LEAD AGENCY DETERMINATION
MITIGATED NEGATIVE DECLARATION
MARIN COUNTY PARKS
ENVIRONMENTAL COORDINATION AND REVIEW

Pursuant to Section 21000 et. seq. of the Public Resources Code and the Marin County Environmental Impact Review Guidelines and Procedures, the Marin County Parks grants a Mitigated Negative Declaration for the following project.

1. Project Name: McNears Beach Park Master Plan
2. Location and Description: McNears Beach Park, Marin County, California
   Assessor’s Parcel #184-130-16 and
   184-010-53
3. Project Sponsor: Marin County Parks
4. Finding:
   Based on the attached Initial Study and without a public hearing, it is my judgment that:
   [X] Marin County Parks has mitigated the project’s significant effects, as described in the attached
   Initial Study, by modifying the project to reduce the potential adverse effects to a level of
   insignificance.

   Environmental Planning Manager
   Date:

   Based on the attached Initial Study and the comments received during the public review period,
   Marin County Parks grants a Mitigated Negative Declaration.

   Craig Richardson, Open Space Planner
   Marin County
   Date:

5. Mitigation Measures:
   (Select one of the following statements)
   [X] Please refer to mitigation measures in the attached Initial Study.
   [ ] The Initial Study concludes that Marin County Parks can modify the project’s potential adverse
   impacts, as noted under the following factors in the attached in the Initial Study.

   Marin County Parks has incorporated into the project all of the mitigation measures described in the
   attached Initial Study.

6. Preparation:
   Marin County Parks prepared this Mitigated Negative Declaration and interested parties may obtain
   copies Monday through Friday at the address listed below.

   Marin County Parks
   3501 Civic Center Drive, Room 260
   San Rafael, California 94903
   Telephone (415) 473-6387
DRAFT INITIAL STUDY

McNEARS BEACH PARK MASTER PLAN

PREPARED FOR

Marin County Parks
Marin County Civic Center
3501 Civic Center Drive, Room 260
San Rafael, CA 94903
(415) 473-6387

PREPARED BY

WRA, Inc.

JUNE 2016
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<thead>
<tr>
<th>ACRONYM</th>
<th>DESCRIPTION</th>
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<tr>
<td>BAAQMD</td>
<td>Bay Area Air Quality Management District</td>
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<td>Community Noise Equivalent Level</td>
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<tr>
<td>CO₂</td>
<td>Carbon Dioxide</td>
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<tr>
<td>CO₂E</td>
<td>Carbon Dioxide Equivalent</td>
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<td>CSLC</td>
<td>California State Lands Commission</td>
</tr>
<tr>
<td>CWP</td>
<td>Countywide Plan</td>
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<tr>
<td>dBA</td>
<td>A-weighted Decibels</td>
</tr>
<tr>
<td>EFH</td>
<td>Essential Fish Habitat</td>
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<td>EIR</td>
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<td>Greenhouse Gases</td>
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<td>HFC</td>
<td>Hydrofluorocarbons</td>
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<td>Ldn</td>
<td>Average Day-Night 24-Hour Average Sound Level</td>
</tr>
<tr>
<td>N₂O</td>
<td>Nitrogen Oxides</td>
</tr>
<tr>
<td>N/A</td>
<td>Not Applicable</td>
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<tr>
<td>NHPA</td>
<td>National Historic Preservation Act</td>
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<tr>
<td>NMFS</td>
<td>National Marine Fisheries Service</td>
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<td>PM₂.₅</td>
<td>Fine Particulate Matter</td>
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<tr>
<td>PM₁₀</td>
<td>Coarse Particulate Matter</td>
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<td>SHPO</td>
<td>State Historic Preservation Officer</td>
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<tr>
<td>SFBAAB</td>
<td>San Francisco Bay Area Air Basin</td>
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<td>San Francisco Regional Water Quality Control Board</td>
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<td>United States Army Corps of Engineers</td>
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<td>United States Environmental Protection Agency</td>
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<td>United States Fish and Wildlife Service</td>
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<tr>
<td>USGS</td>
<td>United States Geological Survey</td>
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McNears Beach Park Master Plan
Draft Initial Study/Mitigated Negative Declaration

iii
I. INTRODUCTION

This Initial Study complies with the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, (commencing with Section 21000 of California’s Public Resources Code), and State CEQA Guidelines. Marin County Parks manages the McNears Beach Park on behalf of the County of Marin, which owns the property.

Marin County Parks has determined that the McNears Beach Park Master Plan (proposed project) is subject to environmental assessment under CEQA. Early identification of potential environmental impacts provides the basis for necessary revisions to the project design. Thus, the analysis in this document concentrates on aspects of the project that are likely to have a significant effect on the environment and identifies feasible measures to mitigate (i.e., reduce or avoid) these impacts. The CEQA Guidelines define “significant effect on the environment” as a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project ….” (CEQA Guidelines, Section 15382).

This Initial Study consists of the following major sections:

Project Description – provides a brief description of existing site conditions, the proposed Master Plan modifications and improvements, and the discretionary approvals required for the project to proceed.

Environmental Checklist and Discussion – provides specific environmental topic chapters, which address the following:

i. Environmental setting or conditions that may affect or be affected by the Master Plan

ii. Potential environmental effects and level of significance likely to result from the Master Plan as proposed

iii. Mitigation measures to eliminate or substantially reduce the identified potentially significant environmental effects

iv. References used in the analyses

Appendices – including the Master Plan and relevant technical reports.
II. PROJECT DESCRIPTION

1. Project Title
   McNears Beach Park Master Plan

2. Lead Agency
   Marin County Parks
   3501 Civic Center Dr., Room 260
   San Rafael, CA 94903

3. Contact Person and Phone Number
   Craig Richardson, Open Space Planner
   (415) 473-7057 or crichardson@marincounty.org

4. Project Location
   McNears Beach Park, 201 Cantera Way, San Rafael, CA 94901

5. Project Sponsor's Name and Address
   Marin County Parks
   3501 Civic Center Dr., Room 260
   San Rafael, CA 94903

6. General Plan Designations
   City of San Rafael General Plan Designations
   Open Space (OS)
   Parks (P)

7. Zoning
   City of San Rafael Zoning Designations
   Parks/Open Space (P/OS)
   Right-of-Way (ROW)

Introduction

The McNears Beach Park Master Plan document (Appendix A) integrates physical design recommendations for organizational improvements, renovations and new facilities with programmatic, operational and management strategies for diversifying park use and expanding revenue potential. Physical design recommendations seek to prioritize the pedestrian experience and enhance the restorative, healthful impacts of park use. The design concept establishes a sequence of open spaces and amenities that is connected by a network of pedestrian paths, promenades and trails. Renovations and development “zones” are
concentrated within the flat, previously developed areas of the Park to preserve the site’s natural habitats and protect sensitive environmental conditions along the Park’s western edge.

Proposed facilities are designed to accommodate a broad range of uses. This flexibility will improve the experience of the Park during current peak use times (including weekends and summer months), while encouraging off-peak use (currently weekdays, evenings and winter months) by providing a greater diversity of activity types throughout the year. Opportunities to improve functional efficiencies have been identified throughout the Master Planning process and are incorporated into design recommendations. The Master Plan’s guiding principles are as follows:

**GUIDING PRINCIPLES**

**Protect the Park’s Character**

Preserve and enhance existing Park character and identity, while enhancing local awareness of Park.

**Provide Universal Experience**

Foster public engagement, encourage off-peak use, diversify activities, and improve accessibility.

**Improve Connectivity**

Enhance Park visibility and entrance, streamline vehicular circulation and overflow parking.

**Financial Sustainability**

Ensure resources to sustain Park operations and ecologies well into the future.

**Ecological Sustainability**

Integrate best practices for resource conservation, erosion mitigation, and water quality.

**Proposed Project**

According to the McNears Beach Park Master Plan (Appendix A), the project consists of organizing site facilities and activities such that active use is concentrated, quiet and natural settings preserved, and the useable area of the Park is expanded to distribute the impact of a higher number of visitors.

The revised Park is conceived as a series of five ‘program zones’ each with its own character and range of activities and uses. New or renovated facilities and infrastructure will support those uses. A system of pedestrian paths, promenades, and trails connects these zones. Added facilities and programs respond to the community and regional needs that have been identified by the Master Plan process. Flexible, multi-use and adaptive facilities accommodate a process of program development and anticipate changing user needs. Figure 1 shows the regional location of the project, while Figure 2 is an aerial of the site. Figure 3 is a map of existing conditions on the project site. The conceptual Master Plan Program Goals and Site Plan are shown in Figures 4-5.
McNears Beach County Park Master Plan
San Rafael, California

Figure 1. Project Site Location Map
Figure 2.
Aerial of the Project Site

Legend
- Project Site Boundary

Map Data: September 2014
Map By: JH
Base Source: ESRI
Figure 4. Master Plan Conceptual Program Goals

McNears Beach County Park Master Plan
San Rafael, California

NORTH SHORE
- Maintain and improve existing passive uses
- Enhance natural setting
- Provide history and nature education opportunities
- Improve connectivity for fire truck access
- Provide amenities to support small events

ACTIVE CORE
- Improve existing facilities
- Provide additional facilities to encourage year-round / off-peak use
- Improve water access
- Diversify play options
- Improve service vehicle access
- Provide additional amenities for Park users

CENTRAL LAWN
- Maintain and improve existing passive uses
- Provide additional shaded gathering areas

SOUTH SHORE
- Expand and improve existing picnic facilities
- Provide permanent water trail access / small-craft launch
- Provide restroom building
- Provide infrastructure to support events
- Improve vehicle circulation and overflow parking
- Improve accessible circulation
- Provide accessible parking

ARRIVAL
- Improve visibility of signage / entry
- Announce events
- Improve vehicle circulation and overflow parking

LARGE EVENT SPACE
Figure 5. Conceptual Site Plan

McNears Beach County Park Master Plan
San Rafael, California
Construction Phase

Project Phasing

The proposed project would be separated into several phases to limit construction impacts and allow for funding generation. No set period is currently planned for each phase, as implementation will be reliant upon available funding. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development. Furthermore, all future development resulting from the Master Plan would be subject to applicable County regulations and requirements, as well as be subject to further CEQA analysis of project-specific impacts, if applicable. The proposed phases are as follows:

PHASE 1

1. Active Core structures and site work
2. Central parking lot, including bioswale plantings and identity signage
3. Install temporary art element at entry to signal change
4. Primary infrastructure upgrades (connections, main lines, meters, control stations, etc.)
5. Utilities associated with Active Core and Parking areas

PHASE 2

1. Complete Active Core (nature area elements)
2. South Shore structures and site work, including Water Trail amenities, event infrastructure and facilities, and Starvation Gulch renovations
3. Utilities associated with South Shore area

PHASE 3

1. North Shore improvements, including renovations to existing structures and site improvements
2. Central Lawn improvements, including renovation of existing pier, and planting and hardscape
3. Arrival improvements, including those associated with Cantera Way, entry planting and cycleway stop, and identity and wayfinding signage
4. Utilities associated with North Shore, Central Lawn, and entryway areas

Grading and Demolition

Future development of the site could potentially result in the demolition of existing facilities within the current Park. Limited cut/fill activities would be required to prepare the site for construction of the Park amenities, and would be balanced across the site with no import or export required. All future development resulting from the Master Plan would be subject to applicable County regulations and requirements.

Construction Equipment and Timing

The implementation of the proposed Master Plan could require the use of heavy machinery including but not limited to: excavators, loaders, tractors, dozers, and various trucks (e.g., water, concrete, haul), as well as paving equipment. The proposed Master Plan is conceptual in nature. Future development resulting from the Master Plan would be subject to applicable County regulations and requirements, as well as be subject to further CEQA analysis of project-specific impacts, if applicable. These regulations would include construction equipment being staged within the existing Park in the picnic area. In compliance with County Code, project construction would be confined to between 7:00 a.m. and 6:00 p.m., Monday to Friday.
and Saturday between 9:00 a.m. and 5:00 p.m. and exclude Sundays and holidays. Operation of loud, noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) would be maintained, operated, or serviced from 8:00 a.m. to 5:00 p.m. Monday through Friday only.

**Storm Drain Facilities and Utilities**

While the proposed Master Plan is conceptual in nature, it has identified that improvements to the sanitary sewer collection system would likely necessitate an upgrade, including refurbishing the existing pump station and replacing the pressure main to the existing sanitary sewer manhole. In addition, the existing storm water system will require upgrades to accommodate proposed water flows and bioretention facilities.

The proposed project would use recycled water (if available) or a rainwater catchment tank system to conserve potable water. Marin Municipal Water District (MMWD) is currently undertaking a recycled water expansion project which intends to provide tertiary treated recycled water for irrigation of Peacock Gap Golf Course. Steps would be taken to install purple pipe where old irrigation lines will be replaced in order to continue expanding MMWD’s recycled water efforts. Note that no recycled water is to be provided to restrooms or kitchens, and recycled water used in irrigation could not be used on picnic tables or drinking fountains. Introducing recycled water would require a water valve and meter (supplied by the local water district). Additional off-site water main improvements may be necessary, as they are outdated or cannot accommodate future capacities.

**Irrigation**

While the proposed Master Plan is conceptual in nature, it has identified that improvements to install new 6” Class 315 ring-tite irrigation mainline to replace asbestos cement pipe may be necessary. Existing pipe would not be removed; instead it would be abandoned in place. The new mainline would be a minimum of 24” deep. New weather-based, central control system would be installed. Sprinkler heads throughout the site would be changed to ones that have integral check valves to prevent low head drainage, and integral pressure regulating devices to prevent misting. All shrub spray valve circuits would be changed to drip irrigation.

**Lighting**

For safety and security purposes, limited lighting would be provided in the parking area(s), at the restroom building, and throughout the project site. All exterior lighting would be shielded, in accordance with County code, and oriented away from adjacent properties to prevent light trespass.

**Tree Removal and Landscaping**

Any future development under the Master Plan would be required by the MMWD to incorporate water conserving fixtures and landscaping. All landscaped areas will also be required to meet the provisions established by the California Water Efficient Landscapes Ordinance.

