



Agenda Item No. 17.

Staff Report

Date: December 8, 2022

To: Mayor Kuhl and Council Members

From: Rebecca Markwick, Planning and Building Director

Subject: Environmental Impact Report (EIR) Scoping Meeting

Recommendation

It is recommended that the Town Council hold an EIR scoping meeting to solicit input from the public agencies on topics that should be addressed in the Environmental Impact Report for the Housing and Safety Element.

Background

The Housing and Safety Element Update project (Project) could result in one or more significant environmental impacts; therefore, the Town has determined that an Environmental Impact Report (EIR) should be prepared. A Notice of Preparation (NOP) was released on November 28 to provide public agencies, community members, and interested parties with a description of the Project and to invite comment as to the scope of issues to be analyzed in the EIR as well as feasible alternatives that would reduce or avoid the significant environmental effects of the Project. An Initial Study was prepared to identify the potentially significant environmental impacts of the Project on which the EIR should focus in particular. The Initial Study was circulated with the NOP and posted on the [Housing Element Update](#) page of the Town's website.

Attachments

1. Memorandum: EIR Scoping Meeting-Town of Ross Housing and Safety Element EIR
2. Notice of Preparation
3. Initial Study Ross Housing and Safety Element Update

ATTACHMENT 1

M E M O R A N D U M

To: Rebecca Markwick, Planning and Building Director, Town of Ross
From: Andrew Hill, Principal
Re: EIR Scoping Meeting – Town of Ross Housing and Safety Element EIR
Date: November 28, 2022

Dear Rebecca:

The Housing and Safety Element Update project (Project) could result in one or more significant environmental impacts; therefore, the Town has determined that an Environmental Impact Report (EIR) should be prepared. A Notice of Preparation (NOP) was released on November 28 to provide public agencies, community members, and interested parties with a description of the Project and to invite comment as to the scope of issues to be analyzed in the EIR as well as feasible alternatives that would reduce or avoid the significant environmental effects of the Project. An Initial Study was prepared to identify the potentially significant environmental impacts of the Project on which the EIR should focus in particular. The Initial Study was circulated with the NOP and posted on the Housing Element Update page of the Town's website.

The 30-day scoping period, during which written comments on the range of issues and alternatives to be studied in the EIR may be submitted, runs from November 28 through December 29, 2022. During the scoping period, the Town is required to hold a public scoping meeting to hear oral comments on the scope and content of the EIR. The December 8 Town Council meeting will serve as the scoping meeting for the Housing and Safety Element Update EIR.

Following the close of the scoping period, Town staff and consultants will prepare a Draft EIR that considers all comments received during the scoping period. The Draft EIR is anticipated for public release in the spring of 2023 and scoping comments will be included in an appendix to that document. The EIR will address all the resource categories required under the California Environmental Quality Act (CEQA) but will focus in particular on the potentially significant impacts identified in the Initial Study, recommending mitigation measures as needed to reduce or avoid those impacts. The Draft EIR will be available for public comment for a legally mandated 45-day period, following which a Final EIR responding to all comments on environmental issues will be prepared. The Final EIR will come before the Town Council for consideration together with the Draft Housing and Safety Elements, likely in May 2023.

ATTACHMENT 2

NOTICE OF PREPARATION
Program Environmental Impact Report
Ross Housing and Safety Update

Date November 28, 2022

To Reviewing Agencies, Interested Parties, and Organizations

Subject Notice of Preparation of a Draft Environmental Impact Report for the Ross General Plan Housing and Safety Element Update and Scheduling of a Scoping Meeting on Thursday December 8, 2022

The Town of Ross will be the Lead Agency and will prepare a programmatic Environmental Impact Report (EIR) for the Ross Housing and Safety Element Update (the Project). The Project, its location, and potential environmental effects are described below. Pursuant to CEQA Section 15060, the Town has determined that an EIR is required for the Project and an Initial Study has been prepared (see attached).

Public agencies and members of the general public are invited to provide comments in writing as to the scope and content of the EIR. Specifically, the Town needs to know the views of Responsible and Trustee Agencies as to the potentially significant environmental issues, reasonable alternatives, and mitigation measures that are germane to each agency's statutory responsibilities in connection with the Project. Responsible Agencies will need to use the EIR prepared by the Town when considering permit or other approval for the Project.

Due to the time limits mandated by State law, responses must be sent at the earliest possible date, but no later than the close of the NOP review period, which runs as follows: November 28, 2022 through December 29, 2022.

Please send written responses to Rebecca Markwick at the address shown below. Public agencies providing comments are requested to include a contact person for the agency.

PROJECT TITLE:

Ross Housing and Safety Element Update

LEAD AGENCY CONTACT:

Rebecca Markwick
Director of Planning and Building
P.O. Box 320
Ross, CA, 94957
Email: rmarkwick@townofross.org
Phone: 415-453-1453 x121

PROJECT SPONSOR:

Town of Ross
P.O. Box 320
31 Sir Francis Drake Boulevard
Ross, CA 94957

PROJECT LOCATION AND CONTEXT:

Located in the scenic Ross Valley amid wooded hillsides and meandering creeks, the Town of Ross is a quiet residential community that takes pride in its historic character, small-town charm, tree-lined streets, and excellent school system. Existing residential development in Ross numbers approximately 880 homes. These are predominantly single-family residences, with some guest houses and accessory dwelling units on single-family properties, and some apartment units located above retail in the downtown commercial area. The beauty of the natural landscape helps define the character of the community, but it also presents risk of natural hazards that limit the potential for new housing, including steep topography and areas of landslide hazard in the hills and risk of flooding and liquefaction on much of the valley floor.

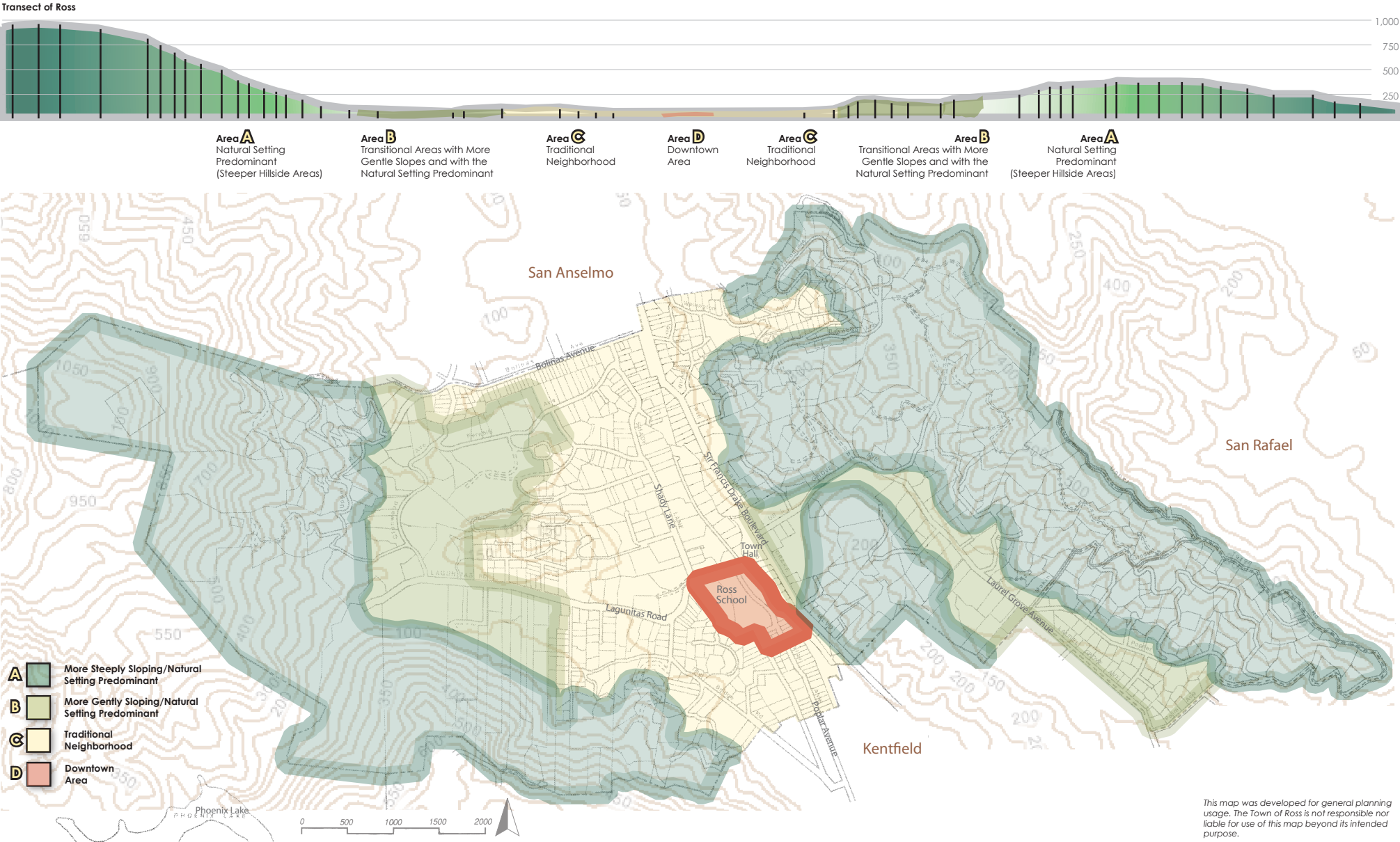
Planning Area Boundaries

Located approximately 18 miles north of San Francisco and centrally located in Marin County, Ross is bounded by the Town of San Anselmo to the north, the City of San Rafael to the east, and the unincorporated community of Kentfield to the south, with undeveloped open space administered by the Marin Municipal Water District in the hills to the west. Sir Francis Drake Boulevard bisects Ross in a north-south direction, providing the principal access route to and from the region. Marin Transit operates bus service along Sir Francis Drake, connecting Ross with San Rafael, Larkspur, Fairfax and the wider Bay Area. The Corte Madeira Creek runs roughly parallel to Sir Francis Drake Boulevard and Ross Creek drains from Phoenix Lake in the western hills to the Ross Valley floor. The Town's regional location and planning boundaries are shown in Figure 1.

Existing Land Uses

Home to 2,453 residents, the Town of Ross is the second smallest jurisdiction in Marin County, encompassing just 1.6 square miles. The town is largely developed with single-family homes with no vacant parcels on the valley floor. At the heart of the community is the Ross Common, located just west of Sir Francis Drake Boulevard and flanked by the Ross Post Office, the Ross School, and the downtown commercial area. The Ross Civic Center, comprised of the Town Hall and Public Safety Building, is located just north of the Post Office on the west side of Sir Francis Drake, while on the opposite side street is the Marin Art and Garden Center, an 11-acre site that features gardens and historic buildings, added to the National Register of Historic Places in 2022. Other notable land uses in Ross include the Branson School, the Lagunitas Country Club, and Saint Anselms Church. Much of the rest of the community is made up of single-family neighborhoods with a dense tree canopy. The lots on the flat land of the valley floor tend to be smaller, with large lots in the hilly terrain further away from the center of the community. Overall, residential uses account for 657.3 acres, commercial uses occupy 20.3 acres, and institutional uses occupy 1.6 acres. Vacant land accounts for 145.6 acres; however, this is predominantly located in areas of steep terrain.

Figure I: Location and Planning Boundaries



Natural Resources and Environmental Constraints

Set in a valley between wooded hillsides, Ross enjoys a natural environment with an abundance of green from tree-lined streets, hillsides, ridgelines, creeks, and parks and open space. This setting also provides natural habitat for wildlife and birds. Riparian forests along the Town's creeks provide habitat and movement corridors for flora and fauna. Residential development is limited in and near these resources to preserve existing biodiversity, including required setbacks along the creeks. Flooding is common within the 100-year flood zones along Corte Madera and Ross Creeks. These riparian areas along the creeks are also subject to high liquefaction risk. Landslides can occur along the hillsides of the western and eastern boundaries of the town. In addition, there is a very high wildfire hazard severity zone just southwest of the town limits while a high fire hazard severity zone exists within the town's boundaries. Such features in the town that bring risk of exposure to natural hazards, including flooding, wildfires, liquefaction, and landslides, are shown in Figure 2.

PROJECT DESCRIPTION:

The Proposed Project involves updates to the Town of Ross General Plan Housing and Safety Elements. In compliance with State law, the Housing Element is being updated to account for changing demographics, market conditions, and projected housing need over an 8-year planning period that runs from 2023 through 2031. Under State law, the Housing Element update triggers the need to incorporate new data on natural hazards and climate change into the Safety Element along with actions to strengthen community resilience and emergency evacuation capacity. A detailed project description is included in the Initial Study available at the link below. Key project components are summarized below. Link to initial Study: <https://www.townofross.org/planning/page/town-ross-housing-element-update>

Draft 2023-31 Housing Element

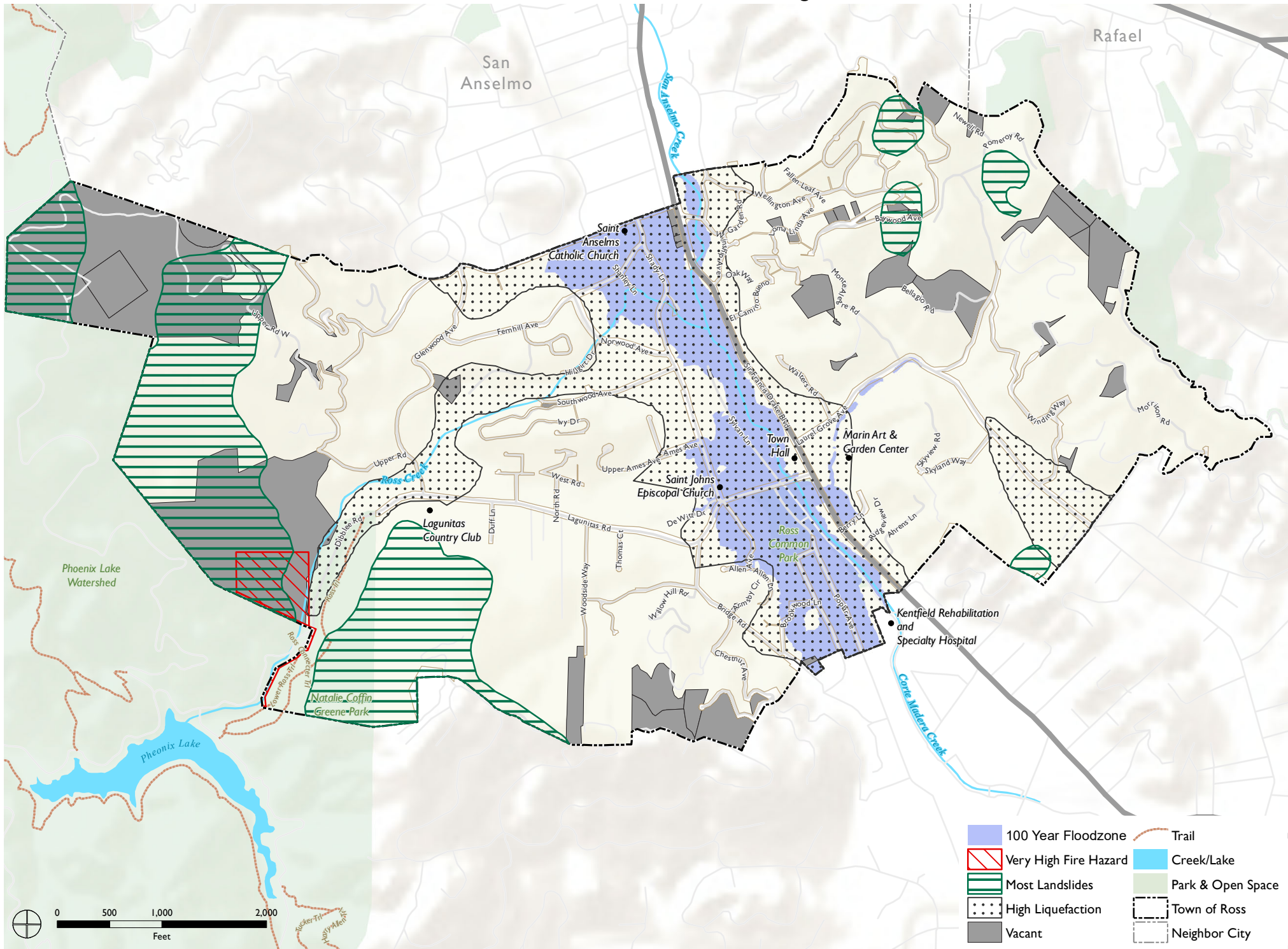
The Draft 2023-31 Housing Element is an update to the current Housing Element prepared to respond to the requirements for the Sixth Housing Element Cycle, which runs from 2023 through 2031. The Draft Housing Element was released for public review on October 18, 2022 and is posted on the Town of Ross website, accessible at this link:

<https://www.townofross.org/planning/webform/draft-housing-element-public-review>

Under State law, each city and county in California must plan to accommodate its share of the regional housing need - called the Regional Housing Needs Allocation (RHNA) - for the coming 8-year planning period. The State determines the estimated need for new housing in each region of California, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. The various regional planning agencies then allocate a target to each city or town within their jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. The affordability categories are as follows:

- Very Low Income - Households making less than 50 percent of the average median income (AMI)
- Low Income - Households making 50-80 percent of AMI
- Moderate Income - Households making 80-120 percent of AMI
- Above Moderate Income - Households making more than 120 percent of AMI

Figure 2: Environmental Hazards and Constraints



Amid the ongoing housing crisis in California, Ross is required to plan for at least 111 new housing units between 2023 and 2031, including 34 Very Low Income units, 20 Low Income units, 16 Moderate income units, and 41 Above Moderate units.

As required by State law, the Draft Housing Element includes a map of sites available for housing and an inventory of realistic capacity. The inventory demonstrates a total capacity of up to 148 new housing units, which is sufficient to meet the Town's RHNA obligations at all income levels with a buffer. The buffer is required to ensure that there is sufficient capacity to meet RHNA obligations at all times during the planning period, in the event that some sites on the inventory develop at lower densities than envisioned. Implementation of the Draft Housing Element would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites.

Of the total capacity on the inventory, 41 units would be accommodated on the 10 sites with current zoning that allows for housing. These are vacant and underutilized sites or sites where the property owner has expressed interest in housing. They include the Ross Civic Center, the Branson School, the Post Office, and vacant several residential properties. Additionally, the inventory projects development of 80 accessory dwelling units (ADUs) on existing single-family lots in established neighborhoods, based on past production trends in Ross and a suite of programs proposed to facilitate and incentivize production over the planning period. Given their small size and lower rents and sales prices, ADUs would offer affordable housing options for seniors, live-in caregivers, teachers, public servants, and other who work in Ross. A further 22 units are projected on existing single-family lots pursuant to Senate Bill 9 (SB9), a California state law that enables homeowners to split their single-family residential lot into two separate lots and/or build additional residential units on their property without the need for discretionary review or public hearing. The law gives qualifying property owners the right to a maximum total of four units across the two lots, whether as single-family dwellings, duplexes, and/or ADUs. There are at least 48 of sufficient size, located outside of areas of environmental hazard, and meeting other parameters define in State law that may also be underutilized. The inventory projects up to 22 new units on some combination of the SB9 sites will be developed by 2031.

The Draft Housing Element also includes an Action Plan, organized around five housing goals. Each goal is supported by policies and implementing programs that describe actions the Town will take to help meet its RHNA obligations. The housing sites inventory and map are included in the detailed project description in the Initial Study, together with a summary of Action Plan contents

Safety Element Update

The Safety Element will be updated to incorporate new data on natural hazards and climate change along with actions to strengthen community resilience and emergency evacuation capacity. Risk to life and property will be characterized and maps showing special flood hazard area, wildfire hazard severity, and geologic hazards will be updated. The Safety Element update will also draw on the findings of a regional evacuation study by the Marin Wildfire Prevention Authority (MWPA) expected in early 2023. The study will simulate the wildfire evacuation process in Marin County, prioritize areas of highest concern, and help identify possible risk mitigation.

PROBABLE ENVIRONMENTAL IMPACTS OF THE PROJECT

An Initial Study was prepared to evaluate potentially significant environmental impacts associated with the adoption and implementation of the Project. Consistent with the State CEQA Guidelines (Appendix G), the following environmental resource categories were analyzed:

- Aesthetics
- Agricultural and Forest Resources
- Air Quality
- Biological Resources
- Cultural, Tribal, and Historic Resources
- Energy, Climate Change, and Greenhouse Gas Emissions
- Geology, Soils and Seismicity
- Hazards and Hazardous Materials
- Hydrology, Drainage, and Water Quality
- Land Use, Population, and Housing
- Noise and Vibration
- Public Facilities and Recreation
- Traffic and Transportation
- Utilities and Service Systems
- Wildfire

The Initial Study/Environmental Checklist is available at this URL:

<https://www.townofross.org/planning/page/town-ross-housing-element-update>

Environmental effects found to have no impact or a less-than significant impact are identified in the Initial Study. These topics will not be evaluated in detail in the EIR, which will focus on the potentially significant impacts of the Project, as identified in the Initial Study. Mitigation measures will be recommended in the EIR as needed to address any significant impacts identified, and the Initial Study will be incorporated as an Appendix to the Draft EIR. A summary of the potentially significant environmental impacts of the Project identified in the Initial Study is provided below.

