievable commitment of non-renewable resources, and energy for heat and light and water for irrigation and plumbing could be consumed inefficiently, unnecessarily, or wastefully.

### **5.3.2 COMMITMENT OF THE PROJECT SITE FOR FUTURE GENERATIONS**

Development allowed under the proposed Housing Element Programs would dedicate the project area to urbanized land uses, thereby precluding other uses for the life span of the proposed project, generally estimated to be for the foreseeable future. The most notable impacts would be increased generation of pollutants from vehicle travel and stationary operations, and the short-term commitment of nonrenewable and/or slowly renewable natural and energy resources, such as water resources, during construction activities. Operations associated with future uses would also consume natural gas and electrical energy. The unavoidable consequences of the proposed project are described in the appropriate sections of Chapter 3, Environmental Setting, Impacts, and Mitigation Measures.

### **5.3.3 IRREVERSIBLE ENVIRONMENTAL DAMAGE**

Implementation of the Housing Element Programs project may have the potential to cause significant environmental accidents through hazardous material releases into the environment during construction activities, or through operation of new commercial or mixed-use land uses. However, compliance with State law and implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction activities would ensure that future development would not create a significant hazard to the public or environment

# City of Sausalito

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through reasonably foreseeable upset and accident conditions involving release of hazardous materials (see Section 3.8, Hazards and Hazardous Materials).

Over the past decade, the understanding of global climate change and the role that communities can play in addressing it has grown tremendously. There is a scientific consensus that recent increases in global temperatures are associated with corresponding increases of greenhouse gases (GHGs). This temperature increase is beginning to affect regional climates and is expected to result in impacts on the Bay Area region and the world. Climate change has profound implications for the availability of the natural resources on which economic prosperity and human development depend.

As discussed in detail in Section 3.7, Greenhouse Gas Emissions, GHG emissions are known to have long-term effects on atmospheric conditions that affect the global climate, with resultant changes in sea level and hydrologic conditions in rivers, heat island effects, and a range of other conditions. These changes are not considered irreversible, but they could last for generations. As described further in Section 3.7, the proposed project could result in short-term increases in GHG emissions. However, compliance with the City's General Plan policies and programs, adherence to the development standards in the Sausalito Municipal Code, as well as consistency with the 2022 California Building Standards and the latest version of the CALGreen Code would ensure that potential new development associated with implementation of the project would not directly or indirectly generate GHG emissions that may have a significant impact on the environment.

According to California Department of Forestry and Fire Protection (CAL FIRE), there are no Very High Fire Hazard Severity Zones within the city. However, there are several sites proposed for development under the Housing Element Programs project that are within High, or Moderate Fire Hazard Severity Zones as mapped by Marin County. Two sites, Site 73 (Dr. Martin Luther King, Jr. Academy - Nevada Campus) and Site 84 (MLK Park), would be rezoned from Public Institutional (PI) to Housing-49 and MU-49/85%, respectively. Development anticipated under the Housing Element Programs is generally focused in infill areas, within the currently city limits, and in already developed areas of the city; however, development could result in an incremental increase in exposure of people and structures to wildland fires and associated hazards as implementation of the Housing Element Programs would add more people and structures within the city. No areas or development would be included within or adjacent to VHFSZ's as designated by CAL FIRE. However, development allowed and facilitated by the Housing Element Programs would place more people and structures in areas of the city that have been designated as high fire hazard areas and within the Wildland Urban Interface (see Section 3.16, Wildfire). In addition, as discussed in Section 3.13, Public Services and Recreation, existing fire protection facilities would be adequate to serve development anticipated under the Housing Element Programs. Thus, implementation of the Housing Element Programs would not have potential to result in

significant environmental accidents related to wildfire hazards and would not result in significant irreversible environmental changes (see Section 3.16, Wildfire).

### 5.3.4 UNJUSTIFIED CONSUMPTION OF RESOURCES

Resources that would be permanently and continually consumed by implementation of the proposed project include water, electricity, natural gas, and fossil fuels; however, the amount and rate of consumption of these resources would not result in the unnecessary, inefficient, or wasteful use of resources (see Section 3.5, Energy, and Section 3.15, Utilities and Service Systems). The project's operational activities would comply with all applicable building codes, including the 2022 Title 24 Energy Efficiency Standards as well as planning policies and standard conservation features. Such compliance would ensure that natural resources are conserved to the maximum extent required under existing regulations.