Whenever feasible, existing mature trees on the project site would be protected in place. However, because some trees may pose safety concerns due to disease or otherwise poor health, there is always a potential that some on-site trees would have to be either removed or trimmed to accommodate expanded facilities. Nonetheless, according to the Master Plan, new native trees would be strategically planted throughout the project site, which would ensure that any tree removed during from the site would be replaced at a greater than a one-to-one ratio.
Surrounding Land Uses and Urban Context
The project site is located on land owned by the County of Marin within the City of San Rafael. This portion of San Rafael is a predominantly built-out, low-density residential community. Homes bound the western and norther edges of the Park. The San Pablo Bay abuts the eastern edge of the Park. The Dutra Quarry is located to the south of the Park. Access to the project site is from Cantera Way via Point San Pedro Road. Cantera Way is a local street that provides access for motorists, bicyclists, and pedestrians.

Intended Use of the Document
This Initial Study or the Notice of Intent to Adopt a Mitigated Negative Declaration is being circulated to all agencies that have jurisdiction over the subject property or natural resources affected by the project and to community groups and interested parties to attest to the completeness and adequacy of the information contained in the Initial Study as it relates to the concerns that are germane to the agency’s jurisdictional authority or to the interested parties’ issues. The State Clearinghouse review period for the Draft Mitigated Negative Declaration is 30 days as required by CEQA.

Marin County Agencies
1. Marin County Parks
2. Marin County Department of Public Works (DPW), Land Use & Water Resources Division
3. Marin County Community Development Agency, Environmental Review
4. Marin County Fire Department
5. Marin County Deputy Zoning Administrator

Trustee Agencies (via State Clearinghouse)
1. United States Fish and Wildlife Service (USFWS)
2. National Marine Fisheries Service (NMFS)
3. California Department of Fish and Wildlife (CDFW)
4. San Francisco Bay Regional Water Quality Control Board (SFRWQCB)
5. U.S. Army Corps of Engineers, San Francisco District (Corps)

Required Approvals
The project may require regulatory permits from:
- California Department of Fish and Wildlife (CDFW)
- Regional Water Quality Control Board (RWQCB)
- U.S. Army Corps of Engineers (Corps)
- San Francisco Bay Conservation and Development Commission (BCDC)
- National Marine Fisheries Service (NMFS)
III. ENVIRONMENTAL FACTORS

The environmental factors checked below would be potentially affected by this project, involve mitigation measures that avoid any potentially significant impacts as indicated by the checklist on the following pages.

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities
- Mandatory Findings of Significance

PROJECT SPONSOR’S INCORPORATION OF MITIGATION MEASURES

Acting on behalf of Marin County Parks, I (undersigned) have reviewed the Initial Study for the McNears Beach Park Master Plan and have particularly reviewed the mitigation measures and monitoring programs identified herein. As this is a public project, all mitigation measures are included in the project.

Signature: ___________________________  Date: __________
Name and Title: ______________________
Determination

Pursuant to Sections 15081 and 15070 of the State CEQA Guidelines, the following Initial Study evaluation, and the entire administrative record for the project: (Completed by Marin County Environmental Coordinator)

☐ I find that the project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the project MAY have a “Potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: Date:
Name and Title:
IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The points enumerated below describe the primary procedural steps undertaken by Marin County Parks in completing an initial study evaluation and, in particular, the manner in which significant environmental effects of the project are made and recorded.

A. The determination of significant environmental effect is to be based on substantial evidence contained in the administrative record and Marin County Park’s environmental database consisting of information regarding environmental resources and environmental goals and policies relevant to Marin County. As a procedural device for reducing the size of the Initial Study document, relevant information sources cited and discussed in topical sections of the checklist evaluation are incorporated by reference into the checklist (e.g. general plans, zoning ordinances). Sources used or individuals contacted are cited in the discussion of topical issues where appropriate.

B. In general, a negative declaration shall be prepared for a project subject to CEQA when the initial study demonstrates that there is no substantial evidence that the project may have one or more significant effects on the environment. A negative declaration shall also be prepared if the initial study identifies potentially significant effects, but revisions to the project made by or agreed to by Marin County Parks prior to release of the negative declaration for public review, would avoid or reduce such effects to a level of less than significant, and there is no substantial evidence that the project, as revised, will have a significant effect on the environment. A signature block is provided in a negative declaration to verify that the project sponsor has agreed to incorporate mitigation measures into the project in conformance with this requirement.

C. All answers to the topical questions must take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Significant unavoidable cumulative impacts shall be identified in Section VI of this Initial Study (Mandatory Findings of Significance).

D. “No Impact” means that no impact to the resource would occur as a result of implementing the project.

E. “Less Than Significant Impact” is appropriate if an effect is found to be less than significant based on the project as proposed and without the incorporation of mitigation measures recommended in the initial study.

F. “Potentially Significant Unless Mitigated” applies where the incorporation of recommended mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The initial study must include a description of the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section V, may be cross-referenced).

G. “Significant Impact” is appropriate if an effect is significant or potentially significant, or if the Lead County Department lacks information to make a finding that the effect is less than significant. If there are one or more effects, which have been determined to be significant and unavoidable, an EIR shall be required for the project.

H. The answers in this checklist have also considered the current California Environmental Quality Act Guidelines and the Initial Study Checklist contained in those Guidelines.
V. ISSUES:

A. AESTHETICS

Would the project:

<table>
<thead>
<tr>
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<th>Less Than Significant with Mitigation</th>
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<td></td>
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a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

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

c) Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ☒ ☐

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

1. Background

McNears Beach Park is designated Parks and Open Space in the San Rafael General Plan and is located on land owned by the County of Marin within the City of San Rafael. This portion of San Rafael is a predominantly built out, low-density residential community. Homes bound the western and northern edges of the Park. The Dutra Quarry is located to the south of the Park. Access to the project site is from Cantera Way via Point San Pedro Road. Cantera Way is a local street that provides access for motorists, bicyclists, and pedestrians. McNears Beach Park is a designated “trailhead” on the San Francisco Bay Area Water Trail. The Park provides scenic views of the San Pablo Bay and shoreline along the eastern edge of the project site. Views of existing facilities within the park include lawns, picnic benches, beach access, parking, pool house, pool, tennis courts, and ranger dwelling are provided in Figures 6-15 below.

2. Discussion of Impacts

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

Less Than Significant Impact. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development that would have the potential to degrade the aesthetic quality of the environment or adversely affect scenic vistas. Future development resulting from the Master Plan would not have a substantial impact on scenic vistas. Proposed buildings are relatively minor and would be designed to conform to the visual character of the Park. Buildings would be sited within the Active Core area of the Park, which currently contains the pool house and other structures. Due to site elevation, this area and the entire lower shoreline development are not visible from public roadways. Furthermore, all future development resulting from the Master Plan would be subject to further CEQA analysis of project-specific impacts at the time when specific Master Plan improvements are proposed.
b) **Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.**

**Less Than Significant Impact.** The project site is not located within a State scenic highway. No State or locally designated scenic highways are located within Marin County (MCOSD, 2014).

c) **Substantially degrade the existing visual character or quality of the site and its surroundings.**

**Less Than Significant Impact.** The proposed Master Plan is conceptual in nature and does not grant any entitlements for development that would have the potential to degrade the aesthetic quality of the environment or adversely affect visual resources. Future development resulting from the Master Plan would not substantially degrade the visual character or quality of the site. The proposed project components are specifically designed to enhance the visual character of the site. The Master Plan seeks to introduce a greater diversity of activities, while preserving the existing character of the low-key pastoral atmosphere with a breathtaking view of the Bay. Furthermore, all future development resulting from the Master Plan would be subject to applicable County regulations and requirements, as well as be subject to further CEQA analysis of project-specific impacts.

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

**Less Than Significant Impact.** The proposed Master Plan is conceptual in nature and does not grant any entitlements for development. Future development resulting from the Master Plan could result in an increase in light intensity adjacent to the project site, although the impact on surrounding properties would be expected to be less than significant. New lighting sources would be required to meet the performance standards set forth in County Code and City of San Rafael Municipal Code 14.16.227 Light and Glare which states, “Lighting fixtures shall be appropriately designed and/or shielded to conceal light sources from view off-site and avoid spillover onto adjacent properties.”
Figure 6 – View of main lawn adjacent to parking lot, looking north.

Figure 7 – View of picnic bench and lawn adjacent to pier, looking north.
Figure 8 – View of gravel beach from the southern edge of the Park, looking north.

Figure 9 – View of southern palm tree grove and overflow parking, looking west.
Figure 10 – View of concession and pool house building, looking northwest.

Figure 11 – View of the pool, looking west.
Figure 12 – View of the tennis courts, looking northwest.

Figure 13 – View of Barn, looking northwest.
Figure 14 – View of walking path and lawn area, looking north.

Figure 15 – View of beach access and picnic table area, looking south.
B. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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<thead>
<tr>
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<tbody>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
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<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
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<tr>
<td>c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526)?</td>
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<td>d) Resulting in the loss of forestland or conversion of forestland to non-forest use?</td>
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<td>e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland, to non-agricultural use.</td>
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1. Background

The project site does not contain any farmland or forestry land and is not designated for agricultural or forestry uses or Prime, Statewide, or Locally Important Farmland (California Department of Conservation, 2010).
2. Discussion of Impacts

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

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

c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).

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

e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use.

No Impact. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development. Furthermore, all space within the Park’s boundaries are designated “Other Land” or “Urban and Built Up Land” by the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (CDC 2010). The project site is not located within or adjacent to any lands protected by the Williamson Act, nor is the area zoned for agricultural use (San Rafael, 2013). The City of San Rafael has zoned the project site as Parks/Open Space. The lands within the project site and adjacent to it do not meet the definitions of forest or timberland, and therefore the Master Plan would not impact forest or timber land. The proposed Master Plan would be located on County parkland and would not involve any other changes that would result in conversion of farmland. Therefore, any future development that could result from the proposed Master Plan would not have the potential to impact agriculture or forest resources.
C. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
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<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
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<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?</td>
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<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
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<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
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1. Background

The project is located in Marin County, which is part of the Bay Area Air Basin and under the regulatory jurisdiction of the Bay Area Air Quality Management District (BAAQMD). Marin County is bounded on the west by the Pacific Ocean, on the east by San Francisco and San Pablo Bays, on the south by the Golden Gate and on the north by the Petaluma Gap. The prevailing wind directions throughout Marin County are generally from the northwest and wind speeds are in the range of five miles per hour. In the summer months, areas along the coast are usually subject to onshore movement of cool marine air. In the winter, proximity to the ocean keeps the coastal regions relatively warm, with temperatures varying little throughout the year. Coastal temperatures are usually in the high-50s in the winter and the low-60s in the summer. The warmest months are September and October (BAAQMD 1999).

2. Discussion of Impacts

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

Less Than Significant Impact. The Bay Area Air Basin is currently designated “nonattainment” for state and national (1-hour and 8-hour) ozone standards, for the state PM$_{10}$ standards, and for state and national (annual average and 24-hour) PM$_{2.5}$ standards. The Bay Area Air Basin is designated “attainment” or “unclassified” with respect to the other ambient air quality standards.
A project would conflict with or obstruct implementation of the regional air quality plans if it is inconsistent with the growth assumptions, in terms of population, employment, or regional growth in vehicle miles traveled. BAAQMD uses local general plans as a basis for its growth assumptions. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development that would increase population growth or vehicle miles traveled within the County. The Master Plan does not include residential development or development that would support population growth within the area. The Park would continue serving the surrounding neighborhood and region. The Master Plan proposes to minimally increase parking spaces within the Park, and therefore would not substantially increase the number of vehicles traveling to and from the park. Furthermore, any future development resulting from the proposed Master Plan would be subject to project specific CEQA analysis for compliance with BAAQMD and County thresholds. In addition, the Master Plan does not require any General Plan amendments that would change land use planning in such a manner that region-wide emissions would be affected. Therefore, the Master Plan would not interfere with implementation of any of the plan measures.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).

Less Than Significant Impact. As described above, the proposed Master Plan is conceptual in nature and implementation would not have an impact on air quality. Furthermore, any future development resulting from the Master Plan would provide improvements to an existing Park. Such improvements would potentially have only a minimal air quality impact during construction and less with long-term operation. Furthermore, any future development resulting from the proposed Master Plan would be subject to project specific CEQA analysis for compliance with BAAQMD and County thresholds.

d) Expose sensitive receptors to substantial pollutant concentrations.

Less Than Significant Impact. As noted in the discussion on item A above, operation of the proposed project would not generate substantial pollutant concentrations, and thus, would not expose sensitive receptors to substantial pollutant concentrations.

e) Create objectionable odors affecting a substantial number of people.

No Impact. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development. In general, the types of land uses that pose potential odor problems include refineries, chemical plants, wastewater treatment plants, landfills, composting facilities, and transfer stations. Any future development resulting from the proposed Master Plan would not include any of these uses and therefore, would not result in impacts related to objectionable odors.
D. BIOLOGICAL RESOURCES

Would the project:

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<th>Would the project</th>
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<tbody>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
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<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?</td>
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<td>c) 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?</td>
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<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
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<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
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<td>f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
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1. Background

The following analysis of biological resources is based on a Site Inventory and Constraints Assessment prepared by WRA, Inc. in October 2014 (Appendix B) and a Site Assessment for California Red-legged Frog prepared by Wildlife Research Associates in March 2015 (Appendix C).
Regulatory Setting

**Sensitive Biological Communities**

Sensitive biological communities include habitats that fulfill special functions or have special values, such as wetlands, streams, and riparian habitat. These habitats are regulated under federal regulations (such as the Clean Water Act [CWA]), state regulations (such as the Porter-Cologne Act, the McAtre-Petris Act, and CEQA), or local ordinances or policies (such as City or County Tree Ordinances, Special Habitat Management Areas and General Plan Elements).

Waters of the United States Regulated by the U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (Corps) regulates “Waters of the United States” under Section 404 of the CWA. Waters of the United States are defined in the Code of Federal Regulations as waters susceptible to use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Corps jurisdiction in tidal waters extends up to the elevation of the High Tide Line (HTL). The placement of fill material into Waters of the United States generally requires an individual or nationwide permit from the Corps under Section 404 of the CWA.

Waters of the State Regulated by the Regional Water Quality Control Board

The term “Waters of the State” is defined by the Porter-Cologne Act as “any surface water or groundwater, including saline waters, within the boundaries of the state.” The Regional Water Quality Control Board (RWQCB) protects all waters in its regulatory scope and has special responsibility for wetlands, riparian areas, and headwaters. These waterbodies have high resource value, are vulnerable to filling, and are not systematically protected by other programs. RWQCB jurisdiction includes “isolated” wetlands and waters that may not be regulated by the Corps under CWA Section 404. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program which regulates discharges of fill and dredged material under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. Projects that require a Corps permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State, are required to comply with the terms of the Water Quality Certification determination. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the RWQCB has the option to regulate the dredge and fill activities under its state authority in the form of Waste Discharge Requirements.

