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February 19, 2013

Via Email

Rachel Warner, Environmental Planning Manager
Marin County Community Development Agency
3501 Civic Center Drive, Room 308
San Rafael, CA 94903
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Re: Comments on the Draft Supplemental Environmental Impact Report for the 2012 Marin County Housing Element

Dear Ms. Warner:

I write on behalf of Sustainable TamAlmonte and myself to comment on the County of Marin's Draft Supplemental Environmental Impact Report ("Draft SEIR") for the 2012 Draft Marin County Housing Element ("Project"). The Project identifies 52 sites in Marin County for housing development.¹ My review of the Draft SEIR focused on five of these sites (Site 4 (Old Chevron station), Site 9 (Manzanita mixed use), Site 14 (Armstrong Nursery), Site 18 Around Manzanita) and Site 19 (Tam J retail)) proposed in the Tamalpais Valley area of unincorporated Mill Valley.² According to the County, the purpose of the Draft SEIR is to provide "in-depth program-level" review of potential environmental effects associated with the housing sites identified.³ In actuality, with respect to the sites identified in Tamalpais Valley, the Draft SEIR is woefully inadequate. The Draft SEIR fails to fully disclose, analyze and mitigate the Project's potentially significant impacts. Moreover, many of the Draft SEIR's conclusions lack any supporting evidence. As explained below, the Draft SEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA"). The County cannot approve the Project until an adequate EIR is prepared and circulated for public review and comment. Further, as shown below, substantial evidence shows that to protect

¹ Draft SEIR, pp. 18-19, 32-34.

² *Id.*

³ Draft SEIR, p. 4.

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residents' health and safety, the County should remove the five Tamalpais Valley sites from the Project's housing inventory.

Sustainable TamAlmonte is a group of Tam Valley and Almonte residents who want to preserve and enhance the environmental qualities of their unique bayside communities. The members of Sustainable TamAlmonte support truly sustainable land use and development in Tamalpais Valley and Almonte, and have grave concerns about the environmental, health and safety impacts that result from poor land use planning, including environmentally detrimental projects. Therefore, Sustainable TamAlmonte has a strong interest in enforcing environmental laws to protect the Tamalpais Valley and Almonte communities' valuable environmental resources, and the health and safety of current and future residents.

I am a resident of Tamalpais Valley. My family and I recreate in the Tamalpais Valley and Almonte neighborhoods. I want to preserve and enhance the environmental qualities of these unique bayside communities. I am concerned about sustainable land use and development in these areas, and the environmental, health and safety impacts that result from poor land use planning. As a resident whose family lives, works and recreates in the Tamalpais Valley and Almonte areas, my family and I will suffer the impacts from environmentally detrimental projects. I want to protect the Tamalpais Valley and Almonte communities' valuable environmental resources, and the health and safety of current and future residents.

I. INTRODUCTION

CEQA has two basic purposes, neither of which the Draft SEIR satisfies. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project.⁴ The EIR is the "heart" of this requirement.⁵ The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."⁶ Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by

⁴ 14 Cal. Code Regs. ("CEQA Guidelines") § 15002(a)(1).

⁵ *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 84.

⁶ *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

requiring alternatives or mitigation measures.⁷ The Draft SEIR fails to satisfy these purposes by improperly deferring the analysis of, and failing to disclose, all potentially significant environmental impacts of the Project, failing to provide adequate mitigation measures to avoid impacts, and failing to describe inconsistencies with the Countywide Plan. As a result, the Draft SEIR fails as an informational document and falls short of CEQA's mandates.

CEQA is intended "to compel government at all levels to make decisions with environmental consequences in mind."⁸ At every turn, the County appears to be attempting to circumvent the policies and requirements of CEQA. For example, the County, for the most part, has deferred adequate analyses of the Project's potentially significant impacts until site-specific housing developments applications are submitted. The County claims this is satisfactory for CEQA because the Draft SEIR is a program-level document that, if approved, would not directly result in housing development. However, although the Project may not be directly linked to specific development projects, the 2012 Housing Element is not a vague policy document, unconnected to future development. The Project identifies specific sites for housing development, calls for increased development densities, strongly encourages housing developers to take full advantage of incentives and increased densities, and vigorously advocates for streamlined review of affordable housing projects. Given the County's position, the possibility of future development in accordance with the Project is not merely theoretical.

The impacts that arise out of the County's comprehensive effort to encourage higher density housing on specific sites must be adequately analyzed now, pursuant to CEQA. The County may not defer thorough analyses simply because more specific proposals may come later. "CEQA advances a policy of requiring an agency to evaluate the environmental effects of a project *at the earliest possible stage* in the planning process."⁹

Further, the County must provide substantial evidence to support its conclusions. The Draft SEIR is noticeably absent substantial evidence. In fact, the

⁷ CEQA Guidelines § 15002(a)(2) and (3) (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564; *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1988) 47 Cal.3d 376, 400.).

⁸ *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283; *Laurel Heights*, 47 Cal.3d at 393; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 711.

⁹ *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 410.

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Draft SEIR contains *no technical reports, memoranda or analyses*. The Draft SEIR is rife with unsupported assumptions and baseless conclusions.

I have prepared these comments with the assistance of technical experts Matt Hagemann and Geoffrey Hornek. Their comments and curriculum vitae are attached as Exhibits 1 and 2. Please note that these experts' comments are comments on the Draft SEIR and *must be responded to separately*.

