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MEMORANDUM

DATE: March 6, 2018

TO: Steve Marshall, AICP, Planning and Environmental Services Manager, City of Novato
Cindy Gnos, AICP, Senior Vice President, Raney Planning and Management Inc.

FROM: Theresa Wallace, AICP, Principal/Project Manager
Judith Malamut, AICP, Principal-in-Charge

SUBJECT: Addendum to the Hanna Ranch Mixed Use Project Final Environmental Impact Report

INTRODUCTION

This memorandum, prepared pursuant to the California Environmental Quality Act (CEQA), is an Addendum to the Hanna Ranch Mixed Use Project Final Environmental Impact Report (Final EIR), which was certified by the City of Novato on December 13, 2011. The Final EIR consists of the Draft EIR[1] and the Response to Comments Document.[2] This Addendum evaluates changes to the Hanna Ranch Mixed Use Project (referred to herein as the 2011 project) that have been proposed since certification of the Final EIR (referred to herein as the 2017 project) and determines whether the changes associated with the proposed 2017 project would result in new significant impacts or substantially more severe significant impacts that were previously identified and would require new mitigation measures that the project proponent declines to adopt. The analysis also evaluates whether or not conditions in and around the site have substantially changed since the Final EIR was certified, and whether or not new information of substantial importance has been identified resulting in new or substantially more severe significant impacts. As discussed in detail below and in the supporting attachments, the proposed changes to the project would not result in new or substantially more severe significant environmental effects beyond those identified in the Final EIR. Additionally, the project circumstances have not changed such that implementation of the 2017 project would result in new or substantially more severe significant environment effects, and no new information of substantial importance has been identified that would result in new or more severe environmental impacts. Furthermore, while mitigation measures identified in the Final EIR have been modified and enhanced in this Addendum and its attachments to address minor

1 Novato, City of, 2011. *Hanna Ranch Mixed Use Project Environmental Impact Report, State Clearinghouse No. 2005072141*. June.

2 Novato, City of, 2011. *Hanna Ranch Mixed Use Project Environmental Impact Report, Response to Comments Document, State Clearinghouse No. 2005072141*. June.

modifications to the proposed project design and to comply with applicable 2018 agency standards, the project proponent accepts all the modified mitigation measures identified herein.

The Final EIR evaluated the potential environmental effects associated with the proposed development of an approximately 19.7-acre site. The site is located on an irregularly shaped parcel at the southern terminus of Rowland Boulevard, east of US Highway (US) 101 and north of State Route (SR) 37, as shown in Figure 1. The site is an irregular shape with varied terrain consisting of a generally flat "panhandle" on the northern portion that extends south from the end of Rowland Boulevard. The panhandle transitions to three tree-studded knolls that are all connected by saddles. A freshwater pond is also located on the site and is situated between the southern end of the panhandle and the northern edge of the eastern knoll. The existing site vegetation primarily consists of open oak woodland, non-native grassland, ruderal vegetation, and stands of eucalyptus. The site is currently vacant. Figure 2 depicts the project site and vicinity.

In 2011, the project applicant proposed to develop the site with a mix of commercial uses, including retail, office, restaurant, and hotel uses and associated grading, parking, landscaping, and extension of infrastructure. The project applicant is proposing changes to the project evaluated in the Final EIR. Changes to the proposed project are fully described below, under "Changes to the Project."

This Addendum is prepared pursuant to CEQA Guidelines Section 15164 which states: "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Section 15162 specifies that no subsequent EIR shall be prepared for a project unless:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

   (A) The project will have one or more significant effects not discussed in the previous EIR or negative declarations;

   (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

   (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to CEQA Guidelines Section 15164(e), the purpose of this Addendum is to summarize the proposed 2017 project, assess the proposed modifications to the 2011 project evaluated in the Final EIR, and identify the reasons for the City's conclusion that changes to the proposed project and associated environmental effects do not meet the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent or supplemental EIR.

Attachment A to this Addendum provides the Environmental Checklist prepared for the project. This checklist is used to: (1) compare the environmental impacts of the proposed revised project with impacts expected to result from development approved in the Final EIR; (2) identify whether the proposed project would result in new or more severe significant environmental impacts associated with the proposed project; (3) identity if substantial changes with respect to the circumstances under which the project would be undertaken since the Final EIR was certified would result in new or more severe significant environmental effects; and (4) determine if new information of substantial importance was identified such that new or more severe significant environmental effects would result.

Attachment B identifies the impacts and mitigation measures identified for the 2011 project and modifications that would be applicable to the 2017 project.

Based on the analysis in this Addendum, the City concludes that the Final EIR adequately addresses the environmental effects of the proposed revisions to the project, and the proposed changes to the project constitute a minor refinement of the project description. The City finds that this minor refinement would not result in significant environmental effects not already identified in the Final EIR.

CHANGES TO THE PROJECT

In 2011, the project applicant proposed to develop the site with a mix of commercial uses, including a maximum of 34,621 square feet of retail use, 21,190 square feet of office use, 10,000 square feet of restaurant use, a 70,573 square-foot (116-room) hotel, and associated grading, parking, landscaping, and extension of infrastructure. The project also included a Class I bicycle and pedestrian pathway and two potential alignments were considered in the Final EIR. Figures 3a and 3b depict the conceptual site plan for both alignments evaluated in the Final EIR for the 2011 project.

The 2017 project includes changes to the mix of uses approved in 2011 and evaluated in the certified Final EIR. The current 2017 project includes approximately 12,500 square feet of retail uses, 26,200 square feet of office uses, 11,158 square feet of restaurant use, a 74,200-square-foot hotel with 125 guest rooms, and a Costco gas station with 24 vehicle fueling positions. Figure 4 depicts the conceptual site plan for the proposed 2017 project. Table 1 provides a comparison of the 2011 and 2017 projects.

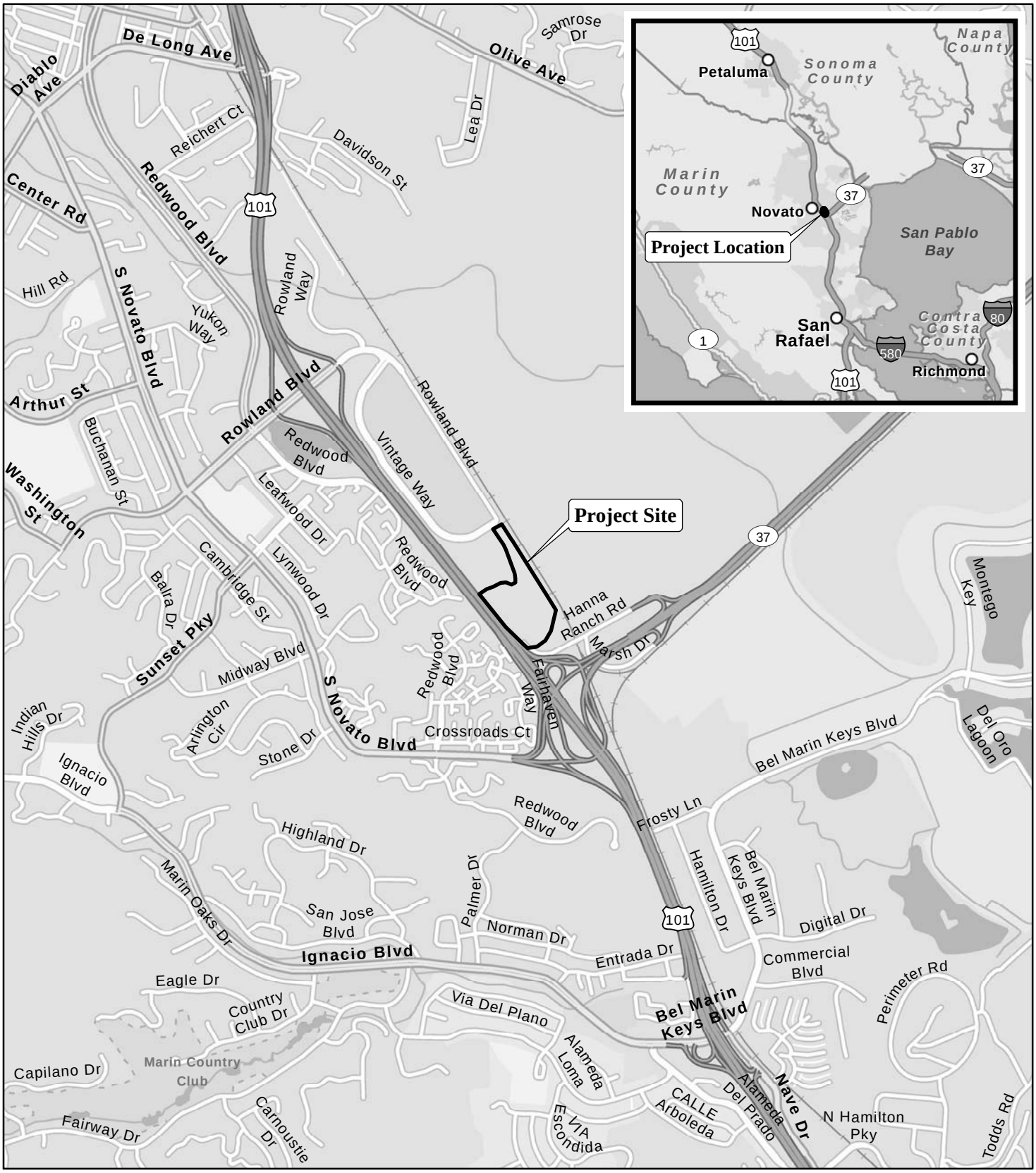

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FIGURE 1

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SOURCE: ESRI StreetMap North America (2012).

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2017 Hanna Ranch Mixed Use Project
Project Location and Regional Vicinity Map

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FIGURE 2

2017 Hanna Ranch Mixed Use Project
Aerial Photograph and Surrounding Land Uses

SOURCES: GOOGLE EARTH; 8/13/16; LSA, 2017.

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Table 1: Comparison of 2011 Project and 2017 Project Development

Use	2011 Project	2017 Project	2017 Project Increase/(Decrease)
Building A			
Retail (sf)	13,571	0	(13,571)
Restaurant (sf)	0	2,700	2,700
Total (sf)	**13,571**	**2,700**	**(10,871)**
Height (stories)	1	1	--
Building B			
Retail (sf)	21,050	0	(21,050)
Office (sf)	21,190	0	(21,190)
Restaurant (sf)	0	2,700	2,700
Total (sf)	**42,240**	**2,700**	**(39,540)**
Height (stories)	2	1	(1)
Building C			
Retail (sf)	0	12,500	12,500
Restaurant (sf)	5,000	0	(5,000)
Office (sf)	0	26,200	26,200
Total (sf)	**5,000**	**38,700**	**33,700**
Height (stories)	1	3	2
Building D (former E)			
Restaurant (sf)	5,000	5,758	758
Total (sf)	**5,000**	**5,758**	**758**
Height (stories)	1	1	--
Building E (former D)			
Hotel (sf)	70,573	74,200	3,627
(rooms)	115	125	10
Total (sf)	**70,573**	**74,200**	**3,627**
Height (stories)	3-4	3-4	--
Gas Station			
Vehicle Fueling Positions	0	24	24
Total By Type of Use (maximum)			
Retail (sf)	34,621	12,500	(22,121)
Office (sf)	21,190	26,200	5,010
Restaurant (sf)	10,000	11,158	1,158
Hotel (sf)	70,573	74,200	3,627
Total	**136,384**	**124,058**	**(12,326)**
Gas Station (fueling stations)	0	24	24
Open Space			
Landscaped (sf)	120,243	127,939	7,696
Undisturbed (sf)	469,853	456,142	(13,711)
Total	**590,096**	**584,081**	**(6015)**
Parking			
Total	**468**	**421**	**(47)**

Source: Final EIR, 2011 and MBH Architecture, 2017 Site Plan, October 2017.

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FIGURE 3a

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0 100 200

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2017 Hanna Ranch Mixed Use Project

2011 Conceptual Master Site Plan - Option A

SOURCE: RYS ARCHITECTS; KYA LANDSCAPE ARCHITECTURE PLANNING, 4/18/11.

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FIGURE 3b

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0 100 200

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SOURCE: RYS ARCHITECTS; KYA LANDSCAPE ARCHITECTURE PLANNING, 4/18/11.

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2017 Hanna Ranch Mixed Use Project

2011 Conceptual Master Site Plan - Option B

LSA

FIGURE 4

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0 100 200

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SOURCE: MBH ARCHITECTS, OCTOBER 2017.

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2017 Hanna Ranch Mixed Use Project

2017 Conceptual Master Site Plan

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The footprints and height of the buildings and associated paved surfaces and landscaping of the 2017 project are slightly different from those in the 2011 project. Specifically, the original Buildings A and B would be replaced with smaller buildings as well as a vehicular fueling station for a nearby retailer (Costco). The original Building C would be replaced with a longer and taller mixed-use building incorporating retail on the ground floor and office uses on the upper floors. The original restaurant Building E (now Building D) and the original hotel Building D (now Building E) would be largely left unchanged. Regarding the general parking layout, slight modifications have been made to the original design to improve traffic flow and to maximize parking count. The Class I bicycle and pedestrian path proposed as part of the 2011 project would follow the Option A or B alignment identified for the 2011 project in the Final EIR. The internal access roadway through the panhandle portion of the project site has been realigned from the north side to the south side of the panhandle and is now adjacent to the Beverly Ehreth preserve (see Figure 4); the balance of the access road has the same general alignment as shown on the 2011 site plan (see Figures 3b and 3a). The revised access roadway alignment through the panhandle area remains within the development envelope contemplated and evaluated in the Final EIR for the 2011 project.

While the mix and location of commercial, office, and hotel uses is substantially similar to the 2011 project, the new vehicle fueling station represents the most notable change to the project design and type of uses considered in the Final EIR. The proposed fuel facility would be located on the southeastern portion of the parcel between the access road to the interior of the project site and the railroad tracks. The location of the fuel facility on the east side of the parcel is intended to allow for the most efficient vehicle queuing for the fuel dispensers. A total of four covered fueling bays, each with three fuel dispensers which could fuel three cars on each side are proposed. The fueling station would also have 8 stacking lanes to allow approximately 40 cars to wait at any given time in addition to the 24 cars at the dispensers for a total of 64 cars. The fuel facility includes a 7,560 square-foot canopy and a 120 square-foot controller enclosure, located on the northeast portion of the fuel station to house the control equipment. The dispensers would be fully automated and self-service for Costco members only. An attendant would be present to oversee operations and to assist members. Four underground fuel tanks will be installed as part of this fuel facility.

Currently, the fuel facility hours are anticipated to be daily from 5:00 am to 10:00 pm. It is estimated that fuel would be delivered to the facility in two to three trucks per day. The largest fuel trucks would be approximately 70 feet long.

To open and operate the gas facility, the operator, Costco (or any subsequent operator), would be required to meet the requirements of local, State and federal regulators and agencies, including the Novato Fire Protection District, the County Department of Environmental Health, the Air Quality Management District, the State Water Resources Control Board, the California Environmental Protection Agency, and the United States Environmental Protection Agency. Costco has submitted specific safety and design features it proposes to implement for the facility as listed below. These safety and design features are understood to be uniformly implemented by Costco for all of its new fuel facilities.

Operations

1. The fueling facility would operate as an unattended self-serve facility. However, it is Costco Wholesale's policy to provide a Costco Gasoline Program trained employee and supervisor at the site during all hours of operation. The Costco Gasoline training program includes an interactive test that all gasoline employees must pass before working at a Costco Gasoline facility.
2. In addition to the above-mentioned attending employee, the facility would be supported by senior management in the warehouse during all gasoline station operation hours. The supervisor would be equipped with a roam telephone programmed to receive calls from the fueling facility and warehouse. Every gasoline facility is equipped with a "911" telephone that automatically contacts emergency dispatch in addition to a regular telephone line and roam phones.
3. Employees are trained to identify maintenance requirements and physically inspect the fuel islands regularly during operating hours. Their training includes the proper spill clean-up and emergency response procedures. Trained employees check for leaking hoses, malfunctioning nozzles, fuel spills, and physical damage to the dispensers and controller enclosure. During non-operating hours, the power to the dispensers is turned off and each nozzle is locked. Should the system require attention beyond what the trained site person could handle, the local authorized and certified service contractor would be contacted and dispatched to repair the equipment.
4. Emergency shutoff switches would be installed next to the controller enclosure and in locations near the dispensers, as dictated by the fire code.
5. Closed circuit television monitor cameras would be aimed to show all fueling positions, the tank slab, and equipment enclosure would be mounted on canopy columns adjacent to the fuel islands. A split screen monitor located in the Costco Wholesale warehouse would allow for full-time monitoring of the fueling operation. All images would be recorded by the camera system.
6. The tank and piping monitoring system would be programmed to activate visual/audible alarms in the event of an alarm condition. A visual/audible alarm would be located on the outside of the controller enclosure. Further, the monitoring system would be designed so that if power is lost to the monitoring console the facility would be shut down and would not operate.
7. An independent security company would monitor the Costco Wholesale warehouse alarm system. The alarm system acknowledges an alarm condition at the fueling facility and notifies Costco Wholesale management staff of an alarm condition should it occur after operating hours.

Design

1. Costco Wholesale's tank and piping system would be certified to meet the Federal UST leak detection standards of 95 percent probability of detection and 5 percent probability of false alarm. The California State Water Resources Control Board also certifies the system under LG-113.
2. Costco Wholesale utilizes one of the most durable joint sealers available today to seal the concrete control joints. PTi sealer is a petroleum-resistant sealant developed by Prevention Technologies, Inc (PTi). The sealer is used to prevent petroleum products from entering the underlying soil at the concrete joints. This product is used for its superior elasticity and user-friendly application. The elasticity allows the product to maintain a tight seal even with concrete expansion. The easy application ensures a proper seal whether it is applied by contractor or maintenance personnel. Costco Wholesale is one of the few, if not only companies, to have a nationwide standard to seal control joints and other areas to prevent product spills from reaching the soil.
3. The storm drainage system for the fueling facility area would be designed in accordance with State of California Best Management Practices for water quality treatment standards. Stormwater from the fueling area would be isolated and directed to a catch basin and processed through an oil/water separator prior to discharge to the downstream system.
4. The underground tank and piping control units would be housed inside the controller enclosure. The enclosure would contain the power console, the dispenser interface unit, the submersible pump variable speed controllers, and the monitoring system console. An air conditioner mounted on the side of the enclosure would have a preset thermostat to maintain a safe operating temperature.
5. The USTs and all containment sumps, including the dispenser sumps would be all double-walled fiberglass. Fiberglass is used for its corrosion resistance and plasticity. The double-walled storage tank system would include a hydrostatic interstitial space sensor that monitors the primary and secondary tank walls. If a tank wall is compromised, the interstitial sensor would immediately shut down the product delivery system and activate a visual/audible alarm.
6. The tanks would be secured in place with anchoring straps (tie-downs) connected to a concrete hold down. The entire tank excavation hole would be backfilled with pea gravel and capped with an 8-inch-thick reinforced concrete slab (overburden). The tie-downs, together with the overburden, would overcome any possible buoyancy factors and resist buckling under hydrostatic pressures.
7. All product, vapor and vent piping would be non-corrosive and provide three levels of protection. First, all product piping would be monitored with pressure line leak detection. Second, all piping would be double walled to provide secondary containment. Third, all fiberglass piping would be additionally monitored under vacuum per California AB2481 regulations such that if a breach is detected in the vacuum, the product delivery system would shut down and system would sound audible alarm.
8. All piping connections to the tanks and dispensers would be flexible. Flexible connectors are used to prevent rupture from any form of ground movement.

9. All piping would slope to the sumps at the USTs. If a piping leak occurs, the gasoline would flow through the secondary pipe to the sump, where a sensor would be triggered to immediately shut down the system and activate an audible/visual alarm.
10. All tanks and dispensers would be equipped with latest Stage I and Stage II Enhanced Vapor Recovery (EVR) air pollution control equipment technology per CARB regulations and associated Executive Orders. The Phase I EVR equipment controls the vapors in the return path from the tanks back to the tanker truck during offloading filling operations. The Stage I EVR systems would be 98 percent effective in controlling fugitive emissions from escaping into the environment. The Phase II EVR equipment, which also includes "in-station diagnostics," controls and monitors the vapors in the return path from the vehicles back to the tanks and would be 95 percent effective in controlling fugitive emissions from escaping into the environment.
11. The UST monitoring system would incorporate automatic shutoffs. If gasoline is detected in the sump at the fuel dispenser, the dispenser would shut down automatically and an alarm would be sounded. If a problem is detected with a tank, the tank would automatically shut down and an alarm would be sounded. If the product piping system detects a failure of the 0.1 gallons per hour (GPH) test, the line would be automatically shut down and the alarm would be sounded. Pursuant to federal requirements, monitoring equipment must be able to detect a minimum leak of 3 GPH (equivalent to the accuracy of a mechanical leak detector). By providing monitoring to a higher standard (0.1 vs. 3), Costco maintains a thirty times higher degree of safety than required by current federal requirements.
12. Each fuel dispenser would include several safety devices. Specifically, each dispenser sump would be equipped with an automatic shutoff valve to protect against vehicle impact. In addition, each fuel hose would include a poppeted breakaway device that would stop the flow of fuel at both ends of the hose in the event of an accidental drive-off. Also, each dispenser would be equipped with internal fire extinguishers. Lastly, all dispensers would include leak detection sensors connected to the alarm console inside the controller enclosure.

Additionally, the following City approvals would be required for the 2017 project:

- Master Plan Amendment – The approved Hanna Ranch Master Plan would be amended to recognize development of the undeveloped parcel with a mixed-use development including a 125-room hotel, three restaurants, office-retail building, and a Costco fuel center;
- Precise Development Plan Amendment – The approved Hanna Ranch Precise Development Plan would be amended to modify or rescind, as necessary, development and operational conditions of approval applicable to the previously approved project and add new or revised conditions of approval reflecting the current 2017 development proposal;

- Use Permit Amendment – The approved Hanna Ranch Use Permit would be amended to revise the list of any project improvements, including minor grading, portions of the internal drive aisles, sidewalks, trails, benches, a retaining wall, and drainage features being located within the 50-foot wetland buffer areas;
- Vesting Tentative Subdivision Map – A Vesting Tentative Map would be required to subdivide the existing parcel comprising the project site into six parcels; and
- Design Review – Design Review would be required to approve of the project site's design, landscape, architecture, and finish materials and colors.

POTENTIAL ENVIRONMENTAL IMPACTS OF CHANGES TO THE PROJECT

The environmental checklist included in Attachment A analyzes the potential for environmental impacts to occur as a result of the changes to the proposed project, changes in project circumstances, or potential new information that could not have been known at the time the Final EIR was published within each of the environmental topical areas that were addressed in detail in the Final EIR. Attachment B identifies the mitigation measures identified in the Final EIR that are applicable to the proposed 2017 project, as modified as appropriate to reflect minor modifications to the proposed project design and as enhanced to comply with applicable standards in 2017. Underlined text represents language that was added to the 2011 Mitigation Measures; ~~strikethrough~~ text represents language that has been removed from the 2011 Mitigation Measures.

As supported by the analysis included for each environmental issue topic in the attached environmental checklist, the changes to the project would not result in new impacts or substantially more severe impacts beyond those identified in the Final EIR.

COMPARISON TO THE CONDITIONS LISTED IN CEQA GUIDELINES SECTION 15162

The following discussion summarizes the reasons that a subsequent EIR, pursuant to CEQA Guidelines Section 15162, is not required to evaluate the environmental effects of the currently-proposed project.

Substantial Changes to the Project

As described above, the 2017 project is substantially similar to the 2011 project evaluated in the Final EIR, with the exception that the size of some project buildings and mix of uses would be slightly different; however, the overall footprint of the proposed development would generally be the same. Another change in the project is that a new gas station is proposed for development on the site, which was not contemplated in the Final EIR. Therefore, development of the 2017 project would include a gas station use whose operation includes the transport and use of hazardous materials and potential release of such materials compared to the impacts of the 2011 project identified in the Final EIR. Per the discussion in the Environmental Checklist (see Section VIII.a), impacts related to the use and transport of hazardous materials and potential release of such materials would continue to be less than significant with adherence to the Mitigation Measures identified in the Final EIR, State, regional and local regulations and implementation of the operational and design features

proposed by Costco as part of the proposed project and identified in this Addendum, and no new mitigation measures would be required.

As discussed in Attachment A, these changes would not result in significant environmental impacts beyond those identified and mitigated in the Final EIR and would not increase the severity of impacts already identified in the Final EIR (and thus would not require the implementation of new or significantly changed mitigation measures). Therefore, the proposed changes to the project and revised mitigation measures and conditions of approval are considered minor refinements, not substantial changes.

Project Circumstances

As discussed in the analysis provided in Attachment A, since certification of the Final EIR, conditions in and around the project site have not changed such that implementation of the 2017 project would result in new significant environmental effects or a substantial increase in the severity of environmental effects already identified in the Final EIR. For the following environmental topics, there are have been no changes in existing conditions: aesthetics, agriculture and forestry resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, and utilities and service systems. For the topics of biological resources, air quality, and transportation and circulation, although project circumstances related to site conditions and/or regulatory requirements have changed since 2011, the analysis included in Attachment A shows that these changes are minor and no new or more severe impacts would result from these changes. Additionally, this Addendum identifies modifications to the 2011 mitigations for previously identified impacts to biological resources to be implemented by the project applicant that would address revised or updated regulations and ensure that biological resource impacts would continue to be mitigated to a less-than-significant level. Therefore, changes in the circumstances under which the project would be undertaken do not require major revisions to the Final EIR and no new significant impacts or a substantial increase in the severity of previously identified impacts would occur with implementation of the 2017 project.

New Information

As discussed in the analysis provided in Attachment A, no new information of substantial importance has been identified in regard to the currently-proposed project or the project site such that the 2017 project would be expected to result in: 1) significant environmental effects not identified in the Final EIR, or 2) more severe environmental effects than shown in the Final EIR. Substantial new information could include new data on traffic conditions or local air quality that would cause the project-related environmental impacts identified in the Final EIR to be substantially more severe. However, no new information of substantial importance has been identified since publication and certification of the Final EIR. Likewise, the 2017 project would not require new mitigation measures previously determined to be infeasible, or mitigation measures which are considerably different from those identified in the Final EIR. Although some mitigation measures were refined in this Addendum to address issues specific to the 2017 project site design, minor changes in existing conditions, and revisions or updates to regulatory requirements, the project proponent accepts these refined mitigation measures. Additionally, no new information has been

identified leading to new mitigation measures to address new impacts of the 2017 project that were not considered in or could not have been known at the time that the Final EIR was prepared

Summary

Furthermore, as described previously, changes to the proposed project would not result in significant environmental effects (including effects that would be substantially more severe than impacts identified in the Final EIR). Existing regulations (including City General Plan policies and ordinances in the Municipal Code) and mitigation measures included in the Final EIR and this Addendum would be adequate to reduce the impacts resulting from implementation of changes to the proposed project to a less-than-significant level.

This document constitutes an Addendum to the June 2011 Environmental Impact Report (2011 EIR) originally prepared for the Hanna Ranch Mixed Use Project (2011 project). This Addendum evaluates whether modifications/refinements to the proposed project site design (2017 project), changes in project circumstances, or new information would result in any new or substantially more significant effects or require any new mitigation measures not identified in the 2011 EIR.

ATTACHMENT A
ENVIRONMENTAL CHECKLIST
PURSUANT TO CEQA GUIDELINES SECTION 15164

ENVIRONMENTAL CHECKLIST

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
I.	**AESTHETICS.** Would the project:				
	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?	☐	☐	☐	☒

DISCUSSION

The following includes a discussion of the potential impacts to aesthetics associated with the 2011 project as compared to the 2017 project. With respect to scenic vistas, scenic resources, visual character and quality, and lighting and glare conditions within the project site and vicinity, conditions are generally the same in 2017 as in 2011.

a. Would the project have a substantial effect on a scenic vista? ***(No New Impact)***

As noted in the Final EIR, the southern hillside areas of the project site are considered a scenic resource in the City's General Plan and this portion of the site is within the Scenic Hills and Ridges designation on the Scenic Resources Map. Bay plains, which include some areas of the project site, provide expansive views to the east and south and assist in maintaining the scenic qualities along U.S. Highway 101 (US 101) and State Route 37 (SR 37).