San Francisco Bay and Shoreline Regulated by the San Francisco Bay Conservation and Development Commission

The San Francisco Bay Conservation and Development Commission (BCDC) has regulatory jurisdiction, as defined by the McAtre-Petris Act, over the San Francisco Bay and its shoreline. BCDC’s Bay jurisdiction includes all areas of San Francisco Bay up to the elevation of the Mean High Water (MHW), or if tidal vegetation is present, to the inland extent of tidal vegetation, up to five feet above mean sea level. BCDC’s shoreline band jurisdiction includes all areas located within 100 feet of their Bay jurisdiction.

**Special-Status Species**

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (FESA) or California Endangered Species Act (CESA). These acts
afford protection to both listed and proposed species. In addition, California Department of Fish and Wildlife (CDFW) Species of Special Concern and the National Marine Fisheries Service (NMFS) Species of Concern, which are species that face extirpation if current population and habitat trends continue, USFWS Birds of Conservation Concern, sensitive species included in USFWS Recovery Plans, and CDFW special-status invertebrates are all considered special-status species. Although CDFW Species of Special Concern generally have no special legal status, they are given special consideration under CEQA. In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act (MBTA) of 1918. Under this legislation, destroying active nests, eggs, and young is illegal.

Bat species designated as “High Priority” by the Western Bat Working Group (WBWG) qualify for legal protection under Section 15380(d) of the CEQA Guidelines. Species designated “High Priority” are defined as “imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats” (CDFW 2014). Plant species on California Native Plant Society (CNPS) Lists 1 and 2 are also considered special-status plant species. Impacts to these species are considered significant according to CEQA.

**Biological Communities on the Project Site**

WRA biologists assessed the project site for existing conditions and sensitive biological resources, including sensitive habitats and special-status species on September 2, 2014. See Appendix B for the Site Inventory and Constraints Assessment prepared by WRA, Inc., including an environmental constraints map and a list of species documented to occur in the vicinity of the project site. A subsequent California red-legged frog (CRLF, *Rana draytonii*) study of was completed by Wildlife Research Associates and is provided as Appendix C.

**Non-sensitive Biological Communities**

Non-sensitive species in the project site include landscaped areas, blue gum eucalyptus forest, oak/bay forest, and coastal scrub.

**Landscape**

The Park is dominated by landscaped areas, reflective of the managed public park setting. These areas consist of paved and graveled roads and parking lots, trails, manicured lawn, ornamental trees and other vegetation, tennis courts, a swimming pool, a pier, and other buildings and structures. Ornamental trees include Canary Island date palm (*Phoenix canariensis*), Chinese pistache (*Pistacia chinensis*), black locust (*Robinia pseudoacacia*), and other similar horticultural species. Manicured lawns are dominated by non-native species including annual bluegrass (*Poa annua*), English daisy (*Bellis perennis*), and common plantain (*Plantago major*). Numerous ornamental shrubs and herbs are planted throughout the landscaped part of the Park.
Blue Gum Eucalyptus Forest

Established blue gum eucalyptus (*Eucalyptus globulus*) forest exists on the hill slopes along most of the western boundary of the Park. This species forms a near monoculture in these areas. The understory is sparse and contains species including rattlesnake grass (*Briza maxima*), coyote brush (*Baccharis pilularis* ssp. *consanguinea*), coast live oak (*Quercus agrifolia*), and California bay (*Umbellularia californica*).

Oak/Bay Forest

Small patches of mixed stands of coast live oak and California bay trees occur on slopes adjacent to stands of blue gum eucalyptus. Coast live oak and California bay are the dominant species of the overstory. The understory contains several species including poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), and honeysuckle (*Lonicera* sp.).

Coastal Scrub

At the far northern end of the Park, small patches of coastal scrub are present on slopes near the shoreline. These areas are disturbed and sometimes have a large non-native species component. Common species include French broom (*Genista monspessulana*), coyote brush, poison oak, and sticky monkeyflower (*Mimulus aurantiacus*).

**Sensitive Biological Communities**

Tidal Waters and Sandy Beach

In the northern end of the Park, tidal waters and a natural, sandy beach are present. Vegetation on the beach is sparse and includes species such as western ragweed (*Ambrosia psilostachya*), European sea rocket (*Cakile maritima*), and salt grass (*Distichlis spicata*). The remaining eastern boundary of the project site is primarily unvegetated, riprapped shoreline. Portions of this area that are below the elevation of the HTL are subject to Corps and RWQCB jurisdiction. All areas below the elevation of the MHW are subject to BCDC’s Bay jurisdiction. All areas within 100 feet of the edge of the Bay are subject to BCDC’s shoreline band jurisdiction.

Special-Status Species on the Project Site

Sixty-one special-status plant species and 89 special-status wildlife species have documented occurrences within the four United States Geological Survey 7.5’ quadrangle maps surrounding the project site: Novato, Petaluma Point, San Quentin, and San Rafael. The Site Inventory and Constraints Assessment provided in Appendix B documents the potential for all of these species to occur within the project site.

Plants

Of the 61 special-status plant species, two have moderate potential to occur, both within the disturbed coastal scrub habitat. The species are Brewer’s calandrinia (*Calandrinia breweri*) and coastal triquetrella (*Triquetrella californica*). Suitable habitat for the remaining 59 special-status plant species is not present in the project site, primarily due to a lack of suitable habitat and the disturbed vegetative conditions at the Park.
Wildlife

Of the 87 special-status wildlife species in the vicinity of the project site, 70 have no potential or are unlikely to occur within the project site due to the absence of suitable habitats such as salt marshes and grasslands, breeding and wintering ranges outside of the project site (species may pass through the project site during migration), and restricted species ranges that do not include the project site. The 17 special-status wildlife species with potential to occur within the project site include:

- California red-legged frog (CRLF, *Rana draytonii*), Federal Threatened, CDFW Species of Special Concern;
- Townsend’s big-eared bat (*Corynorhinus townsendii*), State Candidate as threatened, WBWG-high priority species;
- pallid bat (*Antrozous pallidus*), CDFW Species of Special Concern, WBWG-high priority species;
- Nuttall’s woodpecker (*Picoides nuttali*), USFWS Bird of Conservation Concern;
- oak titmouse (*Baeolophus inornatus*), USFWS Bird of Conservation Concern;
- Allen’s hummingbird (*Selaphorus sasin*), USFWS Bird of Conservation Concern;
- olive-sided flycatcher (*Contopus cooperi*), CDFW Species of Special Concern, USFWS Bird of Conservation Concern;
- monarch butterfly (*Danaus plexippus*), winter roosts protected by CDFW;
- river lamprey (*Lampetra ayersi*), CDFW Species of Special Concern;
- green sturgeon (*Acipenser medirostris*), Federal Threatened, CDFW Species of Special Concern;
- steelhead - Central Valley DPS (*Oncorhynchus mykiss*), Federal Threatened;
- steelhead - California Coast DPS (*Oncorhynchus mykiss*), Federal Threatened;
- Chinook salmon - Central Valley Spring-run ESU (*Oncorhynchus tshawytscha*), Federal Threatened, State Threatened;
- Chinook salmon - Central Valley Winter-run ESU (*Oncorhynchus tshawytscha*), Federal Endangered, State Endangered;
- Chinook salmon - Central Valley Fall/Late Fall-run ESU(*Oncorhynchus tshawytscha*), CDFW Species of Special Concern;
- Pacific herring (*Clupea pallasii*), commercially important species regulated by CDFW; and
- longfin smelt (*Spirinchus thaleichthys*), Federal Candidate, State Threatened, CDFW Species of Special Concern.

The Site Inventory and Constraints Assessment prepared by WRA initially concluded that the project site was unlikely to support CRLF because CRLF was thought to be extirpated from southeast Marin County. However, Park staff subsequently reported seeing CRLF in the winter in the swimming pool at McNears Beach Park. A more focused evaluation of CRLF was conducted by Wildlife Research Associates (Appendix C). The study determined that no suitable CRLF breeding habitat occurs within the Park boundaries, although portions of the project site may serve as a suitable movement corridor for the species.

Unused and underused buildings and large trees with cavities or exfoliating bark within the Park may support roosting for Townsend’s big-eared bat and pallid bat.

Woodland trees and other vegetation provide suitable nesting habitat for the four bird species listed above. However, these birds would primarily utilize the wooded and forested areas on the hillside within the Park. Wintering monarch butterflies have been known to roost in the eucalyptus trees on the site (CDFW 2014b). Additionally, a variety of bird species protected by
the federal MBTA and the California Fish and Game Code (FGC) likely use the project site, including for nesting. In addition to protecting adult birds, these laws also prohibit the deliberate destruction of active bird nests (those with eggs or young).

The special-status fish species listed above may be located in bay habitats within the project site.

2. Discussion of Impacts

a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Less Than Significant with Mitigation. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for development improvements to the Park in the future. Any future development would be subject to the applicable federal, state, and local regulations that protect biological resources. Future projects would also be subject to project specific CEQA analysis of project-level impacts. Development improvements resulting from the proposed Master Plan have the potential to impact special-status plant and wildlife species. Special-status plants that may be impacted include Brewer’s calandrinia, coastal triquetrella, and any trees considered protected or heritage trees under the County of Marin Native Tree Protection and Preservation Ordinance. Special-status wildlife that may be impacted include CRLF, wintering monarch butterflies, nesting birds (generally within 50 feet of disturbances, though up to 250 feet or more for raptors and some special-status birds), roosting bat species (within 100 feet of a disturbance), and aquatic species (if there is in-water work). The following avoidance and mitigation measures would avoid significant impacts to these plant and wildlife special-status species during potential future development of the site.

**Mitigation Measure BIO-1:** Appropriately timed surveys shall be completed for Brewer’s Calandrinia and coastal triquetrella in habitat with potential to support these species prior to commencement of any future development. If rare plants are detected during pre-construction surveys, they shall be flagged and avoided to the extent feasible. If rare plants cannot be avoided, compensatory mitigation shall be pursued, according to CDFW approved mitigation ratios.

**Monitoring Measure BIO-1:** County Parks staff shall verify that Mitigation Measure BIO-1 complies with mitigation standards and has been properly implemented.

**Mitigation Measure BIO-2:** To minimize disturbance to dispersing or foraging CRLF, all grading activity within upland habitat (within 100 feet of aquatic habitat) shall be conducted during the dry season, generally between May 1 and October 15, or before the onset of the rainy season, whichever occurs first, unless exclusion fencing is utilized. Construction that commences in the dry season may continue into the rainy season if exclusion fencing is placed between the construction site and waters and drainage features to keep the frog from entering the construction area. Additionally the following measures shall be implemented to lessen impacts to CRLF:

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1 The rainy season includes periods when a ½-inch of rain or more is predicted within a 24-hour period and is generally between October and April.
Prior to the start of construction, pre-construction surveys for CRLF shall be conducted by a USFWS approved biologist according to USFWS presence/absence survey protocols for CRLF. The survey protocol consists of two nighttime surveys and one daytime survey and shall cover the project site and aquatic features within 200 feet of the project site. Additionally, for construction activity within 100 feet of waters and drainage features, a survey shall be conducted by a qualified biologist each day prior to the start of construction activities to ensure that no CRLF are present in the construction area. If CRLF are observed in the construction area or access areas, all work in the vicinity of the CRLF shall be stopped and the USFWS shall be consulted immediately. USFWS shall provide further guidance and construction shall recommence upon final approval from the Service.

Because dusk and dawn are often the times when CRLF are most actively foraging, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour before sunrise. Construction activities shall not occur during rain events, as CRLF are most likely to disperse during periods of precipitation, unless a survey is conducted by a qualified biologist each day prior to the start of construction activities and one half hour before sunset to ensure that no CRLF are observed in the construction area or access areas.

Monitoring Measure BIO-2:
County Parks staff shall verify that Mitigation Measure BIO-2 complies with mitigation standards and has been properly implemented.

Mitigation Measure BIO-3:
If construction or tree removal activities are initiated during the monarch wintering season (October 1 to February 28), pre-construction surveys shall be conducted for roosting monarchs. If a roost is found, the roost shall be avoided until roosting ceases. If avoidance is not feasible, consultation with CDFW shall be required.

Monitoring Measure BIO-3:
County Parks staff shall verify that Mitigation Measure BIO-3 complies with mitigation standards and has been properly implemented.

Mitigation Measure BIO-4:
If construction, demolition, or tree removal activities are initiated during the nesting bird season (generally February 16 through August 31), a pre-construction bird survey shall be conducted prior to commencement of activities. The bird survey would cover areas of construction and a 500-foot buffer around these areas. If nests are found, buffers would be established, and depending on the species nesting, nests would either be monitored during construction or project construction would need to avoid nesting bird buffers. These measures would ensure that impacts to nesting birds would be avoided per the requirements of the MBTA and FGC.

Monitoring Measure BIO-4:
County Parks staff shall verify that Mitigation Measure BIO-4 complies with mitigation standards and has been properly implemented.
Mitigation Measure BIO-5:
A bat roost assessment shall be conducted to determine the potential for bat species to roost within unused and underused buildings within the Park. If the bat assessment determines there is potential for bat roosting, pre-construction bat surveys shall be required prior to construction or demolition activities, especially during the maternity season from April 1 to August 31. Consultation with CDFW and habitat mitigation may be required if maternal bat roosts are found, and would be dependent upon bat species found and roost type.

Monitoring Measure BIO-5:
County Parks staff shall verify that Mitigation Measure BIO-5 complies with mitigation standards and has been properly implemented.

Mitigation Measure BIO-6:
Construction best management practices, as defined in the Stormwater Pollution Prevention Plan (SWPPP), to prevent water quality impacts shall be implemented to prevent impacts to special-status fish from increases in turbidity, runoff, and pollutants associated with construction in and surrounding tidal waters. Additionally, in-water work shall be restricted to the period between June 1 and November 30 of any given year. In-water work would require consultation with NMFS for Essential Fish Habitat and surveys for eelgrass may be necessary, depending on the location and extent of in-water work. In-water work may occur outside the period between June 1 and November 30 with permission from NMFS.