It is possible that, over time, new technologies or systems will emerge, or will become more cost-effective or user-friendly, to further reduce reliance on nonrenewable natural resources. Nonetheless, construction activities for the proposed project would result in the irretrievable commitment of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil), natural gas, and gasoline for automobiles and construction equipment.

### 5.4 GROWTH-INDUCING IMPACTS

There are two types of growth-inducing impacts: direct and indirect. To assess potential for growth-inducing impacts, General Plan Elements that may encourage and facilitate activities that individually or cumulatively may affect the environment must be evaluated (CEQA Guidelines Section 15126.2(e)). CEQA Guidelines, as interpreted by the City, state that a significant growth-inducing impact may result if implementation of the Housing Element Programs would:

- Induce substantial population growth in an area (for example, by proposing new homes and commercial or industrial businesses beyond the land use density/intensity envisioned in the general plan);
- Substantially alter the planned location, distribution, density, or growth rate of the population of an area; or
- Include extensions of roads or other infrastructure not assumed in the general plan or adopted capital improvements project list, when such infrastructure exceeds the needs of the project and could accommodate future developments.

Direct growth-inducing impacts occur when development imposes new burdens on a community by directly inducing population growth, or by leading to construction of additional developments in the same area. Also in this category is removal of physical obstacles to

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population growth (such as a new road into an undeveloped area or a wastewater treatment plant with excess capacity that could allow additional development in the service area). Construction of these types of infrastructure cannot be considered isolated from the development they facilitate and serve. Physically removing obstacles to growth, or indirectly inducing growth may provide a catalyst for future unrelated development in an area, such as a new residential community that requires additional commercial uses to support residents.

Implementing the Housing Element Programs would continue the planned for growth in the city in a manner consistent with citywide land use densities/intensities and the 2023-2031 Housing Element. The California Department of Finance estimated the total population of the City of Sausalito to be 7,114 as of April 1, 2020, with a decrease in population to 6,865 by January 1, 2023.<sup>2</sup> The city projects a population of 7,883 by 2040 based on buildout of the General Plan. The proposed Housing Element Programs project would result in the construction of 959 dwelling units. Using an average household size of 1.71,<sup>3</sup> the proposed Housing Element Programs project would result in the addition of approximately 1,640 residents to the city, or 20.8 percent of the total projected 2040 population. Therefore, direct population growth as a result of the Housing Element Programs project is considered significant. The potential environmental impacts resulting from this direct population growth is analyzed in Sections 3.1 through 3.16 of this EIR.

Underdeveloped and vacant lots would be redeveloped in the built-out, urbanized community of Sausalito; however, some physical constraints to growth currently exist in the project vicinity. The primary growth obstacle in the availability of domestic water supply. MMWD has indicated can meet future demands for the district, including Sausalito, under normal, single-dry year, and multiple-dry year scenarios. However, the uncertainty associated with drought impacts on future water supply and with the timing and fruition of efforts by Marin Water and other regional districts to supplement water supplies in dry and multiple dry years presents the possibility that Marin Water may not be able to supply water for the proposed project and cumulative (Project and Marin Water's commitments outside of the Project) scenarios. As such, MMWD will need to update its UWMP to demonstrate sufficient water supplies for all of the jurisdictions it serves. The current UWMP does not account for jurisdictions' 6<sup>th</sup> Cycle housing elements and the growth that would be expected to occur under those plans. In the rare event that full buildout of jurisdictions served by MMWP occurs within the next eight years (the length of one housing cycle) and California is plagued by serious drought, MMWD may not have enough water to serve everyone in its

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<sup>2</sup> State of California Department of Finance. 2023. E-4 Population Estimates for Cities, Counties, and the State, 2021-2023, with 2020 Benchmark. May 1.

<sup>3</sup> State of California Department of Finance. 2023. E-4 Population Estimates for Cities, Counties, and the State, 2021-2023, with 2020 Benchmark. May 1.

jurisdiction. However, the proposed project would support growth in the project area and would not extend services to areas not already served by the existing water supply network.