The 2017 project involves the construction of a new gas station, conversion of building C from restaurant use (single-story; 5,000 square feet) to an office/retail building (three-story; 38,700 square feet) and slightly more square feet of restaurant space (11,158 square feet in 2017 compared to 10,000 square feet in 2011) in separate buildings (Buildings A, B and D in 2017 compared to Buildings C and E of the 2011 project) than what was previously analyzed in the Final EIR. However, overall total square footage of the development decreased by 14,243 square feet and the general development footprint would be similar to the 2011 project and the taller three-story Building C would be of a similar height as the proposed three- to four-story Building E (hotel) evaluated in the Final EIR. The proposed single-story fuel center would be located within an area previously shown

to be developed with a two-story office/retail building (Building B of the 2011 plan) and its associated surface parking lot.

Similar to the discussion in the Final EIR related to visibility of the proposed hotel building (Building E), views of the larger Building C as seen from scenic vantage points would generally blend with the surrounding topography and existing development on and in the vicinity of the site, particularly given that Building C would be centrally located within the site's interior and east of and beyond the knoll area located immediately adjacent to US 101. As indicated in the applicant's rendering of views from US 101, the roof of Building C is barely visible beyond the hotel.

As noted above, the proposed single-story fuel center is located where a two-story office/building (Building B) and its associated surface parking lot were shown in 2011. The placement of the single-story fuel center in this location would not disrupt views of a scenic vista. In fact, the lower height fuel center would allow greater visibility of the central knoll feature on the project site when viewed from Vintage Way/Rowland Boulevard than Building B proposed in 2011.

Overall, the 2017 project would continue to minimize grading of hillside areas and preserve view corridors, similar to the 2011 project. Because of the location and height of proposed buildings and with the installation of new landscaping on the site, the 2017 project would not block views of scenic resources from nearby public vantage points, including those that are available from US 101, SR 37, Rowland Boulevard/Vintage Way and from nearby residential neighborhoods west of US 101. Views of the scenic hillside areas west of US 101 would continue to be available as would intermittent views of the vegetation surrounding Beverly Ehreth Ecological Preserve. Therefore, changes associated with the 2017 project would not result in new impacts to scenic vistas or substantially increase the severity of the less-than-significant impacts to scenic vistas identified in the Final EIR.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ***(No New Impact)***

The Final EIR determined that there are no officially designated scenic highways within Marin County, although the segments of US 101 and SR 37 that are located within the vicinity of the project site are considered eligible for designation. Like the 2011 project, the 2017 project would remove a number of mature trees from the site in an area designated by the General Plan as Scenic Hills and Ridges. The total number of trees to be removed by the 2017 project is expected to be similar to the number and location of trees identified for removal in the Final EIR (assumed to total 57 trees) since the revised project involves development within the same areas proposed in 2011. Notably, several eucalyptus trees slated for removal under the 2011 project were toppled by severe storms in late 2014 and were subsequently removed from the site. Based on the conceptual landscape plan, and the City's Woodland and Tree Protection Ordinance, new trees and landscaping would be planted to replace all trees proposed for removal, particularly along the edge of the project site adjacent to US 101 and, similar to the 2011 project, scenic views of the site that are available from both US 101 and SR 37 would not be adversely affected. As discussed above, the existing topography of the site would generally be maintained and would continue to be visible from these roadways. In addition, the 2017 project would not remove rock outcroppings or historic buildings from the site. Therefore, the

changes associated with the 2017 project would not result in new impacts to scenic resources, constitute new information indicating new impacts, or substantially increase the severity of the less-than-significant impacts to scenic resources identified in the Final EIR.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings? ***(No New Impact)***

The 2017 project would develop the vacant site with a similar mix and type of uses at a similar density and architectural style compared to the 2011 project, with the exception of development of a new one-story gas station and a 31,783-square-foot larger and 30-foot taller retail and office building (Building C). The 2017 project also involves the construction of two restaurant buildings at the northern border of the project site (Buildings A and B) compared to the same buildings analyzed in the Final EIR. The overall square footage of the proposed development is reduced by 6,015 square feet. As discussed in Section 1.a, although Building C would be taller by two stories (30 feet) and have a larger development footprint than the 2011 Building C evaluated in the Final EIR, the three-story Building C would generally blend with the existing and modified site topography and with the nearby 2017 Building E (hotel) that would be of a similar height (three to four-stories) and was evaluated in the Final EIR. Because Building C would be located within the interior of the site and would be at least partially screened from views due to the site topography and proposed landscaping, the increased height and size of the proposed building would not substantially alter the visual quality and character of the site as compared to the 2011 project.

The proposed gas station is located in the vicinity of the former two-story (42-foot), 42,240-square-foot Building B proposed in 2011. The gas station consists of a 7,560-square-foot canopy (17.5 feet high) and a 120-square-foot control room. The canopy allows views through the site to the adjacent marsh which would have been blocked by the 2011 project's Building B. In addition, the lower height fuel center would allow greater visibility of the central knoll feature on the project site when viewed from Vintage Way/Rowland Boulevard than Building B proposed in 2011.

The Final EIR determined that the 2011 project would maintain much of the site's natural condition and that project architecture and other improvements would be sensitive to the natural landscape; the same would be true of the 2017 project, which would have a similar development pattern as the 2011 project, as discussed above under Section 1.a. The change in character of the project site would also be visually compatible with surrounding development, including the existing commercial development to the north.

Moreover, the 2017 project would be subject to the City of Novato's Design Review process which would ensure that the 2017 project complies with City objectives and policies related to project design and would further ensure that the 2017 project does not degrade the visual character of the project site and surroundings and that the proposed building architecture and landscaping would enhance the visual character of the site and be compatible with the surrounding development pattern. As such, the 2017 project would not substantially degrade the visual character of the project site or result in impacts to the visual character or quality of the site that would be more severe than the less-than-significant impacts identified in the Final EIR.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ***(No New Impact)***

The Final EIR identified potentially significant impacts associated with the creation of new sources of light and glare affecting day and nighttime views in the area for the 2011 project. Similar to the 2011 project, the 2017 project would introduce new sources of light and glare to the project site associated with indoor and outdoor lighting for safety purposes and vehicle traffic. The Final EIR determined that implementation of Mitigation Measures AES-1a and AES-1b, which require preparation of a Lighting and Photometric Plan that demonstrates that light and glare would be minimized and incorporation of non-mirrored glass into all window materials would reduce impacts associated with light and glare to a less-than-significant level, including potential nighttime light impacts to sensitive wildlife associated with the on-site pond, the Beverly Ehreth Ecological Preserve (preserve), the Petaluma Marsh Wildlife Area (marsh), and sensitive receptors including the residential uses across US 101.

The 2017 project would also include development of a new gas station adjacent to the preserve and marsh areas that is proposed to be open daily from 5:00 a.m. to 10:00 p.m. Gas stations typically include overhead lighting in the evening hours and reduced light levels for safety purposes when not in operation in the later evening hours. According to the project applicant, lighting at the gas station would be recessed into the canopy to provide lighting during operating hours and a lower level of security lighting after hours. The queuing lanes would be illuminated with standard downward-pointing lights, each containing two LED fixtures affixed to a 35-foot light pole. The lighting fixtures would be designed to provide even light distribution for vehicle safety. All lighting would be timer controlled to limit lighting after the fuel facility has closed and employees are gone. The night lighting would remain on to provide security and emergency lighting only at the fuel canopy. All lighting would incorporate the use of cutoff lenses to keep light from overflowing beyond the project boundaries.

Nighttime security lighting proposed as part of the gas station is anticipated to be similar to the exterior security lighting that would be installed throughout the project site, including along proposed drive aisles, parking areas, and around site buildings (particularly the hotel, where guests and employees are assumed to come and go during nighttime hours), that was assumed and evaluated in the Final EIR. Therefore, the introduction of nighttime lighting associated with the gas station would not result in a new or more severe impact related to increased lighting emitted at the project site. In addition, City Code (19.22.060) requires that the placement of exterior lights shall eliminate spillover illumination or glare onto adjoining properties to the maximum extent feasible, and not interfere with the normal operation or enjoyment of adjoining properties. The City implements this standard by requiring the submittal of a photometric plan with the construction detail plans to ensure that minimal light spillover is generated. Submittal of such a plan is required by mitigation measure AES-1a as proposed in 2011 and which would be applicable to the revised 2017 project.

Vehicle traffic associated with the proposed gas station is anticipated to generate glare during the daytime hours, similar to the vehicle traffic that would have been associated with the parking area proposed at this location for the 2011 project. The gas station may also include metal elements such

as vehicle fuel pumps that could emit small and intermittent amounts of glare depending on the location of the sun, although most glare would be contained to the gas station site and would be deflected by the overhead canopy and surrounding landscaping, particularly at the eastern and southern edges of the gas station site, adjacent to the marsh and pond areas.

The conversion of and expansion of Building C for office and retail use would include the installation of additional glass surfaces (windows/store front doors) that could produce glare. However, the revised version of Building C would be subject to mitigation measure AES-1b proposed in 2011, which requires all windows to be glazed with non-mirrored glass.

Similar to the 2011 project, the 2017 project would be required to comply with the City of Novato regulations on lighting, including review of the lighting plan through the Design Review process and Section 19.22.060 of the City Municipal Code, which requires that light or glare from interior or exterior lighting be shielded or modified to prevent emission of light or glare beyond the property line. Moreover, the Final EIR determined that implementation of Mitigation Measures AES-1a and AES-1b would ensure potential impacts associated with light and glare would be reduced to less-than-significant levels, and these measures would be applicable to the proposed 2017 project. As such, the 2017 project would not result in any new or substantially more severe significant impacts associated with light and glare than those less-than-significant impacts analyzed in the Final EIR.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts related to aesthetics, and no new mitigation measures are required. Mitigation Measures AES-1a and AES-1b, previously identified in the Final EIR, would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the potential aesthetic impacts of the 2011 project and with implementation of Mitigation Measures AES-1a and AES-1b recommended in the Final EIR, there would be no new impacts related to aesthetics associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
II.	**AGRICULTURAL AND FORESTRY 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 Dept. 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:				
	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 a 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, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
	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 which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

DISCUSSION

The Final EIR determined that the project site is located in an urban area and is not used for agricultural production nor does it support forestry resources. These conditions remain unchanged. As such, the 2017 project would continue to have no impact on agricultural and forestry resources, as further described below.

a. Would the project 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? ***(No New Impact)***

The developed project site is located within an urbanized area of Novato. There are no agricultural uses located within or adjacent to the project site. Additionally, the site is classified as "Urban and Built-Up Land" by the State Department of Conservation. Therefore, development of the proposed project would not convert agricultural land to a non-agricultural use. The proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use and there would be no impact. The proposed project covers the same land area as the 2011 project. Therefore, no substantial changes in environmental circumstances have occurred related to farmland and no revisions to the project, or new information that could not have been known at the time the Final EIR was certified, would result in new or more severe significant impacts related to farmland.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? ***(No New Impact)***

The project site is zoned PD:B (Planned District with a Baylands Overlay) on the Novato Zoning Map. The project site is not subject to a Williamson Act contract. Therefore, development of the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and the proposed project would have no impact. The proposed project covers the same land area as the 2011 project. Therefore, no substantial changes in environmental circumstances have occurred related to agricultural use or Williamson Act contract ,and no revisions to the project or new information that could not have been known at the time the Final EIR was certified, would result in new or more severe significant impacts related to such.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? ***(No New Impact)***

The project site is located within an existing urban area and is zoned PD:B. Mature trees on the site are part of the natural landscape and the site is not designated as forest or timberland. The proposed project would not conflict with the existing zoning for, or cause rezoning of, forest land or conversion of forest land to non-forest uses. Therefore, the proposed project would have no impact. The proposed project covers the same land area as the 2011 project. Therefore, no substantial

changes in environmental circumstances have occurred related to forest land and no revisions to the project, or new information that could not have been known at the time the Final EIR was certified, would result in new or more severe significant impacts related to forest land.

d. Would the project result in the loss of forest land or conversion of forestland to non-forest use? ***(No New Impact)***

Please refer to Section II.c. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest uses. Therefore, the proposed project would have no impact. The proposed project covers the same land area as the 2011 project. Therefore, no substantial changes in environmental circumstances have occurred related to forest land and no revisions to the project, or new information that could not have been known at the time the Final EIR was certified, would result in new or more severe significant impacts related to forest land.

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? ***(No New Impact)***

Please refer to Sections II.a and II.c. The project site is located within an existing urban environment and the proposed project would not result in any physical changes that would result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses. The proposed project would not adversely affect agricultural or forestry resources. The proposed project covers the same land area as the 2011 project. Therefore, no substantial changes in environmental circumstances have occurred related to conversion of farmland or forest land and no revisions to the project, or new information that could not have been known at the time the Final EIR was certified, would result in new or more severe significant impacts related to such.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required related to agricultural or forestry resources.

CONCLUSION

The Final EIR adequately evaluated the potential agriculture and forestry impacts of the 2011 project and there is no new information indicating the project site's designation as urban land has change and there would be no new impacts related to agriculture and forestry resources associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
III.	**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:				
	a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
	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 which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
	d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
	e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

DISCUSSION

The project is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the regional government agency that monitors and regulates air pollution within the air basin. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_X), particulate matter (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter ($PM_{2.5}$).

Based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has basically remained unchanged since approval of the Final EIR. However, the BAAQMD has made two key regulatory changes since the EIR was certified. The updated Clean Air Plan was adopted in April 2017 and revised BAAQMD CEQA Guidelines were

adopted in May 2017. These changes in the project circumstances as well as changes to the proposed project itself are discussed and evaluated in the following section.

a. Would the project conflict with or obstruct implementation of the applicable air quality plan? ***(No New Impact)***

An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of an air quality plan is to bring an area into compliance with the requirements of federal and State air quality standards.

The Final EIR referenced the BAAQMD 2010 Bay Area Clean Air Plan to determine if the 2011 project would conflict with or obstruct implementation of an applicable air quality plan. The Final EIR found that the 2011 project would not substantially change the rate of increase in vehicle miles traveled (VMT) and would not have a substantially higher trip generation rate or consist of residential units that would change population projections for the City; therefore, it was determined that the 2011 project would be consistent with the BAAQMD Clean Air Plan. As such, potential conflicts with the applicable air quality plan were considered to be less than significant.

The current BAAQMD clean air plan is the 2017 Clean Air Plan, which was adopted on April 19, 2017.[1] The 2017 Clean Air Plan provides a regional strategy to protect public health and protect the climate. To protect public health, the plan describes how the BAAQMD will continue progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve greenhouse gas (GHG) reduction targets.

The 2017 Clean Air Plan includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants. It also includes control measures to reduce emissions of methane and other "super-GHGs" that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Consistency with the Clean Air Plan can be determined if a project does the following: 1) supports the goals of the Clean Air Plan; 2) includes applicable control measures from the Clean Air Plan; and 3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan. Because the 2017 Clean Air Plan is the most current clean air plan applicable to the region, the proposed 2017 project is evaluated for compliance with this plan below.

As identified in Section X, Land Use and Planning, the proposed project would retain many of the same uses that were evaluated as part of the Final EIR; however, it would also include the

[1] Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan*. April 19.

development of a new gas station, a larger and taller retail and office building (Building C), and smaller restaurant buildings (Buildings A and B) than what was previously analyzed in the Final EIR. As discussed in more detail below, development of the proposed project would not represent a significant change in circumstance or a new significant impact related to air emissions. The proposed 2017 project would have a higher trip generation rate than previously assumed for the 2011 project in the Final EIR due to the gas station; however, as described in the Traffic Impact Study[2] prepared for the proposed 2017 project, the majority of vehicle trips associated with the gas station would be pass-by trips because many of the same visitors to the gas station would also visit the nearby existing Costco. Therefore the changes to the 2011 project including the proposed gas station would not substantially change the rate of increase in vehicle miles traveled (VMT). Refer to Section XVI, Transportation/Traffic for further discussion. In addition, similar to the 2011 project, the new combination of land uses would not consist of residential units that would change population projections for the City. Therefore, implementation of the proposed project would not substantially increase population, vehicle trips, or VMT. As such, the project would not hinder the goals or implementation of any of the control measures from the Clean Air Plan.

The project would comply with all applicable control measures as mandated by the City and BAAQMD, as follows:

- The Transportation Control Measures are designed to reduce emissions from motor vehicles by reducing vehicle trips and VMT in addition to vehicle idling and traffic congestion. Similar to the 2011 project, the 2017 project would provide a mix of uses on the site within close proximity to other retail destinations, reducing VMT due to pass-by trips. Pedestrian and bicycle access would be provided throughout the site via internal walkways and sidewalks. In addition, the project would provide bicycle parking on the site. Therefore, the project would support the ability to use alternative modes of transportation and would promote initiatives to reduce vehicle trips and VMT and would increase the use of alternate means of transportation. The new gas station would include a total of 24 vehicle fueling positions and cars would occasionally idle as they queue up for fueling, particularly during high use periods. However, these idling emissions are accounted for in the total project emissions estimates shown in Table 1 in the following section (under mobile source emissions). Because these emissions are well below established BAAQMD thresholds, the gas station use itself would not conflict with the Transportation Control Measures.
- The Clean Air Plan includes Land Use and Local Impacts Measures (LUMs) to achieve the following: promote mixed-use, compact development to reduce motor vehicle travel and emissions; and ensure that planned growth is focused in a way that protects people from exposure to air pollution from stationary and mobile sources of emissions. The LUMs identified by the BAAQMD are not specifically applicable to the proposed project as they relate to actions the BAAQMD will take to reduce impacts from goods movement and health risks in affected communities. However, as noted above, the proposed project

[2] W-Trans, 2017. *Traffic Impact Study for the Hanna Ranch Project*. June 9.

would provide a mix of office, retail, restaurant, and hotel uses located within an area that is in close proximity to commercial, retail, employment, and recreational uses. The proposed project would not conflict with any of the LUMs of the Clean Air Plan.

- The Clean Air Plan also includes Energy and Climate Control Measures, which are designed to reduce ambient concentrations of criteria pollutants and reduce emissions of CO_2. Implementation of these measures is intended to promote energy conservation and efficiency in buildings throughout the community, promote renewable forms of energy production, reduce the "urban heat island" effect by increasing reflectivity of roofs and parking lots, and promote the planting of (low-VOC-emitting) trees to reduce biogenic emissions, lower air temperatures, provide shade, and absorb air pollutants. The measures include voluntary approaches to reduce the heat island effect by increasing shading in urban and suburban areas through the planting of trees. The proposed project would include paved areas that could result in a heating effect. However, the proposed project includes open space and landscaped areas, including the planting of new trees. Approximately 68 percent of the total site area would remain as undisturbed open space or landscaped areas. In addition, as part of the project's compliance with the latest California Building Code standards, the project is expected to be relatively energy efficient and would incorporate green building measures in compliance with the latest CALGreen's standard building measures for residential buildings and Title 24 requirements. Therefore the project would not conflict with the Energy and Climate Control Measures.

As discussed above, implementation of the proposed project would not disrupt or hinder implementation of the applicable measures outlined in the Clean Air Plan, including Transportation and Mobile Source Control Measures, Land Use and Local Impact Measures, and Energy Measures.

In addition, as indicated in the analysis that follows, the proposed project would result in less-than-significant operational and construction-period emissions. Therefore, the proposed project supports the goals of the Clean Air Plan and would not conflict with any of the control measures identified in the plan or designed to bring the region into attainment. The proposed 2017 project would not result in new or more significant population growth impacts than were analyzed and described in the Final EIR. Therefore, similar to the conclusions of the Final EIR for the 2011 project, the proposed 2017 project's potential conflicts with the applicable air quality plan would be less than significant and no new or more severe impacts would result due to the changes in the proposed project or changes in the applicable clean air plan.

*b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? **(No New Impact)***

Regional Operational Emissions. The proposed project would develop the site with new retail, office, restaurant, hotel, and gas station uses. The new land uses would result in mobile air quality emissions from increased vehicle trips to the project site and area source air quality impacts such as emissions generated from the use of landscaping equipment and water heating. The Final EIR determined that emissions associated with the 2011 project would not exceed the BAAQMD significance thresholds and, therefore, would result in a less-than-significant impact. Development

of the proposed 2017 project would result in similar regional and local air quality emissions as identified in the Final EIR, including long-term project-related emissions associated with the ozone precursors ROG and particulate matter.

Emission estimates for operation of the 2017 project were calculated using the current California Emissions Estimator Model version 2016.3.1 (CalEEMod), consistent with BAAQMD recommendations. Model results are shown in Table 1. CalEEMod output is available as part of the administrative record for the project on file at the City.

Table 1: Project Operational Emissions

	ROG	NO_x	PM_{10}	$PM_{2.5}$
Emissions in Pounds Per Day				
Area Source Emissions	5.7	0.0	0.0	0.0
Energy Source Emissions	0.3	2.3	0.2	0.2
Mobile Source Emissions	8.6	29.2	10.9	3.0
Total Emissions	14.5	31.5	11.1	3.2
BAAQMD Significance Threshold	54.0	54.0	82.0	54.0
Exceed?	**No**	**No**	**No**	**No**
Emissions in Tons Per Year				
Area Source Emissions	1.0	0.0	0.0	0.0
Energy Source Emissions	0.0	0.4	0.0	0.0
Mobile Source Emissions	1.3	5.3	1.9	0.5
Total Emissions	2.4	5.7	1.9	0.6
BAAQMD Significance Threshold	10.0	10.0	15.0	10.0
Exceed?	**No**	**No**	**No**	**No**

Source: LSA Associates Inc., 2017.

The primary emissions associated with the project are regional in nature, meaning that air pollutants are rapidly dispersed on release or, in the case of vehicle emissions associated with the project; emissions are released in other areas of the air basin. The daily emissions associated with project operational trip generation, energy and area sources are identified in Table 1 for ROG, NO_x, PM_{10}, and $PM_{2.5}$. The results shown in Table 1 indicate the 2017 project would not exceed the significance criteria for daily ROG, NO_2, PM_{10} or $PM_{2.5}$ emissions; therefore, the proposed 2017 project would not have a significant effect on regional air quality and mitigation would not be required. In addition, these emissions would be much lower than the emissions previously assumed for the 2011 project as evaluated in the Final EIR, which were calculated in pounds per day as follows: ROG (24.5); NO_x (38.3); PM_{10} (50.4); and $PM_{2.5}$ (9.5). Emissions generated by the 2017 project would be 10 pounds per day less for ROG, 6.8 pounds per day less for NO_x, 39.3 pounds per day less for PM_{10}, and 6.3 pounds per day less for $PM_{2.5}$. This reduction is primarily attributable to the ongoing implementation of more stringent air quality standards and regulations. Therefore, the proposed 2017 project would

not result in any new or more significant operation-related air quality impacts and these impacts would remain less-than-significant.[3]

Construction-Related Impacts. Similar to the 2011 project, construction activities associated with the 2017 project would temporarily affect local air quality. Construction-period activities such as earthmoving and construction vehicle traffic would generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water-based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application. Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when, and if, underlying materials are exposed to the atmosphere. The effects of construction activities would be increased dustfall and locally elevated levels of particulate matter downwind of construction activity.

The Final EIR determined that construction of the 2011 project would generate air pollutant emissions that could violate the BAAQMD air quality standards, and therefore would result in a significant impact. However, the Final EIR identified Mitigation Measure AIR-1 to reduce construction emissions to a less-than-significant level.

As previously stated, based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has basically remained unchanged since approval of the Final EIR. Construction emissions were estimated for the 2017 project using CalEEMod. Specific construction details are not yet known; therefore, default assumptions (e.g., construction fleet activities) from CalEEMod were used. For purposes of this CalEEMod modeling analysis, the construction schedule for all improvements was assumed to be approximately 24 months, similar to the 2011 project. Construction-related emissions are presented in Table 2. CalEEMod output sheets are available as part of the project file.

Table 2: Project Construction Emissions in Pounds Per Day

Project Construction	ROG	NO_x	Exhaust PM_{10}	Exhaust $PM_{2.5}$
Average Daily Emissions	4.3	18.4	0.6	0.6
BAAQMD Thresholds	54.0	54.0	82.0	54.0
Exceed Threshold?	**No**	**No**	**No**	**No**

Source: LSA Associates, Inc., 2017

[3] Project operation emissions were calculated using a previous iteration of the 2017 project that included more retail (2,263 square feet) uses and less office (1,480 square) and restaurant (2,218 square feet) uses than the currently proposed project. However, the emission results are expected to be substantially similar to the calculations shown above and the conclusions of the analysis contained in this section would not change.

As shown in Table 2, construction emissions associated with the 2017 project would be less than significant for ROG, NO_x, $PM_{2.5}$, and PM_{10} exhaust emissions. Development of the proposed 2017 project would result in similar construction-related, short-term air quality impacts to those identified in the Final EIR. With implementation of the Mitigation Measure AIR-1, as identified in the Final EIR, the proposed project would be required to implement the BAAQMD's Best Management Practices and would ensure that the proposed project would not result in any new or more significant construction-related air quality impacts beyond those identified in the Final EIR, and this impact would be less than significant.

According to the BAAQMD, and consistent with the City of Novato's policies regulating construction emissions, if control measures (Best Management Practices) of the type set forth in Mitigation Measure AIR-1 are implemented, then air pollution from emissions from construction activities would be considered less than significant. Therefore, implementation of Mitigation Measure AIR-1 would ensure that potential impacts associated with construction emissions that could violate the BAAQMD air quality standards, contribute substantially to an existing or projected air quality violation, and exposure of sensitive receptors to substantial pollutant concentrations would be reduced to a less-than-significant level.

Localized CO Impacts. As discussed in the Final EIR, the BAAQMD has established a screening methodology that provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD CEQA Guidelines, a proposed project would result in a less-than significant impact to localized CO concentrations if the following screening criteria are met:

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

The proposed 2017 project would not conflict with programs or plans of the Transportation Authority of Marin for designated roads or highways. Additionally, existing traffic volumes at intersections in the project vicinity are less than 5,000 vehicles per hour and the project is expected to generate approximately 5,897 daily trips (an increase of 1,909 daily trips compared to the 2011 project). Therefore, the proposed project would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour. The project site is not located in an area where mixing of air is limited. Therefore, because the project does not exceed the screening criteria, the project would not result in localized CO concentrations that would exceed State or federal standards and this potential impact would remain less than significant.

c. Would the project 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 which exceed quantitative thresholds for ozone precursors)? ***(No New Impact)***

As indicated in Table 1 above, the proposed 2017 project individually would not result in significant regional emissions for criteria pollutants. According to the BAAQMD, a project that would result in less-than-significant emissions at the individual project level would also result in less-than-significant cumulative emissions. As noted above, the 2017 project would also be consistent with the region's Clean Air Plan. Therefore, as with the 2011 project, the proposed 2017 project would not 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 which exceed quantitative thresholds for ozone precursors), and the changes to the project would not result in new or more severe significant impacts.

d. Would the project expose sensitive receptors to substantial pollutant concentrations? ***(No New Impact)***

Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

According to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to Toxic Air Contaminants (TACs) resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 $\mu g/m^3$ (micrograms per cubic meter). A significant cumulative impact would occur if the project in combination with other projects located within a 1,000-foot radius of the project sites would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient $PM_{2.5}$ increase greater than 0.8 $\mu g/m^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below. As discussed below, this impact would be less than significant.

The project site is not located in a community identified by the BAAQMD as an "impacted community" for high exposure to TACs. Similar to the 2011 project, the proposed 2017 project also does not include residential units and therefore the analysis of TACs focuses on sources of contaminants associated with the project. Common stationary sources of TACs emissions include gasoline stations, dry cleaners, and diesel backup generators, which are subject to BAAQMD permit requirements. The other, often more significant, common source type is on-road motor vehicles on freeways and roads such as trucks and cars, and off-road sources such as construction equipment, ships and trains. The proposed project would include a gas station, however the gas station would be located over 1,000 feet from the nearest sensitive receptors and therefore would not expose receptors to concentrations in excess of the significance criteria established by the BAAQMD.