Monitoring Measure BIO-6:
County Parks staff shall verify that Mitigation Measure BIO-6 complies with mitigation standards and has been properly implemented.

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

Less Than Significant with Mitigation. Sensitive natural communities that may be impacted include tidal waters and a natural, sandy beach. The following avoidance and mitigation measure would avoid significant impacts to these sensitive communities.

Mitigation Measure BIO-7:

All necessary authorizations from the Corps, RWQCB, and BCDC shall be obtained for future development occurring within tidal waters or in beach habitat. Corps and RWQCB authorization shall be sought for all work occurring below the elevation of the HTL. BCDC authorization shall be sought for all work occurring within their Bay and 100-foot shoreline band jurisdiction.

Monitoring Measure BIO-7:
County Parks staff shall verify that Mitigation Measure BIO-7 complies with mitigation standards and has been properly implemented.

c) 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.

No Impact. There are no wetlands as defined by Section 404 of the Clean Water Act are present within the project site. Therefore, potential future development would not impact federally protected wetlands as defined by Section 404 of the Clean Water Act.
d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant with Mitigation.** The previously described mitigation measures (Mitigation Measure BIO-1 to BIO-7) would avoid substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

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

**Less Than Significant Impact.** The proposed Master Plan would not conflict with any local policies or ordinances protecting biological resources. Furthermore, Section J. Land Use and Planning provides analysis for consistency with applicable Marin County Plan policies. The proposed project was found to be in compliance with Marin County Plans.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.**

**No Impact.** The project is not within an area covered by an adopted Habitat Conservation Plan or Natural Community Conservation Plan.
E. CULTURAL RESOURCES

Would the project:

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<tr>
<th>Potential Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
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</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?</td>
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<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
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</tbody>
</table>

1. Background

Tom Origer & Associates conducted a cultural resources survey for the McNears Beach Park for the Site Inventory and Constraints Assessment, Appendix B. The study included archival research at the Northwest Information Center, Sonoma State University, contact with the Native American Heritage Commission and local Native American representatives, and a field survey of the Park.

Cultural Setting

Archaeological evidence indicates that human occupation of California began at least 10,000 years ago (Erlandson 2007:53). Early occupants had an economy based largely on hunting, with limited exchange, and social structures based on the extended family unit. Later, milling technology and an inferred acorn economy were introduced. This diversification of economy appears to be coeval with the development of sedentism, and population growth and expansion. Sociopolitical complexity and status distinctions based on wealth are also observable in the archaeological record, as evidenced by an increased range and distribution of trade goods (e.g., shell beads, obsidian tool stone), which are possible indicators of both status and increasingly complex exchange systems.

At the time of European settlement, the study area was included in the territory controlled by the Coast Miwok (Kelly 1978, 1991). The Coast Miwok were hunter-gatherers who lived in rich environments that allowed for dense populations with complex social structures (Barrett 1908; Kroeber 1925).

Historically, the study area is within the 21,769-acre Rancho San Pedro Santa Margarita y Las Gallinas granted to Timothy Murphy by Governor Micheltorena in 1844, and confirmed by the U.S. Land Commission in 1858 (General Land Office 1858; Hoover et al. 1966:180). After his death, Murphy’s brother Matthew inherited the San Pedro Peninsula but met an untimely death just six months later.
John Augustus McNear acquired the property in the late 1860s. McNear and his sons became some of the most influential people in Marin and Sonoma counties. In a biography of John A. McNear one historian wrote:

One of the most valuable properties which Mr. McNear has is McNear’s Point (Point Pedro), on the Bay, a natural deep water terminus for all of the railroads of Sonoma county. The original property was purchased in 1868, to which he has since added until it now comprises about twenty five hundred acres, with a valuable water front of over five miles. This is exceptionally fine grazing land, and here he maintains a large dairy. With his son, Erskine B., he has built a large brick manufacturing plant, as they have the most valuable clay in the state for the manufacture of brick [Gregory 1911:266].

A quarry and brickyard were opened southeast of today's Park. The Park itself was known originally as McNear's Landing, where ships stopped on their way to and from the McNear family's Petaluma enterprise. An 1898 map of the area shows the extent of early development at McNears Beach Park. Also shown is one of the area's many Chinese fishing camps.

Native American Contact

A request was sent to the State of California’s Native American Heritage Commission seeking information from the sacred lands files, which track Native American cultural resources, and the names of Native American individuals and groups that would be appropriate to contact regarding this project. The Native American Heritage Commission replied with a letter dated September 29, 2014, in which they indicated that the sacred land file has no information about the presence of Native American cultural resources in the immediate project site.

Letters were also sent to the Federated Indians of Graton Rancheria, and the Ya-Ka-Ama Indian Educational Center. Nick Tipon of the Federated Indians of Graton Rancheria sent a letter dated September 26, 2014, in which indicated that the Tribe requested to meet with representatives of the lead agency.

The County initiated consultation with Federated Indians of Graton Rancheria (FIGR) per the requirements of AB 52 which took effect on July 1, 2015 to solicit feedback on the proposed project, and determine whether FIGR had any specific recommendations for the project or mitigation measures. Upon meeting with FIGR to present the proposed project and solicit input, FIGR sent the letter request included in Appendix D.

Field Methods

An intensive field survey was completed on October 1, 2014, by Tom Origer & Associates. Visibility of the project site was fair to good, with vegetation, duff, and development being the chief hindrances. As needed, hoes were used to clear small areas so that the ground surface could be inspected. Cut banks and the perimeters of building and other structures were also examined.

Field Survey Findings

CA-MRN-108/H. This prehistoric archaeological site was first noted by Nelson in 1907. Nelson described the site as a shellheap located in the "garden of one of the private houses" (Nelson 1907). He stated that the heap "is leveled out," and suggested that the materials might even have been imported to this location. During a survey of the Park in 1986, archaeologists from Sonoma State University searched Nelson’s mapped location and found surface evidence of
archaeological materials. A one-meter deep auger hole was excavated but no midden was found (Bieling 1987; Bieling and Simons 1986).

In the vicinity of site CA-MRN-108, as it was referred to in 1986, were two historic dwellings, one dating to the late 1800s and the other to the early to mid-1900s. A partially refilled, brick-lined well was found nearby, as were two rows of Canary Island date palms. Bieling and Simons added the historic features to the already existing site record and a "/H" was appended to the site designation.

During the current survey, the site location was again searched and a few small pieces of shell were observed on the surface in a disturbed area. No other possible archaeological items were found. The field crew did not find the well, and both of the dwellings have been removed. The palm trees and some fruit trees are still there. In addition, a retaining wall was noted that runs along the bottom of the slope, behind the former location of the 20th century house. Beginning at the south end, the retaining wall is constructed of bricks for about 22 yards, and concrete blocks for another 28 yards.

CA-MRN-109. CA-MRN-109 was also shellheap recorded by Nelson in 1907. Nelson observed a four-foot deep deposit of shell in a gravelly bank, and stated that "the place has been much disturbed in making room for the house." The house he described as being "the last house above the McNear wharf." The site was not found during the 1986 survey, nor was it found during the current survey. The mapped site location is covered with fill that Bieling found to be roughly three feet deep when his crew tried to auger at that location. There is the possibility that the fill caps the archaeological deposit that Nelson recorded in 1907.

CA-MRN-532. This site was recorded during the 1986 survey. It was first noted by Park personnel during excavation for a storm drain. At the time of Bieling's survey, the site was overlain by eroded soil and a shovel probe was excavated to search for evidence of the site. A deposit of shell was encountered at about eight inches. The location recorded by Bieling was revisited during the current survey and no surface site indicators were found. The location itself had not changed much since the 1986 survey.

CA-MRN-533. CA-MRN-533 is a shell midden identified during the 1986 survey, and relocated during the current survey. The field crew observed several concentrations of midden in an area measuring about 50 feet by 90 feet. A foot path, picnic tables, and barbeque grills have been constructed on the site.

CA-MRN-534/H. As recorded by Bieling and Psota in 1986, this site has both prehistoric and historical components. The prehistoric component consists of shell and midden soils eroding from the terrace where there is an existing Park residence. Archaeological deposits were observed on the slope and along a service road southeast of the house. The historical component is a 19th century barn/stable located southeast of the prehistoric component. This building is a two-story structure built into the side of the hill. It is wood-framed and is clad with cove-rustic wood siding with fish-scale shingling in the gable ends. The barn is used by Park personnel. There have been some modifications over the years but the barn retains good historic integrity.

Eucalyptus-Lined Road. In addition to the previously recorded resources, a 680 foot-long section of eucalyptus-lined road was noted and recorded during the survey. This road way and trees are shown on the 1898 coast survey map and represent the original roadway. Cantera Way was constructed just north of the old road.
2. Discussion of Impacts

a) *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

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

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*

**Less Than Significant Impact with Mitigation.** Cultural resources for the project site include historic buildings and structures, historic districts, historic sites, prehistoric and historic archeological sites, and other prehistoric and historic objects and artifacts. Construction of future development under the proposed Master Plan could have the potential to adversely affect the cultural resources discovered by the field survey. However, Marin Countywide Plan Program HAR-1.d requires archaeological surveys to be conducted on site by a State-qualified and FIGR recommended archaeologist for new development proposed in areas identified as potential resource locations on the County sensitivity map. Countywide Plan Program HAR-1.e requires development at an archaeological site to, where feasible, avoid the resource and provide permanently deeded open space that incorporates the resource. Due to the presence of cultural resources within the project site and the possibility of accidental encounters, future development shall incorporate the following mitigation measure to ensure impacts to cultural resources are less than significant.

**Mitigation Measure CULT-1:**

Prior to construction of proposed improvements, the County shall require an archaeological presence/absence investigation to determine if subsurface components of the site exist and extend into areas proposed for improvements. The investigation shall include the use of canines trained in the detection of human remains if deemed necessary and shall be overseen by a Registered Professional Archaeologist. FIGR shall provide input during the selection of the archeologist. The final selection of the archeologist will be made by the County. Prior to construction of proposed improvements, the County shall notify FIGR. If FIGR determines it is necessary to have a tribal representative on-site during ground disturbing activity, FIGR will be responsible for providing a tribal representative at no additional expense to the County and in a manner that does not unreasonably delay the County’s effort.

Should the investigation indicate that subsurface archaeological deposits associated with the sites described above exist, proposed improvements shall be redesigned to avoid disturbing said deposits. If such avoidance is not possible, the deposits shall be evaluated to determine if they meet the definition of a historical or unique archaeological resource under California Public Resources Code (PRC) Section 21084.1 and PRC Section 21083.2, respectively. If they do so qualify, the disturbance of such deposits would constitute a substantial adverse change in their significance, which would result in a significant impact under CEQA Guidelines Section 15064.5(b).

Prior to the impact described above occurring, the County shall require that the disturbance of the deposits shall be mitigated through data recovery. Such mitigation could consist of archaeological data recovery through excavation and analysis of recovered materials, and public outreach and interpretation.
Implementation of Mitigation Measure CULT-1, described above, would reduce potential impacts to archeological deposits to a less than significant level.

**Monitoring Measure CULT-1:**
County Parks staff shall verify that Mitigation Measure CULT-1 complies with mitigation standards and has been properly implemented.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

**Less Than Significant Impact.** Any future development would be subject to the following actions promulgated in Public Resources Code 5097.97 and Health and Human Safety Section 7050.5(b) of the California Health and Safety Code, pertaining to the discovery of human remains. If human remains are encountered, excavation or disturbance of the location must be halted in the vicinity of the find, and the county coroner contacted. If the coroner determines the remains are Native American, the coroner will contact the Native American Heritage Commission. The Native American Heritage Commission will identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations regarding the treatment of the remains with appropriate dignity. Therefore, impacts would be less than significant.
F. GEOLOGY AND SOILS

Would the project:

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<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
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<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
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<td>ii) Strong seismic ground shaking?</td>
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<td>iii) Seismic-related ground failure, including liquefaction?</td>
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<td>iv) Landslides?</td>
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<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
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<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td>☐</td>
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<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</td>
<td>☐</td>
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</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?</td>
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1. Background

Regional Geology and Seismicity

The project site, like all properties in the San Francisco Bay Area, is situated in a seismically active area. The regional seismic setting is dominated by stress associated with the oblique collision of the Pacific tectonic plate with the North American tectonic plate. The boundary between the two tectonic plates is the San Andreas Fault system, which extends nearly 700
miles along a northwest trend from Mexico to offshore northern California. In the San Francisco Bay Area, the San Andreas Fault system includes the San Andreas, Hayward, Calaveras, and other related faults in the San Francisco Bay area. According to the U.S. Geological Survey (Working Group on California Earthquake Probabilities 2003), there is a 62% chance of at least a magnitude 6.7 (or greater) earthquake in the San Francisco Bay region between 2003 and 2032.

The study area is not located within a State of California Earthquake Fault Zone for active faulting and no active faults are mapped on the property. The nearest active faults are the Hayward Fault, San Andreas Fault and the Rodgers Creek Fault. The Hayward fault is four miles to the northeast, the San Andreas Fault is 13 miles to the southwest, and the Rodgers Creek Fault is 12 miles to the north.

According to the Soil Survey of Marin County, California (U.S. Department of Agriculture 2012), the predominant soil type on the property is Tocaloma-McMullin complex, 30 to 50 percent slope. The Tocaloma series consists of moderately deep, well drained soils that formed in material weathered from sandstone and shale. The McMullin series consists of shallow, well and somewhat excessively drained soils that formed in material weathered from shale, sandstone, basic igneous and metamorphic rocks. McMullin soils are on ridges and south-facing slopes in Oregon and on north-facing slopes in California. Other soil types include artificial fill over marine and marsh deposits.

2. Discussion of Impacts

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic shaking?

iii. Seismic-related ground failure?

iv. Landslides?

Less Than Significant Impact with Mitigation. Although the proposed Master Plan provides for future development improvements, it is conceptual in nature and does not grant any entitlements for development. Future development would require compliance with all applicable federal, state, and local regulations associated with seismic hazards. Implementation of the mitigation measures listed below would ensure impacts would be reduced to a less-than-significant level.