Biological Resources

Given the extent of biological resources throughout Ross, future development pursuant to the Proposed Project has the potential to adversely affect sensitive species, riparian habitats, sensitive communities, and federally protected wetlands. The potential presence of sensitive biological resources within the Town will be reviewed as a basis to determine whether new development on one or more of the housing opportunity sites may have potential to affect such resources. Where potential impacts are identified, programmatic biological resources mitigation measures will be identified that would apply to future individual development projects.

Cultural Resources

The Ross Town Hall and Fire House is listed on the California Register of Historical Resources and eligible for listing on the National Register. The Proposed Project identifies the Ross Town Hall and Fire House as the Civic Center site, and it is included in the inventory of sites available for housing development. The redevelopment of the Civic Center could potentially result in adverse effects on the

historic significance of the buildings. Additionally, there is a high potential for unrecorded historic-period archaeological resources and Native American resources within the Town limits. As such, related potentially significant impact will be analyzed in further detail in the EIR.

Geology and Soils

Given the steep terrain in much of Ross, there is potential for landslides, particularly in wet weather months. Hillside areas in the west, northeast, and southeast of Ross have experienced landslides in the past. The development of housing in or adjacent to areas of geologic hazard could potentially result in significant impacts, which will be analyzed in further detail in the EIR.

Greenhouse Gas Emissions

As a long-range plan, the Proposed Project would be assumed to have a less than significant impact related to GHG emissions if the Town has a qualified GHG Reduction Strategy that demonstrates consistency with established SB32 and EO B-55-18 targets. While the Town's Climate Action sets out a pathway to reducing GHG emissions by 15 percent below 2005 levels by the year 2020, it does not demonstrate consistency with SB32 targets for 2030 or EO B-55-18 targets for 2045. Therefore, GHG emissions from the Proposed Project will be quantified and analyzed in further detail in the EIR. Consistency with the CARB Scoping Plan will also be analyzed.

Hazards and Hazardous Materials

The risk of natural hazards, including flooding and wildfire, is present in Ross. Sir Francis Drake Boulevard, the principal evacuation route in Town, is located within the 100-year flood plain and could be obstructed in the event of a natural disaster. Further, given the extent of wildfire hazard in Ross, project implementation could potentially expose people and structures to risk from wildland fires. Emergency evacuation and wildfire are potentially significant impacts that will be analyzed in further detail in the EIR, accounting for new strategies proposed in the Safety Element Update and identifying mitigation as needed.

Noise

Vehicle trips generated by new residential development pursuant to the Project may increase ambient noise levels in Ross, while construction activities may cause intermittent impacts. Construction-related noise effects and traffic noise effects will be evaluated based on Town standards and data regarding noise intensities for typical construction activities. Noise modeling will be conducted to determine if noise levels in excess of standards established in the General Plan and Town Code could be exceeded as a result of project implementation, either cumulatively or as a result of project implementation.

Transportation

According to State guidance, transportation impacts would result if home-based vehicle miles travelled (VMT) per resident under the Project are not 15 percent below baseline levels. VMT

forecasts developed for the Project indicate that a 12 percent reduction in per capita VMT as compared to 2019 baseline conditions would result. This exceeds the threshold prior to mitigation. As such, this is a potentially significant impact that will be analyzed in further detail in the EIR with mitigation identified accordingly.

Tribal Cultural Resources

Given the high potential for yet undiscovered tribal cultural resources in Ross and the ongoing tribal consultation, it cannot be definitively determined that no significant impact will result at this stage. This section will address whether the Proposed Project may have an adverse change on the significance of a tribal cultural resource.

Wildfire

Given the extent of wildfire hazard in and adjacent to Ross, this section of the EIR will address whether the project would substantially impair an adopted emergency response plan or emergency evacuation plan; expose people to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; require installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or expose people or structures to significant risks, including downslope of downstream flooding or landslides as a result of runoff, postfire slope instability, or drainage changes.

SCOPING MEETING:

A scoping meeting will be conducted on Thursday December 8, 2022 to collect oral comments from agencies and members of the public regarding the scope and content of the EIR in accordance with CEQA Section 21083.9.

EIR Scoping Meeting on the Ross General Plan Update

Thursday December 8, 2022 | 6:00 PM

Ross Town Council Chambers

31 Sir Francis Drake Boulevard Ross, California 94957

For project information, please visit <https://www.townofross.org/planning/page/town-ross-housing-element-update>

Please contact Rebecca Markwick at 415-453-1453 x121 or rmarkwick@townofross.org with any questions regarding this notice or the scoping meeting.

Rebecca Markwick

11/28/22

Rebecca Markwick, Director of Planning and Building

Date

ATTACHMENT 3

**INITIAL STUDY AND ENVIRONMENTAL
CHECKLIST FOR THE
General Plan Housing and Safety Element Update**

Town of Ross, California

Prepared by:

DYETT & BHATIA
Urban and Regional Planners

4001 Howe St
Oakland, CA 94611
(415) 956-4300

November 2022

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Town of Ross Housing and Safety Element Update Project
Initial Study/Environmental Checklist

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1. PROJECT TITLE:

Town of Ross General Plan Housing and Safety Element Update

2. LEAD AGENCY NAME AND ADDRESS:

Town of Ross, 31 Sir Francis Drake Boulevard, Ross, CA 94957

3. CONTACT PERSON AND PHONE NUMBER:

Rebecca Markwick
Director of Planning and Building
P.O. Box 320
Ross, CA, 94957
Email: rmarkwick@townofross.org
Phone: 415-453-1453 x121

4. PROJECT LOCATION:

Town of Ross, Marin County, California

5. PROJECT SPONSOR'S NAME AND ADDRESS:

N/A

6. GENERAL PLAN DESIGNATION:

Varies

7. ZONING:

Varies

8. SURROUNDING LAND USES AND SETTING:

Located in the scenic Ross Valley amid wooded hillsides and meandering creeks, the Town of Ross is a quiet residential community that takes pride in its historic character, small-town charm, tree-lined streets, and excellent school system. Existing residential development in Ross numbers approximately 880 homes. These are predominantly single-family residences, with some guest houses and accessory dwelling units on single-family properties, and some apartment units located above retail in the downtown commercial area. The beauty of the natural landscape helps define the character of the community, but it also presents risk of natural hazards that limit the potential for new housing, including steep topography and areas of landslide hazard in the hills and risk of flooding and liquefaction on much of the valley floor.

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unincorporated community of Kentfield to the south, with undeveloped open space administered by the Marin Municipal Water District in the hills to the west. Sir Francis Drake Boulevard bisects Ross in a north-south direction, providing the principal access route to and from the region. Marin Transit operates bus service along Sir Francis Drake, connecting Ross with San Rafael, Larkspur, Fairfax and the wider Bay Area. The Corte Madeira Creek runs roughly parallel to Sir Francis Drake Boulevard and Ross Creek drains from Phoenix Lake in the western hills to the Ross Valley floor. The Town's regional location and planning boundaries are shown in Figure 1.

Existing Land Uses

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Natural and Environmental Resources

Set in a valley between wooded hillsides, Ross enjoys a natural environment with an abundance of green from tree-lined streets, hillsides, ridgelines, creeks, and parks and open space. This setting also provides natural habitat for wildlife and birds. Riparian forests along the Town's creeks provide habitat and movement corridors for flora and fauna. Residential development is limited in and near these resources to preserve existing biodiversity, including required setbacks along the creeks. Flooding is common within the 100-year flood zones along Corte Madera and Ross Creeks. These riparian areas along the creeks are also subject to high liquefaction risk. Landslides can occur along the hillsides of the western and eastern boundaries of the town. In addition, there is a very high wildfire hazard severity zone just southwest of the town limits while a high fire hazard severity zone exists within the town's boundaries. Such features in the town that bring risk of exposure to natural hazards, including flooding, wildfires, liquefaction, and landslides, are shown in Figure 2.

Figure I: Location and Planning Boundaries

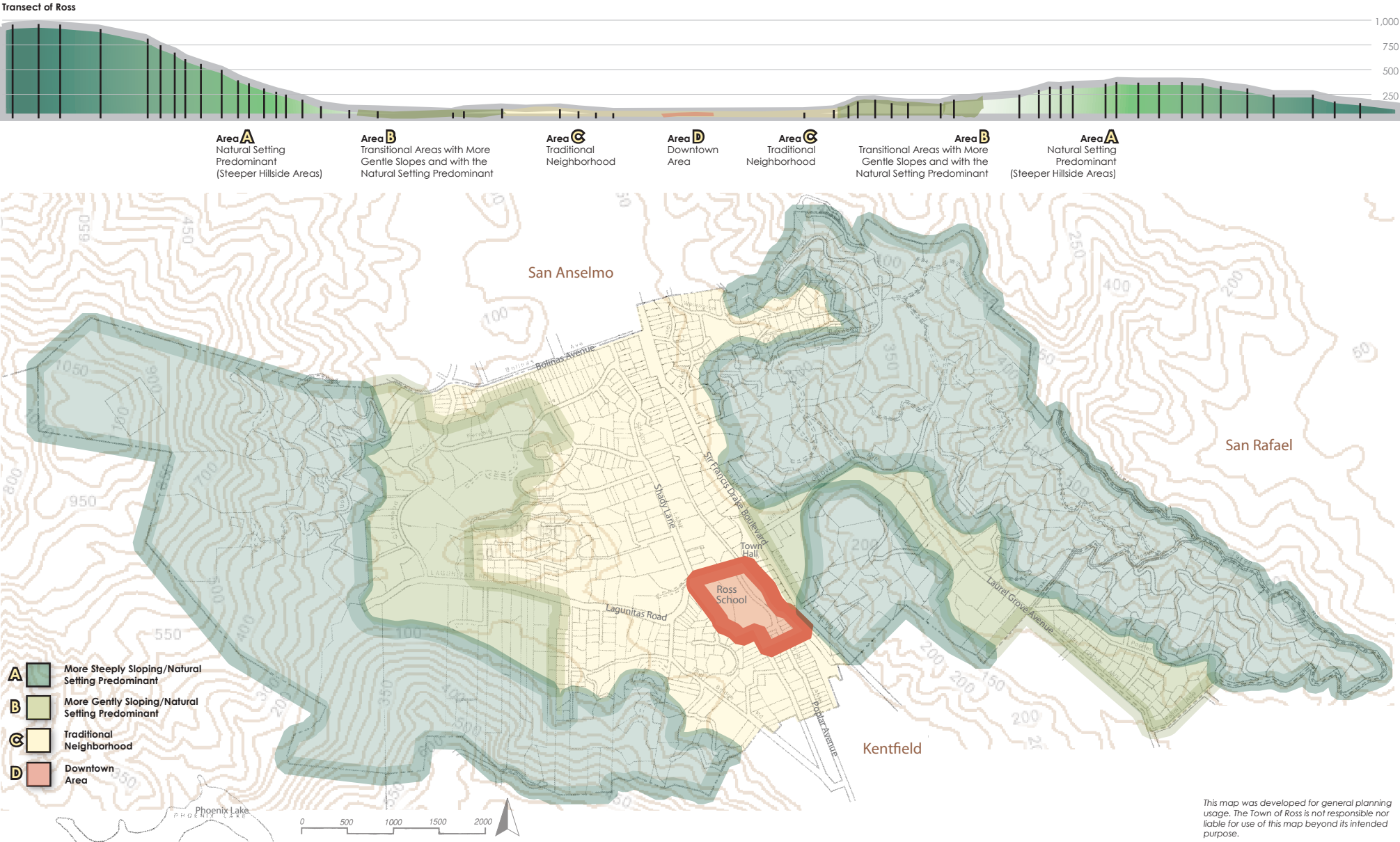
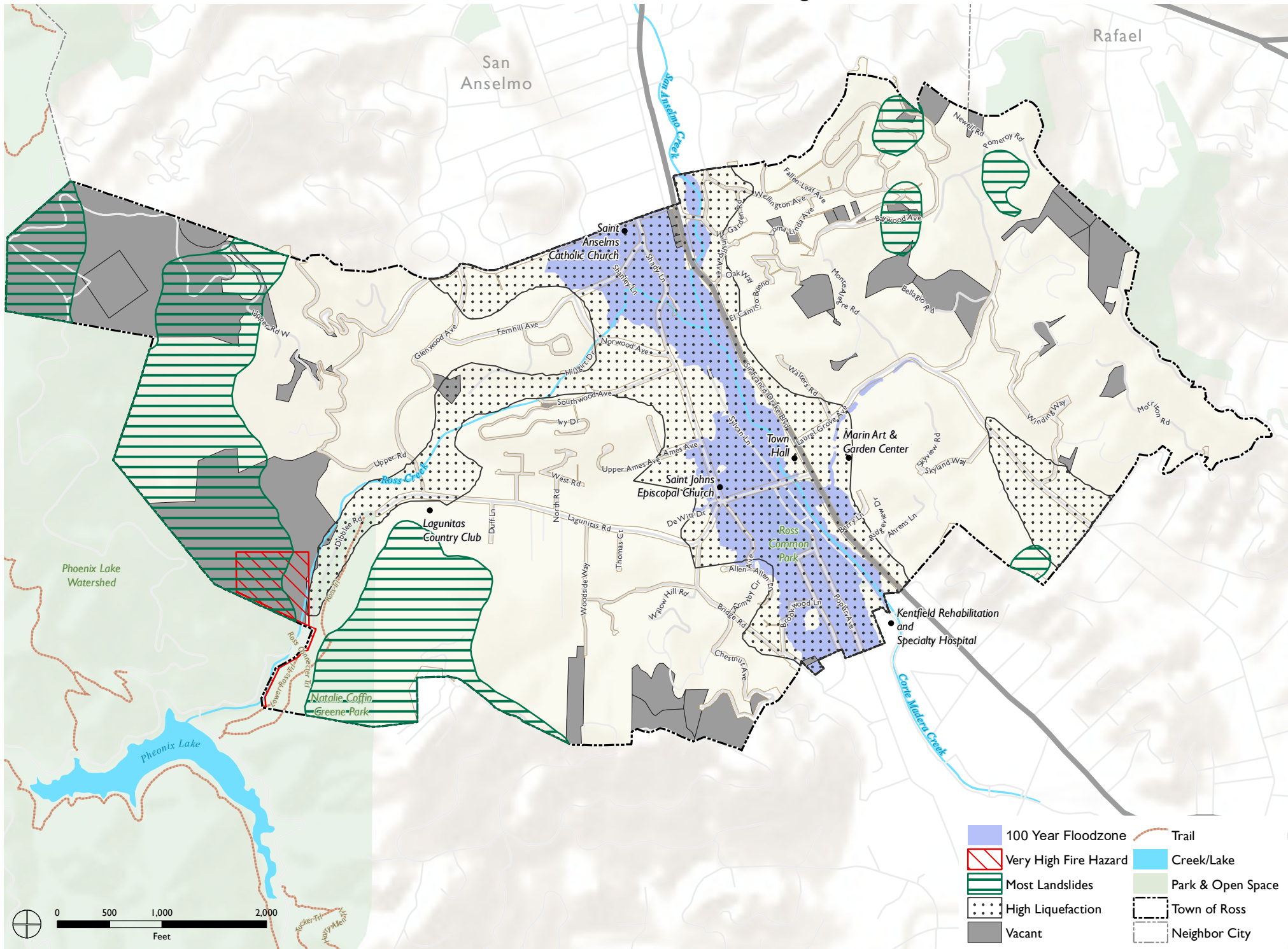


Figure 2: Environmental Hazards and Constraints



9. DESCRIPTION OF PROJECT:

The Proposed Project involves updates to the Town of Ross General Plan Housing and Safety Elements. In compliance with State law, the Housing Element is being updated to account for changing demographics, market conditions, and projected housing need over an 8-year planning period that runs from 2023 through 2031. Under State law, the Housing Element update triggers the need to incorporate new data on natural hazards and climate change into the Safety Element along with actions to strengthen community resilience and emergency evacuation capacity.

The Town initiated the Project in March 2022 and conducted a range of community engagement activities to solicit input from Ross residents. These activities included townwide mailers sent to all residents to raise awareness of the process and opportunities for input; focus group discussions with property owners, developers, and architects; presentations to stakeholder groups including the Ross Property Owners' Association, the Age Friendly Task Force, and the Advisory Design Review Group; and presentations before the Town Council. Additionally, two community workshops were held, and the Town conducted an online survey to gather feedback from Ross residents. A page on the Town's website was set up to serve as an information portal for the Project.

Project Objectives

The following objectives have been established for the Project:

1. **Maintain Quality of Life.** Maintain the high quality of life, small town charm and historic character of Ross, which make it distinctive and enjoyable to its residents.
2. **Assure Diversity of Population.** Assess housing needs and provide a vision for housing within the Town to satisfy the needs of a diverse population.
3. **Provide a Variety of Housing Opportunities.** Provide a variety of housing opportunities proportionally by income to accommodate the needs of people who currently live in Ross, such as elderly residents and large families.
4. **Address Regional Housing Needs Allocation (RHNA).** Ensure capacity for the development of new housing to meet the Regional Housing Need Allocation at all income levels for the 2023-2031 planning period.
5. **Assure a Fit with the Look and Feel of the Community.** Ensure that housing developments at all income levels are sensitive to and fit with adjacent neighborhoods.
6. **Address Affordable Housing Needs.** Continue existing and develop new programs and policies to meet the projected affordable housing need of extremely low, very low, low and moderate-income households.
7. **Address the Housing Needs of Special Need Groups.** Continue existing and develop new programs and policies to meet the projected housing needs of persons living with disabilities, elderly residents, and other special needs households in the community.
8. **Remove Potential Constraints to Housing.** Evaluate potential constraints to housing development and encourage new housing in locations supported by existing or planned infrastructure, while maintaining existing neighborhood character. Develop design directions to help eliminate barriers to the development of housing for all income levels.

9. **Provide for Special Needs Groups.** Provide for emergency shelter, transitional and supportive housing opportunities.
10. **Provide Adequate Housing Sites.** Identify appropriate housing sites, within specified areas proximate to transportation, shopping and schools, and the accompanying zoning required to accommodate housing development.
11. **Protect Life and Property from Natural and Humanmade Hazards.** Assess the risk to life and property from natural hazards and climate change and incorporate strategies to strengthen community resilience and emergency evacuation capacity.

Project Components

Draft 2023-31 Housing Element

The Housing Element is a legally mandated part of the Ross General Plan, published under separate cover. The Draft 2023-31 Housing Element is an update to the current Housing Element prepared to respond to the requirements for the Sixth Housing Element Cycle, which runs from 2023 through 2031. The organization and content is described below.

- **Chapter 1 - Introduction:** An introduction to the purpose of the document and the legal requirements for a Housing Element, together with an overview of the community and the community involvement process.
- **Chapter 2 – Community Profile:** Documents population characteristics, housing characteristics, and current development trends to inform the current housing state of Ross and to identify community needs.
- **Chapter 3 – Adequate Sites for Housing:** An inventory of adequate sites suitable for construction of new housing sufficient to meet needs at all economic levels.
- **Chapter 4 - Housing Action Plan:** Articulates housing goals, policies, and programs to address the Town’s identified housing needs, including those of special needs groups and the findings of an analysis of fair housing issues in the community. This Housing Element identifies a foundational framework of five overarching goals to comprehensively address the housing needs of Ross residents and workers.
- **Appendix A – Sites Inventory:** Summarizes the Town’s ability to accommodate the RHNA on available land, and the selection of sites in light of Affirmatively Furthering Fair Housing (AFFH) requirements.
- **Appendix B – Housing Needs Assessment:** Presents community demographic information, including both population and household data, to identify Ross’s housing needs.
- **Appendix C – Constraints Analysis:** Includes an analysis of constraints to housing production and maintenance in Ross. Constraints include potential market, governmental, and environmental limitations to meeting the Town’s identified housing needs. In addition, an assessment of impediments to fair housing is included, with a fuller analysis of actions needed to affirmatively further fair housing included in a separate appendix.
- **Appendix D – Accomplishments of the 2015-2023 Ross Housing Element:** Summarizes the Town’s achievements in implementing goals, policies, and actions under the previous Housing Element.
- **Appendix E – Fair Housing Assessment:** Identifies fair housing issues and solutions to meet Ross’s AFFH mandate.

Summary of Proposed Actions

INVENTORY OF SITES AVAILABLE FOR HOUSING

Under State law, each city and county in California must plan to accommodate its share of the regional housing need - called the Regional Housing Needs Allocation (RHNA) - for the coming 8-year planning period. The State determines the estimated need for new housing in each region of California, based on population projections and other factors including rates of vacancy, overcrowding, and cost-burden. The various regional planning agencies then allocate a target to each city or town within their jurisdiction, considering factors such as access to jobs, good schools, and healthy environmental conditions. RHNA is split into four categories representing different levels of affordability, based on median income level in the county. The affordability categories are as follows:

- Very Low Income - Households making less than 50 percent of the average median income (AMI)
- Low Income - Households making 50-80 percent of AMI
- Moderate Income - Households making 80-120 percent of AMI
- Above Moderate Income - Households making more than 120 percent of AMI

Amid the ongoing housing crisis in California, Ross is required to plan for at least 111 new housing units between 2023 and 2031, including 34 Very Low Income units, 20 Low Income units, 16 Moderate income units, and 41 Above Moderate units.