Emissions from vehicles would be a source of TACs; however, the project would not locate sensitive receptors near a high volume roadway.

Given the above, the proposed 2017 project would not expose sensitive receptors or the general public to substantial levels of TACs during the operation period, resulting in a less-than-significant impact related to TAC exposure. With implementation of Mitigation Measure AIR-1 identified in the Final EIR, the proposed 2017 project would not result in any new or more significant air quality-related impacts to sensitive receptors.

e. Would the project create objectionable odors affecting a substantial number of people? ***(No New Impact)***

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed gas station may occasionally generate diesel and gasoline odors, and odors associated with vehicle idling; however, as discussed in more detail in Section VIII, Hazards and Hazardous Materials, facility operation procedures would be implemented to ensure that all fuel islands are regularly physically inspected and that any leaks or spills are appropriately handled. Odors generated by the gas station would mostly be limited to the fuel station site and are not likely to drift to nearby properties. Furthermore, the nearest sensitive land uses are located more than 1,000 feet from the gas station site and therefore area residents would not be exposed to objectionable odors. While some odors may be associated with restaurant uses, those uses were also proposed for the 2011 project and considered in the Final EIR. Therefore, similar to the 2011 project, the proposed 2017 project would not create objectionable odors affecting a substantial number of people, and no mitigation is required.

APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measure AIR-1, previously identified in the Final EIR, would remain applicable to the 2017 project and is provided in Attachment B.

CONCLUSION

As previously discussed, based on the BAAQMD attainment status and ambient air quality monitoring data, ambient air quality in the vicinity of the project site has basically remained unchanged since approval of the Final EIR; therefore, baseline conditions related to air quality remain essentially unchanged. In addition, based on the above discussion, although the BAAQMD made two key regulatory changes since the Final EIR was certified, no new or more severe significant impacts would result from development of the 2017 project as compared to the 2011 project in light of these regulatory changes. The Final EIR adequately evaluated the air quality impacts of the proposed project and with implementation of Mitigation Measure AIR-1, there would be no new impacts related to air quality associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
IV.	**BIOLOGICAL RESOURCES.** Would the project:				
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?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

DISCUSSION

A Biological Resources Evaluation[4] was prepared for the 2017 project to determine how existing conditions on the project site may have changed since completion of the Final EIR and if the proposed changes in the project could result in new or more severe impacts related to biological resources than those previously identified for the 2011 project. This report is available as part of the project file. It should be noted that the evaluation considered the potential for the 2017 project to include residential uses within proposed Building C, a use that was not considered in the Final EIR. Since preparation of the evaluation, this component of the 2017 project has been removed and residential uses are no longer proposed. Therefore, although the evaluation includes recommendations related to proposed location of residential uses at the site, these findings and recommendations are no longer applicable to the proposed 2017 project. The following discussion summarizes the results of the evaluation as they relate to the proposed 2017 project, as currently proposed and as described in the project description included with this report. As discussed in more detail below, no new or substantially more severe impacts related to biological resources were identified for the 2017 project as compared to the 2011 project.

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ***(Less-Than-Significant Impact with New Mitigation)***

Special-Status Plants. The Biological Resources Evaluation identified several small stands of purple needle grass grassland that still occur on the project site, and are approximately the same size they were when analyzed as part of the Final EIR (totaling approximately 0.5 acres). Similar to the 2011 project, the 2017 project may impact purple needlegrass grassland, a special-status plant species (Impact BIO-4). Specific impacts to this plant species and the mitigation measures recommended to reduce the impact to a less-than-significant level are unchanged from the 2011 project. More specifically, implementation of Mitigation Measure BIO-4, as identified in the Final EIR, would ensure that potential impacts to purple needlegrass grassland are reduced to less-than-significant levels.

Special-Status Wildlife. The conditions of the site in 2017 are similar to conditions existing in 2011 at the time that the Final EIR was certified and no changes are required to the Final EIR's conclusion that the following three special-status wildlife species may be present on the site:

- Western pond turtle (*Emys marmorata*), a California Species of Special Concern;
- White-tailed kite (*Elanus leucurus*), a California Fully Protected Species; and
- Loggerhead shrike (*Lanius ludovicianus*), California Species of Special Concern.

[4] LSA Associates, 2017. 2017 Hanna Ranch Mixed-Use Project – Biological Resources Evaluation. July 10.

Additionally, LSA biologists determined in 2017 that there is some potential for the following two special-status bird species to nest on the site, which were not identified or evaluated in the Final EIR:

- San Pablo song sparrow (*Melospiza melodia samuelis*), a California Species of Special Concern and
- Saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*), a California Species of Special Concern

Similar to the 2011 project, construction of the 2017 project could adversely affect the above-noted species, as well as the additional bird species.

Western pond turtle. As identified in the Final EIR (Impact BIO-1), construction of the 2011 project could result in direct harm or mortality to western pond turtles. This is true of the 2017 project as well. Turtles could travel from the on-site pond and/or the Beverly Ehreth Ecological Preserve pond into the construction area to lay eggs. Grading operations and equipment traffic adjacent to the ponds could harm or kill adult turtles and destroy such nesting sites, if present. Installation of silt fences around the ponds could block the movements of females attempting to move to nest sites. The silt fence could also trap overwintering adults and hatchlings inside of the construction area. Similar to the 2011 project, the 2017 project would also cause an increase in vehicle traffic in the area, which increases the chances that female western pond turtles would be killed when moving overland to and from nesting sites. Hatchling turtles could also be killed by vehicles after leaving the nest and moving toward water.

Implementation of Mitigation Measure BIO-1, which was identified in the Final EIR, would remain applicable to the 2017 project and would ensure that impacts to western pond turtles associated with construction activities are reduced to a less-than-significant level. Similar to the 2011 project, the 2017 project is likely to cause an incremental increase in the number of urban-adapted animals in the area. However, the 2017 project is not anticipated to lead to greater predation pressure of western pond turtles than what was previously assumed as part of the Final EIR during project operation.

Food-related trash (e.g., food scraps, wrappers, cans) deposited on the site during and after construction could also attract predators and increase their population, leading to greater predation pressure on native wildlife, including western pond turtles. To prevent an increase in predators and to further ensure that potential impacts to western pond turtles would be less than significant and that the 2017 project would not substantially increase the severity of impacts identified for western pond turtles, the 2017 project would be required to implement Mitigation Measure BIO-1b, below in addition to Mitigation Measure BIO-1 (now referred to as Mitigation Measure BIO-1a). Mitigation Measure BIO-1b is a refinement to Mitigation Measure BIO-1 and is required (as allowed under CEQA Section 15162(a)(3)) to ensure that the project applicant complies with more stringent mitigation standards to continue to reduce impacts to a less-than-significant level and protect western pond turtles during construction activities.

Mitigation Measure BIO-1b: Construction personnel shall not feed or otherwise attract fish or wildlife in the project area. All food-related trash and garbage shall be placed in animal-proof containers which shall be emptied or removed from the construction site weekly. After the project is complete, the operator shall use fully covered trash receptacles that are animal-proof and weather-proof to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. The signs that shall be placed stating that dogs must be on-leash (see Mitigation Measures BIO-10d and BIO-11f) shall also indicate that feeding of wildlife is prohibited by law.

In addition, the use of anticoagulant rodenticides to control rodents around restaurants after the project is built may also impact native wildlife. There has been increased awareness in recent years of the negative effects of rodenticides on wildlife. In 2012 the Marin County Board of Supervisors passed Resolution No. 2012-38, opposing the sale and purchase of rat and mouse poisons deemed an unacceptable risk to children, pets, and wildlife. In 2014, California restricted the use of second-generation anticoagulant rodenticides (products containing the active ingredients brodifacoum, bromadiolone, difethialone and difenacoum) to licensed applicators. In 2015 the Environmental Protection Agency cancelled 12 products that did not meet current safety standards. Eight of these twelve products contained second-generation anticoagulants pesticides that posed unacceptable risks to non-target wildlife. The adjacent Costco has several rodenticide bait stations placed along its wall. Non-target wildlife as well as rodents that eat poisoned bait may be scavenged or preyed upon by native wildlife living on the site and in the adjacent Novato Creek Unit of the Petaluma Marsh Wildlife Area, and the Beverly Ehreth Preserve. Wildlife that consumes the poisoned rodents could then be sickened or killed from non-target/secondary poisoning. Implementation of Mitigation Measure BIO-1c, which is a refinement to Mitigation Measure BIO-1, would ensure that the project applicant complies with measures to protect western pond turtles and other native wildlife during construction and operation activities and continues to reduce impacts to wildlife to a less-than-significant level.

Mitigation Measure BIO-1c: Second-generation anticoagulant rodenticide bait stations shall not be used outdoors on the project site before, during, or after construction. This prohibition shall be detailed by the property management company in all commercial leases.

In addition, the Final EIR determined that the permanent loss of nesting habitat on the site would not result in a significant impact to nesting habitat for western pond turtles because relatively large amounts of upland areas adjacent to the ponds and undeveloped areas on the site would remain. Although this condition remains generally the same with the 2017 project, the permanent loss of potential upland western pond turtle nesting habitat that could occur with the proposed development could adversely affect the population of western pond turtles. The permanent loss of upland habitat could also reduce the availability of overwintering sites for western pond turtles, which overwinter both on land and underwater. Implementation of Mitigation Measure BIO-7 would increase habitat connectivity for all wildlife (including western pond turtles) between the Ecological Preserve and the on-site pond and upland habitat and would allow and reduce impacts related to access to habitat. Additionally, Mitigation Measure BIO-1d described below, which is a refinement to Mitigation Measure BIO-1,identifies specific actions to ensure that the project applicant complies with measures to reduce impacts to western pond turtle upland habitat to a less-than-significant

level. Please note that the preserve is owned and managed by Marin County Flood Control District and is not within the project applicant's control. If the Marin County Flood Control District does not grant the project applicant access to enhance habitat or remove invasive species from the preserve, then the project applicant and no aspect of the 2017 project, can intrude within 50 feet of the buffer measured from top of bank of the preserve pond.

> Mitigation Measure BIO-1d: The applicant shall coordinate with the City and the Marin County Flood Control District, the operator of the Beverly Ehreth Ecological Preserve, on measures to enhance existing western pond turtle habitat during project construction. Enhancement measures developed in coordination with the operator could include: 1) Placing one trunk from a tree that is removed from the site in the on-site pond to create a basking area that is secure from predators. The basking area should be located in an area with access to sunlight and away from areas that would be shadowed by buildings on the project site; 2) Eradicating non-native vegetation including Himalayan blackberry from the banks of the Beverly Ehreth Ecological Preserve pond and the on-site pond, as described in Mitigation Measures BIO-10e and BIO-11e; 3) Including actions in the Stream and Wetland Management Plan that shall be developed as described in Mitigation Measure BIO-10f to enhance upland western pond turtle nesting habitat (e.g., planting of native short grasses and/or forbs in friable soils free of rocks in an area with exposure to direct sunlight); and 4) Removing red-eared sliders or other non-native turtles (invasive species) from the on-site pond or preserve pond.

As discussed above, impacts to western pond turtles during the construction and operation period would be less than significant with development of the proposed 2017 project, with implementation of Mitigation Measures BIO-1a through BIO-1d as described above. Refinements to the existing mitigation measures for this special-status wildlife species are required to be implemented by the applicant to address changes to the standards of the applicable resource agencies and are not due to changes in the proposed project or changes in the baseline conditions at the site. While these updated regulatory standards represent some new information applicable to the proposed project, this new information and revised standards as applied to the project would not result in new or more severe significant environmental effects beyond those identified in the Final EIR and reduced to a less-than-significant level for the 2011 project. With implementation of the refined Mitigation Measure BIO-1 described above, potential impacts to western pond turtles and other special-status wildlife species that may be present on the project site would be reduced to a less-than-significant level.

San Pablo song sparrow. San Pablo song sparrows were not expected to occur on the site because there was no suitable salt marsh habitat present, as is true in 2018, and specific impacts to this special-status species were not identified in the Final EIR. In the unlikely event that San Pablo song sparrows nest in the coyote brush shrubs that surround much of the on-site pond, implementation of Mitigation Measure BIO-2, as required in the Final EIR, would ensure that impacts to all nesting birds protected under the Migratory Bird Treaty Act and California Fish and Game Code, including the San Pablo song sparrow, are reduced to a less-than-significant level during construction. Therefore, potential impacts to the San Pablo song sparrow and all nesting birds would not be more severe than those identified in the Final EIR and would continue to be less than significant with implementation of Mitigation Measure BIO-2.

Saltmarsh common yellowthroat. saltmarsh common yellowthroat breeds in brackish marshes, riparian woodlands and swamps, freshwater marshes, and occasionally in upland areas. It builds a well-concealed nest near the ground in grasses, herbaceous plants, cattails (*Typha* sp.) and coyote brush. The Final EIR noted that the species was not expected to be present on the site. However, coyote brush does occur on the site, and in the unlikely event that saltmarsh common yellowthroat nest in the on-site coyote brush shrubs, implementation of Mitigation Measure BIO-2 would ensure that impacts to this species are reduced to a less-than-significant level during construction, and impacts to nesting birds would not be more severe than those identified in the Final EIR.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? ***(No New Impact)***

Under the 2011 project, approximately 13.5 acres of the site (69 percent) would have remained undeveloped, with 2.75 acres (14 percent) used for landscaping and 10.75 acres (55 percent) to remain undisturbed. Similarly, with the 2017 project, approximately 13.4 acres of the site (68 percent) would remain undeveloped, with approximately 2.9 acres (15 percent) used for landscaping and approximately 10.5 acres (53 percent) to remain undisturbed. The 2017 project, compared to the 2011 project, would result in a minor decrease in the amount of undeveloped land remaining on the site after project construction.

Similar to the 2011 project, the 2017 project could result in the introduction of invasive plant species to the open space areas of the project site. The introduction of invasive species could result in an adverse effect to sensitive natural communities (e.g., riparian habitat within the Beverly Ehreth Ecological Preserve and oak woodland and purple needlegrass grassland) within the project site. The 2017 project would also remove stands of purple needlegrass grassland, a sensitive natural community. However, similar to the 2011 project, potential impacts to riparian habitat and other sensitive natural communities would be reduced to less-than-significant levels with implementation of Mitigation Measures BIO-3 and BIO-4 and the minor decrease in the amount of undeveloped land under the 2017 project would not be substantial. Therefore, the 2017 project would not result in any new or more significant impacts to riparian habitat or other sensitive natural communities than those identified in the Final EIR.

c. Would the project 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 New Impact)***

The Final EIR determined that approximately 0.05 acres of isolated seasonal wetlands and 0.07 acres of seasonal wetlands (with Option B, which includes the potential bike path that is also included in the 2017 project) would be adversely affected by the 2011 project as outlined in Impacts BIO-5, BIO-6 and BIO-12. A formal wetland delineation was not performed in 2017 but a wetland specialist did visit the site to review the status of the previously delineated jurisdictional and isolated areas. During the 2017 site reconnaissance, the specialist observed that the on-site pond was relatively unchanged, but that portions of the perimeter brackish marsh wetland no longer existed. The site at the northeastern project boundary appeared relatively unchanged, but the areas just south of the

preserve were not observed, likely due to damage from recreational off-road vehicles. Tire-rut puddles observed in the northern portion of the site were likely created by the off-road vehicles and were not previously identified as wetlands. Potential seasonal wetlands not identified in 2004 or 2010 were observed on the southern side of the southern hill near the project boundary during the 2017 survey, likely inadvertently created by recent fill placement on the adjacent property. The wetlands that were identified in 2004 and verified in 2010, and which are still present, likely maintain the same jurisdictional status in 2017.

Similar to the 2011 project, the 2017 project could have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act as well as waters of the State as defined through the Porter-Cologne Water Quality Control Act. Because more than 5 years has passed since the wetland delineation was verified, the delineation must be re-verified, and either the US Army Corps of Engineers or Regional Water Quality Control Board (RWQCB) then may claim jurisdiction. Mitigation Measure BIO-5b has been modified to require the project applicant to conduct an updated wetland verification to determine the current status of the wetlands prior to any groundbreaking activity. Mitigation Measure BIO-5b also states that all waters of the U.S. and waters of the State impacted by the 2017 project shall be mitigated at a 3:1 mitigation ratio. Although the final mitigation acreage is yet to be determined, this will be identified through the permitting process with the applicable agencies, as required in Mitigation Measure BIO-5b in the Final EIR.

In addition, the 2017 project also includes the development and operation of a gas station that was not previously analyzed as part of the Final EIR. As such, the 2017 project would include the dispensing of gasoline and other chemicals that, if not properly handled in accordance with existing regulations, could result in spills that could enter the surrounding wetlands through surface or subsurface sources. The fueling facility underground storage tanks (USTs) are located approximately 140 feet from the wetland area to the west and over 60 feet from the wetlands to the south. The fueling facility is designed to be both liquid and vapor tight. The double wall containment system and redundancy in leak detection monitoring reduces the potential of an unauthorized system release. Costco company policy is to provide trained employees at the facility during operating hours to identify maintenance requirements and physically inspect the fuel islands. The training includes proper spill clean-up and emergency response procedures. Emergency shutoff switches are provided and the tank and piping monitoring system is programmed to activate visual/audible alarms. In addition, as described in Section IX, Hydrology and Water Quality, implementation of Mitigation Measures HYD-1a and HYD-1b would ensure that impacts associated with the location of a new gas station on the project site are reduced to less-than-significant levels. Mitigation Measure HYD-1b specifically requires that the project applicant prepare a Stormwater Control Plan that addresses source controls for potential pollutant source areas, which would apply to gas station operations. In addition, the proposed gas station and fuel storage tanks and fuel dispensing systems would be required to comply with regulatory requirements that govern the operation, design, and maintenance of such facilities such that impacts to water quality and sensitive wetland areas within proximity of the site would be less than significant. Refer to Section VIII, Hazards and Hazards Materials for additional information.

Given the above, the 2017 project would not result in any new or more significant impacts to wetlands than those identified in the Final EIR.

d. Would the project 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? ***(No New Impact)***

The on-site pond and preserve are currently separated by approximately 220 feet of upland that primarily consists of compacted dirt road that is occasionally used by unauthorized motorcycles and other vehicles. The pond is connected to an extensive area of wetlands adjacent to and east of the project site. Similar to the 2011 project, construction of the 2017 project could interfere with native wildlife movement between the Beverly Ehreth Ecological Preserve and nearby natural areas. Both the 2011 project and the 2017 project would result in the construction of a paved driveway between the preserve and on-site pond and would increase human activity on the site. Potential impacts to native wildlife movement that would occur with the 2017 project are similar to those described in the Final EIR. Implementation of Mitigation Measure BIO-7 (as modified to address the revised site design and location of project buildings) would reduce this impact to a less-than-significant level. As such, the 2017 project would not result in any new or more significant impacts related to habitat connectivity than those identified in the Final EIR.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ***(No New Impact)***

The Final EIR for the 2011 project identified the removal of at least 57 trees, including 18 heritage eucalyptus trees, 9 heritage valley oak trees, 1 heritage coast live oak tree, 1 heritage Monterey pine tree, and 28 other trees (2 valley oaks, 1 coast live oak, 1 black oak, and 24 eucalyptus and acacias) that are protected under the City of Novato's Municipal Code. In addition, the proposed project would encroach slightly into the edge of the valley oak woodland and would include the removal of 10 heritage oak trees. The total number of trees to be removed by the 2017 project is expected to be similar to the number and location of trees identified for removal in the Final EIR since the revised project involves development within the same areas proposed in 2011. Notably, several eucalyptus trees slated for removal under the 2011 project were toppled by severe storms in late 2014 and were subsequently removed from the site. Similar to the 2011 project, the 2017 project could conflict with the City of Novato's tree protection policies as well as the City's Woodland and Tree Preservation Ordinance. The final circulation and development plan would be required to specify the total number of trees to be removed. All of the measures, including mitigation ratios, in the Final EIR regarding this impact are required to be implemented and adjusted to the total type and number of trees impacted. Mitigation Measures BIO-8 and BIO-9 from the Final EIR acknowledges and mitigates removal of trees and potential impacts to valley oak woodland.

Certain elements of the 2017 project may also intrude within a 50-foot buffer as measured from the top of bank for the preserve pond and as measured from the water line for the on-site pond, as established and regulated by the City's Municipal Code. The City of Novato Municipal Code Section 19.35 requires a Use Permit for intrusion within the 50-foot buffer measured from top of bank surrounding a designated waterway (the designation for the preserve pond) and Section 19.36

requires a Use Permit for the intrusion of development within 50 feet of the water line of a wetland (the designation for the on-site pond). The City of Novato's Municipal Code Section 19.35 stipulates a stream protection zone shall be established, which shall include the stream bed, the stream banks, all riparian vegetation and an upland buffer zone at least 50 feet wide, measured from the top of the channel bank for the preserve pond and the water line for the on-site pond. The 2017 project does not include observation decks or an amphitheater that would intrude into the preserve pond buffer as were proposed by the 2011 project, but minor grading, sidewalks and benches may enter this buffer. However, the intrusions into this buffer area would be less than proposed for the 2011 project and would not result in any new or more severe impacts to biological resources than those identified and mitigated to a less-than-significant level in the Final EIR, and this impact would continue to be less than significant with implementation of mitigation measures identified in the Final EIR, as modified. Mitigation Measures BIO-6, BIO-10 and BIO-11 from the Final EIR acknowledges and mitigates potential encroachment into the buffers for grading and paths. The 2017 project would not increase the area of encroachment into the buffers.

Given the above, similar to the 2011 project, implementation of Mitigation Measures BIO-6 through BIO-12 (as modified to address the revised site design and location of project buildings) would ensure that potential impacts related to compliance with the City's Woodland and Tree Preservation Ordinance and Municipal Code Section 19.35 are reduced to less-than-significant levels. As such, the 2017 project would not result in any new or more significant impacts associated with consistency of local plans, policies, and ordinances than those identified in the Final EIR.

f. Would the project 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 New Impact)***

As described in the Final EIR, the project site is not subject to any adopted habitat conservation plans or natural community conservation plans and therefore no conflicts would result. The same is true for the proposed 2017 project and there would be no impact.

APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts. Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, BIO-10, BIO-11, BIO-12, BIO-14, and BIO-15, previously identified in the Final EIR and as refined in this Addendum to address minor modifications to the proposed project design and new information and revised standards not known in 2011, are required to be implemented by the project sponsor for the 2017 project. These measures, as modified, are shown in Attachment B.

CONCLUSION

As previously discussed, based on field, literature, and resource database review and review of current regulations and standards of applicable resource agencies, although baseline conditions related to biological resources have slightly changed since the Final EIR was certified, no new or more severe significant impacts would result from development of the 2017 project as compared to the 2011 project in light of these changed project circumstances and new information presented in the above discussion. The Final EIR adequately evaluated the biological resource impacts of the proposed project and with implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, BIO-10, BIO-11, BIO-12, BIO-14, and BIO-15, as modified, there would be no new or substantially more severe impacts related to biological resources associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
V.	**CULTURAL RESOURCES.** Would the project:				
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 geologic feature?	☐	☐	☐	☒
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

DISCUSSION

The Final EIR determined that the proposed 2011 project would not result in significant impacts to cultural resources. Conditions related to historic, archaeological, and paleontological resources remain unchanged. As such, impacts of the 2017 project would continue to be less than significant with implementation of mitigation measures identified in the Final EIR, as discussed below.

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? ***(No New Impact)***

As noted in the Final EIR, the project site is currently vacant and undeveloped. As such, there are no existing structures or buildings that are considered historic resources. Therefore similar to the 2011 project, the 2017 project would not result in impacts to buildings that are historic resources.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? ***(No New Impact)***

The Final EIR determined that although no known archaeological resources have been identified within the project site, ground disturbing activities associated with grading and construction of building foundations could adversely affect previously undiscovered archeological resources. The 2011 project was designed to minimize the amount of grading required; however total earthwork for the site would require approximately 30,000 cubic yards of fill and approximately 27,500 cubic yards of excavation. Excavation depths were determined to be approximately 4.5 feet. As discussed in the Final EIR, final earthwork calculations would be updated at the time of final design and may vary based on the contractor's method of operation and direction of the geotechnical engineer. Ground disturbing activities associated with the 2017 project are expected to be similar to those proposed for the 2011 project and evaluated in the Final EIR as the overall site design and total area of disturbance is similar. However, excavation depths for installation of fuel tanks associated with the proposed gas station may exceed 4.5 feet, although the total depth of excavation is not known at this time. Nevertheless, implementation of Mitigation Measure CULT-1, which was identified in the Final EIR, would ensure that potential impacts to previously unidentified archaeological resources are reduced to less-than-significant levels. As such, with implementation of Mitigation Measure CULT-1, development of the 2017 project would not result in new or more severe impacts to archaeological resources than identified in the Final EIR.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ***(No New Impact)***

The Final EIR determined that although no paleontological resources have been identified within the project site, the presence of a geological formation that is known to contain fossils indicates some paleontological sensitivity at the site. The Final EIR identified the possibility of encountering significant paleontological resources in the Franciscan Formation that underlies the project site during ground disturbing activities. Ground disturbing activities associated with the 2017 project would be similar to those proposed for the 2011 project and evaluated in the Final EIR (see discussion above under Section V.c). Implementation of Mitigation Measure CULT-2, which was identified in the Final EIR, would ensure that potential impacts to previously unidentified paleontological resources are reduced to less-than-significant levels. As such, with implementation of Mitigation Measure CULT-2, development of the 2017 project would not result in new or more severe impacts to paleontological resources than identified in the Final EIR.

d. Would the project disturb any humans remains, including those interred outside of formal cemeteries? ***(No New Impact)***

The Final EIR determined that although no human remains have been identified within the project site, the possibility of encountering such remains, either in isolation or with prehistoric archaeological deposits, cannot be ruled out. More specifically, ground-disturbing activities associated with site preparation and the construction of building foundations could adversely affect Native American skeletal or cremated remains should these be discovered during the construction period. Implementation of Mitigation Measure CULT-3, which was identified in the Final EIR, would ensure that potential impacts to human remains would be reduced to a less-than-significant level. As such, with implementation of Mitigation Measure CULT-3, development of the 2017 project would not result in new or more severe impacts to Native American skeletal or cremated remains than identified in the Final EIR.

APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures CULT-1, CULT-2, and CULT-3, previously identified in the Final EIR, would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the potential cultural resource impacts of the proposed 2011 project and with implementation of Mitigation Measures CULT-1, CULT-2, and CULT-3 identified in the Final EIR, there would be no new impacts related to cultural resources associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
VI.	**GEOLOGY AND SOILS.** Would the project:				
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 ground shaking?	☐	☐	☐	☒
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
	iv) Landslides?	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

DISCUSSION

The following includes a discussion of the potential impacts to geology and soils associated with the 2011 project as compared to the 2017 project. With respect to geotechnical conditions at the site, these conditions are generally the same in 2017 as in 2011. The site topography has not been modified since certification of the Final EIR. However, the project would be subject to the most recent State and local building and safety codes applicable to the type of construction proposed for the project site, which is substantially the same as the 2011 project.

a. Would the project 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?; ii. Strong seismic ground shaking?; iii. Seismic-related ground failure, including liquefaction?; iv. Landslides? ***(No New Impact)***

The Final EIR analyzed the geological, seismic, and soil conditions of the project site and determined that the 2011 project could expose people and structures to hazards related to strong seismic ground shaking. Specifically, the project site is located within 13 miles of the active Rodgers Creek, Hayward, and San Andreas faults, which are likely to produce substantial earthquake during the life of the project. The 2017 project is substantially similar in the type of uses and design as the 2011 project and would be susceptible to the same seismic hazards as identified for the 2011 project. However, the proposed gas station would include fuel storage tanks which were not contemplated in the Final EIR. During a significant seismic event, these tanks could rupture if not appropriately designed and installed.