II. THE COUNTY CANNOT RELY ON THE 2007 COUNTYWIDE PLAN EIR TO APPROVE THE PROJECT

An EIR must be prepared for any “project” an agency intends to approve or carry out which “may have a significant effect on the environment.”¹⁰ CEQA defines the term “project” broadly to include any activities that have a potential to result in a physical change in the environment, directly or ultimately.¹¹ The definition ranges from the adoption of a general plan to the issuance of a conditional use permit for a site-specific development proposal.¹²

To accommodate the breadth of what may constitute a project, the CEQA Guidelines describe several types of EIRs that may be tailored to different situations, including the program EIR.¹³ A program EIR may be used for a series of actions that can be characterized as one large project and are related geographically, as logical parts in a chain of contemplated actions, in connection with the issuance of rules, regulations, plans or programs, or as individual activities carried out under the same statutory or regulatory authority and having generally similar environmental effects.¹⁴ A program EIR may not be used, however, to support approval of a project that is outside the scope of the program reviewed in a program EIR.¹⁵ In that case, a new EIR must be prepared.¹⁶

Here, the County cannot rely on the 2007 Countywide Plan EIR to approve the Project because the Project is outside of the scope of the program that was reviewed in the 2007 Countywide Plan EIR. The Project identifies specific parcels for the development of a specific number of housing units. In Tamalpais Valley, the

¹⁰ Pub. Resources Code, §§ 21100, 21151; CEQA Guidelines § 15002(f)(1).

¹¹ Pub. Resources Code, § 21065; CEQA Guidelines, §§15002(d), 15378(a).

¹² *Sierra Club v. County of Sonoma* (1st Dist. 1992) 6 Cal.App.4th 1307, 1315.

¹³ CEQA Guidelines, § 15161.

¹⁴ *Id.*, § 15168(a).

¹⁵ *Sierra Club v. County of Sonoma*, 6 Cal.App.4th at 1320-1321.

¹⁶ *Id.*

Project specifically identifies 21 units on a 0.79-acre site at 204 Flamingo Road, 3 units on a 0.56-acre site at 150 Shoreline Highway, 53 units on a 1.77-acre site at 217 and 221 Shoreline Highway, 45 units on a 1.48-acre site at 150 Shoreline Highway, and 60 units on a 6.8-acre site at 237 Shoreline Highway. These parcels were not identified or analyzed at a site-specific level in the 2007 Countywide Plan EIR. Further, the Project increases the development densities analyzed in the 2007 Countywide Plan. The Draft SEIR states that some of the housing sites may “be developed at an increased intensity than assumed for the analysis of the Countywide Plan in the 2007 Countywide Plan EIR. For example, properties proposed to be included in the AH Combined District [] could be developed at higher densities than were analyzed in the 2007 Countywide Plan EIR.”¹⁷ Where a project is more dense and intense than the program analyzed in a program EIR, an agency cannot rely on the program EIR to approve the project, instead, must prepare a new EIR.¹⁸

Further, the 2007 Countywide Plan EIR did not even analyze environmental impacts associated with the County’s Housing Element and, therefore, the Project is outside the scope of the 2007 Countywide Plan EIR. The 2007 Countywide Plan EIR repeatedly stated that the County’s Housing Element was adopted prior to the 2005 Countywide Plan amendment and, therefore, the Housing Element was not the subject of the CWP amendment¹⁹ or the EIR.²⁰ In other words, the County is currently tiering the Draft SEIR from a program EIR that did not, and could not, consider the environmental effects of the Project because that program EIR specifically excluded an evaluation of the Housing Element.

This is particularly alarming considering the Project’s sweeping changes to the County’s Housing Element. The Draft SEIR states that the “2012 Draft Housing Element is substantially changed from the 2003 Housing Element.”²¹ Specifically, “the Site Inventory Analysis and Goals, Policies and Programs Sections” were revised. In addition, the land inventory “contains 17 sites to accommodate the 2007-2014 [RHNA]. 0 sites were carried forward from the 2003 Housing Element...”²² Also, the “Goals, Policies and Programs section of the 2012

¹⁷ Draft SEIR, pp. 54-55.

¹⁸ *Sierra Club v. County of Sonoma*, 6 Cal.App.4th at 1315.

¹⁹ See 2007 Countywide Plan EIR, pp. 2.0-1, 3.0-7, 3.0-37 and 4.1-3.

²⁰ 2007 Countywide Plan EIR, p. 4.1-3.

²¹ Draft SEIR, p. 13.

²² *Id.*

Draft Housing Element was substantially revised from the 2003 Housing Element.” Specifically, “programs were amended and 18 new programs were added...”²³

The Project is outside of the scope of the program that was reviewed in the 2007 Countywide Plan EIR because the Project is more dense and intense than the project evaluated in the 2007 Countywide Plan EIR. Further, the 2007 Countywide Plan EIR did not even analyze environmental impacts associated with the County’s Housing Element and, therefore, the Project is outside the scope of the 2007 Countywide Plan EIR. Thus, the County cannot rely on the 2007 Countywide Plan EIR to approve the Project.

III. THE COUNTY MUST PREPARE A *SUBSEQUENT* EIR

The substantive triggers necessitating subsequent environmental review are: (1) substantial changes with respect to the proposed project or circumstances under which the project is being undertaken, which require major revisions of the EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (2) new information becomes available which was not known at the time the EIR was certified which shows that the project will have a significant effect not discussed in the previous EIR, significant effects previously analyzed will be substantially more severe, or mitigation measures previously found not to be feasible or which were not analyzed previously, would be feasible and would substantially reduce one or more significant effects.²⁴

An agency may prepare a supplemental EIR, rather than a subsequent EIR, if any of the conditions described above would require the preparation of a subsequent EIR, and only minor additions or changes would be necessary to make the previous EIR adequately apply to the project.²⁵ Here, the Project proposes sweeping changes to the 2003 Housing Element and development contemplated in the Countywide Plan, necessitating substantial changes to the 2007 Countywide Plan EIR. The Project identifies 52 specific sites for housing development and calls for increased development densities that were not previously identified. As explained below, evidence shows that the Project would result in new or substantially more severe significant environmental effects than were analyzed in the 2007 Countywide Plan EIR. Furthermore, changed circumstances or new information regarding air quality, cultural resources and hazardous materials has

²³ *Id.*

²⁴ Pub. Resources Code, § 21166; CEQA Guidelines, § 15162.

