Special Board Meeting
Board Retreat

Marin Community College District – Board of Trustees
September 8, 2012

Staff Lounge, Student Services Building
College of Marin Kentfield Campus
835 College Avenue
Kentfield, California

The Board shall act on posted items and shall not deliberate items that are not on the posted agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact Human Resources at 485-9340. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

If you wish to speak at this meeting, complete a card available at the entrance, give the card to the recording secretary and get recognition from Chair. Public comment presentations will be limited to no more than 3 minutes each.

Government Code §54957.5 states that public records which relate to any item on the open session agenda for a regular Board meeting should be made available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Office of the Superintendent/President at 835 College Avenue, Administrative Center 123, Kentfield, California, for the purpose of making those public records available for inspection.
AGENDA

A. **Open Session** – 9:00 a.m. Staff Lounge, Student Services Building, College of Marin
   Kentfield Campus, Kentfield, California

   1. Call to Order, Roll Call and Adoption of Agenda
   2. Public Comment
   3. Child Study Center Final Environmental Impact Report (EIR)
      a. Approve Resolution 09-08-2012 A.3, to adopt the Final EIR (Exhibit A) and CEQA
         Facts and Findings (Exhibit B), approve the mitigation monitoring reporting plan
         (MMRP) and approve the project. (Roll Call Vote)
   4. Technology Plan (Discussion)
   5. Distance Education Plan (Discussion)
   6. Mission (Discussion)
   7. Adjourn to Closed Session

B. **Closed Session**, 2:00 p.m., Staff Lounge, Student Services Building,
   College of Marin, Kentfield Campus, Kentfield, California

   1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
      *Initiation of litigation pursuant to subdivision (c) of Section 54956.9
      One (1) potential case
      Nancy Klein*

C. **Open Session**, Staff Lounge, Student Services Building, College of Marin, Kentfield
   Campus, Kentfield, California

   1. Reconvene to Open Session
   2. Report from Closed Session
   3. Wrap Up and Adjourn
The need to prepare an EIR for the project was established by the District as a result of a preliminary evaluation of the likely effects on the project. A Notice of Preparation- Draft Environmental Impact Report (NOP) was issued for the proposed project on October 18, 2011 and the Draft Environmental Impact Report (DEIR) was issued on June 15, 2012 for public comment. The DEIR identifies the likely environmental consequences of the project and recommends mitigation measures to reduce or eliminate significant impacts. The minimum 45-day public review and comment period ended on July 30, 2012. The CEQA Findings and Final Environmental Impact Report (FEIR), sent August 28, 2012 for review, responds to comments received on the DEIR and clarifies/corrects DEIR text as required. Resolution No. 09-08-2012 A.3. is presented herein for certification. Due to schedule constraints of the California clapper rail breeding season, construction will begin immediately following this certification.

**RecommenDATION:**

The Superintendent/President recommends that the Board adopt Resolution No. 09-08-2012 A.3 to certify the Final Environmental Impact Report for the College of Marin Child Study Center, located on the Kentfield Campus; adopt the attached Resolution of the Board of Trustees of the Marin Community College District Certifying the Final Environmental Impact Report (EIR) and the Facts and Findings in accordance with the California Environmental Quality Act (CEQA) for the College of Marin Child Study Center project, approve the Mitigation Monitoring and Reporting Program; and approve the College of Marin Child Study Center project.
RESOLUTION OF THE BOARD OF TRUSTEES OF THE MARIN COMMUNITY COLLEGE DISTRICT CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE COLLEGE OF MARIN, CHILD STUDY CENTER, KENTFIELD CAMPUS, LARKSPUR ANNEX, ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND A MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING THE COLLEGE OF MARIN CHILD STUDY CENTER PROJECT.

WHEREAS, the Marin Community College District (the “District”) proposes to construct certain improvements more commonly known as the College of Marin Child Study Center project (“Project”) at the Larkspur Annex of the Kentfield campus; and

WHEREAS, the District is the lead agency for the Project and, after review through the Initial Study and determination of a finding pursuant to the California Code of Regulations §15064, directed the preparation of the Draft Environmental Impact Report (“Draft EIR”) for the Project, including a Notice of Preparation, which was issued October 18, 2011; and

WHEREAS, a Draft EIR (SCH No. 2011102036) was prepared for the Project pursuant to and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and the Guidelines for Implementation of CEQA (Title 14, California Code of Regulations (“CCR”), Sections 15000 et seq.) (“CEQA Guidelines”); and

WHEREAS, the District posted a Notice of Availability of the Draft EIR at the College of Marin, Kentfield Campus, at the office of the Clerk-Recorder County of Marin, and at the State Clearinghouse; and

WHEREAS, the Draft EIR informed the public of the District’s efforts in addressing the environmental effects and adopting feasible mitigation measures associated with the Project, the District’s intent to pursue the program and Project, and invited the public to examine the Draft EIR in support of such findings; and

WHEREAS, written comments on the Draft EIR were received from the public and reviewing public agencies during the 45-day public review period from June 15, 2012 to July 30, 2012; and

WHEREAS, such comments were responded to through a Response to Comments document in the and said document was made available in a manner prescribed by CEQA and the CEQA Guidelines; and
WHEREAS, Public Resources Code section 21092.5(a) requires the District provide a written response to any public agency that commented on the Draft EIR and the Response to Comments document is included in the Final EIR; and

WHEREAS, the District has reviewed and considered the Draft and Final EIR and Mitigation Monitoring and Reporting Program (the "MMRP"), which is part of the Final EIR, with respect to the Project, including all comments and responses thereto; and

WHEREAS, pursuant to the Public Resources Code section 21082.1, the District staff has independently reviewed and analyzed the information contained in the Draft and Final Environmental Impact Reports ("Draft and Final EIR" or "Final EIR") and the conclusions of the Draft and Final EIR reflect the independent judgment of the District; and

WHEREAS, the District has taken all actions required by applicable law related to the preparation, circulation, and review of the Draft and Final EIR.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Marin Community College District at the meeting held on September 8, 2012, the following:

SECTION 1:

The Draft and Final EIR are adequate and complete documents completed in accordance with CEQA and the CEQA Guidelines.

SECTION 2:

The Board of Trustees hereby certifies that a full and fair public comment period on the Draft EIR was provided and it received comments thereon and provided responses thereto, which comments and responses are included in the Final EIR; the District as the lead agency has reviewed and considered the Draft and Final EIR and the information contained therein prior to deciding whether to approve the proposed Project, including all comments received thereon and responses thereto; and the Board of Trustees finds that the Draft and Final EIR reflect the independent judgment and analysis of the Board of Trustees and the District. These actions having been taken, the Board of Trustees hereby approves, certifies, and adopts the Draft EIR and Final EIR, including the Draft EIR and other associated documents, for the Project, said Draft and Final EIR is attached hereto and incorporated herein by reference as Exhibit "A."
SECTION 3:

The Board of Trustees hereby makes and adopts the CEQA Findings as set forth in Exhibit “B,” which is attached hereto and incorporated herein by reference. The CEQA Findings identify the following: the project will not result in any significant impacts for the study area of Traffic and Circulation, therefore no mitigation is required; significant or potential impacts will be reduced to a less than significant level with incorporation of mitigation measures for the study areas of Land Use and Planning, Aesthetics, Biological Resources, Hydrology and Water Quality, Hazards and Hazardous Materials, Air Quality, and Noise; and no significant impacts will be unavoidable in any of the study areas.

SECTION 4:

A mitigation monitoring and reporting program has been drafted to meet the requirements of Public Resources Code section 21081.6 as a Mitigation Measure Monitoring and Reporting Program (“MMRP”). This program is designed to ensure compliance with project changes and mitigation measures imposed to avoid or substantially lessen the significant effects identified in the Draft and Final EIR. The Board of Trustees hereby makes and adopts the MMRP, as set forth in the mitigation monitoring and report checklist, which is included in the Final EIR, Exhibit “A,” and incorporates the MMRP herein by reference.

SECTION 5:

The Board of Trustees finds that the project alternatives identified in the Draft and Final EIR would not achieve the primary objectives of the Project. Accordingly, and for reasons set forth herein, including in the Draft and Final EIR (Exhibit A) and the CEQA Findings (Exhibit B) attached hereto, the Board of Trustees hereby rejects such other alternatives.

SECTION 6:

The Final EIR which includes the Draft EIR, Appendices, Response to Comments, and MMRP, and the Exhibits referenced herein, are on file and available at the Marin Community College District, Swinerton Management and Consulting, 835 College Avenue, Building MS-3, Kentfield, CA 94904.

SECTION 7:

The Board of Trustees hereby adopts and approves construction of the Project as of September 8, 2012. Due to schedule constraints of the California clapper rail breeding season, the Board of Trustees acknowledges that construction will begin immediately following this certification.
SECTION 8:

The President of the Board of Trustees shall sign this resolution and the Secretary shall attest and certify to the passage and adoption thereof.

SECTION 9:

The Board of Trustees directs District staff to file with the County Clerk-Recorder of the County of Marin and the State Clearinghouse a Notice of Determination, pursuant to Title 14, CCR section 15094.

This Resolution is APPROVED AND ADOPTED by the Board of Trustees of the Marin Community College District on September 8, 2012.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

President, Board of Trustees

ATTEST:

Secretary to Board of Trustees
COLLEGE OF MARIN CHILD STUDY CENTER
Final Environmental Impact Report
SCH No. 2011102036

Prepared for
Marin Community College District

August 2012
COLLEGE OF MARIN CHILD STUDY CENTER
Final Environmental Impact Report
SCH No. 2011102036

Prepared for
Marin Community College District

August 2012

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Final Environmental Impact Report

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CHAPTER 1
Introduction

A. CEQA Process

On June 15, 2012 the Marin Community College District (Lead Agency) released for public review a Draft Environmental Impact Report (Draft EIR) for the proposed Child Study Center (SCH# 2011102036). The minimum 45-day public review and comment period on the Draft EIR began on June 15, 2012 and closed on July 30, 2012.

The Draft EIR for the proposed Child Study Center (proposed project or CSC) together with this Response to Comments Document constitutes the Final EIR for the proposed project. The Final EIR is an informational document prepared by the Lead Agency that must be considered by decision-makers before approving the proposed project and that must reflect the Lead Agency's independent judgment and analysis of the anticipated physical impacts of proposed project on the environment (CEQA Guidelines, Section 15090). California Environmental Quality Act (CEQA) Guidelines (Section 15132) specify the following:

The Final EIR shall consist of:

(a) The Draft EIR or a revision of that draft.

(b) Comments and recommendations received on the Draft EIR either verbatim or in a summary.

(c) A list of persons, organizations, and public agencies commenting on the Draft EIR.

(d) The responses of the Lead Agency to significant environmental points raised in review and consultation process.

(e) Any other information added by the Lead Agency.

This document has been prepared pursuant to CEQA and in conformance with the CEQA Guidelines. This Response to Comments Document incorporates comments from public agencies and the general public, and contains appropriate responses by the Lead Agency to those comments. The Final EIR reflects the District's independent judgment and analysis.
B. Method of Organization

This EIR Response to Comments Document for the proposed project contains information in response to comments raised during the public comment period.

This chapter, *Introduction*, describes the CEQA process and the organization of this Response to Comments Document.

Chapter 2, *Agencies, Organizations and Individuals Commenting on the Draft EIR*, lists all agencies, organizations, and persons that submitted written comments on the Draft EIR during the public review and comment period. The list also indicates the receipt date of each written correspondence.

Chapter 3, *Responses to Written Comments on the Draft EIR*, contains comment letters received during the review and comment period. The responses to the comments are provided following each letter.

Chapter 4, *Revisions to the Draft EIR*, contains text changes to the Draft EIR. Some changes were initiated by the District; others were made in response to comments received on the Draft EIR.

Chapter 5, *Mitigation Monitoring and Reporting Program*, describes the identified mitigation measures and the responsible parties, tasks, and schedule for monitoring mitigation compliance.
CHAPTER 2
Agencies and Persons Commenting on the Draft EIR

A. Agencies and Persons Commenting in Writing

The following agencies, organizations and individuals submitted written comments on the Draft EIR during the public review period, or shortly thereafter. The minimum 45-day public review and comment period on the Draft EIR began on June 15, 2012 and closed at 5:00 p.m. on July 30, 2012.

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CHAPTER 3
Written Comments on the Draft EIR and Responses to Comments

This chapter contains copies of the comment letters received during the public review period on the Draft EIR, and the individual responses to those comments. Each written comment letter is designated with a number (1 through 5) in the upper right-hand corner of the letter.

Within each written comment letter, individual comments are labeled with a number in the margin. Immediately following each comment letter is an individual response to each numbered comment. Where responses have resulted in changes to the Draft EIR, these changes also appear in Chapter 4 of this response to comments document.
July 31, 2012

Ms. Debra Mathau  
Marin Community College District  
c/o Swinterton Management Consulting  
Post Office Box 14400.  
Kentfield, CA 94904

Dear Ms. Mathau:

Subject: Child Study Center at College of Marin, Kentfield Campus, Draft Environmental Impact Report, SCH #2011102036, City of Larkspur, Marin County

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (EIR) for the Child Study Center at College of Marin, Kentfield Campus (Project). DFG is providing comments on the draft EIR as a Trustee Agency and Responsible Agency. As Trustee for the State's fish and wildlife resources, DFG has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California.

The proposed one-acre Child Care Center (CSC) would be located on the "Larkspur Annex" portion of the Kentfield campus. The site is located off of Magnolia Avenue near Estella Avenue in the City of Larkspur, Marin County. The Project site is primarily used as a parking lot at this time. There is an existing restroom trailer on-site that will remain.

The proposed Project includes constructing an approximately 5,936-square-foot building with parking, landscaping, footpaths, a playground area, and a garden. The CSC would be used by the children of registered students. It would also provide classroom space for college students studying Early Childhood Education as part of the program at the College of Marin.

The Project site is generally surrounded by development on three sides. The northeastern portion of the site is adjacent to salt and brackish marshes associated with Tamalpais Creek that flows into the Corte Madera Creek Channel.

Comments
The draft EIR should recognize that the California clapper rail, California black rail, and salt marsh harvest mouse are fully protected species under Fish and Game Code Sections 3511 and 4700. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for
necessary scientific research. Fish and Game Code Section 3503 states that it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided in the Fish and Game Code.

California black rails and salt marsh harvest mice should be included as potentially present species in the impact analysis section of the draft EIR. These two species have been identified as having a "low" potential for occurrence in the Project area, according to Appendix D. Therefore, these two species should be included in section 4.C of the draft EIR.

Due to the difficulty in determining what construction activities would result in a 10 decibel (dBA) increase, DFG recommends that Mitigation Measure BIOLOGY-2c be changed to state that all construction activities occurring during the rail breeding season shall install a noise attenuating fence along the salt marsh. In addition, DFG recommends having a qualified biologist on-site daily during all Project construction during the California clapper rail breeding season to ensure that noise levels are below levels that would impact California clapper rail. DFG also recommends that the biologist be authorized to stop construction if noise levels exceed 10 dBA over existing ambient noise levels. Consultation with DFG should be required before re-commencing work.

If you have any questions, please contact Mr. Timothy Dodson, Environmental Scientist, at (707) 944-5513 or by email at tdodson@dfg.ca.gov; or Ms. Karen Weiss, Senior Environmental Scientist, at (707) 944-5525.

Sincerely,

Scott Wilson
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse
Letter 1. Department of Fish and Game
Scott Wilson, Acting Regional Manager

1-1 The comment requests recognition of California Department of Fish and Game Fully Protected Species and bird nests and eggs in the EIR. While page 4.C-13 describes CDFG’s regulatory authority over Fully Protected Species, revisions have been made to the Draft EIR to clarify that California clapper rail, California black rail, and salt marsh harvest mouse are Fully Protected. The following edits have been made to the first sentence of the first paragraph of page 4.C-7 of the Draft EIR:

California clapper rail (*Rallus longirostris obsoletus*). The federal listed, and state listed, and California Fully Protected California clapper rail lives in coastal salt and brackish marshes and tidal sloughs.