As required by State law, the Draft Housing Element includes a map of sites available for housing and an inventory of realistic capacity. The inventory demonstrates a total capacity of up to 148 new housing units, which is sufficient to meet the Town's RHNA obligations at all income levels with a buffer. The buffer is required to ensure that there is sufficient capacity to meet RHNA obligations at all times during the planning period, in the event that some sites on the inventory develop at lower densities than envisioned. Implementation of the Draft Housing Element would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites.

Of the total capacity on the inventory, 41 units would be accommodated on the 10 sites with current zoning that allows for housing shown on Figure 3. These are vacant and underutilized sites or sites where the property owner has expressed interest in housing. They include the Ross Civic Center, the Branson School, the Post Office, and vacant several residential properties. Additionally, the inventory projects development of 80 accessory dwelling units (ADUs) on existing single-family lots in established neighborhoods, based on past production trends in Ross and a suite of programs proposed to facilitate and incentivize production over the planning period. Given their small size and lower rents and sales prices, ADUs would offer affordable housing options for seniors, live-in caregivers, teachers, public servants, and other who work in Ross. A further 22 units are projected on existing single-family lots pursuant to Senate Bill 9 (SB9), a California state law that enables homeowners to split their single-family residential lot into two separate lots and/or build additional residential units on their property without the need for discretionary review or public hearing. The law gives qualifying property owners the right to a maximum total of four units across the two lots, whether as single-family dwellings, duplexes, and/or ADUs. As shown on Figure 4, there are at least 48 of sufficient size, located outside of areas of environmental hazard, and meeting other

Figure 3: Sites Available for Housing

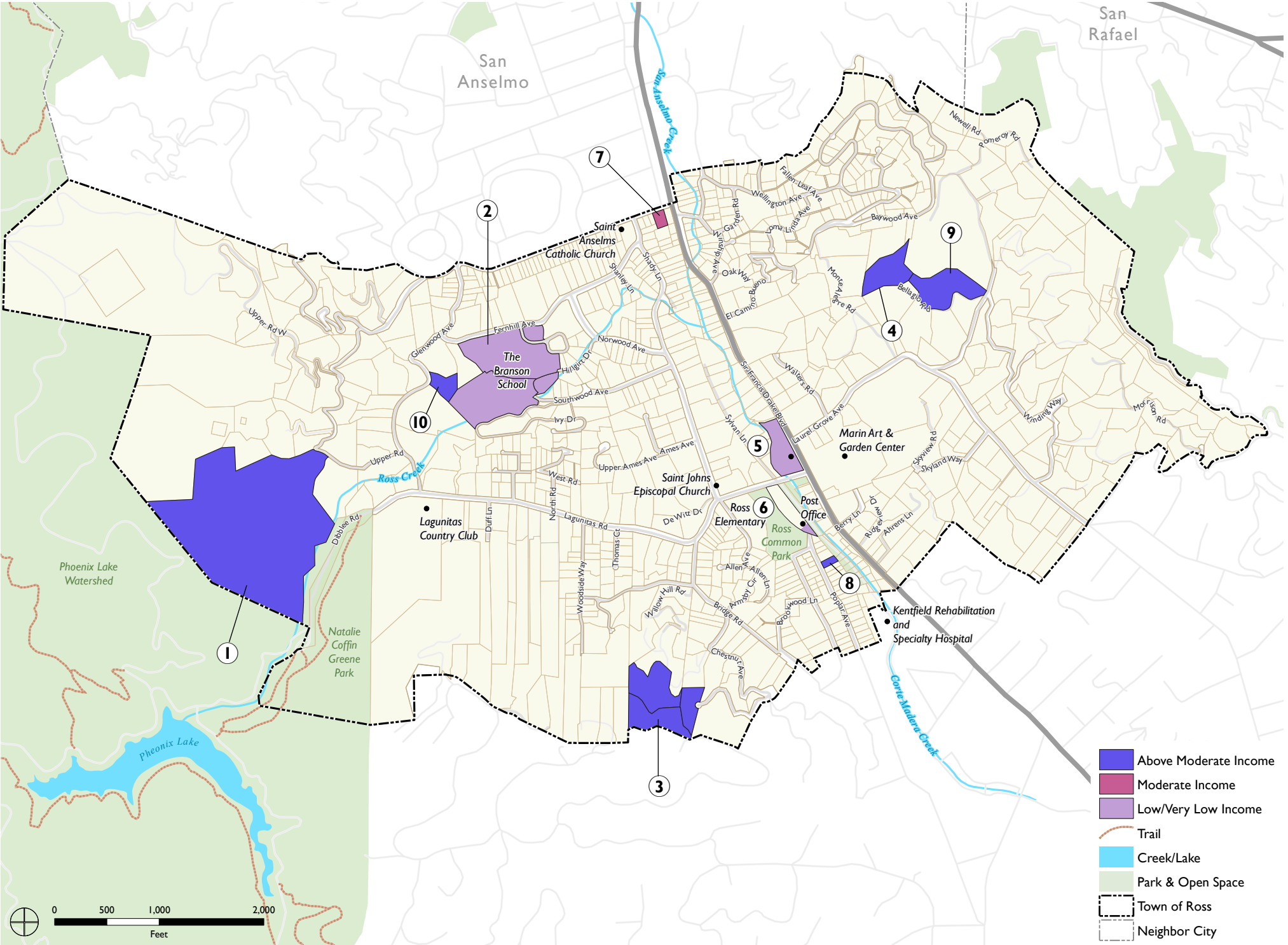
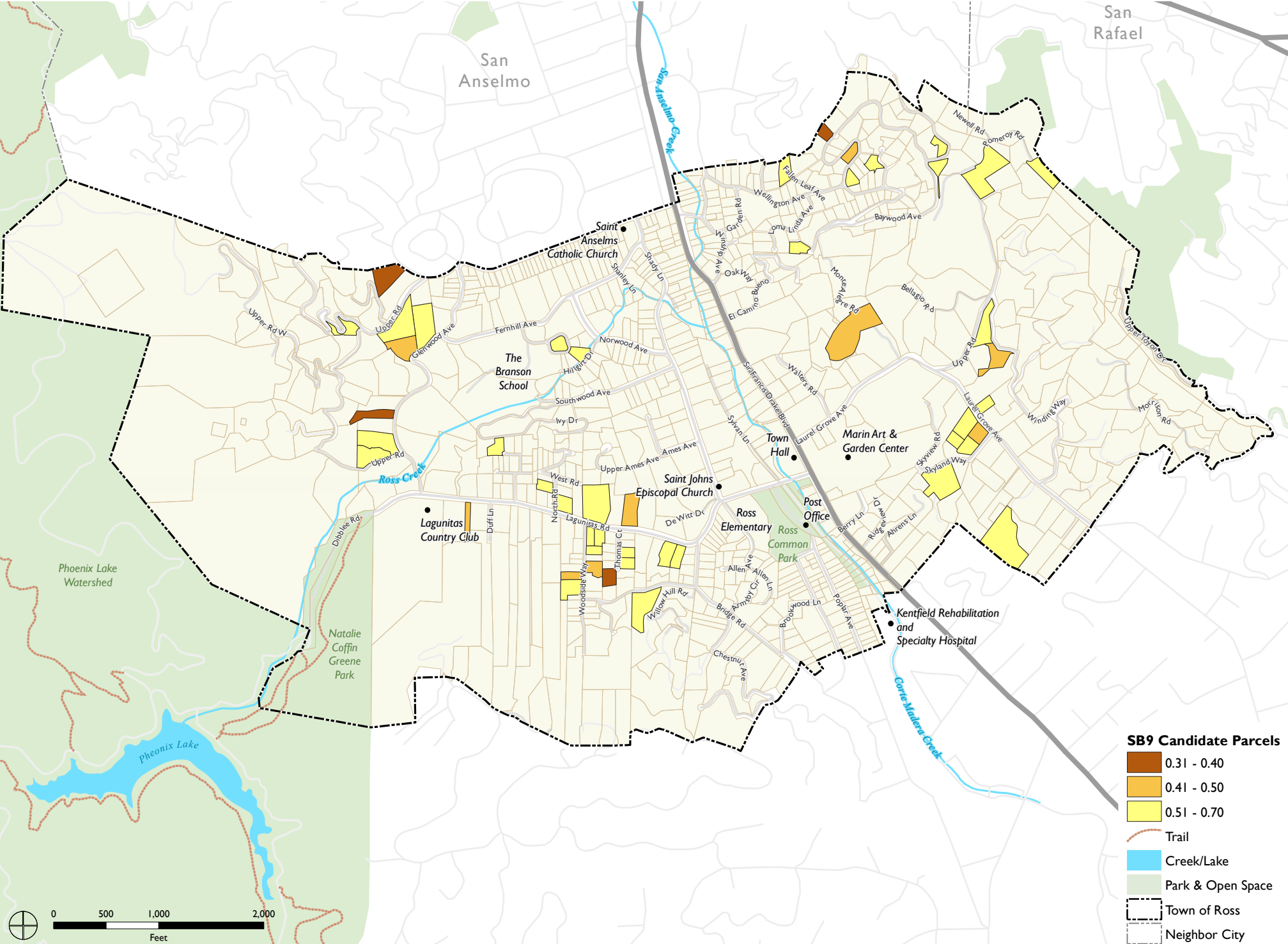


Figure 4: SB9 Candidate Housing Sites



Source: FEMA; 2019; CAL FIRE, 2021; MarinMap, 2022; Dyett & Bhatia, 2022

parameters define in State law that may also be underutilized. The inventory projects up to 22 new units on some combination of the SB9 sites will be developed by 2031.

Table 1 shows the inventory of sites available for housing and the capacity projections for the 2023-31 planning period.

ACTION PLAN

The Draft Housing Element includes an Action Plan, organized around five housing goals. Each goal is supported by policies and implementing programs that describe actions the Town will take to help meet its RHNA obligations. A summary of Action Plan contents is provided below.

Goal 1, Work together to achieve the Town's housing goals, is supported by programs that seek to promote collaboration among public agencies, non-profit groups, and the private sector to meet local housing needs and addressing fair access to housing. Programs involve preparing information and conducting outreach on housing issues, participating in inter-jurisdictional planning for housing, disseminating fair housing information, and responding to fair housing complaints.

Goal 2, Maintain and enhance existing housing and blend well-designed new housing into existing neighborhoods, is supported by programs that seek to preserve existing residential units while maintaining the quality of housing and neighborhoods. Through implementation of these programs the Town would explore options for streamlining and expediting design review to minimize time and cost in the development process. For adjacent low density residential lots under common ownership, the Zoning Ordinance would be amended to permit allowable floor area ratio (FAR) to be calculated on the basis of total site area rather than per parcel in order to incentivize the development of lots with market rate, single-family housing. The Town would also further incentivize and promote the creation of SB9 housing, implement rehabilitation loan programs, and work with the Branson School to explore the possibility of deed-restricting five existing multifamily units at the school so that they remain available to members of the local workforce making less than 80 percent of AMI for a period of 55 years.

Goal 3, Use our land efficiently to increase the range of housing options and to meet the housing needs for all economic segments of the community, details programs needed to fulfill the Town's RHNA requirement. As part of the Civic Center redevelopment, the Town would pursue construction of six workforce housing units on the site. In addition, a small portion of the Ross Post Office parking lot would be made available for redevelopment with workforce housing, in partnership with a non-profit housing developer. The Town would also ease parking requirements for caretaker units and multi-family developments and prepare a Downtown Area Plan to plan holistically for the area to integrate new workforce housing along with street design improvements, pedestrian and bicycle access, parking and design standards. Programs supporting this goal also seek to facilitate and incentivize ADU production, by establishing an amnesty program that allows owners to legalize unpermitted ADUs; by offering pre-approved ADU building plans and technical assistance to interested homeowners; by offering a development fee discount for homeowners who deed-restrict their ADUs and make them available to lower income households; and by updating the ADU ordinance for consistency with current State law and to clarify methods of measurement.

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Table 1: Sites Available for Housing

No.	Site Name	Address	APN	Existing Use	Acres	Zoning	Capacity			
							Total Units	Low/ Very Low	Moderate	Above Moderate
1	Berg	Between 7 and 25 Upper Rd	073-011-26	Vacant	53.00	R-I_B-10A	6			6
2	Branson School	39 Fernhill Ave	073-151-05; 073-082-01; 073-082-12; 073-141-03	School	14.72	R-I_B-A	10	10		
3	IIWH	At the end of unnamed road west of Chestnut Ave and Hillside Ave intersection, south of 24 Chesnut Ave	073-291-13; 073-291-14; 073-291-15	Vacant	7.93	R-I_B-5A	2			2
4	Pomeroy	North of 14 Bellagio Rd and South of 78 Baywood Ave	072-031-01	Vacant	2.82	R-I_B-5A	1			1
5	Civic Center	33 Sir Francis Drake Blvd	073-191-16	Public	2.40	C-D	6	6		
6	Post Office	1 Ross Common	073-242-05	Public	1.56	C-D	6	6		
7	Saint Anselms Parking Lot	Southwest corner of Bolinas Ave and Sir Francis Drake Blvd	073-052-25	Parking lot	0.39	R-I_B-6	3		3	
8	Badalamenti	27 Ross Common	073-273-09	Commercial	0.22	C-L	4			4
9	Bellagio	0 Bellagio Road (at the intersection of Bellagio Rd and Canyon Rd)	072-031-04	Vacant	2.63	35.8%	2			2
10	Siebel	Between 36 Glenwood Ave and 81 Fernhill Ave	073-072-07	Vacant	1.07	0.0%	1			1

Town of Ross Housing and Safety Element Update Project
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Table 1: Sites Available for Housing

No.	Site Name	Address	APN	Existing Use	Acres	Zoning	Capacity			
							Total Units	Low/ Very Low	Moderate	Above Moderate
						SUBTOTAL	41	22	3	16
						Accessory dwelling units (@ 10/year)	80	48	24	8
						Existing units at Branson to deed restrict	5	5		
						SB9 Housing ¹	22			22
						TOTAL	148	75	27	46
						RHNA	111	54	16	41
						BUFFER	37	21	11	5

¹ The inventory projects development of 22 SB9 units over the planning period, based on the assumption that 15 percent of the total capacity on SB9 candidate sites is developed.

Goal 4, Provide housing for special needs populations, is supported by programs to promote affordable housing for all special needs groups, including persons with developmental disabilities, the homeless, single parent families, and large families, consistent with State law. Programs address zoning for transitional and supportive housing and amending the Zoning Ordinance to include objective standards to regulate emergency shelters and to state that residential community care facilities for six or fewer persons are permitted by right in all zones where single-family residential uses are allowed. Programs also address homeless needs, utilize and support available rental assistance programs, and provide information on reasonable accommodation.

Goal 5, Monitor program effectiveness and respond to housing needs, is supported by programs that provide a regular monitoring and update process to assess housing needs and achievements. Programs commit the Town to annual reporting on progress toward Housing Element objectives, ensuring adequate sites are available to meet the Town's share of RHNA at all times throughout the planning period, and monitoring of ADU and JADU trends.

Safety Element

The Safety Element will be updated to incorporate new data on natural hazards and climate change along with actions to strengthen community resilience and emergency evacuation capacity. Risk to life and property will be characterized and maps showing special flood hazard area, wildfire hazard severity, and geologic hazards will be updated. The Safety Element update will also draw on the findings of a regional evacuation study by the Marin Wildfire Prevention Authority (MWPA) expected in early 2023. The study will simulate the wildfire evacuation process in Marin County, prioritize areas of highest concern, and help identify possible risk mitigation.

Project Implementation

The Town of Ross 6th Cycle 2023-2031 Housing Element Update must be certified by the State following a legally-mandated 90-day review period. Adoption hearings for the Housing and Safety Element Updates will be scheduled before the Town Council, likely in May 2023. Once adopted, the goals, policies, and strategies would become part of the General Plan and would be implemented by the Town through the adoption and implementation of regulations, guidelines, and programs; and through the approval process for private development projects, including site, architectural, and environmental review.

10. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:

No other agency is required to approve the Housing Element update, but it will be reviewed by the California Department of Housing and Community Development for the purpose of determining whether it complies with the requirements of the Housing Element Law.

11. NATIVE AMERICAN CONSULTATION:

In accordance with the requirements of Public Resources Code 21080.3.1, the Town notified those Native American Tribes both traditionally and culturally affiliated with the project area. These tribes were notified via certified mail and email. As of this date, response and formal request for tribal consultation has been received by the Federated Indians of Graton Rancheria and consultation is ongoing.

12. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The project would have the following Potentially Significant Impacts to the resource areas listed below. A summary of the environmental factors potentially affected by this project, consisting of a Potentially Significant Impact or Potentially Significant Impact Unless Mitigated, include:

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

13. ENVIRONMENTAL CHECKLIST:

This section analyzes the potential environmental impacts that may result from the Proposed Project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. No Impact. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
2. Less than Significant Impact. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
3. Potentially Significant Unless Mitigated. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
4. Potentially Significant Impact. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

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	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.A Aesthetics. Except as provided in Public Resources Code Section 21099, would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. Set in a valley between wooded hillsides, Ross enjoys a natural environment where there is an abundance of green from tree-lined streets, parks and open space, and healthy creeks and watershed. These natural resources create scenic vistas that are valued by the community. Through objective standards in the Town Code and adopted Design Guidelines, the Town of Ross also promotes architectural variety of buildings and the open feeling of the town. Buildings and structures recede into the background while landscaping and open space take center stage. Ross' neighborhoods mix old and new construction through the use of appropriate building materials and landscaping, and through the appropriate design, scale, and siting of improvements.

a. Less than Significant Impact. A significant impact may occur if a project were to introduce incompatible scenic elements within a field of view containing a scenic vista or substantially block views of a scenic vista. There are no identified scenic vistas or corridors in the Town of Ross General Plan 2007 - 2025. However, the natural landscape and views of nearby hills are key features of the Town of Ross that the community aims to preserve. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. All development under the Proposed Project would be required to adhere to General Plan policies, the Town Code, and the Town's adopted Design Guidelines regarding scenic resources. According to Chapter 18.41.010 of the Town Code, development must preserve lands which are unique environmental resources including scenic resources (ridgelines, hillsides and trees), vegetation and wildlife habitat, creeks, threatened and endangered species habitat, open space and areas necessary to protect community health and safety. Site design and intensity must preserve natural landforms and existing vegetation and prevent excessive and unsightly hillside grading. As such, implementation of the Project would not result in substantial adverse effects on

scenic vistas and impacts would be less than significant with adherence to applicable policies, regulations, and guidelines.

b. No Impact. A significant impact would occur if scenic resources, including but not limited to trees, rock outcroppings, and historic buildings, would be damaged or removed by a project within a state scenic highway. According to maps produced by the California Department of Transportation Scenic Highways Mapping Project, there are no designated State scenic highways in the Town of Ross and the closest eligible highway segment, US-101 from Marin to Leggett, is not located in or near the Town of Ross (Caltrans, 2022). Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway and no impacts would occur.

c. Less than Significant Impact. A significant impact may occur if a project were to introduce incompatible visual elements on the project site or visual elements that would be incompatible with the character of the area surrounding the project site. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. All housing development pursuant to the Proposed Project would be required to comply with the objective design and development standards of the Town Code (Chapter 18) and, as applicable, would be subject to design review to ensure compatibility with the surrounding neighborhood. Design review is conducted by Town staff and an Advisory Design Review (ADR) Group. The ADR Group provides professional review of design related issues, including site planning, building massing, setbacks, light and air, and privacy, as well as architectural details and materials selection. Such requirements include designing with topography, aligning development with existing buildings, orienting buildings to face the street, and minimizing the visibility of a secondary structure or ADU. Therefore, the Project would not conflict with applicable zoning and other regulations governing scenic quality. Compliance with existing regulations would help ensure the compatibility of new development and impacts would be less than significant.

d. Less than Significant Impact. A significant impact may occur if a project were to introduce new sources of light or glare on or from the project site which would be incompatible with the surrounding area. As a residential community of primarily large lot single-family homes and neighborhoods of dense tree canopy, the principal sources of light and glare are limited to the existing homes in the community. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. All new development would be required to comply with Town of Ross regulations, including the provisions of the Town Code Chapter 18.41.100 – Design review and criteria standards, require that exterior lighting not create glare, hazard or annoyance to adjacent property owners or passersby. Lighting should be shielded and directed downward, with the location of lights coordinated with the approved landscape plan. Further, Town of Ross Design Guidelines recommend incorporating site lighting only where it is needed, using small scale lighting fixtures, and shielding site lighting to minimize off-site glare onto adjacent properties and toward the sky. In addition, the Town's forested hillsides and tree-lined streets would limit light spillover to adjacent properties and illumination of the night sky. Therefore, compliance with applicable regulations and guidelines would ensure the Project would not result in a substantial adverse effects from light or glare. As such, associated impacts would be less than significant.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.B Agriculture 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 or (for annexations only) as defined by the adopted policies of the Local Agency Formation Commission, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non- forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) was established by the State Legislature in 1982 to assess the location, quality, and quantity of agricultural lands and conversion of these lands over time. The FMMP has established five Important Farmland categories.