²⁵ CEQA Guidelines, § 15163(a)(1).

become available since certification of the 2007 Countywide Plan EIR, which shows that the Project would have new or substantially more severe impacts than were discussed in the 2007 Countywide Plan EIR. These changes and new information require major modifications to the 2007 Countywide Plan EIR and, therefore, the County must prepare a *subsequent* EIR.

IV. THE COUNTY LACKS SUBSTANTIAL EVIDENCE TO SUPPORTS ITS CONCLUSIONS IN THE DRAFT SEIR REGARDING POTENTIALLY SIGNIFICANT PROJECT IMPACTS; THE DEIR FAILS TO INCORPORATE ALL FEASIBLE MITIGATION MEASURES NECESSARY TO REDUCE SUCH IMPACTS TO A LEVEL OF INSIGNIFICANCE

CEQA's two main purposes are: (1) to inform decision makers and the public about the potential, significant environmental impacts of a project before harm is done to the environment;²⁶ and (2) to avoid or reduce environmental damage when possible by requiring the imposition of mitigation measures and environmentally superior alternatives.²⁷ CEQA imposes an affirmative obligation on agencies to avoid or reduce environmental harm by adopting feasible project alternatives or mitigation measures.²⁸

To fulfill CEQA's obligations, the discussion of impacts in the Draft SEIR must be detailed, complete and "reflect a good faith effort at full disclosure."²⁹ An adequate EIR must contain facts and analysis, not just an agency's conclusions.³⁰ CEQA requires an EIR to disclose all potential direct and indirect, significant environmental impacts of a project.³¹ Without an adequate analysis and description of feasible mitigation measures, it would be impossible for agencies relying upon the Draft SEIR to meet this obligation.

²⁶ CEQA Guidelines § 15002(a)(1); *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal.App.4th 1344, 1354 ("*Berkeley Jets*"); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

²⁷ CEQA Guidelines § 15002(a)(2) and (3); *Berkeley Jets*, 91 Cal.App.4th at 1354; *Laurel Heights Improvement Ass'n v. Regents of the University of Cal.* (1998) 47 Cal.3d 376, 400.

²⁸ Pub. Resources Code, §§ 21002-21002.1.

²⁹ CEQA Guidelines § 15151; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 721-722.

³⁰ *See Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 568.

³¹ Pub. Resources Code § 21100(b)(1); CEQA Guidelines § 15126.2(a).

An analysis of impacts that are reasonably foreseeable should be provided in a planning stage EIR if the information for the analysis is reasonably available.³² An EIR may include some degree of forecasting in evaluating a project's environmental impacts.³³ When it is difficult to forecast future actions, an EIR may base its analysis on reasonable assumptions.³⁴ An agency should use a reasonable worst-case scenario for its analysis when uncertain future events could lead to different outcomes.³⁵

CEQA requires the County to adopt feasible mitigation measures that will substantially lessen or avoid the Project's potentially significant environmental impacts.³⁶ A public agency may not rely on mitigation measures of uncertain efficacy or feasibility.³⁷ "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.³⁸ Mitigation measures must be fully enforceable through permit conditions, agreements or other legally binding instruments.³⁹

The County's conclusions in the Draft SEIR must be supported by substantial evidence. "Substantial evidence includes fact, a reasonable assumption predicated on fact, or expert opinion supported by fact."⁴⁰ Substantial evidence does not include "argument, speculation, unsubstantiated opinion or narrative" or "evidence that is clearly inaccurate or erroneous"⁴¹

In this case, the Draft SEIR fails to satisfy the basic purposes of CEQA. The Draft SEIR's conclusions regarding air quality, cultural resources, flooding and hazardous materials, among others, are not supported by substantial evidence. In preparing the Draft SEIR, the County has failed to: (1) provide sufficient information to inform the public and decision makers about potential environmental

³² *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412; *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182.

³³ CEQA Guidelines, § 15144; *San Francisco Ecology Center v. City & County of San Francisco* (1975) 48 Cal.App.3d 584, 595.

³⁴ *State Water Resources Control Board Cases* (2006) 136 Cal.App.4th 674, 797.

³⁵ *Planning & Conservation League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 244.

³⁶ Pub. Resources Code, §§ 21002, 21081(a).

³⁷ *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727.

³⁸ CEQA Guidelines, § 15364.

³⁹ CEQA Guidelines, § 15126.4(a)(2).

⁴⁰ Pub. Resources Code § 21080(e)(1); CEQA Guidelines § 15384(b).

⁴¹ Pub. Resources Code § 21808(e)(2); CEQA Guidelines §§ 15064(f)(5), 15385(a).

impacts; (2) failed to accurately identify and adequately analyze potentially significant environmental impacts; and (3) failed to incorporate adequate measures to mitigate environmental impacts to a less than significant level. The County must correct these shortcomings in a revised EIR that is circulated for public review and comment.

CEQA requires recirculation of an EIR when significant new information is added to the EIR following public review but before certification.⁴² The Guidelines clarify that new information is significant if “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project” including, for example, “a disclosure showing that ... [a] new significant environmental impact would result from the project.”⁴³ The purpose of recirculation is to give the public and other agencies an opportunity to evaluate the new data and the validity of conclusions drawn from it.⁴⁴ The following comments show that: (1) the Project will result in significant environmental impacts that are not adequately disclosed or analyzed in the Draft SEIR (or the 2007 Countywide Plan EIR); (2) the County’s conclusions are not supported by substantial evidence; (3) the Project conflicts with the Countywide Plan; and (4) mitigation measures are inadequate. These issues must be addressed in a revised Draft SEIR that is circulated for public review and comment.