The Final EIR identified that implementation of Mitigation Measure GEO-1 would reduce potential impacts associated with seismic activity to a less-than-significant level. This measure would ensure that all buildings and other facilities, including the proposed gas station, are designed in accordance with the recommendations of a site-specific design-level geotechnical investigation. At a minimum, the report shall address the following conditions: ground shaking, liquefaction, lateral spreading, settlement, landslides, and expansive soils and shall ensure that the project is designed in accordance with the most recent building code and other applicable regulatory requirements that apply to the gas station facility (see also Sections VIII. Hazards and Hazardous Materials and IX. Hydrology and Water Quality for additional discussion of the proposed gas station). As such, the 2017 project would not result in any new or more significant impacts related to seismic hazards than previously analyzed in the Final EIR.

b. Would the project result in substantial soil erosion or the loss of topsoil? ***(No New Impact)***

Potential impacts associated with erosion and loss of topsoil were determined to be less than significant with implementation of Mitigation Measure HYD-1 as identified in the Final EIR and the same would be true for the proposed 2017 project. Mitigation Measure HYD-1 would require the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that would include Best Management Practices (BMPs) related to erosion and sediment control. As such, the

2017 project would not result in any new or more significant impacts related to potential soil erosion than previously analyzed in the Final EIR. Refer to Section IX.a of this Addendum for additional discussion.

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? ***(No New Impact)***

The 2017 project would be subject to the same geological, seismic, and soil conditions as those identified for the 2011 project. As required for the 2011 project, the 2017 project would be constructed in compliance with applicable construction codes and requirements intended to mitigate any adverse impacts resulting from ground shaking, ground failure, liquefaction, and expansive soils. In addition, the Final EIR determined that implementation of Mitigation Measures GEO-1, GEO-2, GEO-3, and GEO-4 would ensure that potentially significant impacts resulting from ground shaking, liquefaction, landslides, and expansive soils are reduced to less-than-significant levels. As such, the 2017 project would not result in any new or more significant impacts associated with ground shaking, liquefaction, landslides, and expansive soils than previously analyzed in the Final EIR.

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? ***(No New Impact)***

Refer to Section VI.c. The 2017 project would not result in any new or more significant impacts associated with expansive soils than previously analyzed in the Final EIR.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ***(No New Impact)***

As with the 2011 project evaluated in the Final EIR, the proposed 2017 project would not install septic systems or other alternative waste disposal systems on the project site. The proposed project would connect to existing sewer infrastructure within the vicinity of the site and there would be no impact related to this topic.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts related to geology and soils, and no new or modified mitigation measures are required. Mitigation Measures GEO-1 through GEO-4, previously identified in the Final EIR, would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the potential geology and soil impacts of the proposed 2011 project and with implementation of Mitigation Measures GEO-1 through GEO-4, there would be no new impacts related to geology and soils associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
VII.	**GREENHOUSE GAS EMISSIONS.** Would the project:				
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

DISCUSSION

Greenhouse gas emissions (GHGs) associated with the proposed 2011 project are evaluated in Chapter E, Global Climate Change of the Final EIR. The following includes a discussion of the potential impacts related to GHG emissions associated with the 2011 project as compared to the 2017 project.

As described in the Final EIR, GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. However, over the last 200 years, human activities have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global climate change. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)

- Sulfur Hexafluoride (SF_6)

While GHGs produced by human activities include naturally-occurring GHGs such as CO_2, CH_4, and N_2O, some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere. Certain other gases, such as water vapor, are short-lived in the atmosphere compared to those GHGs that remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is generally excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this analysis, the term "GHGs" will refer collectively to the six gases identified in the bulleted list provided above.

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ***(No New Impact)***

Construction Emissions. Similar to the 2011 project, construction activities associated with the proposed 2017 project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Using CalEEMod, it is estimated that the 2017 project would generate approximately 897 metric tons of CO_2e during construction of the project (compared to 629 metric tons identified for the 2011 project). Implementation of Mitigation Measure AIR-1 as identified in the Final EIR would reduce construction related GHG emissions by reducing the amount of construction vehicle idling and by requiring the use of properly maintained equipment. Therefore, although GHG emissions would increase by approximately 43 percent with the 2017 project during project construction, this impact would remain less than significant. As previously stated, the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions, but requires the implementation of Best Management Practices as outlined in Mitigation Measure AIR-1 to reduce impacts to less-than-significant levels. As such, with implementation of Mitigation Measure AIR-1, development of the 2017 project would not result in new or more severe impacts related to construction-period GHG emissions than identified in the Final EIR.

Operation Emissions. The Final EIR found that the 2011 project would exceed the BAAQMD threshold of 1,100 metric tons per year and 4.6 metric tons per service population per year. The project would generate GHGs, directly and indirectly, and may have a significant impact on the environment. Development of the proposed 2017 project would contribute to the significant GHG impacts identified in the Final EIR. As with the 2011 project, long-term operation of the proposed 2017 project would generate GHG emissions from area and mobile sources, and indirect emissions from sources associated with energy consumption. Mobile-source emitters of GHGs would include project-generated vehicle trips associated with visitor trips to the project site as well as vehicle

idling associated with queues at the proposed gas station. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site, and other sources.

Following guidance from the BAAQMD, GHG emissions were estimated using CalEEMod. Table 3 shows the calculated GHG emissions for the proposed project. Motor vehicle emissions are the largest source of GHG emissions for the project at approximately 72 percent of the total. Energy use is the next largest category at 23 percent of CO_2e emissions. Solid waste and water use are about 4 percent and 1 percent of the total emissions, respectively. Additional calculation details are available as part of the project file.

Table 3: 2017 Project GHG Emissions (Metric Tons Per Year)

	Operational Emissions				
Emissions Source	**CO_2**	**CH_4**	**N_2O**	**CO_2e**	**Percent of Total**
Area Source Emissions	0.0	0.0	0.0	0.0	0
Energy Source Emissions	747.9	0.0	0.0	753.1	23
Mobile Source Emissions	2,360.8	0.1	0.0	2,363.9	72
Waste Source Emissions	45.9	2.7	0.0	113.8	4
Water Source Emissions	13.9	0.4	0.0	26.2	1
Total Annual Emissions				**3,257.1**	**100**

Source: LSA Associates, Inc., 2017

According to the BAAQMD, a project would result in a less-than-significant greenhouse gas impact if it would: result in operational-related greenhouse gas emissions of less than 1,100 metric tons of CO_2e a year; or result in operational-related greenhouse gas emissions of less than 4.6 metric tons of CO_2e per service population (residents plus employees). Based on the results of the construction and operation analysis, the 2017 project would generate up to 3,257 metric tons of CO_2e per year (as compared to 5,164 CO_2e per year with the 2011 project). While net vehicle trips increase with the 2017 project, total operational GHG emissions are expected to decrease due to increased tailpipe emission standards that have occurred between 2011 and 2017 which result in lower overall mobile source emissions. Although the total 2017 project emissions are lower than the 2011 project, the total project emissions would continue to exceed the BAAQMD numeric threshold of 1,100 metric tons CO_2e.[5] Current plans for the project do not provide sufficient detail to determine the amount of employees at the project site. Therefore, it is assumed that the project would also exceed the service population threshold of significance of 4.6 metric tons CO_2e.

[5] Project operation emissions were calculated using a previous iteration of the 2017 project that included more retail (2,263 square feet) uses and less office (1,480 square) and restaurant (2,218 square feet) uses than the currently proposed project. However, the emission results are expected to be substantially similar to the calculations shown above and the conclusions of the analysis contained in this section would not change.

The Final EIR identified Mitigation Measure GCC-1 to reduce GHG emissions associated with the 2011 project to the extent feasible. However, the Final EIR determined that even with implementation of Mitigation Measure GCC-1, impacts would remain significant and unavoidable and the project would result in a significant impact related to global climate change. Although the proposed 2017 project would generate fewer GHG emissions than the 2011 project, primarily due to the reduction in vehicle emissions generated by the project due to lower vehicle emissions per trip associated with more stringent vehicle emission standards. The project would still exceed established thresholds. Mitigation Measure GCC-1 would be applicable to the proposed project (refer to Attachment B). Similar to the 2011 project, impacts would however remain significant and unavoidable; however, the proposed 2017 project would not result in new or more severe impacts related to operation-period GHG emissions than identified in the Final EIR.

b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ***(No New Impact)***

As described above, even with mitigation, the proposed project would generate GHG emissions during the operation period that exceed acceptable thresholds, resulting in a significant unavoidable impact. Therefore, similar to the 2011 project, the proposed 2017 project would also conflict with applicable plans, policies, and regulations adopted for the purpose of reducing these emissions, as described below.

The City of Novato Climate Change Action Plan (CCAP) (which isn't considered a "Qualified CAP" by the BAAQMD) includes goals to reduce GHG emissions related to Energy Efficiency and Conservation, Renewable Energy, Green Building and Design, Water Conservation Vehicle Efficiency and Alternative Fuels, Citywide Land Use and Design, Alternative Transportation Modes, and Waste Reduction. In accord with the City's CCAP goals the project proposes to include at a minimum the following features:

- Selected areas of pervious paving;
- Access to pedestrian routes and to public transportation at the adjacent Vintage Oaks Shopping Center;
- Ozone-friendly refrigerants;
- External shading;
- Individual control of thermal comfort system and small thermal zones; and
- Hotel housekeeping using green cleaning products.

While some of the project features address goals similar to measures in the City of Novato CCAP, the proposed 2017 project, similar to the 2011 project, requires additional measures to be consistent with applicable plans, such as the CCAP. The project would also be subject to all applicable permit and planning requirements (e.g., green building policies) in place or adopted by the City of Novato that would further the goals of the CCAP.

Implementation of Mitigation Measure GCC-2, which requires implementation of Mitigation Measure GCC-1, as identified in the Final EIR would reduce GHG emissions and implement measures consistent with applicable plans and policies. Specifically, Mitigation Measure GCC-1 applies to the proposed project measures that are outlined in the 2009 City of Novato CCAP. Implementation of Mitigation Measure GCC-1 would bring the project into consistency with the CCAP so that the project would not conflict with plans and policies related to the reduction of GHG emissions.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures AIR-1, GCC-1, and GCC-2, previously identified in the Final EIR, would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the greenhouse gas emissions related impacts of the proposed 2011 project and with implementation of Mitigation Measures AIR-1, GCC-1, and GCC-2 there would be no new impacts related to greenhouse gas emissions associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
VIII.	**HAZARDS AND HAZARDOUS MATERIALS.** Would the project:				
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?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
VIII.	**HAZARDS AND HAZARDOUS MATERIALS.** Would the project:				
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?	☐	☐	☐	☒
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 located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒

DISCUSSION

The Final EIR determined that impacts associated with hazards and hazardous materials would be less than significant because the project site does not contain any known conditions that could expose construction workers or site users to past or current releases of hazardous materials. In addition, construction and operation of the project was determined to not include the routine use, transport, and disposal of hazardous materials. As such, this topic was not further evaluated in the Final EIR and no mitigation measures were identified. While existing site conditions related to hazardous materials have not changed, the proposed 2017 project includes installation and operation of a vehicle fuel facility, which would result in the routine use and transport of fuels, as well as installation of four underground storage tanks. Therefore, this topic is more fully discussed below.

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ***(Less-Than-Significant Impact)***

Unlike the 2011 project evaluated in the Final EIR, the 2017 project includes the development and operation of a new gas station on the project site. As such, the 2017 project would include the dispensing of gasoline and other chemicals that, if not properly handled per local, State, and federal requirements, could result in spills of hazardous materials. In addition, the facility would include the installation of four underground storage tanks, piping to transport the fuel from the tanks to the dispensing stations, and the daily delivery of gasoline. The applicant has submitted its gasoline dispensing program which is part of the proposed project as outlined below. Compliance with this program will be ensured by the City through conditions of approval addressing design and safety concerns related to the proposed gas station, to comply with applicable State, regional and local requirements and to reduce the potential that operation of the gas station would create a significant hazard to the public or the environment.

Operations

1. The fueling facility would operate as an unattended self-serve facility. However, it is Costco Wholesale's policy to provide a Costco Gasoline Program trained employee and supervisor at the site during all hours of operation. The Costco Gasoline training program includes an interactive test that all gasoline employees must pass before working at a Costco Gasoline facility.
2. In addition to the above-mentioned attending employee, the facility would be supported by senior management in the warehouse during all gasoline station operation hours. The supervisor would be equipped with a roam telephone programmed to receive calls from the fueling facility and warehouse. Every gasoline facility is equipped with a "911" telephone that automatically contacts emergency dispatch in addition to a regular telephone line and roam phones.
3. Employees are trained to identify maintenance requirements and physically inspect the fuel islands regularly during operating hours. Their training includes the proper spill clean-up and emergency response procedures. Trained employees check for leaking hoses, malfunctioning nozzles, fuel spills, and physical damage to the dispensers and controller enclosure. During non-operating hours, the power to the dispensers is turned off and each nozzle is locked. Should the system require attention beyond what the trained site person could handle, the local authorized and certified service contractor would be contacted and dispatched to repair the equipment.
4. Emergency shutoff switches would be installed next to the controller enclosure and in locations near the dispensers, as dictated by the fire code.
5. Closed circuit television monitor cameras would be aimed to show all fueling positions, the tank slab, and equipment enclosure would be mounted on canopy columns adjacent to the fuel islands. A split screen monitor located in the Costco Wholesale warehouse would allow for full-time monitoring of the fueling operation. All images would be recorded by the camera system.

6. The tank and piping monitoring system would be programmed to activate visual/audible alarms in the event of an alarm condition. A visual/audible alarm would be located on the outside of the controller enclosure. Further, the monitoring system would be designed so that if power is lost to the monitoring console the facility would be shut down and would not operate.
7. An independent security company would monitor the Costco Wholesale warehouse alarm system. The alarm system acknowledges an alarm condition at the fueling facility and notifies Costco Wholesale management staff of an alarm condition should it occur after operating hours.

Design

1. Costco Wholesale's tank and piping system would be certified to meet the Federal UST leak detection standards of 95 percent probability of detection and 5 percent probability of false alarm. The California State Water Resources Control Board also certifies the system under LG-113.
2. Costco Wholesale utilizes one of the most durable joint sealers available today to seal the concrete control joints. PTi sealer is a petroleum-resistant sealant developed by Prevention Technologies, Inc (PTi). The sealer is used to prevent petroleum products from entering the underlying soil at the concrete joints. This product is used for its superior elasticity and user-friendly application. The elasticity allows the product to maintain a tight seal even with concrete expansion. The easy application ensures a proper seal whether it is applied by contractor or maintenance personnel. Costco Wholesale is one of the few, if not only companies, to have a nationwide standard to seal control joints and other areas to prevent product spills from reaching the soil.
3. The storm drainage system for the fueling facility area would be designed in accordance with State of California Best Management Practices for water quality treatment standards. Stormwater from the fueling area would be isolated and directed to a catch basin and processed through an oil/water separator prior to discharge to the downstream system.
4. The underground tank and piping control units would be housed inside the controller enclosure. The enclosure would contain the power console, the dispenser interface unit, the submersible pump variable speed controllers, and the monitoring system console. An air conditioner mounted on the side of the enclosure would have a preset thermostat to maintain a safe operating temperature.
5. The USTs and all containment sumps, including the dispenser sumps would be all double-walled fiberglass. Fiberglass is used for its corrosion resistance and plasticity. The double-walled storage tank system would include a hydrostatic interstitial space sensor that monitors the primary and secondary tank walls. If a tank wall is compromised, the interstitial sensor would immediately shut down the product delivery system and activate a visual/audible alarm.
6. The tanks would be secured in place with anchoring straps (tie-downs) connected to a concrete hold down. The entire tank excavation hole would be backfilled with pea gravel

and capped with an 8-inch-thick reinforced concrete slab (overburden). The tie-downs, together with the overburden, would overcome any possible buoyancy factors and resist buckling under hydrostatic pressures.

7. All product, vapor and vent piping would be non-corrosive and provide three levels of protection. First, all product piping would be monitored with pressure line leak detection. Second, all piping would be double walled to provide secondary containment. Third, all fiberglass piping would be additionally monitored under vacuum per California AB2481 regulations such that if a breach is detected in the vacuum, the product delivery system would shut down and system would sound audible alarm.
8. All piping connections to the tanks and dispensers would be flexible. Flexible connectors are used to prevent rupture from any form of ground movement.
9. All piping would slope to the sumps at the USTs. If a piping leak occurs, the gasoline would flow through the secondary pipe to the sump, where a sensor would be triggered to immediately shut down the system and activate an audible/visual alarm.
10. All tanks and dispensers would be equipped with latest Stage I and Stage II Enhanced Vapor Recovery (EVR) air pollution control equipment technology per CARB regulations and associated Executive Orders. The Phase I EVR equipment controls the vapors in the return path from the tanks back to the tanker truck during offloading filling operations. The Stage I EVR systems would be 98 percent effective in controlling fugitive emissions from escaping into the environment. The Phase II EVR equipment, which also includes "in-station diagnostics," controls and monitors the vapors in the return path from the vehicles back to the tanks and would be 95 percent effective in controlling fugitive emissions from escaping into the environment.
11. The UST monitoring system would incorporate automatic shutoffs. If gasoline is detected in the sump at the fuel dispenser, the dispenser would shut down automatically and an alarm would be sounded. If a problem is detected with a tank, the tank would automatically shut down and an alarm would be sounded. If the product piping system detects a failure of the 0.1 gallons per hour (GPH) test, the line would be automatically shut down and the alarm would be sounded. Pursuant to federal requirements, monitoring equipment must be able to detect a minimum leak of 3 GPH (equivalent to the accuracy of a mechanical leak detector). By providing monitoring to a higher standard (0.1 vs. 3), Costco maintains a thirty times higher degree of safety than required by current federal requirements.
12. Each fuel dispenser would include several safety devices. Specifically, each dispenser sump would be equipped with an automatic shutoff valve to protect against vehicle impact. In addition, each fuel hose would include a poppeted breakaway device that would stop the flow of fuel at both ends of the hose in the event of an accidental drive-off. Also, each dispenser would be equipped with internal fire extinguishers. Lastly, all dispensers would include leak detection sensors connected to the alarm console inside the controller enclosure.

The above measures are part of the proposed project and would be ensured by incorporation into the conditions of approval for the project. The above project design and operations features would ensure the potential for accidental fuel releases is minimized and if such an event should occur it will be immediately identified and corrective action taken to address the situation. The City would review and approve of the final design prior to issuance of construction permits. The design and operation of the proposed gas station (whether by the project applicant, Costco or a future operator) will also be required to comply with local, State, and federal regulations that are applicable to fueling facilities, including those of the Novato Fire Protection District, the County Department of Environmental Health, the Bay Area Air Quality Management District, the State Water Resources Control Board, the California Environmental Protection Agency, and the United States Environmental Protection Agency. The regulations of these agencies require that fuel pumping station facilities meet certain standards for design, operation, maintenance, and safety. In addition, the hauling of fuel to and from the site is regulated by the Department of Transportation and enforced by the California Highway Patrol.

Although the Final EIR did not assume the 2011 project would involve the routine transport or use of hazardous materials associated with a fuel center, this component of the proposed 2017 project would not result in a new significant impact on the environment since the fuel center's operation and design plans demonstrate the facility will be designed and monitored to avoid the release of fuel into the environment, and, in addition, will be subject to compliance with uniform regulations intended to ensure that fuel stations do not create a significant hazard to the public or the environment through the routine transport or use of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Conditions of approval will be applied to the project to ensure the operator of the fuel center complies with the operational and design standards presented for the 2017 project.

Based on the facts above, operation of the proposed fuel center is considered to have a less than significant impact as proposed and no new mitigation measures are required. This impact conclusion matches that found in the final EIR for the 2011 with respect to the exposure of the public to hazards and hazardous materials.

Refer to Section IX, Hydrology and Water Quality for additional discussion regarding surface stormwater runoff associated with operation of a fuel center.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ***(Less-Than-Significant Impact)***

Refer to Section VII.a. above.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ***(No New Impact)***

As identified in the Final EIR, the project site is not located within 0.25 miles of an existing school and the 2011 project would have no impact associated with the emission of hazardous materials within 0.25 miles of an existing school. Likewise, the 2017 project would not result in any new or more significant impacts associated with the release of hazardous materials within 0.25 miles of an existing school than identified in the Final EIR.

d. Would the project 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 New Impact)***

As identified in the Final EIR, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Development of the 2017 project would therefore not create a significant hazard to the public or the environment as a result of being located on a hazardous site. As such, development of the 2017 project would not result in any new or more significant impacts than identified in the Final EIR related to development on a hazardous materials site.

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? ***(No New Impact)***

As identified in the Final EIR, the project site is not located within the vicinity of any public use airports. Therefore, neither the 2011 nor the 2017 proposed project would cause a hazard to air navigation or 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 New Impact)***

As identified in the Final EIR, the project site is not located within the vicinity of any private airstrip. Therefore, neither the 2011 nor the 2017 proposed project would result in a safety hazard to people working or residing in the area due to the proximity of a private airstrip.

g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ***(No New Impact)***

Similar to the 2011 project, the 2017 project would not result in the development of structures that would impede or obstruct emergency response plans or evacuation plans. In addition, as described in Section XV.1, Transportation/Traffic, the project would not cause significant delays on a public roadway and would not impede emergency response efforts. Notably, the 2011 project includes an emergency vehicle access (EVA) easement connecting the project's internal roadway system to Hanna Ranch Road. The EVA easement remains a component of the 2017 project. Therefore,

development and operation of the 2017 project is not anticipated to interfere with any emergency evacuation plan.

h. Would the project 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? ***(No New Impact)***

The project site is in an urban area and is not within or adjacent to a wildland fire hazard area. Therefore, similar to the 2011 project, the 2017 project would not expose people or structures to a significant loss, injury or death involving wildland fires.

APPLICABLE MITIGATION

Although development of the 2017 project would result in a land use that would transport and use hazardous materials and could result in the potential release of such materials compared to the impacts of the 2011 project identified in the Final EIR, this impact would continue to be less than significant because of the fueling station's operation and design features and compliance with existing local, State and federal regulations for fuel dispensing facilities that are designed to ensure the potential for accidental fuel releases is minimized and if such an event should occur it would be immediately identified and corrective action taken to address the situation. Therefore, no new mitigation measures would be required.

CONCLUSION

Development of the 2017 project includes a gas station whose operations would include the transport and use of hazardous materials, activities with the potential to release such materials into the environment compared to the impacts of the 2011 project identified in the Final EIR. However, impacts related to the transport and use of hazardous materials and potential release of such materials would continue to be less than significant and no new mitigation measures would be required with implementation of the operational and design plans presented for the gas station and adherence to State, regional and local regulations applicable to fuel dispensing facilities. Therefore, the Final EIR adequately evaluated the potential hazards and hazardous materials related impacts of the proposed project and there would be no new impacts related to hazards and hazardous materials associated with the 2017 project that would require new mitigation.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
IX.	**HYDROLOGY AND WATER QUALITY.** Would the project:				
a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
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)?	☐	☐	☐	☒
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 which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
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 which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f)	Otherwise substantially degrade water quality?	☐	☐	☐	☒
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?	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
IX.	**HYDROLOGY AND WATER QUALITY.** Would the project:				
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	☐	☐	☐	☒
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

DISCUSSION

The Final EIR determined that impacts associated with hydrology and water quality would be less than significant with implementation of recommended mitigation measures. Conditions within and in the vicinity of the site related to hydrology and water quality have remained essentially unchanged since certification of the Final EIR, although installation and operation of the proposed gas station would result in a new use on the site that was not previously evaluated. Impacts to hydrology and water quality associated with the 2017 project as compared to the 2011 project are discussed below.

a. Would the project violate any water quality standards or waste discharge requirements? ***(Less-Than-Significant Impact)***

The Final EIR identified potentially significant impacts associated with stormwater runoff quality during the construction and operation period of the 2011 project. However, potential impacts were identified as less than significant with implementation of Mitigation Measures HYD-1a and HYD-1b. The mitigation measures include a variety of Best Management Practices (BMPs) related to erosion control, sediment control, wind erosion control, non-stormwater control, waste management and materials pollution control, and post construction practices and required preparation of a Stormwater Pollution Prevention Plan (SWPPP) and Stormwater Control Plan (SCP).

As previously noted, the 2017 project would result in the construction of a new gas station and expansion of building C resulting in additional impervious surfaces than was previously analyzed as part of the Final EIR. The Final EIR determined that the 2011 project included site coverage, including both buildings and paving, of approximately 268,677 square feet or 6.2 acres on the 19.7-acre site. The 2017 project includes site coverage of approximately 274,309 square feet or 6.3 acres of the site. As such, the 2017 project would result in a minor increase in impervious surfaces such as roofs, roads, pathways and parking lots upon which pollutants such as metals, sediment, oil and grease could accumulate and come into contact with rain and stormwater runoff, as compared to the 2011 project. However, the increase in impervious surface coverage does not represent a significant change from what was proposed and evaluated in the Final EIR.

Implementation of Mitigation Measures HYD-1a and HYD-1b of the Final EIR would ensure that potential impacts of the 2017 project are less than significant with respect to water quality. In particular, Mitigation Measure HYD-1b requires preparation of a SCP, which requires source controls and other measures to be identified for potential pollutant source areas, such as the proposed gas station. Implementation of this measure would ensure that potential spills or leaks associated with gas station operations would be appropriately handled and that contaminants would not impact the nearby marsh and preserve and other wetland areas. Furthermore, the proposed gas station would be buffered from the adjacent marsh by landscaped areas and from the nearby preserve by proposed project driveways and additional landscaped areas, all of which are designed to contain and trap runoff water ensuring that any spills or leaks are quickly contained and cleaned before impacting the water quality of these water bodies. In addition, the design and operational measures that are part of the proposed project as identified in Section VIII, Hazards and Hazardous Materials, would further ensure that water quality impacts associated with the proposed gas station would be less than significant. These features include, but are not limited to, operational items such as trained employees to monitor for maintenance needs and address emergency situations, as well as design features such as leak detection systems, double-wall tank construction, and durable joint sealers. Additionally, the storm drainage system for the fueling facility will isolate and direct stormwater runoff to a catch basin and processed through an oil/water separator before any such water enters the public drainage system.

Although development of the 2017 project could result in potential impacts to water quality, these impacts would not be more intensive than those identified for the 2011 project as discussed in the Final EIR and would be less than significant with implementation of mitigation measures HYD-1a and HYD-1b as presented in the Final EIR. Based on the observations above, the 2017 project does not result in any new or intensified impacts and new mitigation measures are not required.

b. Would the project 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)? ***(No New Impact)***

As discussed in the Final EIR, the project would result in the construction of buildings and paved areas on the currently undeveloped project site, which is primarily open space with vegetation. Similar to the 2011 project evaluated in the Final EIR, the 2017 project would not include the use of groundwater during the construction or post-construction phase. As such, similar to the 2011 project, the 2017 project would not result in any impacts related to groundwater supplies.

c. Would the project 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 which would result in substantial erosion or siltation on- or off-site? ***(No New Impact)***

As evaluated in the Final EIR, the proposed 2011 project would not alter the course of a stream or a river, and therefore, potential erosion and siltation impacts related to these types of alterations

would not apply. As such, similar to the 2011 project, the 2017 project would not result in any impacts related to erosion or siltation through the alteration of a stream or a river.

d. Would the project 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? ***(No New Impact)***

The Final EIR identified potentially significant impacts associated with runoff volumes that would exceed local storm drainage and flood control capacity. However, potential impacts were identified as less than significant with implementation of Mitigation Measure HYD-2. The 2017 project would result in similar impacts as those identified in the Final EIR, with a similar amount of surface coverage. Therefore, with implementation of Mitigation Measure HYD-2, the 2017 project would not result in new or more severe drainage and surface runoff impacts beyond those already identified in the Final EIR.

e. Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? ***(No New Impact)***

As discussed in the Final EIR, the proposed 2011 project would alter stormwater drainage patterns at the site and could adversely affect existing drainage facilities by creating or contributing runoff water of a volume that exceeds the capacity of the storm drain system. However, potential impacts were identified as less than significant with implementation of Mitigation Measure HYD-2. The 2017 project would result in similar impacts as those identified in the Final EIR, with a similar amount of surface coverage. Therefore, with implementation of Mitigation Measure HYD-2, the 2017 project would not result in new or more severe drainage and surface runoff impacts beyond those already identified in the Final EIR.

f. Would the project otherwise substantially degrade water quality? ***(No New Impact)***

Potential construction- and operation-period impacts to water quality are discussed in Section IX.a and would be less than significant with implementation of Mitigation Measures HYD-1a and HYD-1b. As discussed in the Final EIR, other impacts to ground and surface water quality could occur through the use of hazardous materials within the project site and, with the 2017 project, the use of such materials would increase with the new gas station. However, the use, storage, and handling of such materials is subject to existing hazardous materials laws, regulations, and programs, and adherence to these standards would reduce the potential that an accidental release could occur. As such, similar to the 2011 project, the 2017 project would result in a less-than-significant impact related to surface and groundwater quality.

g. Would the project 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 New Impact)***

Similar to the 2011 project, the proposed 2017 project would not include the construction of housing on the site and no impact would occur. Refer to Section IX.h, below for additional discussion related to on-site flooding.

h. Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows? ***(No New Impact)***

As noted in the Final EIR, the project site is located within a designated floodplain. Specifically, the easternmost portion of the site, including portions of parking areas and bike path are located within the AE flood zone. Similar to the 2011 project, the 2017 project would not place any buildings within the flood zone.