The following edits has been made to Page D-4 of Appendix D of the Draft EIR, for the listing status of the California black rail, salt marsh harvest mouse, and California clapper rail:

```markdown
--/CE, CFP
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The following edit has been made to Page D-7 of Appendix D of the Draft EIR:

- CE = Listed as Endangered by the State of California
- CT = Listed as Threatened by the State of California
- CFP = California Fully Protected
- CR = Listed as Rare by the State of California (plants only)

1-2 The comment notes that the Draft EIR concluded there is a low potential for California black rail and salt marsh harvest mouse to occur in the vicinity of the project site, and mentions these species should be acknowledged in the impact analysis section of the Draft EIR. Page 4.C-5 of the Draft EIR describes that species designated as having a “low” potential to occur are not included in detailed species descriptions or impact analysis because they are generally not expected to occur in the vicinity of the project site. Reasoning for this designation for both the salt marsh harvest mouse and California black rail is provided on page D-4 of Appendix D of the Draft EIR. For both species, no habitat is present within the project site itself, as the current use is a paved parking lot. According to the CNDDB, previously recorded occurrences for black rail in the Corte Madera Watershed are historical, last observed 1932. The most recent CNDDB records for salt marsh harvest mouse are from 1956 downstream of the project site. Habitat in this area is highly fragmented relative to higher-quality patches of salt marsh in the region, and these species are not anticipated to be impacted by the proposed project.

1-3 The comment states that there are inherent difficulties in determining which construction activities would result in a 10 dBA increase in noise levels in California clapper rail habitat, and recommends construction of a noise fence regardless of noise level increases. Noise levels from typical construction activities are provided in Section 4.G, Noise, of the Draft EIR along with a measure of ambient noise along the northern side of the project site.
According to this measurement, ambient noise at the project site averages 63.5 dBA; thus any increase reaching 73.5 dBA would be considered significant with respect to clapper rail. Based on estimates of construction noise provided in Section 4.G, Noise, an increase of 10 dBA above ambient conditions at the edge of the marsh approximately 30 feet from the project site is a reasonable possibility during some phases of construction. Based on this possibility, the Draft EIR has been revised to include the construction of a noise-reduction fence prior to any construction activities taking place within the breeding season, regardless of noise levels generated during construction.

For clarification purposes, the following edits have been made to the second paragraph on page 4.C-23 of the Draft EIR:

Additionally, ongoing playground noise and human presence could also affect clapper rails in Tamalpais Creek Marsh. This would be considered a significant impact. Project construction activities during the non-breeding season for California clapper rail (September-January) would not result in significant impacts on California clapper rail and would not require mitigation.

Refer to Response to Comment 1-4 below regarding mitigation for noise increases.

1-4 To enforce restrictions on noise increases, the comment recommends full-time biological monitoring with the authority to stop work if noise increases over ambient levels exceed 10 dBA, as well as consultation with CDFG if such increases occur. The Draft EIR has been revised to include periodic noise and biological monitoring, as well as additional measures to implement if offsite noise levels increase more than 10 dBA above ambient conditions during construction that occurs during the clapper rail breeding season. It should be noted that the bulk of the construction for the project is expected to occur prior to the clapper rail breeding season. This includes site preparation that may entail noisy activities such as pavement removal which is expected to occur in the first weeks of construction scheduled for September 2012. During the clapper rail “pairing season” which is possible to occur in the month of January, only interior work is expected to be underway. The following edits have been made to Mitigation Measure BIOLOGY-2c on page 4.C-24 of the Draft EIR:

Mitigation Measure BIOLOGY-2c: To ensure project construction activities that would do not exceed existing ambient noise levels at Tamalpais Creek Marsh by over 10 dBA, shall avoid and minimize adverse effects on California clapper rail reproductive success through one of the following measures:

1. Project construction activities shall take place in the months outside of the clapper rail breeding season (February–August);

2. Noise reduction measures, including solid plywood fences, sound blankets, or other barriers with noise-dampening materials shall be constructed along the northwest, north, and northeast-facing edges of the project site prior to
initiation of construction to serve as noise attenuation barriers. Noise barriers shall be installed in all locations along the exterior fence of the project boundary so any direct or reflected noise would not create increases greater than 10 dBA above current ambient levels in salt marsh habitats outside the project site. The noise attenuation barrier shall be a minimum of eight feet in height, but sufficient in height to reduce any noise from construction on upper stories or building rooftops. The fences shall shield the marshes from major noise generating phases of construction and must attenuate noise emanating from the project site so that levels of 10 dBA above ambient noise conditions are not exceeded offsite (i.e., in the marshes) to be considered sufficient. To ensure these noise attenuation barriers prevent significant impacts to breeding California clapper rails, a qualified biologist and noise technician shall periodically monitor noise levels at the edge of Tamalpais Marsh at least four times per month during the duration of construction within the breeding season. As an extra measure, the District shall retain a qualified biologist and noise monitor to monitor noise conditions at least four to five times during the month of January. The noise monitoring shall coincide with construction activities anticipated to produce the loudest noise. If sound levels are measured that exceed 10 dBA above ambient noise conditions, construction shall be temporarily halted and the contractor shall assess whether other work that would not exceed this threshold can be conducted during the phase of work. If no other construction can occur, work shall not re-commence until consultation with USFWS and CDFG occurs.

Per the proposed construction schedule, construction would occur prior to the clapper rail breeding season which begins in February. It should be noted that loudest component of the construction plan would be the asphalt removal and grading, which would occur this Fall if the CSC is approved and is anticipated to take three to five days. However, in case there is any overlap with the breeding season, specific mitigation measures have been identified in this EIR.
July 13, 2012

Ms. Debra Mathau  
Marin Community College District  
PO Box 144003  
Kentfield, CA 94904

Dear Ms. Mathau:

Child Care Center at College of Marin, Kentfield Campus – Draft Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. The following comments are based on the Draft Environmental Impact Report (DEIR).

Trip Distribution on US-101
According to page 4.H-10 of the DEIR, the project will generate 170 daily vehicle trips, with 16 trips in the AM peak period and 38 trips in the PM peak period. Meanwhile, traffic impacts to US Highway (US) 101 at Sir Francis Drake Boulevard are only briefly mentioned on DEIR page 4.H-11, and are expressed in terms of daily traffic volume. As stated in the letter dated November 3, 2011 for the Notice of Preparation, Caltrans anticipates potential cumulative adverse impacts on US-101 if and when an intensification of traffic-generating development occurs, especially if the existing conditions are congested. Discussion of traffic additions to congested roadways should not be discussed as percentages of daily traffic volume; volume throughput and travel time may better describe any disruption to circulation and potential safety concerns.

Please amend the project’s traffic analysis to include an assessment of trip distributions to/from US-101 as appropriate. As stated in the November 3, 2011 letter, we recommend referencing the Caltrans Guide for the Preparation of Traffic Impact Studies (TIS Guide) for determining which scenarios and methodologies to use in the analysis. Again, if the proposed project will not generate the amount of trips needed to meet Caltrans’ trip generation thresholds, an explanation of how this conclusion was reached must be provided.

"Caltrans improves mobility across California"
Should you have any questions regarding this letter, please call Connory Cepeda of my staff at 510-286-5535.

Sincerely,

ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan (State Clearinghouse)
Letter 2. Department of Transportation
Erik Alm, AICP, District Branch Chief

2-1 The comment states that Caltrans anticipates potential cumulative adverse impacts on U.S. Highway 101 (U.S. 101) if and when an intensification of traffic-generating development occurs, especially if the existing conditions are congested. The comment asks for an amendment to the project’s traffic analysis to include an assessment of trip distribution to and from U.S. 101 as appropriate.

As stated on page 3-2 of the Draft EIR, the proposed project is an existing use on the College of Marin Kentfield campus. The proposed project would relocate the CSC from its location on the main campus because that building would be demolished to make room for the proposed New Academic Center (NAC). The 2007 Bond Implementation Master Plan originally proposed that the CSC be located within the NAC, but the District later determined that this was not an appropriate location for the CSC. The NAC was also reduced in size from 48,000 gross square feet (gsf) to about 43,000 gsf.1 The existing CSC is used by about 28 children while the proposed project would accommodate 32 children. Staff, however, would remain the same, with seven full-time staff and three part-time staff.

As described on page 4.H-11 of the Draft EIR, the traffic impact analysis provided a conservative analysis of potential impacts by assuming that all project-related trips would be new trips on area roadways (i.e., no trip reduction was applied to account for trips currently using area roads to and from the current CSC and Early Childhood Education (ECE) classrooms location on the campus a little more than one-half mile away). Specifically, the analysis focused the project-generated auto trips on Magnolia Avenue, as project-related trips would have direct access to and from Magnolia Avenue, which would alter the travel patterns of staff and students to the campus. As project trips disperse from the immediate vicinity of the campus, they would use the same regional approach as under current conditions, for access to and from the campus. The regional trips on U.S. 101 would not be altered by the relocation of the CSC on campus, and the project’s cumulative contribution to the regional roadway network would not be altered from baseline conditions.

1 The NAC will be subject to a separate CEQA analysis that is expected to occur in 2012.
July 30, 2012

Debra Mathau, Design Manager/Construction Manager  
College of Marin  
P.O. Box 144003  
Kentfield, CA 94914-4003

RE: Comments on the Draft Environmental Impact Report (EIR)  
College of Marin Child Study Center (CSC)  
1144 Magnolia Avenue, Larkspur  
Assessor’s Parcel No. 020-035-10  
(Ongoing parking and staging of construction at APN 020-020-07)

Dear Ms Mathau:

The City of Larkspur appreciates the opportunity to comment on the above-mentioned Draft Environmental Impact Report (EIR) for the proposed College of Marin Child Study Center (CSC). As you know, City staff identified several issues in the October 18, 2011 Notice of Preparation (NOP) for the proposed College of Marin Child Study Center (CSC). City staff has reviewed the College of Marin Child Study Center Draft EIR (June 2012), and finds that these items have not been fully discussed or addressed. A copy of the Response to Notice of Preparation of EIR dated November 18, 2011 is attached for your review and response. In addition, staff includes the following more detail comments related to the existing use on the project site:

1. The project location and site characteristics are inconsistently described as undeveloped, paved with nine (9) overflow parking spaced for the college, developed with restroom facilities serving users of the nearby soccer field, and generally as having been historically used for College-related facilities. The EIR does not disclose that the fenced portion of the project site is currently marked with 84 parking stalls (see photo of Parking Lot 14, below) in addition to the nine (9) spaces located along the front of the side outside of the fenced area. Staff notes that cars were parked both within and outside of the fenced sections of the site on several site inspections during the current summer session.
2. The EIR does not discuss what uses are served by the 84 parking spaces, nor does it discuss what provision will be made for the 93 (84 + 9) parking spaces displaced by the new Child Study Center.

3. The EIR does not provide a discussion of parking and traffic impacts resulting from the displacement of 93 parking spaces serving existing uses associated with the College of Marin.

Due to inconsistencies and omissions in the Draft Initial Study which were not adequately addressed in the Draft Environmental Impact Report, staff requests that these issues be fully discussed and addressed in the Final Environmental Impact Report. Should you have any questions or concerns related to the comments provided above, please contact me by telephone at (415) 927-5027.

Sincerely,

Anna M. Camaraota
Associate Planner

cc: Phiroze Wadia, Senior Engineer
Property File
November 18, 2011

Ms. Faby Guillen
Marin Community College District
c/o Swinerton Management & Consulting, Inc.
P.O. Box 144003
Kentfield, CA 94914

RE: Response to Notice of Preparation of EIR
College of Marin Child Study Center (CSC)
1144 Magnolia Avenue, Larkspur
Assessor’s Parcel No. 020-035-10
(Ongoing parking and staging of construction at APN 020-020-07)

Dear Ms Guillen:

The City of Larkspur appreciates the opportunity to comment on the above-mentioned Notice of Preparation (NOP) for the proposed College of Marin Child Study Center (CSC). City staff has reviewed the Draft Initial Study: College of Marin Child Study Center (October 18, 2011) and corresponding project plans, and has identified inconsistencies and possible project impacts that require corrections and expansion of the Draft Initial Study: College of Marin Child Study Center and further consideration in the project’s Environmental Impact Report. These issues include the following:

4. The project title, location, description, and surrounding land uses/settings sections inconsistently identify the project’s location as the College of Marin main campus at 835 College Avenue, Kentfield, and the College of Marin Larkspur Annex site. In addition, the project title, location, description, and surrounding land uses/settings sections fail to include the neighboring site (APN 020-020-07) that is proposed for construction staging for development of the proposed project and for on-going parking serving the CSC. This has led to inconsistencies and omissions in the Initial Study.

5. Related to comment #1, above, the study lacks clarity regarding the environmental setting and uses on the subject and surrounding properties such as, but not necessarily limited to, parking, commercial retail, fraternal institution, residential, marshland, recreational fields, and educational services. Details regarding the activities, travel patterns, and parking demands for the main college
campus, Brain Injury Network and the recreational fields that share the driveway access should be provided.

6. The project site is inconsistently characterized as: a) undeveloped; b) developed with surface parking; and c) developed with a restroom trailer. This has led to inconsistencies in the Initial Study and an incomplete analysis of impacts resulting from the proposed project.

7. The project description inconsistently describes the program, number of students, and hours of operation. This has led to inconsistencies in the Initial Study and an incomplete analysis of impacts resulting from the proposed project.

8. The project description inaccurately describes the project as replacement of an existing CSC facility. The project, however, consists of a new expanded facility situated approximately 0.5 miles from the existing site, and re-use of the existing site with expanded uses. The EIR should address the cumulative impacts of the new, relocated CSC, and redevelopment of the existing site.

9. Potential impacts resulting from changes in use of the project site (see comment 2, above) should be addressed. What use(s) are the parking and restroom facilities currently serving, and how will required parking and restroom facilities be replaced to allow for development of the CSC, if necessary?

10. Potential transportation and traffic impacts resulting from the proximity of the CSC from the main College of Marin, at 835 College Avenue, Kentfield, should be addressed.

11. Potential transportation and traffic impacts resulting from the limited size, location, and design of the 17-space parking area, which is located immediately adjacent to the corner of the shared driveway with the Brain Injury Network and alongside the driveway for the Masonic Lodge, should be addressed.

12. Potential impacts to aesthetics, biological resources, transportation and traffic, and public hazard, resulting from reliance on an unimproved and unlighted parking facility that is situated within a wetland/flood zone and approximately 350 feet from the project site should be addressed.

13. Potential impacts to transportation and traffic, safety, and water quality, as a result of staging the project on an existing unimproved and unlighted parking facility that is situated within a wetland/flood zone and approximately 350 feet from the project site should be addressed.

14. Potential impacts to greenhouse gas emissions resulting from the establishment of a new adult education facility on the site. (The Draft Initial Study relies upon child-care specific exemptions, however the project includes uses other than childcare.)

15. Potential on- and off-site impacts resulting from conflicts with all applicable land use plans, policies, and regulations applicable to the subject site and the adjacent parking lot that is proposed to serve the site. For a complete list of applicable plans, policies, and regulations applicable to this site, please contact the City of Larkspur Planning Department.

16. The project description relies upon unsubstantiated assumptions regarding travel patterns and behavior of adults with children, faculty, and students. It also does not provide clear information about students that would be present for observation of the child care activities. Given the limited amount of parking provided, intensity of use, displacement of existing parking (improved and unimproved) serving other uses, design constraints of the new parking lot (with ingress/egress situated on a shared driveway and situated very close to the Magnolia Avenue intersection), and the limited amount of available street parking, a comprehensive transportation/traffic study should be conducted. The study should adequately assess and mitigate impacts resulting from changes to traffic volume, traffic circulation (including required turns in and out of the shared driveway and new parking lot as well as adjacent intersections), traffic queuing, congestion, and parking demand.
17. Related to comment #13 and as noted in item 2.16 a) and b) of the Draft Initial Study, “the proposed project would generate increased vehicle trips on Magnolia Avenue”, and other roadways feeding traffic into this site. Provide a traffic study prepared by a traffic engineer for review by City of Larkspur Public Works staff.

18. Provide a study of the proposed parking that includes the parking used by the existing adjacent facilities and indicating ingress, egress and turning radii for access by emergency vehicles for review by City of Larkspur Public Works staff.

19. According to FEMA maps, the CSC site is located in an area that, prior to 2009, was within the 100-year flood zone. The latest FEMA flood maps show this property to be in the 500-year flood zone. With the projected sea level rise, careful consideration should be given to flooding when setting the first floor elevation. The Initial Study should be revised to include the potential impact of flooding on and around the project site and the EIR should address any potential environmental impacts identified in the revised Initial Study.

Due to inconsistencies and omissions in the Draft Initial Study and because of the lateness in delivery of project plans, which were not received until November 7, 2011, staff requests that additional opportunity and latitude be provided to allow for comment on the forthcoming EIR. Should you have any questions or concerns related to the comments provided above, please contact me by telephone at (415) 927-5027.

Sincerely,

Anna M. Camaraota
Associate Planner

cc: Phiroze Wadia, Senior Engineer
Property File
Letter 3. City of Larkspur
Anna M. Camaraota, Associate Planner

3-1 The comment states that the comments on the Notice of Preparation (NOP) and Initial Study were not fully addressed. These are answered below with reference to the comment number in parentheses just before the response. The numbering system was altered in the NOP response attachment, and now begins with the number 4.

(4) The comment states that inconsistencies occur in the Initial Study regarding the project title, location and description. The comment does not point out where such inconsistencies occur in the text. The project site is located on the Larkspur Annex site which is identified throughout the Draft EIR. The adjoining parcel, Parking Lot 13, is not part of the project site. Construction staging is not proposed for Parking Lot 13, and any use of this parking lot would continue for all campus uses as it has historically been done.

(5) The comment states that the Initial Study lacks clarity regarding the environmental setting and uses on the subject and surrounding properties. The comment requests further detail in the EIR regarding travel patterns and parking demands for the campus and surrounding properties. In terms of recent use of the project site for permit parking (which began when the Draft EIR was under publication), refer to Response to Comment 3-2. In terms of circulation patterns in the project vicinity, the environmental setting of the project site related to traffic and transportation is presented in Section 4.H of the Draft EIR. Impact TRAFFIC-3, on page 4.H-13 of the Draft EIR, provides a discussion of access to the project site, including the shared driveway with the Marin Brain Injury Network.