- Prime Farmland comprises the best combination of physical and chemical features able to sustain long-term agricultural production. Irrigated agricultural production is a necessary land use 4 years prior to the mapping date. The land must be able to store moisture and produce high yields.
- Farmland of Statewide Importance possesses similar characteristics to Prime Farmland with minor shortcomings, such as less ability to hold and store moisture and more pronounced slopes.
- Unique Farmland has a production history of propagating crops with high-economic value.

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- Farmland of Local Importance is important to the local agricultural economy. Local advisory committees and county specific board of supervisors determine this status.
- Grazing Land is suitable for browsing or grazing of livestock.

a. No Impact. Under the FMMP, the Town of Ross is categorized as “Urban and Build-Up Land” and “Other Land” (California DOC, 2021). There is no Farmland within the Town limit, and the closest Farmland is about five miles west of the Town limit, where there are approximately 100 acres of Farmland of Local Importance and Grazing Land located in western hills. Therefore, the Project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b. No Impact. The Williamson Act, codified in 1965 as the California Land Conservation Act, allows local governments to enter into contracts with private landowners with the intent of restricting the use of land to agricultural or related open space through tax incentives. These incentives tax farmers based on an open space designation, which is a much lower rate than the full market value tax. Through this contract, farmers agree to freeze development of their land for 10 years. The current Marin County Williamson Act Parcel Map does not list any Williamson Contract parcels located within the Town of Ross (County of Marin, 2020). Additionally, there are no districts on the Ross Zoning Map zoned for agricultural uses in the town (Town of Ross, 2018). Therefore, no impacts related to conflicts with agricultural zoning or Williamson Act contracts would occur.

c. Less than Significant Impact. In the Public Resources Code (PRC) section 4526, the California Board of Forestry and Fire Protection defines “Timberland” as land, not owned by the federal government, nor designated as experiential forest land, which is capable and available for growing any commercial tree species. The board defines commercial trees on a district basis following consultation with district committees and other necessary parties. There is no land within the Town of Ross zoned for timberland production or that otherwise meets this definition. The PRC section 12220 (g) defines forest land as “. . . land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” While wooded hillsides in Ross may support more than 10 percent native tree coverage, development pursuant to the Proposed Plan would take place on parcels currently zoned for residential uses and as such no conflicts would result from Project implementation. Impacts would be less than significant.

d. Less than Significant Impact. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. While wooded hillside areas of Ross may meet the definition of forest land in the PRC, any development pursuant to the Proposed Project would be on parcels currently zoned for residential uses and would not result in the loss of forest land or conversion of forest land to non-forest use. Impacts would be less than significant.

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e. Less than Significant Impact. As described above, there is no Farmland in or adjacent to the Town of Ross and all development pursuant to the Proposed Plan would be on land currently zoned for residential uses. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites and would not 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. Impacts would be less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.C Air Quality. Where applicable, the significance criteria established by the applicable air quality management district 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The Town of Ross is located within the San Francisco Bay Area Air Basin (Air Basin). The Bay Area Air Quality Management District (BAAQMD) is the air pollution control agency for the Air Basin and is responsible for air quality management plans (AQMP) to achieve air quality standards. The Air Basin is an area designated as non-attainment because it does not currently meet National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) for certain pollutants regulated under the Clean Air Act and California Clean Air Act, respectively. Specifically, the Air Basin does not meet the NAAQS for ozone, PM10, and PM2.5.

a-b. Less than Significant Impact. Implementation of the Proposed Project would result in the development of up to 148 housing units, primarily comprised of small-scale infill housing within urbanized areas and on existing single family residential lots. Development would happen incrementally over the course of eight years, from 2023-2031, which would minimize construction-related air quality impacts. Further, the number of residential developments under the Proposed Project would fall below BAAQMD screen criteria for single family

residential and apartment projects which is 114 du (ROG) and 240 (ROG) (BAAQMD, 2017). As such, construction-related air quality impacts would be less than significant.

To meet the Threshold of Significance for operational-related criteria air pollutant and precursor impacts for plans (other than regional plans), a proposed plan must satisfy the following criteria:

- Consistency with current air quality plan (AQP) control measures (this requirement applies to project-level as well as plan-level analyses).
- A proposed plan's projected VMT or vehicle trips (VT) (either measure may be used) increase is less than or equal to its projected population increase.

AQPs may be clean air plans, state implementation plans (SIPS), ozone plans, and other potential air quality plans developed by BAAQMD. To date, the Air District's most current plan is the 2017 Clean Air Plan (CAP). The primary goals of the 2017 CAP are to attain air quality standards, reduce population exposure and protect public health in the Bay Area, reduce GHG emissions, and protect the climate. The Proposed Project focuses on promoting infill development on existing residential lots and within urbanized areas, preserving existing residential units, implementing sustainable and environmentally sensitive design, and promoting multimodal mobility, all of which would support the goals of the CAP (proposed policies 2.1, 2.2, 2.4, 3.2, 3.3, 3.4, and proposed programs 2-B, 2-C, 3-A, 3-B, 3-D, and 3-K). Other fundamental components of the Proposed Project also support the goals of the CAP. The preservation of open space through Proposed Project programs that develop SB9 housing, ADUs, and identify housing sites in already urbanized areas would help to reduce emissions by preserving existing green space throughout the town that can sequester carbon. The Proposed Project's criteria for selecting Housing Opportunity areas includes adequate pedestrian, neighborhood service, and neighborhood facility access which support multimodal mobility that could result in less energy consumption and fewer vehicle trips compared to the current more auto-oriented development pattern. Therefore, the Proposed Project would support the primary goals of the CAP and have a less than significant impact with respect to conflicts with the 2017 Clean Air Plan.

Table 2 provides a summary of the VMT forecasts for baseline 2019 conditions and for future townwide VMT, accounting for buildout of the Proposed Project. The VMT forecasts indicate that, at buildout, the Proposed Project would result in a Home-Based VMT per capita that is 12 percent below the baseline 2019 Town VMT per capita, which is less than the projected population increase. As such, operational impacts from implementation of the Proposed Project would be less than significant.

Table 2: Daily Home-Based Vehicle Miles Traveled (VMT) for Residential Uses

Scenario	Home-Based VMT	Home VMT Per Resident
BASELINE TOWN VMT METRIC (2019)	33,603	14.1
2040 PLUS HOUSING ELEMENT UNITS	35,442	12.4
PERCENT CHANGE – 2040 Plus Project Home VMT per Resident Rate Compared to Baseline Rate for Ross 2019		
2040 PLUS HOUSING ELEMENT UNITS		-12%

Notes:

1. The VMT shown in the table above is home-based VMT for all existing residential uses in Ross and in the Proposed Project including single family residential, multi-family residential, affordable housing, and the residential care facility.
2. The VMT per resident values are based on 2,385 residents for the baseline (2019) scenario and 2,855 future residents for the 2040 plus Project scenario.

Data for the Bay Area Region is for the full nine-county area.

Source: Fehr & Peers.

c. Less than Significant Impact. Implementation of the Proposed Project would result in the development of 146 housing units, primarily comprised of small-scale infill housing within urbanized areas and on existing single family residential lots. Development would happen incrementally over the course of eight years, from 2023-2031, which would minimize construction-related air quality impacts. While large scale construction projects involving diesel-emitting equipment over many months could impact adjacent sensitive receptors, this is not the type of development that would happen with the Proposed Project, which primarily involves small scale infill development. Off-road diesel construction equipment and heavy-duty diesel trucks (e.g., concrete trucks, building materials delivery trucks), which are sources of diesel exhaust particulate matter, are regulated under three airborne toxic control measures (ATCMs) adopted by the California Air Resources Board (CARB). The ATCM for diesel construction equipment specifies particulate matter emission standards for equipment fleets, which become increasingly stringent over time. Furthermore, most newly-purchased construction equipment introduced into construction fleets after 2013–2015, depending on the engine horsepower rating, are equipped with high-efficiency diesel particulate filters. One of the ATCMs for heavy-duty diesel trucks specifies that commercial trucks with a gross vehicle weight rating over 10,000 pounds are prohibited from idling for more than five minutes unless the engines are idling while queuing or involved in operational activities. In addition, starting in model year 2008, new heavy-duty trucks must be equipped with an automatic shutoff device to prevent excessive idling or meet stringent NOx requirements. Lastly, fleets of diesel trucks with a gross vehicle weight rating greater than 14,000 pounds are subject to another ATCM. This ATCM requires truck fleet operators to replace older vehicles and/or equip them with diesel particulate filters, depending on the age of the truck. As such, compliance with ATCMs would reduce construction-related impacts to a less than significant level.

Operation of the Proposed Project involves residential development which may result in areas of vehicle congestion that have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9.0 ppm. However, under existing and future vehicle emission rates, a plan would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour in order to generate a significant CO impact. Since the Proposed Project involves limited amounts of small-scale development over 8 years, it would not result in substantial amounts of pollution. Therefore, both construction- and operational-relation air quality impacts would be less than significant under the Proposed Project.

d. Less than Significant Impact. According to the BAAQMD, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. Residential development does not create substantial odors. Potential odor emitters during construction include diesel exhaust and evaporative emissions generated by asphalt paving and the application of architectural coatings. Construction-related activities near existing receptors would be temporary in nature, and construction activities would not result in nuisance odors. Potential odor emitters during operations would include exhaust from vehicles and fumes from the reapplication of architectural coatings as part of ongoing building maintenance. However, odor impacts would be limited to circulation routes, parking areas, and areas immediately adjacent to recently painted structures. Although such brief exhaust- and paint-related odors may be considered adverse, they would not be atypical of developed urban areas and would not affect a substantial number of people or rise to the level of a significant impact under CEQA. Because the Proposed Project would not result in a new, substantial, or long-term source of odors, this impact would be less than significant.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.D 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 Wildlife or the U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 Wildlife or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The Town of Ross contains a wide variety of natural and biological resources, including trees, hillsides, ridgelines and creeks. The Town's location in a valley between wooded hillsides provides a natural habitat for flora and fauna, including some endangered and threatened plant and wildlife species, while the riparian corridors along the creeks habitat and movement corridors for wildlife.

A "special-status species" refers to species that are considered sufficiently rare that they require special consideration and/or protection and should be, or have been, listed as rare, threatened, or endangered by Federal and/or State governments. Information regarding the occurrences of special-status species in the vicinity of the Planning Area was obtained from a query of the CDFW's California Natural Diversity Database (CNDDDB). The CNDDDB is regularly updated to track occurrences of previously documented special-status species; however, it contains only those records that have been submitted to CDFW. Therefore, there may be additional occurrences of special-status species within the area that have not yet been surveyed and/or mapped. A lack of information in the CNDDDB about a species or an area does not imply that the species does not occur or that there is a lack of diversity in that area. Based on the

records search shown in Table 3 and Table 4, 10 special-status plant species and six special-status wildlife species were identified as having the potential to occur in the Planning Area.

a-d. Potentially Significant Impact. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. However, given the extent of biological resources throughout the community, future development pursuant to the Proposed Project has the potential to adversely affect sensitive species, riparian habitats, sensitive communities, and federally protected wetlands. As noted above, 10 special-status plant species and six special-status wildlife species were identified as having the potential to occur throughout the Planning Area. Future development under the Proposed Project could have a significant direct or indirect impact on special-status species if it would result in the removal or degradation of the species or potentially suitable habitat. For riparian habitats, impacts could occur on three of the ten sites identified for development since they are located adjacent to creeks. There is a chance that riparian habitat and other sensitive communities could be impacted throughout the buildout of the Proposed Project due to construction activities, such as grading, evacuation, and removal of vegetation.

The Proposed Project would be required to comply with federal and State regulations related to biological resources, including the Federal Endangered Species Act, Clean Water Act, California Endangered Species Act, California Fish and Game Code, and the California Native Plant Protection Act. General Plan policies would further reduce impacts on biological resources by requiring the protection of environmental resources, retention of natural areas, and creek setbacks to protect riparian habitat. While federal, State, regional, and General Plan policies need to be complied with by the Proposed Project, potential impacts to biological resources remain potentially significant and will be studied further in the EIR.

e. Less than Significant Impact. A significant impact would occur if the Proposed Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The Ross General Plan Part II, Our Relationship with the Natural Environment, includes goals and policies that the Proposed Project would be subject to. These policies include but are not limited to protection of environmental resources, tree canopy preservation, tree maintenance and replacement, natural areas retention, and open space planning. Protection of environmental resources includes hillsides, creeks, drainage ways, trees, and tree groves. Specific requirements include ensuring proper tree maintenance and replacement, executing an Open Space Plan for land in public and private ownership, and establishing creek setbacks. All development near riparian areas must be done in a manner that retains and protects 25creekside vegetation, integrates fish passage, and includes habitat restoration in its natural state. Further, residential development must maximize the amount of land retained in a natural state wherever possible.

The Town Code Design Review chapter also supports the preservation of vegetation and wildlife habitat, creeks, and threatened and endangered species habitat (Chapter 18.41). These design review guidelines state that the high-quality and fragile natural environment should

Table 3: Special-Status Plant Species with the Potential to Occur in the Planning Area

Scientific Name	Common Name	Status	
		USFWS ¹	CDFW ²
<i>Hemizonia congesta</i> ssp. <i>Con-gesta</i>	Congested-Headed Hayfield Tarplant	None	None
<i>Pleuropogon hooverianus</i>	North Coast Semaphore Grass	None	Threatened
<i>Holocarpa macradenia</i>	Santa Cruz Tarplant	Threatened	Endangered
<i>Amorpha californica</i> var. <i>napensis</i>	Napa False Indigo	None	None
<i>Pentachaeta bellidiflora</i>	White-Rayd Pentachaeta	Endangered	Endangered
<i>Trifolium amoenum</i>	Two-Fork Clover	Endangered	None
<i>Lessingia micradenia</i> var. <i>micradenia</i>	Tamalpais Lessingia	None	None
<i>Arctostaphylos montana</i> ssp. <i>Montana</i>	Mt. Tamalpais Manzanita	None	None
<i>Eriogonum luteolum</i> var. <i>caninum</i>	Tiburon Buckwheat	None	None
<i>Arctostaphylos virgata</i>	Marin Manzanita	None	None

Source: CNDDB GIS Data, California Department of Fish and Wildlife, 2022

Table 4: Special-Status Animal Species with the Potential to Occur in the Planning Area

Scientific Name	Common Name	Status	
		USFWS ¹	CDFW ²
<i>Rana boylei</i> pop. 1	Foothill Yellow-Legged Frog	None	None
<i>Vespericola marinensis</i>	Marin Hesperian	None	None
<i>Antrozous pallidus</i>	Pallid Bat	None	None
<i>Lasiurus cinereus</i>	Hoary Bat	None	None
<i>Emys marmorata</i>	Western Pond Turtle	None	None
<i>Laterallus jamaicensis coturniculus</i>	California Black Rail	None	Threatened

Source: CNDDB GIS Data, California Department of Fish and Wildlife, 2022

be preserved and maintained through protecting scenic resources, vegetation and wildlife habitat, creeks, drainageways, and threatened and endangered species habitat. Specific requirements include keeping the removal of trees, vegetation, rocks, and soil to a minimum; planting and reseeding disturbed areas to prevent erosion; prioritizing the preservation of environmental sensitive areas, including areas along streams, forested areas, and steep slopes; and establishing a minimum 50-foot creek setback from the top of bank for all new buildings. Development anticipated by the Proposed Project would also be required to adhere to the existing Town of Ross Tree Protection Ordinance (Chapter 12.24.005). This ordinance aims to provide reasonable regulations for the maintenance and removal of trees in the town and establish a stable and sustainable urban forest. As a result, the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, and a less than significant impact would occur.

f. No Impact. A significant impact would occur if a project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There are no Habitat Conservation Plans in Marin County (CDFW, 2022). Therefore, development of the Proposed Project would not conflict with any Habitat Conservation Plan. No impacts would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.E Cultural Resources. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. In order to determine the presence or absence of cultural and historical resources within the Proposed Project site and the surrounding area, a records search and literature review was requested for the Planning Area on March 29, 2022, at the NWIC, located at Sonoma State University. The purpose of this review was to access existing cultural resource survey reports, archaeological site records and historic maps, and evaluate whether any previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or other resources exist within or near the town. According to the NWIC results, the State Office of Historic Preservation Built Environment Resources Directory (OHPBERD) lists eight recorded buildings or structures within the Town of Ross. In addition to these inventories, the NWIC base maps show eight recorded buildings or structures within the town limits. The Caltrans Bridge Inventory also indicates six historic bridges in the town. Given these resources, NWIC also determines that there is a high potential for unrecorded historic-period archaeological resources to be within the town limits.

Further, the Town of Ross contains four recorded Native American archaeological resources. Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Marin County have been found in areas marginal to the San Francisco Bayshore, and inland on ridges, midslope benches, in valleys, near intermittent and perennial watercourses and near areas populated by oak, buckeye, manzanita, and pine, as well as near a variety of plant and animal resources. The Town of Ross is located between one third mile to one half mile west of the historic San Francisco Bay shore and marshland margins, inland and west of Point San Quentin. Current aerial maps indicate a high percentage of densely wooded areas, as well as areas of bare dirt, areas including buildings, roads, landscaped areas, etc. Given the similarity of these environmental factors and the ethnographic and archaeological sensitivity of the Planning Area, NWIC has determined that there is a high potential for unrecorded Native American resources to be within the Town limits.

Details of the recorded archaeological and historic resources are included in Appendix A – Supporting Materials for Cultural and Tribal Cultural Resources.

a-b. Potentially Significant Impact. The Proposed Project identifies an inventory of 10 sites available for housing development and 48 properties that are candidates for development with housing pursuant to SB9. With the exception of the Ross Civic Center site, none of these properties contain historic buildings or structures as identified by NWIC. The Ross Town Hall and Fire House, however, are listed on the California Register of Historical Resources and eligible for listing on the National Register. While redevelopment of the Civic Center site would need to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, the redevelopment could potentially result in adverse effects on the historic significance of the buildings. As such, this potentially significant impact will be analyzed in further detail in the EIR. Additionally, given that there is a high potential for unrecorded historic-period archaeological resources and Native American resources within the Town limits, implementation of the Proposed Project could potentially also result in a significant impact to cultural resources. As such, this potentially significant impact will also be analyzed in further detail in the EIR.

c. Less than Significant Impact. The Proposed Plan would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites and not in areas known to contain human remains. However, there is always the possibility that subsurface construction activities associated with the Proposed Project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98 must be followed. Thus, with compliance of existing regulations, implementation of the Proposed Project would result in a less than significant impact to disturbance of human remains.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.F Energy. Would the project:				
a. Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. Energy resources in the State of California include natural gas, electricity, water, wind, oil, coal, solar, geothermal, and nuclear resources. Energy production and energy use both result in the depletion of nonrenewable resources, such as oil, natural gas, and coal, and result in the emissions of pollutants. PG&E provides natural gas and electricity to the Planning Area. All buildings within the Planning Area have existing connections to infrastructure, although the vacant areas do not.

a-b. Less than Significant Impact. Implementation of the Proposed Project would result in the development of up to 148 housing units, primarily comprised of small-scale infill housing within urbanized areas and on existing single family residential lots. Energy resources would be consumed during construction and long-term operation of future residential development. However, future development would be required to comply with the California Green Building Standards Code and California's Title 24 Building Energy Efficiency Standards. This includes the update to Title 24, effective January 1, 2020, which requires that all new homes under three stories install solar panels. Title 24 also applies to ADUs and requires them to include a solar energy system that can generate enough to offset the dwelling's annual electrical usage. The Town also verifies compliance with the California Building Code (CBC) as part of the building permit issuance and construction inspection process. The Town's General Plan also adopted a number of sustainability building and energy efficiency goals and policies, such as requiring large homes to limit energy usage and increasing the use of renewable energy sources. Given the minimal level of buildout and compliance with existing regulations, the Proposed Project would result in a less than significant impact to energy resources.

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	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.G Geology and Soils. Would the project:				
a. Directly or indirectly cause 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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- site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The Town of Ross is situated in the seismically active San Francisco Bay Area. The regional seismic setting is dominated by stress associated with the oblique collision of the Pacific tectonic plate with the North American tectonic plate. The boundary between the two tectonic plates is the San Andreas fault system, which extends nearly 700 miles along a north-west trend from Mexico to offshore northern California. The San Andreas fault system includes the San Andreas, Hayward, Calaveras, Seal Cove-San Gregorio, and other related faults in the San Francisco Bay area. According to the U.S. Geological Survey (Working Group on California Earthquake Probabilities 2015), there is a 72 percent chance of at least a magnitude 6.7 (or greater) earthquake in the San Francisco Bay region within the next 30 years. While there are no active faults within Ross designated under the Alquist-Priolo Earthquake Fault Zoning Act, the Town is subject to moderate to high levels of ground shaking because of its proximity to the San Andreas fault.

Creekside and hillside areas, which comprise the majority of the built environment in Ross, are most vulnerable to damage caused by seismic-related ground failure. Creekside development on alluvial deposits can experience differential settlement caused by liquefaction. Most land on the Ross Valley floor within the Town limit is located in areas of high liquefaction risk. Hillside construction is also vulnerable to earthquake-induced landslides. This vulnerability is increased during periods of intense or prolonged rainfall when soils become saturated.

Slope stability maps of the Town of Ross area were prepared by Marin County and identify many slide areas in the Town (County of Marin, 2022). The classifications are interpretive, and generally apply to large areas. Within each area conditions may range on a local level. The slope stability zones (1 through 4) represent qualitative evaluations of potential slope instability (Zone 1 being the most stable, and Zone 4 being the least stable). The most unstable areas occur on slopes in the along the western and eastern boundaries of the town.