A. The Draft SEIR Fails to Disclose and Analyze the Likely Worst-Case Scenario

CEQA requires the County to exercise a good faith effort to disclose the Project’s “potential” impacts. An EIR need not engage in speculation by adopting worst-case assumptions that are inconsistent with the very nature of the Project. However, reasonably likely worst-case scenarios that are consistent with and supported by the evidence in the record must be evaluated. While CEQA may not require a “speculative” worst-case scenario analysis, CEQA does require that significant effects be discussed “with emphasis in proportion to their severity and probability of occurrence.”⁴⁵ The CEQA Guidelines also state, “an agency must use its best efforts to find out and disclose all that it reasonably can.”⁴⁶ The CEQA Guidelines further clarify the meaning of a significant effect on the environment as

⁴² Pub. Resources Code § 21092.1.

⁴³ CEQA Guidelines § 15088.5.

⁴⁴ *Save Our Peninsula Comm. v. Monterey County Bd. of Supervisors* (1981) 122 CalApp3d 813, 822.

⁴⁵ CEQA Guidelines §15143.

⁴⁶ *Id.*, §15144.

"a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project."⁴⁷ Therefore, it is standard practice in CEQA analyses to use a "reasonable" or "realistic" worst-case analysis based on potentially expected worst-case conditions, as opposed to a theoretical or "speculative worst-case analysis," which uses the absolute worst-case assumptions conceivable.

Here, the Draft SEIR fails to provide a realistic worst-case analysis of the Project's impacts. Specifically, the Draft SEIR completely fails to disclose and analyze the likelihood that, pursuant to California's density bonus law, the Project's identified housing developments would be developed at even greater densities – ***up to 35 percent or more*** -- than are analyzed in the Draft SEIR.

California's density bonus law allows developers whose housing development proposals meet certain thresholds of affordability to receive density bonuses, incentives and development waivers from the local agency.⁴⁸ The law was designed to implement "an important state policy to promote the construction of low-income housing and to remove impediments to the same."⁴⁹ As recognized by the courts, the density bonus rewards developers who build "a certain percentage of low-income housing with the opportunity to build more residences than would otherwise be permitted by the applicable local regulations."⁵⁰

The density bonus law provides that requests for a density bonus and incentives ***must*** be granted "when an applicant for a housing development seeks and agrees to construct a housing development" that meets one or more of the statute's thresholds.⁵¹ Although an agency may eventually deny a request for an incentive if certain limited findings are made, ***the law does not identify any findings that would allow an agency to deny a density bonus request.***

The density bonus law states that a density bonus of 35 percent may be awarded to affordable housing developers.⁵² Courts have allowed density bonuses above 35 percent. In *Friends of Lagoon Valley v. City of Vacaville* (2007) 154

⁴⁷ *Id.*, §15382.

⁴⁸ Cal. Govt. Code § 65915.

⁴⁹ *Building Industry Association v. City of Oceanside* (1994) 27 Cal.App.4th 744, 770; Cal. Govt. Code § 65582.1(f).

⁵⁰ *Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 824 (quoting *Shea Homes Ltd. Partnership v. County of Alameda* 92003) 110 Cal.App.4th 1246, 1263).

⁵¹ Cal. Govt. Code § 65915(b)(1).

⁵² Cal. Govt. Code § 65915(g); *see also* Marin County Development Code § 22.24.030.

Cal.App.4th 807, the *court allowed a 40 percent density bonus*. The plaintiffs objected to the density bonus, stating that the density bonus law provided a cap on density bonuses of 35 percent. The court disagreed. The court found that the 35 percent density increase was meant to ensure that local governments provided *at least* that amount when a developer chose to provide a certain number of affordable housing units. The court also found that the statute clearly did not place any caps on the allowable density bonus.⁵³ The court held that the 35 percent density increase reflected “the maximum density increase that would be statutorily imposed upon municipalities,” not the maximum permissible.

Here, it is unquestionable that affordable housing developers would seek density bonuses from the County when density bonuses are mandated upon request (if certain thresholds are met). It is also clear that density bonuses may be granted up to 35 percent, or more, above the densities disclosed and analyzed in the Draft SEIR. Increased densities would undoubtedly result in a number of potentially significant effects on traffic, air quality, visual quality and public services, among other significant effects. It is unfathomable that the County has failed to disclose and analyze the likelihood that, pursuant to California’s density bonus law, the Project’s identified housing developments would be developed at even greater densities – up to 35 percent or more -- than are analyzed in the Draft SEIR. Increased densities above those identified in the Draft SEIR is a realistic worst-case scenario that must be analyzed in a revised EIR and circulated for public review and comment.

B. The Draft SEIR Fails To Adequately Disclose, Analyze and Mitigate Potentially Significant Health Impacts from Soil and Groundwater Contamination

The Draft SEIR states that two (of the five) sites identified for residential development in Tamalpais Valley are contaminated from the past presence of a gas station – Sites 4 and 19. Hazardous materials expert Matt Hagemann reviewed the Draft SEIR, and concluded that the Draft SEIR fails to disclose the extent of contamination on these sites, as well as potential contamination on other Project sites in Tamalpais Valley, including Sites 9, 14 and 18. Mr. Hagemann’s attached comments provide substantial evidence that development of any of the Project’s identified sites in Tamalpais Valley pose potentially significant health risks to construction workers and future residents through vapor intrusion, dermal contact

⁵³ Cal. Govt. Code § 65915(n) states that “[nothing] in this section shall be construed to prohibit a city, county, or city and county from granting a density bonus greater than what is described . . .”

and inhalation. These significant impacts were not adequately disclosed or analyzed in the Draft SEIR (or 2007 Countywide Plan EIR) and must be fully disclosed and analyzed in a revised EIR that is circulated for public review and comment.

Further, a revised EIR must include appropriate mitigation to reduce significant impacts to construction workers and residents to less than significant levels. Mr. Hagemann recommends that vapor barriers be installed below the residential buildings to prevent the entry of vapors.⁵⁴ According to Hagemann, if reduction of contamination below screening levels is not possible, residential development on the site may be restricted.⁵⁵

1. Site 4 (Old Chevron Station)

The Project proposes 21 housing units on Site 4, which is located on the site of a former Chevron gas station that operated for more than 55 years. When the site closed in 2006, four underground storage tanks, a hydraulic hoist and a waste oil tank were removed. In addition, 112 tons of contaminated soil was removed.⁵⁶ In 2009, the San Francisco Bay Regional Water Quality Control Board (“RWQCB”) issued a closure letter for the site. The letter provided the maximum concentrations of pollutants in the site’s soil and groundwater before and after cleanup.

