

**NOTICE OF INTENTION TO CIRCULATE
PROPOSED MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY FOR THE
PASTORI STORM DRAIN OUTFALL
IN THE TOWN OF FAIRFAX**

Project Location

Fairfax, CA.

Project Description

The existing 24-inch diameter storm drain outfall pipe at Pastori Bridge overcrossing (south of Lansdale Street) will be replaced with a 48-inch diameter High Density Polyethylene Pipe (HDPE) pipe. The storm drain pipe within Pastori Avenue was replaced with a 48-inch diameter pipe in 2008. Air-driven jack hammers will be used to break the wall for the storm drain pipe. There will be no hydraulic equipment. The men will stand on the rock rip-rap while doing the work. Tarps will be put down to protect the creek.

A stable engineered RSP Energy Dissipation Structure with Large Woody Debris Channel Margin will be installed. The triangle-shaped apron area beneath the culvert outfall will be lined with 1- 2-ton mixed rock riprap, up to an elevation to protect the immediately downstream site that is currently covered with lighter weight emergency rock rip rap. The rock rip rap will be keyed into the creek channel bottom. The new outfall pipe will not be extended so flows will discharge onto the stable rock rip rap lining the creek bank below. Large woody debris (one rootwad with trunk) will be installed in the base of the rock rip rap at the margin of the pool to enhance the summer rearing habitat and transient winter refugia habitat. "Perma-jack" type piles (4) will be installed on the face of the existing concrete footing remnant to prevent it from sliding into the creek. The proposed project will not interfere with the future fish ladder reconstruction project. The footprints of the three alternatives are shown on Sheet EN3.

Project Proponent

Town of Fairfax

Findings

In accordance with the Town of Fairfax' policies regarding implementation of the California Environmental Quality Act (Public Resources Code §21000 et seq.)and the CEQA Guidelines, the Town of Fairfax has conducted an Initial Study to determine whether development of the above described project may have a significant effect on the environment. On the basis of that study, the Town hereby finds:

The project will not have significant environmental impacts for the following reasons:

1. Pastori Storm Drain Outfall is necessary to replace an existing damaged 24-inch diameter storm drain outfall pipe with a new 48-inch diameter HDPE pipe.
2. The Pastori Storm Drain Outfall will not require the extension of any public sewer or water lines, or the expansion of any public services.

3. The Pastori Storm Drain Outfall will repair the damage and improve the visual quality of the site.
4. The Pastori Storm Drain Outfall will not damage any scenic resources, nor will it degrade the existing visual character of its surroundings.
5. The Pastori Storm Drain Outfall will be compatible with the Bay Area Air Quality Management District plan.
6. The Pastori Storm Drain Outfall will have no substantial adverse effect on sensitive biological resources.
7. The Pastori Storm Drain Outfall will not cause a substantial adverse effect on cultural or historical resources.
8. The Pastori Storm Drain Outfall will not expose people to substantial adverse geological events.
9. The Pastori Storm Drain Outfall will not create a significant hazard to the public or the environment as may be caused by hazardous materials or hazardous conditions or facilities.
10. The Pastori Storm Drain Outfall will not degrade or deplete water resources.

Public Review

The Initial Study and proposed Mitigated Negative Declaration will be circulated for a 30-day public review period, pursuant to Public Resources Code (CEQA) Section 21091 (B). Written comments shall be submitted to the Town of Fairfax Department of Public Works, 142 Bolinas Road, Fairfax, CA. 94930, or interested persons can contact Michael Rock, Town Manager and acting Public Works Director, at (415) 458-2345. A written response to all written and oral comments received during the 30-day public review period will be prepared for incorporation into the Final Mitigated Negative Declaration and will be presented for approval by the Town of Fairfax. The project will be reviewed by the Town Council at their June 6, 2012 public meeting.

Lead Agency

The lead agency for this Mitigated Negative Declaration is the Town of Fairfax.

Determination

On the basis of the evaluation in this Mitigated Negative Declaration and the Initial Study:

I find that although the proposed project could have an adverse effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Negative Declaration has been prepared.

4/30/12
Date:


Linda Neal
Senior Planner

Town of Fairfax

April 30, 2012

Pastori Storm Drain Outfall Draft Initial Study, Environmental Checklist, and Mitigated Negative Declaration

Lead Agency:

Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

Prepared by:

CSW/Stuber-Stroeh Engineering Group, Inc.
45 Leveroni Court
Novato, CA 94949
Phone (415) 883-9850 / Fax (415) 883-9835

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**DRAFT INITIAL STUDY, ENVIRONMENTAL CHECKLIST AND
MITIGATED NEGATIVE DECLARATION**

1. Project Title:

Pastori Storm Drain Outfall

2. Lead Agency Name and Address:

Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

3. Contact Person and Phone Number:

Michael Rock, Town Manager (415) 458-2345

4. Project Location:

Downstream side of San Anselmo Creek bank at northern end of Pastori Bridge

5. Project Sponsor's Name and Address:

Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

6. General Plan Designation: Public domain (roadway). West side of Pastori Avenue is Highway Commercial. East side is Residential 1-6 du/ac

7. Zoning: West side of Pastori Avenue is Highway Commercial. East side is RD 5.5-7

8. Description of Project:

The existing 24-inch diameter storm drain outfall pipe will be replaced with a 48-inch diameter HDPE pipe. The storm drain pipe within Pastori Avenue was replaced with a 48-inch diameter pipe in 2008. Air-driven jack hammers will be used to break the wall for the storm drain pipe. There will be no hydraulic equipment. The men will stand on the rock rip-rap while doing the work. Tarps will be put down to protect the creek.