The weathering of bedrock and the growth of vegetation have resulted in the formation of relatively shallow (20 to 40 inches typical) soils on hillsides in the town. According to the Soil Survey of Marin County, California (U.S. Department of Agriculture, 2012), the predominant soil type in the town limits is the Tocaloma-McMullin Urban Land Complex, which is a loam to very gravelly loam. The Tocaloma-McMullin soils have a "severe" erosion rating, indicating that significant erosion should be expected. The soils also have a moderate corrosion potential for steel and concrete.

a (i and ii). Less than Significant Impact. As noted above, there are no designated Alquist-Priolo zones in Ross, however, the area is subject to ground shaking in the event of an earthquake due to its proximity to the San Andreas Fault System. All future development under the Proposed Project would be required to comply with the provisions of Ross Town Code – Chapter 15.24, the current California Building Codes, and the specifications outlined in project-specific geotechnical investigations which are required for development in hillside areas per Chapter 18.39 of the Town Code. Compliance with existing regulations would ensure that risks are minimized to the extent practicable and impacts related to fault rupture and ground shaking would be less than significant.

a (iii). Less than Significant Impact. As shown on Figure 2, areas adjacent to the creeks and most of the Valley floor west of Sir Francis Drake Boulevard are subject to high liquefaction risk. Housing development within these areas pursuant to the Proposed Project would be required to comply with the provisions of the California Building Code related to soils and foundations and with the following mitigation strategies contained in the Town of Ross Local Hazard Mitigation Plan:

- EQ-3 Requires preparation of site-specific geologic or geotechnical reports for development and redevelopment proposals in areas subject to earthquake-induced landslides or liquefaction and condition project approval on the incorporation of necessary mitigation measures related to site remediation, structure and foundation design, and/or avoidance.

- EQ-11 Require geologic reports in areas mapped by others as having significant liquefaction or landslide hazards.
- AH-26 Comply with all applicable building and fire codes, as well as other regulations (such as state requirements for fault, landslide, and liquefaction investigations in particular mapped areas) when constructing or significantly remodeling Town-owned facilities.

While the precise location and specific site conditions for development under the Proposed Project cannot be known at this time, compliance with existing regulations and mitigation strategies would reduce potential impacts related to liquefaction to the maximum extent practicable. Therefore, impacts are considered less than significant.

a (iv) and c. Potentially Significant Impact. Given the steep terrain in much of Ross, there is potential for landslides, particularly in wet weather months. As shown in Figure 2, hillside areas in the west, northeast, and southeast of Ross have experienced landslides in the past. Sites 1 and 4 shown on Figure 4 are in proximity to mapped landslides. While development on these sites and in areas with slope stability hazards would be subject to the provisions of Chapter 18.39 of the Town Code, which contains hillside lot regulations and standards. Nevertheless, the potential for loss or damage due to landslides remains. As such, impacts are considered potentially significant and will be analyzed in further detail in the EIR.

b. Less than Significant Impact. Stormwater can cause erosion of soils on hillsides and creek banks in Ross. Future development under the Proposed Plan would be required to comply with the provisions of the Town Code pertaining to grading and to stormwater controls. Specifically, Chapter 15.24 of the Town Code requires that any project involving grading prepare an Erosion and Sediment Control Plan, a Stormwater Control Plan, and a Stormwater Facilities Operation and Maintenance Plan. As such, compliance with existing regulations would reduce impacts to the extent practicable and impacts related to erosion would be less than significant.

d. Less than Significant Impact. Areas within Ross are underlain by expansive soils, which swell and shrink as they gain and lose moisture and can result in damage to overlying structures. Compliance with the provisions of the California Building Code, adopted by the Town as Chapter 15.05 of the Town Code require soil investigations by a civil engineer to identify corrective action needed to prevent structural damage to each dwelling proposed to be constructed on the expansive soil. Therefore, compliance with existing regulations would reduce expansive soil-related impacts to a less than significant level.

e. Less than Significant Impact. The Town Code (Chapter 13.04) requires that every building be connected to the public sewer system maintained by the sanitary district, unless an exception is authorized by the Town Council. Given that implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established

neighborhoods on existing lots and infill sites, future development under the Proposed Project would generally connect to existing sewer trunk lines or future expansion of sewer trunk lines. In the event that the use septic tanks is permitted during development under the Proposed Project, compliance with all requirements outlined in Chapter 13.04 of the Town Code would be required. As a result, impacts would be less than significant.

f. Less than Significant. Paleontological resources are mineralized or fossilized remains of prehistoric plants and animals, as well as mineralized impressions or trace fossils that provide indirect evidence of the form and activity of ancient organisms. A search of the fossil database maintained by the University of California Museum of Paleontology at the University of California, Berkeley did not identify any fossils within Ross (Town of Ross 2007a). Although not anticipated, sub-surface construction activities associated with the Project implementation, such as grading or trenching, could result in a significant impact to paleontological resources, if encountered. Public Resources Code Section 5097.5 specifies the procedures to be followed in the event of the unexpected discovery of human remains. Compliance with existing regulations would result in less than significant impacts related to paleontological resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.H Greenhouse Gas Emissions. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. At the State level, target have been set for reduction of greenhouse gas (GHG) emissions to combat climate change. Senate Bill (SB) 32 calls for a reduction in statewide GHG emissions 40 percent below 1990 levels by 2030, while Executive Order B-55-18 establishes a statewide target of carbon neutrality by 2045. Ross adopted a Climate Action Plan (CAP) in 2010, which incorporates GHG reduction measures. To help track progress toward the goals established in the CAP, the Town publishes annual community greenhouse gas (GHG) emissions estimates through the Marin Climate & Energy Partnership (MCEP). Annual inventories help the Town to more closely monitor its progress in meeting its local goal to reduce community emissions 15 percent below baseline (2005) emissions by 2020 and to meet the statewide goal to reduce emissions 40 percent below 1990 levels by 2030. According to MCEP, the Town of Ross has reduced emissions 29 percent since 2005 and has met its 2020 goal. Emissions dropped from about 15,603 metric tons carbon dioxide equivalents (MTCO₂e) in 2005 to 11,082 MTCO₂e in 2019 (MCEP, 2021). Ross needs to reduce emissions another 3,060 MTCO₂e to meet the State target for 2030.

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a and b. Potentially Significant Impact. As a long-range plan, the Proposed Project would be assumed to have a less than significant impact related to GHG emissions if the Town has a qualified GHG Reduction Strategy that demonstrates consistency with established SB32 and EO B-55-18 targets. While the Town's CAP sets out a pathway to reducing GHG emissions by 15 percent below 2005 levels by the year 2020, it does not demonstrate consistency with targets for 2030 and 2045. Therefore, GHG emissions from the Proposed Project will be quantified and analyzed in further detail in the EIR. Consistency with the CARB Scoping Plan will also be analyzed.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.I 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Ross is a quiet residential community of 880 homes. According to State databases, there are no recorded hazardous materials sites in or adjacent to the Town limit and the principal hazardous substances in the community are cleaning supplies, and landscaping chemicals. Given that 44 percent of the homes in Ross were built before 1939, asbestos and lead-based paints may be present in some existing structures. A variety of federal, State and local regulations governs the handling, transport and disposal of hazardous materials in Ross.

a thru c. Less than Significant Impact. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites and would not involve the transport, use, or disposal of significant quantities of hazardous materials. Demolition or development under the Proposed Project may involve the handling and transport of could result in the need to handle and transport asbestos or lead based paints; however, such activities are subject to various federal, State, and local regulations, including BAAQMD regulations pertaining to asbestos abatement; Construction Safety Orders 1529 (pertaining to asbestos) and 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations; Part 61, Subpart M of the Code of Federal Regulations (pertaining to asbestos); and lead exposure guidelines provided by the United States Department of Housing and Urban Development. Asbestos and lead abatement must be performed and monitored by contractors with appropriate certifications from the state Department of Health Services. Construction activities may involve the use of diesel-powered equipment or the application of architectural coatings, but not at levels that could create a significant hazard to the public or environment. Similarly, once constructed, the residents of new homes constructed pursuant to the Proposed Project may use cleaning solvents or landscaping chemicals, but not at levels that could create a significant hazard to the public or environment. Overall, any transport, use, storage, and disposal of hazardous materials would be required to comply with existing regulations established by several agencies, including the Department of Toxic Substances Control, the US Environmental Protection Agency (EPA), the US Department of Transportation, and the Occupational Safety and Health Administration. The construction and operation of housing generally does not involve the release -- accidental or otherwise -- of hazardous materials that would create a significant hazard to the public, nor would it involve emitting or handling acutely hazardous materials or wastes in the vicinity of schools. Overall, compliance with existing regulations would result in a less than significant impact.

d. No Impact. A significant impact would occur if development under the Proposed Project is 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. The California Department of Toxic Substances Control's EnviroS-tor database which, pursuant to Government Code Section 65962.5, lists Federal Superfund, State Response, Voluntary Cleanup, School Cleanup, Hazardous Waste Permit, and Hazardous Waste Corrective Action site, and the State Water Resources Control Board's GeoTracker database, which tracks authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks. According to the database, there are no hazardous materials sites located in the Town of Ross. Therefore, there would be no impact.

e. No Impact. There are no public airports within two miles of the town limits. The nearest airport is the San Rafael Airport located approximately eight miles north of the town. The Proposed Project generally involves small-scale residential development on previously developed parcels within the Town limit. Therefore, implementation of the Proposed Project would result in no impact related to airport hazards.

f. Potentially Significant Impact. The Town of Ross has adopted an Emergency Operations Plan and a Local Hazard Mitigation Plan with strategies to address emergency evacuation scenarios. The risk of natural hazards, including flooding and wildfire, is present in Ross, where evacuation was necessary as a result of flooding as recently as 2017. Implementation of the Proposed Project could result in construction of up to 146 new housing units in Ross. While new housing would largely be on or near the Valley floor, some development in hillside areas with small winding roads is likely. Further, Sir Francis Drake Boulevard, the principal evacuation route in Town, is located within the 100-year flood plain and could be obstructed in the event of a natural disaster. The Safety Element Update, a component of the Project, will involve additional analysis and strategies to address emergency evacuation scenarios. The potentially significant impacts from Project implementation and the effectiveness of new Safety Element strategies will be analyzed in the EIR.

g. Potentially Significant Impact. The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas in Marin County with significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), are classified by the CAL FIRE Director in accordance with Government Code Sections 51175-51189 to assist responsible local agencies identify measures to reduce the potential for losses of life, property, and resources from wildland fire. As shown on Figure 2, a portion of a parcel in the southwest of Ross is within a VHFHSZ delineated by CAL FIRE. Additionally, much of the area of Ross west of Sir Francis Drake Boulevard is located in a High Fire hazard Severity Zone. All new development would be required to comply with the fire protection provisions of the California Building Code and the Town Code; however, given the extent of wildfire hazard in Ross, Project implementation would involve risk of exposure of people and structures to wildland fires. This is a potentially significant impact that will be analyzed in further detail in the EIR.

	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.J Hydrology and Water Quality. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Throughout recorded history there has been widespread flooding in low-lying areas of Ross near Corte Madera and Ross Creek. The 100-year storms in 1982, 1986 and 2006 were particularly severe but even less severe storms can create local flooding problems. The floods affected a large number of properties near Corte Madera and Ross Creeks. During the New Year's Eve Flood of 2005, there was massive and widespread flooding in the low-lying areas of town when the creek overflowed its banks in Ross and San Anselmo. Figure 2 identifies the 100-year and 500-year flood zones in Ross.

The Ross Valley Watershed and Flood Protection Program was initiated after the 2005 New Year's Eve flood in partnership with Ross Valley's four cities and towns as well as environmental, business and community organizations. The program has a 10 Year Work Plan that will create a 25-Year-Flood level of flood protection. This is the first phase of a 20-year program to achieve a 100-Year-Flood level of protection. The program is funded through the Ross Valley Watershed Storm Drain-age fee assessed on property owners throughout the watershed. This locally generated funding source provides the local match necessary to leverage state and federal agency grants, which are needed to fully fund the program. The overall cost of the program is currently estimated at \$130 million. In addition to structural solutions, the Town enacted Municipal Code Chapter 15.36, Flood Damage Prevention, which applies to all areas with special flood hazards identified and mapped by the Federal Emergency Management Agency's Flood Insurance Study. These programs impose development restrictions on properties susceptible to flooding and required owners to purchase flood insurance for the acquisition and/or construction of buildings in the Special Flood Hazard Area.

a. Less than Significant Impact. A significant impact would occur if the Proposed Project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. Development would be required to adhere to

all applicable federal, State, and local regulations. Construction activities must comply with the NPDES Construction General Permit which requires standard erosion control measures and BMPs identified in a Stormwater Pollution Prevention Plan (SWPPP) and implemented during construction to reduce sedimentation in waterways and any loss of topsoil. Development associated with the Proposed Plan would also be required to comply with the Town's MS4 requirements and prepare a stormwater control plan, which would require construction-site control and erosion control BMPs to reduce impacts related to stormwater runoff. The Town's Urban Runoff Pollution Prevention Ordinance (Chapter 12.28) requires development projects to maintain or reduce the volume of runoff as compared to pre-development stormwater runoff through stormwater management controls and ensuring that these management controls are properly maintained. Conformance with federal, State, and local regulations would ensure that future projects would not result in increased rates or amounts of surface runoff, exceed the capacity of existing or planned stormwater drainage systems, or impede or redirect flood flows. Therefore, implementation of the Proposed Project would result in less than significant impacts related to water quality and waste discharge.

b and c. Less than Significant Impact. A significant impact would occur if the Proposed Project would substantially decrease groundwater supplies, interfere with groundwater recharge, or alter the existing drainage pattern of the site. Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites. All development pursuant to the Proposed Project would be subject to the applicable provisions of Chapter 15.54 of the Town Code regarding low impact development for stormwater management and drainage plans. Provisions stipulate that no connections to the Town storm drain system without prior treatment to clean, filter, and slow the speed and amount of water leaving a property. Additionally, projects subject to a building permit of \$250,000 or more and that may result in an increase in stormwater runoff are subject to a no net increase standard, meaning they must produce no net increase in the rate and volume of peak runoff from the site compared to pre-project conditions. Compliance with these regulations would ensure that future development under the Proposed Project would not result in substantial increases of impervious surfaces such that groundwater recharge would be hindered, or the existing drainage pattern of the Town would be altered. Therefore, implementation of the Proposed Project would result in less than significant impacts related to groundwater and drainage patterns.

d. Less than Significant Impact. Figure 2 shows Special Flood Hazard areas in Ross, as defined on maps prepared by the Federal Emergency Management Agency (FEMA). Implementation of the Proposed Project would primarily involve facilitation of smaller scale housing construction in established neighborhoods on existing lots and infill sites, some of which are located within or adjacent to Special Flood Hazard areas, including the 100-year flood plain. Development in Special Flood Hazard areas is regulated by the standards in Chapter 15.36 of the Town Code, which requires that buildings be protected against flood damage at the time of initial construction; restricts the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters; and establishes standards for filling, grading, dredging, and other development activities which may increase flood damage. Additionally, as noted above, all development pursuant to the Proposed Project would be subject to the applicable provisions of Chapter 15.54 of the Town Code regarding

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stormwater management and drainage control, which would help ensure no net increase in the rate and volume of peak runoff from the site compared to pre-project conditions. Compliance with these regulations would limit the risk of loss and damage due to flooding to the maximum extent practicable and associated impacts would be less than significant with compliance.

There would be no impact with respect to tsunamis, given that Ross is located about 15 miles inland from the Pacific Ocean and outside any tsunami hazard zone (DOC, 2019). A seiche is a temporary disturbance or oscillation in the water level of a landlocked body of water (such as a lake) that may be caused by seismic activity. At some locations and times, the resulting oscillations and currents can produce hazardous or even destructive conditions. The only sizable body of water with the potential for seiche in the vicinity of Ross is Phoenix Lake; however, given its location in Marin Water District opens space lands in the hills to the west of the town and its distance from development that may occur with Project implementation, the risk of loss or damage due to seiche is minimal and impacts would be less than significant.

e. No Impact. As discussed above, future development under the Proposed Project would be required to adhere to all applicable federal, State, and local regulations with respect to stormwater pollution control, which would reduce the potential for stormwater pollution to the maximum extent practicable. There are three primary groundwater basins in Marin County that include the Novato Valley Subbasin, Sand Point Area Subbasin, and the San Rafael Valley Subbasin. The California Sustainable Groundwater Management Act (SGMA) requires governments and water agencies of high and medium priority basins to prepare Groundwater Sustainability Plans to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Since the groundwater basins within Marin County have been ranked by the Department of Water Resources (DWR) as low priority, there are no requirements for the County to prepare a Groundwater Sustainability Plan at this time. For these reasons, future development under the proposed project would not substantially degrade water quality or conflict with a sustainable groundwater management plan, and no impact would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.K Land Use and Planning. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Home to 2,453 residents, the Town of Ross is the second smallest jurisdiction in Marin County, encompassing just 1.6 square miles. The town is largely developed with single-family homes with no vacant parcels on the valley floor. At the heart of the community is the Ross Common, located just west of Sir Francis Drake Boulevard and flanked by the Ross Post

Office, the Ross School, and the downtown commercial area. The Ross Civic Center, comprised of the Town Hall and Public Safety Building, is located just north of the Post Office on the west side of Sir Francis Drake, while on the opposite side street is the Marin Art and Garden Center, an 11-acre site that features gardens and historic buildings, added to the National Register of Historic Places in 2022. Other notable land uses in Ross include the Branson School, the Lagunitas Country Club, and Saint Anselms Church. Much of the rest of the community is made up of single-family neighborhoods with a dense tree canopy. The lots on the flat land of the valley floor tend to be smaller, with large lots in the hilly terrain further away from the center of the community. Overall, residential uses account for 657.3 acres, commercial uses occupy 20.3 acres, and institutional uses occupy 1.6 acres. Vacant land accounts for 145.6 acres; however, this is predominantly located in areas of steep terrain.

a. Less than Significant Impact. The physical division of an established community typically refers to the construction of a linear feature, such as an interstate highway or railroad tracks, or removal of a means of access, such as a local bridge that would impact mobility within an existing community of between a community and outlying area. The Project does not involve any such features and would not remove any means of access or impact mobility. Implementation of the Proposed Project would facilitate residential development required to meet the Town's RHNA allocation, consisting primarily of small scale, infill housing on previously developed lots within the Town limit. As such, the Proposed Project would not physically divide an established community and impacts would be less than significant.

b. No Impact. Implementation of the Proposed Project would not require amendments to the General Plan Land Use Diagram or the Town of Ross Zoning Map. To accommodate the RHNA allocation, the Proposed Housing Element identifies strategies and programs to support above moderate housing, promote workforce housing, and promote ADUs/JADU production. Such programs will require amendments to the Town Code that add objective development standards, permit allowable floor area ratio (FAR) to be calculated on the basis of total site area rather than per parcel, reduce the rear setback requirements, eliminate the requirement for covered parking spaces to serve caretaker units, and revise the parking requirements for multi-family developments. However, the Proposed Project would not require rezoning of the Town's land use districts. Future residential projects consistent with the Proposed Project will be required to comply with the policies in the General Plan regarding land use and Town Code requirements associated with zoning districts, allowable uses, and development standards. All future residential development occurring within the town would be required to be evaluated in accordance with local regulations, including the General Plan and Town Code. Therefore, implementation of the Proposed Project would have no impact in regard to conflicts with a land use plan, policy, or regulation adopted to avoid an environmental effect.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.L 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The State requires local jurisdictions to adopt policies that restrict designated mineral resource sites from premature development and protect surrounding communities from impacts associated with mineral extraction. The purposes of such State policies include encouraging extraction of necessary mineral and construction commodities in locations reasonably close to their markets and ensuring that mined lands are reclaimed to minimize adverse effects on the environment and public health. Furthermore, local governments have a responsibility to protect the public health and safety of their residents by requiring that only legal mining and material transport and handling activities are conducted, and that the impacts of such operations are adequately mitigated using the best available management practices.