The 2017 project includes installation of a gas station with vehicle fueling pumps and below ground fuel storage tanks. These improvements are not located within the delineated boundaries of the AE flood zone. In addition, these facilities would be installed and maintained in compliance with existing regulatory requirements that would minimize the potential for these facilities to rupture or leak if a flooding event were to exceed the delineated boundaries of the AE flood zone. Compliance with Mitigation Measures HYD-1b would ensure that impacts to water quality that could occur with accidental releases on the site would be less than significant. In addition, the 2017 project would be required to implement Mitigation Measure HYD-3 to ensure that the proposed project does not increase the 100-year flood elevation by more than 1 foot and that potential impacts are reduced to less-than-significant levels. Therefore, with implementation of Mitigation Measure HYD-3, the 2017 project would not result in new or more severe flooding impacts beyond those already identified in the Final EIR.

i. Would the project 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? ***(No New Impact)***

As discussed in the Final EIR, the mapped inundation area for the dam at Stafford Lake is similar to the flood zone for the site and would not affect the proposed building areas. There are no levees that protect the site from flooding. Therefore, potential hazards associated with flooding due to dam failure inundation would be less than significant. Refer to Section IX.h for a discussion of impacts that could occur within the floodplain. Similar to the 2011 project, the 2017 project would result in a less-than-significant impact related to hazards associated with dam or levee failure.

j. Would the project be inundated by seiche, tsunami, or mudflow? ***(No New Impact)***

The Final EIR determined that the project site is sufficiently elevated and located far enough from the San Francisco Bay and other large bodies of water to avoid any hazards associated with seiches, extreme high tides, or tsunamis. Therefore, similar to the 2011 project, the 2017 project would not expose people or structures to inundation by seiche, tsunami, or mudflow.

APPLICABLE MITIGATION

Development of the 2017 project would include a gas station whose operation would include the use and disposal of hazardous materials and potential release of such materials to receiving water bodies compared to the impacts of the 2011 project identified in the Final EIR. The potential impact related to the use and disposal of hazardous materials and potential release of such materials to receiving water bodies would continue to be less than significant and no new mitigation measures would be required. Mitigation Measures HYD-1a, HYD-1b, HYD-2, and HYD-3, previously identified in the Final EIR, would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

Although development of the 2017 project would include a gas station involving the transport and use of hazardous materials and could potentially release of such materials to receiving water bodies compared to the impacts of the 2011 project identified in the Final EIR, impacts associated with hydrology and water quality would continue to be less than significant with implementation of Mitigation Measures HYD-1a and HYD-1b and adherence to the operation and design plans presented for the gas station and compliance with existing hazardous materials laws, regulations, and programs. Therefore, the Final EIR adequately evaluated the potential hazards and hazardous materials related impacts of the proposed project and compliance with applicable regulations and implementation of Mitigation Measures HYD-1a, HYD-1b, HYD-2, and HYD-3 there would be no new impacts related to hydrology and water quality associated with the 2017 project that would require new mitigation or that could not be mitigated to a less than significant level.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
X.	**LAND USE AND PLANNING.** Would the project:				
	a) 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?	☐	☐	☐	☒
	c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

DISCUSSION

The following includes a discussion of the potential impacts related to land use and planning associated with the 2017 project as compared to the 2011 project. With respect to current land uses within and in the vicinity of the site, conditions are generally the same in 2017 as in 2011. In addition, after certification of the Final EIR, the General Plan land use designation was changed to allow the proposed mix of uses on the site and a Master Plan and Precise Development Plan were approved for development of the 2011 project.

a. Would the project physically divide an established community? ***(No New Impact)***

Projects that have the potential to physically divide an established community include projects such as new freeways and highways, major arterials, streets, and railroad lines. The Final EIR determined that the 2011 project would result in a less-than-significant impact associated with physically dividing an established community.

The 2017 project involves the construction of a new gas station, expanded Building C, and smaller restaurant buildings than what was previously analyzed in the Final EIR, although the general development footprint, including access to and through the site, would be similar to the 2011 project. In addition, a new bike path would be provided on the site, providing new opportunities for pedestrian and bicycle connectivity within the site and vicinity. Therefore, the 2017 project would not inhibit public connectivity, and would not physically divide a community. The 2017 project would not result in any new or more severe impacts beyond those already identified in the Final EIR.

b. Would the project 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? ***(No New Impact)***

The Final EIR determined that the 2011 project would comply with the City of Novato General Plan and the City of Novato Zoning Ordinance. As part of the 2011 project, the General Plan was amended to change the land use designation on the site from Business Professional Office (BPO) to General Commercial (GC) to allow the mix of uses contemplated by the 2011 project. The 2017 project would be compatible with this land use designation. In addition, as part of the approvals for the 2011 project, the floating easement once held by the City for a possible four lane arterial street was vacated conditioned on the granting of public utility easements (as contemplated in the Final EIR). The 2011 project required approval of a Master Plan, Precise Development Plan, and Use Permit to allow development of the 2011 project. These entitlements were approved after certification of the Final EIR. The following City approvals would be required for the 2017 project:

- Master Plan Amendment – The approved Hanna Ranch Master Plan would be amended to recognize development of the undeveloped parcel with a mixed-use development including a 125-room hotel, three restaurants, office-retail building, and a Costco fuel center;

- Precise Development Plan Amendment – The approved Hanna Ranch Precise Development Plan would be amended to modify or rescind, as necessary, development and operational conditions of approval applicable to the previously approved project and add new or revised conditions of approval reflecting the current 2017 development proposal;
- Use Permit Amendment – The approved Hanna Ranch Use Permit would be amended to revise the list of potential project improvements including minor grading, portions of the internal drive aisles, sidewalks, trails, benches, a retaining wall, and drainage features being located within the 50-foot wetland buffer areas;
- Vesting Tentative Subdivision Map – A Vesting Tentative Map would be required to subdivide the existing parcel comprising the project site into six parcels; and
- Design Review – Design Review would be required to approve of the project site's design, landscape, architecture, and finish materials and colors.

The 2017 project would retain many of the same uses that were evaluated as part of the Final EIR; however, it would also include the development of a new gas station, larger and taller retail and office building (Building C), and more restaurant space than what was previously analyzed in the Final EIR. The Final EIR determined that the 2011 project would be compatible with existing commercial uses located in the Vintage Oaks Shopping Center, north of the site. However, the 2011 project also included features (e.g., observation decks) that would intrude into the preserve boundaries. The 2017 project would not include these features, however, the 2017 project's access roadway would shift closer to the preserve compared to the 2011 project. As noted for the 2011 project, construction and grading associated with the roadway and landscaping also may intrude within the 50-foot buffer measured from top of bank of the preserve pond. However the revised access roadway alignment and other features in the panhandle area remain within the development envelope contemplated and evaluated in the Final EIR for the 2011 project. It was determined that implementation of Mitigation Measures BIO-6 , BIO-10a through BIO-10f as modified for the 2017 project would limit impacts to the preserve by ensuring that indirect impacts to water quality during construction do not occur, and that the preserve pond are protected during construction and operation of the project. With implementation of required mitigation measures, no new impacts associated with the 2017 project would result.

The 2017 project would also be consistent with the surrounding uses, and impacts to the preserve would be limited with implementation of the aforementioned mitigation measures. In addition, potential hazards and water quality impacts associated with the proposed gas station and proximity to the preserve and wetland areas would be reduced to less than significant levels with implementation of Mitigation Measures HYD-1a and HYD-1b and the conditions identified in this Addendum. Therefore, the 2017 project would not result in any new or more significant land use compatibility impacts than those identified in the Final EIR.

The 2017 project does not represent a significant change in circumstance or result in new significant impacts compared to the 2011 project evaluated in the Final EIR as the proposed uses and design of the site are substantially similar to the 2011 project. The 2017 project would continue to comply

with the City's General Plan and Zoning Ordinance as described in the Final EIR. Therefore, the 2017 project would not result in any new or more significant land use impacts than those identified in the Final EIR.

c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan? ***(No New Impact)***

As noted in the Final EIR, the project site is not subject to the provisions of any adopted habitat conservation plans or natural community conservation plans. Therefore, the 2017 project would result in no new or more severe impacts on a habitat conservation plan or natural community plan.

APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor significant revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant land use and planning impacts, and no new mitigation measures are required. The mitigation measures previously identified in the Final EIR would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the land use impacts of the proposed 2011 project and, with implementation of mitigation measures identified in the Final EIR there would be no new impacts related to land use and planning associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XI.	**MINERAL RESOURCES.** Would the project:				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

DISCUSSION

The Final EIR determined that the project site does not contain any known mineral resources within or in the vicinity of the project site. As such, the 2017 project would have no impact on mineral resources, as discussed below.

a. Would the project 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? ***(No New Impact)***

There are no known mineral resources of value to the region or the residents of the State located on the project site; therefore, no impact would occur with development of the 2017 project.

b. Would the project 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? ***(No New Impact)***

There are no known locally-important mineral resources on the project site as delineated on the City's General Plan; therefore, no impact would occur with development of the 2017 project.

APPLICABLE MITIGATION

No substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

CONCLUSION

The Final EIR adequately evaluated the mineral resource impacts of the proposed project and there would be no new impacts related to mineral resources associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XII.	**NOISE.** Would the project result in:				
	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?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XII.	**NOISE.** Would the project result in:				
b)	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
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, exposure of people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f)	For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

DISCUSSION

The ambient noise conditions have not changed substantially since the preparation of the Final EIR. Table IV.F-8 of the Final EIR shows the results of short-term ambient noise monitoring that was conducted on the project site to document the existing noise environment and capture the noise levels associated with current operations and activities in the project vicinity, such as traffic noise on adjacent roadways and parking lot and loading and unloading activities at nearby commercial land uses. The noise monitoring results indicate that existing daytime ambient noise levels on the project site range from 47.3 dBA to 69.1 dBA L_{eq} (refer to Table IV.F-1 in the Final EIR for a definition of all acoustical terms used in this section). Traffic on US 101 and Highway 37 is the primary noise source affecting the existing ambient noise levels in the project vicinity. Other noise in the project vicinity includes traffic on Vintage Way and Rowland Boulevard, parking lot noise from commercial uses on Vintage Way, occasional airplanes flying overhead, the passing of SMART and freight trains, and natural sounds of wind and birds. Regulatory requirements and standards that govern the generation of and exposure to noise within the community have not changed since certification of the Final EIR. Potential impacts of the proposed 2017 project as compared to the 2011 project with respect to noise are discussed below.

a. Would the project result in 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? ***(No New Impact)***

Construction and operation period noise impacts of the proposed 2017 project as compared to the impacts of the 2011 project evaluated in the Final EIR are discussed below.

Construction-Period Impacts. As discussed in the Final EIR, short-term noise generated by the approximately 24-month construction period would temporarily increase noise levels in the vicinity of the project site. These activities would be similar with the 2017 project as compared to the 2011 project, although additional excavation and soil hauling may be required due to installation of the proposed gas station facility and associated fuel storage tanks. Noise impacts from construction crew commutes and the transport of construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Although there would be a relatively high single event noise exposure potential, causing intermittent noise nuisance (passing dump/haul trucks at 50 feet could generate maximum noise levels (L_{max}) of 85 dBA L_{max}), the effect on hourly or daily ambient noise levels would be less than significant (i.e., noise levels would increase by less than the perceptible level of 3 dBA). In addition, these pass-by event noise levels would be similar to existing vehicle and truck activity in the project vicinity. Therefore, the Final EIR determined that noise generated by traffic associated with worker commute and equipment transport to the project site would be less than significant. These conditions would be similar with the 2017 project and no new or more significant impacts related to construction traffic would result.

As discussed in the Final EIR, construction activities would be performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. The site preparation and grading phase of construction tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery, such as bulldozers and loaders, and compacting equipment, including compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Similar to the 2011 project, the construction phase of the 2017 project is expected to require the use of graders, dozers, and haul trucks. Noise typically associated with the use of this type of construction equipment is estimated between 79 and 86 dBA L_{max} at a distance of 50 feet from the operating equipment. Each doubling of the sound sources with equal strength increases the noise level by 3 dBA. Assuming that each piece of construction equipment operates as an individual noise source, the worst-case composite noise level during this phase of construction would be approximately 91 dBA L_{max}, as measured at 50 feet from multiple pieces of equipment operating simultaneously at full power.

As discussed in the Final EIR, the nearest sensitive receptors are two residences located approximately 230 feet northwest of the project site across US Highway 101. The location of these receptors is the same for the 2017 project. At 230 feet, there would be a decrease of 13 dBA from the increased distance compared to the noise level measured at 50 feet from the active construction area. Therefore, similar to construction of the 2011 project, for the 2017 project, the closest off-site residences may be subject to short-term construction noise reaching 78 dBA L_{max} when construction

is occurring at the project site boundary. Construction noise is permitted by the City when activities occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between the hours 10:00 a.m. and 5:00 p.m. on Saturdays. No construction is allowed on Sundays or official federal national holidays.

As discussed above, construction noise would result in a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. These conditions would generally be the same for the 2017 project as identified for the 2011 project. As identified in the Final EIR, to reduce potential noise impacts to a less-than-significant level including a potentially substantial (over 5 dBA) temporary increase in ambient noise levels in the project vicinity resulting from project-related construction activities, Mitigation Measure NOISE-1, as required in the Final EIR would be required to be implemented for the 2017 project. Therefore, with implementation of Mitigation Measure NOISE-1, the 2017 project would not result in new or more severe construction-related noise impacts beyond those already identified in the Final EIR.

Operation-Period Impacts. Similar to the 2011 project evaluated in the Final EIR, the proposed 2017 project would generate traffic and stationary noise during the operation period that could result in a permanent increase in the ambient noise environment. Potential impacts associated with these noise sources are discussed below.

*Traffic Noise***.** As identified in the Final EIR, traffic is a major source of noise in the project vicinity. The amount of noise varies according to many factors, such as volume of traffic, vehicle mix (percentage of cars and trucks), average traffic speed, and distance from the receiver. A characteristic of sound is that a doubling of a noise source is required in order to result in a perceptible (3 dBA or greater) increase in the resulting noise level.

As identified in the Final EIR (Table IV.F-10), the adjacent US 101 carries approximately 99,000 average daily trips in the project vicinity. The proposed 2017 project would generate approximately 5,897 daily trips (an increase of 1,909 daily trips compared to the 2011 project), which would represent a small fraction of the overall roadway traffic volumes. Similar to the 2011 project, the 2017 project daily trips would not result in a doubling of traffic volumes along this roadway segment and would not result in a perceptible increase in traffic noise levels at sensitive receptors in the project vicinity, which are located approximately 230 feet northwest of the site across US 101. While traffic noise may increase on other roadway segments within the immediate vicinity of the site, land uses in this area consist of retail uses, which would not be sensitive to increased traffic noise levels. Therefore, project-related vehicle noise would be considered less than significant and the 2017 project would not result in new or more severe traffic-related noise impacts beyond those already identified in the Final EIR.

*Stationary Noise***.** As identified in the Final EIR, on-site commercial and retail uses would contain stationary noise sources such as truck delivery (loading/unloading) activities and typical parking lot activities. These conditions would be similar with the proposed 2017 project, although the frequency and type of deliveries would increase with the proposed gas station facility. These activities are potential point sources of noise that could affect noise-sensitive receptors in the project vicinity. Of the on-site stationary noise sources, noise generated by delivery truck activity

would generate the highest maximum noise levels. While parking activities, such as people conversing or doors slamming, would generate noise levels of approximately 60 dBA to 70 dBA L_{max} at 50 feet; delivery truck loading and unloading activities can result in maximum noise levels from 75 dBA to 85 dBA L_{max} at 50 feet.

There are generally two types of loading that would occur on the site: small deliveries like parcels and packages, and large deliveries like major retail items, weekly food deliveries for the restaurants, bulk supplies for the hotel, and daily fuel deliveries. The former are typically made via passenger car, van, or single-unit truck.

The closest existing noise sensitive receptors to the project delivery areas are the multi-family residential land uses on Seascape Drive across US 101 from the project site. Similar to the 2011 project, according to the site plan for the 2017 project, these properties are located over 230 feet from the nearest proposed project building (and even further away from the proposed gas station facility). At this distance, these residences would experience noise levels from delivery truck activities of up to 71 dBA L_{max}. However, existing traffic noise levels from the intervening US 101, as identified in the Final EIR, are above this noise level, ranging up to approximately 73.3 dBA L_{dn} at the nearest façades of these residences. Therefore, noise levels from periodic delivery activities would not result in perceptible increase in ambient noise levels at nearby sensitive receptors, nor would they result in an exceedance of the existing ambient noise levels at these land uses. Therefore, noise levels from project-related stationary noise sources would remain a less-than-significant impact on off-site sensitive receptors and the 2017 project would not result in new or more severe stationary noise source-related impacts beyond those already identified in the Final EIR.

Land Use Compatibility. The proposed project would expose persons working in or temporarily residing (in the case of the hotel uses) within the project site to traffic and railroad noise levels that could exceed applicable City or other agency standards that regulate noise. Potential impacts associated with traffic and railroad noise are discussed below.

*Traffic Noise***.** As identified in the Final EIR, local traffic would generate long-term noise exceeding normally acceptable levels on the project site and would expose on-site receptors to unacceptable interior noise levels with and without the project at the western edge of the property boundary bordering US 101. As discussed above, the ambient noise conditions have not changed substantially since the preparation of the Final EIR. As shown in Table IV.F-10 in the Final EIR, without implementation of the proposed project, noise levels 50 feet from the outermost lane of US 101, between Rowland Boulevard and SR 37, would be approximately 78.2 dBA L_{dn}. Based on attenuation, the traffic noise level at the façade of the closest building, the proposed restaurant (Building D), would be approximately 70.6 dBA L_{dn}. At the next closest proposed building to US 101, the proposed hotel (Building E), traffic noise levels from traffic on US 101 would attenuate to 61.3 dBA L_{dn}. The City's normally acceptable noise level standard for restaurant land uses is 70 dBA L_{dn}, and the normally acceptable noise level standard for hotel land uses is 60 dBA L_{dn}. Therefore, the traffic noise levels would exceed normally acceptable standards (falling within the conditionally acceptable range) for the proposed Buildings D and E land uses. The Final EIR identified Mitigation Measure NOISE-2 to reduce this impact to a less-than-significant level and ensure that an acceptable interior noise level standard is met. The normally acceptable interior noise level is 55 dBA L_{dn} for commercial and office

buildings, and 45 dBA L_{dn} for hotels. Mitigation Measure NOISE-2, as required in the Final EIR would be required to be implemented for the 2017 project. Therefore, with implementation of Mitigation Measure NOISE-2, the 2017 project would not result in new or more severe traffic noise impacts beyond those already identified in the Final EIR.

*Railroad Noise***.** The project site is bordered to the east by the currently inactive NWPR line and the active NCRA freight line. This rail line is also used by SMART passenger rail service, which was contemplated in the Final EIR but not active at the time that the Final EIR was certified. As discussed in the Final EIR, based on distance attenuation to the nearest proposed buildings, noise levels associated with the railroad noise would not expose persons to excessive noise levels in excess of established standards. The proposed project would be exposed to similar railroad noise levels as the 2011 project. Therefore railroad noise would continue to result in a less-than-significant impact on all proposed land uses.

b. Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? ***(No New Impact)***

Based on the City's criterion of significance, a significant vibration impact would occur if the project would expose persons to or generate excessive groundborne vibration or noise levels. The City's Municipal Code restricts uses, activities, and processes from generating groundborne vibration that would be perceptible at any point along or beyond the property line of the parcel containing the activity. As identified in the Final EIR, construction activities related to development of the proposed 2011 project could result in groundborne vibration levels that would be perceptible at points along the property line when heavy earthmoving equipment operates near the project boundaries. It should be noted that vibration from temporary construction activities and from vehicles that enter and leave a site are specifically exempt from this regulation. However, due to distance attenuation, groundborne vibration levels from the operation of heavy construction equipment that would be used in construction of the proposed project would not cause damage to residential buildings of normal northern California construction. Additionally, the proposed project would not contain uses that would generate groundborne vibration. Therefore, groundborne vibration impacts from project-related construction activities were determined to be less than significant. Construction activities at the project site would be substantially similar with the 2017 project as compared to the 2011 project. Therefore, groundborne vibration and noise levels would remain a less-than-significant impact and the 2017 project would not result in new or more severe groundborne vibration and noise impacts beyond those already identified in the Final EIR.

As discussed in the Final EIR, planned future railroad activity along the Northwest Pacific Railroad (NWPR) and North Coast Railroad Authority (NCRA) line, located adjacent to the eastern project property line, could be a source of perceptible groundborne vibration levels on the project site. Vibration impacts from the now active Sonoma-Marin Area Transit (SMART) passenger rail service

were evaluated in the 2005 Draft Environmental Impact Report (DEIR),[6] the 2006 Final EIR (FEIR),[7] and the 2008 Supplemental EIR (SEIR)[8] for the SMART project. According to these reports, vibration as a result of the original SMART project would generally not be perceptible to humans at distances greater than 100 feet from the tracks. While groundborne vibration would possibly be perceptible within 100 feet of the tracks, the 2005 DEIR determined that vibration would be negligible and would be less than the applicable Federal Transit Administration (FTA) significance criteria of 0.01 inches per second of root-mean-square (RMS) vibration velocity. In addition, according to the findings of the 2008 SEIR, the contribution of the SMART project to the cumulative impact would not change from the level identified in the 2005 DEIR and 2006 FEIR and would remain negligible. Thus, according to the FEIR, SMART's contribution to vibration impacts would not be cumulatively considerable. The nearest proposed building to the SMART rail line would be located approximately 100 feet from the edge of the existing track line. At this distance, based on the findings contained in the 2008 SEIR for the SMART passenger service project, groundborne vibration impacts from SMART rail activity on the proposed project would not adversely affect the proposed 2017 project.

c. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? ***(No New Impact)***

Please refer to Sections XII.a and XII.d. Audible increases in noise levels generally refer to a change of 3 dB or more, as this level has been found to be barely perceptible to the human ear in outdoor environments. Implementation of the proposed project would not result in substantial increases in traffic noise levels on local roadways in the project vicinity or operational noise at sensitive receptor locations. Therefore, as described in the Final EIR, project related noise increases would be less than significant and the same would be true for the 2017 project. Therefore, impacts associated with permanent increases in noise levels would remain a less-than-significant impact and the 2017 project would not result in new or more severe noise impacts beyond those already identified in the Final EIR.

d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? ***(No New Impact)***

Refer to Section XII.a. Project-related construction activities could result in high intermittent noise levels but would be reduced to a less-than-significant level with implementation of Mitigation Measure NOISE-1. Therefore, with implementation of Mitigation Measure NOISE-1, the 2017 project would not result in new or more severe temporary or periodic noise impacts beyond those already identified in the Final EIR.

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6 Sonoma-Marin Area Rail Transit, 2005. *Sonoma-Marin Area Rail Transit Project Draft Environmental Impact Report*. November.

7 Sonoma-Marin Area Rail Transit, 2006. *Sonoma-Marin Area Rail Transit Project Final Environmental Impact Report*. June.

8 Sonoma-Marin Area Rail Transit, 2008. *Sonoma-Marin Area Rail Transit Project Final Supplemental Environmental Impact Report*. July.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? ***(No New Impact)***

As discussed in the Final EIR, the proposed project site is not located within or in the vicinity of an airport land use plan or within the 55 dBA CNEL noise contour of any airport. Gnoss Field Airport is the closest airport to the project site and is located approximately 3.5 miles north of the project site. The next closest airfield is Petaluma Municipal Airport, located approximately 12 miles north of the project site. As discussed in the Final EIR, implementation of the 2011 project would not expose persons in the project area to excessive noise levels from aircraft noise sources and the same would be true for the proposed 2017 project.

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 New Impact)***

Please refer to Section VII.e. The project site is not located within the vicinity of a private air strip.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts. Mitigation Measures NOISE-1 and NOISE-2, previously identified in the Final EIR would remain applicable to the 2017 project. These measures are shown in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the noise impacts of the proposed 2011 project and, with implementation of Mitigation Measures NOISE-1 and NOISE-2, there would be no new impacts related to noise associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XIII.	**POPULATION AND HOUSING.** Would the project:				
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?	☐	☐	☐	☒

DISCUSSION

Similar to the 2011 project, the proposed 2017 project would not include housing on the site and would not induce substantial population growth due to the proposed retail, restaurant, office, and hotel uses. These issues are briefly discussed below.

a. Would the project 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 New Impact)***

The Final EIR analyzed effects to population and housing associated with development of the 2011 project and identified no impacts. More specifically, the Final EIR analyzed effects to population and housing associated with development of the 2011 project and determined that the 2011 project would not induce substantial population growth because no housing was proposed. Similar to the 2011 project, the 2017 project does not include the development of any housing and would not induce substantial growth, displace any existing housing units or people and would not necessitate the construction of replacement housing elsewhere. The proposed project does not include infrastructure improvements or roadways that would support substantially increased or more intense development. As such, the 2017 project would not result in any new significant impacts associated with population and housing beyond what was previously evaluated as part of the Final EIR.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? ***(No New Impact)***

Refer to Section XIII.a.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? ***(No New Impact)***

Refer to Section XIII.a.

APPLICABLE MITIGATION

Based on the above analysis, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

CONCLUSION

The Final EIR adequately evaluated the population and housing impacts of the proposed project and there would be no new impacts related to population and housing associated with the 2017 project.

	Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XIV. PUBLIC SERVICES.				
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:				
i. Fire protection?	☐	☐	☐	☒
ii. Police protection?	☐	☐	☐	☒
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

DISCUSSION

*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: i. Fire protection?; ii. Police protection?; iii. Schools?; iv. Parks?; v. Other public facilities? **(No New Impact)***

Fire and Police Protection. The Final EIR identified less-than-significant impacts related to police and fire protection services with development of the 2011 project. The 2017 project would include the development of a gas station, larger and taller retail and office building, and smaller restaurant buildings compared to what was analyzed in the Final EIR. However, the number of buildings and total square footage of development proposed for the 2017 project is substantially similar to that proposed by the 2011 project, with the exception of the new vehicle fuel facility. Similar to the 2011 project, the 2017 project would result in an incremental increase in demand for police and fire protection services.