Parking demands of the main campus are discussed in the 2007 Draft EIR for the Bond Spending Implementation Program beginning on page 4.8-8 and again on page 4.8-19. Parking demand for the proposed CSC is not quantified in the Draft EIR because parking impacts are considered social effects, not environmental effects, by the current CEQA Guidelines.2

(6) The comment states that the project site was inconsistently characterized in the Initial Study. The project site is paved and includes a restroom trailer. As stated on page 3-6 of the Draft EIR, paragraph 6, the restroom trailer would remain to serve the nearby soccer field. The use of the word “undeveloped” refers to the fact that no permanent buildings are located on the site. The commenter has not identified where impacts were not adequately addressed in the Initial Study. The reference to an incomplete analysis of impacts was made in November 2011, prior to the June 2012 Draft EIR. An analysis of potential impacts resulting from the proposed project is presented in the June 2012 Draft EIR.

(7) The comment states that the number of students and hours of operation were inconsistently described in the Initial Study. The commenter has not identified where

inconsistencies existed in the Initial Study in terms of number of students and hours of operation. The reference to an incomplete analysis of impacts was made in November 2011, prior to the June 2012 Draft EIR. An analysis of potential impacts resulting from the proposed project is presented in the June 2012 Draft EIR.

(8) The comment states that the project description inaccurately described the project in the Initial Study. The proposed project is a replacement of the existing CSC, and while expanded, does replace an existing facility located on the main campus. Redevelopment of the existing site of the CSC has been addressed in the 2007 EIR for the Bond Spending Implementation Program that addressed the proposed new buildings in that location.³

(9) The comment states that potential impacts resulting from changes in use of the project site should be addressed in the EIR. The Draft EIR addressed this issue, identifying impacts and measures to mitigate those impacts. As mentioned in Response to Comment 3-1 (6), above, the restroom would not be replaced and would remain on the site. In terms of onsite parking and where it would be replaced, refer to Response to Comment 3-2 below.

(10) The comment states that potential transportation and traffic impacts should be addressed in the EIR. It is not clear what the commenter means by “impacts resulting from the proximity of the CSC”, but transportation and traffic impacts are fully addressed in Section 4.H of the Draft EIR.

(11) The comment states that potential transportation and traffic impacts resulting from the 17-space parking area described in the Initial Study should be addressed in the EIR. The proposed project, as presented in the site plan on page 3-2 and described on page 3-5 of the Draft EIR, has changed from that described in the Initial Study, and would include a total of 19 parking spaces. Transportation and traffic impacts are fully addressed in Section 4.H of the Draft EIR, and Impact TRAFFIC-3, on page 4.H-13 of the Draft EIR, provides a discussion of access to the project site, including the shared driveway with the Marin Brain Injury Network.

(12) The comment states that potential impacts resulting from the use of Parking Lot 13 to accommodate project parking demand not met on the site should be addressed in the EIR. The lighting impacts associated with use of Parking Lot 13 are addressed on page 4.A-10 of the Draft EIR, last paragraph. There are no biological impacts associated with the use of Parking Lot 13 as that facility is already in place and already under use. No expansion is proposed. In terms of transportation and traffic impacts associated with the use of Parking Lot 13, these were addressed as part of the 2007 EIR for the Bond Spending Implementation Program.⁴ No major public hazard is associated with the use of Parking Lot 13. Lighting is proposed in the Draft EIR and mitigation measures (e.g., Mitigation Measure AESTHETICS-3 on page 4.A-11) address lighting to prevent hazards while protecting biological resources.

³ Ibid.
⁴ Ibid.
(13) The comment states that potential impacts resulting from the use of Parking Lot 13 for staging of the project construction should be addressed in the EIR. Parking Lot 13 would not be used for construction staging. As stated on page 3-12 of the Draft EIR, staging would occur on the project site (Larkspur Annex).

(14) The comment states that the Draft EIR should discuss potential impacts to greenhouse gas emissions resulting from the establishment of a new adult education facility on the site, and notes that the Initial Study relies specifically on child-care exemptions, but that the project site includes other uses. As stated on page C-37 in Appendix C of the Draft EIR, the size of the project and the proposed use results in the project being exempt from a requirement to address greenhouse gas emissions. There is only one adult classroom on the site and the primary use is for the childcare center. The site still would remain exempt. The screening threshold for day care land uses is 11,000 square feet. The screening thresholds for educational land uses range from 28,000 square feet for a junior college to 49,000 square feet for a high school. Thus, for a mixed-use facility, a number somewhere between 11,000 square feet and 49,000 square feet would apply. By applying the most stringent screening threshold (day care center), we err on the conservative side and are still below the threshold.

(15) The comment states potential on and offsite impacts resulting from conflicts with all applicable land use plans, policies, and regulations applicable to the subject site and the adjacent parking lot should be discussed in the EIR. The parking lot that would partially serve the site is an existing parking lot that would not be changed or expanded. For this reason, use of the parking lot is not required to be evaluated in terms of potential conflicts with plans, policies, and regulations. The commenter does not identify which policies and regulations have not been addressed. The potential conflict with plans and regulations is addressed on page 4.F-7 of the Draft EIR.

(16) The comment states that a comprehensive transportation/traffic study should be conducted to assess potential impacts. A comprehensive transportation/traffic analysis was conducted for the proposed project and is presented in Section 4.H of the Draft EIR. The proposed project, although slightly expanded, is an existing use on the Kentfield campus. As described on page 4.H-11 of the Draft EIR, the traffic impact analysis provided a conservative analysis of potential impacts by assuming that all project related trips would be new trips on area roadways (i.e., no trip reduction was applied to account for trips currently using area roads to and from the current CSC and ECE classrooms location on the campus a little more than one-half mile away). Specifically, the analysis focused the project-generated auto trips on Magnolia Avenue, as project related trips would have direct access to and from Magnolia Avenue, which would alter the travel patterns of staff and students to the campus. Impact TRAFFIC-2 on pages 4.H-11 and 4.H-12 of the Draft EIR addresses potential traffic safety impacts associated with the proposed ingress/egress for the project parking area, which is different from the design presented in the Initial Study. City of Larkspur Public Works staff was consulted about the proposed parking area design and concur with the adequacy of that design. All impacts of the proposed project are mitigated to a less than significant level.
(17) The comment requested a traffic study be prepared for the EIR. Refer to Response to Comment 3-1 (16) regarding the transportation/traffic analysis for the proposed project presented in Section 4.H of the Draft EIR.

(18) The comment requested a study of proposed parking, including ingress/egress, as well as emergency access, be prepared for the EIR. Impact TRAFFIC-2 on pages 4.H-11 and 4.H-12 of the Draft EIR addresses potential traffic safety impacts associated with the proposed ingress/egress for the project parking area, which is different from the design presented in the Initial Study. City of Larkspur Public Works staff was consulted about the proposed parking area design and concur with the adequacy of that design.

The emergency access and emergency vehicle turning radii was discussed in meetings with City staff during the preparation of the Draft EIR, and Impact TRAFFIC-3, on page 4.H-13 of the Draft EIR, provides a discussion of emergency access to the project site. The Larkspur Public Works Department did not provide additional comments during the public review period.

(19) The comment states that the Initial Study should include the potential impact of flooding on and around the project site and that the EIR should address any potential environmental impacts related to flooding. The comment suggests that the analysis of potential flooding impacts should be revised to reflect a 500-year flood designation which had prior to 2009 been mapped as a 100-year flood zone, as well as consideration of potential future sea level rise. As discussed on page 4.E-10 and 4.E-11 of the Draft EIR, projected estimates of sea level rise over the next 100 years have been made and are estimated to be between 16 and 55 inches. According to the most recent FEMA mapping, the project site is not located in a 100-year flood zone. Future sea level rises could potentially result in changes to flood zone boundaries; however, at this time, as discussed in the Draft EIR, it would be speculative to make predictions on the amount and nature of any potential changes which would likely happen gradually over a long time horizon. Therefore, considering the proposed site use which does not include any residential uses and the uncertainty regarding the future changes in sea levels, the potential impact is considered less than significant.

For clarification purposes, the following edits have been made to the first paragraph of page 4.E-3 of the Draft EIR:

The majority of the project site is located in an area designated as Zone X, which is outside of both the 100- and 500-year flood zones—represents “areas of 0.2 percent annual chance of flood; areas of 1 percent annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood.”
The following edits have been made to page 4.E-7 of the Draft EIR:

The proposed project building site is located outside of the 100-year as well as the 500-year flood zone in Zone X which represents “areas of 0.2 percent annual chance of flood; areas of 1 percent annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood.”

3-2 The comment states that the project site was inconsistently characterized in the Draft EIR, and that did not disclose the current use of the project site as Parking Lot 14. The onsite parking was striped in early May 2012 and went into effect in early June 2012, just as the Draft EIR was in publication and out for distribution. There are currently 84 total spaces inside the fenced area and 9 outside the fence parallel to Magnolia Avenue, for a total of 93 spaces. These spaces are temporary replacements for the parking spaces that are being used by the construction projects on the main campus.

Currently, there are a total of 99 spaces on the main campus that have been given to project sites for construction staging and activities as follows:

- Parking Lot 3 (Circle Drive) – 16 spaces;
- Parking Lot 4 at New Science facility – 25 spaces;
- Parking Lot 9 – 29 spaces; and
- Parking Lot 16 – 29 spaces.

These 99 spaces are being restored to general use as the major construction ends for the Fine Arts/Performing Arts and the Math/Science projects. In addition, at the end of the Bond construction, the Portable Village (where Swinerton’s office is located along with other classrooms adjacent to Parking Lot 13) is scheduled to revert back to Parking Lot 11, which will return 51 original parking spaces for general use. Thus, the parking spaces recently added on the project site are temporary, and will be replaced by the return of the above-cited existing spaces. In terms of timing, parking will revert back to upper campus lots in Fall 2012 and Spring 2013.

To address the onsite parking that is now occurring on the project site, the following text change is made to page 3-2 of the Draft EIR, first paragraph, third sentence:

A total of nine parking spaces are now provided on the site outside of the fenced area for overflow use parking for the college, and an additional 84 marked spaces are provided (as of June 2012) within the fenced area as temporary replacement parking for spaces on/near the main campus being used by current construction projects. As the Child Study Center is constructed and other campus construction projects are completed, these parking spaces will become available for general-use campus parking again. It is estimated that by the time the CSC is underway, at least 16 spaces will be available again on/near the main campus; an additional 83 spaces will be provided on the campus by January 2013.
3-3 The comment states that the Draft EIR does not discuss the uses served by Parking Lot 14. Refer to Response to Comment 3-2.

3-4 The comment states that the Draft EIR does not discuss the impacts from the displacement of Parking Lot 14 by the project. Refer to Response to Comment 3-2 above. The displacement of on-campus parking as related to projected demand in 2013 was evaluated as part of the Bond Spending Implementation Program EIR for the Kentfield campus, which concluded that there was an excess of available parking spaces on the campus (page 4.8-20 of the Draft EIR on the Bond Spending Implementation Program, Kentfield Campus), specifically an estimated demand in 2013 for 1,024 parking spaces, and an availability of 1,698 spaces (i.e., a surplus of about 674 spaces). Parking maps are updated on an ongoing basis for students, faculty, and visitors, and traffic impacts associated with parking would not be significant given that those visiting the campus are aware of the various parking options, and there would not be excessive circulating of visitors to the campus looking for available parking spaces.

3-5 The comment summarizes Comments 3-1 through 3-4. Refer to Responses to Comments 3-1 through 3-4, which respond to the comments.

5 Ibid.
July 28, 2012

Debra Mathau, Design Management
College of Marin
P.O. Box 144003
Kentfield, CA 94914-4003

Re: College of Marin Child Study Center DEIR

Dear Ms. Matjau:

Thank you for considering Marin Audubon Society’s comments on the College of Marin’s proposal to develop a Child Study Center on a 1.10-acre former bayland site along Magnolia Avenue adjacent to the Brain Injury Network building. We understand that the Center would consist of a 8,285 square feet building, several stories high, and include a parking lot, various gardens (butterfly, vegetable, scent etc.) as well as a children’s play area that will be located adjacent to the marsh. Our primary concerns are impacts to endangered species because of the location of the facility adjacent to tidal marsh/Clapper Rail habitat.

Our specific comments are:
1. The development site is currently covered with asphalt that was placed only a few years ago for use as a parking lot. There was no environmental review that we are aware of. So now the site can be considered to be already-developed. Please address whether this is or is not piecemealing (i.e. constructing a project in pieces so that full and adequate environmental review is precluded), and the reasons why Piecemealing is not allowed under CEQA guidelines. Also, the current parking is described as overflow, however, the lot is signed as “permit only.” Who is able to obtain these permits and where will these people park if this site is developed? What is the current level of use of the lot?

2. The DEIR notes a number of sightings of endangered California Clapper Rails using Tamalpais Creek, the tidal channel adjacent to the project site. Not noted, is that MAS volunteers have also observed rails in this channel on Christmas Bird Counts. The EIR should describe the status of this species which exists only in San Francisco Bay, the status on Corte Madera Creek, and the habitat needs of the species during nesting and non-nesting seasons. In particular, the need for suitably vegetated refugia habitat to provide cover for Rails to escape predation during extreme high tides. These buffer/transition zones are essential habitat for Clapper Rails which must leave the tidal marsh habitats during high winter tides. This important habitat function is not addressed in the DEIR nor is suitable refuge habitat provided.

3. The asphalt parking surface is up slope from tidal marsh and, according to the DEIR, 30 feet from the marsh. The DEIR should discuss the adequacy of the buffer/transition and the existing

A Chapter of the National Audubon Society
vegetation to serve high tide refugia for the clapper rail. While the vegetation in the buffer/transition zone, as noted on the small sign, is native, it does not provide suitable refugia habitat because the plants closest to the marsh are shrubbery and shrubs that Clapper Rails cannot hide under. The larger plants, large baccharis shrubs, are up slope farther away from the marsh and are widely spaced. It is questionable whether any of this plant arrangement can serve to hide rails.

4. Impact Discussion:
Impact BIO-2 This discussion identifies noise and human presence impacts due to construction and operation, on migratory and breeding bird, especially endangered species. The DEIR is unspecific as to which migratory birds they are addressing. Because the habitat requirements would vary among species, the analysis should identify the species that use the area. The primary legal responsibility is to protect the endangered species.

The DEIR claims that “Clapper rails that use the area seasonally either habituate to existing noise levels or are deterred from using the habitat there.” It is precisely this latter circumstance that should be avoided. Corte Madera Creek once supported an extensive tidal marsh system. The small pockets of marsh that remain and provide habitat must remain available for all rails, be they the current pair or other rails, perhaps newly disbursed young looking for territories. Because Rails are territorial, they remain in their own territory, unless it becomes unsuitable due to adverse impacts.

We note that the noise study discussed on page 4.e-22, surveys were taken at twice the distance than this project would be located from the marsh. Thus, the noises would be measurably louder at the marsh. Further this study has not considered the sensitivity of the endangered clapper rail to noise, particularly during pair bonding, nor is it clear that the study cited addressed the same species. Bird species vary greatly in their sensitivity according to species and time of year.

Furthermore, the DEIR erroneously lumps rails with other species. No evidence is presented to support the claim that current noise levels do not deter birds. Just because birds have been seen does not mean other birds have not been deterred. The ongoing noise and human presence from the playground has correctly been defined as a significant impact.

BIO 2a Clapper rail breeding season begins when pair bonding begins, often in early January and the rails are especially sensitive time during pair bonding. This discussion does not consider specific habitat needs during breeding season or during winter high tides which is also a time when rails are vulnerable. Impacts should be identified and mitigation should be provided for deterrence during both breeding and non-breeding seasons, particularly winter high tide times.

5. Mitigation measures:
Mitigation BIO-2c calls for establishing a “no disturbance zone” but requirements of this zone are that is undefined and left to be identified at some time in the future. USFWS Office of Endangered Species should be contacted for specific recommendations. There is no mention of either formal or informal consultation being initiated.

Mitigation BIO 2d recommends installing a permanent 6 foot high fence with mature vegetation along the northwest, north and north east facing edges to mitigate the impacts from human uses.
We question the feasibility of maintaining a fence with vegetation to provide adequate cover. It is uncertain whether mature plants would cover the fence, could be established quickly and be maintained indefinitely. Often plant coverage of fencing has large gaps. Even if the plants do cover the fence, there is no evidence to support whether they would block views of the people or block noise of children so as not to degrade the habitat.

6. Preferred Mitigation:
The most effective mitigation would be to increase the distance between the marsh and the development, in other words the transition zone, and to vegetate this zone with native plant species that would provide cover to hide the Rails and mute noises. This would allow a wide distance for vegetative cover that would more dependably absorb noise and other impacts, and at the same time provide the needed refuge cover for the rails. We recommend that at least 100 foot buffer be provided and vegetated with grindelia, eleymus triticoides and baccharis in clumps so they grow into thickets that rails can hide in. We note that there also is limited vegetative cover on the opposite bank of Tamalpais Creek.

7. Cumulative Impacts
The DEIR fails to adequately address cumulative impacts to Clapper Rails. The project would cause a significant increase of people using the site, as well as increased lighting, noise, and increased potential for bird collisions with windows. The proposed mitigations would not reduce impacts to less than significant. Projects impacts would be cumulatively significant.

6. Alternatives
A project alternative should be prepared that redesigns the layout of the facilities so that the most active area, the play area, is not located adjacent to the most sensitive habitat, i.e. the tidal marsh, and to provide an adequate, wider transition zone. To accomplish this, one or more of the proposed features that are not essential to a child center, such as a butterfly garden, vegetable garden and/or scent garden should be eliminated from the project design. This would help to avoid or minimize the magnitude of the adverse impacts from the major increase in people use adjacent to the endangered species habitat.

It is precisely this kind of piecemeal loss and degradation of habitat that has led to overall destruction and diminishing of habitat along Corte Madera Creek and throughout the San Francisco Bay area. We hope this project will be revised to better provide for the needs of the endangered species that are known to inhabit the adjacent marsh.