The State Mining and Geology Board maintains information on mineral deposits of statewide or regional significance. The North Bay region, comprising Sonoma, Marin, and Napa counties, places an ongoing demand on crushed stone and alluvial deposits for construction materials, including asphaltic concrete, aggregate, road base and sub-base, and Portland cement concrete. However, there are no mineral preservation sites located in the Town of Ross (Marin County Community Development Agency, 2014).

a and b. No Impact. Mineral resources in the Town of Ross are limited to gravel and stone. However, there are no mineral preservation sites located in the Town of Ross as noted in the Marin Countywide Plan (Marin County Community Development Agency, 2014). Thus, the Proposed Project would not result in the loss or availability of a known mineral resource that would be of value to the region and the residents or the state. In addition, no locally important mineral resource recovery sites are delineated in the General Plan or other land use plans. Therefore, adoption of the Proposed Plan would result in no impact to mineral resources.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.M Noise. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Ross is a quiet residential community. The primary source of noise is motor vehicles on roadways in the town, including Sir Francis Drake Boulevard, a regional arterial that bisects Ross. The Town of Ross aims to minimize noise pollution through General Plan policies and regulations in the Town Code. General Plan policies establish standards for noise/land use compatibility, noise in exterior residential use areas, interior noise, noise generated by commercial projects, and traffic and construction noise. These policies identify normally acceptable, conditionally acceptable, and clearly unacceptable ranges of noise exposure. Projects that may exceed these standards require mitigation. The Town's Unnecessary Noise Ordinance (Chapter 9.20) establishes standards for acceptable exterior and interior noise levels and vibrations and describes how noise shall be measured.

a-b. Potentially Significant Impact. Implementation of the Proposed Project would result in construction activities on existing lots and infill sites in established neighborhoods. Chapter 9.20 of the Town Code limits construction hours to prevent unnecessary noise from construction, but noise impacts could potentially result from construction during permitted hours and will be analyzed at a programmatic level in the EIR. Additionally, noise modeling will be conducted to determine if noise levels in excess of standards established in the General Plan and Town Code could be exceeded as a result of project implementation, either cumulatively or as a result of project implementation. Construction activities in hillside areas, special flood hazard areas, and areas of liquefaction risk may require the use of equipment that could generate vibration. Therefore, associated impacts will also be analyzed at a programmatic level in the EIR.

c. No Impact. The Town of Ross is not located within the vicinity of a private airstrip or airport land use plan, or where such a plan has not been adopted, is not located within two miles of a public airport or public use airport. Therefore, future development consistent with the Proposed Project would not expose people residing or working in the project area to excessive noise levels, and no impact would occur.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.N Population and Housing. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The Regional Housing Needs Assessment (RHNA) is a State-mandated process intended to ensure every city, town, and county plans for enough housing production to accommodate future growth. The State of California Housing and Community Development Department (HCD) assigns each region of the state an overall RHNA allocation. For the nine-county Bay Area region, Association of Bay Area Governments (ABAG) then distributes a “fair share” portion of that allocation to each local jurisdiction. Each jurisdiction must then identify adequate sites with a realistic capacity for development sufficient to meet this RHNA.

For the 2023-2031 period, Ross must identify sites sufficient to accommodate at least 111 new housing units between 2023 and 2031, with a specific number of units designated as affordable to each income category, as shown in Table 1. This determination is based on population projections produced by the California Department of Finance and the application of specific adjustments to determine the total amount of housing needs for the region. The RHNA does not specifically break down the need for extremely-low-income households. As provided by State law, the housing needs of extremely-low-income households, or those making less than 30 percent of area median income (AMI), is estimated as 50 percent of the very-low-income housing need.

The timing for jurisdictions to update their housing elements is based on the update schedule of the regional transportation plans (RTPs) by the federally designated metropolitan planning organizations (MPOs). The Town of Ross is a member of ABAG, which is the designated MPO for the region. ABAG is required to update its Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) every four years, which puts all member jurisdictions on a schedule to update their housing elements every eight years. Plan Bay Area combines these three initiatives into a single, integrated regional plan. For example, RTPs traditionally include land use projections. Plan Bay Area’s distribution of growth is the SCS. Senate Bill 375 also stipulates that the SCS will identify areas to accommodate the RHNA. State law requires that the RHNA follow the development pattern specified in the SCS.

a. Less than Significant Impact. The implementation of the Proposed Project would facilitate construction of new housing to meet Ross’ RHNA obligations. As such, the resulting increase in population and housing units would not be considered substantial unplanned growth as it would be consistent with regional planning projections and it would occur incrementally over a period of 8 years. Further, the Proposed Project generally involves small scale infill

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development within the town limit and does not propose the extension of roads or infrastructure into undeveloped areas. Therefore, the Proposed Project would result in a less than significant impact associated with population growth, either directly or indirectly.

b. No Impact. The proposed project would facilitate the provision of housing to meet the projected need at all income levels in Ross. The proposed project also includes measures to preserve the existing housing stock, especially affordable units, such as by providing amnesty for unpermitted ADUs. Development under the proposed project would increase housing supply in the community at all income levels and help prevent displacement. Therefore, it would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and no impact would occur.

	Potentially Significant Im- pact	Potentially Significant Unless Mitigated	Less than Significant Im- pact	No Impact
13.O Public Services. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The Ross Valley Fire Department (RVFD) is a consolidated department that services Ross, San Anselmo, Sleepy Hollow, and Fairfax. RVFD currently has 33 full-time paid employees: 1 fire chief, 3 battalion chiefs, 12 captains, 15 firefighter/engineers, 1 administrative assistant and 1 fire inspector. In addition, RVFD has an active volunteer force of 15 members (RVFD, 2013). Located at 33 Sir Francis Drake Boulevard in Ross, the historic Ross Fire Station 18 was built by the Town of Ross in 1926. Fire Station 18's daily on-duty emergency response personnel consist of a Fire Captain and an Engineer/Firefighter. The station houses one first due Type 1 Fire Engine (structural firefighting) and a reserve Type 1 Fire Engine, which can be staffed by off-duty and volunteer personnel as needed. Additionally, the fire station houses the Ross Valley Paramedic Authority transport ambulance, Medic 18, staffed with two paramedic firefighters.

The Ross Police Department, located at 33 Sir Francis Drake Boulevard, provides 24-hour law enforcement services to the Town of Ross. Personnel include the Chief of Police, two police sergeants, and two police officers.

The Ross School District is a single-site school district and served 376 students in kindergarten through eighth grade in the Town of Ross during the 2020-2021 enrollment year (Ross School District, 2021). Enrollment for the school district has decreased slightly over the past few years, with a total of 394 students during the 2018-2019 school year and 383 students during the 2019-2020 school year. The Marin County Office of Education (MCOE) collaborates with the county's 17 school districts by providing financial oversight and centralized services in the areas of business, technology, professional development, emergency services, maintenance, and operations. As shown in Table 5, the MCOE also uses a student generation rate of .2 used to determine school facility needs throughout its service area.

Table 5: MCOE Student Generation Rates

<i>Dwelling Type</i>	<i>Student Generation Rates</i>
Multi-Family Dwellings – Apartments, Condominiums	0.2
Single Family Detached Homes, Townhouses	0.2
Below Market Rate – Apartments, Condominiums, Townhouses	0.2

Source: MCOE, 2022

According to the Town of Ross General Plan, public parks and open space account for 50.47 acres or 6.4 percent of the land uses. This translates into about 20.7 acres of parkland per 1,000 residents. Current and future residents of Ross also have access to community facilities within the town, including the Ross Recreation Center and school spaces that could be used for community activities. The nearest public library to Ross is the Fairfax Library, about three miles north of Ross.

a (I and ii). Less than Significant Impact. Implementation of the Proposed Project would involve construction of up to 148 housing units throughout the town, consisting primarily of small scale, infill housing on previously developed lots within the Town limit. The increased local population generated by the Proposed Project would likely result in an increase in calls for fire and emergency medical service compared to existing conditions. However, development would take place incrementally over the 8-year planning period and be concentrated primarily in central infill areas with fire and police access. The redevelopment of the Public Safety Building as part of the Civic Center Master Plan would involve construction of new facilities for the Police Department and the relocation of Fire Station 18 to other existing facilities in nearby San Anselmo and Fairfax. As such, the Proposed Plan would not require the construction of new police and fire facilities over and above those already anticipated in the Civic Center Master Plan. Impacts would be less than significant.

a (iii). Less than Significant Impact. Implementation of housing programs in the Proposed Project would involve construction of up to 148 housing units throughout the town. While many of these new housing units would be ADUs and smaller apartments for singles and seniors, it is reasonably foreseeable that some of these units would support families with children

that may attend the Ross School District. To calculate student potential for new development under the Proposed Project, the applicable student generation rate of 0.2 per dwelling unit (as provided in Table 5) is applied to project buildout of 146 units. Thus, implementation of the Proposed Project could result in an additional 30 students attending the Ross School District over the planning period. New students of various ages would be enrolled incrementally over the 8-year planning period. Therefore, in view of the school's recent enrollment trend, the incremental increase in enrollment resulting from the Proposed Project would not necessitate the construction or expansion of new school facilities and this impact would be less than significant. Further, development under the Proposed Project would be also required to comply with SB 50, which mandates statutory school facilities fees for residential developments. Compliance with SB 50 would financially offset impacts on Ross School District capacity and would provide funding for potential future school facility development needs associated with the Proposed Project-related population increase.

a (iv). Less than Significant Impact. Implementation of housing programs in the Proposed Project would involve construction of up to 148 housing units throughout the town, consisting primarily of small scale, infill housing on previously developed lots within the Town limit. Chapter 17.44.020 of the Ross Town Code establishes a ratio of 5 acres of parkland per thousand residents. As described above, Town parks and open spaces in Ross total over 54.7 acres, which translates into about 20.7 acres of parkland per 1,000 residents. Thus, implementation of the Proposed Project would not trigger the need to construct new parks in order to maintain established services ratios. Impacts would be less than significant.

a (v). Less than Significant Impact. Other public facilities typically include libraries, hospitals, and administrative buildings. As described above there are no libraries and no hospitals in Ross and the construction of up to 148 new homes over the 8-year planning period would not be of a magnitude that would trigger the need for new or expanded facilities elsewhere in the county. As described above, redevelopment of the existing Town Hall and administrative building, which is aging and in need of extensive repair, is planned and the Proposed Project would not require the construction of other public services facilities over and above those already planned. As such, impacts would be less than significant.

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	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
I3.P Recreation. Would the project:				
a. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. As described above, there are over 54.7 acres of parks and open space in Ross. Town residents also have access to the Ross Recreation Center and nearby County recreational facilities, including a public pool in the adjacent town of Kentfield, and to State parks and Marin County Open Space District lands.

a and b. Less than Significant Impact. Project implementation would result in increased use of parks and recreational facilities in the Town and the surrounding area; however, given the extent of existing facilities in Ross and the surrounding area and that development under the proposed project would result in up to 148 new housing units incrementally over the planning period, population growth with implementation of the Proposed Project would not be expected to result in the substantial physical deterioration of existing facilities or to require construction or expansion of recreational facilities to meet the needs of new residents. Therefore, a less than significant impact associated with the provision of new or expanded recreational facilities would occur.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
I3.Q Transportation. Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The Town of Ross primarily accommodates vehicular travel given that there are no existing public transit services. Sir Francis Drake Boulevard, which bisects the Town of Ross,

is the major east-west arterial from West Marin to Highway 101. According to the Town's 2018 Bicycle & Pedestrian Plan, Ross is home to 1.15 miles of signed bicycle routes on Shady Lane/ Lagunitas Road and 0.16 miles of the Corte Madera Creek Path. There are also approximately 5.3 miles of existing sidewalks in Ross, and they are concentrated in downtown and residential areas designated as medium density. General Plan measures are in place to keep the town's streets and walkways safe for adults, children, pedestrians, bikers, and the disabled. The Town has worked to develop safe bicycle routes and provided bicycle racks in public areas, including the Downtown, parks, schools and the post office. In addition, the Town also coordinates with Ross School on the Safe Routes to Schools Program and is implementing pedestrian and biking improvements along Sir Francis Drake, Shady Lane, Laurel Grove, and other main arteries in Ross.

With the passage of SB 743 (September 27, 2013) and the subsequent adoption of revised California Environmental Quality Act (CEQA) Guidelines in 2019, level of service (LOS) can no longer be used as a criterion for identifying significant transportation impacts for most projects under CEQA. LOS measures the average amount of delay experienced by vehicle drivers at an intersection during the most congested time of day, while the new CEQA metric (vehicle miles traveled, or VMT) measures the total number of daily miles traveled by vehicles on the roadway network and the impacts on the environment from those miles traveled.

In other words, SB 743 changes the focus of transportation impact analysis in CEQA from measuring impacts to drivers, to measuring the impact of driving. Land use projects with one or more of the following characteristics would have lesser VMT impacts: higher land use densities, mix of project uses, support of a citywide jobs-housing balance (i.e., provide housing in a job rich area, or vice versa), proximity to the core of a region, proximity to high quality transit service, or located in highly walkable or bikeable areas. This shift in transportation impact criteria is expected to better align transportation impact analysis and mitigation outcomes with the state's goals to reduce GHG emissions, encourage infill development, and improve public health through more active transportation.

For residential projects, The Governor's Office of Planning and Research (OPR) indicates that VMT per capita should be used as the metric to determine whether a proposed project may cause a significant transportation impact. For the purposes of this assessment, based on CEQA and OPR guidance, VMT impacts would be significant if new residential development that does not meet one of the above screening thresholds would exceed the following threshold:

- Residential Uses: Home VMT per resident exceeds 15% below baseline Town VMT per resident

The VMT forecasts generated for this Proposed Project CEQA assessment were produced using the Transportation Authority of Marin Demand Model (TAMDM). For this CEQA assessment, the 2015 base year for TAMDM was updated and validated for a new 2019 base year for the City of San Rafael General Plan Update. A key reason for applying the updated 2019 base year is that it includes the SMART rail system that was not in place in 2015. This analysis

includes a 2040 No Project scenario that is based on the TAMDM horizon year and reflects land use changes and transportation improvements consistent with the San Rafael General Plan 2040 adopted in 2021. The 2019 base year model developed for the San Rafael General Plan Update was validated based on model confidence thresholds defined in the California Transportation Commission 2017 RTP guidelines. VMT estimates were produced using the updated 2019 TAMDM model for all 1,400 analysis zones within Marin County as well as for the entire Bay Area.

a. Less than Significant Impact. New residential development under the Proposed Project would typically be expected to result in additional vehicular trips and the increased use of streets (for all modes of transportation). Applicable local regulations and plans related to transportation include the Town's General Plan, Town Code, and the Town of Ross Bicycle & Pedestrian Plan. Implementation of the Proposed Project would result in the development of 146 housing units, primarily comprised of small-scale infill housing within urbanized areas and on existing single family residential lots. Several sites identified for development would be located in or near downtown Ross and along Sir Francis Drake Boulevard, which is an important transit corridor for the region. Thus, the Proposed Project's development pattern is relatively transit oriented.

The Town's General Plan policies encourage the provision of safe streets, adequate parking, and transportation alternatives to the private automobile, such as carpooling and pedestrian and bicycle improvements. Chapter 18.41, Design Review, of the Town Code states that developments should encourage multi-modal transportation and pedestrian-friendly neighborhood character. In addition, good access, circulation, and off-street parking should be provided consistent with the natural features of the site. Access ways and parking areas should be in scale with the design of buildings and structures on the site. Off-street parking should be screened from view. The goals of the Bicycle & Pedestrian Plan include increasing bicycle and pedestrian access, making the bicycle an integral part of daily life in Ross, and encouraging walking as a daily form of transportation.

Development under the Proposed Project would be consistent with such policies and regulations by increasing housing opportunities in already urbanized areas which is an integral part of VMT reduction and encouraging transportation alternatives, such as walking and biking (proposed policies 3.2, 3.3, and 3.4 and proposed programs 2-B, 2-C, 3-A, 3-B, 3-D, and 3-K). The Proposed Project's criteria for selecting Housing Opportunity areas includes adequate pedestrian, neighborhood service, and neighborhood facility access which support multi-modal mobility that could result in fewer vehicle trips compared to the current more auto-oriented development pattern. Further, parking requirements will be amended under the Proposed Project to support the financial feasibility of workforce housing. Development would continue to ensure that parking will be designed to be out of public view (proposed Program 3-C). As a result, future development consistent with the Proposed Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, adoption of the Proposed Project would result in a less than significant impact related to conflicts with transportation plans.

b. Potentially Significant Impact. CEQA Guidelines Section 15064.3, subdivision (b) establishes that vehicle miles traveled (VMT), which measures the total number of daily miles traveled by vehicles on the roadway network, shall be used as the metric for evaluating transportation impacts on the environment. The Town of Ross has not adopted thresholds for VMT impacts under CEQA; therefore, this analysis relies upon the recommendations contained in the 2018 Governor's Office of Planning and Research (OPR), Technical Advisory on Evaluating Transportation Impacts in CEQA. For residential projects, OPR indicates that VMT per capita should be used as the metric to determine whether a proposed project may cause a significant transportation impact. For the purposes of this assessment, based on CEQA and OPR guidance, VMT impacts would be significant if new residential development under the Proposed Project would exceed the following threshold: Home VMT per resident exceeds 15 percent below baseline Town VMT per resident.

VMT forecasts were generated for the Proposed Project using the Transportation Authority of Marin Demand Model (TAMDM). For this CEQA assessment, the 2015 base year for TAMDM was updated and validated for a new 2019 base year for the City of San Rafael General Plan Update. A key reason for applying the updated 2019 base year is that it includes the SMART rail system that was not in place in 2015. This analysis includes a 2040 No Project scenario that is based on the TAMDM horizon year and reflects land use changes and transportation improvements consistent with the San Rafael General Plan 2040 adopted in 2021. The 2019 base year model developed for the San Rafael General Plan Update was validated based on model confidence thresholds defined in the California Transportation Commission 2017 RTP guidelines. VMT estimates were produced using the updated 2019 TAMDM model for all 1,400 analysis zones within Marin County as well as for the entire Bay Area. As indicated on Table 2 above, the Proposed Plan would result in a 12 percent reduction in per capita VMT as compared to 2019 baseline conditions. This is because development under the Proposed Project would consist of up to 148 housing units throughout the town, primarily small scale, infill housing on previously developed lots within the Town limit. Nevertheless, this reduction would still exceed the threshold of 15 percent below baseline Town VMT per resident prior to mitigation. As such, this is a potentially significant impact that will be analyzed in further detail in the EIR.

c and d. Less than Significant Impact. Implementation of the Proposed Project would involve construction of up to 148 housing units throughout the town, consisting primarily of small scale, infill housing on previously developed lots within the Town limit. While the Project does not specifically propose the construction or realignment of any roadways, access improvements may be needed to accommodate new housing on some proposed housing sites. However, all such access improvements would be required to comply with applicable provisions of the Town Code, including Chapter 17.20 which requires that the standard design of the layout of new roadways conform to "Standard Specifications for Cities and County of Marin (June 1992)" and "Uniform Construction Standards – All Cities and County of Marin (June 2018)," and the Ross Valley Fire Department Fire Prevention Standards, which include provisions for premises identification, residential turn arounds, vegetation management, and fire road access gates. Compliance with these regulations and standards would ensure that impacts related to roadway design features and emergency access would be less than significant.

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	Potentially Significant Im- pact	Potentially Significant Unless Mitigated.	Less than Significant Im- pact	No Impact
13.R Tribal Cultural Resources. Would the project:				
a. 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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 I 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The 2022 NWIC records search indicates that the Town of Ross contains four recorded Native American archaeological resources. Native American resources in southern Marin County have been found in shoreline areas of San Francisco Bays, and inland on ridges, midslope benches, in valleys, near intermittent and perennial watercourses and near areas populated by oak, buckeye, manzanita, and pine. The Town of Ross is located approximately one half mile west of the historic San Francisco Bay shore and marshland margins, inland and west of Point San Quentin. Current aerial maps indicate a high percentage of densely wooded areas, as well as areas of bare dirt, areas including buildings, roads, landscaped areas, etc. Given the similarity of these environmental factors and the ethnographic and archaeological sensitivity of the Planning Area, NWIC has determined that there is a high potential for unrecorded Native American resources to be within the Town limits.

In accordance with the requirements of Public Resources Code 21080.3.1, the Town contacted the Native American Heritage Commission (NAHC) on April 29, 2022 with a request to facilitate involvement of interested Native American tribes in the planning process and a search of the Sacred Lands File for sites within the Planning Area. A response from NAHC was received on June 7, 2022 stating that a search of the Sacred Lands File to identify sacred lands in the Planning Area was negative and recommending the Town contact two tribal representatives traditionally and culturally affiliated with the project area. Tribes were notified via certified mail and email on June 21, 2022 and formal request for tribal consultation has been received by the Federated Indians of Graton Rancheria. Consultation is ongoing.

a (i and ii). Potentially Significant Impact. Implementation of the Proposed Project would primarily involve development of small scale, infill housing on previously developed lots within the Town limit and generally not on previously undisturbed sites. SB9 candidate housing sites have been screened to confirm they do not contain known historic or tribal cultural resources based on information available to the Town. Further, all development under the Proposed Plan would be required to comply with existing regulations, including CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98, and provisions of the Town Code which stipulate protocols that must be followed in the event of discovery of archaeological resources, tribal cultural resources, and human remains. Nevertheless, given the high potential for as yet undiscovered resources in Ross and the ongoing tribal consultation, it cannot be definitively determined that no significant impact will result at this stage, even with regulatory compliance. Therefore, impacts related to tribal cultural resources remain potentially significant and will be analyzed in further detail in the EIR.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.S Utilities and Service Systems. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The Marin Municipal Water District (MMWD) supplies water to the Town of Ross. Most of the District's water supply comes from a network of seven local, rain-fed reservoirs. This supply is supplemented with water from Sonoma County Water Agency (SCWA or Sonoma Water), which provides surface water from the Russian River and to a lesser extent groundwater from the Santa Rosa Plain Subbasin of the Santa Rosa Valley Basin (California Department of Water Resources [DWR] Basin No. 1-55.01). Some recycled water is also used

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for non-potable uses such as landscape irrigation, cooling towers, car washes, and toilet flushing (MMWD, 2020).