Compared to the 2011 project, the 2017 project could result in a small increase in the need for fire services due to the potential for accidental hazardous materials releases or fires that could be associated with emergency situations at the gas station. The demand for police services could also increase slightly due to potential calls for service related to operation of the gas station. The 2017 project was referred to the Novato Fire Protection District and Novato Police Department for review and comment. Neither agency submitted comments indicating the need for new or expanded facilities, increased personnel, or additional equipment to serve the 2017 project or continue to meet response time objectives. The Fire District did provide a list of comments detailing the uniform district standards applicable to the project, including standards specifically addressing the design and operation of fuel dispensing facilities. None of the District's comments were indicative of any difficulty serving the 2017 project, but represent the District's expectations regarding the final construction details developed for the project.

Based on the observations above, the 2017 project would not result in adverse physical impacts associated with the provision of new or physically altered governmental facilities or 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. Therefore, impacts associated with the provision of police and fire services would remain a less-than-significant impact and the 2017 project would not result in new or more severe public safety impacts beyond those already identified in the Final EIR.

Schools, Parks, and Library Services. As discussed in the Final EIR, the 2011 project did not include the development of any housing. As such, the 2011 project did not include the introduction of a residential population including residents and students that would generate demand for schools, parks, and library services. Similar to the 2011 project, the 2017 project does not include the development of any housing and would therefore not require the creation of new or expansion of existing schools, parks, or libraries to accommodate increased demand. As such, the 2017 project

would not result in any new significant impacts to schools, parks, or library services beyond what was previously evaluated as part of the Final EIR.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

CONCLUSION

The Final EIR adequately evaluated the public service impacts of the proposed 2011 project and there would be no new impacts related to public services associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XV.	**RECREATION.**				
	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?	☐	☐	☐	☒

DISCUSSION

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? ***(No New Impact)***

As discussed above in Section XIV, similar to the 2011 project evaluated in the Final EIR, the 2017 project does not include the development of any housing. As such, the 2017 project would not result in an increase in population and would not increase the demand for residential facilities.

Approximately 13.5 acres of the site (69 percent) would have remained undeveloped, with 2.75 acres (14 percent) used for landscaping and 10.75 acres (55 percent) to remain undisturbed with the 2011 project. Similarly, with the 2017 project, approximately 13.4 acres of the site (68 percent) would remain undeveloped, with approximately 2.9 acres (15 percent) used for landscaping and approximately 10.5 acres (53 percent) to remain undisturbed. The 2017 project, compared to the 2011 project, would result in a minor decrease in the amount of undeveloped land remaining on the site after project construction. The open space areas on the site would mostly comprise the hilly knoll areas, although public access for passive recreational use would be available along the shoreline of the preserve and throughout other areas adjacent to the proposed buildings. In addition, a Class 1 bike path would wind through the site. The proposed project would include recreational uses on the site and would not result in an increase in use of off-site recreational facilities, such that substantial physical deterioration of these facilities would result. These conditions would be the same for the 2017 project as the 2011 project evaluated in the Final EIR. Therefore, the 2017 project would not result in any new or more significant impacts to park facilities beyond those identified in the Final EIR.

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? ***(No New Impact)***

Please refer to Section XV.a. Similar to the 2011 project, although the 2017 project would include the development of passive and active recreational uses on the site, these uses would not result in adverse physical effects on the environment, beyond those identified in the Final EIR and discussed in this Environmental Checklist for the 2017 project.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

CONCLUSION

The Final EIR adequately evaluated the recreation impacts of the proposed 2011 project and there would be no new impacts related to recreation associated with the 2017 project.

		Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XVI.	**TRANSPORTATION/TRAFFIC.** Would the project:				
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and 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, or 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 which results 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?	☐	☐	☐	☒
f)	Conflict with adopted polices, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

DISCUSSION

The following is based on a Traffic Impact Study[9] prepared for the proposed 2017 project. This report is available as part of the project file. It should be noted that the evaluation considered the potential for the 2017 project to include residential uses within proposed Building C, a use that was not considered in the Final EIR. Since preparation of the traffic study, this component of the 2017 project has been removed and residential uses are no longer proposed; another change is that the amount of restaurant and retail space decreased. Therefore, although the Traffic Impact Study

[9] W-Trans, 2017, op. cit.

includes an analysis of potential transportation-related impacts associated with residential uses at the site, the revised 2017 project would result in fewer trips being generated in both the AM and PM peak periods. Therefore, the traffic analysis presents a worst-case scenario, as it analyzed more trips than would occur with the revised project, and the findings of the study remain valid.

As noted above, the number of vehicle trips generated by the project, as discussed in the following section, were calculated using a previous iteration of the 2017 project that included more retail (by 2,263 square feet) uses and less office (by 1,480 square feet) and restaurant (by 2,218 square feet) uses than the currently proposed project. However, the results of the traffic study are expected to be substantially similar to the calculations shown below in Table 5 and the conclusions of the analysis contained in this section would not change. The following discussion summarizes the results of the study, as they relate to the proposed 2017 project, as described in the project description included with this report. As discussed in more detail below, no new or substantially more severe impacts related to traffic or circulation impacts were identified for the 2017 project as compared to the 2011 project.

a. Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ***(No New Impact)***

Trip Generation. The Final EIR prepared for the proposed 2011 project determined that a total of 3,988 new weekday trips, including 314 during the evening peak hour as well as 4,289 trips on a weekend day, including 416 trips during the midday peak hour would be generated. The traffic study prepared for the proposed 2017 project (with residential uses) identified 6,075 trips per day, including 574 trips during the evening peak hour and 682 trips during the weekend peak hours. These calculations include credit for internal and "passby" trips. As discussed in the Traffic Impact Study, many of the trips associated with the Costco gas station would be linked to shopping at either Costco or other nearby stores in the Vintage Oaks shopping center. Because these vehicles would already be in the area, they would not produce new trips at the study intersections, as the trips are considered to be internally captured. The percentage of such trips was estimated based on information developed by the Costco retailer[10] and reviewed and confirmed by W-Trans on behalf of the City.

Table 4, below identifies the number of trips that would be associated with the proposed 2017 project, without residential uses and using the proposed 2017 project's proposed square footages as otherwise evaluated in the traffic study. As shown, compared to the number of trips evaluated in the Final EIR, the proposed 2017 project would result in an increase of 1,909 daily trips, and an increase of 243 weekday peak hour trips and 214 weekend peak hour trips. These trip generation

[10] Kittleson & Associates, 2016. Memorandum to Kim Katz of Costco from Chris Tiesler and Sonia Hennum Daleiden. December 2.

rates are lower than the number of trips identified in the traffic study (178 fewer daily trips, 358 fewer weekday peak hour trips, and 380 fewer weekend peak hour trips). The current version of the proposed 2017 project evaluated in this Environmental Checklist includes a total of 12,500 square feet of retail uses, 26,200 square feet of office uses, and 11,158 square feet of restaurant use as compared to the square footages identified in the traffic study for a previous iteration of the project. Using the rates shown below in Table 4, this translates to 554 daily trips associated with the retail use, 289 daily trips associated with office uses, and 1,004 daily trips generated by the restaurant use, for a total of 1,849 daily trips compared to the 1,731 daily trips evaluated in the traffic study for these same uses, increasing the total number of daily trips to the site by 118 trips.

As discussed above, the proposed 2017 project would generate fewer vehicle trips than identified in the traffic study prepared for the version of the 2017 project that included residential uses. Therefore, the results of the traffic study remain valid for the project.

Table 4: Trip Generation Summary

		Daily		Weekday PM Peak Hour				Weekend PM Peak Hour			
Land Use	**Units**	**Rate**	**Trips**	**Rate**	**Trips**	**In**	**Out**	**Rate**	**Trips**	**In**	**Out**
Restaurant	8.94 ksf	89.95	804	7.49	67	65	2	10.82	97	57	40
Retail	14.763 ksf	44.32	654	2.71	40	31	9	4.82	71	37	34
Office	24.72 ksf	11.03	273	1.49	37	6	31	0.43	11	6	5
Hotel	125 rms	8.17	1,021	0.60	75	46	29	0.72	90	50	40
Gas Station	24 vfp	320.26	7,686	24.27	583	333	250	27.74	666	333	333
Pass-by		*-44%* [a]	*-4,541*	*-42%*	*-245*	*-140*	*-105*	*-45%*	*-300*	*-150*	*-150*
Total (no pass-by)			10,438		802	481	321		935	483	452
Net 2017 Project Total			**5,897**		**557**	**341**	**216**		**635**	**333**	**302**
Net 2011 Project Total			**3,998**		**314**	**150**	**164**		**416**	**223**	**193**
Net Change Increase/(Decrease)			**1,909**		**243**	**191**	**52**		**219**	**110**	**109**

[a] Pass-by rate for daily trips not available; the average of the AM peak hour and PM peak hour pass-by rates was applied

du = dwelling unit
ksf = 1,000 square feet
rms = rooms
vfp = vehicle fueling position
Source: W-Trans, 2017.

Intersection Operations. The Final EIR prepared for the 2011 project identified less-than-significant level of service impacts during Existing Plus Project and Cumulative Conditions at the following study intersections: 1) Redwood Boulevard/Rowland Boulevard; 2) US 101 South Ramps/Rowland Boulevard; 3) US 101 North Ramps/Rowland Boulevard; 4) Rowland Boulevard/Rowland Way; 5) Rowland Boulevard/Vintage Way (north); and 6) Rowland Boulevard/Vintage Way (south). These conclusions remain the same for the 2017 project as outlined in the Traffic Impact Study and as described below.

The Final EIR identified vehicle queuing and reduced storage capacity impacts to the following study intersections: 1) Redwood Boulevard/Rowland Boulevard; 2) Rowland Boulevard/US 101 North

Ramps; and 3) Rowland Boulevard/Rowland Way. Impacts to these intersections would be reduced to a less than significant level with implementation of Mitigation Measures TRANS-1, TRANS-2 and TRANS-3, as identified in the Final EIR and these measures would remain applicable to the 2017 project.

Regarding the impact identified at the Redwood Boulevard/Rowland Boulevard intersection, a right-turn lane has been installed at this intersection since 2011, so a portion of Mitigation Measure TRANS-1 has already been satisfied. In addition, operation analysis for the 2017 project shows that right-turn overlap phasing is no longer required. Therefore, with the 2017 project and changed conditions in the vicinity of the site and as outlined in the Traffic Impact Study, the Redwood Boulevard/Rowland Boulevard intersection would operate at an acceptable level of service with implementation of the 2017 project as compared to the 2011 project.

Regarding the impact identified at the Rowland Boulevard/US 101 North Ramps intersection, this impact is no longer anticipated with the 2017 project, as described in the Traffic Impact Study. The maximum queue in the westbound through and right-turn lanes at this intersection are no longer expected to extend beyond the available storage length. Therefore, Mitigation Measure TRANS-2 is no longer required to address impacts at this intersection. However, this measure also addressed impacts to the Rowland Boulevard/Rowland Way intersection, and remains applicable to address Impact TRANS-3. Refer to Attachment B.

Similar to the 2011 project, with implementation of Mitigation Measures TRANS-2 and TRANS-3, impacts associated with vehicle queues and storage capacity would be reduced to a less-than-significant level with implementation of the 2017 project. As compared to the 2011 project, the proposed 2017 project would result in fewer impacts related to vehicle queuing and storage capacity due to intersection improvements that have been completed since 2011, resulting in the elimination of Impact TRANS-2.

Given the discussion above, although the number of trips generated by the 2017 project would increase compared to the 2011 project evaluated in the Final EIR, level of service impacts to study intersections associated with these increased trips would not result in a modification to the LOS at any of the study intersection. Therefore, new or more severe transportation or circulation-related impacts would not occur beyond those already identified in the Final EIR.

b. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? ***(No New Impact)***

Please refer to Section XVI.a, above. Similar to the 2011 project, the proposed 2017 project would not result in any impacts to freeway or roadway segments subject to the jurisdiction of the County of Marin's congestion management agency and this impact would be less than significant for both the 2011 and 2017 project. Therefore, the proposed project would not result in new or more severe impacts to operations on US 101 or SR 37 beyond those already identified in the Final EIR.

c. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location which results in substantial safety risks? ***(No New Impact)***

As discussed in the Final EIR, the proposed project site is not located within or in the vicinity of any public or private airports and the height of proposed buildings would not be sufficiently tall enough to interfere with air traffic patterns. As discussed in the Final EIR, implementation of the 2011 project would not result in a change in air traffic patterns and the same would be true for the proposed 2017 project.

d. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ***(No New Impact)***

The Final EIR determined that the existing trees and new on-site landscape trees could affect the ability of large trucks to effectively maneuver throughout the project site. The Final EIR identified Mitigation Measure TRANS-4 to ensure that this impact would reduce potential hazards and ensure that the appropriate level of clearance would be achieved. This measure remains applicable to the proposed 2017 project as the overall design of the proposed development would be substantially similar. Therefore, the proposed 2017 project would not result in new or more severe impacts related to design hazards beyond those already identified in the Final EIR.

e. Would the project result in inadequate emergency access? ***(No New Impact)***

The Final EIR determined that impacts related to emergency access would be less than significant, given that the Fire District would continue to have access to the site from the north and emergency access from the south. This access would still be provided with the 2017 project and traffic congestion within the vicinity would not substantially increase with the proposed 2017 project as compared to the 2011 project as described above. Therefore, this impact would remain less than significant and the proposed 2017 project would not result in new or more severe impacts related to emergency access beyond those already identified in the Final EIR.

f. Would the project conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? ***(No New Impact)***

As described in the Traffic Impact Study, sidewalks do not currently exist along the project frontage as the site is vacant. The proposed project includes plans to provide a Class 1 bike and pedestrian path that would generally begin at the northern end of the site and continue south to Hanna Ranch Road. This improvement, combined with the existing sidewalk to the north of the site along the Vintage Oaks Shopping Center, would provide adequate pedestrian access to the project site. In addition, the proposed project would be required to provide bicycle parking per the City code. Further, existing transit stops are located within the vicinity of the site.

The Final EIR determined that potential conflicts associated with pedestrian, bicycle, and transit circulation and facilities would be less than significant with implementation of Mitigation Measures TRANS-5, TRANS-6, and TRANS-7. These same measures would remain applicable to the proposed 2017 project and would ensure that pedestrian, bicycle, and transit facilities and services would be adequate to serve the proposed project and that the proposed project would comply with adopted policies and programs regarding pedestrian, bicycle, and transit access and use. Therefore, this impact would remain less than significant and the proposed 2017 project would not result in new or more severe impacts related to alternative forms of transportation beyond those already identified in the Final EIR.

APPLICABLE MITIGATION

Based on the above analysis, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required. Mitigation Measures TRANS-3, TRANS-4, TRANS-5, TRANS-6, and TRANS-7, previously identified in the Final EIR, would remain applicable to the 2017 project and are provided in Attachment B.

CONCLUSION

The Final EIR adequately evaluated the transportation and circulation impacts of the proposed 2011 project and with implementation of Mitigation Measures TRANS-3, TRANS-4, TRANS-5, TRANS-6, and TRANS-7, there would be no new impacts related to traffic and circulation associated with the 2017 project.

	Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XVII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

DISCUSSION

Impacts to tribal resources were not specifically evaluated in the Final EIR, as this topic was not a required component of CEQA to be analyzed at the time the Final EIR was prepared and certified. However, impacts of the proposed project on potential archeological and human remains, which are considered both tribal and cultural resources, were evaluated and were identified as less than significant with implementation of recommended mitigation measures. This topic, as it relates to tribal cultural resources, is further discussed below.

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?; or ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section

5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. ***(No New Impact)***

As previously discussed in Section V, Cultural Resources of this Environmental Checklist, implementation of Mitigation Measures CULT-1 through CULT-3, previously identified in the Final EIR, would remain applicable to the 2017 project. These mitigation measures would protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains, should these be encountered during project construction.

In June 2010 the City invited the Federated Indians of the Graton Rancheria to consult on the 2011 project pursuant to Senate Bill 18. The provisions of SB 18 applied to the 2011 project since it involved a general plan amendment, an action which was approved by the Novato City Council. At that time, city staff consulted with representatives of the Graton Rancheria and provided notices to the Rancheria regarding preparation of an EIR and subsequent availability of the draft EIR. The mitigation measures included in the certified EIR and adopted as conditions of approval for the 2011 project reflect input from Graton Rancheria regarding cultural resources.

Subsequent to certification of the Final EIR, the California Legislature passed Assembly Bill (AB) 52, which provides for consultation between lead agencies and Native American tribal organizations during the CEQA process. Effective July 1, 2015, AB 52 states that prior to the release of an Environmental Impact Report or Negative Declaration/Mitigated Negative Declaration for public review, a lead agency must provide the opportunity to consult with local tribes. However, the Final EIR was certified prior to July 1, 2015, and because (a) this EIR Addendum supports the findings that, pursuant to CEQA Guidelines Section 15162, (b) no new or substantially more severe significant effects could occur under the 2017 project, (c) no new mitigation measures would be required that were previously identified as infeasible, (d) the project is within the scope of the environmental review of the Final EIR, and (e) no further review under CEQA is required, then the City is not required to conduct formal consultation under AB 52 for this project. Nevertheless, consultation was conducted under SB 18 in 2010 and 2011. As stated above, Final EIR Mitigation Measures CULT-1 through CULT-3 apply to the project, and will protect previously unrecorded or unknown cultural resources, including Native American artifacts and human remains.

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

CONCLUSION

No new or substantially more severe effects related to tribal cultural resources would occur with the 2017 project.

	Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project=s solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, State, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

DISCUSSION

Impacts to utilities and service systems were determined to be less than significant for the 2011 project. Conditions related to these services are currently the same as when the Final EIR was certified, although some regulatory and permitting conditions of the water, wastewater, and other service providers for the site may have changed. The proposed project would be required to comply with all permitting requirements of the applicable utility agencies in order to receive connection permits. Impacts related to utilities and service systems are further discussed below.

a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ***(No New Impact)***

As described in the Final EIR, the 2011 project would result in less than a 2 percent increase in the average dry weather flow to the Novato Treatment Plant and less than 1 percent of the Novato Treatment Plant's existing dry weather capacity. The 2017 project includes the development of a new gas station and a larger retail and office building than was previously analyzed as part of the Final EIR. However, the 2017 project also includes smaller restaurant buildings, which typically require larger amounts of water and generate more wastewater than office and retail uses, compared to what was analyzed as part of the Final EIR. In addition, the proposed gas station is not expected to substantially increase the demand for water or generate wastewater, as no restroom facilities are associated with this use.

Development of the 2017 project would result in an incremental increase in wastewater generation similar to the 2011 project and is not anticipated to exceed capacity of the Novato Treatment Plant. Therefore, this impact would remain less than significant and the proposed 2017 project would not result in new or more severe impacts related to wastewater treatment requirements beyond those already identified in the Final EIR.

b. Would the project 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? ***(No New Impact)***

The Final EIR determined that potential impacts associated with new water and wastewater infrastructure required to serve the proposed project would be less than significant. The 2017 project would be required to incorporate the Novato Sanitary District's Bay Mud Standards during construction of the sanitary sewer connections; conduct a downstream sewer capacity study from the project site to the pump station at Rowland Plaza to determine whether sufficient pump capacity still remains for the project; and verify elevations to demonstrate the feasibility of a gravity flow sewer system and if not feasible, a private lift station would be required, as was proposed by the 2011 project. Compliance with the approval and permitting requirements of the Novato Sanitary District and the North Marin Water District, which would be incorporated into the conditions of approval for the proposed project, would ensure that no new impacts associated with water or wastewater services would result from the proposed 2017 project. As such, impacts would remain less than significant and the 2017 project would not result in any new or more significant impacts than identified in the Final EIR.

c. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ***(No New Impact)***

Refer to Section IX for a discussion of impacts to the storm drain system, which would be less than significant for both the 2011 and 2017 project. As such, impacts would remain less than significant and the 2017 project would not result in any new or more significant impacts than identified in the Final EIR.

d. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? ***(No New Impact)***

The Final EIR determined that development of the 2011 project would result in an annual demand of 103.54 acre feet, or a total average of average of 92,400 gallons per day (0.09 mgd). The 2011 project's increase in water demand represented less than 3 percent of the overall increase in buildout demand anticipated through the year 2030 in the Water District's Novato Water System Master Plan. In addition, it was determined that no new water entitlements would be needed to serve the 2011 project and that development of the 2011 project would result in less-than-significant impacts related to water supply. The 2017 project would result in a similar demand for water supply due to the development of a new gas station, larger retail and office building, and smaller restaurant buildings compared to what was analyzed as part of the Final EIR. As such, the 2017 project would not result in any significantly greater or more severe impacts than those identified in the Final EIR.

e. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? ***(No New Impact)***

Refer to Section XVII.a. The proposed project would be served by a wastewater treatment facility with adequate capacity and this impact would be less than significant.

f. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? ***(No New Impact)***

Development of the 2017 project would generate similar levels of solid waste associated with the development of a new gas station, larger retail and office building, and smaller restaurant buildings compared to what was analyzed as part of the Final EIR. Development of the 2017 project would result in an incremental increase in the amount of solid waste generated compared to the 2011 project. The Final EIR determined that the 2011 project would generate approximately 617 pounds of waste per day while the 2017 project would generate approximately 659 pounds of waste per day.[11] As noted in the Final EIR, the Redwood Landfill has a permitted capacity of 2,300 tons per day. The increase in solid waste generation represents an incremental increase in solid waste and would be adequately served by existing facilities. As such, the 2017 project would not result in any new or significantly greater impacts than those identified in the Final EIR.

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste? ***(No New Impact)***

Refer to Section XVII.f. This impact would be less than significant.

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11 CalRecyle. Estimated Solid Waste Generation Rates. Website: www2.calrecycle.ca.gov/WasteCharacterization/General/Rates (accessed August 25, 2017).

APPLICABLE MITIGATION

Based on the analysis above, no substantial changes in environmental circumstances have occurred for this topic, nor revisions to the project, nor new information that could not have been known at the time the Final EIR was certified leading to new or more severe significant impacts, and no new mitigation measures are required.

CONCLUSION

The Final EIR adequately evaluated the utilities and infrastructure impacts of the proposed 2011 project and there would be no new impacts related to utilities and infrastructure associated with the 2017 project.

	Potentially Significant Impact	Less Than Significant Impact with New Mitigation	Less Than Significant Impact	No New Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
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 which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

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 Impact)***

Implementation of the mitigation measures identified in the Final EIR and applicable to the 2017 project as described in this Environmental Checklist would ensure that development of the revised project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife species population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history. As such, impacts would remain less than significant and the 2017 project would not result in any new or more significant impacts than identified in the Final EIR.

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.) ***(No New Impact)***

The revised project's impacts match those anticipated in the certified Final EIR for the 2011 project and would be individually limited and not cumulatively considerable. With the exception of impacts related to greenhouse gas emissions, which is itself a cumulative impact, all impacts of the revised project can be reduced to less-than-significant levels with implementation of recommended mitigation measures presented in the Final EIR. As discussed throughout this environmental checklist, no new or substantially more severe impacts of the proposed 2017 project would result as compared to the 2011 project and no new mitigation measures would be required to address cumulative impacts. Therefore, with the exception of impacts related to greenhouse gas emissions, cumulative impacts of the 2017 project would be less than significant.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ***(No New Impact)***

As discussed in the Final EIR and this Environmental Checklist, neither the proposed 2011 project nor the 2017 project would result in any environmental effects that would cause substantial direct or indirect adverse effects to human beings and no impact would result.

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ATTACHMENT B
SUMMARY OF 2011 AND 2017 IMPACTS AND MITIGATION MEASURES