Mr. Hagemann compared the concentrations of contaminated soil following cleanup to soil screening levels established by the RWQCB. Hagemann found that contaminated soil that remains on the site has concentrations of total petroleum hydrocarbons-diesel (“TPH-d”) that exceed the RWQCB screening levels for commercial/industrial workers.⁵⁷ Hagemann also found that contaminated soil that remains on the site has concentrations of TPH-hydraulic oil (“TPH-ho”) that exceeds the RWQCB’s screening level for construction workers.⁵⁸ Finally, Hagemann found that contaminated soil that remains on the site has concentrations of TPH-d and TPH-ho that exceed the RWQCB’s screening levels for residential exposure.⁵⁹

⁵⁴ See **Exhibit 1**: Hagemann Comments, p. 6

⁵⁵ *Id.*, p. 6.

⁵⁶ *Id.*, p. 2.

⁵⁷ *Id.*

⁵⁸ *Id.*, pp. 2-3.

⁵⁹ *Id.*, p. 3.

According to expert Hagemann, TPH can adversely affect the central nervous system, blood, immune system, lung, skin and eyes.⁶⁰ Therefore, he concludes that development on Site 4 may pose significant health risks to construction workers and future residents.⁶¹

Mr. Hagemann also looked at the potential for benzene to be present on Site 4. Benzene is a known human carcinogen and causes harmful effects to the bone marrow and red blood cells.⁶² Benzene was detected in groundwater on the site, but not at a concentration that exceeds the RWQCB's screening levels for vapor intrusion concerns.⁶³ However, as Hagemann notes in his comments, only one groundwater sample was collected and no soil vapor samples were collected.⁶⁴ These sampling efforts do not satisfy State guidance, which states that a soil vapor investigation should include the collection of groundwater and soil vapor data.⁶⁵ Based on his independent review, Hagemann concluded that benzene may be present in soil vapor on Site 4, which would pose health risks to future residents.⁶⁶

2. Sites 9 and 18 (150 Shoreline Highway)

The Project proposes 48 housing units on Sites 9 and 18. The Draft SEIR states, without any support, that these sites are not located in an area of impacted environmental quality.⁶⁷ Mr. Hagemann's comments provide substantial evidence that Sites 9 and 18 are, in fact, located in an area of impacted environmental quality. Mr. Hagemann's independent review shows that a Texaco gas and service station was located at the proposed sites until at least 2002.⁶⁸

The Draft SEIR completely fails to disclose the existence of a gas and service station on Sites 9 and 18. Mr. Hagemann concludes that TPH-compounds may be present on these sites as a result of the property's former use.⁶⁹ Mr. Hagemann recommends that soil, soil vapor and groundwater sampling be conducted on these sites. Without sampling, it is impossible to determine the severity of health impacts

⁶⁰ *Id.*, pp. 3-4.

⁶¹ *Id.*, p. 4.

⁶² **Exhibit 1**, p. 4.

⁶³ *Id.*, p. 3.

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ Draft SEIR, p. 153.

⁶⁸ **Exhibit 1**, pp. 4-5.

⁶⁹ *Id.*, p. 5.

to construction workers and residents from contaminated soil and groundwater from the property's former use, or whether the impacts can be mitigated to a less than significant level. The results of the sampling should be included in a revised EIR that is circulated for public review and comment.

3. Site 19 (Tam J Retail)

The Project identifies 60 housing units on Site 19, which is located directly across the street from Site 4. The Draft SEIR states that shallow groundwater at the site may contain volatile organic compounds from a nearby gas station.⁷⁰ According to the Draft SEIR, this may pose a potential vapor intrusion risk to future residents.⁷¹ As Hagemann notes in his comments, a soil vapor sampling investigation should be conducted in accordance with State guidance.⁷² Without sampling data, it is impossible to determine the severity of health impacts to construction workers and residents from contaminated soil and groundwater from the property's former use, or whether the impacts can be mitigated to a less than significant level. The results of the sampling should be included in a revised EIR that is circulated for public review and comment.

4. Site 14 (Armstrong Nursery)

The Project identifies 53 housing units on Site 14, which is located approximately 700 feet from Site 4. Mr. Hagemann concludes that, because of the location of Site 14 in relation to Site 4, the risk for potential vapor intrusion identified for Site 4, also exists for Site 14.⁷³ As Hagemann notes in his comments, a soil vapor sampling investigation should be conducted in accordance with State guidance.⁷⁴ Without sampling data, it is impossible to determine the severity of health impacts to construction workers and residents from contaminated soil and groundwater from the property's former use, or whether the impacts can be mitigated to a less than significant level. The results of the sampling should be included in a revised EIR that is circulated for public review and comment.

The potentially significant public health concerns raised by the presence of hazardous materials, coupled with the Draft SEIR's failed attempt at disclosure, is

⁷⁰ Draft SEIR, p. 155.

⁷¹ *Id.*

⁷² **Exhibit 1**, p. 6.

⁷³ *Id.*

⁷⁴ *Id.*

cause for concern. Indeed, this is precisely the type of situation CEQA cautions lead agencies against. “Environmental problems should be considered at a point in the planning process “where genuine flexibility remains.”⁷⁵ “A study conducted after approval of a project will inevitably have a diminished influence on decision making. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA.”⁷⁶

Full disclosure of public health impacts, as required by CEQA, must include the precise locations of contamination, the types of contaminants involved, and the detected concentrations of those contaminants. A revised EIR must include this information. Furthermore, a revised EIR must propose a clear, effective and enforceable strategy for cleaning up the contamination to a level that is appropriate for the land uses proposed by the Project. If clean-up below screening levels is not possible, residential development on Sites 4, 9, 14, 18 and 19 should be restricted.