Active Faults

Since the site is not underlain or in immediate proximity to a known active fault, the probability of surface fault rupture is considered low and would not be a constraint to site development. However, the site will experience moderate to strong earthquakes during the lifetimes of the proposed structures. Marin County designs its projects to incorporate best available standards for the anticipated peak ground accelerations in accordance with the requirements of the California Building Code (CBC).
Slope Instability or Ground Failure, and Landslides or Mudslides

The term landslide includes a wide range of ground movement, such as rock falls, deep failure of slopes, and shallow debris flows. Gravity acting on an over-steepened slope is the primary reason for a landslide. Slope material that becomes saturated with water may develop a debris flow or mud flow. The resulting slurry of rock and mud may pick up trees, houses, and cars, thus blocking bridges and tributaries causing flooding along its path. Any area composed of very weak or fractured materials resting on a steep slope can and will likely experience landslides. Although the physical cause of many landslides cannot be removed, geologic investigations, good engineering practices, and effective enforcement of land-use management regulations can reduce landslide hazards. The project site is not located in an Association of Bay Area Government (ABAG) designated earthquake-induced landslide area or within an existing rainfall-induced landslide or debris flow area. Therefore, the proposed Master Plan is not located in an area that would be subject to landslides or mudslides.

Expansive Soils

The potential for geologic and soil hazards from unstable or expansive soils in the study area is considered low based on the geologic units and soil types. However, occasional ground shaking is common in the Bay Area, and construction workers would take the necessary precautions to maintain worker safety in the event of an earthquake. The construction phase for any future development improvements would be temporary. All future development of structures would be subject to Marin County Code, which requires a geotechnical study. Additionally, the proposed project would not create substantial risk to life or property.

Liquefaction

Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in significant deformations and ground rupture or sand boils. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface. Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open area, such as a steep bank of a stream channel. ABAG has created a map of the Bay Area, which classifies land according to five liquefaction-susceptibility levels: very low, low, moderate, high and very high. According to ABAG, portions of the site are located within a very low liquefaction susceptibility zone, while the majority of project site is located in a very high liquefaction susceptibility zone. Any future development resulting from the proposed Master Plan would be subject to all Federal, State, and local regulations and standards for seismic conditions including the California Building Code and would be designed to conform with all building requirements. Due to the location of the project site within very high liquefaction susceptibility zones, after compliance with regulations, impacts from future development may remain potentially significant.

Mitigation Measure GEO-1:

Marin County Parks shall conduct a Geotechnical Report for any further design work. The report shall address both Civil and Structural design considerations including: soil infiltration rates, typical paving sections for vehicular and emergency vehicles, CBC seismic parameters, allowable active, passive and seismic soil bearing pressures, limits for temporary excavations, and recommended foundation types. With the implementation of CBC design standards coupled with required geotechnical studies, impacts related to potential geologic and soil hazards will be reduced to a less-than-significant level.
Monitoring Measure GEO-1:
County Parks staff shall verify that Mitigation Measure GEO-1 complies with mitigation standards and has been properly implemented.

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

Less Than Significant Impact. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, any future development improvements provided for by the Master Plan would be subject to water resource policies of the Marin County General Plan including:

WR-2.3: Avoid Erosion and Sedimentation. Minimize soil erosion and discharge of sediments into surface runoff, drainage systems, and water bodies. Continue to require grading plans that address avoidance of soil erosion and on-site sediment retention. Require developments to include on-site facilities for the retention of sediments, and, if necessary, require continued monitoring and maintenance of these facilities upon project completion.

Standard measures to minimize erosion impacts are identified in Section I (Hydrology and Water Quality) of this Initial Study. These measures would ensure potential impacts from soil erosion and the loss of topsoil would be less than significant.

Construction of future development associated with the Master Plan may require earthwork activities that could potentially allow surface runoff and degrade downstream water quality. Such development causing ground disturbance of one acre or more would be required to implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would generally include a site map(s) showing the construction perimeter, existing and proposed buildings, stormwater collection and discharge points, general pre- and post-construction topography, drainage patterns across the site, and adjacent roadways.

The SWPPP must also include project construction features (i.e., BMPs) designed to prevent erosion and protect the quality of stormwater runoff. Construction BMPs may include but are not limited to stabilized construction entrances, straw wattles on embankments, and sediment filters on existing inlets. Additionally, the SWPPP must contain a visual monitoring program and a chemical monitoring program for “non-visible” pollutants, should the BMPs fail. The implementation of the SWPPP and BMPs would ensure construction related impacts would be less than significant.

Long term operational impacts from the proposed project could include the addition of impervious surfaces as well as localized infiltration zones, bioretention swales, and landscaping. Overall, the Master Plan design recommendations would curtail soil erosion and long term operational impacts would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

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

Less Than Significant Impact. According to the Soil Survey of Marin County, California (U.S. Department of Agriculture 2012), the predominant soil type on the property is Tocaloma-McMullin complex, 30 to 50 percent slope. Both Tocaloma and McMullin are well-drained soil types, and the potential for geologic and soil hazards from unstable or expansive soils in the...
study area is considered low. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, future development resulting from the Master Plan would be subject to all applicable federal, state, and local regulations. The design-controllable aspects of protection from seismic ground motion and soil or slope instability are governed by existing regulations of the State of California (California Building Code, California Code of Regulations [CCR], Title 24, Part 2) or the County of Marin (Marin Countywide Plan Policy EH-2.a and EH-2.g). These regulations require a soils engineering report and engineering geology report that would identify potential geotechnical hazards and make recommendations to minimize hazards. These regulations also require geotechnical reports for projects on land underlain by compressible materials (such as fill, bay mud, and marsh or slough areas) to delineate locations where settlement will be greatest and subsidence may occur and to recommend risk reduction measures. Mandatory compliance with NPDES General Construction Permit requirements and Marin Countywide Plan Policy EH-2.b requiring any work or construction undertaken to correct slope instability or mitigate other geologic hazard conditions to be supervised and certified by a geotechnical engineer and/or an engineering geologist, would also minimize geologic hazards. Therefore, impacts associated with expansive soil would be less than significant.

e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

**Less Than Significant Impact.** McNears Beach Park does not include septic tanks or alternative wastewater disposal systems. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development. Any future development improvements resulting from the proposed Master Plan would be subject to all Federal, State, and local regulations and standards including the OWTS (On-site Wastewater Treatment Systems) Policy adopted by the California State Water Resources Control Board in 2012. Furthermore, any future development resulting from the proposed Master Plan would be subject to further CEQA analysis of project-specific impacts.
G. GREENHOUSE GAS EMISSIONS

Would the project:

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<th>Potentialy Significant Impact</th>
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<th>Less Than Significant Impact</th>
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<tbody>
<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
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<tr>
<td>b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
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1. Background

In 2006, California passed the California Global Warming Solutions Act of 2006, which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide greenhouse gas (GHG) emissions are reduced to 1990 levels by 2020 (representing an approximate 25 percent reduction in emissions).

State law requires local agencies to analyze the environmental impacts of GHG emissions under CEQA. The Natural Resources Agency adopted the CEQA Guidelines Amendments in December 2009. Marin County adopted the Marin County Greenhouse Gas Reduction Plan in October 2006 for the purpose of reducing GHG emissions. The plan identifies a target to reduce GHG emissions: 15-20% below 2000 levels by the year 2020 for internal government and 15% countywide and a list of measures intended to add to Marin’s GHG reduction.

2. Discussion of Impacts

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

Less Than Significant Impact. The proposed Master Plan is conceptual in nature and implementation would not have an impact on greenhouse gas emissions. Any future development resulting from the Master Plan would provide improvements to an existing park. Furthermore, any future development resulting from the proposed Master Plan would be subject to project specific CEQA analysis for compliance with BAAQMD and County thresholds. A preliminary screening method is provided in BAAQMD’s 2010 Guidelines for operational greenhouse gases. The preliminary screening is used to indicate whether a project’s operational greenhouse gases could potentially exceed BAAQMD’s thresholds of significance of 1,100 MTCO₂e. Based on BAAQMD screening criteria, the operation of a city park use would result in a less than significant impact if the project size is less than 600 acres. The project would be less than the screening level of 600 acres as the project site is 55 acres. Therefore, long-term operational impacts associated with the generation of greenhouse gas emissions would be less than significant.
b)  Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less Than Significant Impact.** The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG. The project would be consistent with the Marin County Greenhouse Gas Reduction Plan, as the project is below any screening thresholds for GHGs. The Master Plan proposed improvements at an existing park. Future development resulting from the proposed project would remain subject to all applicable plans, policies and regulations adopted for the purpose of reducing greenhouse gas emissions.
H. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>☐</td>
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</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>d) 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, would it create a significant hazard to the public or the environment?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?</td>
<td>☐</td>
<td>☐</td>
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<td>☐</td>
</tr>
</tbody>
</table>

1. Background

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's
presence on the list, has bearing on the local permitting process as well as on compliance with CEQA. Because this statute was enacted over twenty years ago, some of the provisions refer to agency activities that were conducted many years ago and are no longer being implemented and, in some cases, the information to be included in the Cortese List does not exist.

2. Discussion of Impacts

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

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

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. Although the proposed Master Plan provides for future development improvements, it is conceptual in nature and does not grant any entitlements for development that would have the potential to create a significant hazard to the public through the transport, use, disposal, or emission of hazardous materials. Future development resulting from the proposed Master Plan may potentially require small amounts of hazardous materials during construction activities for equipment maintenance (e.g. fuel and solvents) and potential re-paving of roads. Use of hazardous materials would be limited to the construction phase and would comply with all applicable federal, state, and local standards associated with the handling and storage of hazardous materials. Hazardous materials would not be stored or used for purposes such as equipment maintenance, where they could affect nearby land uses. Any future operational use of the project site would be similar to existing conditions and would not emit or handle hazardous emissions or materials that could affect an existing or proposed school, as there are no existing or proposed schools within or near the project vicinity. Therefore, spills or accidents would not affect people at schools and any spills would be cleaned up immediately and all wastes and used spill control materials would be properly disposed of at approved disposal facilities.

d) 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, would it create a significant hazard to the public or the environment?

No Impact. The proposed project is not included on the Hazardous Waste and Substances Site List (California Department of Toxic Substances Control, 2010).

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The project site is not within an airport land use plan (Marin County, Airport Land Use Plan, 1991) and the proposed Master Plan is conceptual in nature and would not result in any new structures or other features that could potentially pose an airport safety hazard. Any future development resulting from the proposed plan would be subject to applicable federal,
state, and local regulations regarding airport safety. The proposed project is not located near a private airstrip (Countywide General Plan, 2007).

\[ g) \quad \text{Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?} \]

**Less Than Significant Impact.** The proposed Master Plan is conceptual in nature and does not grant entitlements for development. Future development improvements resulting from the proposed Master Plan may require temporary road closures during construction phases. However, any closures would be short-term and alternative routes would be provided as necessary. Furthermore, all future development improvements would be subject to further CEQA analysis of project-specific impacts.

\[ h) \quad \text{Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?} \]

**Less Than Significant Impact.** According to the Association of Bay Area Governments (ABAG) Wildland Urban Interface (WUI) Fire Threat map, the project site is subject to a moderate threat of wildland fires. However, the proposed Master Plan is conceptual in nature and does not grant any entitlements for development. Future development would consist of Park improvements subject to Fire Department requirements and would be similar to existing conditions. All future development improvements would be subject to further CEQA analysis of project-specific impacts. Therefore, the proposed project and future development improvements would not increase the risk of wildfires near an urban area.
I. **HYDROLOGY AND WATER QUALITY**

Would the project:

<table>
<thead>
<tr>
<th>Impact Level</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
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<tr>
<td>c) 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?</td>
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</tr>
<tr>
<td>d) 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?</td>
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<tr>
<td>e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td>☐</td>
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<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>☐</td>
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<tr>
<td>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</td>
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<tr>
<td>h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?</td>
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<td>☐</td>
</tr>
<tr>
<td>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>☐</td>
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</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
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</tr>
</tbody>
</table>
1. **Background**

The project site is bounded to the north by China Camp State Park; to the west by private residential property and the San Rafael Rock Quarry property; to the south by the San Rafael Rock Quarry property; and to the east by San Pablo Bay (Figure 1).

According to the Soil Survey of Marin County, California (U.S. Department of Agriculture 2012), the predominant soil type at the project site is Tocaloma-McMullin complex, 30 to 50 percent slope. The Tocaloma series consists of moderately deep, well drained soils that formed in material weathered from sandstone and shale. The McMullin series consists of shallow, well and somewhat excessively drained soils that formed in material weathered from shale, sandstone, basic igneous and metamorphic rocks. McMullin soils are on ridges and southfacing slopes in Oregon and on north-facing slopes in California. The upper entrance driveway contains Saurin-Bonnydoon complex, 15 to 30 percent slopes. The 9 northern and southern portions of the site contains Tocaloma-McMullin complex, 30 to 50 percent slope. The remaining portion of the site where all of the existing improvements are located contain Xerorthents fill. Other soil types include artificial fill over marine and marsh deposits.

The project site has pier access and gravel beaches. Marin County Environmental Health Services (EHS) monitors ocean, bay, and freshwater sites in Marin County. McNears Beach Park is one of 28 sites that are sampled once a week from April 1 through October 31 to determine if a beach meets California water quality standards for recreational water contact. The EHS works cooperatively with Marin County Parks to collect water samples and post advisory signage as needed at the sampling sites.

The Marin Countywide Plan (CWP) includes policies related to water resources including pathogen, sediment and nutrient management. See Section J (Land Use and Planning) for a full discussion of CWP policies.

2. **Discussion of Impacts**

   **a) Violate any water quality standards or waste discharge requirements?**

   **Less Than Significant Impact.** Although the proposed Master Plan provides for future development improvements, it does not include any site specific designs for development projects, or grant any entitlements for development that would have the potential to degrade water quality or violate any water quality standards or waste discharge requirements. All future development improvements would be subject to further CEQA analysis of project-specific impacts.

   All potential future construction activities would be required to comply with the NPDES general permit for construction activities, pursuant to which BMPs would be implemented to control stormwater during construction. As part of the permit application process, projects causing ground disturbance of one acre or more would require a stormwater pollution prevention plan (SWPPP), which would include a list of BMPs to be implemented on the site both during and after construction to minimize erosion and sedimentation. Projects that would normally require a grading permit if proposed by entities other than a County department, would need to comply with the NPDES Phase II Small MS4 permit which requires an erosion and sediment control plan. This erosion and sediment control plan would include a list of BMPs to be implemented on the site during and after construction to minimize erosion and sedimentation. Therefore, impacts to water quality standards would be less than significant.
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. Although the proposed Master Plan provides for future development improvements, it does not include any site specific designs for development projects, or grant any entitlements for development that would have the potential to deplete groundwater supplies or interfere with groundwater recharge. Any future development resulting from the proposed plan would be subject to applicable federal, state, and local regulations regarding groundwater. Future development would include renovations and improvements to existing Park facilities, but would not substantially increase impermeable surfaces at the Park; therefore, implementation of the Master Plan is not anticipated to interfere with groundwater recharge.

c) 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?