In addition to residential units, direct growth from the Housing Element Programs project is projected to include 16,852 square feet of nonresidential uses, which could add approximately 12-18 jobs. The city is already a well-developed area with a suburban residential character. Infrastructure and services would be expanded as necessary to serve city growth, without significant excess capacity, and thus would not encourage additional growth beyond that already planned for in the Housing Element Programs. As a result, the Housing Element Programs project would create minimal to no indirect growth, and the planned buildout would be consistent with city projections.

The Housing Element Programs would also not significantly or adversely affect the permanent jobs/housing balance. Implementation of the Housing Element Programs would allow for creation of a small amount of nonresidential development and jobs, but would not create a housing demand above what would otherwise occur in the city. The Housing Element Programs project is intended to provide more housing for a spectrum of income levels, allowing more residents to live closer to their jobs. The Housing Element Programs could allow for up to 959 residential units and up to approximately 1,640 new residents. The city is served by transportation infrastructure, including several Golden Gate Transit stops and two ferry services. Therefore, implementing the Housing Element Programs would help the city achieve a more even job/housing balance by providing much-needed housing.

The city is already well-developed, thus implementing the Housing Element Programs project would not likely require extensions of electrical, natural gas, or water utility infrastructure, but would require connections to existing infrastructure on and adjacent to future projects. The Housing Element Programs would not extend urban infrastructure other than to future projects within the city, and thus would not induce growth in other areas outside the city limits. Furthermore, the Housing Element Programs would be compatible with existing residential and commercial uses and not pressure adjacent areas to redevelop with new or different land uses. As a result, it is not anticipated that nearby residents would relocate. Therefore, the Housing Element Programs would not remove a barrier to growth nor create an indirect population increase.

Since the Housing Element Programs would not result in indirect growth, negatively alter the existing jobs/housing balance, or be inconsistent with the 2023-2031 Housing Element, growth-inducing impacts would be less than significant.

#### **5.4.1 ELIMINATION OF OBSTACLES TO GROWTH**

The elimination of physical obstacles to growth is considered a growth-inducing effect and one way a project may remove an impediment to growth would be through establishment of an essential public service. Here, the proposed Housing Element Programs would not



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establish an essential service such as a fire station, hospital, water treatment plant. Implementation of the Housing Element Programs would occur in a built-out, urbanized area of the Bay Area; however, some physical constraints to growth currently exist in the city. Some growth obstacles in the city include steep slopes, possibility for wildfire or tsunami hazards, and sufficient evacuation routes in the event of an emergency. Implementing the proposed project would not eliminate the above-stated growth obstacles nor exacerbate those conditions. No infrastructure expansion would be needed to support growth anticipated under the Housing Element Programs, and the project would not extend services to areas not already served by the existing network of infrastructure. As stated earlier, the proposed Housing Element Programs project would generate a small amount of employment and provide housing units to meet the city's RHNA requirement. The anticipated development would be within the growth projections established in the General Plan, and within the growth assumptions in Plan Bay Area 2050. Therefore, the proposed Housing Element Programs project would not induce growth beyond the growth planned for by the City, Association of Bay Area Governments (ABAG), or Metropolitan Transportation Commission (MTP).

### 5.4.2 ECONOMIC EFFECTS

Implementation of the Housing Element Programs is anticipated to produce 12-18 new jobs and approximately 1,707 new residents. In addition to the employment growth generated by the proposed project, additional local employment could be generated through what is commonly referred to as the *multiplier effect*. The multiplier effect refers to the secondary economic effects caused by spending from project-generated residents and employees. The multiplier effect tends to be greater in regions with larger diverse economies, given a decrease in the requirement to import goods and services from outside the region, as compared to the effects of spending in smaller economies where goods and services must be imported from elsewhere.

Two different types of additional employment are tracked through the multiplier effect. Indirect employment includes the additional jobs generated through residents' expenditure patterns and direct employment associated with the proposed project. For example, future residents and workers in the mixed uses generated by the Housing Element Programs would spend money in the local economy, and the expenditure of that money would result in the creation of additional jobs. Indirect jobs tend to be relatively close to places of employment and residences.