Thank you for considering our comments.

Sincerely,

[Signatures]
Barbara Salzman, Co-chair
Conservation Committee

Phil Peterson, Co-chair
Conservation Committee
Letter 4. Marin Audubon Society
Barbara Salzman, Co-chair Conservation Committee
Phil Peterson, Co-chair Conservation Committee

4-1 The comment states that the site is covered with asphalt that was placed a few years ago for parking, but without any evident environmental review. The comment questions if “piecemealing”, or the chopping up of a project into pieces to avoid environmental review of the totality of the project, could be attributed to the proposed project. Further, the comment questions the description of the project site as an overflow parking lot when it is currently signed for permit parking.

As described in Section 15126 of the CEQA Guidelines, a project description must include reasonably foreseeable future expansion. As described on page 4.8-21 of the 2007 Draft EIR for the Bond Implementation Plan, the Larkspur Annex was paved and fenced in for construction staging. Changes to the Larkspur Annex prior to the 2007 EIR were addressed by a Categorical Exemption. As stated on page 3-2 of the Draft EIR for the CSC, the proposed project would relocate the CSC from its current home on the main campus as the building would be demolished to make room for the proposed New Academic Center (NAC). Originally, the CSC was proposed to be located within the NAC but the District determined that this was not an appropriate location for the CSC. The NAC was also reduced in size from 48,000 gross square feet (gsf) to about 43,000 gsf.

At the time of the Notice of Preparation (October 18, 2011), the project site was used only for construction staging. Currently, the site is being used to accommodate overflow parking due to parking impacts on the upper campus during construction projects such as Fine Arts/Performing Arts and Math/Science projects.

Permit parking on the project site went into effect in early June of 2012 just as the Draft EIR was in publication. There are 84 total spaces inside the fenced area and 9 outside the fence parallel to Magnolia Avenue, for a total 93 spaces. These spaces are temporary replacements for the ones that are being used by the construction projects on campus. Currently, there are a total of 99 spaces on the central campus that have been given to project sites for construction staging and activities as follows, which will be brought back on-line as the major construction winds up for FA/PA and Science projects: Parking Lot 3 (Circle Drive) – 16 spaces; Parking Lot 4 New Science facility – 25 spaces; Parking Lot 9 – 29 spaces; and Parking Lot 16 – 29 spaces. In addition to this, at the end of the bond the Portable Village (where Swinerton office is located along with other classrooms) is scheduled to revert back to P lot-11 which will return 51 original parking spaces. Parking will revert back to upper campus lots in Fall 2012 and Spring 2013.

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6 Ibid.
7 The NAC will be subject to a separate CEQA analysis that is expected to occur in 2012.
3. Written Comments on the Draft EIR and Responses to Comments

The permit parking lot at the Larkspur Annex is highly underutilized due to its distance from the main campus. On any given day, it has accommodated between two and 10 vehicles, with an average of six. The District provides permit-only parking for insurance purposes, which also deters the general public from parking on campus property. The nine parking spaces outside the fence are also permit parking only and have been in effect since the restroom trailer was installed in 2006.

The existing permit parking lot is not considered piecemealing under CEQA, as the parking is a temporary use that will only be in effect for a few months in 2012, assuming the CSC is approved by Fall 2012.

4-2 The comment states that California clapper rails have been observed by Marin Audubon Society Members within the Tamalpais Creek Channel during Christmas Bird counts. Reference to these sightings was not added in the Draft EIR because publicly available Christmas Bird Count data covers the entire Corte Madera Marsh and is only current as of 2009. The data sources listed, especially surveys by the Invasive Spartina Project, are more current and specific to the Tamalpais Creek Channel. While pages 4.C-7 and 4.C-8 of the Draft EIR identify “extensive marsh cover in the upper tidal zone consisting of pickleweed and marsh gumplant” as an important habitat component, text has been added to the last paragraph of page 4.C-7 and the first paragraph of page 4.C-8 of the Draft EIR to further describe upland habitats important to clapper rails in extreme high tides:

Four characteristic features characterize California clapper rail habitat: (1) an extensive network of tidal sloughs providing direct tidal circulation; (2) salt and brackish marshes dominated by perennial pickleweed with extensive stands of Pacific cordgrass (Spartina foliosa) in the lower marsh elevation zones (in brackish marshes this species also uses areas supporting bulrush [Scirpus spp.]); (3) extensive marsh cover in the upper tidal zone consisting of pickleweed and marsh gumplant; and (4) abundant invertebrate populations for feeding, especially mussels (Mytilus californianus, Ischyadam denissum) and mud crab (Hemigrapsus oregonensis) (San Francisco Estuary Project, 1992). In addition to the upper tidal zone, upland transition areas with dense vegetation are important for clapper rails to take refuge in during extreme high tides in winter (USFWS, 2010).

The comment also states that the value of suitable refuge habitat for California clapper rail is not adequately addressed in the Draft EIR. No habitat for California clapper rail would be removed as a part of the proposed project, and indirect impacts from project construction noise and ongoing noise would be reduced to less-than-significant levels through Mitigation Measures NOISE-1, BIOLOGY-2c, and BIOLOGY-2d. Because all potentially significant impacts to the species would be avoided with implementation of the mitigation measure identified in the Draft EIR, upland habitat restoration is not required.

4-3 The comment states that upland vegetation between the project site and marsh may not have upland habitat value for California clapper rails, and that upland habitat within the Tamalpais Creek Marsh is of low quality for clapper rails taking refuge during extreme
high tides. The Draft EIR does not consider the bioswale directly north of the project site to be upland habitat for clapper rail. Any habitats present when the CEQA baseline was established (EIR Guidelines § 15125), however degraded, were part of the existing setting and are not degraded as a result of the project.

4-4 The comment states that the Draft EIR should acknowledge which species of endangered and migratory birds are addressed in Impact BIOLOGY-2, as varying habitat requirements would determine which species use the area. Any endangered or special-status species potentially occurring at the project site were identified and assessed in Appendix D of the Draft EIR; species with a moderate or high potential to occur were assessed in detail and included in the impacts analysis. Protection of other migratory or native birds is described in the Regulatory Setting, and is generally limited to breeding or nesting birds. Mitigation Measures BIOLOGY-2a and BIOLOGY-2b would protect nests of all breeding migratory birds that could be impacted by construction. In a CEQA document, analysis of environmental effects need not be exhaustive, but is judged in the light of what is reasonably feasible (CEQA Guidelines §15151). Nor does CEQA require that an agency perform all research or study recommended by commenters, as long as a good faith effort at full disclosure is made (EIR Guidelines § 15204 [a]). Any migratory bird nesting within the vicinity of the project site would be protected; however, a list of all migratory birds that could be present in or around the project site would not be considered reasonably feasible for this assessment.

4-5 The comment cites the following from the Draft EIR: “Clapper rails that use the area seasonally either habituate to existing noise levels or are deterred from using the habitat there.”, and goes on to state that deterrence of clapper rails from noise in the area should be avoided. The actual text of this quotation in the Draft EIR refers to birds generally rather than only clapper rails, and is used to describe the baseline as required by EIR Guidelines § 15125. Conditions at the project site when this baseline was determined are best described as disturbed by human development and ongoing vehicle and pedestrian presence. Based on this existing environment, it is reasonable to assume that birds present in and around the project site have habituated to these conditions to some degree. It is also reasonable to assume that some birds were deterred when the area was disturbed, prior to establishment of the baseline and in a manner unrelated to the project. These assumptions include consideration of California clapper rail present in Tamalpais Marsh, where pedestrian trails are present and Parking Lot 13, which lies within 30 feet of the main marsh channel, when the baseline was established. Any past impacts are considered in conjunction with impacts from the proposed project and reasonably foreseeable future projects in Chapter 6 of the Draft EIR under Cumulative Impacts.

4-6 The comment states that the noise study cited on page 4.C-22 of the Draft EIR and originally described in Section 4.G, Noise, does not consider the sensitivity of California clapper rail to noise and includes measurements at more than twice the distance of the proposed project. The study in question did in fact take noise measurements at 60 feet, more than twice the 30-foot distance between the project site and the beginning of
Tamalpais Marsh. However, this does not completely invalidate the results of the study or make the information irrelevant to the wildlife noise analysis in the Draft EIR, and the 60-foot measurement distance is disclosed in the text of the section. Based on the information regarding the 60-foot distance, it is estimated that noise levels at a 30-foot distance would be approximately 71 dBA. While this study does not consider clapper rails specifically, the purpose of its inclusion in Section 4.C, Biological Resources, was to better estimate noise levels in the vicinity of the project site. Other studies are cited in the section to support the biologically-relevant noise threshold of an increase of 10 dBA over ambient conditions.

Text revisions have been made to Section 4.G, Noise, to refer to the clapper rail impact assessment in Section 4.C, Biological Resources. The following text has been added after the third paragraph of page 4.G-7:

This following impact analysis focuses on potential impacts of the proposed project related to noise. The following Appendix C criterion is not considered relevant to the project based upon the proposed project plans and data research; therefore, it will not be evaluated further in this EIR:

**Airport Noise Impacts:** As stated in the Initial Study, the project is not located within an airport land use plan, within two miles of a public airport, or within the vicinity of a private airstrip. Consequently, no noise impacts associated with public or private air facilities would occur, and these issues (5 and 6) are not discussed further in this chapter.

Additionally, indirect impacts on California clapper rail in the Tamalpais Creek Marsh adjacent to the project site could occur during construction and operations of the project. If elevated noise levels alter clapper rail breeding behavior, the project could result in significant impacts on the species, which is federal and state endangered, as well as fully protected by the state. These impacts are discussed in detail in Section 4.C Biological Resources.

Text revisions have also been made to page 4.C-22, last paragraph, in Section 4.C, Biological Resources, to address noise at a 30-foot distance as follows:

...only 2 dBA above existing conditions at the project site. Extrapolating this noise level to a distance at 30 feet to more closely match the distance between the project site and the Tamalpais Marsh, would result in an estimated noise level of 71 dBA, or 7.5 dBA above existing conditions at the project site. While this increase in noise would likely not be perceived by humans or clapper rails, Noise levels are expected to vary....."

4-7 The comment states that the Draft EIR erroneously lumps California clapper rails with other species in the impacts assessment. Assessment of noise impacts on birds potentially nesting in Tamalpais Marsh was conducted using the best available information, which indicated an increase of 10 dBA above ambient conditions could alter bird breeding behavior; little information specific to noise impacts on clapper rails is available. The
The comment also notes that the Draft EIR does not provide evidence that current noise levels do not deter birds. On the contrary, the Draft EIR assumes that human disturbance present under baseline conditions likely has deterred birds in the area. However, while this is considered in the Draft EIR, it is not an impact addressed at a project-specific level of detail, as it was already occurring when the baseline was established. Ongoing noise and human presence from the playground is described as a significant impact prior to implementation of any proposed mitigation. Mitigation Measure BIOLOGY-2d on page 4.C-25 of the Draft EIR would reduce this impact to less-than-significant levels.

4-8  The comment suggests that impacts on California clapper rail and subsequent mitigation should be presented for both the breeding and non-breeding season, with consideration to winter high tide times. The comment also specifically mentions potential impacts during pair bonding in January. The breeding season for clapper rail used in this assessment is based on precedents set by the U.S. Fish and Wildlife Service (USFWS) in biological opinions issued for previous projects, and is considered a standard accepted by USFWS. While indirect noise impacts to California clapper rail may alter rail behavior during the non-breeding season, these are generally not considered take, and would be considered less-than-significant project impacts.

4-9  The comment mentions a “no disturbance zone” in Mitigation Measure BIOLOGY-2c, stating it is left to be defined at a future time. Mitigation Measure BIOLOGY-2c does not describe any “no disturbance zone(s),” and only addresses mitigation for increases in ambient noise conditions. As the comment states, there is no mention of consultation being initiated. Consultation would not be required for the proposed project because Mitigation Measures BIOLOGY-2c and 2d are designed to avoid take of California clapper rail. It is also the intention of the College to complete construction entirely within the non-breeding season. In case there is any overlap with the breeding season, specific mitigation measures are recommended. Please refer to Response to Comment 1-4.

4-10 The comment states that in Mitigation Measure BIOLOGY-2d, mature vegetation may not be suitable to provide adequate visual cover or block noise from operational activities at the project site. While these are valid concerns, the measure states the fence “shall obtain at least 98 percent visual coverage,” and does not limit achieving this standard solely by the use of vegetation. This level of visual coverage would be sufficient to both attenuate noise and block line of sight into the project site from Tamalpais Creek Marsh.

4-11 The comment describes a preferred mitigation plan, which includes an increased distance between the edge of the Tamalpais Creek Marsh, and a buffer with thick upland vegetation for California clapper rail cover. The proposed project and mitigation identified in the Draft EIR are designed to avoid significant impacts to California clapper rail and completely avoid take of the species. No habitat removal is proposed and permanent measures to reduce noise and visual impacts from the project site would prevent degradation of existing habitat for clapper rails. Mitigation requiring habitat restoration, planting, and monitoring would not be proportional to the level of impacts on clapper rails described in the Draft EIR.
4-12 The comment states that the Draft EIR fails to adequately address cumulative impacts to California clapper rail. An analysis of cumulative impacts is presented page 4.C-28 of the Draft EIR, describing the cumulative setting and how less-than-significant impacts on clapper rails generated by the proposed project would not contribute considerably to any existing cumulative impacts.

The comment further states that mitigation measures identified in the Draft EIR would not reduce impacts to less-than-significant levels. Significance thresholds for this analysis are based on what would constitute take of endangered species, as well as other federal and state laws prohibiting impacts on breeding and migratory birds. Almost all project impacts would be indirect; no removal of habitat or injury/mortality of special-status species would occur. The Draft EIR identifies mitigation measures to contain noise, light, and visual impacts from the project which would reduce these impacts to less-than-significant levels, based on the best available information obtained for these resources.

The comment also states increased bird strikes on windows as a potential impact. Mitigation Measures BIOLOGY-3 on page 4.C-26 and AESTHETICS-3 on page 4.A-11 of the Draft EIR include design characteristics for windows and lighting to reduce the potential for bird strikes. These mitigation measures are based on accepted standards in San Francisco to prevent bird strikes, and would reduce this impact to less-than-significant levels.

4-13 The comment recommends that a project alternative be prepared which redesigns the layout of the facilities so that the play area is not located adjacent to the marsh, and suggests removal of some project elements not essential to the operation of the Child Study Center. Chapter 5, Alternatives, describes two project alternatives: the No-Project Alternative, and the Parking Lot 2 Alternative. Section 15126.6 of the CEQA Guidelines states that an EIR is not required to consider every conceivable alternative to a project, nor is it required to consider infeasible alternatives. Several other alternatives not analyzed in detail in Chapter 5 demonstrate that different project locations were considered, all of which were determined to be infeasible or would hinder project goals. No alternative to redesign the project onsite is considered because multiple design options were evaluated during the initial design phase- and the selected design was determined to best meet overall project needs, especially in terms of right-of-way easements and circulation issues.
July 30, 2012

Debra Mathau, Design Management/Construction Manager
College of Marin
P.O. Box 144003
Kentfield, CA 94914-4003

RE: Comments on the Draft EIR for Child Study Center

Dear Ms. Mathau:

Friends of Corte Madera Creek Watershed appreciates your consideration of our comments on the Children's Study Center (CSC) Draft Environmental Impact Report (DEIR). The project is planned for a parcel adjacent to the remnant mouth of Tamalpais Creek. This was once a much larger tidal marsh tributary to Corte Madera Creek. The project parcel was paved with asphalt and converted to a parking lot after Measure C construction begun; it appears the paving was done without any environmental review. The CSC project will apparently cover the footprint of the asphalt. In addition, the project relies on continued use of Lot 13, an area of filled tidal wetland surrounded by tidal wetlands.

Listed Species
The California clapper rail (Rallus longirostris obsoletus), federally and state-listed as endangered, is now found only in the tidal wetlands of San Francisco Bay. The DEIR cites multiple observations of California clapper rails in the Lot 13 wetland and other nearby tidal wetlands. A breeding population of clapper rails is found at Creekside Park and rails are frequently observed in the marsh around Lot 13, along the main channel of Corte Madera Creek, and in channels tributary to Corte Madera Creek. These areas, in particular the area near the proposed project, should be enhanced for clapper rails, not further degraded.

The DEIR should provide more complete information on the status of clapper rails in Corte Madera Creek and in San Francisco Bay and the habitat needs of this endangered species. According to the U.S. Geological Survey, since 1850 tidal wetlands have decreased by 95% in San Francisco Bay. This dramatic loss of salt marsh habitat has been the primary factor leading to severe long-term declines in California clapper rail populations; recent surveys suggest that there are fewer than 1,500 birds surviving.

In 1984, the U.S. Fish and Wildlife Service drafted a California clapper rail recovery plan to provide a framework for implementing recovery strategies for this endangered species. The primary focus of the recovery plan involved restoration and enhancement of salt marsh habitat for the benefit of the rail. Only restoration of high quality salt marsh habitat, including adjacent uplands, will ensure future survival and recovery of the California clapper rail. Further incremental degradation, or permanent loss of restorable areas, is in direct conflict with the goals of the recovery plan.

Another important habitat required by this species is a well-vegetated upland (usually referred to as transition zone) adjacent to tidal marsh habitat. It should be vegetated with species rails can use as cover to hide from predators during winter high tides when they must leave the marsh. Adjacent

1 http://marine.usgs.gov/fact-sheets/SFWetlands/sfwetlands.html/
upland habitat is also critical for nesting; rails need to build nests where the young are both protected from high tides and storm events, but the parents also have quick access to channels for safety and feeding. The zone between the marsh and the asphalt lot is neither wide enough nor is it vegetated with plants that are tall enough (except for *Baccharis pilularis* high on the slope) to provide adequate refuge habitat for the rails.

Steelhead (*Oncorhynchus mykiss*), federally listed as threatened, migrate through the Corte Madera Creek estuary. Juvenile steelhead adjust to changes in water salinity during their annual migration from fresh water streams to ocean waters, where maturation occurs. Estuaries provide important feeding areas, refuge from predators, and a place for growth before entering the ocean. Enhancement and protection of tidal marshes are also important for this species.

**Impact Analysis**

The EIR should provide a more complete discussion of cumulative impacts, particularly evaluating the loss of this habitat in the context of the previous loss of habitat in the San Francisco Bay and in Corte Madera Creek. It should address the impacts of human presence, noise, and lighting on clapper rails and on the function of tidal marsh and adjacent upland transition zone habitat.