C. The Draft SEIR Fails to Adequately Disclose, Analyze and Mitigate Potentially Significant Impacts to Waterways From Soil Contamination

As outlined above, contamination likely exists throughout the Project sites identified in Tamalpais Valley. According to Hagemann, development on these sites may cause movement of the contamination to adjacent waterways, threatening biological and hydrological resources.⁷⁷ Specifically, soil that is stockpiled during grading and excavation may be subject to wind and water erosion. When it rains, water may wash over stockpiles and eroded soil, entrain TPH-compounds in Project runoff, and discharge to adjacent waterways.⁷⁸

Sites 4, 9 and 19 drain to Richardson Bay. Sites 14 and 18 drain to Coyote Creek.⁷⁹ Coyote Creek, a tributary to Richardson Bay, supports several special status species. Both Richardson Bay and Coyote Creek are already listed as impaired waterways.⁸⁰ As Hagemann states in his comments, contaminated Project runoff into these waterways will further degrade water quality and pose a threat to

⁷⁵ *Mount Sutro Defense Committee v. Regents of University of California* (1978) 77 Cal.App.3d 20, 34.

⁷⁶ *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296, 307.

⁷⁷ **Exhibit 1**, p. 6.

⁷⁸ *Id.*, p. 7.

⁷⁹ Draft SEIR, pp. 186-189.

⁸⁰ **Exhibit 1**, p. 7.

biological and hydrological resources.⁸¹ A revised EIR must disclose and provide mitigation for this significant impact.

D. The Draft SEIR Fails to Adequately Disclose, Analyze and Mitigate Potentially Significant Impacts Associated with Air Quality

Air quality expert Geoffrey Hornek reviewed the Draft SEIR's analysis of the Project's potentially significant impacts associated with toxic air contaminant ("TAC") emissions. In his attached comments, Mr. Hornek explains that the Draft SEIR's analysis of TAC impacts "is not very precise" in applying screening criteria to the Project's five sites identified for residential development in Tamalpais Valley.⁸² According to Hornek, the Draft SEIR fails to clearly identify proposed housing sites that would experience significant TAC impacts, as well as all sources responsible for TAC emissions.⁸³ Hornek conducted an independent health risk screening analysis for the Tamalpais Valley sites and concluded that the Project poses a significant cancer risk at all of the Tamalpais sites. This significant impact was not disclosed in the Draft SEIR.

Hornek explains that there is a clear association between respiratory and other health effects (including cancer) and the proximity of sensitive populations to high-traffic roadways where cars and trucks emit TACs in large quantities over long periods of time.⁸⁴ There are other sources of TACs, including mobile and stationary sources, such as dry cleaners.⁸⁵ New, scientific information since 2007 has become available that shows new adverse health effects from TAC exposure.⁸⁶ For example, recent studies show a link between TAC exposure and low birth weight, cardiovascular mortality, chronic obstructive pulmonary disease, suicide, schizophrenia, pediatric asthma, among other health effects.⁸⁷

The Project proposes the development of housing units at five sites in Tamalpais Valley that are undoubtedly located very close to, *if not on*, highly congested roadways, including U.S. 101 and Highway 1. Sites 9 and 18 are *located*

⁸¹ *Id.*

⁸² See **Exhibit 2**: Hornek Comments, p. 3.

⁸³ *Id.*

⁸⁴ *Id.*, p. 1.

⁸⁵ *Id.*

⁸⁶ *Id.*, p. 2.

⁸⁷ *Id.*

on Shoreline Highway/Highway 1 and adjacent to U.S. 101. Sites 4, 14 and 19 are **located on Shoreline Highway/Highway 1.** The County's proposal to develop residential units on these highly travelled and congested roadways (with LOS F) is nothing short of irresponsible land use planning and conflicts with CEQA. Case law clearly shows that CEQA is intended "to compel government at all levels to make decisions with environmental consequences in mind."⁸⁸ The County is not heeding this mandate.

Mr. Hornek prepared Table 1, which shows that, pursuant to the Bay Area Air Quality Management District's ("BAAQMD") listings, all of the Tamalpais Valley sites are located within the zone of influence of several significant roadway and stationary TAC sources.⁸⁹ The Draft SEIR recognizes that Sites 4 and 19 are subject to a potentially significant cancer risk for future residents from TACs emitted from one source, Shoreline Cleaners.⁹⁰ However, as Hornek notes in his comments, the Draft SEIR fails to disclose the severity of the risk – 73.4, which far exceeds BAAQMD's threshold of 10.⁹¹ The Draft SEIR also completely fails to report other significant sources of TACs that put future residents of Sites 4 and 19 at risk, including the County of Marin Crest Marin Pump Station Generator, Highway 1 and European Tailoring & Cleaners.⁹² The Draft SEIR also completely fails to disclose that future residents of Site 14 would be exposed to the same TAC sources (and same potential cancer risk) as those for Sites 4 and 19.⁹³ When taken together, the collective TAC emissions from all roadway and stationary sources, pose a significant cumulative cancer risk of 143.6 for Sites 4, 14 and 19. This risk is well above BAAQMD's cumulative cancer risk threshold of 100.⁹⁴ Finally, the Draft SEIR completely fails to disclose that Sites 9 and 18 would be subject to potential significant cancer risk from TACs emitted by Highway 1 and the Sausalito Marin City Sanitary District Generator.⁹⁵

The Draft SEIR states that potentially significant impacts related to TACs at Sites 4 and 19 would be subject to site-specific health risk assessments, once specific development plans are finalized, that would propose site-specific mitigation

⁸⁸ *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283, 118; *Laurel Heights*, 47 Cal.3d at p. 393; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 711.

⁸⁹ **Exhibit 2**, pp. 3-4.

⁹⁰ Draft SEIR, pp. 82-84.