The multiplier effect also calculates *induced employment*. Induced employment follows the economic effect of employment beyond the expenditures of employees in the project area to include jobs created by the stream of goods and services necessary to construct projects and support businesses in the project area. For example, when a manufacturer buys or sells

products, the employment associated with those inputs or outputs is considered induced employment.

The multiplier effect also considers the secondary effect of employee expenditures. Thus, it includes the economic effect of the dollars spent by those employees who purchase goods and services in support of the jobs created by implementation of the proposed project. Increased employment in the city would support increased purchases of supplies, equipment, and services from businesses in Sausalito and nearby cities and from businesses located elsewhere in the region. The increased spending also would initiate subsequent rounds of additional business spending by those and other businesses. Increased employment in the project area would provide increased wage and salary incomes that would support additional household spending for a wide variety of goods and services.

Given the small number of jobs created by the proposed project, it is unlikely that Sausalito would experience an economic effect directly attributable to implementation of the Housing Element Programs. Further, the actual environmental consequences of this type of economic growth are too speculative to predict or evaluate, because they can be spread throughout the Bay Area.

## 6.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

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### 6.1 INTRODUCTION

This section of the Draft EIR is based on the Notice of Preparation (NOP), dated May 22, 2023, and contained in Appendix A of this Draft EIR. The NOP was prepared to identify potentially significant effects of the Project and was circulated for public review between May 22, 2023 and June 21, 2023. During this evaluation, certain impacts were found to be less than significant because construction and operation of potential development under the Housing Element Programs project would not result in such impacts.

This section provides a brief description of effects found not to be significant or less than significant, based on the NOP, NOP public comments received, or more detailed analysis conducted as part of the Draft EIR preparation process.

Information in this section is based on statements, data, and figures provided by the following reference materials:

- Sausalito General Plan;
- Sausalito Zoning Map;
- Sausalito Municipal Code;
- California Department of Conservation, Farmland Mapping and Monitoring Program Map;
- United States Department of Agriculture, United States Forest Service Maps; and
- California Department of Conservation, Division of Mines and Geology, Mineral Land Classification Reports and Maps.

### 6.2 ENVIRONMENTAL EFFECTS FOUND NOT TO BE SIGNIFICANT

#### 6.2.1 AGRICULTURE AND FORESTRY RESOURCES

This analysis uses the CEQA Guidelines Appendix G questions as thresholds to determine the significance of the project. A significant effect on agricultural resources if implementation of the Housing Element Programs would:

Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

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

Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

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

Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

### ***Important Farmland***

The Sausalito Planning Area is located within an urbanized area and does not support agricultural land use activities. The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) maps the Planning Area as “Urban and Built-up Land” and “Other Land,” both of which are non-agricultural designations.<sup>1</sup> Urban and Built-up Land is defined as land occupied by structures such as residential, industrial, or commercial uses. Other Land is defined as land not included in any other mapping category such as low-density rural developments, brush, timber, wetland, and vacant land surrounded by urban development. As such, implementation of the HEU would not convert Important Farmland to non-agricultural uses and no impact would occur.

### ***Agricultural Zoning and Williamson Act Contracts***

According to the General Plan Update Land Use Map (2021), and the City Zoning Map (2003), the Planning Area does not contain any land zoned for or used for agricultural purposes.<sup>2</sup> Land within the Planning Area does not support agricultural land use activities and, therefore, would not be eligible for a Williamson Act contract. This condition precludes the possibility of conflicts with agricultural zoning or a Williamson Act contract. No impact would occur.

### ***Forest Land***

In accordance with the definition provided in California Public Resources Code Section 12220(g), “forest land” is land that can support, under natural conditions, 10 percent native tree cover of any species, including hardwoods, and that allows for the preservation or

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<sup>1</sup> California Department of Conservation, Division of Land Resources Protection. 2018. Marin County Important Farmland 2016. April.

<sup>2</sup> City of Sausalito Zoning Map. 2003. Website: <https://www.sausalito.gov/departments/community-development/planning-division/current-planning/zoning-administrator> . Accessed November 1, 2022.

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management of forest-related resources such as timber, aesthetic value, fish and wildlife, biodiversity, water quality, recreational facilities, and other public benefits.