This document provides a summary of impacts identified as potentially significant as well as mitigation measures previously identified in the June 2011 Environmental Impact Report (2011 EIR) for the Hanna Ranch Mixed Use Project (2011 project). As discussed in further detail in Attachment A, the proposed project would involve minor modifications to the project site design (2017 project). As such, minor modifications to the mitigation measures previously identified in the 2011 EIR are required to ensure that they reflect the current site design. While most impacts and mitigation measures previously identified in the 2011 EIR remain applicable to the 2017 project (and are identified as unchanged in the table), where impacts and mitigation measures have been updated or are no longer applicable, the text in Table 1, below, has been revised to reflect the 2017 project. More specifically, double underlined text represents language that has added to the 2011 Mitigation Measures; ~~strikethrough~~ text represents language that has been removed from the 2011 Mitigation Measures.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
I. AESTHETICS			
AES-1: The proposed project would create a new source of light and glare affecting day and nighttime views in the area.	AES-1a: The Lighting and Photometric Plan prepared for the project shall be reviewed and approved by the City of Novato Design Review Commission prior to issuance of a building permit. The final lighting plan shall be designed to minimize glare on surrounding development and ensure that exterior lighting is directed downward and away from areas outside of the property line in a manner designed to minimize off-site light spillage. The Design Review Commission shall also verify that the final lighting plan incorporates the recommendations of the photometric analysis prior to approval. AES-1b: The proposed project shall incorporate non-mirrored glass to minimize daylight glare. In addition, the City of Novato Design Review Commission shall review and approve of the list of building materials to be used prior to issuance of a building permit to ensure that non-reflective materials are used.	Unchanged	Unchanged
II. AGRICULTURAL AND FORESTRY RESOURCES			
There are no significant agricultural and forestry resources impacts.			
III. AIR QUALITY			
AIR-1: Construction of the proposed project would generate air pollutant emissions that could: violate the BAAQMD air quality standards, contribute substantially to an existing or projected air quality violation, and expose sensitive receptors to substantial pollutant concentrations.	AIR-1: Consistent with guidance from the BAAQMD, the following actions shall be required of construction contracts and specifications for the project. • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
AIR-1 *Continued*	• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. • Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage indicating that idling times shall be limited to a duration of 5 minutes shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • A publicly visible sign shall be posted with the telephone number and person to contact at the City of Novato regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
IV. BIOLOGICAL RESOURCES			
BIO-1: Construction of the proposed project may harm or kill western pond turtles, a California Species of Special Concern.	BIO-1: To prevent western pond turtles from entering the work area, the contractor shall install temporary exclusion fencing along the perimeter of any work areas that are located within 100 feet of the two ponds. The placement of the fencing shall be directed by a qualified biologist. The fencing shall consist of silt fabric (or similar material) at least 3 feet high. The lower 6 inches of the fabric shall be buried in the ground to prevent these animals from crawling or burrowing under the fence. Fencing shall be left in place and maintained in good condition throughout the construction period. A pre-construction survey shall be conducted at or shortly after the installation of the exclusion fence for western pond turtles. These surveys shall continue at weekly intervals throughout the construction period. Western pond turtles and other animals observed shall be re-located on the pond side of the construction fence.	Unchanged	Unchanged (BIO-1a)
			BIO-1b: Construction personnel shall not feed or otherwise attract fish or wildlife in the project area. All food-related trash and garbage shall be placed in animal-proof containers which shall be emptied or removed from the construction site weekly. After the project is complete, the operator shall use fully covered trash receptacles that are animal-proof and weather-proof to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. The signs that shall be placed stating that dogs must be on-leash (see Mitigation Measures BIO-10d and BIO-11f) shall also indicate that feeding of wildlife is prohibited by law. BIO-1c: Second-generation anticoagulant rodenticide bait stations shall not be used outdoors on the project site before, during, or after construction. This prohibition shall be detailed by the property management company in all commercial leases.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-1 *Continued*			BIO-1d: The applicant shall coordinate with the City and the Marin County Flood Control District, the operator of the Beverly Ehreth Ecological Preserve, on measures to enhance existing western pond turtle habitat during project construction. Enhancement measures developed in coordination with the operator could include: 1) Placing one trunk from a tree that is removed from the site in the on-site pond to create a basking area that is secure from predators. The basking area should be located in an area with access to sunlight and away from areas that would be shadowed by buildings on the project site; 2) Eradicating non-native vegetation, including Himalayan blackberry, from the banks of the Beverly Ehreth Ecological Preserve pond and the onsite pond, as described in Mitigation Measures BIO-10e and BIO-11e; 3) Including actions in the Stream and Wetland Management Plan that shall be developed as described in Mitigation Measure BIO-10f to enhance upland western pond turtle nesting habitat (e.g., planting of native short grasses and/or forbs in friable soils free of rocks in an area with exposure to direct sunlight); and 4) Removing red-eared sliders or other non-native turtles (invasive species) from the on-site pond or preserve pond.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-2: Construction of the proposed project could result in impacts to nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code.	BIO-2: To the extent feasible, vegetation removal activities shall occur during the non-nesting season (September 1 to January 31). For any construction activities conducted during the nesting season, a qualified biologist (i.e., experienced in searching for passerine nests in oak woodland and other habitats) shall conduct a preconstruction nest survey of all trees or other suitable nesting habitat in and within 250 feet of the limits of work. The survey shall be conducted no more than 15 days prior to the start of work. If the survey indicates the presence of nesting birds, the biologist shall determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist, in consultation with the Department of Fish and Game, and shall be based on the nesting species and its sensitivity to disturbance. In general, buffer sizes of up to 250 feet for raptors and 50 feet for other birds should suffice to prevent substantial disturbance to nesting birds, but these buffers may be increased or decreased, as appropriate, depending on the bird species and the level of disturbance anticipated near the nest. Such buffers shall remain in effect until the young have fledged, abandon the nest on their own, or it is demonstrated that a smaller buffer would be adequate or that a larger buffer would better protect the nest.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-3: Landscape plants installed on the project site may invade the oak woodland and displace native habitat.	BIO-3: The species listed in Table IV.I-4 are particularly invasive ornamental plants and shall be prohibited from being planted on the project site. Prior to approval of the final landscape plan, the plant palette for the project site shall be reviewed by a biologist to ensure that the species in Table IV.I-4 and species listed in the California Invasive Plant Council's *Invasive Plant Inventory* are not included in the landscaping for the site.	Unchanged	Unchanged
BIO-4: The proposed project would remove stands of purple needlegrass grassland, a sensitive natural community.	BIO-4: The project applicant shall first attempt to avoid the stands of purple needlegrass by fine-tuning the grading plan for the site, especially for the stands located at the edge of grading. Impacts to the purple needlegrass grassland shall be mitigated by creating purple needlegrass grassland at suitable locations elsewhere on the site, on a 1:1 acreage basis. The project proposes enhancement of the valley oak woodland by removing non-native trees and landscaping and replacing them with native or naturalized seasonal grasses. These "seasonal grasses" can be a component of the mitigation for the purple needlegrass grassland. These "seasonal grasses" shall be composed entirely of native species and have a major component of purple needlegrass. Furthermore, graded areas shall be seeded with native grasses including purple needlegrass. These "seasonal grass" areas and the graded areas that will be sown with native grassland seed shall be addressed in a restoration, monitoring, and maintenance plan. The restoration, monitoring, and maintenance plan shall include mapping of the purple needlegrass 4 to 6 months prior to construction (in order to allow for review of the plan by the City and its consultant) within the impact area to determine the precise impacts at the time of actual construction. For management purposes, stands of purple needlegrass grassland shall also be mapped outside of the impact area. The plan shall	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-4 *Continued*	discuss site preparation, species composition, planting/ sowing methods, irrigation requirements (if any), performance standards, monitoring methods, maintenance (including weeding), contingency plans, and annual reports. The restoration, monitoring, and maintenance plan shall be reviewed and approved by a qualified project biologist and the California Department of Fish and Game prior to the issuance of building permits. The performance standard shall include cover of native grasses to be at least 30 percent of the relative cover and no more than 5 percent cover of invasive species. The planted areas shall be monitored for 5 years. A conservation easement over the grassland restoration areas and existing stands of native grassland outside the graded area shall be granted by the project applicant to the City of Novato.		
BIO-5: Construction of the proposed project would directly impact 0.05 acre of isolated seasonal wetlands subject to RWQCB jurisdiction under the Porter-Cologne Water Quality Control Act.	BIO-5a: As required by the Porter-Cologne Water Quality Control Act, the project applicant shall file a Report of Waste Discharge (ROWD) with the San Francisco Bay RWQCB and comply with all project-specific Waste Discharge Requirements (WDR) issued by the RWQCB during the ROWD approval process.	Unchanged, with the exception that the total acreage of isolated seasonal wetlands was not re-verified in 2018 and is thus approximate.	BIO-5a: Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-5 *Continued*	BIO-5b: All waters of the State filled by the project shall be mitigated at a minimum 2:1 ratio according to City of Novato and RWQCB policy (i.e., mitigation shall be 0.1 acre or greater). City of Novato policy requires that off-site mitigation for impacts to wetlands occur at a 3:1 ratio. Mitigation may be accomplished by (1) on- or off-site creation of new seasonal wetlands at an appropriate mitigation site or (2) purchase of 0.15 acre of credits (assuming impacts are to 0.05 acre of wetland and use of the 3:1 mitigation ratio) at a RWQCB-approved off-site mitigation bank. A credit purchase agreement or receipt shall be provided prior to approval of the grading plan. If the mitigation is to be accomplished by creating new wetlands on-site (or at an off-site location owned or otherwise controlled by the applicant), the applicant shall prepare and implement a wetland mitigation and monitoring plan (MMP) detailing the mitigation design, mitigation wetlands location and hydrology, wetland planting design, maintenance and monitoring require-ments, reporting requirements, and success criteria. Mitigation wetlands shall be monitored for a minimum of five years to verify that the success criteria have been achieved. The MMP shall be approved by the RWQCB and the City prior to approval of the Final Map.		BIO-5b: Prior to any groundbreaking activities, the project applicant shall conduct a formal delineation of jurisdictional waters to be provided to the City and RWQCB. All waters of the State filled by the project shall be mitigated at a minimum 2:1 ratio according to City of Novato and RWQCB policy (i.e., mitigation shall be 0.1 acre or greater). City of Novato policy requires that off-site mitigation for impacts to wetlands occur at a 3:1 ratio. Mitigation may be accomplished by (1) on- or off-site creation of new seasonal wetlands at an appropriate mitigation site or (2) purchase of 0.15 acre of credits (assuming impacts are to 0.05 acre of wetland and use of the 3:1 mitigation ratio) at a RWQCB-approved off-site mitigation bank. A credit purchase agreement or receipt shall be provided prior to approval of the grading plan. If the mitigation is to be accomplished by creating new wetlands on-site (or at an off-site location owned or otherwise controlled by the applicant), the applicant shall prepare and implement a wetland mitigation and monitoring plan (MMP) detailing the mitigation design, mitigation wetlands location and hydrology, wetland planting design, maintenance and monitoring require-ments, reporting requirements, and success criteria. Mitigation wetlands shall be monitored for a minimum of five years to verify that the success criteria have been achieved. The MMP shall be approved by the RWQCB and the City prior to approval of the Final Map.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-6: Construction of the proposed project may indirectly impact the on-site pond, the preserve pond and associated wetlands by adversely affecting water quality.	BIO-6a: The contractor shall install a silt barrier, such as a filter-fabric silt fence or other structure that is appropriate for the soil texture and slope, that prevents excess sediments from entering the ponds. The silt barrier shall be maintained on a regular basis and accumulated silt shall be removed and disposed of in a location where it would not flow back into a wetland, stream, or pond. The barriers must also be firm enough to prevent side casts from entering the ponds. BIO-6b: The applicant shall comply with National Pollution Discharge Elimination System (NPDES) requirements set forth by the Marin County Storm-water Pollution Prevention Program (MCSTOPPP) and described in the *Stormwater Quality Manual for Development Projects in Marin County*. Included in these requirements is the preparation of a Stormwater Control Plan. Refer to Mitigation Measure HYD-1b for a description of the Stormwater Control Plan requirements.	Unchanged	Unchanged
BIO-7: Construction of the proposed project would result in reduced habitat connectivity between the Beverly Ehreth Ecological Preserve and nearby natural areas.	BIO-7: The design of the road and parking spaces between Buildings B and C shall be modified to facilitate continued wildlife movement between the two ponds. The modifications shall be approved by the City. Such design modifications include the following: • Install an arched culvert, approximately 1.5 feet tall, beneath the road that connects the pond and the Beverly Ehreth Ecological Preserve to facilitate the movement of wildlife between the preserve and the on-site pond. The arched culvert shall be designed for the passage of wildlife with an earthen bottom and grates at the top to allow light to enter the culvert. This would reduce the potential for road-kill and allow for safer driving.	Unchanged	BIO-7: The design of the road and parking spaces between ~~Buildings B~~ the proposed fueling station and Building C shall be modified to facilitate continued wildlife movement between the two ponds. The modifications shall be approved by the City. Such design modifications include the following: • Install an arched culvert, approximately 1.5 feet tall, beneath the road ~~that connects~~ located between the pond and the Beverly Ehreth Ecological Preserve to facilitate the movement of wildlife between the preserve and the on-site pond. The arched culvert shall be designed for the passage of wildlife with an earthen bottom and grates at the top to allow light to enter the culvert. This would reduce the potential for road-kill and allow for safer driving.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-7 *Continued*	• The fence surrounding the Beverly Ehreth Ecological Preserve shall be modified in the location of the culvert and at other selected locations to be no more than 3 feet tall to allow for the passage of small animals including coyotes, gray foxes, northern raccoons, Virginia opossums, striped skunks, deer and other wildlife. A 4-inch square welded wire mesh is a suitable fencing material if the fence needs replacing. • Signs shall be posted at accessible points along the fence surrounding the Beverly Ehreth Ecological Preserve describing the sensitive resources present and indicating that people and dogs should stay out. Signs should also indicate that dogs are to be on a leash throughout the project site. • Plant additional native shrubs along both sides of the road to provide cover for wild animals.		• The fence surrounding the Beverly Ehreth Ecological Preserve shall be modified in the location of the culvert and at other selected locations to be no more than 3 feet tall to allow for the passage of small animals including coyotes, gray foxes, northern raccoons, Virginia opossums, striped skunks, deer and other wildlife. and to include spaces 6 inches high at the ground surface for the passage of small animals. A 4-inch square welded wire mesh is a suitable fencing material if the fence needs replacing. • Signs shall be posted at accessible points along the fence surrounding the Beverly Ehreth Ecological Preserve describing the sensitive resources present and indicating that people and dogs should stay out. Signs should also indicate that dogs are to be on a leash throughout the project site. • Plant additional native shrubs along both sides of the road to provide cover for wild animals.
BIO-8: The proposed project would result in the removal of at least 57 trees, including 18 heritage eucalyptus trees, 9 heritage valley oak trees, one heritage coast live oak tree, one heritage Monterey pine tree, and 28 other trees (2 valley oaks, 1 coast live oak, 1 black oak, and 24 eucalyptus and acacias) that are protected under the City of Novato's Municipal Code. In addition, a heritage valley oak and 2 smaller valley oaks could be damaged by work within the drip line.	BIO-8a: The non-native, heritage eucalyptus trees on the site have been neglected and would present a hazard if they were to remain as part of the site's landscaping. These trees are planned to be removed along with one heritage Monterey pine and a number of small acacia and eucalyptus trees (43 total non-native trees). To reduce the potential hazardous conditions presented by these trees, mitigate their loss, and improve the site's overall aesthetic value, they shall be removed from the site and replaced by incorporating native oaks into the landscape plan and maintaining these oaks per the standards outlined in the City's Municipal Code. At least 22 native trees (black oak, valley oak, coast live oak, and buckeye) shall be planted to mitigate the removal of 43 non-native trees (0.5:1 mitigation ratio).	Unchanged, with the exception that the total number of trees to be removed will be verified with the final circulation and development plan.	BIO-8a: The non-native, heritage eucalyptus trees on the site have been neglected and would present a hazard if they were to remain as part of the site's landscaping. These trees are planned to be removed along with one heritage Monterey pine and a number of small acacia and eucalyptus trees ~~(43 total non-native trees)~~. To reduce the potential hazardous conditions presented by these trees, mitigate their loss, and improve the site's overall aesthetic value, they shall be removed from the site and replaced by incorporating native oaks into the landscape plan and maintaining these oaks per the standards outlined in the City's Municipal Code. ~~At least 22 n~~Native trees (black oak, valley oak, coast live oak, and buckeye) shall be planted to mitigate the removal of ~~43~~ non-native trees (0.5:1 mitigation ratio).

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-8 *Continued*	BIO-8b: To further enhance the wildlife values of the remaining oak woodland, all non-native trees, shrubs, and invasive species, shall be removed from the portion of the project site that is outside of the grading envelope. These species have the potential to colonize the remaining oak woodland on the project site. These species include acacia, eucalyptus, French broom, yellow star-thistle, Harding grass (*Phalaris aquatica*), Himalayan blackberry (*Rubus discolor*), fennel (*Foeniculum vulgare*), mayweed (*Anthemus cotula*), Klamath weed (*Hypericum perfoliatum*) or other invasive species of St. John's wort (*Hypericum* spp.), milk thistle (*Silybum marianum*), and pampas grass (*Cortaderia* spp.). The removal of invasive species from the on-site oak woodland shall be in perpetuity according to a management plan prepared according to Mitigation Measure BIO-8c.		Unchanged
	BIO-8c: In accordance with Chapter 17 of the City's municipal code, the removal of native trees shall be avoided by design where possible. The development plan has avoided native trees with the exception of 9 heritage-size valley oaks, 1 heritage-size coast live oak, 2 valley oaks, 1 coast live oak, and 1 black oak. Each of these native trees shall be replaced on-site with three trees (mitigation ratio of 3:1) of the same species as the removed tree and derived from local stock. These trees shall be incorporated into the project's landscape plan and/or planted adjacent to the existing woodland. A mitigation plan shall be developed by a biologist or professional arborist in order to ensure the long-term survival of the native plantings. The mitigation plan shall include the location of planting, planting techniques, need for irrigation, monitoring, maintenance, performance standards, and annual reporting. Size of replacement trees shall be 5-gallons pots. Monitoring shall be done for at least 5 years after planting. Any trees damaged by construction shall also be monitored for 5 years.		BIO-8c: In accordance with Chapter 17 of the City's municipal code, the removal of native trees shall be avoided by design where possible. The development plan has avoided native trees with the exception of ~~9~~ heritage-size valley oaks, 1 heritage-size coast live oak, ~~2~~ valley oaks, 1 coast live oak, and ~~1~~ black oak. Each of these native trees shall be replaced on-site with three trees (mitigation ratio of 3:1) of the same species as the removed tree and derived from local stock. These trees shall be incorporated into the project's landscape plan and/or planted adjacent to the existing woodland. A mitigation plan shall be developed by a biologist or professional arborist in order to ensure the long-term survival of the native plantings. The mitigation plan shall include the location of planting, planting techniques, need for irrigation, monitoring, maintenance, performance standards, and annual reporting. Size of replacement trees shall be 5-gallons pots. Monitoring shall be done for at least 5 years after planting. Any trees damaged by construction shall also be monitored for 5 years.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-8 *Continued*	Any of these damaged trees that do not survive during the 5-year monitoring period shall be replaced by planting additional trees at a 3:1 ratio. These replanted trees shall be monitored for an additional 5 years. Any mitigation trees that do not survive shall be replaced and monitored for an additional 5-year period.		Any of these damaged trees that do not survive during the 5-year monitoring period shall be replaced by planting additional trees at a 3:1 ratio. These replanted trees shall be monitored for an additional 5 years. Any mitigation trees that do not survive shall be replaced and monitored for an additional 5-year period.
	BIO-8d: To mitigate potential damage to native trees on the site during construction, a tree protection zone (TPZ) shall be established on the site adjacent to the work area. The tree protection zone, at a minimum, shall encompass the edge of the tree canopy. A professional arborist shall be consulted prior to construction regarding the specifications of the TPZ and the appropriate care for trees before, during, and after construction. Native trees whose roots are damaged by the project (including construction of the bike and pedestrian path) shall be monitored for 5 years after the end of construction. Those trees that die within the 5-year monitoring period shall be replaced with 3 trees of the same species of locally-collected stock. These new replacement trees shall be covered by the mitigation plan described in Mitigation Measure BIO-8b.		Unchanged
BIO-9: The proposed project may result in long-term impacts to the habitat quality of the valley oak woodland, a resource that is protected under the City of Novato's Municipal Code, Chapter XIX, Woodland and Tree Preservation.	BIO-9: As required by the Novato Municipal Code to reduce development-related impacts to the valley oak woodland, a qualified biologist shall prepare a Woodland Conservation and Management Plan based on the following principles (as defined in the City's municipal code): • Preservation of stands or groups of native trees shall be given priority over individual specimens, provided that heritage trees shall be protected whenever feasible. (See City of Novato Municipal Code for definition of heritage trees). • Representative species and age diversity (including ratios of age class populations within each represented species) shall be promoted.	Unchanged	Unchanged with the exception that the scientific name of Himalayan blackberry is now *Rubus armeniacus.*

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-9 *Continued*	• Activities that fragment the forest or woodland into small units shall be minimized or restricted. • Components of forest and woodlands other than trees shall be considered in the plan, including lower story shrubs and grasses, all forms of animal life, soil conditions, and microclimate, including drainage, air and water quality, restrictions on human and domestic animal activity or any other activity that could potentially degrade the forest or woodland. • Ecotones and habitat gradients (for example, woodlands to grasslands or wetlands or baylands) shall be preserved and buffered with preserved habitats on each side of the ecotone or habitat gradient. • Linkages and corridors shall be provided between forest areas, and other habitat areas and types on-site, and in similar fashion shall be designed to protect and sustain the natural use and movement of regional and migratory wildlife through and over the site. Linkages and corridors shall have a width of 300 feet where possible. • Provide for the sustainable regeneration of the native woodland through natural processes and, where appropriate, through human intervention. The plan shall emphasize management of the existing oak woodlands and shall include the following site-specific components, at a minimum: • A description of the existing oak woodland's plant species composition, including a baseline cover estimate of invasive weeds not limited to acacia, eucalyptus, French broom, yellow star-thistle, Harding grass (*Phalaris aquatica*), Himalayan blackberry (*Rubus discolor*), fennel (*Foeniculum vulgare*), mayweed (*Anthemus cotula*), Klamath weed (*Hypericum perfoliatum*) or other invasive species of St. John's wort (*Hypericum* spp.), milk thistle (*Silybum marianum*), and pampas grass (*Cortaderia* spp.);		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-9 *Continued*	• Methods for removal of invasive species (including those listed above as they occur on-site) including criteria for initiating such removal; • Bare areas created after the removal of invasive species shall be restored by either replanting or natural colonization of locally native plant species. The restored areas shall be examined during the monitoring visits, and non-native species shall be removed during the maintenance visits. • Annual monitoring requirements, monitoring methods, and annual maintenance requirements; • Long-term maintenance needs including maintaining the existing mosaic of open oak woodland and grassland, eradicating French broom, Pampas grass, Klamath weed and fennel from the site, maintaining other invasive species at an acceptable level, preventing the colonization of grassland areas by shrubs and trees, and maintaining or increasing the cover of native grasses and forbs; • Discussion of the funding of the plan in perpetuity; • A biological consultant shall review the plan prior to approval by the City. • The Woodland Conservation and Management Plan shall be approved by the City prior to approval of the grading plan. Implementation of this plan shall be required as a condition of approval for the project prior to the issuance of a grading permit.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-10: Elements of the proposed project would intrude into the 50-foot buffer surrounding the Beverly Ehreth Ecological Preserve. The proposed intrusions include: 1) the observation decks near Buildings A and B and 2) the amphitheater near Building C.	BIO-10a: Project improvements such as buildings, parking lots and utility and drainage infrastructure shall not intrude within 50 feet of the preserve. BIO-10b: The deck adjacent to Buildings A and B shall be at least 30 feet from the wetland edge at the preserve. The amphitheater adjacent to Building C shall also be at least 30 feet from the wetland edge. Such buffers would be sufficient to protect the wildlife values of the preserve because 1) those areas will be screened from the preserve and 2) those three areas are small in relation to the size of the entire preserve and any minor disturbance to wildlife would therefore be localized. Native shrubs and trees shall screen the boardwalk, observation areas, and amphitheater from the pond in the preserve. BIO-10c: Fencing shall be installed at the edge of the boardwalk, decks, observation area, amphitheater, and bike path or walkways that intrude within 50 feet of the preserve to prevent entry by people and dogs into the preserve. An intact fence surrounding the preserve shall also be maintained. The fence shall have openings at the bottom to allow passage of wildlife. See Mitigation Measure BIO-5 for a discussion of wildlife friendly fence. BIO-10d: Signage shall be installed throughout the site and in the vicinity of the preserve in particular, alerting the public to the requirement for dogs to be on-leash. Appropriate signage shall be installed prior to issuance of a certificate of occupancy.	Impact BIO-10: Elements of the proposed project would intrude into the 50-foot buffer surrounding the Beverly Ehreth Ecological Preserve pond. ~~The proposed intrusions include:~~ ~~1) the observation decks near Buildings A and B and~~ ~~2) the amphitheater near Building C.~~	BIO-10a: Project improvements such as roads, buildings, parking lots and utility and drainage infrastructure shall not intrude within 50 feet of the preserve pond as measured from the top of bank. Prior to the initiation of grading, the 50-foot buffer shall be delineated and fenced off. Signs shall be placed on the fence indicating that construction equipment and personnel shall not enter the buffer. BIO-10b: ~~The deck adjacent to Buildings A and B shall be at least 30 feet from the wetland edge at the preserve. The amphitheater adjacent to Building C shall also be at least 30 feet from the wetland edge. Such buffers would be sufficient to protect the wildlife values of the preserve because 1) those areas will be screened from the preserve and 2) those three areas are small in relation to the size of the entire preserve and any minor disturbance to wildlife would therefore be localized. Native shrubs and trees shall screen the boardwalk, observation areas, and amphitheater from the pond in the preserve.~~ BIO-10c: Fencing shall be installed at the edge of the ~~boardwalk, decks, observation area, amphitheater, and~~ bike path or walkways that intrude within 50 feet of the preserve to prevent entry by people and dogs into the preserve. An intact fence surrounding the preserve shall also be maintained. The fence shall have openings at the bottom to allow passage of wildlife. See Mitigation Measure BIO-5 for a discussion of wildlife friendly fence. BIO-10d: Signage shall be installed throughout the site and in the vicinity of the preserve in particular, alerting the public to the requirement for dogs to be on-leash. Appropriate signage shall be installed prior to issuance of a certificate of occupancy.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-10 *Continued*	BIO-10e: The invasive species shall be removed from the preserve to replace the habitat removed by the observation platforms, amphitheater, and bike path. These species may include acacia, eucalyptus, French broom, yellow star-thistle, Harding grass, Himalayan blackberry, fennel, mayweed, Klamath weed or other invasive species of St. John's wort, milk thistle, and pampas grass. The removal from the preserve shall be monitored for 5 years. The preserve is owned and managed by Marin County Flood Control District and is not within the project applicant's control. If the Marin County Flood Control District does not grant the project applicant access to remove invasive species from the preserve, then no element of the project (including the observation platforms, amphitheater, and bike path) shall be allowed to intrude within the preserve's 50 foot buffer area.		BIO-10e: The invasive species shall be removed from the preserve to replace the habitat removed by the ~~observation platforms, amphitheater, and~~ bike path. These species may include acacia, eucalyptus, French broom, yellow star-thistle, Harding grass, Himalayan blackberry, fennel, mayweed, Klamath weed or other invasive species of St. John's wort, milk thistle, and pampas grass. The removal from the preserve shall be monitored for 5 years. The preserve is owned and managed by Marin County Flood Control District and is not within the project applicant's control. If the Marin County Flood Control District does not grant the project applicant access to remove invasive species from the preserve, then no element of the project (including the ~~observation platforms, amphitheater, and~~ bike path) shall be allowed to intrude within 50 foot buffer as measured from the preserve pond's top of bank. ~~'s 50 foot buffer area.~~

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-10 *Continued*	BIO-10f: A Stream and Wetland Management Plan shall be prepared as required by the Novato Municipal Code. This Wetland Management Plan shall emphasize control of run-off to the on-site pond and the preserve and control of non-native plant species surrounding these two areas. The Management Plan shall be prepared in consultation with and shall be approved by the City of Novato, County of Marin Flood Control District, Corps, and Regional Water Quality Control Board. Adequate funding for the management activities shall be ensured as part of the plan. Such activities shall occur in perpetuity. Additionally, the City of Novato Municipal Code sections 19.35 and 19.36 provide detailed requirements, development standards, and design criteria for the development of a Stream and Wetland Management Plan, and these requirements shall be adhered to in developing the Wetland Management Plan. A listing of the requirements of the plan includes: *Goals and Objectives, Site Plan (including boundaries), Proposed Techniques and Standards (including protection, enhancement and restoration of habitat), Mitigation Goals and Performance Standards, Implementation and Monitoring Plan, Cost Estimate, ongoing long-term Management Plan including flood, vegetation, fishery, and wildlife management, and Annual Reports*. A listing of the development standards and design criteria for Section 19.35 includes *Stream Buffer Zone, Alteration of Stream Channel or Banks, Slope Protection and Bank Stabilization, Alterations within Stream Buffer Zone, Mitigation Restoration and Enhancement, Erosion Control, Urban Runoff and Stormwater Discharges, and Long-term Maintenance and Management.* A listing of the development standards and design criteria for Section 19.36 includes *Wetland Buffer, Protective Measures, Landscaping, and Timing of Wetland Restoration or Creation.* The Management Plan shall address the topics as presented in sections 19.35 and 19.36 of the City of Novato's Zoning Ordinance. The Management Plan shall also address the removal of human-generated trash and the pond's hydrology including water source and water levels throughout the year.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-11: Elements of the proposed project would intrude into the 50-foot buffer surrounding the on-site pond. The proposed intrusions include: 1) grading near Building C and the parking lot near Building B, 2) several landscaping areas near the pond shoreline, 3) the observation area near Building C; and 4) the first segment of the proposed Class I bike path (applicable to both Option A and B alignments).	BIO-11a: Grading within the 50-foot buffer of the wetland adjacent to the on-site pond shall not change the elevation of the top of bank of the wetland, and the bank shall not be made steeper. A steeper bank would be more unstable and more susceptible to erosion than the existing bank. Project improvements such as buildings, parking lots and utility and drainage infrastructure shall not intrude within 50 feet of the on-site pond. BIO-11b: Native shrubs and trees shall screen the observation area of Building C from the on-site pond. BIO-11c: Signage shall be installed throughout the site and in the vicinity of the on-site pond in particular, alerting the public to the requirement for dogs to be on-leash. Fencing as described in Mitigation Measure BIO- 7 shall be installed between the on-site pond and the developed areas, and shall also be installed along the edge of the bike trail segments developed in this location. Appropriate signage and fencing shall be installed prior to issuance of a certificate of occupancy. BIO-11d: The invasive species shall be removed from the buffer area of the on-site pond. The removal from the on-site pond shall be monitored in perpetuity as part of the Stream and Wetland Management Plan to prevent the invasive species from colonizing the buffer area and the oak woodland. BIO-11e: Develop and implement the Stream and Wetland Management Plan as described under Mitigation Measure BIO-10f.	BIO-11: Elements of the proposed project would intrude into the 50-foot buffer surrounding the on-site pond. The proposed intrusions include: 1) ~~grading near Building C and the parking lot near Building B, 2) several landscaping areas near the pond shoreline, 3) the observation area near Building C; and 4)~~ the first segment of the proposed Class I bike path (applicable to both Option A and B alignments). 2) grading near Building C and the parking lot or fueling station on Parcel 1. The realigned roadway may also intrude into the buffer, particularly during construction.	BIO-11a: Unchanged. BIO-11b: Native shrubs and trees shall partially screen ~~the observation area of~~ Building C from the on-site pond. BIO-11c: Unchanged. BIO-11d: Unchanged. BIO-11e: Unchanged.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-12: Construction of Option B for the Class I bike and pedestrian path alignment would directly impact approximately 0.07 acre of seasonal wetlands potentially subject to Corps and RWQCB jurisdiction.	BIO-12: The project applicant shall apply to the Corps for a wetland fill permit and to the RWQCB for Water Quality Certification. The application for wetland fill shall require mitigation at a 2:1 ratio for on-site mitigation (i.e., 0.14 acre of mitigation) or 3:1 mitigation for off-site mitigation (i.e., 0.21 acre of mitigation). Mitigation may be accomplished by (1) on- or off-site creation of new seasonal wet- lands at an appropriate mitigation site or (2) purchase of a 0.21 acre of credits (assuming impacts are to 0.07 acre of wetland impacts) at an off-site mitigation bank approved by the Corps. A credit purchase agreement or receipt shall be provided prior to approval of the grading plan. If the mitigation is to be accomplished by creating new wetlands on-site (or at an off-site location), the applicant shall prepare and implement a wetland mitigation and monitoring plan (MMP) detailing the mitigation design, wetland planting design, maintenance and monitoring requirements, reporting requirements, and success criteria. Mitigation wetlands shall be monitored for a minimum of five years to verify that the success criteria have been achieved. The MMP shall be approved by the RWQCB and the City prior to approval of the Final Map.	BIO-12: Construction of ~~Option B for the Class I bike and pedestrian path alignment would directly impact approximately~~ the project may directly impact ~~0.07 acre of~~ seasonal wetlands potentially subject to Corps and RWQCB jurisdiction.	BIO-12: The project applicant shall apply to the Corps for a wetland fill permit and to the RWQCB for Water Quality Certification. The application for wetland fill shall require mitigation at a 2:1 ratio for on-site mitigation ~~(i.e., 0.14 acre of mitigation)~~ or 3:1 mitigation for off-site mitigation ~~(i.e., 0.21 acre of mitigation)~~. Mitigation may be accomplished by (1) on- or off-site creation of new seasonal wet- lands at an appropriate mitigation site or (2) purchase ~~of a 0.21 acre~~ of ~~credits (assuming impacts are to 0.07 acre of wetland impacts)~~ at an off-site mitigation bank approved by the Corps. A credit purchase agreement or receipt shall be provided prior to approval of the grading plan. If the mitigation is to be accomplished by creating new wetlands on-site (or at an off-site location), the applicant shall prepare and implement a wetland mitigation and monitoring plan (MMP) detailing the mitigation design, wetland planting design, maintenance and monitoring requirements, reporting requirements, and success criteria. Mitigation wetlands shall be monitored for a minimum of five years to verify that the success criteria have been achieved. The MMP shall be approved by the RWQCB and the City prior to approval of the Final Map.
BIO-13: Option A of the Class I bike and pedestrian path alignment would intrude into the 50-foot buffer surrounding the southern edge of the Beverly Ehreth Ecological Preserve.	BIO-13a: The Option A alignment for the proposed Class I pathway shall be designed to avoid impacts to the natural hydrology of the preserve pond. BIO-13b: Implement Mitigation Measures BIO-10c, 10d, 10e, and 10f.	Unchanged.	Unchanged.