⁹¹ **Exhibit 2**, p. 3.

⁹² *Id.*, pp. 3-4.

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ *Id.*

measures to reduce TAC impacts to less-than-significant levels.⁹⁶ However, as Hornek explains, the Draft SEIR provides no evidence that any yet to be determined, future mitigation measures would ensure that significant impacts to residents from TAC exposure would be reduced to less than significant levels.⁹⁷ Hornek suggests that to mitigate TAC impacts, housing must be situated outside the zones of influence of all proximate roadway and stationary sources.⁹⁸ ***For the Tamalpais Valley sites, this is impossible because the sites are too small and are entirely located in the zones of influence of significant TAC sources.***⁹⁹ According to Hornek, the only possible mitigation for these sites is the installation of air filtration systems to reduce indoor risk to acceptable levels.¹⁰⁰ But these systems would do nothing for children playing outside or residents gardening who would have no protection from the high levels of TACs that pose significant cancer and other chronic and acute health risks.¹⁰¹

Mr. Hornek concludes that the Draft SEIR's screening risk assessment of TAC impacts to future residents of the Project's five Tamalpais Valley sites is inadequate. Further, there is no evidence that the Draft SEIR's proposed mitigation would reduce these significant impacts to less than significant levels. In Hornek's opinion, the County should remove sites 4, 9, 14, 18 and 19 from the Project's site inventory and "focus future County residential planning on sites that clearly meet BAAQMD screening criteria with a health margin of safety."¹⁰²

E. The Draft SEIR Fails to Adequately Disclose and Analyze Potentially Significant Impacts to Cultural Resources

According to the 2007 Countywide Plan EIR, Marin County is rich in archaeological history.¹⁰³ The EIR states that there are 630 archaeological sites recorded in Marin County and an unknown number of unrecorded sites, including deposits and remains left by Native Americans.¹⁰⁴ The 2007 Countywide Plan EIR states that the Coast Miwok Indians once inhabited all of present-day Marin

⁹⁶ Draft SEIR, p. 81.

⁹⁷ **Exhibit 2**, p. 5.

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ 2007 Countywide Plan EIR, p. 4.11-12.

¹⁰⁴ *Id.*

County.¹⁰⁵ Also, archaeological evidence shows that the Coast Miwok inhabited areas near small bays, lagoons and streams.¹⁰⁶ Village sites “were often massive, covering two or more acres” and occupied by 300 or more people.¹⁰⁷

The 2007 Countywide Plan EIR stated that development consistent with the Countywide Plan update could adversely affect archaeological resources¹⁰⁸ but concluded that Plan update “contains a number of policies and programs to reduce adverse changes to the significance of an archaeological or paleontological resource.”¹⁰⁹ One of these programs, HAR -1.a, “would update County sensitivity maps that identify potential locations of archaeological resources, and survey and evaluate existing archaeology resources every three years.”¹¹⁰ According to the 2007 Countywide Plan EIR, this program is “important to help identify the potential for resources as some archaeological sites have not been revisited in many decades and the information on them is questionable.”¹¹¹ Another program, HAR-1.d, would subsequently require archaeological surveys for new development in those areas identified through program HAR-1.a as potential resource locations.¹¹² Finally, program HAR-1.e “would help ensure permanent protection of identified archaeological sites by requiring development avoid the resource and provide permanently deeded open space that incorporates the resource.”¹¹³ The 2007 Countywide Plan EIR also concluded that the potential disturbance of human remains was a less-than-significant impact.

The Draft SEIR concludes, without any evidence whatsoever, that the Project “would not have any impact on archaeological or paleontological resources or on human remains.”¹¹⁴ The Draft SEIR assumes, with no support, that with the Countywide Plan’s programs and policies, the Project would have a less-than-significant impact on these cultural resources.¹¹⁵ The Draft SEIR provides no evidence that the County has implemented programs contained in the Countywide Plan, including HAR -1.a. As a result, it is impossible to implement program HAR-

¹⁰⁵ *Id.*, p. 4.11-2.

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*, p. 4.11-4.

¹⁰⁸ *Id.*, p. 4.11-13.

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ *Id.*

¹¹⁴ Draft SEIR, p. 114.

¹¹⁵ *Id.*

1.d and program HAR-1.e. Consequently, the Draft SEIR cannot conclude that with the programs and policies contained in the Countywide Plan, the Project's impact on cultural resources would be less than significant.

Moreover, since publication of the 2007 Countywide Plan EIR, new information shows that the Project's impacts to archaeological resources and human remains would be potentially significant. In 2008, when the Fireside was renovated, it was discovered that the project was located on top of a sacred Miwok burial ground.¹¹⁶ The Fireside is located directly across the street from Project sites 9 and 18. The Draft SEIR completely fails to disclose this information. Because village sites "were often massive, covering two or more acres" and occupied by 300 or more people,¹¹⁷ and a sacred Miwok burial ground was found directly across the street from two of the Project's proposed sites for housing development, substantial evidence shows that the Project may result in significant impacts to archaeological resources and human remains. The Draft SEIR's conclusion that the Project would not have any impact on archaeological or paleontological resources or on human remains, is not supported by substantial evidence.

The Draft SEIR also lacks evidence that the County has complied with SB 18 tribal consultation requirements. Countywide Plan policy HAR -2.2 requires the County to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain points during the planning process.¹¹⁸ SB18 requires the County to consult with tribes prior to adopting or amending the general plan or any specific plan. SB18 specifically requires the County to send project information to the Native American Heritage Commission and request contact information for tribes with traditional lands or places located within the geographical area affected by the proposed project.¹¹⁹ Further, SB18 requires the County to contact each tribe identified by the Native American Heritage Commission, in writing, and provide consultation opportunities regarding the proposed project.¹²⁰ The Draft SEIR completely fails to discuss the requirements of SB18 and provides no evidence that the County is complying with the requirements.