The Sausalito Planning Area is located within an urbanized area and does not support forest land use activities. As mapped by the United States Department of Agriculture Forest Service, there are no National Forest lands within the Planning Area.<sup>3</sup>

The California Department of Conservation FMMP maps all land uses east of Highway 101 as “Urban and Built-up Land.” The areas west of Highway 101, designated as Very Low Density Residential on the General Plan Land Use Map, are also mapped as “Urban and Built-up Land.” Urban and Built-up Land is defined as land occupied by structures such as residential, industrial, or commercial uses. As such, these areas do not support forest land use activities, and would not result in the conversion of forest land to non-forest uses.

The remaining areas within the Planning Area west of Highway 101, designated as Open Space on the Sausalito General Plan Land Use Map, are identified “Other Land” by the California Department of Conservation FMMP. Other Land is defined as land not included in any other mapping category such as low-density rural developments, brush, timber, wetland, and vacant land surrounded by urban development. The Open Space designation includes maintained natural recreation spaces as well as the federally owned lands of the Golden Gate National Recreation Area. Development is not to take place in these areas except for minor site improvements as deemed appropriate. As such, any development under the Housing Elements Program would only include minor site improvements and would not convert forest land to non-forest uses.

### ***Forest Zoning***

According to the General Plan Update Land Use Map (2021), and the City Zoning Map (2003), the Planning Area does not contain any land dedicated as, or zoned for, forest or timberland use.<sup>4</sup> As such, the Housing Element Update would not conflict with existing zoning for, or cause the rezoning of, forest land or timberland. No impact would occur.

### ***Pressures to Convert Agricultural Land or Forest Land***

The Sausalito Planning Area is located within an urbanized area and does not support agricultural or forest land use activities. As such, development under the Housing Element Update would not result in the conversion of agricultural or forest land uses to urban uses. No impact would occur.

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<sup>3</sup> U.S. Department of Agriculture, Forest Service, National Forest Type Groups. Website: [https://data.fs.usda.gov/geodata/rastergateway/forest\\_type/index.php](https://data.fs.usda.gov/geodata/rastergateway/forest_type/index.php). Accessed November 1, 2022.

<sup>4</sup> City of Sausalito Zoning Map. 2003. Website: <https://www.sausalito.gov/departments/community-development/planning-division/current-planning/zoning-administrator>. Accessed November 1, 2022.

## 6.2.2 MINERAL RESOURCES

In accordance with California's Surface Mining and Reclamation Act of 1975 (SMARA), the State Geologist, through the California Department of Conservation, California Geological Survey (formerly Division of Mines and Geology), is responsible for identifying and mapping the non-fuel mineral resources of the State. Economically significant mineral deposits are classified based on the known and inferred mineral resource potential of the land using the California Mineral Land Classification System, which includes the following four mineral resource zones.

- MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- MRZ-3: Areas containing mineral deposits, the significance of which cannot be evaluated.
- MRZ-4: Areas where available information is inadequate for assignment to any other zone.

The Sausalito Planning Area is designated as MRZ-1 and MRZ-4 by the California Department of Conservation, California Geological Survey.<sup>5</sup> However, in January 2018, a report was prepared by the State Mining and Geology Board to update the designation information previously presented in SMARA's Designation Report No. 7 *"Designation of Regionally Significant Construction Aggregate Resource Areas in the South San Francisco Bay, North San Francisco Bay, and Monterey Bay Production-Consumption Region,"* published in 1987.

The information that follows is based on the January 2018 report prepared by the State Mining and Geology Board titled *"Updated Designation of Regionally Significant Aggregate Resources in the North San Francisco Bay Production-Consumption Region, Sonoma, Napa, Marin, and Southwestern Solano Counties, California."* In 1987, the Board designated 7,586 acres, containing 1,876 million tons of aggregate resources, to be of regional significance in the North San Francisco Bay P-C Region. Since that time, the designated aggregate resources have been reduced by about 19 percent, or 363 million tons, due to depletion by mining (16 percent) and urbanization (3 percent). An additional 2,869 acres containing 821 million tons have been newly designated. As detailed in the report, the land comprising the Sausalito Planning Area was not originally designated in 1987 as containing aggregate resources. In addition, as stated in the report, the land comprising the Planning Area was not designated as a newly identified aggregate resource to be of regional significance. As such, construction and operation of potential development under the Housing Element Update would not result

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<sup>5</sup> California Department of Conservation, Division of Mines and Geology. 1987. Classification of Aggregate Resources Areas: North San Francisco Bay Production-Consumption Region.