Less Than Significant Impact. Although the proposed Master Plan provides for future development improvements, it is conceptual in nature and does not include any site specific designs for development projects or grant any entitlements for development. Any future development resulting from the proposed Master Plan would be required to be designed to comply with NPDES and SWPPP regulations including measures addressing erosion, siltation, flooding, alteration of drainage patterns, and other pollutants. Future development would also be subject to project specific CEQA analysis.

d) 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, which would result in flooding on- or off-site?

e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. All potential water quality degradations are covered in the above responses.

f) Otherwise substantially degrade water quality?

Less Than Significant Impact. All potential water quality degradations are covered in the above responses.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The proposed Master Plan would not directly or indirectly result in the construction of any housing. Therefore, there would be no impact.
h) **Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?**

**Less Than Significant Impact.** Although the proposed Master Plan provides for future development improvements, it does not include any site specific designs for development projects, or grant any entitlements for development, future development projects could include structures. According to the ABAG FEMA Flood Zone Map, portions of the project site are located within the 100-year coastal flood zone. Because specific improvement projects are not planned at this time, the precise location of these improvements cannot be determined. Any potential future development in the 100-year zone would be designed to avoid flooding and be subject to County flood control regulations. Therefore, future impacts related to impeding or redirecting flood flows would be less than significant.

i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

j) **Inundation by seiche, tsunami, or mudflow?**

**Less Than Significant Impact.** Although the proposed Master Plan provides for future development improvements, it does not include any site specific designs for development projects, or grant any entitlements for development, future development projects could include structures. According to the ABAG FEMA Flood Zone Map, portions of the project site are located within the tsunami evacuation zone and are subject to risk of inundation from tsunami, seiche, or mudflow. Because specific improvement projects are not planned at this time, the precise location of these improvements cannot be determined. All future development improvements would be subject to further CEQA analysis of project-specific impacts. However, the proposed Master Plan would not directly or indirectly result in construction of housing or habitable structures that would result in population growth. Therefore, impacts would be less than significant for inundation by seiche, tsunami, or mudflows.
J. LAND USE AND PLANNING

Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
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</tbody>
</table>

1. Background

The determinations of policy consistency as discussed in this Initial Study section represent County staff interpretation of policies. However, this Initial Study does not determine a final policy consistency. The formal policy consistency determinations are made by the County decision-makers.

Policy inconsistencies may not necessarily indicate significant environmental effects. Section 15358(b) of the CEQA Guidelines states that “effects analyzed under CEQA must be related to a physical change in the environment.” Therefore, only those policy inconsistencies that would lead to a significant effect on the physical environment are considered significant impacts pursuant to CEQA. Where potentially significant environmental impacts are raised in the discussion below, they have been mitigated to a less-than-significant impact and, therefore, project activities are determined to be consistent with the relevant policies cited. Mitigations are addressed further in the topical impact sections following plan policy analyses.

The proposed project is subject to the environmental protection policies of the Countywide Plan (CWP). The proposed project would not alter Point San Pedro Road; therefore, policies in the Marin County Bicycle and Pedestrian Master Plan would not be applicable. The CWP serves as the general plan for the unincorporated areas of the County and contains goals, policies, and programs that govern existing and future development. Determinations regarding consistency are made assuming all mitigation measures are adequately implemented.

Countywide Plan

The major CWP environmental policy issues that pertain to the proposed project include the following: (1) biological resources; (2) wetlands; (3) stream conservation areas; (4) erosion and water quality; (5) environmental hazards; (6) atmosphere and climate; (7) community development; (8) visual resources; (9) noise; (10) cultural resources, and (11) parks and recreation. The pertinent policies are summarized below followed by policy analysis.
2. Discussion of Impacts

a) Physically divide an established community?

No Impact. The project would be consistent with the Open Area zoning and Open Space land use designation and standards contained in the CWP and Marin County Code. The proposed Master Plan is conceptual in nature and does not grant any entitlements for development. Further, the project would not entail the construction of roads or other improvements that would disrupt or divide a community or the demolition of housing affordable to families with a moderate income. Any future development improvements would maintain an existing recreational use and would not alter the physical arrangement and development patterns in the area. Therefore, it would not physically divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. A proposed project would have a significant impact if it were to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project is subject to several local policies, plans, and regulations, as described above. The proposed Master Plan does not propose any amendments to applicable plans and would not conflict with the Marin Countywide Plan or any other applicable plans or policies.

Marin Countywide Plan Policies

Biological Resources

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

BIO-1.3 Protect Woodlands, Forests, and Tree Resources. Protect large native trees, trees with historical importance; oak woodlands; healthy and safe eucalyptus groves that support colonies of monarch butterflies, colonial nesting birds, or known raptor sites; and forest habitats. Prevent the untimely removal of trees through implementation of standards in the Development Code and the Native Tree Preservation and Protection Ordinance. Encourage other local agencies to adopt tree preservation ordinances to protect native trees and woodlands, regardless of whether they are located in urban or undeveloped areas.

BIO-1.5 Promote Use of Native Plant Species. Encourage use of a variety of native or compatible nonnative, non-invasive plant species indigenous to the site vicinity as part of project landscaping to improve wildlife habitat values.
**BIO-1.6 Control Spread of Invasive Exotic Plants.** Prohibit use of invasive species in required landscaping as part of the discretionary review of proposed development. Work with landowners, landscapers, the Marin County Open Space District, nurseries, and the multi-agency Weed Management Area to remove and prevent the spread of highly invasive and noxious weeds. Invasive plants are those plants listed in the State’s Noxious Weed List, the California Invasive Plant Council’s list of “Exotic Pest Plants of Greatest Ecological Concern in California,” and other priority species identified by the agricultural commissioner and California Department of Agriculture. Species of particular concern are included in the CWP.

**BIO-1.8 Restrict Use of Herbicides, Insecticides, and Similar Materials.** Encourage the use of integrated pest management and organic practices to manage pests with the least possible hazard to the environment. Restrict the use of insecticides, herbicides, or any toxic chemical substance in sensitive habitats, except when an emergency has been declared; the habitat itself is threatened; a substantial risk to public health and safety exists, including maintenance for flood control; or such use is authorized pursuant to a permit issued by the agricultural commissioner. Encourage nontoxic strategies for pest control, such as habitat management using physical and biological controls, as an alternative to chemical treatment, and allow use of toxic chemical substances only after other approaches have been tried and determined unsuccessful. Continue to implement the Integrated Pest Management ordinance for county-related operations.

**BIO-1.9 Control Spread of Non-Native Invasive Animal Species.** Work with landowners, Marin County Parks, the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the National Invasive Species Council, Point Reyes National Seashore, and other agencies and organizations to control and prevent the spread of non-native, invasive animal species. Species of particular concern are included in the CWP.

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

**BIO-2.2 Limit Development Impacts.** Restrict or modify proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, baylands and coastal habitat, and riparian habitats, as necessary to ensure the continued health and survival of these species and sensitive areas. Development projects should preferably be modified to avoid impacts on sensitive resources, or to adequately mitigate impacts by providing on-site or (as a lowest priority) off-site replacement at a higher ratio.

**BIO-2.4 Protect Wildlife Nursery Areas and Movement Corridors.** Ensure that important corridors for wildlife movement and dispersal are protected as a condition of discretionary permits, including consideration of cumulative impacts. Features of particular importance to wildlife for movement may include riparian corridors, shorelines of the coast and Bay, and ridgelines. Linkages and corridors shall be provided that connect sensitive habitat areas such as woodlands, forests, wetlands, and essential habitat for special-status species, including an assessment of cumulative impacts.

**BIO-2.5 Restrict Disturbance in Sensitive Habitat During Nesting Season.** Limit construction and other sources of potential disturbance in sensitive riparian corridors, wetlands, and baylands to protect bird nesting activities. Disturbance should generally be set back from
sensitive habitat during the nesting season from March 1 through August 1 to protect bird nesting, rearing, and fledging activities. Preconstruction surveys should be conducted by a qualified professional where development is proposed in sensitive habitat areas during the nesting season, and appropriate restrictions should be defined to protect nests in active use and ensure that any young have fledged before construction proceeds.

**BIO-2.8 Coordinate with Trustee Agencies.** Consult with trustee agencies (the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration Fisheries, U.S. Army Corps of Engineers, Environmental Protection Agency, Regional Water Quality Control Board, and Bay Conservation and Development Commission) during environmental review when special-status species, sensitive natural communities, or wetlands may be adversely affected.

**BIO-2.9 Promote Early Consultation with Other Agencies.** Require applicants to consult with all agencies with review authority for projects in areas supporting wetlands and special-status species at the outset of project planning.

**Consistent.** The proposed project is for an existing developed park. As discussed below in Section D (Biological Resources), the proposed project would not adversely affect native habitats and woodlands. As proposed, the project would not result in significant impacts to biological resources and any potential impacts identified associated with future development can be mitigated to less-than-significant levels with the imposition of Mitigation Measures BIO-1 through BIO-7.

Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, the proposed project does provide for future development and Park improvements. Future construction activities have the potential to adversely affect special-status species and sensitive natural communities within the project site. These project activities may include ground disturbance within the San Francisco Bay or within 100 feet of San Francisco Bay tidal marshes and shoreline band, and thus would require a permit from BCDC. A permit may be an administrative (minor) or major development permit, depending on what work is being done at the site.

In addition, permits or consultation may also be required from CDFW, USFWS, NOAA Fisheries, Corps, Environmental Protection Agency (EPA), and RWQCB. If applicable, these permits may also specify additional mitigation that must be adhered to. Many of the mitigations likely to be required are included in Section D (Biological Resources), above.

The BCDC has regulatory jurisdiction, as defined by the McAteer-Petris Act, over the Bay and its shoreline, which generally consists of the area between the shoreline and a line 100 feet landward of and parallel to the shoreline. Within the project site, BCDC has two areas of jurisdiction: San Francisco Bay and the shoreline band.

Most of the project site is located within BCDC jurisdiction, and therefore, future development would be subject to BCDC requirements. Permits or consultations with the other agencies listed above may also be required. Construction activities, including ground disturbance for all development within the San Francisco Bay or within 100 feet of San Francisco Bay tidal marshes and shoreline band, requires a permit from the BCDC. A permit may be an administrative (minor) or major development permit, depending on what work would be done at the site.

Marin County Parks will consult with BCDC and the other agencies listed above for a determination of whether the project requires each of these permits to complete all work. If a
permit is required, the project shall strictly adhere to any protective avoidance and mitigation measures listed in the permits once issued.

**Erosion and Water Quality**

**BIO-4.15 Reduce Wet Weather Impacts.** Ensure that development work adjacent to and potentially affecting SCAs is not done during the wet weather or when water is flowing through streams, except for emergency repairs, and that disturbed soils are stabilized and replanted, and areas where woody vegetation has been removed are replaced with suitable species before the beginning of the rainy season.

**BIO-4.18 Promote the Use of Permeable Surfaces When Hardscapes Are Unavoidable in the SCA and WCA.** Permeable surfaces rather than impermeable surfaces shall be required wherever feasible in the SCA and WCA.

**BIO-4.20 Minimize Runoff.** In order to decrease stormwater runoff, the feasibility of developing a peak stormwater management program shall be evaluated to provide mitigation opportunities such as removal of impervious surface or increased stormwater detention in the watershed.

**BIO-5.1 Protect the Baylands Corridor.** Ensure that baylands and large, adjacent essential uplands are protected, and encourage enhancement efforts for baylands, including those in the Baylands Corridor. The following criteria shall be used to evaluate proposed development projects that may impact the Baylands Corridor:

- For large parcels (over 2 acres in size), adhere to development setback standards for areas qualifying for protection under the WCA and SCA, but increase setback distances as necessary to ensure that hydrologically isolated features such as seasonal wetlands and freshwater marshes are adequately linked to permanently protected habitat. These additional development setbacks shall serve to prevent fragmentation and preserve essential upland buffers in the Baylands Corridor.

- For small parcels (2 acres or less in size), encourage property owners where suitable habitat exists to preserve up to 10 feet landward of mean high tide as a species refuge area for high water events. Site constraints, opportunities for avoidance of sensitive biological resources, and options for alternative mitigation, may also be considered.

- Minor redevelopment involving less than 25% of a structure on a residential or industrial parcel that is already filled and at least 50% developed may be exempted from the requirements for a site assessment, provided that no additional filling or modification to wetlands occurs. (See BIO-5.2.)

**BIO-5.2 Limit Development and Access.** Ensure that development does not encroach into sensitive vegetation and wildlife habitats, damage fisheries or aquatic habitats, limit normal wildlife range, or create barriers that cut off access to food, water, or shelter for wildlife. Require an environmental assessment where development is proposed within the Baylands Corridor.

**BIO-5.3 Leave Tidelands in Their Natural State.** Require that all tidelands be left in their natural state to respect their biological importance to the estuarine ecosystem. Any modifications should be limited to habitat restoration or enhancement plans approved by regulatory agencies.
**BIO-5.5 Protect Freshwater Habitats.** Preserve and, where possible, expand habitats associated with freshwater streams, seasonal wetlands, and small former marshes to facilitate the circulation, distribution, and flow of fresh water, and to enhance associated habitat values.

**BIO-5.8 Control Shoreline Modification.** Ensure that any modifications to the shoreline do not result in a loss of biodiversity or opportunities for wildlife movement. Possible modifications may include construction of revetments, sea walls, and groins, as permitted by State and federal agencies.

**BIO-5.d Enforce Tidelands Restrictions.** Ensure that the Development Code prohibits diking, filling, or dredging in tidelands, unless the area is already developed and currently being dredged. Current dredging operations for maintenance purposes may continue, subject to environmental review, if necessary. In some cases, exceptions may be made for areas that are isolated or limited in productivity. In tidal areas, only land uses that are water dependent shall be permitted, as consistent with federal, State, and regional policy. These include, but are not limited to the following:

- ports
- water-dependent industry and utilities
- essential water conveyance
- wildlife refuge and habitat restoration
- water-oriented recreation

Exemptions may be granted for emergency or precautionary measures taken in the public interest, such as protection from flooding or other natural hazards. Removal of native vegetation shall be discouraged, and secondary effects evaluated, such as potential reduction in available surface water and water quality degradation due to nonpoint discharge. Alteration of hydrology should only be allowed when it can be demonstrated that the impact will be beneficial or insignificant.