The Central Marin Sanitation Agency (CMSA) treats wastewater from the central Marin County area, including Ross Valley. The CMSA plant has a permitted dry weather treatment capacity of 10 million gallons per day (mgd) and flows of 7.5 mgd. The plant's wet weather capacity is 90 mgd, and in 2010, the agency expanded the plant's wet weather capacity to over 125 mgd (CMSA, 2018).

Pacific Gas and Electric (PG&E) provides natural gas and electric infrastructure in the town. In addition, the Town of Ross Public Works Department oversees the management, maintenance and construction of public facilities and infrastructure and the public rights-of-way. This includes oversight, management and supervision of private contractors who perform capital projects and maintenance on storm drains. Public Works operations staff provides maintenance and complete minor repairs of the Town's basic infrastructure including catch basin cleaning and storm drainage system and storm drain repairs.

Ross contracts with Marin Sanitary Service (MSS) for waste and recycling collection and handling. Demolition and construction waste is handled by Marin Sanitary Service's Resource Recovery Center. MSS also owns and operates the Marin Recycling Center. MSS transports the Town's non-recyclable waste to Redwood Landfill located just north of Novato, which is the only permitted landfill operating in the county. The landfill's maximum permit capacity is 19,100,000 cubic yards with a remaining capacity of 26 million cubic yards. The maximum permitted intake at the landfill is approximately 2,300 tons per day (CalRecycle, 2021).

a - c. Less than Significant Impact. New residential development under the Proposed Project would increase demand for utilities and service systems involving water, wastewater treatment storm water drainage, and solid waste disposal. The Marin Municipal Water District (MMWD) supplies water to the Town of Ross. In 2020, MMWD prepared an Urban Water Management Plan to ensure that sufficient water supplies are available to meet existing and future water needs, and that steps are in place should a critical water shortage occur. The UWMP accounts for ABAG projections through 2040 (MMWD, 2020). Therefore, sufficient water supply is available to serve development under the Proposed Project during normal, dry, and multiple dry years. Further, no additional infrastructure over and above that already planned in the UWMP would be required to serve development under the Proposed Project.

Similarly, the Central Marin Sanitation Agency (CMSA) utilizes development projections contained in the general plans of the cities, towns, and unincorporated areas of Marin County to plan for future growth-related demand for wastewater treatment (CMSA, 2018). CMSA services an area that includes San Rafael, Mill Valley, and the Ross Valley. While the Proposed Project could involve development of up to 148 new housing units by 2031, this represents a relatively small increase with respect to the total available capacity. As such, there would be sufficient sewer capacity to serve development under the Proposed Project.

Given that development under the Proposed Project would occur primarily in existing residential neighborhoods and on infill sites and that these sites are already served by local stormwater drainage, energy, and telecommunications systems; there would generally not be a need for expansion of existing systems or the construction of new systems. As noted above, new development would be subject to the applicable provisions of Chapter 15.54 of the Town Code regarding stormwater management and drainage control, which would help ensure no net increase in the rate and volume of peak runoff from the site compared to pre-project conditions. Overall, impacts related to adequate water supply, sewer capacity, and extension or construction of utility infrastructure would be less than significant.

d. Less than Significant Impact. According to the California Department of Resources Recycling and Recovery (CalRecycle), the typical solid waste generate rate for single-family homes is between 8 and 12 pounds per day, while the typical rate for multi-family homes is between 4 and 8 pounds per day. Conservatively assuming an average rate of 10 pounds per unit per day and development of up to 148 new housing units by 2031, the Proposed Project would generate 1,460 pounds or 0.73 tons per day. This represents less than 0.03 percent of the average daily permitted capacity of the Redwood Landfill. Further, between 2005 and 2016, solid waste generation in Ross decreased by 15 percent (Town of Ross, 2016 GHG Inventory) with the implementation of various programs and requirements, and residential development under the Proposed Plan would be required to comply with Senate Bill 1883, which requires a 75 percent reduction in organic waste disposal from 2014 levels by 2025. As such, implementation of the Proposed Project would not generate solid waste in excess of established standards or in excess of the capacity of local infrastructure. Impacts would be less than significant.

e. Less than Significant Impact. As described above, between 2005 and 2016, solid waste generation in Ross decreased by 15 percent with the implementation of various programs and requirements, including measures in the 2010 CAP. The Town Code incorporates provisions to insure compliance with State laws governing solid waste reduction and recycling, including the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short- Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle. Chapter 6.12 of the Town Code also requires the diversion of recyclable construction materials from landfill consistent with State law. Development pursuant to the Proposed Plan would be required to comply with all applicable State and local regulations. Therefore, impacts would be less than significant..

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	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.T Wildfire. If located in or near state responsibility areas or land classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The risk of wildfire is real and present in Ross. As noted above and shown on Figure 2, CalFire has mapped a Very High Fire Hazard Severity Zone (VHFHSZ) on a portion of a parcel in the southwest of Ross, and much of the area west of Sir Francis Drake is located in a High Fire hazard Severity Zone. The California Building Code and the Town Code incorporate requirements for new construction to address this risk, and the both the Safety Element of the Town's 2025 General Plan and the Local Hazard Mitigation Plan include strategies to reduce and avoid the potential for loss and damage due to wildfires. Additionally, the Marin Wildfire Prevention Authority (MWPA) is currently in the process of conducting a multi-jurisdictional study that will include an evaluation of residential access (ingress/egress) as well as a risk assessment to inform development of a shared fuel break along the boundary of the wildland-urban interface area, where risk from wildfire is potentially greatest. The Safety Element Update will incorporate strategies to address the risk of wildfire in Ross, leveraging the analysis conducted by MWPA.

a thru d. Potentially Significant Impact. Given the extent of wildfire hazard in Ross, Project implementation would involve risk of exposure of people and structures to woodland fires, expose people to pollutant concentrations from wildfire, or involve construction that could exacerbate fire risk. This is a potentially significant impact that will be analyzed in further detail in the EIR.

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	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
13.U Mandatory Findings of Significance. Does the project:				
a. 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, substantially 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. 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.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Less than Significant Impact. As noted above, implementation of the Proposed Project would have potentially significant impacts related to biological, cultural, historic, and tribal cultural resources that will be analyzed in further detail in the EIR. However, given that the Proposed Project would involve construction of up to 148 new housing units of smaller scale housing primarily in established neighborhoods on existing lots and infill sites, the Project does not have the potential to substantially degrade the quality of the environment, 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, adversely affect rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

b. Potentially Significant Impact. As noted above, implementation of the Proposed Project would have potentially significant impacts related to biological, cultural, historic, and tribal cultural resources as well as to GHG emission, noise, VMT, and wildfire that will be analyzed in further detail in the EIR. The potential for cumulative impacts related to these topics in combination with other past, present, and reasonably foreseeable projects will be considered in the EIR.

c. Less than Significant Impact. As noted above, implementation of the Proposed Project would have potentially significant impacts related to the following resource categories that will be analyzed in further detail in the EIR: biological resources; cultural and historic resources; GHG emissions; noise; VMT; tribal cultural resources; and wildfire. However, given that implementation of the Proposed Plan would involve construction of up to 148 new small scale housing units on primarily in established neighborhoods on existing lots and infill sites,

the Project does not have the potential cause substantial adverse effects on human beings, either directly or indirectly.

14. PREPARATION. THE INITIAL STUDY FOR THE SUBJECT PROJECT WAS PREPARED BY:

Dyett & Bhatia, Urban and Regional Planners, on behalf of the Town of Ross.

15. DETERMINATION. (REDEVELOPMENT DEPARTMENT) BASED ON THIS INITIAL EVALUATION:

- ☐ I find that the Proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☒ I find that the Proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the Proposed Project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the Proposed Project, and nothing further is required.

16. DE MINIMIS FEE DETERMINATION (CHAPTER 1706, STATUTES OF 1990-AB 3158)

- ☐ It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

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- [X] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

17. ENVIRONMENTAL DETERMINATION:

The initial study for this project has been reviewed and the environmental determination, contained in Section V. preceding, is hereby approved:

p.p. Claire Villegas
Director of Planning and Building
Town of Ross

18. REFERENCES

Bay Area Air Quality Management District (BAAQMD)

2017 Air Quality Guidelines. May.

California Air Resources Board (CARB)

2020 Ambient Air Quality Standards. October.

California Department of Conservation (DOC)

2021. California Important Farmland Finder. Available: <https://maps.conservation.ca.gov/DLRP/CIFF/>.

California Department of Conservation (DOC)

2019. California Tsunami Maps and Data. Available: <https://www.conservation.ca.gov/cgs/tsunami/maps>.

California Department of Fish and Wildlife (CDFW)

2022. NCCP Plan Summaries. Available: <https://wildlife.ca.gov/Conservation/Planning/NCCP/Plans>.

California Department of Forestry and Fire Protection (CAL FIRE)

2007 Fire Hazard Severity Zones in SRA – Marin County. Available: https://osfm.fire.ca.gov/media/6709/fhszl_map21.pdf.

California Department of Resources Recycling and Recovery (CalRecycle)

2021a SWIS Facility/Site Activity Details: Redwood Landfill (21-AA-0001). Available: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3054?siteID=1727>.

California Department of Transportation (Caltrans)

2022. California State Scenic Highways. Available: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

Central Marin Sanitation Agency

2018 2017 Facilities Master Plan. Available: https://www.cmsa.us/assets/documents/administrative/2017FacilitiesMasterPlan_FINAL.pdf.

County of Marin

2022 Ross Slope Stability 3 or 4. Available: <https://gisopendata.marincounty.org/datasets/MarinCounty::ross-slope-stability-3-or-4/explore?location=37.960407%2C-122.540047%2C12.83>.

County of Marin

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2020 Williamson Act Parcel. Available: <https://gisopendata.marincounty.org/datasets/MarinCounty::williamson-act-parcel/explore?location=38.016662%2C-122.674500%2C11.71>.

Marin Climate & Energy Partnership (MCEP)

2021 Summary Date for Marin Sustainability Tracker. Available: <http://www.marin-tracker.org/>.

Marin County Community Development Agency

2014 Marin Countywide Plan. Available: https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/county-wide-plan/cwp_2015_update.pdf.

Marin Municipal Water District

2021 2020 Urban Water Management Plan. Available: <https://www.marinwater.org/sites/default/files/2021-06/Draft%20MMWD%20UWMP%202020-1.pdf>.

Ross, Town of

2007 General Plan

2010 Climate Action Plan

2016 2016 GHG Inventory for Communitywide Emissions

2018 Zoning Map

2022 Town Code

Ross School District

2021 School Accountability Report Card 2021. Available at: <https://www.rossbears.org/Page/1102>.

Ross Valley Fire Department (RVFD)

2013 Annual Report 2012-2013. Available at: https://www.rossvalleyfire.org/images/Annual_Report_09_13_Final_Version.pdf.

U.S. Environmental Protection Agency (U.S. EPA)

2022 Basics of Climate Change. Available at: <https://www.epa.gov/climatechange-science/basics-climate-change>

APPENDIX A: SUPPORTING MATERIALS FOR CULTURAL AND TRIBAL CULTURAL RESOURCES

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ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1400 Valley House Drive, Suite 210
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
https://nwic.sonoma.edu

ACCESS AGREEMENT SHORT FORM

File Number: 21-1615

I, the the undersigned, have been granted access to historical resources information on file at the Northwest Information Center of the California Historical Resources Information System.

I understand that any CHRIS Confidential Information I receive shall not be disclosed to individuals who do not qualify for access to such information, as specified in Section III(A-E) of the CHRIS Information Center Rules of Operation Manual, or in publicly distributed documents without written consent of the Information Center Coordinator.

I agree to submit historical Resource Records and Reports based in part on the CHRIS information released under this Access Agreement to the Information Center within sixty (60) calendar days of completion.

I agree to pay for CHRIS services provided under this Access Agreement within sixty (60) calendar days of receipt of billing.

I understand that failure to comply with this Access Agreement shall be grounds for denial of access to CHRIS Information.

Print Name:	Lauren Pepe	Date:	
Signature:			
Affiliation:	Dyett & Bhatia		
Address:		City/State/ZIP:	
Billing Address (if different from above):			
Special Billing Information			
Telephone:	(415) 956-4300	Email:	lauren@dyettandbhatia.com
Purpose of Access:			
Reference (project name or number, title of study, and street address if applicable):			
Data Search for Town of Ross Housing Element Update			
County:	MRN	USGS 7.5' Quad:	San Rafael

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
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May 16, 2022

NWIC File No.: 21-1615

Lauren Pepe
Dyett & Bhatia
Urban and Regional Planners
1330 Broadway, Ste. 604
Oakland, CA 94612

Re: Record search results for the proposed Town of Ross Housing Element Update.

Dear Lauren Pepe:

Per your request received by our office on the 29th of March, 2022, a records search was conducted for the above referenced project by reviewing pertinent Northwest Information Center (NWIC) base maps that reference cultural resources records and reports, historic-period maps, and literature for Marin County. The maps provided depicting the city limits will be used as the project area for this request. Please note that use of the term cultural resources includes both archaeological resources and historical buildings and/or structures.

Ross is a small, incorporated community in Marin County, located approximately 18 miles north of San Francisco. The Planning Area encompasses approximately 1,024 acres. The 2023-31 Ross Housing Element is the Town's plan to address local housing needs. It will identify sites available for housing and include a realistic projection of their capacity, along with policies and programs to address special needs groups and constraints to housing production. For the 8-year planning period, the Town must plan to accommodate 111 new housing units. As a largely built out community with few vacant sites, it is anticipated that the majority of these new units will be accessory dwelling units built on existing single-family lots, with some small-scale multi-family housing in the downtown area, the Marin Art and Garden Center site, and City owned properties along Sir Francis Drake Boulevard.

Review of this information indicates that there have been twenty-two cultural resource studies that cover up to approximately 15% of the Town of Ross Housing Element Update project area. See attached Report List. The Town of Ross Housing Element Update project area contains four recorded Native American archaeological resources. See table below:

PrimaryString	TrinomialString	ResourceName	ResType	Age
P-21-000102	CA-MRN-000072/H	Nelson No. 72	Building, Site	Prehistoric, Historic
P-21-000103	CA-MRN-000073	Nelson No. 73	Site	Prehistoric
P-21-000294	CA-MRN-000311	Nelson No. 74A	Site	Prehistoric
P-21-002794		Archaeological Site 1; Ross Firehouse redeposited midden	Site	Prehistoric

The State Office of Historic Preservation Built Environment Resources Directory (OHP BERD), which includes listings of the California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and the National Register of Historic Places, lists eight recorded buildings or structures within the proposed Town of Ross Housing Element Update project area (see table below). For more information on the eligibility of each resource, based on the information in the 'Evaluation Info' field, see attached California Historical Resource Status Codes.

OTIS I	Name	St Number	St Name	City	Other Geography	Evaluation Info	Construct
404613	GLENWOOD AVENUE BRIDGE, BRIDGE #27C-72		GLENWOOD AVE	ROSS	ROSS CR (Corridor)	2D2, 01/01/1980, 4957-0001-0000	1909
404614	LAGUNITAS STREET BRIDGE, BRIDGE #27C-71		LAGUNITAS ST	ROSS	SAN ANSELMO CR (Corridor)	2D2, 01/01/1980, 4957-0002-0000	1909
575081	PHOENIX LAKE LOG CABIN		LAKE SERVICE RD	ROSS		7R, , 4957-0007-0000	1893
404615	NORWOOD AVENUE BRIDGE		NORWOOD AVE	ROSS	ROSS CR (Corridor)	2D2, 01/01/1980, 4957-0003-0000	1909
404616	SHADY LANE BRIDGE, BRIDGE #27C-78		SHADY LN	ROSS	ROSS CR (Corridor)	2D2, 01/01/1980, 4957-0004-0000 2D2, 01/01/1980, 4957-0005-0000	1909
404617	SIR FRANCIS DRAKE BOULEVARD BRIDGE, BRIDGE #27C-50		SIR FRANCIS DRAKE BLVD	ROSS	SAN ANSELMO CR (Corridor)	2D2, 10/22/1980, 65001013	1909
527952	Ross Town Hall and Fire House	31	SIR FRANCIS DRAKE BLVD	ROSS		2S2, 12/31/2007, FCC071109D	1927
404618	WINSHIP BRIDGE, BRIDGE #27C-74		WINSHIP RD	ROSS	CORTE MADERA CR	7R, , 4957-0006-0000	1920

In addition to these inventories, the NWIC base maps show eight recorded buildings or structures within the proposed Town of Ross Housing Element Update project area. Please note some of these resources overlap with previous listings. See table below:

PrimaryString	TrinomialString	ResourceName	ResType	Age
P-21-000102	CA-MRN-000072/H	Bosqui Tract	Building	Historic
P-21-001327		Lagunitas Street Bridge	Structure	Historic
P-21-001328		Norwood Ave. Bridge	Structure	Historic
P-21-001329		Shady Lane Bridge	Structure	Historic
P-21-001330		Sir Francis Drake Blvd. Bridge	Structure	Historic
P-21-001331		Winship Bridge	Structure	Historic
P-21-002635		Ross Town Hall and Fire House	Building	Historic
P-21-003098		14 Brookwood Lane	Building	Historic

The Caltrans Bridge Inventory also indicates six bridges (Hope 2005). Please note these resources may overlap with previous listings. See table below.

Bridge	Name	Fac	City	Yr Blt	Notes
27C0149	ROSS CREEK	NORWOOD AVE	Ross	1908	Remains eligible in 2004 survey.
27C0071	CORTE MADERA CREEK	LAGUNITAS ROAD	Ross	1930	Contributor to an historic district.
27C0072	ROSS CREEK	GLENWOOD AVE	Ross	1930	Contributor to an historic district.
27C0074	CORTE MADERA CREEK	WINSHIP ROAD	Ross	1925	Remains ineligible in 2004 survey.
27C0078	ROSS CREEK	SHADY LANE	Ross	1930	Remains eligible in 2004 survey.
27C0050	CORTE MADERA CR(DRAKE)	SIR FRANCIS DRAKE	Ross	1926	Remains eligible in 2004 survey.

At the time of Euroamerican contact, the Native Americans that lived in the area were speakers of the Coast Miwok language, part of the California Penutian language family (Kelly 1978:414). Using Milliken's study of various mission records, the proposed project area is located within the lands of the *Habasto* tribe, whose territory held the eastern side of the Marin Peninsula, Point San Pedro, and the small valleys just to its north and south (Milliken 1995: 242-243).

Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Marin County have been found in areas marginal to the San Francisco Bayshore, and inland on ridges, midslope benches, in valleys, near intermittent and perennial watercourses and near areas populated by oak, buckeye, manzanita, and pine, as well as near a variety of plant and animal resources. The Town of Ross Housing Element Update project area encompasses the Town of Ross located in Marin County between the towns of San Anselmo and Kentfield. The project area is located between one third mile to one half mile west of the historic San Francisco bay shore and marshland margins, inland and west of Point San Quentin. The northwestern corner of the project area includes a portion of the ridgeline and eastern facing slope of Bald Hill, is adjacent to Phoenix Lake at its southwestern corner, Ross Hill at its southern boundary and Moore Hill adjacent to its eastern boundary. The project area is bisected by Ross Valley and includes the confluence of Corte Madera Creek and Ross Creek. Current aerial maps indicate a high percentage of densely wooded areas, as well as areas of bare dirt, areas including buildings, roads, landscaped areas, etc. Given the similarity of these environmental factors and the ethnographic and archaeological sensitivity of the project area, there is a high potential for unrecorded Native American resources to be within the proposed Town of Ross Housing Element Update project area.

Review of historical literature and maps indicated historic-period activity within the Town of Ross Housing Element Update project area. The 1865 Rancho Plat for Punta de Quintin indicates the project area was located within the lands of A.R. Bucksley. The 1897 Mt. Tamalpais USGS 15-minute topographic quadrangle depicts several buildings and structures within the Town of Ross Housing Element Update project area, including a portion of the North Coast Pacific Railroad. With this in mind, there is a high potential for unrecorded historic-period archaeological resources to be within the proposed Town of Ross Housing Element Update project area.

The 1950 Mt. Tamalpais USGS 15-minute topographic quadrangle depicts numerous buildings and structures within the Town of Ross Housing Element Update project area. If

present, any unrecorded buildings or structures meet the Office of Historic Preservation's minimum age standard that buildings, structures, and objects 45 years or older may be of historical value.

RECOMMENDATIONS:

1) There are four recorded archaeological resources in the proposed Town of Ross Housing Element Update project area. There have been twenty-two cultural resource studies that cover approximately 15% of the Town of Ross Housing Element Update project area. According to our research, there is a high potential of identifying Native American archaeological resources and a high potential of identifying historic-period archaeological resources in unsurveyed portions of the project area.

Given that the proposed Town of Ross Housing Element Update project area covers such a large area with known sensitivity, and the proposed improvements will guide future projects, it is recommended that these future projects be considered on an individual basis under the Northwest Information Center's Project Review Program. This Program is organized to aid cities and counties in meeting their CEQA obligations on a project-by-project basis. These reviews result in project specific information and recommendations. Please contact the NWIC Coordinator at 707/588-8455 for additional information.

2) If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

3) It is recommended that any identified cultural resources be recorded on DPR 523 historic resource recordation forms, available online from the Office of Historic Preservation's website: https://ohp.parks.ca.gov/?page_id=28351

4) We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

5) Our research indicates that there are eight buildings and structures included in the OHP BERD within the Town of Ross Housing Element Update project area. NWIC base maps show eight recorded buildings or structures within the proposed Town of Ross Housing Element Update

project area. The Caltrans Bridge Inventory also indicates six bridges. Additionally, the project area has the potential to contain other unrecorded buildings or structures that meet the minimum age requirement.