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in the loss of availability of a known mineral resource of value to the region and residents of the State. Therefore, no impact related to mineral resources would occur.

## 7.0 PERSONS AND ORGANIZATIONS CONSULTED/LIST OF PREPARERS

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### 7.1 PUBLIC AGENCIES

#### 7.1.1 LEAD AGENCY

##### *City of Sausalito*

Community Development Department Director ..... Brandon Phipps  
Principal Planner ..... Neal Toft  
City Attorney ..... Sergio Rudin  
City Engineer ..... Kevin McGowan  
Acting Police Chief ..... Stacie Gregory

#### 7.1.2 PUBLIC AGENCIES

##### *State Agencies*

##### **Native American Heritage Commission**

Cultural Resources Analyst..... Sarah Fonseca

##### *California Native American Tribes*

##### **Federated Indians of Graton Rancheria**

Tribal Heritage Preservation Officer ..... Buffy McQuillen  
Cultural Resources Specialist ..... Hector Garcia

##### *Regional Agencies*

##### **Southern Marin Fire District**

Division Chief/Fire Marshal ..... Fred Hilliard

7.2 LIST OF PREPARERS

7.2.1 LEAD CONSULTANT

***De Novo Planning Group***

Principal ..... Beth Thompson  
Principal/Project Manager ..... Christina Erwin  
Senior Planner ..... Elise Laws  
Senior Planner ..... William Crenshaw  
Senior Planner/AQ-GHG ..... Josh Smith  
Assistant Planner ..... Jeff Setterlund

7.2.2 TECHNICAL SUBCONSULTANTS

***W-Trans - Circulation***

Principal/Project Manager ..... Zack Matley

***Kittelson and Associates - Circulation***

Project Director ..... Mike Aronson  
Project Manager/Project Engineer ..... Anusha Musunuru

***Saxelby Acoustics - Noise***

Principal Consultant ..... Luke Saxelby  
Acoustic and Vibration Engineer ..... Rex Crane

## 8.0 ACRONYMS AND ABBREVIATIONS

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°C	degrees Celsius (Centigrade)
°F	degrees Fahrenheit
µg/m <sup>3</sup>	micrograms per cubic meter
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing material
ADA	Americans with Disabilities Act
ADT	average daily traffic
ADU	Accessory Dwelling Unit
ADWF	Average Daily Dry Weather Flow
afy	acre-feet per year
AIC	Archaeological Information Center
AIRFA	American Indian Religious Freedom Act
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMI	Area Median Income
APCD	Air Pollution Control District
APE	Area of Potential Effect
APN	Assessor's Parcel Number
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
ARPA	Archaeological Resources Protection Act
AST	aboveground storage tank
ASTM	American Society of Testing and Materials
ATCM	Airborne Toxic Control Measures
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BCDC	San Francisco Bay Conservation and Development Commission
BMP	Best Management Practice

BMR	below-market rate
BVOC	biogenic volatile organic compound
C <sup>2</sup> ES	Center for Climate and Energy Solution
CA FID	California Facility Inventory Database
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CAL FIRE	California Department of Forestry and Fire Protection
Cal/EPA	California Environmental Protection Agency
Cal/OSHA	California Occupational Health and Safety Administration
CalEEMod	California Emissions Estimator Model
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CARE	Community Air Risk Evaluation
CARSS	Call a Ride for Sausalito Seniors
CASGEM	California Statewide Groundwater Elevation Monitoring
CASQA	California Stormwater Quality Association
CBC	California Building Standards Code
CCAA	California Clean Air Act
CCCC	California Climate Change Center
CCR	California Code of Regulations
CCTS	Central California Taxonomic System
CDCP	California Drought Contingency Plan
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERT	Community Emergency Response Teams
CESA	California Endangered Species Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CH <sub>4</sub>	methane
CHBC	California Historic Building Code