There will be more people using the CSC facility than use the parking lot. People would be coming and going. Loud noises of playing children are likely to occur frequently during daytime hours; the children's play area is immediately adjacent to the tidal marsh. The DEIR assumes that rails would acclimate and certain studies are cited in support. However, the relevance of these studies is not confirmed. It should also be noted that the USFWS in recent biological opinions state that rails vary in their sensitivity to human disturbance, but both breeding and non-breeding seasons are critical times. One rail nest was abandoned in the South Bay after repair work nearby.

Although lighting is not proposed for the trail connecting Lot 13 to the CSC, the DEIR should discuss the possibility that lighting would be added later and identify appropriate measures to avoid and minimize its impacts.

The above impacts should be considered significant both individually and certainly cumulatively because of their potential to impact clapper rails currently using the marsh. These impacts can also degrade the marsh conditions so that the marsh would no longer be considered suitable habitat for rails. This is a significant impact requiring effective mitigation.

**Mitigation Measures**

The primary take avoidance measure proposed for construction impacts is limiting construction to the period from August 31 to January 31. Rails begin to pair for breeding in January. The USFWS Office of Endangered Species should be consulted on the project design and construction. There is no indication that there has been any consultation with the USFWS.

The only mitigation proposed for the ongoing impacts of the facility is fencing, with vegetation to cover it. The existing plants, although native, are planted as landscaping, with low growing plants in rows along the waters edge and shrubs higher on the slope. This arrangement does not meet habitat needs and is in a configuration unsuitable as transition habitat. Furthermore, the transition zone is too narrow. Even if the vegetation survives and grows to cover the fence, it is highly unlikely to adequately buffer noises; typically substantial walls are required to attenuate sound. Simply put, a

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3 For more information about California clapper rails, see *Restoring Salt Marsh Habitat for the Recovery of California Clapper Rails* by Joy Albertson (http://www.fws.gov/dealfly/Archives/Clapper/searail.htm)
narrow band of plants growing on a fence cannot be considered adequate mitigation for the impacts of the project on clapper rails.

Compensation for Unavoidable Impacts
A 100-foot wide transition zone should be provided and vegetated with native plants suitable to provide cover for clapper rails. These species include *Grindelia stricta*, *Baccharis pilularis*, and native grasses planted near the marsh so that the rails can easily find cover and not expose themselves to predators. Because that is probably not feasible and a narrower zone provides limited benefit, we propose an alternative: the College of Marin should collaborate with Friends of Corte Madera Creek Watershed and the Ross Valley Watershed Program to initiate planning to restore Parking Lot 13 to tidal marsh. Indeed, the Ross Valley Watershed Program’s long-range plans identify Lot 13 as a location to be restored to tidal action for both flood management and habitat enhancement.

This lot is a former tidal marsh that was filled in the late 1960s when the Corte Madera Creek flood control project was constructed. The flood control project included rerouting Tamalpais Creek into a culvert and cutting it off from its estuarine mouth. Lot 13 is currently at risk of flooding during King Tides; as sea level continues to rise it will become more vulnerable to regular flooding, and eventually become unusable. Lot 13 is an ideal site for restoration. Doing so would enhance clapper rail and steelhead trout habitat, provide an opportunity to include features that would protect nearby College of Marin facilities and homes from rising sea level, and improve paths, and support the sustainability goals of the College. This would be an ambitious project, but beginning the planning process would be a major contribution to compensating for the unavoidable impacts of the CSC on tidal wetlands.

Thank you,

Sandra Goldman
President
Letter 5. Friends of Corte Madera Creek Watershed
Sandra Gulman, President

5-1 The comment describes multiple observations of California clapper rail in the vicinity of the project site, and suggests these areas should be enhanced for clapper rails and not further degraded. The proposed project would not remove any habitat capable of supporting clapper rails, and would have no direct impacts on breeding or foraging rails in the Tamalpais Creek Marsh. After implementation of mitigation measures identified in the Draft EIR to reduce construction and operational noise and to screen human presence from the project site, the project would have a less-than-significant impact on clapper rails and would not degrade habitat in Tamalpais Creek Marsh.

5-2 The comment requests that additional information on the status of California clapper rails in San Francisco Bay be included in the EIR. Page 4.C-7 of the Draft EIR describes that habitat loss and encroachment of human activity on clapper rail habitats contribute to the species’ decline. Additionally, revisions to the Draft EIR, including information provided in the comment, are included as presented below. The number of clapper rails surviving in the area was not included, however, as that figure has no context and does not necessarily provide additional information needed to the EIR. The following edit has been made to the fourth paragraph of page 4.C-7 of the Draft EIR:

Threats to the species include loss and degradation of salt marsh habitat, encroachment of human activities, genetic isolation due to habitat fragmentation, and predation from coyotes, red fox, raptors, raccoons, feral cats, and possibly river otters. Since 1850, habitat loss for clapper rails has been extensive, as tidal wetlands in San Francisco Bay have decreased by 95 percent (USGS, 1996).

The following edit reference has been added to page 4.C-32 of the Draft EIR:


5-3 The comment described the USFWS recovery strategy for the California clapper rail, which is noted. Implementation of recovery actions associated with the 2010 Draft Recovery Plan for Tidal Marsh Ecosystems of Northern and Central California apply only to federal lands. No removal of clapper rail habitat would occur as a consequence of the proposed project, and indirect impacts from construction and operation noise would be mitigated to less-than-significant levels. The comment also states that a well-vegetated upland area is required by clapper rails during winter extreme high tides, and that the vegetated bioswale north of the project site would not provide this habitat function. The Draft EIR does not consider the bioswale directly north of the project site to be upland habitat for clapper rail. While revisions to the Draft EIR (see Response to Comment 4-2) recognize the importance of upland habitat to clapper rails, this bioswale is not required by the proposed project to
provide habitat for clapper rails, as it was part of the baseline conditions of the project site as described by CEQA Guidelines § 15125. Furthermore, no clapper rail habitat restoration is proposed as part of the project, as no habitat removal would occur during implementation or operation of the proposed project, and indirect noise and human presence would be mitigated to less-than-significant levels by mitigation identified in the Draft EIR. Also, refer to Response to Comment 1-4.

5-4 The comment describes the importance of tidal marshes for steelhead migration, which are present in the Corte Madera Creek Estuary. The Draft EIR recognizes the presence of this species in Appendix D. The project would not have impacts on aquatic habitat for this species, as described in Impact BIOLOGY-4.

5-5 The comment claims that the Draft EIR should include a more complete discussion of cumulative impacts to California clapper rail. An analysis of cumulative impacts on page 4.C-28 of the Draft EIR describes the cumulative setting and how less-than-significant impacts on clapper rails generated by the proposed project would not contribute considerably to any existing cumulative impacts. The Draft EIR recognizes that there is an existing cumulative impact on clapper rail habitat in the Corte Madera Creek Estuary; however, for a project to have a significant cumulative impact on a resource, there needs to be an existing cumulative impact and the project must contribute considerably to that impact. As described on page 4.C-29 of the Draft EIR, the project’s contribution to existing cumulative impacts on clapper rail is not considerable after implementation of the mitigation measures identified in the Draft EIR. The analysis of both project-level impacts and cumulative impacts describes how human presence, noise, and lighting can, and have previously, impacted clapper rails.

5-6 The comment mentions that the Child Study Center would promote greater human activity and noise than the existing use as a parking lot, and questions the relevance of studies cited in the Draft EIR. The Draft EIR acknowledges greater human presence, especially children at the project site, and implementation of Mitigation Measure BIOLOGY-2d would substantially reduce these impacts through creation of a fence with 98 percent visual coverage. This fence would shield the marsh from noise and human presence at the Child Study Center. Studies cited in the Draft EIR represent the best available information on noise impacts on clapper rails. While some conditions in these studies differ from conditions at the project site, this is fully disclosed in the Draft EIR; as in many similar analyses, application of these studies cannot describe all circumstances at the project site, but can certainly provide valuable information about general noise propagation and bird behavior. It is noted that both non-breeding and breeding seasons are important to clapper rails, but it is also recognized that impacts on breeding behavior from elevated noise levels can have more detrimental impacts leading to take or significant impacts on rail nests. Information provided by the comment regarding nest failure in the South Bay is noted, but is incomplete and too vague to be considered in the EIR analysis.

5-7 The comment requests discussion of trail lighting north of the project site. Impacts from trail lighting are discussed on page 4.A-11 of Section 4.A, Aesthetics, of the Draft EIR. The
lighting discussion is also referenced on page 4.C-26 of the Draft EIR. Mitigation Measure AESTHETICS-3 would adequately mitigate potential impacts to wildlife.

5-8 The comment states that impacts discussed in Comments 5-5 through 5-7 should be considered significant both at the project level and the cumulative level due to potential degradation of California clapper rail habitat. Based on the significance thresholds presented on page 4.C-19 of the Draft EIR and mitigation measures identified in the EIR, these impacts have been reduced to less-than-significant levels. The EIR analysis of clapper rail habitat need not be exhaustive, but rather include what is reasonably feasible per CEQA Guidelines §15151. The comment does not offer any evidence refuting the adequacy of mitigation per CEQA Guidelines §15204(c).

5-9 The comment describes that impacts on California clapper rail could occur in January when birds are pair bonding, and that the USFWS should be consulted regarding the seasonal timing of take avoidance mitigation. The breeding season for clapper rail used in this assessment is based on precedents set by the U.S. Fish and Wildlife Service in biological opinions issued for previous projects, and is considered a standard accepted by USFWS. While indirect noise impacts to California clapper rail have the potential to alter rail behavior during the non-breeding season, such impacts are generally not considered take, and would be considered less-than-significant project impacts. Therefore, consultation with the USFWS is not required. In addition, it should be noted that the noisiest activities, such as pavement removal, are scheduled to take place in September, 2012, to avoid any impacts to clapper rail during the breeding season.

5-10 The comment claims that in Mitigation Measure BIOLOGY-2d, mature vegetation may not be suitable to provide adequate visual cover or block noise from operational activities at the project site. The mitigation measure states the fence “shall obtain at least 98 percent visual coverage,” and does not limit achieving this standard solely by the use of vegetation. This level of visual coverage would be sufficient to attenuate noise and block line of sight into the project site from Tamarpais Creek Marsh.

5-11 The comment describes a preferred mitigation plan which recommends a 100-foot wide transition zone from the edge of the marsh, vegetated with upland plants. While the comment notes that this mitigation would be infeasible, it would also be disproportionate to project impacts. In addition, the baseline condition does not provide a 100-foot buffer between the marsh and the existing parking lot. Therefore, the proposed project would not represent a substantial change to existing conditions in that respect. The proposed project and mitigation measures identified in the Draft EIR are designed to avoid significant impacts to California clapper rail and completely avoid take of the species. No habitat removal is proposed and permanent measures to reduce noise and visual impacts from the project site would prevent degradation of habitat for clapper rails. Mitigation requiring habitat restoration, planting, and monitoring would not be proportional to the level and type of impacts on clapper rails described in the Draft EIR. The comment suggests removal of Parking Lot 13 for tidal marsh restoration as a potential mitigation alternative. However,
the proposed project would not result in the removal of clapper rail habitat and, with implementation of the mitigation measures proposed in the Draft EIR clapper rail habitat would not be degraded from the baseline condition. Therefore, restoration of an entire parking lot as mitigation would not be warranted, considering that project impacts would be reduced to less-than-significant levels by mitigation measures identified in the Draft EIR. That said, the District is considering the possible addition of appropriate plantings outside the boundaries of the project site. The plantings under consideration would include suitable clapper rail vegetation such as pickleweed, cordgrass, grindelia, and/or other such plants.
CHAPTER 4
Revisions to the Draft EIR

The following revisions are made to the Draft EIR and incorporated as part of the Final EIR. Revised or new language is underlined. Deleted language is indicated by strikethrough text.

The revisions in this chapter do not identify any new significant impacts other than those already identified in the Draft EIR, nor do they reveal any substantial increase in the severity of an environmental impact in comparison to the analyses contained in the Draft EIR. The revisions also do not describe any project impact or mitigation measure that is considerably different from those identified in the Draft EIR. Accordingly, the revisions in this chapter do not constitute “significant new information” and it is therefore not necessary for the Lead Agency to recirculate the EIR for public comment prior to certification of the Final EIR (CEQA Guidelines Section 15088.5).

Section A, below, identifies staff-initiated changes made to the Draft EIR. Section B identifies changes made to the EIR in response to comments received.

A. Staff-Initiated Changes to the Draft EIR

No text changes are presented in this section that were initiated by Lead Agency staff.

B. Changes to the Draft EIR in Response to Comments

The text changes presented in this section were initiated by comments on the Draft EIR. None of the revisions results in fundamental alterations of the conclusions of the Draft EIR. The following text changes have been made:

*The following edits have been made to the first sentence of the first paragraph of page 4.C-7 of the Draft EIR:*

**California clapper rail** (*Rallus longirostris obsoletus*). The federal listed, and state listed, and California Fully Protected California clapper rail lives in coastal salt and brackish marshes and tidal sloughs.

[Comment 1-1]
The following edits have been made on page D-4 of Appendix D of the Draft EIR, for the listing status of the California black rail, salt marsh harvest mouse, and California clapper rail:

--/CE, CFP

[Comment 1-1]

The following edit has been made on page D-7 of Appendix D the Draft EIR:

CE = Listed as Endangered by the State of California
CT = Listed as Threatened by the State of California
CFP = California Fully Protected
CR = Listed as Rare by the State of California (plants only)

[Comment 1-1]

The following edit have been made to the second paragraph on page 4.C-23 of the Draft EIR:

Additionally, ongoing playground noise and human presence could also affect clapper rails in Tamalpais Creek Marsh. This would be considered a significant impact. Project construction activities during the non-breeding season for California clapper rail (September-January) would not result in significant impacts on California clapper rail and would not require mitigation.

[Comment 1-3]

The following edits have been made to Mitigation Measure BIOLOGY-2c on page 4.C-24 of the Draft EIR:

Mitigation Measure BIOLOGY-2c: To ensure project construction activities that would not exceed existing ambient noise levels at Tamalpais Creek Marsh by over 10 dBA, shall avoid and minimize adverse effects on California-clapper rail reproductive success through one of the following measures:

1. Project construction activities shall take place in the months outside of the clapper rail breeding-season (February-August);

or

2. Noise reduction measures, including solid plywood fences, sound blankets, or other barriers with noise-dampening materials shall be constructed along the northwest, north, and northeast-facing edges of the project site prior to initiation of construction to serve as noise attenuation barriers. Noise barriers shall be installed in all locations
along the exterior fence of the project boundary so any direct or reflected noise would not create increases greater than 10 dBA above current ambient levels in salt marsh habitats outside the project site. The noise attenuation barrier shall be a minimum of eight feet in height, but sufficient in height to reduce any noise from construction on upper stories or building rooftops. The fences shall shield the marshes from major noise generating phases of construction and must attenuate noise emanating from the project site so that levels of 10 dBA above ambient noise conditions are not exceeded offsite (i.e., in the marshes) to be considered sufficient. To ensure these noise attenuation barriers prevent significant impacts to breeding California clapper rails, a qualified biologist and noise technician shall periodically monitor noise levels at the edge of Tamalpais Marsh at least four times per month during the duration of construction within the breeding season. As an extra measure, the District shall retain a qualified biologist and noise monitor to monitor noise conditions at least four to five times during the month of January. The noise monitoring shall coincide with construction activities anticipated to produce the loudest noise. If sound levels are measured that exceed 10 dBA above ambient noise conditions, construction shall be temporarily halted and the contractor shall assess whether other work that would not exceed this threshold can be conducted during the phase of work. If no other construction can occur, work shall not re-commence until consultation with USFWS and CDFG occurs.

[Comment 1-4]

For clarification purposes, the following edits have been made to the first paragraph of page 4.E-3 of the Draft EIR:

The majority of the project site is located in an area designated as Zone X, which is outside of both the 100- and 500-year flood zones represents “areas of 0.2 percent annual chance of flood: areas of 1 percent annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood.

[Comment 3-1]

The following edits have been made to page 4.E-7 of the Draft EIR:

The proposed project-building site is located outside of the 100-year as well as the 500-year flood-zone in Zone X which represents “areas of 0.2 percent annual chance of flood: areas of 1 percent annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1 percent annual chance flood.

[Comment 3-1]
The following text change is made to page 3-2 of the Draft EIR, first paragraph, third sentence:

A total of nine parking spaces are now provided on the site outside of the fenced area for overflow use parking for the college, and an additional 84 marked spaces are provided (as of June 2012) within the fenced area as temporary replacement parking for spaces on/near the main campus being used by current construction projects. As the Child Study Center is constructed and other campus construction projects are completed, these parking spaces will become available for general-use campus parking again. It is estimated that by the time the CSC is underway, at least 16 spaces will be available again on/near the main campus; an additional 83 spaces will be provided on the campus by January 2013.

[Comment 3-2]

The following edit has been made to the first paragraph of page 4.C-8 of the Draft EIR:

Four characteristic features characterize California clapper rail habitat: (1) an extensive network of tidal sloughs providing direct tidal circulation; (2) salt and brackish marshes dominated by perennial pickleweed with extensive stands of Pacific cordgrass (Spartina foliosa) in the lower marsh elevation zones (in brackish marshes this species also uses areas supporting bulrush [Scirpus spp.]); (3) extensive marsh cover in the upper tidal zone consisting of pickleweed and marsh gumplant; and (4) abundant invertebrate populations for feeding, especially mussels (Mytilus californianus, Ischadium demissum) and mud crab (Hemigrapsus oregonensis) (San Francisco Estuary Project, 1992). In addition to the upper tidal zone, upland transition areas with dense vegetation are important for clapper rails to take refuge in during extreme high tides in winter (USFWS, 2010).

[Comment 4-2]

The following text has been added following the third paragraph of page 4.G-7 of the Draft EIR:

This following impact analysis focuses on potential impacts of the proposed project related to noise. The following Appendix G criterion is not considered relevant to the project based upon the proposed project plans and data research; therefore, it will not be evaluated further in this EIR:

**Airport Noise Impacts:** As stated in the Initial Study, the project is not located within an airport land use plan, within two miles of a public airport, or within the vicinity of a private airstrip. Consequently, no noise impacts associated with public or private air facilities would occur, and these issues (5 and 6) are not discussed further in this chapter.
Additionally, indirect impacts on California clapper rail in the Tamalpais Creek Marsh adjacent to the project site could occur during construction and operations of the project. If elevated noise levels alter clapper rail breeding behavior, the project could result in significant impacts on the species, which is federal and state endangered, as well as fully protected by the state. These impacts are discussed in detail in Section 4.C Biological Resources.

[Comment 4-6]

The following text has been added to the last paragraph of page 4.C-22 of the Draft EIR:

...only 2 dBA above existing conditions at the project site. Extrapolating this noise level to a distance at 30 feet to more closely match the distance between the project site and the Tamalpais Marsh, would result in an estimated noise level of 71 dBA, or 7.5 dBA above existing conditions at the project site. While this increase in noise would likely not be perceived by humans or clapper rails, Noise levels are expected to vary....."

[Comment 4-6]

The following edit has been made to the fourth paragraph of page 4.C-7 of the Draft EIR:

Threats to the species include loss and degradation of salt marsh habitat, encroachment of human activities, genetic isolation due to habitat fragmentation, and predation from coyotes, red fox, raptors, raccoons, feral cats, and possibly river otters. Since 1850, habitat loss for clapper rails has been extensive, as tidal wetlands in San Francisco Bay have decreased by 95 percent (USGS, 1996).

[Comment 5-2]

The following edit reference has been added to page 4.C-32 of the Draft EIR:


[Comment 5-2]
CHAPTER 5
Mitigation Monitoring and Reporting Program

A. Introduction

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

The MMRP includes the mitigation measures identified in the EIR required to address the significant impacts associated with the proposed project. The required mitigation measures are summarized in this program; the full text of the impact analysis and mitigation measures is presented in the Draft EIR in Chapter 2, Summary, except as revised in this Final EIR. The mitigation revisions in the Final EIR include revisions to Mitigation Measure BIOLOGY-2c, as presented in Chapter 4 of this document. The revisions to these mitigation measures were made to reflect required implementation procedures in the Mitigation Monitoring and Reporting Program.

B. Format

The MMRP is organized in a table format (see Table 5-1), keyed to each significant impact and each EIR mitigation measure. Only mitigation measures adopted to address significant impacts are included in this program. Each mitigation measure is set out in full, followed by a tabular summary of monitoring requirements. The column headings in the tables are defined as follows:

- **Mitigation Measures adopted as Conditions of Approval**: This column presents the mitigation measure identified in the EIR.

- **Implementation Responsibility**: This column identifies the person/group responsible for implementation of the migration measure.

- **Monitoring Responsibility**: This column contains an assignment of responsibility for the monitoring and reporting tasks.
• **Monitoring and Reporting Action**: This column refers the outcome from implementing the mitigation measure.

• **Mitigation Schedule**: The general schedule for conducting each mitigation task, identifying where appropriate both the timing and the frequency of the action.

• **Verification of Compliance**: This column may be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

**C. Enforcement**

If the proposed project is approved, the MMRP would be incorporated as a condition of such approval. Therefore, all mitigation measures for significant impacts must be carried out in order to fulfill the requirements of approval. A number of the mitigation measures would be implemented during the course of the development review process. These measures would be checked on plans, in reports, and in the field prior to construction. Most of the remaining mitigation measures would be implemented during the construction or project implementation phase.
## TABLE 5-1
### MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Implementation Responsibility</th>
<th>Monitoring Responsibility</th>
<th>Monitoring and Reporting Action</th>
<th>Monitoring Schedule</th>
<th>Verification of Compliance</th>
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<tbody>
<tr>
<td><strong>4.A Aesthetics</strong></td>
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</table>
| **Mitigation Measure AESTHETICS-1**: The District shall incorporate the following specifications into all construction contracts for the proposed project to ensure implementation of the following measures:  
- Construction staging areas and the storage of large equipment shall occur in the interior of the project site as much as possible, and whenever feasible away from the property boundary with adjacent residences and Magnolia Avenue.  
- Construction staging areas shall be on-site and shall remain clear of all trash, weeds and debris, etc. | District Construction Manager (DCM) | DCM | Verify at time of finalization of specifications. | Prior to construction and at time of specifications being provided to contractor. |                          |
| **Mitigation Measure AESTHETICS-2**: The District shall space trees planted in the landscape strip adjacent to the sidewalk on Magnolia Avenue so that once mature, their canopies would meet. The trees shall be evergreen in order to visually obscure views of the project site from Magnolia Avenue year-round. | DCM | DCM | Verify at time of landscaping. | At time of landscaping of project site and prior to occupancy. |                          |
| **Mitigation Measure AESTHETICS-3**: The District shall ensure that, prior to occupancy, safety lighting is installed on the pedestrian bridge and that the final lighting plans for the pathway from Parking Lot 13 comply with recommendations of the Design Guidelines. Further, the lighting plans for the bridge pathway shall consider the following to minimize impacts to biological resources:  
1. Limit lighting to very low level path lighting that is shielded and directed downwards (e.g., mushroom cap like lighting about 18 inches high).  
2. Place free-standing lighting fixtures away from the bridge and edge of the marsh by at least five feet. Lights should "guide" people to the bridge by being aligned with the bridge pathway.  
3. Provide bridge lighting that is narrow "tube" lighting that is inset into a groove set within the bridge handrail so that no lighting is cast downwards towards the creek area.  
4. Install cut-off fixtures that turn lights off by 10:00 P.M. or a reasonable time after students have left the parking lot.  
5. Final lighting plans for this area shall be reviewed by the District’s biologist to ensure minimal impact to clapper rail habitat. | DCM and District Biologist | DCM | Verify at time of final lighting plans and prior to installation of lighting. Then, confirm implementation at time of lighting installation. Biologist to review and approve plans prior to installation. | At time of development of lighting plans and during completion of lighting. |                          |
## TABLE 5-1 (Continued)

**MITIGATION MONITORING AND REPORTING PROGRAM**

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
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<tbody>
<tr>
<td><strong>4.B Air Quality</strong></td>
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<td><strong>Mitigation Measure AIR-2:</strong> The District shall ensure that the following eight BAAQMD-recommended construction mitigation measures are implemented as specifications in the construction contract to address emissions of fugitive dust:</td>
<td>DCM and Contractor</td>
<td>DCM</td>
<td>Verify at time of finalization of specifications and prior to construction. Ensure compliance during construction.</td>
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<td>At time of specifications being provided to contractor and ongoing during construction.</td>
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<tr>
<td>1. All exposed surfaces shall be watered as needed.</td>
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<td>2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</td>
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<td>3. All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet-power vacuum street sweepers as needed.</td>
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<td>4. All vehicle speeds on unpaved roads shall be limited to 15 mph.</td>
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<td>5. All roadways, driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</td>
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<td>6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.</td>
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<td>7. All construction equipment shall be maintained and properly tuned in accordance with manufacturers specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</td>
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<td>8. A publicly visible sign shall be posted with the telephone number and person to contact at the College District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</td>
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<td><strong>Mitigation Measure AIR-3:</strong> To reduce construction vehicle emissions, the District shall incorporate the following into construction specifications:</td>
<td>DCM and Contractor</td>
<td>DCM</td>
<td>Verify at time of finalization of specifications and check sporadically to ensure compliance during construction.</td>
<td></td>
<td>At time of specifications being provided to contractor and ongoing during construction.</td>
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<tr>
<td>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of California Code of Regulations [CCR]).</td>
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### TABLE 5-1 (Continued)

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<td><strong>4.B Air Quality (cont.)</strong></td>
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<tr>
<td>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</td>
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<td>• The District shall ensure that construction contract specifications include a requirement that all off-road construction equipment be equipped with Tier 3 diesel engines or better to the extent feasible.</td>
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<tr>
<td><strong>4.C Biological Resources</strong></td>
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<tr>
<td>Mitigation Measure BIOLOGY-1: The District shall ensure that construction activities are conducted in a manner that avoids disturbance or mortality of bats, through surveys to determine whether bats are present, and, if so, to limit construction activities as specified below. Specifically, the District shall take the following measures to avoid direct mortality of roosting special-status bats and disturbance of maternity roosts or winter hibernacula:</td>
<td>DCM and District Biologist, in consultation with CDFG if necessary.</td>
<td>DCM</td>
<td>Verify presence of bats prior to construction or staging; verify implementation of no-disturbance buffer, if necessary based on surveys. Verify compliance with construction of artificial bat roosts if found necessary.</td>
<td></td>
<td>Prior to staging and construction. If buffer required, monitor adequacy of buffer during construction in vicinity of active bat roosts, as applicable. If bat roosts to be destroyed, monitor adequacy of artificial roosts at least 2 weeks prior to site disturbance.</td>
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<tr>
<td>Mitigation Measures</td>
<td>Implementation Responsibility</td>
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<tr>
<td>4.C Biological Resources (cont.)</td>
<td>DCM and District Biologist</td>
<td>DCM</td>
<td>Verify completion of surveys, as applicable and if necessary based on scheduling.</td>
<td>No more than 2 weeks prior to ground-disturbing activities, if necessary and based on project scheduling. Refer to Mitigation Measure BIOLOGY-2b if active nests found during pre-construction surveys.</td>
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</table>

**Mitigation Measure BIOLOGY-2a:** No more than two weeks in advance of any ground-disturbing activity, or other construction activity that would commence during the bird breeding season (February 1 through August 31), a qualified wildlife biologist shall conduct pre-construction surveys of potential nesting habitat in the vicinity of the planned activity. Salt marsh habitat north of the project site should not be directly disturbed by surveys, and shall be surveyed from existing walking trails with minimal disturbance to sensitive habitats or wildlife; no surveys shall be conducted for California clapper rail nests, as they would disturb the species and constitute "take" under FESA. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered and the nests would be clearly identified and the immediate area fenced to prevent destruction. If pre-construction surveys indicate that no nests are present or that nests are inactive or potential habitat is unoccupied, no further mitigation is required. If active nests are found during pre-construction surveys, Mitigation Measure BIOLOGY-2b shall be required.

**Mitigation Measure BIOLOGY-2b:** If active nests are found during pre-construction surveys, the results of the surveys shall be discussed with the CDFG and avoidance procedures would be adopted, if necessary, on a case-by-case basis. In the event that an active nest is found, construction in the vicinity would not be initiated until avoidance measures are adopted. Avoidance measures shall include construction buffer areas (up to several hundred feet in the

DCM and District Biologist, working with CDFG and Contractor | DCM | Verify at conclusion of pre-construction surveys. Verify consultation with CDFG and implementation of buffer zones, as needed. | At conclusion of pre-construction surveys and ongoing during construction. |
<table>
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<tr>
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<td>4.C Biological Resources (cont.)</td>
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<tr>
<td>The mitigation measure BIOLOGY-zc: To ensure project construction activities do not exceed existing ambient noise levels at Tamalpais Creek Marsh by over 10 dBA, noise reduction measures, including solid plywood fences, sound blankets, or other barriers with noise-dampening materials shall be constructed along the northwest, north, and northeast-facing edges of the project site prior to initiation of construction to serve as noise attenuation barriers. Noise barriers shall be installed in all locations along the exterior fence of the project boundary so any direct or reflected noise would not exceed noise levels by more than 10 dBA above current ambient levels in salt marsh habitats outside the project site. The noise attenuation barriers shall be a minimum of eight feet in height, but sufficient in height to reduce any noise from construction on upper stories or building rooftops. The fences shall shield the marshes from major noise generating phases of construction and must attenuate noise emanating from the project site so that levels of 10 dBA above ambient noise conditions are not exceeded offsite (i.e., in the marshes) to be considered sufficient. To ensure these noise attenuation barriers prevent significant impacts to breeding California clapper rails, a qualified biologist and noise technician shall periodically monitor noise levels at the edge of Tamalpais Marsh at least four times per month during the duration of construction within the breeding season. As an extra measure, the District shall retain a qualified biologist and noise monitor to monitor noise conditions at least four to five times during the month of January. The noise monitoring shall coincide with construction.</td>
<td>DCM and District Biologist, working with Contractor and Noise Consultant</td>
<td>DCM</td>
<td>Verify first if construction would occur outside of clapper rail breeding season. If not, verify that noise reduction measures have been adequately implemented. Monitor noise levels during construction if any construction to occur within clapper rail breeding season to ensure no increases greater than 10dBA above current ambient levels.</td>
<td>Prior to construction and during construction.</td>
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<tr>
<td>Mitigation Measures</td>
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<tr>
<td><strong>4.C Biological Resources (cont.)</strong></td>
<td>DCM, working with District Biologist and Contractor</td>
<td>DCM</td>
<td>Verify as part of contract specifications prior to initiation of construction. Verify adequacy at completion of fence construction with aid of District Biologist.</td>
<td>Prior to initiation of construction.</td>
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<tr>
<td>Mitigation Measure BIOLOGY-2d: To block light, shield human presence, and attenuate noise that would reach wildlife (including breeding and wintering birds) using adjacent habitat during regular and ongoing activities at the CSC, the proposed project shall install a permanent fence or maintain the existing fence with mature vegetation along the northwest, north, and northeast-facing edges of the project site once construction work requiring more substantial noise barriers is complete (see Mitigation Measure BIOLOGY-2e). The fence shall be constructed of any material suitable for the character of the project site, and shall be at least six feet high and shall obtain at least 98 percent visual coverage.</td>
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<td>Mitigation Measure BIOLOGY-3: To minimize the risk of bird impacts, the District shall include design features in the building design and construction sufficient to minimize the risk of bird attraction and collisions. These features shall be based on the Bird-Safe Building Guidelines developed by the New York Audubon Society (Brown et al., 2007), the Bird Friendly Building Program developed by the Fatal Light Awareness Program (<a href="http://www.flap.org">www.flap.org</a>), and the San Francisco Standards for Bird-Safe Buildings (City of San Francisco, 2011) as appropriate and commensurate with the level and type of risk posed by the project. Based on the results of the avian surveys and the assessment of risk of bird collision, specific measures to reduce bird collision and attraction may include some or all of the following (other measures proven effective in reducing the risk of bird collisions may also be added or substituted):</td>
<td>DCM and District Biologist</td>
<td>DCM</td>
<td>Verify prior to building construction and have District Biologist monitor at time of final landscaping to determine if any landscape changes would be warranted. District Biologist can also determine if additional internal blinds would be warranted.</td>
<td>Prior to building construction and during landscape implementation. Some verification after building occupancy.</td>
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</table>
### TABLE 5-1 (Continued)

<table>
<thead>
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<tr>
<td><strong>4.C Biological Resources (cont.)</strong></td>
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<tr>
<td>• Use plastic or metal screens over windows, especially on the ground levels; incorporate louvers, awnings, sunshades or other exterior shading/shielding devices to reduce reflection and give birds an indication of a visual barrier;</td>
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<td>• Place new landscaping far enough away from glass building facades such that no vegetation reflection occurs or situate trees and shrubs immediately adjacent to glass walls at a distance of less than three feet from the glass to minimize collisions for birds using the vegetation;</td>
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<td>• Avoid use of guy wires to support rooftop structures;</td>
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<td>• Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid up-lighting of rooftop antennae and other tall equipment, as well as of any decorative features (also see Mitigation Measure AESTHETICS-3); and</td>
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<td>• Minimize interior lighting or provide shades when interior spaces need to be lit.</td>
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<tr>
<td><strong>4.D Hazards and Hazardous Materials</strong></td>
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<tr>
<td>Mitigation Measure HAZARDS-1: Prior to construction, the District shall implement all recommendations made in the August 24, 2011 Stellar Environmental letter report regarding further assessment of site hazards and protocols for ground disturbing activities (Stellar Environmental, 2011). In addition, all findings shall be submitted to the Marin County Department of Environmental Health Services and any further assessment or remediation of contaminated soil or groundwater completed prior to occupation of the proposed structure.</td>
<td>DCM</td>
<td>DCM</td>
<td>Verify that Stellar report recommendations have been completed and that Marin County Dept. of Environmental Health Services has been notified of findings. Verify completion of all required remediation efforts prior to occupancy.</td>
<td>Prior to construction and prior to occupancy.</td>
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<tr>
<td><strong>4.E Hydrology and Water Quality</strong></td>
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<td>Mitigation Measure HYDROLOGY-3: An emergency evacuation plan shall be prepared for the proposed project in accordance with any recommendations from the Marin County Office of Emergency Services (OES) regarding potential flooding from a tsunami or dam failure. The plan shall identify communication protocols and evacuation procedures. This plan shall be reviewed and approved by the District’s Board of Trustees prior to site occupancy.</td>
<td>DCM, working the District Board of Trustees and Marin County Office of Emergency Services</td>
<td>DCM</td>
<td>Verify completion and approval of Plan prior to site occupancy.</td>
<td>Prior to occupancy.</td>
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### TABLE 5-1 (Continued)

#### MITIGATION MONITORING AND REPORTING PROGRAM

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Implementation Responsibility</th>
<th>Monitoring Responsibility</th>
<th>Monitoring and Reporting Action</th>
<th>Monitoring Schedule</th>