The County must prepare a revised EIR that adequately discloses and analyzes the Project's potentially significant impacts to cultural resources. The

¹¹⁶ See **Exhibit 3**: SF Gate, "*The spirited history of Marin County landmark*," April 21, 2008.

¹¹⁷ *Id.*, p. 4.11-4.

¹¹⁸ *Id.*, p. 4.11-14.

¹¹⁹ *Id.*

¹²⁰ *Id.*

County's conclusions must be supported by substantial evidence. The County must include the requirements of SB18 and provide evidence that the County is complying with the requirements.

F. The Draft SEIR Fails to Adequately Disclose and Analyze Potentially Significant Impacts from Flooding

The Draft SEIR recognizes that, since publication of the 2007 Countywide Plan EIR, new information has become available, including an updated FEMA Flood Insurance Study and associated maps, and San Francisco Bay Conservation and Development Commission's ("BCDC") assessment of potential flooding impacts from climate-induced sea level rise.¹²¹ According to the Draft SEIR, *all* of the Project's Tam Valley sites are exposed to tidal inundation per BCDC's assessment.¹²²

To address this new information, the Draft SEIR incorporates Mitigation Measure Hydrology, Water Quality and Flooding Hazard-1. The measure requires the County to obtain BCDC's GIS files for County tidal inundation mapping and develop GIS layers, or prepare its own mapping based on predicted tidal elevations and topographic data.¹²³ This information will be compared to housing development applications "*to determine the suitability of the site for residential use* and the need for design measures or other measures to reduce flooding risks."¹²⁴

The County's approach violates CEQA. The County must determine now whether the sites identified for housing development are suitable for residential use; the County cannot wait until after Project approval. The County's approach undermines the entire point of the CEQA process -- to offer the public and the decision makers the opportunity to weigh-in on a project's potentially significant impacts and an agency's proposed measures to mitigate those impacts. It is well-established that CEQA is not meant to be a *post hoc* rationalization of decisions that have already been made. "If post-approval environmental review were allowed, EIR's would likely become nothing more than post hoc rationalizations to support action already taken."¹²⁵

¹²¹ Draft SEIR, pp. 166-167.

¹²² *Id.*, pp. 186-187, 189.

¹²³ *Id.*, p. 184.

¹²⁴ *Id.* (emphasis added)

¹²⁵ *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 394.

G. The Revised DEIR Fails to Disclose and Mitigate All Potentially Significant Impacts Due to Conflicts with the Countywide Plan

CEQA requires an assessment of any inconsistencies between the Project and applicable general plans.¹²⁶ A significant impact on land use and planning would occur if the Project would “[c]onflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.”¹²⁷ The Project conflicts with several sections of the Countywide Plan. The inconsistencies are significant impacts that must be disclosed in a new Draft SEIR that is circulated for public review and comment.

Under California law, a general plan serves as a “charter for future development”¹²⁸, and embodies “fundamental land use decisions that guide the future growth and development of cities and counties.”¹²⁹ The general plan has been aptly described as “the constitution for all future developments” within a city or county.¹³⁰ Further, the “propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements.”¹³¹ The consistency doctrine has been described as the “linchpin of California’s land use and development laws; it is the principle which infuses the concept of planned growth with the force of law.”¹³²

The Draft SEIR fails to acknowledge the Project’s conflicts with a number of the Countywide Plan’s policies and goals. These inconsistencies are significant environmental impacts. The following are examples of these inconsistencies:

- *Countywide Plan Goal BIO-5* is to preserve and enhance diversity of baylands ecosystems, including tidal marshes and adjacent uplands, seasonal marshes

¹²⁶ CEQA Guidelines § 15125(a), (d).

¹²⁷ CEQA Guidelines Appendix G, § IX(b).

¹²⁸ *Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 54.

¹²⁹ *City of Santa Ana v. City of Garden Grove* (1979) 100 Cal.App.3d 521, 532.

¹³⁰ *Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors of El Dorado County* (1998) 62 Cal.App.4th 1334, 1335.

¹³¹ *Citizens of Goleta Valley v. Board of Supervisors of County of Santa Barbara* (1990) 52 Cal.3d 553, 570.

¹³² *Corona-Norco Unified School District v. City of Corona* (1993) 17 Cal.App.4th 985, 994.

and wetlands. There is no evidence that the Project would preserve and enhance baylands ecosystems. On the contrary, the Project proposes high density residential development adjacent to Richardson Bay and Coyote Creek in Tamalpais Valley.

- *Countywide Plan Policy BIO-5.2* is to ensure development does not encroach into sensitive vegetation and wildlife habitats and *Countywide Plan Policy BIO-5.5* is to preserve and expand habitats. There is no evidence that the Project would not encroach into sensitive habitats or that the Project would preserve and enhance habitats. On the contrary, the Project proposes high density residential development adjacent to sensitive biological resource areas, including Coyote Creek and Richardson Bay. High density development proposed at these locations could obstruct important migratory corridors and disturb wildlife utilizing existing habitat, including the endangered California Clapper Rail and Salt Marsh Harvest Mouse, among others.

These are just two examples of the Project's many inconsistencies with the Countywide Plan's policies and goals. These inconsistencies must be disclosed in a revised EIR that is circulated for public review and comment.

IV. CONCLUSION

The County cannot rely on the 2007 Countywide Plan EIR to approve the Project. The County must prepare a subsequent EIR that adequately analyzes the Project's potentially significant impacts. As it stands, the Draft SEIR is a woefully inadequate CEQA document. The Draft SEIR's conclusions are not supported by substantial evidence. The Draft SEIR fails to adequately analyze the Project's potentially significant impacts with respect to air quality, flooding, hazardous materials, cultural resources and land use, among others. The County cannot approve the Project until an adequate EIR is prepared and circulated for public review and comment. Further, substantial evidence shows that to protect residents' health and safety, the County should remove the five Tamalpais Valley sites from the Project's housing inventory.

Sincerely,

/s/

Rachael E. Koss

February 19, 2013
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