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
BIO-14: Construction of Option B for the proposed bike and pedestrian path alignment would result in the removal of at least 2 valley oaks (greater than 36 inches).	BIO-14: Implement Mitigation Measures 8b, 8c, and 8d.	Unchanged	Unchanged
BIO-15: Option B of the Class I bike and pedestrian path alignment would intrude into the 50-foot buffer surrounding the western and southern edges of the on-site pond.	BIO-15a: The Option B alignment for the proposed Class I pathway shall be designed to avoid impacts to the natural hydrology of the on-site pond. BIO-15d: Implement Mitigation Measures BIO-11c, 11d, and 11e.	Unchanged	Unchanged
V. CULTURAL RESOURCES			
CULT-1: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could adversely affect archaeological deposits that qualify as historical resources or archaeological resources under CEQA.	CULT-1: If prehistoric or historical archaeological deposits are encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If prehistoric archaeological materials are encountered, a Federated Indians of Graton Rancheria tribal representative shall also be contacted to review the find and consult with the archaeologist regarding recommendations for the treatment of the discovery. *If the archaeological deposit cannot be avoided, it shall be evaluated for its California Register of Historical Resources eligibility. If the deposit is not eligible, a determination shall be made as to whether it qualifies as a "unique archaeological resource" under CEQA Guidelines Section 15064.5(3)(c) and Section 21083.2.*	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
CULT-1 *Continued*	*If the evaluation determines that the deposit is neither a historical nor unique archaeological resource, avoidance is not necessary. If the deposit is eligible, adverse effects on the resource shall be mitigated. Mitigation may consist of excavating the archaeological deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3) (C)); recording the resource; preparing a report of findings; and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate. Upon completion of the evaluation, the archaeologist shall prepare a report to document the methods and results of the assessment. The report should be submitted to the City of Novato Planning Division for review and the Northwest Information Center.* The project applicant shall inform its contractor(s) of the sensitivity of the project site for archaeological deposits. The City shall verify that the following directive has been included in the appropriate contract documents: *"If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel should not collect or move any archaeological materials or human remains and associated materials. Archaeological resources can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestles, handstones). Prehistoric archaeological sites often contain human remains."*		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
CULT-2: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could adversely affect paleontological resources.	CULT-2: Should paleontological resources be encountered during project subsurface construction activities, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Novato Planning Division for review, and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology. The project applicant shall inform its contractor(s) of the sensitivity of the project area for paleontological resources. The City shall verify that the following directive has been included in the appropriate contract documents: *"The subsurface of the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction and a paleontologist is not on site, all ground-disturbing activities within 25 feet shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks.*	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
CULT-2 *Continued*	*Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks."*		
CULT-3: Ground-disturbing activities associated with site preparation and the construction of building foundations and underground utilities could adversely affect Native American skeletal or cremated remains.	CULT-3: Any human remains encountered during project ground-disturbing activities shall be treated in accordance with California Health and Safety Code Section 7050.5. The project applicant shall inform its contractor(s) of the sensitivity of the project site for human remains by including the following directive in contract documents: *"If human remains are uncovered, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel shall not collect or move any human remains or associated materials. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recom-mendations for the proper treatment of the remains and associated grave goods."*	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
VI. GEOLOGY, SOILS, SEISMICITY			
GEO-1: Seismically-induced ground shaking at the project site could result in injuries, fatalities, and property damage.	GEO-1: Project design and construction shall incorporate the findings and recommendations of a final site-specific geotechnical investigation report which shall detail recommendations to reduce or avoid potential hazards associated with seismic and geologic conditions. At a minimum, the report shall address the following conditions: ground shaking, liquefaction, lateral spreading, settlement, landslides, and expansive soils. The final geotechnical investigation report shall be prepared by a licensed geotechnical or engineering professional in accordance with the 2010 California Building Code or subsequent codes adopted at the time of construction. The final site-specific geotechnical investigation shall be submitted to the City of Novato's Community Development Department for review and approval prior to issuance of building permits. All recommendations for mitigation of seismic and geologic hazards provided in the final report shall be adopted by the project design and engineering team and implemented during development and construction of the project.	Unchanged	Unchanged
GEO-2: Seismically-induced liquefaction and lateral-spreading at the project site could result in damage to project buildings and other improvements.	GEO-2: Implement Mitigation Measure GEO-1. Specifically, the final geotechnical investigation shall include a site-specific assessment of liquefaction potential at the site and shall provide recommen-dations to reduce the potential for liquefaction to occur.	Unchanged	Unchanged
GEO-3: Settlement and landslides at the project site could result in damage to project buildings and other improvements.	GEO-3: Implement Mitigation Measure GEO-1. Specifically, the final geotechnical investigation shall evaluate potential settlement and/or differential settlement and shall provide specific recommendations to ensure that settlement and/or differential settlement is minimized during site development.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
GEO-4: Expansive soils could result in damage to structures or property.	GEO-4: Implement Mitigation Measure GEO-1. Specifically, the final geotechnical investigation shall evaluate the presence of expansive soils and provide specific recommendations, as necessary, for building foundations and improvements, including sidewalks, parking lots, and subsurface utilities, to reduce the potential impacts of expansive soil conditions, if present. Corrective measures may include minimal landscape watering, additional drainage around foundations, moisture conditioning of foundations, removal and replacement of problematic soils with engineered and compacted fill, proper drainage design, or design and construction of improvements to withstand the forces exerted by expected shrink/swell cycles.	Unchanged	Unchanged
VII. Greenhouse Gas Emissions			
GCC-1: Operation of the proposed project would result in GHG emissions that would have a significant impact on the environment.	GCC-1: To reduce the project's impact on global climate change the following measures shall be incorporated into the design and construction of the project: *Energy Efficiency Measures:* • Design, construct and operate all newly constructed and renovated commercial structures to meet the City of Novato's green building standards and the State's Cal Green program. • Install light colored "cool" roofs and cool pavements, including high albedo material for the parking lots. • All water heaters shall be tankless. • Design buildings to use of solar energy for electricity, water heating, and/or space heating/cooling. • All lighting shall be energy efficient and shall include lighting control systems. The use daylight shall be incorporated with a minimum of 20 percent of lighting systems. • Install energy efficient heating and cooling systems, appliances and equipment, and control systems. • Outdoor lighting shall utilize solar power or light emitting diodes (LEDs). • Comply with the City of Novato's Urban Forestry Plan for strategic placement of trees.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
GCC-1 *Continued*	*Water Conservation and Efficiency Measures:* • All landscaping within the development must be water-efficient with a minimum of 15 percent reduction in water use. Landscaping shall include climate-appropriate and drought-tolerant species and shall include water-efficient irrigation systems and devices. All watering methods that apply water to non-vegetated surfaces shall be prohibited and water runoff shall be controlled. • Design buildings to be water-efficient. Install water-efficient fixtures and appliances, including low-flow faucets, dual-flush toilets and waterless urinals to achieve a minimum of a 5 percent reduction in water use. *Solid Waste:* • Provide storage areas for recyclables and require recycling and other on-site solid waste reduction measures to reduce solid waste by 10 percent. • Implement the City of Novato's Zero Waste Resolution. *Transportation and Motor Vehicle Measures:* • Develop a transportation demand management (TDM) program that includes trip reduction components such as free transit passes, a dedicated employee transportation coordinator, and carpool matching program. • Provide transit facilities (e.g. bus bulbs/turnouts, benches, shelters). • Provide bicycle lanes, sidewalks, and/or paths, incorporated into the proposed street systems and connected to a community-wide network. • Provide bicycle parking at a rate of at least 1:20 vehicle spaces. Bicycle parking shall be divided between short-term facilities (bike racks) and long-term (bike lockers or covered facilities). Sequestration: • The project shall include the planting of a minimum of 200 trees.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
GCC-2: The project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	GCC-2: Implement Mitigation Measure GCC-1.	Unchanged	Unchanged
VIII. HAZARDS AND HAZARDOUS MATERIALS			
There are no significant hazards and hazardous materials impacts.			
IX. HYDROLOGY AND WATER QUALITY			
HYD-1: Construction and operation activities could adversely affect stormwater runoff quality.	HYD-1a: Consistent with the requirements of the statewide Construction General Permit, the project applicant shall prepare and implement a SWPPP designed to reduce potential adverse impacts to surface water quality through the project construction period. The SWPPP shall prepared by a Qualified SWPPP Developer. The SWPPP shall include the minimum Best Management Practices (BMPs) required, based on final determination of the project's Risk Level status [to be determined as part of the Notice of Intent for coverage under the Construction General Permit]). These include BMPs for erosion and sediment control, site management/housekeeping/waste management, management of non-stormwater discharges, runon and runoff controls, and BMP inspection/maintenance/repair activities. BMP implementation shall be consistent with the BMP requirements in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Storm Water Quality Handbook Construction Site BMPs Manual.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	The SWPPP shall include a construction site monitoring program that identifies requirements for dry weather visual observations of pollutants at all discharge locations, and as appropriate (depending on the Risk Level), sampling of the site effluent and receiving waters (receiving water monitoring is only required for some Risk Level 3 dischargers). A Qualified SWPPP Practitioner shall be responsible for implementing the BMPs at the site and performing all required monitoring and inspection/maintenance/repair activities. The project applicant shall also prepare a Rain Event Action Plan (if required based on the determined risk level) as part of the SWPPP. Following are the types of BMPs that shall be implemented for the project, subject to review and approval by the Water Board. <u>Erosion Control BMPs</u> *Scheduling*. To reduce the potential for erosion and sediment discharge, construction shall be scheduled to minimize ground disturbance during the rainy season. The project applicant shall: • Sequence construction activities to minimize the amount of time that soils remain disturbed. • Stabilize all disturbed soils as soon as possible following the completion of ground disturbing work. • Install erosion and sediment control BMPs prior to the start of any ground-disturbing activities. *Preservation of Existing Vegetation*. Where feasible, existing vegetation shall be preserved to provide erosion control. *Stabilize Soils*. Hydroseeding, geotextile fabrics and mats, mulch, or soil binders shall be used, as appropriate, to reduce erosion on exposed soil surfaces.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	*Stabilize Stream Banks and Water Body Banks*. When working along water body banks or within channels, BMPs shall be implemented to minimize channel erosion and sediment controls, such as silt fences, mulch, geotextiles, and hydroseeding, shall be used. To the extent possible, existing vegetation that stabilizes the stream banks shall be preserved. *Earth Dikes, Drainage Swales and Slope Drains*. Earth dikes, drainage swales, or slope drains shall be constructed to divert runoff away from exposed soils and stabilized areas, and redirect the runoff to a desired location, such as a sediment basin. *Outlet Protection and Velocity Dissipation Devices*. Rock, concrete rubble, or grouted riprap shall be installed at culvert and pipe outlets to drainage conveyances, to prevent scour of the soil caused by concentrated high-velocity flows. <u>Sediment Control BMPs</u> *Silt Fence/Fiber Roll*. Silt fences or fiber rolls shall be installed around the perimeter of the areas affected by construction, at the toe of slopes, around storm drain inlets, and at outfall areas, to prevent offsite sedimentation. *Street Sweeping and Vacuuming*. Areas with visible sediment tracking shall be swept or vacuumed daily, to prevent the discharge of sediment into the stormwater drainage system or creeks. *Storm Drain Inlet Protection*. Storm drains shall be protected using a filter fabric fence, gravel bag barrier, or other methods, to allow sediments to be filtered or settle out before runoff enters drain inlets.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	*Check Dams*. Barriers shall be constructed of rock, gravel bags, sand bags, or fiber rolls across a constructed swale or drainage ditch, to reduce the effective slope of the channel. This reduces the velocity of runoff, which allows sediment to settle and reduces erosion. *Sediment Trap.* Sediment traps shall be constructed where sediment-laden runoff may enter the storm-water drainage systems or creeks. Sediment traps are appropriate for drainage areas less than five acres. *Sediment Basins*. If used onsite, sediment basins shall be designed according to the method provided in the California Stormwater Quality Association Stormwater BMP Handbook—Construction. Sediment basins are appropriate for drainage areas of five acres or greater. <u>Wind Erosion Control BMPs</u> *Dust Control*. Potable water shall be applied using water trucks to alleviate nuisance caused by dust. Water application rates shall be minimized to prevent erosion and runoff. *Stockpile Management*. Silt fences shall be used around the perimeter of stockpiles, and stockpiles shall be covered to prevent wind dispersal of sediment. Tracking Controls *Stabilized Construction Entrance/Exit*. Construction site entrances and exits shall be graded and stabilized to reduce the tracking of mud and dirt onto public roads by construction vehicles.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	*Stabilized Construction Roadway*. Access roads, parking areas, and other on-site vehicle transportation routes shall be stabilized immediately after grading is completed, and frequently maintained to prevent erosion and to control dust. *Tire Wash*. A tire washing facility shall be installed at stabilized construction access points to allow for tire washing when vehicles exit the site to prevent tracking of dirt and mud onto public roads. Non-Stormwater Controls *Dewatering.* The SWPPP shall include a dewatering plan for non-contaminated groundwater specifying methods of water collection, transport, treatment, and discharge. The discharger shall consult with the Water Board regarding any required permit (other than the Construction General Permit) or Basin Plan conditions prior to initial dewatering activities to land, storm drains, or receiving waters. Water produced by dewatering shall be impounded in holding tanks, sediment basins, or other holding facilities to settle the solids and provide other treatment as necessary prior to discharge to receiving waters. Discharges of water produced by dewatering shall be controlled to prevent erosion. *Illicit Connection/Discharge Detection and Reporting*. Contractors shall regularly inspect the site for evidence of illicit connections, illegal dumping, or discharges. Such illicit activities shall immediately be reported to the City of Novato Code Enforcement Hotline. *Vehicle and Equipment Cleaning*. Construction equipment shall be washed regularly in a designated stabilized area onsite, or offsite. Steam cleaning will not be performed onsite. Phosphate-free, biodegradable soaps shall be used for on-site activities. Wash water from onsite activities shall be contained and infiltrated, to avoid discharges to drain inlets and creeks.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	*Vehicle and Equipment Fueling and Maintenance*. Vehicles and equipment shall be inspected daily for leaks. Perform vehicle maintenance and fueling off-site whenever possible. If maintenance and fueling must take place onsite, designated areas shall be located at least 50 feet away from storm drain inlets, drainage courses, and receiving waters. Fueling areas shall be protected with berms and dikes to prevent runon, runoff, and to contain spills. Fueling shall be performed on level grade. Nozzles shall be equipped with automatic shutoffs to control drips. Stored fuel shall be enclosed or covered. Drip pans shall be used for all vehicle and equipment maintenance activities. Spill kits shall be available in maintenance and fueling areas, and spills shall be removed with absorbent materials and not washed down with water. If spills or leaks occur, contaminated soil and cleanup materials shall be properly disposed. *Paving and Grinding Operations*. Proper practices shall be implemented to prevent runon and runoff, and to properly dispose of waste. Paving and grinding activities shall be avoided during the rainy season, when feasible. <u>Waste Management and Materials Pollution Control BMPs</u> *Material Delivery and Storage and Use*. Materials such as detergents, concrete compounds, petroleum products and hazardous materials shall be stored in a designated area away from vehicular traffic, drain inlets, and creeks. The materials shall be stored on pallets with secondary containment. Spill clean-up materials, material safety data sheets, a material inventory, and emergency contact numbers shall be maintained in the storage area.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	*Spill Prevention and Control*. Proper procedures shall be implemented to contain and clean-up spills and prevent material discharges into the storm drain system. *Waste Management*. Solid waste shall be collected in designated areas, and stored in watertight containers located in a covered area or with secondary containment. Waste shall be removed from the site regularly. Hazardous wastes shall be stored and disposed in accordance with applicable regulatory requirements. *Sanitary/Septic Waste Management.* Portable toilets shall be located at least 50 feet away from drain inlets and waterbodies, and away from paved areas. *Stockpile Management.* Stockpiles shall be surrounded by sediment controls, covered, and located at least 50 feet from concentrated flows of stormwater, inlets, and creeks. *Concrete Waste Management.* Concrete washout shall be performed offsite, or in a designated area at least 50 feet away from storm drain inlets or creeks. A temporary pit or bermed area shall be constructed where the waste can be discharged and allowed to set for proper disposal. *Training.* Construction site personnel shall receive training on implementing all BMPs included in the SWPPP. A Qualified SWPPP Practitioner shall perform all BMP inspection/maintenance/repair and site monitoring activities. <u>Post-Construction BMPs</u> Locations for permanent BMPs, consistent with the Small MS4 General Permit, shall be shown on a site map, and responsible parties for long-term maintenance of BMPs shall be identified, as well as funding mechanisms.		

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-1 *Continued*	HYD-1b: The project applicant shall comply with the development requirements in the Small MS4 Permit and the City of Novato Municipal Code, and shall prepare a stormwater control plan (SCP) in accordance with the MCSTOPPP Guidelines, which shall be submitted to the City of Novato with the building permit application for review and approval. The SCP shall include a discussion of the following: • Opportunities and constraints for stormwater management; • Conceptual site design; • Delineation of drainage management areas and sizing calculations for treatment control BMPs; • Design criteria for bioretention areas; • Source controls for potential pollutant source areas; and An Operation and Maintenance plan for treatment control BMPs. The plan shall identify the entity responsible for ongoing maintenance (likely the project applicant or owner of the completed project), demonstrate how long-term maintenance will be funded and budgeted, and shall include the maintenance and inspection requirements for stormwater facilities.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
HYD-2: The project could create or contribute runoff volumes that exceed local storm drainage and flood control capacity.	HYD-2: The project applicant shall prepare a Storm Drainage and Hydraulic study that quantifies the increase in stormwater runoff peak flow rates and volumes resulting from the project, and the potential to exceed the storage capacity of the Lynwood Basin and/or the pumping capacity of the Lynwood and Cheda pump stations. The study shall incorporate the stormwater treatment controls and low impact development measures that will be designed to capture and treat runoff from smaller, more frequently occurring storms (such as the two-year storm), in accordance the Small MS4 Permit and the MCSTOPPP Guidelines. The Storm Drainage and Hydraulic study shall evaluate increases in runoff for the two-year storm event up to the 100-year storm event. Increases in discharge (relative to existing conditions) could require that the Marin County Flood Control District operate their pumps for longer periods of time. The applicant shall be required to either 1) demonstrate that the project adequately detains any increased runoff, relative to existing condition, or 2) contribute its fair share, to be determined in coordination with the City of Novato and the Marin County Flood Control District, toward long-term operation and maintenance of the pumping facilities.	Unchanged	Unchanged
HYD-3: The project proposes grading and development within a designated floodplain, which could cause new and increase existing flooding hazards.	HYD-3: The Storm Drainage and Hydraulic study described in Mitigation Measure HYD-2 shall include a floodplain encroachment analysis and demonstrate that the project (when combined with other existing and proposed development) does not increase the 100-year flood elevation more than 1 foot. If the preliminary analysis indicates that the proposed project would cause an increase in the 100-year flood elevation more than 1 foot, then the applicant shall refine the grading plan, so that encroachment is reduced to 1 foot or less.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
X. LAND USE AND PLANNING			
There are no significant land use and planning impacts.			
XI. MINERAL RESOURCES			
There are no significant mineral resources impacts.			
XII. NOISE			
NOISE-1: Noise levels from construction activities may range up to 91 dBA Lmax at 50 feet from operating pieces of equipment resulting in a substantial (over 5 dBA) temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	NOISE-1: The applicant and/or project contractor shall implement the following measures: • All construction equipment must have appropriate sound muffling devices, which shall be properly maintained and used at all times such equipment is in operation. • Where feasible, the project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • The construction contractor shall locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during. • All noise producing construction activities, including warming-up or servicing equipment and any preparation for construction, shall be limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 10:00 a.m. and 5:00 p.m. on Saturdays. No construction shall be permitted on Sundays or official national holidays, except as otherwise authorized by the City of Novato Community Development Director.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
NOISE-2: Local traffic would generate long-term noise exceeding normally acceptable levels on the project site and would expose on-site receptors to unacceptable interior noise levels.	NOISE-2: In order to comply with the City's noise and land use compatibility standards, the following measures shall be implemented: • An alternative form of ventilation, such as air conditioning systems or noise-attenuated passive ventilation, shall be included in the building design of Building D and Building E to ensure that windows can remain closed for prolonged periods of time; and • The exterior wall assemblies, including window and door assemblies, of all facades of the hotel Building D that are directly exposed to US 101 shall be constructed to guarantee a minimum STC-32 rating. Quality control must be exercised in construction to ensure all air-gaps and penetrations of the building shell are controlled and sealed.	Unchanged	Unchanged
XIII. POPULATION AND HOUSING			
There are no significant population and housing impacts.			
XIV. PUBLIC SERVICES			
There are no significant public services impacts.			
XV. RECREATION			
There are no significant recreation impacts.			

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
XVI. TRANSPORTATION AND CIRCULATION			
TRANS-1: The maximum queue in the westbound right-turn lane at the Redwood Boulevard/ Rowland Boulevard intersection (Intersection #1) is expected to extend beyond the available storage capacity under Future Without Project and Future Plus Project PM peak hour conditions. Additionally, the queue in the westbound through lane at this intersection is expected to exceed available storage capacity under Future Plus Project conditions.	TRANS-1: The project applicant shall fund its proportional fair-share of the cost to widen the north side of Rowland Boulevard to include an additional westbound right-turn lane with right-turn overlap phasing. The additional right-turn lane shall provide a minimum of 200 feet of storage length. The City of Novato Public Works Department shall determine the project's fair share and collect the required funds prior to issuance of a certificate of occupancy for the proposed project.	Unchanged	Unchanged
TRANS-2: The maximum queues in the westbound through and right-turn lanes at the US 101 North Ramps/Rowland Boulevard intersection (Intersection #3) are expected to extend beyond the available storage capacity under Future Without Project and Future Plus Project PM peak hour conditions.	TRANS-2: The project applicant shall design and construct to the satisfaction of the City Engineer all of the necessary improvements to widen the north side of Rowland Boulevard to include an additional westbound shared through/right-turn lane between Rowland Way and Vintage Way (north). The City of Novato Public Works Department shall contribute to the applicant funds received by the City for these improvements in the amount not-to-exceed $50,000. The applicant shall complete the construction of these improvements prior to issuance of a certificate of occupancy for the proposed project.	No impact	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
TRANS-3: The maximum queue in the westbound through and right-turn lanes at the Rowland Boulevard/Rowland Way intersection (Intersection #4) are expected to extend beyond the available storage capacity under Future Without Project and Future Plus Project PM peak hour conditions.	TRANS-3: Implement Mitigation Measures TRANS-2.	Unchanged	TRANS-3: The project applicant shall design and construct to the satisfaction of the City Engineer all of the necessary improvements to widen the north side of Rowland Boulevard to include an additional westbound shared through/right-turn lane between Rowland Way and Vintage Way (north). The City of Novato Public Works Department shall contribute to the applicant funds received by the City for these improvements in the amount not-to-exceed $50,000. The applicant shall complete the construction of these improvements prior to issuance of a certificate of occupancy for the proposed project.
TRANS-4: The canopies of existing and proposed trees could obstruct larger vehicles from maneuvering throughout the entire site.	TRANS-4: Any proposed trees along internal streets shall be placed and maintained so as to avoid obstructing the vertical clearance of larger vehicles like fire or garbage trucks. In addition, any existing trees that would obstruct larger vehicles from maneuvering throughout the site shall be maintained to accommodate a vertical clearance of at least 14 feet for trucks.	Unchanged	Unchanged
TRANS-5: Proposed pedestrian facilities may not adequately accommodate increased pedestrian traffic generated by the proposed project.	TRANS-5a: The project applicant shall install ADA-compliant curb ramps at all driveway crossings and sidewalk transition points within the project site. TRANS-5b: Prior to approval of final development plans, the project applicant shall coordinate with the City of Novato and SMART to designate on the project plans and formally establish a public access easement between the proposed project and the SMART Trail at an appropriate location for pedestrian, bicycle, and emergency access. In the event that SMART constructs the Class I bike trail prior to approval of the final development plans, the project applicant shall not be required to construct the Class I trail on the project site or grant the easement.	Unchanged	Unchanged

Table 1: Summary of 2011 and 2017 Impacts and Mitigation Measures

2011 Impacts	2011 Mitigation Measures	2017 Impacts	2017 Mitigation Measures
TRANS-6: Proposed bicycle facilities may not adequately accommodate increased bicycle traffic generated by the proposed project.	TRANS-6: The project shall include a minimum of 46 short-term bicycle parking spaces for project patrons and employees at convenient locations adjacent to the project's primary entry points. Racks should be an appropriate design and installed correctly to ensure proper function. Long-term parking for employees in the form of bicycle lockers or covered parking spaces to reduce exposure to the elements and vandalism should be installed as a portion of the overall parking requirement. The appropriate number and location of bicycle parking spaces shall be determined by the City of Novato Community Development and Public Works Departments prior to final site plan approval.	Unchanged	Unchanged
TRANS-7: The proposed project would increase ridership on transit routes that provide service to the project site.	TRANS-7: Prior to approval of the final site plan, the project applicant shall work with MCTD to identify a suitable location near or at the Rowland Boulevard/Vintage Way intersection to install a bus stop and shelter for future transit users. The project applicant shall be responsible for funding this improvement prior to operation of the proposed project.	Unchanged	Unchanged
XVII. TRIBAL CULTURAL RESOURCES			
There are no significant tribal cultural resources impacts.			
XVIII. UTILITIES AND SERVICE SYSTEMS			
There are no significant utilities and service systems impacts.			

Source: LSA, 2017.

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