<th>Verification of Compliance</th>
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<tbody>
<tr>
<td>4.F Land Use and Planning</td>
<td>None Required.</td>
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<td>4.G Noise</td>
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**Mitigation Measure NOISE-1:** The District shall incorporate the following requirements into the construction contract specifications:

1. In order to avoid construction noise impacts during noise-sensitive hours, construction contractors shall comply with the following restrictions, commensurate with Section 6.54.060(E) of the City of Larkspur municipal code:
   - Construction activities shall be limited to the daytime hours between 7:00 A.M. and 6:00 P.M. on weekdays and 9:00 A.M. and 5:00 P.M. on weekends and holidays.

2. To reduce daytime noise impacts due to construction of the proposed project, the college District shall require construction contractors to implement the following measures and shall include such measures in project construction specifications:
   - Equipment and trucks used for proposed project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible).
   - Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for proposed project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used whenever feasible.
   - Stationary construction noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed when feasible.

<p>| | DCM, working with Contractor | DCM | Verify at time of finalizing contract specifications. Verify compliance during construction. | At time of specifications being provided to contractor and ongoing during construction. | |</p>
<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Implementation Responsibility</th>
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<th>Monitoring and Reporting Action</th>
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<td>4.H Transportation and Circulation</td>
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<td>None Required.</td>
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CEQA FINDINGS

MARIN COMMUNITY COLLEGE DISTRICT
KENTFIELD CAMPUS

Facts and Findings Related to the
College of Marin Child Study Center
Kentfield Campus, Larkspur Annex Site
Final Environmental Impact Report in Compliance with the
California Environmental Quality Act (CEQA)

DRAFT 08/29/12
Proposed Adoption: 09/08/2012

EXHIBIT “B” TO RESOLUTION CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE COLLEGE OF MARIN CHILD STUDY CENTER, KENTFIELD CAMPUS, LARKSPUR ANNEX SITE
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FACTS AND FINDINGS
REGARDING THE ENVIRONMENTAL EFFECTS
FROM THE
COLLEGE OF MARIN CHILD STUDY CENTER
KENTFIELD CAMPUS, LARKSPUR ANNEX SITE
KENTFIELD, COUNTY OF MARIN
(SCH # 2011102036)

A. INTRODUCTION

The Marin Community College District Board of Trustees (this “Board”) in certifying the Program Environmental Impact Report (EIR) for the College of Marin Child Study Center project, makes the Findings described below. These Findings are based on the entire record before this Board, including the June 2012 Draft EIR and Final EIR (“EIR”). The EIR was prepared by the Marin Community College District (“District”) acting under the California Environmental Quality Act (“CEQA”). Hereafter, the following documents (Notice of Preparation, Draft EIR, Technical Appendices, the Final EIR containing revisions to the Draft EIR, and Response to Comments) constitute the EIR for this project. These documents will be referred to collectively as the EIR.

B. PROJECT SUMMARY

The District is proposing to construct a one-story (16-foot tall), 5,936 (not including the deck) square foot Child Study Center (CSC) on the College of Marin Larkspur Annex site. The CSC would be used by the children of registered students. It would also provide classroom space for students studying Early Childhood Education as part of their program at the College of Marin. The CSC would include the following elements:

| Two pre-school classrooms | Electrical/data room |
| Restrooms | Outdoor decking/stairs/ramps |
| One observation/meeting/conference room | Shade structures |
| Art classroom | Play structures |
| One Adult Education Classroom | Hardscape and softscape play areas |
| Entry lobby and student art gallery | Irrigated landscape areas |
| Food preparation area and storage | Garden area |
| Laundry area | On-site parking and drop-off for 17 vehicles |
| Staff workroom and storage | Fencing and gates |
| CSC/AEC offices | Site lighting |
| Custodial closet/bulk storage | Trash enclosures |
B.1 PROJECT OBJECTIVES AND BENEFITS

The Marin Community College District is committed to upgrading the College's facilities in compliance with the Measure C Bond Program. The following objectives have been identified for the project:

(1) Provide student and community quality child care facility within proximity to the main campus;
(2) Provide functional instructional and administrative space to meet program requirements;
(3) Provide upgrades to the existing Kentfield campus to serve the population in this area;
(4) Provide job training and academic programs to assist the unemployed and underemployed in obtaining employment and advancement;
(5) Participate in a collaborative partnership with other educational providers, the business community, and local government to better serve the community;
(6) Improve campus facilities to accommodate a total campus population of approximately 6,400 students at completion of the Bond Spending Implementation Plan;
(7) Provide lower division college classes for transfer students to 4-year university programs;
(8) Meet LEED criteria and obtain LEED certification;
(9) Upgrade buildings for fire safety, energy conservation, seismic safety, and campus security;
(10) Improve disabled access;
(11) Enhance job training; and
(12) Implement "green building" practices in all capital improvement projects.

B.2 PROJECT DESCRIPTION

The existing CSC is located on the main campus in a building that would be demolished to make room for the proposed New Administrative Center (NAC). Thus, the CSC has to be relocated and the capacity of the CSC is proposed to be expanded. The CSC would be occupied by 32 children ages 2.9 months to 5 years of age. Staff would include four teachers, two aides, one director, one program assistant, and two faculty members. In addition to the pre-school students who would use the CSC, there would be classroom space for 35 College of Marin students studying Early Childhood Education.

The new CSC would have a gross floor area of about 8,285 gross square feet on a site area of 46,128 square feet (1.06 acres). The building footprint would be about 5,936 square feet. The remaining portions of the site would be used for on-site parking (10,115 gsf); landscaping, gardens, hardscape play areas, softscape play areas, and pathways/circulation. An existing restroom trailer at the eastern edge of the site would remain in place.

The new building (CSC) was not addressed in the Program Environmental Impact Report (EIR) completed for the Bond Spending Implementation Plan (hereinafter also referred to as the
Implementation Plan) for the Kentfield campus that was certified on November 7, 2007. The Implementation Plan is the outcome and the guiding document for the Measure C Bond Program that was passed by the Marin County voters in 2004. This bond program provided $249.5 million to be used for modernization and construction at the District’s campuses – the Kentfield campus and the Indian Valley campus. A Program EIR was prepared to address overall changes on the Kentfield campus because specific details about some of the proposed buildings were not yet available at the time of the Program EIR. It was understood that further environmental review might be necessary when such details were known. At the time of the Program EIR, the District had no specific plans for the proposed CSC site other than temporary usage for construction equipment and trailers. Now, the District proposes to use the site for the CSC.

B.3 SITE LOCATION AND SURROUNDING LAND USES

The Kentfield Campus is an 87-acre site located in central Marin County in the unincorporated community of Kentfield and the City of Larkspur, California. The District is proposing to construct the CSC project on the College of Marin Larkspur Annex site, located in the City of Larkspur. Access to the 1.06-acre undeveloped, paved project site is from Magnolia Avenue (which becomes College Avenue across the Kentfield/Larkspur border west of the project site) and a private drive that would serve the new project as well as the existing Marin Brain Injury Network building. The Kentfield campus is in the unincorporated community of Kentfield and the City of Larkspur, California. The main access to the 87-acre campus is provided via Sir Francis Drake Boulevard and College Avenue. Other roads abutting the campus include College, Kent, Laurel, and Magnolia Avenues. Major highway access to the project site is available from State Highway 101, about 2 miles east of the campus. Sir Francis Drake Boulevard is a main exit from U.S. 101 for those coming from the north, south and east. For those coming from west Marin County, the main access to the campus is from Sir Francis Drake Boulevard, which provides access to San Anselmo, Fairfax, Point Reyes, Inverness, and other communities to the west.

The Kentfield Campus is surrounded by residential, commercial, and open space uses (see Figure 3-1 in the Draft EIR). Within a ¼-mile radius, the primary land use is residential, with a variety of lot sizes and a mixture of single-family and multi-family residences, and neighborhood commercial uses serving local residents.

C. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The District conducted an extensive environmental review for this project that included a Draft EIR, Final EIR, appendices, attachments, and referenced reports and documents, along with public review and comment periods.

The implementation of the EIR scoping and review process is described in the Draft EIR. The following is a summary of the District’s environmental review for this project.
The Initial Studies and the Notice of Preparation, stating that an EIR would be prepared, were circulated for public review from October 18, 2011 to November 17, 2011.

The Draft EIR was distributed for a 45-day public review and comment period on June 15, 2012 ending on July 30, 2012.

The Final EIR was distributed for a 10-day notification period for the District beginning August 28, 2012.

C.1 CUSTODIAN AND LOCATION OF THE RECORD

Findings:

The documents and other materials which constitute the record of proceedings for the District Board’s approval of this project are located at the College of Marin, Kentfield Campus, 835 College Ave., Bldg. MS-3, Kentfield, CA. The District is the custodian of all documents.

C.2 INDEPENDENT JUDGMENT

The District solicited proposals from independent consultants to prepare the College of Marin Child Study Center, Kentfield Campus, CEQA Documents. A decision was made to retain Amy Skewes-Cox, AICP, to prepare the documents. A contract was executed between the District and the EIR consultant on July 1, 2010. The EIR was prepared under the supervision and direction of Laura McCarty, Director of Facilities Modernization, and the District Construction Manager Debra Mathau of Swinerton Management & Consulting, Inc.

Findings:

Based on a review of the entire record, the Board finds that the Draft and Final EIR reflect the independent judgment of the Board and the District. The District has exercised independent judgment in accordance with CEQA Section 21082.1(c)(3) in retaining its own environmental consultant, directing the consultant in preparing the EIR, and reviewing, analyzing, and revising material prepared by the consultant.

D. ENVIRONMENTAL IMPACTS

The EIR, written testimony, these facts and findings, and other information in the administrative record serve as the basis for the District’s environmental determination. The detailed analyses of potential environmental impacts and proposed mitigation measures for the project are presented in Chapter 4 of the Draft EIR. Written comments and the District’s responses are provided in Chapter 3 of the Final EIR.

Presented below are the environmental findings made on behalf of this Board after its review of the documents referenced above, as well as the written comments and responses thereto on the Project presented to the Board prior to the Board meeting of September 8, 2012. Factual discussion in this document summarizes the information contained in the Draft and Final EIR.
and the administrative record upon which this Board bases its decision to approve the Child Study Center project.

The Draft EIR evaluated eight major environmental categories that had potential significant adverse impacts. Both project specific and cumulative impacts were evaluated and some of the categories contained several sub-issues, which are summarized below. Of these twelve major environmental categories, the Board concurs with the conclusions in the EIR that the issues and sub-issues discussed below can be mitigated below a significant impact threshold.

**D.1 FINDINGS REGARDING IMPACTS ANALYZED IN THE EIR AND DETERMINED TO BE MITIGATED TO LESS THAN SIGNIFICANT**

This section includes findings for project impacts which are potentially significant, but can be mitigated to a less than significant level with the implementation of mitigation measures. This Board finds that all potentially significant impacts of this project listed below can and will be mitigated, reduced or avoided by implementation of mitigation measures. Specific findings of this Board for each category of such impacts are set forth below in this section.

CEQA Section 21081 states that no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

a. Changes or alterations have been required in or will be incorporated into the project, which will mitigate or avoid the significant environmental effects thereof as identified in the completed environmental impact report.

b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such agency or can and should be adopted by such other agency.

c. Specific economic, social, legal, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

This Board hereby finds, pursuant to CEQA Section 21081, that the following potential environmental impacts can and will be mitigated to below a level of significance, based upon the implementation of the mitigation measures recommended in the EIR.

Each proposed mitigation measure discussed in this section of the findings is assigned a title correlating it with the environmental category used in the Mitigation Monitoring and Reporting Program included in Chapter 5 of the Final EIR.

The following abbreviations are used throughout these Findings: LTS – less than significant, PS – potentially significant and SU-significant and unavoidable.
1. Aesthetics

1a. Impact AESTHETICS-1: Construction of the proposed project would potentially create temporary aesthetic impacts associated with project construction and grading activities. (SU)

Mitigation Measure AESTHETICS-1: The District shall incorporate the following specifications into all construction contracts for the proposed project to ensure implementation of the following measures:

- Construction staging areas and the storage or large equipment shall occur in the interior of the project site as much as possible, and whenever feasible away from the property boundary with adjacent residences and Magnolia Avenue.
- Construction staging areas shall be onsite and shall remain clear of all trash, weeds and debris, etc. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on aesthetics to less-than-significant levels. (LTS)

1b. Impact AESTHETICS-2: The proposed project would potentially alter the existing visual character or quality of the site and its surroundings. (SU)

Mitigation Measure AESTHETICS-1: The District shall space trees planted in the landscape strip adjacent to the sidewalk on Magnolia Avenue so that once mature, their canopies would meet. The trees shall be evergreen in order to visually obscure views of the project-site from Magnolia Avenue year-round. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on aesthetics to less-than-significant levels. (LTS)

1c. Impact AESTHETICS-3: The proposed project would potentially result in an increase in light and glare at or near the project site. (SU)

Mitigation Measure AESTHETICS-3: The District shall ensure that, prior to occupancy, safety lighting is installed on the pedestrian bridge and that the final lighting plans for the pathway from Parking Lot 13 comply with recommendations of the Design Guidelines. Further, the lighting plans for the bridge pathway shall consider the following to minimize impacts to biological resources:

1. Limit lighting to very low level path lighting that is shielded and directed downwards (e.g., mushroom cap like lighting about 18 inches high).
2. Place free-standing lighting fixtures away from the bridge and edge of the marsh by at least five feet. Lights should “guide” people to the bridge by being aligned with the bridge pathway.

3. Provide bridge lighting that is narrow “tube” lighting that is inset into a groove set within the bridge handrail so that no lighting is cast downwards towards the creek area.

4. Install cut-off fixtures that turn lights off by 10:00 P.M. or a reasonable time after students have left the parking lot.

5. Final lighting plans for this area shall be reviewed by the District’s biologist to ensure minimal impact to clapper rail habitat. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on aesthetics to less-than-significant levels. (LTS)

1d. Impact AESTHETICS-4: The proposed project, when combined with past, present, and other foreseeable development in the vicinity, would potentially result in cumulative impacts to aesthetics. (LTS)

Mitigation Measure AESTHETICS-4: None required. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on aesthetics to less-than-significant levels. (LTS)

2. AIR QUALITY

2a. Impact AIR-1: The proposed project would potentially conflict with or obstruct implementation of the applicable air quality plan. (LTS)

Mitigation Measure AIR-1: None required.

2b. Impact AIR-2: Construction of the proposed project would potentially generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions. (SU)
Mitigation Measure AIR-2: The District shall ensure that the following eight BAAQMD recommended construction mitigation measures are implemented as specifications in the construction contract to address emissions of fugitive dust:

1. All exposed surfaces shall be watered as needed.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wetpower vacuum street sweepers as needed.

4. All vehicle speeds on unpaved roads shall be limited to 15 mph.

5. All roadways, driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturers specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

8. A publicly visible sign shall be posted with the telephone number and person to contact at the College District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on air quality to less-than-significant levels. (LTS)

2c. Impact AIR-3: Construction of the proposed project would potentially expose sensitive receptors to increased localized concentrations of toxic air contaminants or respirable particulate matter (PM2.5). (SU)

Mitigation Measure AIR-3: To reduce construction vehicle emissions, the District shall incorporate the following into construction specifications:

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California
airborne toxics control measure, Title 13, Section 2485 of California Code of Regulations [CCR]).

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- The District shall ensure that construction contract specifications include a requirement that all off-road construction equipment be equipped with Tier 3 diesel engines or better to the extent feasible. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on air quality to less-than-significant levels. (LTS)

2d. Impact AIR-4: Operations of the proposed project would potentially result in an increase in operational emissions of criteria air pollutants (ROG, NOx, PM10, and PM2.5) from on-road motor vehicle traffic traveling to and from the site and from onsite sources that may violate any air quality standard or contribute substantially to an existing or projected air quality violation (e.g., landscape maintenance activities or natural gas combustion for heating). (LTS)

Mitigation Measure AIR-4: None required.

2e. Impact AIR-5: Development proposed as part of the project, when combined with past, present and other reasonably foreseeable development in the vicinity, would potentially result in cumulative air quality impacts. (LTS)

Mitigation Measure AIR-5: None required.

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on air quality to less-than-significant levels. (LTS)

3. Biological Resources

3a. Impact BIOLOGY-1: Construction of the proposed project would potentially adversely impact special-status bat species through increases in noise levels during construction. (SU)
Mitigation Measure BIOLOGY-1a: The District shall ensure that construction activities are conducted in a manner that avoids disturbance or mortality of bats, through surveys to determine whether bats are present, and, if so, to limit construction activities as specified below. Specifically, the District shall take the following measures to avoid direct mortality of roosting special-status bats and disturbance of maternity roosts or winter hibernacula:

a. Prior to any staging or construction, a qualified bat biologist shall conduct surveys of all potential bat habitats within 250 feet of construction activities prior to initiation of such activities. Potentially suitable habitat shall be identified visually. An acoustic detector shall be used to determine any areas of bat activity. At least four nighttime emergence counts shall be undertaken on nights that are warm enough for bats to be active. The bat biologist shall determine the type of each active roost (i.e., maternity, winter hibernaculum, day or night).

b. If no evidence of bats (i.e., visual or acoustic detection, guano, staining, strong odors) is present, no further mitigation is required. If pre-construction surveys indicate that roosts are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required.

c. A no-disturbance buffer shall be created around active bat roosts being used for maternity purposes at a distance to be determined by the qualified biologist in consultation with CDFG. Bat roosts initiated within 250 feet of the project site after construction has already begun are presumed to be unaffected, and no buffer is necessary. However, “take” of individuals, including harming, harassing, or killing, shall be prohibited.

d. If known bat roosting habitat is to be destroyed before project implementation, artificial bat roosts shall be constructed at least two weeks prior to such disturbance in an undisturbed area of the property, at least 250 feet from any ongoing or future activities. The design and location of the artificial bat roost(s) shall be determined by a qualified bat biologist. (LTS)

Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on biological resources to less-than-significant levels. (LTS)

3b. Impact BIOLOGY-2: The proposed project would potentially affect migratory and breeding birds indirectly through increases in ambient noise due to construction and operation, as well as increased human presence at the completed project. (SU)

Mitigation Measure BIOLOGY-2:

Mitigation Measure BIOLOGY-2a: No more than two weeks in advance of any ground disturbing activity, or other construction activity that would commence during the bird breeding season (February 1 through August 31), a qualified wildlife biologist shall
conduct preconstruction surveys of potential nesting habitat in the vicinity of the planned activity. Salt marsh habitat north of the project site should not be directly disturbed by surveys, and shall be surveyed from existing walking trails with minimal disturbance to sensitive habitats or wildlife; no surveys shall be conducted for California clapper rail nests, as they would disturb the species and constitute “take” under FESA. Pre-construction surveys are not required for construction activities scheduled to occur during the non-breeding season (August 31 through January 31). Construction activities commencing during the non-breeding season and continuing into the breeding season do not require surveys (as it is assumed that any breeding birds taking up nests would be acclimated to project-related activities already under way). Nests initiated during construction activities would be presumed to be unaffected by the activity, and a buffer zone around such nests would not be necessary. However, a nest initiated during construction cannot be moved or altered and the nests would be clearly identified and the immediate area fenced to prevent destruction. If pre-construction surveys indicate that no nests are present or that nests are inactive or potential habitat is unoccupied, no further mitigation is required. If active nests are found during pre-construction surveys, Mitigation Measure BIOLOGY-2h shall be required.

Mitigation Measure BIOLOGY-2h: If active nests are found during pre-construction surveys, the results of the surveys shall be discussed with the CDFG and avoidance procedures would be adopted, if necessary, on a case-by-case basis. In the event that an active nest is found, construction in the vicinity would not be initiated until avoidance measures are adopted. Avoidance measures shall include construction buffer areas (up to several hundred feet in the case of raptors), relocation of birds, or seasonal avoidance, as needed. If buffers are created, a no-disturbance zone shall be created around active nests for the remainder of the breeding season, or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted shall take into account factors such as the following:

1. Noise and human disturbance levels at the proposed project site and the nesting site at the time of the survey and the noise and disturbance expected during the construction activity;

2. Distance and amount of vegetation or other screening between the proposed project site and the nest; and

3. Sensitivity of individual nesting species and behaviors of the nesting birds.

Mitigation Measure BIOLOGY-2c: Project construction activities that would exceed existing ambient noise levels at Tamalpais Creek Marsh by over 10 dBA shall avoid and minimize adverse effects on California clapper rail reproductive success through one of the following measures:

1. Project construction activities shall take place in the months outside of the clapper rail breeding season (February–August); or
2. Noise reduction measures, including solid plywood fences, sound blankets, or other barriers with noise-dampening materials shall be constructed along the northwest, north, and northeast-facing edges of the project site prior to initiation of construction to serve as noise attenuation barriers. Noise barriers shall be installed in all locations along the exterior fence of the project boundary so any direct or reflected noise would not create increases greater than 10 dBA above current ambient levels in salt marsh habitats outside the project site. The noise attenuation barrier shall be a minimum of eight feet in height, but sufficient in height to reduce any noise from construction on upper stories or building rooftops. The fences shall shield the marshes from major noise generating phases of construction and must attenuate noise emanating from the project site up to 10 dBA to be considered sufficient.

**Mitigation Measure BIOLOGY-2d:** To block light, shield human presence, and attenuate noise that would reach wildlife (including breeding and wintering birds) using adjacent habitat during regular and ongoing activities at the CSC, the proposed project shall install a permanent fence or maintain the existing fence with mature vegetation along the northwest, north, and northeast-facing edges of the project site once construction work requiring more substantial noise barriers is complete (see Mitigation Measure BIOLOGY-2c). The fence shall be constructed of any material suitable for the character of the project site, and shall be at least six feet high and shall obtain at least 98 percent visual coverage. (LTS)

**Findings:**

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on biological resources to less-than-significant levels. (LTS)

**3c. Impact BIOLOGY-3:** The proposed project would potentially affect migratory and breeding birds through building collisions and increases in night lighting. (SU)

**Mitigation Measure BIOLOGY-3:** To minimize the risk of bird impacts, the District shall include design features in the building design and construction sufficient to minimize the risk of bird attraction and collisions. These features shall be based on the Bird-Safe Building Guidelines developed by the New York Audubon Society (Brown et al., 2007), the Bird Friendly Building Program developed by the Fatal Light Awareness Program (www.flap.org), and the San Francisco Standards for Bird-Safe Buildings (City of San Francisco, 2011) as appropriate and commensurate with the level and type of risk posed by the project. Based on the results of the avian surveys and the assessment of risk of bird collision, specific measures to reduce bird collision and attraction may include some or all of the following (other measures proven effective in reducing the risk of bird collisions may also be added or substituted):

- Minimize the use of reflective glass at lower building levels, especially where vegetation or water features may be reflected, or utilize glass that has been treated
to reduce reflectivity, including glass with low-e patterning, etching, or low reflectivity glazing;

- Design to avoid monolithic, undistinguishable expanses of glazing by maximizing “visual noise” both on the building scale and individual glass units;

- Use plastic or metal screens over windows, especially on the ground levels; incorporate louvers, awnings, sunshades or other exterior shading/shielding devices to reduce reflection and give birds an indication of a visual barrier;

- Place new landscaping far enough away from glass building facades such that no vegetation reflection occurs or situate trees and shrubs immediately adjacent to glass walls at a distance of less than three feet from the glass to minimize collisions for birds using the vegetation;

- Avoid use of guy wires to support roof-top structures;

- Minimize amount and visual impact of perimeter lighting and façade up-lighting and avoid up-lighting of rooftop antennae and other tall equipment, as well as of any decorative features (also see Mitigation Measure AESTHETICS-3); and

- Minimize interior lighting or provide shades when interior spaces need to be lit. (LTS)

**Findings:**

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on biological resources to less-than-significant levels. (LTS)

3d. **Impact BIOLOGY-4:** The proposed project would potentially result in the degradation of Waters of the United States and Waters of the State as well as critical habitat for endangered steelhead and coho salmon. (LTS)

*Mitigation Measure BIOLOGY-4: None required.*

3c. **Impact BIOLOGY-5:** Construction activity and operations of the proposed project, in conjunction with other past, current, or foreseeable development in the vicinity of the CSC site would potentially result in cumulative impacts on special-status species, wetlands and other waters of the U.S. and State, and protected trees. (LTS)

*Mitigation Measure BIOLOGY-5: None required.*
Findings:

Based on the whole record, this Board finds that implementation of the mitigation measures set forth above will reduce any impacts on biological resources to less-than-significant levels. (LTS)

4. Hazards and Hazardous Material

4a. Impact HAZARDS-1: Construction of the proposed project would potentially disturb soil and groundwater impacted by historic hazardous material use, which could expose construction workers, the public, or the environment to adverse conditions related to hazardous materials handling. (SU)

Mitigation Measure HAZARDS-1: Prior to construction, the District shall implement all recommendations made in the August 24, 2011 Stellar Environmental letter report regarding further assessment of site hazards and protocols for ground disturbing activities (Stellar Environmental, 2011). In addition, all findings shall be submitted to the Marin County Department of Environmental Health Services and any further assessment or remediation of contaminated soil or groundwater completed prior to occupation of the proposed structure. (LTS)

Findings:

Based on the whole record, this Board finds that the combination of the above measures would reduce any impacts from hazards and hazardous material to less-than-significant levels. (LTS)

4b. Impact HAZARDS-2: The proposed project would potentially involve the transportation, use, and storage of hazardous chemicals, which could present public health and/or safety risks to residents, visitors, and the surrounding area. (LTS)

Mitigation Measure HAZARDS-2: None required.

4c. Impact HAZARDS-3: Construction facilitated by the proposed project would potentially create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (LTS)

Mitigation Measure HAZARDS-3: None required.

4d. Impact HAZARDS-4: Hazards at the project site would potentially contribute to cumulative hazards in the vicinity of the project site. (LTS)

Mitigation Measure HAZARDS-4: None required.
Findings:

Based on the whole record, this Board finds that the combination of the above measures would reduce any impacts from hazards and hazardous material to less-than-significant levels. (LTS)

5. Hydrology and Water Quality

5a. Impact HYDROLOGY-1: Construction of the proposed project would potentially involve activities (excavation, soil stockpiling, and trenching, etc.) that would generate loose, erodible soils that, if not properly managed, could violate water quality standards or waste discharge requirements. (LTS)

Mitigation Measure HYDROLOGY-1: None required.

5b. Impact HYDROLOGY-2: Development of the proposed project would potentially alter existing drainage patterns, which could result in increased pollutant loading such as siltation in stormwater runoff violating water quality standards of receiving waters. Due to the reduced area of impervious surfaces, combined with the existing bioswale at the site’s northern edge, this impact would be less than significant. (LTS)

Mitigation Measure HYDROLOGY-2: None required.

5c. Impact HYDROLOGY-3: Development of the proposed project would potentially expose people or property to water-related hazards, such as flooding or inundation by seiche, tsunami, mud flows, or dam or levee failure. (SU)

Mitigation Measure HYDROLOGY-3: An emergency evacuation plan shall be prepared for the proposed project in accordance with any recommendations from the Marin County Office of Emergency Services (OES) regarding potential flooding from a tsunami or dam failure. The plan shall identify communication protocols and evacuation procedures. This plan shall be reviewed and approved by the District’s Board of Trustees prior to site occupancy. (LTS)

Findings:

Based on the whole record, this Board finds that the combination of the above mitigation measures would reduce the impacts on hydrology to less-than-significant levels. (LTS)

5d. Impact HYDROLOGY-4: The proposed project site would potentially be subject to inundation from sea level rise. (LTS)

Mitigation Measure HYDROLOGY-4: None required.

5e. Impact HYDROLOGY-5: Increased construction activity and new development
resulting from the proposed project, in conjunction with other reasonably foreseeable development in project area, would potentially result in cumulative impacts with respect to hydrology and water quality. (LTS)

Mitigation Measure HYDROLOGY-5: None required.

Findings:

Based on the whole record, this Board finds that the combination of the above mitigation measures would reduce the impacts on hydrology to less-than-significant levels. (LTS)

6. Land Use and Planning

6a. Impact LAND USE-1: The proposed project would potentially conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan and zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (LTS)

Mitigation Measure LAND USE-1: None required.

6b. Impact LAND USE-2: The proposed project, combined with cumulative development in the defined geographic area, including past, present, and reasonably foreseeable future development, would potentially have a significant adverse cumulative impact on land uses in the area. (LTS)

Mitigation Measure LAND USE-2: None required.

Findings:

Based on the entire record, the Board finds that the implementation of the above mitigation measures would reduce the impacts on land use and planning to less-than-significant levels. (LTS)

7. Noise

7a. Impact NOISE-1: Construction of the proposed project would potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. (SU)

Mitigation Measure NOISE-1: The District shall incorporate the following requirements into the construction contract specifications:
1. In order to avoid construction noise impacts during noise-sensitive hours, construction contractors shall comply with the following restrictions, commensurate with Section 9.54.060(E) of the City of Larkspur municipal code:

- Construction activities shall be limited to the daytime hours between 7:00 A.M. and 6:00 P.M. on weekdays and 9:00 A.M. and 5:00 P.M. on weekends and holidays.

2. To reduce daytime noise impacts due to construction of the proposed project, the college District shall require construction contractors to implement the following measures and shall include such measures in project construction specifications:

- Equipment and trucks used for proposed project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible).

- Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for proposed project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 3 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used whenever feasible.

- Stationary construction noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed when feasible. (LTS)

Findings:

Based on the entire record, the Board finds that implementation of the mitigation measures set forth above will reduce any noise impacts to less-than-significant levels.

7b. Impact NOISE-2: Construction of the proposed project would potentially result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. (LTS)

Mitigation Measure NOISE-2: None required.

7c. Impact NOISE-3: The proposed project would potentially be exposed to noise levels in excess of standards established in the City of Larkspur General Plan.

Mitigation Measure NOISE-3: None required.
7d. **Impact NOISE-4**: The proposed project would potentially generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. (LTS)

**Mitigation Measure NOISE-4**: None required.

7e. **Impact NOISE-5**: Increases in traffic from the proposed project in combination with other development would potentially result in cumulatively considerable noise increases. (LTS)

**Mitigation Measure NOISE-5**: None required.

Findings:

*Based on the entire record, the Board finds that implementation of the mitigation measures set forth above will reduce any noise impacts to less-than-significant levels.*

8. **Traffic and Circulation**

8a. **Impact TRAFFIC-1**: The proposed project would increase traffic volumes on local and regional area roadways. (LTS)

**Mitigation Measure TRAFFIC-1**: None required.

8b. **Impact TRAFFIC-2**: The proposed project would potentially increase hazards due to a design feature or incompatible uses. (LTS)

**Mitigation Measure TRAFFIC-2**: None required.

8c. **Impact TRAFFIC-3**: The proposed project would potentially result in inadequate access to adjacent roadways and land uses for both general and emergency vehicles. (LTS)

**Mitigation Measure TRAFFIC-3**: None required.

8d. **Impact TRAFFIC-4**: The proposed project would potentially conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (LTS)

**Mitigation Measure TRAFFIC-4**: None required.

8e. **Impact TRAFFIC-5**: The proposed project would generate temporary increases in traffic volume and would have temporary effects on transportation conditions during construction activities. (LTS)

**Mitigation Measure TRAFFIC-5**: None required.
8f. Impact TRAFFIC-6: The proposed project, in conjunction with past, present, and reasonably foreseeable future projects, would potentially have a cumulatively considerable contribution to significant impacts on the surrounding transportation network. (LTS)

Mitigation Measure TRAFFIC-6: None required.

Findings:

Based on the entire record, the Board finds that implementation of the mitigation measures set forth above will reduce any traffic impacts to less-than-significant levels. (LTS)

D.2 IMPACTS ANALYZED IN THE DRAFT EIR AND DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

Section 21100(b)(2)(A) of CEQA requires an EIR to identify significant environmental effects that cannot be avoided if a project is implemented. All of the impacts of the project either would be less than significant or would be mitigated to a less-than-significant level. No impacts would remain significant and unavoidable after mitigation.

D.3 CUMULATIVE IMPACTS ANALYZED IN THE DRAFT EIR

CEQA Guidelines state that an EIR shall discuss cumulative impacts of a project when its incremental effect is cumulatively considerable (CEQA Guidelines section 15355(b)). A cumulative impact from several projects is a change in the environment that results from the incremental impact of a project when added to other related projects.

According to CEQA Guidelines Section 15130(b)(1) an adequate discussion of cumulative impacts should be based on either 1) a list of relevant past, present and reasonably anticipated future projects that would produce related or cumulative impacts or 2) a summary of projections contained in a General Plan.

Facts:

The EIR assembled and analyzed the potential cumulative environmental impacts, if any, of the Project. The cumulative analysis found in Chapter 4 of the EIR identified no significant cumulative impacts.

Findings:

Based on the entire record, the Board finds that, by undertaking the EIR, the District analyzed reasonably anticipated future projects that may produce related or cumulative impacts, which will be lessened to less-than-significant levels.
E. ALTERNATIVES TO THE PROJECT

The California Environmental Quality Act (CEQA) requires discussion of a reasonable range of project alternatives that could feasibly attain the project's objectives (CEQA Guidelines section 15126.6(a)). An EIR must evaluate a reasonable range of alternatives to the project or to the location of the project that: (1) offers substantial environmental advantages over the proposed project, and (2) may be feasibly accomplished in a successful manner and within a reasonable period of time considering the economic, environmental, legal, social and technological factors involved.

The selection of alternatives for analysis is described in Chapter 5.0 of the Draft EIR. Each alternative to the proposed project was evaluated for its ability to reduce or eliminate impacts. Two alternatives are evaluated in this section:

- Alternative 1: No Project Alternative
- Alternative 2: Parking Lot 2 Alternative

The purpose in analyzing alternatives to a proposed project is to determine if an alternative is capable of eliminating or reducing potential significant adverse environmental effects, “even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly” (CEQA Guidelines section 15126.6[b]). The following discussion sets forth the District’s evaluation of each of the alternatives to determine whether there are feasible alternatives to the proposed action (CEQA Guidelines section 15126.6[b]) and whether the alternative can eliminate or substantially lessen significant impacts previously described in the document for the proposed action. A discussion of those alternatives eliminated from further consideration is also provided.

E.1 SELECTION OF ALTERNATIVES TO BE CONSIDERED IN THE EIR

The selection of alternatives for analysis is described in Chapter 5.0 of the Draft EIR. Each alternative to the proposed project was evaluated for its ability to reduce or eliminate impacts. The purpose in analyzing alternatives to a proposed project is to determine if an alternative is capable of eliminating or reducing potential significant adverse environmental effects, “even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly” (CEQA Guidelines section 15126.6[b]). The following discussion set forth provides the District’s evaluation of each of the alternatives to determine whether there are feasible alternatives to the proposed action (CEQA Guidelines section 15126.6[b]) and whether the alternative can eliminate or substantially lessen significant impacts previously described in the document for the proposed action.
E.2 ANALYSIS OF IMPACTS AND FINDINGS REGARDING ALTERNATIVES

ALTERNATIVE 1: NO PROJECT

This alternative will have no environmental impacts.

Ability to meet project Objectives:

This alternative will not meet any of the objectives of the project.

ALTERNATIVE 2: PARKING LOT 2 ALTERNATIVE

The impacts associated with the Parking Lot 2 Alternative are fully set forth in Chapter 5 of the Draft EIR, and that discussion is incorporated herein by reference.

Ability to meet project Objectives:

The Parking Lot 2 Alternative would meet all of the identified project objectives, with the exception of two constraints related to the physical location and size of the site. The site at Parking Lot 2 is too small to allow the development of a CSC that would allow both child care, facility and college student classroom space in one location so that Early Childhood Education Program is physically connected to observation area. Additional, Parking Lot 2 is located in close proximity to the main campus, and development of the CSC on this site would result in a loss of centralized parking.

Findings:

Based on the entire record, this Board finds that the conclusion in the EIR that the screening criteria was appropriate to identify alternatives that would lessen or reduce significant effects.