**BIO-5.f Control Public Access.** Design public use areas to be clearly marked, to minimize possible conflicts between public and private uses, to provide continuous walkways from the nearest roads to the shoreline and along the shoreline, to be set back from any proposed structure, and to be buffered from wetlands. Restrict access to environmentally sensitive marshland and adjacent habitat, especially during spawning and nesting seasons.

**WR-2.1 Reduce Toxic Runoff.** Reduce the volume of urban runoff from pollutants - such as pesticides from homes, golf courses, cleaning agents, swimming pool chemicals, and road oil - and of excess sediments and nutrients from agricultural operations.

**WR-2.2 Reduce Pathogen, Sediment, and Nutrient Levels.** Support programs to maintain pathogen and nutrient levels at or below target levels set by the Regional Water Quality Control Board, including the efforts of ranchers, dairies, agencies, and community groups to address pathogen, sediment, and nutrient management in urban and rural watersheds.

**WR-2.3 Avoid Erosion and Sedimentation.** Minimize soil erosion and discharge of sediments into surface runoff, drainage systems, and water bodies. Continue to require grading plans that address avoidance of soil erosion and on-site sediment retention. Require developments to
include on-site facilities for the retention of sediments, and, if necessary, require continued monitoring and maintenance of these facilities upon project completion.

WR-2.4 Design County Facilities to Minimize Pollutant Input. Design, construct, and maintain County buildings, landscaped areas, roads, bridges, drainages, and other facilities to minimize the volume of toxics, nutrients, sediment, and other pollutants in stormwater flows, and continue to improve road maintenance methods to reduce erosion and sedimentation potential.

Consistent. As discussed above in Sections F (Geology and Soils) and I (Hydrology and Water Quality), the project would not significantly affect storm water runoff or cause significant erosion or sedimentation impacts. Landscaping proposed for future development on the site may require the application of pesticides and herbicides, consistent with the County’s Integrated Pest Management (IPM) Ordinance. The County currently maintains the existing Park landscaping consistent with all applicable local and federal laws and would continue to do so under the proposed project and future development. Therefore, this is not deemed to be a significant impact or inconsistent with CWP policies.

Environmental Hazards

EH-2.1 Avoid Hazard Areas. Require development to avoid or minimize potential hazards from earthquakes and unstable ground conditions.

EH-2.3 Ensure Seismic Safety of New Structures. Design and construct all new buildings to be earthquake resistant. The minimum level of design necessary would be in accordance with seismic provisions and criteria contained in the most recent version of the State and County Codes. Construction would require effective oversight and enforcement to ensure adherence to the earthquake design criteria.

EH-2.4 Protect Coastal Areas from Tsunamis. When inundation maps become available, address tsunami wave run-up and inundation when reviewing proposed development along coastal areas of Marin County.

EH-2.a Require Geotechnical Reports. Continue to require any applicant for land division, master plan, development approval, or new construction in a geologic hazard area to submit a geotechnical report prepared by a State-certified Engineering Geologist or a Registered Geotechnical Engineer that:

- evaluates soil, slope, and other geologic hazard conditions;
- commits to appropriate and comprehensive mitigation measures sufficient to reduce risks to acceptable levels, including post-construction site monitoring, if applicable;
- addresses the impact of the project on adjacent lands, and potential impacts of off-site conditions; and
- meets the requirements of other agency regulations with jurisdiction in the hazard area, such as BCDC requirements for the safety of fills consistent with the Bay Plan.

EH-2.k Address Tsunami Potential. Review tsunami wave run-up and inundation maps, when available, along with other applicable information to be considered in coastal planning and development.
**EH-3.1 Limit Seawall Barriers.** Limit repair, replacement, or construction of coastal sea walls and erosion barriers consistent with Local Coastal Program requirements, and as demonstrated to be necessary to protect persons and properties from rising sea level.

*Consistent.* As discussed above in Section F (Geology and Soils), the proposed project would minimize environmental hazards by replacing dilapidated infrastructure with modern systemically sound structures. No dwelling structures are planned for development and any future development would be subject to all applicable policies and project specific CEQA analysis.

**Atmosphere and Climate**

**AIR-1.g Require Control Measures for Construction and Agricultural Activity.** Require reasonable and feasible measures to control particulate emissions (PM-10 and PM-2.5) at construction sites and during agricultural tilling activity, pursuant to the recommendations in the BAAQMD CEQA Guidelines, which may include the following:

- Watering active construction or agricultural tilling areas.
- Covering hauled materials.
- Paving or watering vehicle access roads.
- Sweeping paved and staging areas.

*Consistent.* As discussed above in Section C (Air Quality), the project would not result in significant air emissions and would comply with the significance criteria established by the EPA and the Bay Area Quality Management District. In addition, the project shall comply with best management practices to reduce fugitive dust for all future development.

**Community Development**

**CD-2.8 Limit Development in Resource or Hazard Areas.** Discourage development in areas with high natural resource value or threats to life or property, and restrict development in such areas to minimize adverse impacts.

*Consistent.* As discussed below in Section M (Population and Housing), the project would not result in additional housing. The project would include renovations to an existing park. Implementation of the Master Plan would maintain the Park’s recreational use.

**Visual Resources**

**DES-3.2 Promote Green Spaces.** Encourage the creation of high-quality community plazas, squares, greens, commons, community and neighborhood parks, and rooftop gardens.

**DES-4.1 Preserve Visual Quality.** Protect scenic quality and views of the natural environment - including ridgelines and upland greenbelts, hillsides, water, and trees - from adverse impacts related to development.

**DES-4.c Regulate Mass and Scale.** Ensure that the mass and scale of new structures respect environmental site constraints and character of the surrounding neighborhood (see Program DES-3.b), are compatible with ridge protection policies (see Program DES-4.e), and avoid tree-
cutting (especially on wooded hillsides) and grading wherever possible. Community plans should consider regulations concerning home size.

**Consistent.** As discussed above in Section A (Aesthetic), the proposed project would provide for future development and designs to improve the Park’s existing aesthetics. All future development would be subject to applicable design policies and project specific CEQA analysis.

**Noise**

**NO-1.i Regulate Noise Sources.** Sections 6.70.030(5) and 6.70.040 of the Marin County Code establish allowable hours of operation for construction-related activities. As a condition of permit approval for projects generating significant construction noise impacts during the construction phase, construction management for any project shall develop a construction noise reduction plan and designate a disturbance coordinator at the construction site to implement the provisions of the plan.

**Consistent.** As discussed below in Section L (Noise), the proposed project would result in short term, intermittent increased noise levels during future development construction, however, in accordance with the Marin County Noise Ordinance, the project limits construction activity days and hours to occur between 7:00 a.m. and 6:00 p.m., Monday to Friday and Saturday between 9:00 a.m. and 5:00 p.m. and exclude Sundays and holidays. Operation of loud, noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) would be maintained, operated, or serviced from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Special permission would be required for any work outside the previously described days or times.

**Cultural, Historical and Archaeological Resources**

**HAR-1.1 Preserve Historical and Archaeological Resources.** Identify archaeological and historical resource sites.

**HAR-1.3 Avoid Impacts to Historical and Archaeological Resources.** Ensure that human activity avoids damaging cultural resources.

**Consistent.** As discussed above in Section E (Cultural Resources), due to the presence of cultural resources and the project’s proximity to the Bay, the area is considered sensitive for archaeological deposits. Ground disturbance associated with future development resulting from the proposed project could affect subsurface archaeological deposits. Implementation of the cultural resources mitigation measures listed above would reduce potentially significant impacts to a less-than-significant level. Any future development resulting in ground disturbance would be subject to applicable cultural resource policies as well as project specific CEQA analysis.
**Parks and Recreation**

**PK-1.t Continue Ongoing Park Maintenance Programs.** Continue ongoing management and maintenance programs to ensure the long-term protection of existing Park resources and Park infrastructure. Explore opportunities for cost savings and innovation that meet the objectives of protecting Marin County parks.

**Consistent.** The project's goal is to develop a Master Plan document that integrates physical design recommendations for organizational improvements, renovations and new facilities with programmatic, operational and management strategies for diversifying park use and expanding revenue potential. The project will ensure the long-term protection of the existing Park resources and infrastructure.

c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

**No Impact.** There are no Habitat Conservation Plans or Natural Community Conservation Plans that apply to the project site.
K. MINERAL RESOURCES

Would the project:

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<th>Potentially Significant Impact</th>
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a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less Than Significant Impact.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Less Than Significant Impact.

1. Background

The Department of Conservation, under the Surface Mining and Reclamation Act of 1975 (SMARA), classifies mineral resource land by four zones.

- MRZ-1: Areas where available geologies information indicates that little likelihood exists for the presence of significant mineral resources.
- MRZ-2: Areas underlain by mineral deposits that geologic data indicate to be significant. Contains known economic mineral deposits.
- MRZ-3: Areas containing mineral occurrences of undetermined mineral resource significance.
- MRZ-4: Areas where available information is inadequate for assignment to any other MRZ category.

According to the California Geologic Survey and the Marin Countywide Plan, the project site is located on land zoned as MRZ-1, but within ¼ mile of the Dutra Quarry which is part of the San Pedro Hill site zoned MRZ-2 for containing Portland Cement Concrete (PCC) aggregate, rip rap, and shale.

2. Discussion of Impacts

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
resources. Furthermore, all future development would be subject to project specific CEQA analysis of project-level impacts.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Less Than Significant Impact. According to the Countywide General Plan (2007), the San Pedro Hill site, located approximately 0.20 miles from the project site within the Dutra Quarry, is a designated mineral resource site for Franciscan Complex Sandstone. The proposed Master Plan is conceptual in nature and does not grant any entitlement for development. As the Master Plan proposes future improvements within the existing boundaries of the Park, which does not contain any known resources, any future developments would not result in a loss of availability of mineral resources from the San Pedro Hill site. Furthermore, all future development would be subject to project specific CEQA analysis of project-level impacts.
L. NOISE

Would the project:

<table>
<thead>
<tr>
<th>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</th>
<th>Potentially Significant Impact</th>
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<th>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</th>
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<th>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
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<th>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
<th>Less Than Significant Impact</th>
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<th>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation</th>
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<th>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</th>
<th>Potentially Significant Impact</th>
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1. Background

Marin County Standards

The County of Marin has an adopted noise regulation in the County’s Code of Ordinances, Title 6 Public Peace, Safety, and Morals, Chapter 6.70 Loud and Unnecessary Noises (Marin County 2010). Per 6.70.030 – Enumerated Noises (5) Construction Activities and Related Noise, hours for construction activities shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m. and Saturday, 9:00 a.m. to 5:00 p.m., and prohibited on Sundays and holidays. Loud noise generating construction related equipment (backhoes, generators, jackhammers) can be maintained, operated, or serviced at a construction site for permits administered by the community development agency from 8:00 a.m. to 5:00 p.m. Monday through Friday only. Special exceptions to these limitations may occur for construction projects of city, county, state, other public agency, or other public utility.
2. **Existing Conditions**

Noise sensitive receptors (land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise) typically include residential dwellings, hotels, motels, hospitals, nursing homes, educational facilities, and libraries. The nearest sensitive receptors to the project site include residential areas in the McNears Beach area. Table 1 summarizes typical ambient noise levels for the project site. The vicinity of the project site is most similar to that of “quiet rural, suburban nighttime” setting with an expected typical noise level of 20-40 dBA. Table 1 identifies decibel levels for common sounds heard in the environment.

<table>
<thead>
<tr>
<th>Noise Level decibels (dBA)</th>
<th>Outdoor Activity</th>
<th>Indoor Activity</th>
</tr>
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<tbody>
<tr>
<td>90+</td>
<td>Gas lawn mower at 3 feet, jet flyover at 1,000 feet</td>
<td>Rock Band</td>
</tr>
<tr>
<td>80–90</td>
<td>Diesel truck at 50 feet</td>
<td>Loud television at 3 feet</td>
</tr>
<tr>
<td>70–80</td>
<td>Gas lawn mower at 100 feet, noisy urban area</td>
<td>Garbage disposal at 3 feet, vacuum cleaner at 10 feet</td>
</tr>
<tr>
<td>60–70</td>
<td>Commercial area</td>
<td>Normal speech at 3 feet</td>
</tr>
<tr>
<td>40–60</td>
<td>Quiet urban daytime, traffic at 300 feet</td>
<td>Large business office, dishwasher next room</td>
</tr>
<tr>
<td>20–40</td>
<td>Quiet rural, suburban nighttime</td>
<td>Concert hall (background), library, bedroom at night</td>
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<tr>
<td>10–20</td>
<td></td>
<td>Broadcast/recording studio</td>
</tr>
<tr>
<td>0</td>
<td>Lowest threshold of human hearing</td>
<td>Lowest threshold of human hearing</td>
</tr>
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Source: (modified from Caltrans Technical Noise Supplement, 1998)

3. **Discussion of Impacts**

   a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

   b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

   c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

**Less Than Significant Impact.** The County of Marin establishes 70dBA Lmax as the maximum allowable noise level during the daytime period of 7 a.m. to 10 p.m. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for future development improvement. All future development would be subject to the applicable County of Marin noise regulations, including construction
related noise and groundborne vibration. Future development would include renovations of existing Park facilities and the land use will remain as parks and open space. Therefore, operation of the Park, including potential future development, would not significantly exceed existing ambient noise conditions. Existing conditions of the Park include large events and other activities associated with a regional park. Traffic on local roadways would not increase as a result of the Master Plan, and therefore, noise impacts related to traffic would be less than significant. Future projects would also be subject to project specific CEQA analysis of project-level impacts.

**d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Less Than Significant Impact. As discussed above in section (a), the proposed project would not result in a significant increase in ambient noise levels. Future development resulting from the proposed project may result in a minimal increase in temporary noise levels due to the short-term construction activities. All future development would be subject to the applicable County of Marin noise regulations and requirements, as well as be subject to project specific CEQA analysis of project-level impacts. These regulations would include construction equipment being staged within the existing Park. In compliance with County Code, project construction would be confined to between 7:00 a.m. and 6:00 p.m., Monday to Friday and Saturday between 9:00 a.m. and 5:00 p.m. and exclude Sundays and holidays. Operation of loud, noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) would be maintained, operated, or serviced from 8:00 a.m. to 5:00 p.m. Monday through Friday only.