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CHL	California Historical Landmark
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CMP	Congestion Management Plan
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CNPSEI	California Native Plant Society Electronic Inventory
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO <sub>2</sub> e	carbon dioxide equivalent
CPUC	California Public Utilities Code
CRA	Cultural Resources Assessment
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
CW	Commercial Waterfront
CWA	Clean Water Act
CWHR	California Wildlife Habitat Relationships
CWPP	Marin County Community Wildfire Protection Plan
dB	decibel
dBA	A-weighted decibel
DBH	diameter at breast height
DHS	Department of Homeland Security
DMP	Drought Management Program
DPM	diesel particulate matter
DPR	Department of Parks and Recreation
DTSC	California Department of Toxic Substances Control
du	dwelling unit
du/acre	dwelling unit per acre
DWR	Department of Water Resources
EAP	Emergency Action Plan
EDU	Equivalent Dwelling Units
EIR	Environmental Impact Report



EISA	Energy Independence and Security Act
EMF	electromagnetic field
EMS	Emergency Medical Services
EOP	Emergency Operations Plan
EPA	United States Environmental Protection Agency
EPCRA	Emergency Planning Community Right-to-Know Act
ESL	Environmental Screening Level
FAA	Federal Aviation Administration
FAR	floor area ratio
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIGR	Federated Indians of Graton Rancheria
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FRA	Federal Railroad Administration
FRAP	Fire and Resource Assessment Program
FTA	Federal Transit Administration
GGNA	Golden Gate Recreation Area
GGNRA	Golden Gate National Recreation Area
GHAD	Geologic Hazard Abatement District
GHG	greenhouse gas
GIS	Geographic Information System
gpm	gallons per minute
GPS	Global Positioning System
GSA	Government Services Administration
GWh	gigawatt-hours
GWh/y	gigawatt-hours per year
GWP	global warming potential
HAP	Hazardous Air Pollutants

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HazMat	Hazardous Materials
HAZNET	Hazardous Waste Information System
HCD	Housing and Community Development
HCM	Highway Capacity Manual
HEU	Housing Element Update
HFC	hydrofluorocarbon
HOV/HOT	High Occupancy Vehicle/High Occupancy Toll
HPC	Historic Preservation Commission
HPD	Historic Properties Directory
HRA	Health Risk Assessment
HUD	United States Department of Housing and Urban Development
HVAC	heating, ventilation, and air conditioning
IPCC	United Nations Intergovernmental Panel on Climate Change
IRF	Intermediate Regional Flood
ISO	Insurance Services Office
ISTEA	Intermodal Surface Transportation Efficiency Act
IWMPs	Integrated Waste Management Plans
JADU	Junior Accessory Dwelling Unit
JPA	Joint Powers Authority
kBTU	kilo-British Thermal Units
kV	kilovolt
kW	kilowatt
kWh	kilowatt-hour
LAFCo	Local Agency Formation Commission
LCFS	Low Carbon Fuel Standard
L <sub>dn</sub>	day/night average sound level
LED	light emitting diode
L <sub>eq</sub>	equivalent sound level
LEV	low-emission vehicle
LID	Low Impact Development
LOS	Level of Service
LRA	Local Responsibility Area
LUST	Leaking Underground Storage Tank

LZ	Lighting Zones
LZ0	Very Low Lighting Zones
LZ1	Low Lighting Zones
LZ2	Moderate Lighting Zones
LZ3	Moderately High Lighting Zones
LZ4	High Lighting Zone
MBTA	Migratory Bird Treaty Act
MCE	Marin Clean Energy
MCEP	Marin Climate & Energy Partnership
MCM LHMP	Marin County Multi-jurisdiction Local Hazard Mitigation Plan
MCSTOPPP	Marin County Stormwater Pollution Prevention Program
MERV	Minimum Efficiency Reporting Value
mgd	million gallons per day
MLD	Most Likely Descendant
MM	Mitigation Measure
MMI	Modified Mercalli Intensity
MMRP	Mitigation Monitoring and Reporting Program
MMWD	Marin Municipal Water District
mph	miles per hour
MPO	Metropolitan Planning Organization
MRP	Municipal Regional Permit
MS4	Municipal Separate Storm Sewer System
MSDS	material safety data sheets
msl	mean sea level
MTC	Metropolitan Transportation Commission
MTS	Metropolitan Transportation System
M <sub>w</sub>	Maximum Moment Magnitude
MW	megawatt
MWEL	Model Water Efficient Landscape Ordinance
N <sub>2</sub> O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program