Therefore, prior to commencement of project specific activities, it is recommended that the above listed resources, and any other ones that have yet to be inventoried, be assessed by a professional familiar with the architecture and history of Marin County. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

6) Review for possible historic-period buildings or structures has included only those sources listed in the attached bibliography and should not be considered comprehensive.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

Thank you for using our services. Please contact this office if you have any questions, (707) 588-8455.

Sincerely,

Jillian Guldenbrein
Researcher

LITERATURE REVIEWED

In addition to archaeological maps and site records on file at the Northwest Information Center of the Historical Resources File System, the following literature was reviewed:

Barrett, S.A.

- 1908 *The Ethno-Geography of the Pomo and Neighboring Indians*. In *American Archaeology and Ethnology*, vol. 6, edited by Frederic Ward Putnam, pp. 1-332, maps 1-2. University of California Publications, Berkeley. (Reprint by Kraus Reprint Corporation, New York, 1964).

General Land Office

- 1865 Survey Plat for Rancho Punta de Quintin, Township 1 North/Ranges 7, 8 West.

Helley, E.J., K.R. Lajoie, W.E. Spangle, and M.L. Blair

- 1979 *Flatland Deposits of the San Francisco Bay Region - Their Geology and Engineering Properties, and Their Importance to Comprehensive Planning*. Geological Survey Professional Paper 943. United States Geological Survey and Department of Housing and Urban Development.

Hope, Andrew

- 2005 *Caltrans Statewide Historic Bridge Inventory Update*. Caltrans, Division of Environmental Analysis, Sacramento, CA.

Kelly, Isabel

- 1978 Coast Miwok. In *California*, edited by Robert F. Heizer, pp. 414-425. *Handbook of North American Indians*, vol. 8, William C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.

Kroeber, A.L.

- 1925 *Handbook of the Indians of California*. Bureau of American Ethnology, Bulletin 78, Smithsonian Institution, Washington, D.C. (Reprint by Dover Publications, Inc., New York, 1976).

Milliken, Randall

- 1995 *A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769-1810*. Ballena Press Anthropological Papers No. 43, Menlo Park, CA.

Nelson, N.C.

- 1909 *Shellmounds of the San Francisco Bay Region*. University of California Publications in American Archaeology and Ethnology 7(4):309-356. Berkeley. (Reprint by Kraus Reprint Corporation, New York, 1964).

Nichols, Donald R., and Nancy A. Wright

- 1971 Preliminary Map of Historic Margins of Marshland, San Francisco Bay, California. U.S. Geological Survey Open File Map. U.S. Department of the Interior, Geological Survey in cooperation with the U.S. Department of Housing and Urban Development, Washington, D.C.

State of California Department of Parks and Recreation

- 1976 *California Inventory of Historic Resources*. State of California Department of Parks and Recreation, Sacramento.

State of California Department of Parks and Recreation and Office of Historic Preservation
1988 *Five Views: An Ethnic Sites Survey for California*. State of California Department of
Parks and Recreation and Office of Historic Preservation, Sacramento.

State of California Office of Historic Preservation **
2021 *Built Environment Resources Directory*. Listing by City (through September 15, 2021).
State of California Office of Historic Preservation, Sacramento.

**Note that the Office of Historic Preservation's *Historic Properties Directory* includes National Register, State Registered Landmarks, California Points of Historical Interest, and the California Register of Historical Resources as well as Certified Local Government surveys that have undergone Section 106 review.

Report List

NWIC File # 21-1615 Town of Ross Housing Element Update

Report No.	Other IDs	Year	Author(s)	Title	Affiliation
S-001184		1978	Edward Kandler	Cultural Resource Reconnaissance of the Corte Madera Creek Unit 4 Flood Control Project, Township of Ross, Marin County, California.	U.S. Army Corps of Engineers
S-007095		1984	Miley Paul Holman	333 Kent St. Archaeological Reconnaissance (letter report)	Holman & Associates
S-012944		1979	Robert Cartier, Barbara Bocek, and Jan Whitlow	Archeological Testing Program of Corte Madera Creek Flood Control Project - Unit 4	Archaeological Resource Management
S-013217	Voided - S-13399; Voided - S-13400; Voided - S-13401	1990	Thomas M. Origer	An Archaeological Survey for the AT&T Fiber Optics Cable, San Francisco to Point Arena, California	
S-013217a		1990	Thomas M. Origer	Archaeological findings regarding a selection of a route through Novato for the AT&T Fiber Optics Cable (letter report)	
S-013217b		1991	Thomas M. Origer	An archaeological study of revised portions of the AT&T route near Santa Rosa and Sausalito (letter report)	
S-013217c		1991	Thomas M. Origer	Archaeological study of AT&T revised fiber cable routes (letter report)	
S-013217d		1992	Thomas M. Origer	Archaeological survey of alternative fiber optics cable routes, Point Arena (letter report)	Tom Origer & Associates
S-015576	Submitter - A.R.S. Project 93-51	1993	William Roop	A Cultural Resources Evaluation of the Lands of Van Den Berg, Goodhill Road, Kent Woodlands, Marin County	Archaeological Resource Service
S-017321		1995	Vicki Beard and Thomas Origer	A Cultural Resources Study for the Mount Tamalpais Vegetation Management Project, Marin County, California	Tom Origer & Associates
S-030313	Submitter - A.R.S. Project 05-040	2005	William Roop	A Cultural Resources Evaluation of the Lands of Wynne, 44 Redwood Drive, Ross, Marin County, California.	Archaeological Resource Service
S-030906	Caltrans - Contract # 43A0089; Caltrans - EA 43-984433; Caltrans - Task Order: 01	2004	Christopher McMorris	Caltrans Historic Bridge Inventory Update: Concrete Arch Bridges, Contract: 43A0089, Task Order: 01, EA: 43-984433, Volume I: Report and Figures	JRP Historical Consulting

Report List

NWIC File # 21-1615 Town of Ross Housing Element Update

Report No.	Other IDs	Year	Author(s)	Title	Affiliation
S-031617	Submitter - A.R.S. Project #05-096	2006	Katherine Flynn	A Cultural Resources Evaluation of the Property of Cindy Fabian and Robert Bronson, 41 Redwood Drive, APN 073-041-30, in the Town of Ross, Marin County, California	Archaeological Resource Service
S-032891	Submitter - A.R.S. Project 06-061	2006		Results of an Archaeological Monitoring Program for the Property of Cindy Fabian and Robert Bronson, 41 Redwood Drive, APN 073-312-04, in the Town of Ross, Marin County, California	Archaeological Resource Service
S-034272		2007	Dana E. Supernowicz	New Tower ("NT") Submission Packet, FCC Form 620, Ross, SF-90550A	Earth Touch, Inc.
S-034272a		2007	Dana E. Supernowicz	Cultural Resources Study of the Ross Project Metro PCS Site No. SF-90550A 33 Sir Francis Drive Boulevard, Ross, Marin County, California 94957	EarthTouch, Inc.
S-034335		2007	Thomas M. Origer	An Archaeological Survey of the Property at 18 Redwood Drive, Town of Ross, Marin County, California	Tom Origer & Associates
S-036271		2008		Historic Property Survey Report, Lagunitas Road Bridge (27C-71) at Corte Madera Creek Replacement Project, BRLS 5176(003), Town of Ross, California	URS Corporation
S-036271a		2008	Jay Rehor	Archaeological Survey Report, Lagunitas Road Bridge (27C-71) at Corte Madera Creek Replacement Project, BRLS 5176(003) Town of Ross, California	URS Corporation
S-036271b		2008	Toni Webb	Finding of Effect for the Lagunitas Bridge Replacement Project Bridge No. 27C0071, Town of Ross, Marin County, California	JRP Historical Consulting, LLC
S-040278		2012	Sunshine Psota	Historic Property Survey Report Sir Francis Drake-Lagunitas Intersection Improvements Project, Town of Ross, Marin County	Holman and Associates
S-040278a		2012	Sunshine Psota	Archaeological Survey Report for the Sir Francis Drake - Lagunitas Intersection Improvements Project, Town of Ross, Marin County	Holman & Associates
S-040278b		2012	Sunshine Psota	Extended Phase I Proposal for Portions of the Sir Francis Drake - Lagunitas Intersection Improvements Project in Ross, Marin County	Holman & Associates

Report List

NWIC File # 21-1615 Town of Ross Housing Element Update

Report No.	Other IDs	Year	Author(s)	Title	Affiliation
S-040278c		2012	Sunshine Psota	Extended Phase I Report for the Proposed Portions of the Sir Francis Drake - Lagunitas Intersection Improvements Project, Ross, Marin County	Holman & Associates
S-043124		2013		Phase I Cultural Resources Evaluation for the Ross Valley Sanitary District Sewer Rehabilitation FY 2014 Project, Marin County, California	Archeo-Tec
S-045692		2012	Erica Schultz and Cassidy DeBaker	Cultural Resources Investigation for the Proposed Improvement Plan for the Branson School, Ross, Marin County, California (letter report)	Garcia and Associates
S-047475		1979	Linton D. Stables, III	Historical/Architectural Assessment of Buildings and Grounds Along Corte Madera Creek in Ross, California	U.S. Army Engineer District, San Francisco
S-048813	OHP PRN - FCC071109D; OTIS Report Number - FCC_2017_0410_002	2017	Carolyn Losée	Cultural Resources Investigation for AT&T CCL04584 "Ross" 31-33 Sir Francis Drake Boulevard, Ross, Marin County, California 94957 (letter report)	Archaeological Resources Technology
S-048813a		2017	Carolyn Losee	FCC Wireless Telecommunication Bureau, Collocation ("CO") Submission Packet, FCC Form 621, AT&T CCL04584 "Ross" 31-33 Sir Francis Drake Boulevard, Ross, CA 94957	Diablo Green Consulting; Archaeological Resources Technology
S-048813b		2017	Carolyn Losee and Julianne Polanco	FCC_2017_0410_002, CCL04584 "Ross" 31-33 Sir Francis Drake Boulevard, Ross, Marin County, California 94957 (letter report)	Diablo Green Consulting; Archaeological Resources Technology; Office of Historic Preservation
S-050061		2017		Phase I Cultural Resources Evaluation for the Ross Valley Sanitary District Large Diameter Gravity Sewer Rehabilitation Project II-3, Marin County, California	Archeo-Tec, Inc.
S-050211	OTIS Report Number - COE File No. 2015-00311; OTIS Report Number - COE_2015_0923_001	2015	Matt Smeltzer	JARPA Attachment 2: Project Description Report, Glenwood Avenue Bridge Scour Mitigation Project, Ross, California (pg. 2-8)	Geomorph Design

Report List

NWIC File # 21-1615 Town of Ross Housing Element Update

Report No.	Other IDs	Year	Author(s)	Title	Affiliation
S-050211a		2015	Julianne Polanco and Tori White	COE_2015_0923_001, Section 106 Consultation for the Glenwood Avenue Bridge, Town of Ross, Marin County, California	Office of Historic Preservation; Department of the Army
S-053181		2017	Kara Brunzell	Historical Evaluation of the house at 14 Brookwood Lane, Ross, Marin County, California (letter report)	Brunzell Historical
S-055652	Submitter - ALTA 2019-60	2019	Dean Martorana and Sarah King-Narasimha	Archaeological Survey Report, WRA Upper Toyon Drive, Ross, Marin County, California, APNs 072-031-60+63 And 072-031-02+61	Alta Archaeological Consulting

CALIFORNIA HISTORICAL RESOURCE STATUS CODES
(effective 5/1/2017)

1 Listed in the National Register (NR) or the California Register (CR)

- 1D Contributor to a multi-component resource like a district listed in the NR by the Keeper. Listed in the CR.
- 1S Individually listed in the NR by the Keeper. Listed in the CR.
- 1CD Contributor to a multi-component resource listed in the CR by the SHRC.
- 1CS Individually listed in the CR by the SHRC.
- 1CL State Historical Landmarks (CHL) numbered 770 and above, or SHRC reevaluated CHLs that also meet CR criteria. Listed in the CR.
- 1CP State Points of Historical Interest (CPHI) nominated after December 1997 and recommended for listing by the SHRC or SHRC reevaluated CPHIs that also meet CR criteria. Listed in the CR.

2 Determined eligible for listing in the National Register (NR) or the California Register (CR)

- 2B Determined eligible for the NR both individually and as a contributor to a NR eligible multi-component resource like a district in a federal regulatory process. Listed in the CR.
- 2D Contributor to a multi-component resource determined eligible for the NR by the Keeper. Listed in the CR.
- 2D2 Contributor to a multi-component resource determined eligible for NR by consensus through Section 106 process. Listed in the CR.
- 2D3 Contributor to a multi-component resource determined eligible for NR by Part I Tax Certification. Listed in the CR.
- 2D4 Contributor to a multi-component resource determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.
- 2S Individually determined eligible for NR by the Keeper. Listed in the CR.
- 2S2 Individually determined eligible for NR by consensus through Section 106 process. Listed in the CR.
- 2S3 Individually determined eligible for NR by Part I Tax Certification. Listed in the CR.
- 2S4 Individually determined eligible for NR pursuant to Section 106 without review by SHPO. Listed in the CR.
- 2CB Determined eligible for CR both individually and as a contributor to a CR eligible multi-component resource by the SHRC.
- 2CD Contributor to a multi-component resource determined eligible for CR by the SHRC.
- 2CS Individually determined eligible for CR by the SHRC.

3 Appears eligible for National Register (NR) or California Register (CR).

- 3B Appears eligible for NR both individually and as a contributor to a NR eligible multi-component resource like a district through survey evaluation.
- 3D Appears eligible for NR as a contributor to a NR eligible multi-component resource through survey evaluation.
- 3S Appears eligible for NR individually through survey evaluation.

- 3CB Appears eligible for CR both individually and as a contributor to a CR eligible multi-component resource through survey evaluation.
- 3CD Appears eligible for CR as a contributor to a CR eligible multi-component resource through survey evaluation.
- 3CS Appears eligible for CR individually through survey evaluation.

4 Appears eligible for National Register (NR) or State Historical Landmark (CHL) through PRC§ 5024

- 4CM State agency owned resource added to Master List - appears to meet NR and/or CHL criterion.

5 Recognized as Historically Significant by Local Government

- 5B Locally significant both individually (listed, eligible, or appears eligible) and as contributor to a multi-component resource like a district that is locally listed, designated, determined eligible, or appears eligible through survey evaluation.
- 5D1 Contributor to a multi-component resource that is listed or designated locally.
- 5D2 Contributor to a multi-component resource that is eligible for local listing or designation.
- 5D3 Appears to be a contributor to a multi-component resource that appears eligible for local listing or designation.
- 5S1 Individually listed or designated locally.
- 5S2 Individually eligible for local listing or designation.
- 5S3 Appears to be individually eligible for local listing or designation through survey evaluation.

6 Not Eligible for Listing or Designation as specified

- 6C Determined ineligible for or removed from California Register (CR) by the SHRC.
- 6CD Determined ineligible for or removed from CR by the SHRC as a component of a CR listed multi-component resource. [Code to differentiate a resource that has more than one CR evaluation. Example, a resource that is on the CR as both contributor to a district and individually would still be on the CR if the district was removed/determined ineligible. This code would convey the change of a specific evaluation rather than the resource's CR status.]
- 6J State Historic Landmarks (CHL) or State Points of Historical Interest (SPHI) determined ineligible for or removed as a CHL or SPHI by the SHRC.
- 6L Determined ineligible for local listing or designation through local government review process; may warrant special consideration in local planning.
- 6T Determined ineligible for NR through Part I Tax Certification process.
- 6U Determined ineligible for NR pursuant to Section 106 without review by SHPO.
- 6W Removed from NR by the Keeper.
- 6X Determined ineligible for NR by the SHRC or the Keeper.
- 6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or local listing.
- 6Z Found ineligible for NR, CR or local designation through survey evaluation.
- 6WM Removed from Master List because no longer state owned.
- 6XM Removed from Master List because of historic feature loss or further evaluation.
- 6YM State agency owned resource determined ineligible for Master List.

7 Not Evaluated for National Register (NR) or California Register (CR) or Needs Re-evaluation

- 7E Treated as eligible for the purpose of OHP review.
- 7J Received by OHP for evaluation or action but not yet evaluated.
- 7K Submitted to OHP for action but not reevaluated.
- 7L State Historical Landmarks 1-769 – that do not meet CR criteria.
- 7M Submitted to OHP but not evaluated - referred to NPS.
- 7N Needs to be reevaluated - formerly coded as may become NR eligible with specific conditions.
- 7N1 Needs to be reevaluated (former status code 4) - may become NR eligible with restoration or other specific conditions.
- 7P State Point of Historical Interests that do not meet CR criteria.
- 7R Identified in Reconnaissance Level Survey or in an Area of Potential Effect (APE): Not evaluated.
- 7W Submitted to OHP for action – withdrawn or inactive.



NATIVE AMERICAN HERITAGE COMMISSION

June 7, 2022

Matthew Weintraub
Town of Ross

Via Email to: mweintraub@townofross.org

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Attebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Town of Ross Housing Element Update Project, Marin County

Dear Mr. Weintraub:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was negative.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address:

Cody.Campagne@nahc.ca.gov.

Sincerely,



Cody Campagne
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
Marin County
6/7/2022**

***Federated Indians of Graton
Rancheria***

Greg Sarris, Chairperson 6400 Redwood Drive, Ste 300 Rohnert Park, CA, 94928 Phone: (707) 566 - 2288 Fax: (707) 566-2291 gbuvelot@gratonrancheria.com	Coast Miwok Pomo
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Guidiville Indian Rancheria

Donald Duncan, Chairperson P.O. Box 339 Talmage, CA, 95481 Phone: (707) 462 - 3682 Fax: (707) 462-9183 admin@guidiville.net	Pomo
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This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Town of Ross Housing Element Update Project, Marin County.

June 17, 2022

Donald Duncan
Chairperson
Guidiville Indian Rancheria
P.O. Box 339
Talmage, CA, 95481

Re: Native American and Tribal Consultation under SB 18 and AB 52

Dear Mr. Duncan,

The Town of Ross is preparing an update to the Housing Element of its General Plan ('Project'). The Planning Area for the Housing Element covers the corporate limits of the Town of Ross as shown in the attached maps. Figure 1 depicts the 1,024-acre Planning Area, including parcels, building footprints, creeks, and the Town of Ross boundary. Figure 2 shows the USGS 7.5" topographic quadrangle that covers the Planning Area.

The 2023-31 Ross Housing Element is the Town's plan to address local housing needs. As required under State law, it will identify sites available for housing and include a realistic projection of their capacity, along with policies and programs to address special needs groups and constraints to housing production. For the 8-year planning period, the Town must plan to accommodate 111 new housing units. As a largely built out community with few vacant sites, it is anticipated that the majority of these new units will be accessory dwelling units built on existing single-family lots, with some small-scale multi-family housing in the downtown area, the Marin Art and Garden Center site, and City-owned property along Sir Francis Drake Boulevard. The Project will also involve a technical update to the Safety Element to incorporate new analysis of emergency evacuation capacity. More information about the Housing Element update can be found at www.townofross.org.

This letter serves to invite consultation in accordance with California Government Code Sections 65352.3 – 65352.4 per Senate Bill 18 (SB 18). SB 18 requires local governments to conduct meaningful consultation with California Native American tribes prior to adopting an update to the General Plan, for the purpose of protecting, or mitigating impacts to, cultural places. To assist in your evaluation of the Project, the Town has requested a Sacred Lands File (SFL) check through the NAHC. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was negative.

This letter also serves to initiate consultation pursuant to Assembly Bill 52 (AB 52, Chapter 532, Statutes of 2014), to evaluate the Project's potential impacts to tribal cultural resources as part of the Project's environmental review under CEQA. The Town has determined that an Environmental Impact Report (EIR) is required for the Project, and a Notice of Preparation of the EIR will be publicly released later this summer. We respectfully invite you to consult on and participate in the review process for this Project.

Your input is important to the Town's planning process. Please advise the Town in writing if you wish to initiate consultations with the Town on the Project. Under the provisions of SB 18, you have 90 days from the date of this notice to advise the Town if you are interested in further consultation on the Project.

June 17, 2022

Under the provisions of AB 52, you have 30 days from the receipt of this notice to advise the Town if you are interested in consultation as part of CEQA environmental review. After your written request is received, we will contact you within 30 calendar days to begin the consultation process.

If the Town does not receive a written request within 30 or 90 calendar days, we will conclude that the invitation to consult been declined. This notification does not limit the ability of the Tribe to submit information to the Town or comment on the EIR.

Sincerely,

REBECCA MARKWICK

Planning and Building Director

rmarkwick@townofross.org

Office (415) 453-1453 Ext. 121.

Attachments:

- Planning Area Map
- USGS 7.5' Quadrangle Map

June 17, 2022

Greg Sarris
Chairperson
Federated Indians of Graton Rancheria
6400 Redwood Drive, Ste 300
Rohnert Park, CA, 94928

Re: Native American and Tribal Consultation under SB 18 and AB 52

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Page 2

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