**e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The project site is not located within two miles of a public airport land use plan area. No impact would occur.

**f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The project site is not located within the vicinity of a private airstrip. The project would not increase on-site exposure to aircraft noise and thus, no impact would occur.
M. POPULATION AND HOUSING

Would the project:

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<th>Potentially Significant Impact</th>
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<th>Less Than Significant Impact</th>
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a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

1. Background

The proposed project site project would be consistent with the Open Area zoning and Open Space land use designation and standards contained in the CWP and Marin County Code.

2. Discussion of Impacts

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The proposed Master Plan does not include any change or extension of infrastructure to accommodate growth outside of McNears Beach Park. The proposed project does not include any residential development, and thus would not increase existing residential population.

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

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. As the proposed project would involve improvements within an existing park that is designated open space, neither housing nor people would be displaced necessitating the construction of replacement housing.
N. PUBLIC SERVICES

Would the project:

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a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection? ☐ ☐ ☑ ☐
- Police protection? ☐ ☐ ☑ ☐
- Schools? ☐ ☐ ☐ ☑
- Parks? ☐ ☐ ☐ ☑
- Other public facilities? (Vector Control Services) ☐ ☐ ☑ ☐

1. Background

The site currently requires minimal public services. Fire protection for the McNears Beach area is carried out by the San Rafael Fire Department. Police protection is carried out by on-site park rangers and the San Rafael Police Department. Educational services for this area are provided by the San Rafael City Schools District. Road and utility maintenance in the project area is carried out by the Marin County Department of Public Works, the San Rafael Department of Public Works, Pacific Gas and Electric, and other private entities. Parks and recreational areas at and near the site are provided by the State of California, County of Marin and the City of San Rafael.

2. Discussion of Impacts

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

i. Fire protection
ii. Police protection
iii. Schools
iv. Parks
v. Other public services
The proposed Master Plan is conceptual in nature and does not grant any entitlements for development that would have the potential to adversely affect public services within the City or County. Given the proposed project would not result in population growth, the project would not increase permanent residential demand for public services. While implementation of the various Master Plan improvements could attract more visitors during the weekdays and weekends which could increase demands for public services, such demands would not require construction of new governmental facilities. Therefore, the proposed project would not create a need for new or physically altered governmental facilities, where the construction of which could cause significant environmental impacts.

**Fire Protection**

*Less Than Significant Impact.* Fire fighters would not be hindered by future development resulting from the proposed project because the access to the site is adequate and fire prevention measures, such as brush clearance and park maintenance, would continue to be implemented in compliance with existing building and fire codes. No additional fire protection facilities would need to be improved or constructed for adequate fire protection to be provided to the Park.

**Police Protection**

*Less Than Significant Impact.* No additional police protection facilities would need to be improved or constructed for adequate police protection to be provided to the Park.

**Schools**

*No Impact.* Future construction of Park improvements would not result in the generation of new students or additional use of schools.

Future development resulting from the proposed project would not affect school capacity or enrollment in the area.

**Parks**

*Less Than Significant Impact.* Future development resulting from the proposed project would include the renovation and maintenance of an existing public park and associated Park facilities. This development would not require the expansion of other park facilities which could cause significant environmental impacts.

**Other Public Services**

*Less Than Significant Impact.* Since future development resulting from the proposed project would temporarily close a portion of the Park, use of other recreational facilities in the vicinity may increase temporarily. However, other government services are not expected to be significantly impacted. The construction of Park improvements would not require considerable additional government services.
O. RECREATION

Would the project:

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a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

1. Background

Marin County Parks currently owns and manages over 15,500 acres of land. Current site facilities include a swimming pool, snack bar, sand volleyball courts, several group picnic areas of varying size, expansive turf areas, and tennis courts. The narrow, bayside beach offers general beach recreation and carry-in boat access for kayaks and canoes. McNears Beach Park is a designated "trailhead" on the San Francisco Bay Area Water Trail.

2. Discussion of Impacts

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. Future development resulting from implementation of the Master Plan would not result in a substantial increase in the demand for parks or recreation area because the construction of Park improvements would require only a temporary closure of a portion of the Park allowing other portions of the Park to be used during the construction phase of the project. Additionally, as indicated in the CWP and the City of San Rafael General Plan, there are additional parklands, including Boyd Memorial Park and China Camp State Park, which provide many opportunities for recreation. The temporary closure of portions of the Park would not result in substantial physical deterioration to the Park or other neighborhood or regional parks or recreational facilities, and therefore would have a less than significant impact.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less Than Significant Impact. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for development improvements to the Park in the future. All future development would be subject to the applicable federal, state, and local environmental regulations. Future projects would also be subject to project specific CEQA analysis of project-level impacts.
P. TRANSPORTATION/TRAFFIC

Would the project:

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a) Exceed the capacity of the existing circulation system, based on applicable measures of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures and other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

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

e) Result in inadequate emergency access?

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

1. Background

Currently, vehicular circulation comprises the primary method of visitor access to the Park, yet available parking space is often not maximized. During busy days at the Park when dedicated parking spaces are full, visitors park along Point San Pedro Road or along unpaved overflow lots on-site. There is also a current lack of signage or pedestrian/bike-friendly trail connections at the Park.
2. **Discussion of Impacts**

*a)* Exceed the capacity of the existing circulation system, based on applicable measures of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

**Less Than Significant Impact.** The proposed Master Plan is conceptual in nature and does not grant any entitlements for development that would have the potential to adversely affect local transportation capacity. Proposed Master Plan implementation would not significantly impact the existing circulation system because the project would not increase the Park’s existing parking capacity. As indicated in the Master Plan, there are currently 160-171 spaces in the main paved lot, with the capability for an additional 70 spaces in the southern overflow area. The proposed Master Plan would reconfigure the main parking lot to have 171 spaces and formalize the overflow parking into a southern lot with 55 spaces. As such, the site would not increase the capability for additional vehicles to enter beyond existing conditions. Therefore, the proposed Master Plan would have less than significant impacts on circulation, roadway capacities, intersection operations, bicycle paths, or mass transit.

*b)* Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures and other standards established by the county congestion management agency for designated roads or highways?

**Less Than Significant Impact.** As described under (a) above, the project would not result in a significant increase in traffic; thus, it would not conflict with Marin County’s Congestion Management Program.

*c)* Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

**No Impact.** The proposed project would not result in increased air travel or otherwise affect air travel. Future development resulting from the proposed project would have no impact air travel, as well.

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

**Less Than Significant Impact.** Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for on-site circulation improvements in the future such as, loading and drop-off areas, designated bus and ADA parking, and pedestrian crosswalks. Any future development would be subject to the applicable federal, state, and local regulations, including County review of new roadway design. Future development would also be subject to project specific CEQA analysis of project-level impacts.
e) Result in inadequate emergency access?

**Less Than Significant Impact.** With the exception when the parking lots are completely full, the existing on-site circulation provides adequate emergency vehicle access. The proposed project would not affect existing compliance with standard County requirements regarding emergency access. While the Master Plan is conceptual in nature, it provides recommendations to improve internal emergency access circulation. Therefore, the proposed project would not result in inadequate emergency access.

f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

**No Impact.** The proposed Master Plan would not interfere with the provision of alternative transportation services, and therefore, would not conflict with any associated alternative transportation policies. No negative impacts on alternative transportation policies would occur.
Q. UTILITIES AND SERVICE SYSTEMS

Would the project:

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<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
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<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
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<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
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<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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1. Background

The proposed project is the McNears Beach Park Master Plan, which is a conceptual document and does not grant any entitlements for development. However, the proposed Master Plan includes plans for future development including water provided by the MMWD via an eight inch welded steel pipe from Cantera Way. The existing sewer collection system at the Park serves the pool and buildings on the northern portion of the Park and an outside contractor services the portable toilets. From the on-site pump station, wastewater is pumped into the San Rafael Sanitation District’s sanitary sewer manhole on San Pedro Road. The storm drain system includes inlets located near impervious surfaces including the parking lot, pool, picnic, and building areas. The storm drain system ultimately drains into the Bay. The Marin Sanitary Service provides waste disposal services for the site. According to the Marin Countywide Plan, there are two permitted landfills that operate in the County. The Redwood Landfill would most likely to service the project’s solid waste disposal needs.
2. Discussion of Impacts

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for development improvements to the Park in the future. Future development resulting from the proposed project would continue to rely on water from the MMWD. The few proposed restroom and shower facilities would generate a nominal increase in wastewater. Therefore, the treatment facility would have adequate capacity and thus, impacts from future development associated with the wastewater treatment requirements of the RWQCB would be less than significant.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. As addressed in Impact Q-a, future development resulting from the proposed project may include new restroom and shower facilities but would generate a nominal increase in wastewater. The MMWD wastewater treatment plant has the capacity to accommodate such an increase.

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. Future development resulting from the proposed Master Plan may increase impervious surface cover of the Park, but would implement strategically placed treatment zones to treat runoff closest to its source. Any future development would be subject to the applicable federal, state, and local regulations. Future development would also be subject to project specific CEQA analysis of project-level impacts.

Marin County Parks Master Plan includes a large centralized bioswale at the parking lot, localized infiltration zones throughout the site, and required crossing points, culverts, trench drains or tunnels where surface flows pass across built elements. If site improvements exceed 5,000 square feet of impervious areas, then post construction storm water treatment facilities will be required per Marin County Stormwater Pollution Prevention Plan (MCSTOPPP) guidelines. The existing storm water system would be upgraded to accommodate proposed water flows and bioretention facilities. If the impervious area of the Park is increased by less than 50%, then post construction measures would apply only to the addition. Bioretention facilities would be planned for a minimum of 4% of the proposed impervious area. Therefore, future impacts stormwater drainage facilities would be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for development improvements to the Park in the future. Future development resulting from the proposed project would implement water conservation measures that would ensure water demand is not significantly increased. A significant reduction in potable water will be achieved by reducing the amount of turf, improving irrigation systems, and planning for future recycled water lines. Lawn areas are concentrated exclusively to high activity programmed zones.
These conservation strategies to reduce impacts to water supplies may include, but are not limited to:

- Use recycled water (if available) or a rainwater catchment tank system to conserve potable water.
- Install purple pipe where old pipe will be replaced. Recycled water will not be used in restrooms, kitchens, or irrigation that can hit picnic tables or drinking fountains.
- Replace sprinkler heads and rotors that do not have check valves with sprinkler heads and rotors with integral check valves to prevent low head drainage.
- Replace any spray heads that do not have pressure regulation with spray heads that have integral pressure regulating devices in the head to prevent misting.
- Change all shrub spray heads to drip irrigation.

Thus, the current water supplies are expected to adequately service the project’s demand without new or expanded entitlements. Any future development would be subject to the applicable federal, state, and local regulations. Future development would also be subject to project specific CEQA analysis of project-level impacts.

e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

Less Than Significant Impact. Primarily, water treatment and distribution services in the area are provided by MMWD. The project’s potential improvements restrooms, showers, altered residence, would merely replace or minimally increase existing wastewater rates. Furthermore, any future development would be subject to the applicable federal, state, and local regulations. Impacts would be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

Less Than Significant Impact. Solid waste disposal needs would increase from future development resulting from the proposed project, but only nominally from existing conditions. The Redwood Landfill and Recycling Center currently has adequate capacity to accommodate Marin County’s solid waste disposal needs, including those of the proposed project. As of 2008, the landfill had a remaining capacity of approximately 19.1 million cubic yards of waste and an estimated closure date of 2024. Other Bay Area landfills would also be expected to be able to accommodate the proposed project’s solid waste volume. Because only a small volume of waste would be generated by project construction, existing landfill facilities would be able to accommodate the project’s solid waste needs. Impacts related to landfill capacity would be less than significant.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. Solid waste disposal services must follow all applicable federal, state, and local statutes and regulations related to the collection of solid waste. Therefore, no impact would result from solid waste in regard to compliance with federal, state and local regulations.
VI. MANDATORY FINDINGS OF SIGNIFICANCE

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

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

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

1. Discussion of Impacts

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

Less Than Significant with Mitigation. As noted throughout the initial study, although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for development improvements to the Park in the future. The project site contains some sensitive biological resources that could be affected by future development resulting from the proposed project. All potentially significant impacts to biological resources would be avoided with the implementation of mitigation measures identified in this initial study, measures already incorporated into the project, and measures identified during the future development’s project specific CEQA analysis. Potential impacts to cultural resources would be less than significant with implementation of Mitigation Measure CULT-1.
b) **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

**Less Than Significant Impact.** Although the proposed Master Plan is conceptual in nature and does not grant any entitlements for development, it does provide for development improvements to the Park in the future. Future projects suggested in the Master Plan would be subject to all applicable federal, state, and local regulations and impacts associated with potential future development are addressed in this initial study as well. Future development resulting from the proposed Master Plan will be subject to project specific CEQA analysis, including cumulative impacts for past, present, and future projects at that time. Based on the Initial Study analysis and the determination that the Master Plan would not result in any impacts that cannot be completely mitigated, the Master Plan would not result in impacts that are cumulatively considerable.

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

**Less Than Significant Impact.** As noted above in the Initial Study, neither the proposed project nor potential future development would have any unavoidable significant environmental effects. All mitigation measures identified in the Initial Study shall be incorporated into the project and shall be implemented by Marin County Parks. A Mitigation Monitoring and Reporting Plan will be developed prior to project implementation. All future development shall be subject to applicable federal, state, and local regulations as well as project specific CEQA analysis to ensure there would be no direct or indirect substantial adverse effect on human beings.
VII. REFERENCES


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California Department of Toxic Substances Control, Hazardous Waste and Substances Site List, 2012


Kelly, Isabel. 1991 Interviews with Tom Smith and Maria Copa: Isabel Kelly’s Ethnographic Notes on the Coast Miwok Indians of Marin and Sonoma Counties, California. Sylvia B. Thalman and Mary Collier, editors. San Rafael, California: Miwok Archaeological Preserve of Marin.


## VIII. REPORT PREPARERS

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<th>Position</th>
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<td>Nancy Peake</td>
<td>Senior Landscape Architect</td>
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<td>Tara McIntire</td>
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<td>Associate Principal</td>
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