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NEPA	National Environmental Policy Act
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Association
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NO <sub>2</sub>	nitrogen dioxide
NOAA Fisheries	National Marine Fisheries Service
NOC	Notice of Completion
NOI	Notice of Intent
NOP	Notice of Preparation
NO <sub>x</sub>	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NPPA	Native Plant Protection Act
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
O <sub>3</sub>	ozone
ODDS	Objective Design and Development Standards
OEHHA	California Office of Environmental Health Hazard Assessment
OHP	California Office of Historic Preservation
OHWM	ordinary high water mark
ONAC	Federal Office of Noise Abatement and Control
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCB	polychlorinated biphenyl
pCi/L	picocuries per liter
PDA	Priority Development Area
PFC	perfluorocarbon
PG&E	Pacific Gas and Electric Company
Phase I ESA	Phase I Environmental Site Assessment

PM <sub>10</sub>	particulate matter, including dust, 10 micrometers or less in diameter
PM <sub>2.5</sub>	particulate matter, including dust, 2.5 micrometers or less in diameter
PM <sub>x</sub>	particulate matter
ppb	parts per billion
ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
PVC	polyvinyl chloride
RBRA	Richardson Bay Regional Agency
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
REL	Reference Exposure Level
RHNA	Regional Housing Needs Assessment
RMP	Risk Management Plan
ROG	reactive organic gases
RPS	Renewables Portfolio Standard
RS-10	Single-Family Residential
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCA	Stream Conservation Area
SCH	State Clearinghouse
SCS	Sustainable Communities Strategy
SCWA	Sonoma County Water Agency
SF <sub>6</sub>	sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SFHA	Special Flood Hazard Area
SHC	California Street and Highways Code
SMARA	California Surface Mining and Reclamation Act
SMCSD	Sausalito–Marin City Sanitation District
SMFD	Southern Marin Fire Protection District

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SO <sub>2</sub>	sulfur dioxide
SOI	Sphere of Influence
SR	State Route
SRA	State Responsibility Area
SRTP	Short-Range Transit Plan
SSMP	Sewer System Management Plan
STP	Sewage Treatment Plant
State Water Board	California State Water Resources Control Board
SUSMP	Standard Urban Storm Water Mitigation Plan
SVP 2010	Society of Vertebrate Paleontology guidelines
SWEEP	State Water Efficiency and Enhancement Program
SWIS	Solid Waste Information System
SWPPP	Storm Water Pollution Prevention Plan
SWQMP	Storm Water Quality Management Plan
T-BACT	Best Available Control Technology for Toxins
TAC	toxic air contaminants
TAM	Transportation Authority of Marin
TAMDM	Transportation Authority of Marin Demand Model
TCM	transportation control measures
TDM	Transportation Demand Management
TDS	total dissolved solids
TDV	Time Dependent Valuation
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
Tg	teragram
therms/y	therms per year
TIA	Traffic Impact Analysis
TIS	Traffic Impact Study
TMA	Transportation Management Association
TMDL	Total Maximum Daily Load
TOD	Transit Oriented Development
TRA	Temporary Refuge Areas
TSCA	Toxic Substances Control Act
TUHSD	Tamalpais Union High School District



UBC	Uniform Building Code
UCMP	University of California Museum of Paleontology
URM	Unreinforced Masonry
USACE	United States Army Corps of Engineers
USC	United States Code
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	Urban Water Management Plan
V/C	volume to capacity ratio
VdB	Vibration Velocity Level
VDECS	Verified Diesel Emission Control Strategies
VHFHSZ	Very High Fire Hazard Severity Zone
VIP	Volunteers In Public Safety
VLR	Very Low Density Residential
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WDR	Waste Discharge Requirements
WQMP	Water Quality Management Plan
WSA	Water Supply Assessment
WUI	Wildland-Urban Interface
WWTP	Wastewater Treatment Plant
ZEV	Zero Emission Vehicle