A stable engineered RSP Energy Dissipation Structure with Large Woody Debris Channel Margin will be installed. The triangle-shaped apron area beneath the culvert outfall will be lined with 1- 2-ton mixed rock riprap, up to an elevation to protect the immediately downstream site that is currently covered with lighter weight emergency rock rip rap. The rock rip rap will be keyed into the creek channel bottom. The new outfall pipe will not be extended so flows will discharge onto the stable rock rip rap lining the creek bank below. Large woody debris (one rootwad with trunk) will be installed in the base of the rock rip rap at the margin of the pool to enhance the summer rearing habitat and transient winter refugia habitat. "Perma-jack" type piles (4) will be installed on the face of the existing concrete footing remnant to prevent it from sliding into the creek. The proposed project will not interfere with the future fish ladder reconstruction project. The footprints of the three alternatives are shown on Sheet EN3.

9. Surrounding Land Uses and Environmental Setting:

Across Pastori Bridge, on the opposite side of San Anselmo Creek from the project, is the 23-acre Marin Town and Country Club property. It is zoned Commercial Recreation and currently has 40 rental units.

On the west side of Pastori Avenue between Center Blvd. and San Anselmo Creek, there is a shopping center called Fair-Anselm Plaza. A parking lot exists between the building and Pastori Avenue. Ornamental trees and other landscaping are planted between the parking lot and the curb. There are three bay trees on the slope in a location closest to the creek. There is no sidewalk. The curb is red.

On the east side of Pastori Avenue between Landsdale Avenue and San Anselmo Creek, there are single family residences. Parking is allowed on the street in front of the residences. The distance in-between Landsdale Avenue and Center Blvd. is very short so only a sloped landscape area exists.

10. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement.):

U.S. Army Corps of Engineers – Section 404 Permit

Regional Water Quality Control Board – Section 401 Water Quality Certification

California Dept. of Fish and Game – Section 1600 Streambed Alteration Agreement

Town of Fairfax – Building/Grading Permit

11. References:

This Initial Study has been prepared pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000 et seq) and the CEQA Guidelines. Additional information incorporated by reference herein includes:

- § Town of Fairfax, General Plan Land Use Map
- § Town of Fairfax, Zoning Map
- § *Geomorphic Assessment of Town of Fairfax Project Sites, Final Report*, dated July 31, 2006, prepared by Fluvial Geomorphology Consultants.
- § *Town of Fairfax Flood Related Projects, Fishery Resources Technical Report*, dated December 18, 2006, prepared by A.A. Rich & Associates.
- § *Hydrology and Hydraulic Analysis, Pastori Storm Drain Outfall, Town of Fairfax, California*, dated April 9, 2010, prepared by CSW/Stuber-Stroeh Engineering Group, Inc. (Appendix in Alternatives Analysis)
- § *Alternatives Analysis for Pastori Storm Drain Outfall, Town of Fairfax, California*, dated May 2010, prepared by CSW/Stuber-Stroeh Engineering Group, Inc.
- § *Bank Stabilization for Pastori Storm Drain Outfall Draft Fish Collection and Relocation Plan*, dated January 26, 2011, prepared by A.A. Rich & Associates.
- § *Draft Biological Assessment for NMFS, San Anselmo Creek Bridge, Town of Fairfax, FEMA-1628-DR-CA, PW #2338*, prepared by Nationwide Infrastructure Support Technical Assistance Consultants, A Joint Venture of URS Group, Inc., and Dewberry & Davis LLC for FEMA, dated January 2007
- § *Draft NLAA letter for USFWS, San Anselmo Creek Bridge Embankment Repair, Town of Fairfax, FEMA-1628-DR-CA, PW #2338*, prepared by Nationwide Infrastructure Support Technical Assistance Consultants, A Joint Venture of URS Group, Inc., and Dewberry & Davis LLC for FEMA, dated January 31, 2007.
- § *Pastori Outfall Project, Fairfax, CA - Air Quality and Greenhouse Gas CEQA Evaluation*, prepared by Illingworth & Rodkin, Inc., dated April 24, 2012

All reports, documents, drawings and maps are on file at the Town of Fairfax.

The following person/firm assisted the Town of Fairfax in the preparation of this Initial Study:

Georgia McDaniel, Environmental Planner
 CSW/Stuber-Stroeh Engineering Group, Inc.
 45 Leveroni Court
 Novato, CA 94949
 (415) 883-9850

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1 A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) ~~"Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).~~
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

ENVIRONMENTAL CHECKLIST:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Explanation of Checklist Judgments:

I.a) Heavy rains in California during the winter of 2005/2006 resulted in a Federal Disaster declaration. During the disaster event, street runoff from the December 31, 2005 flood caused the suspended terminal section of an 24-inch CMP to fail and discharge stormwater directly onto the bank beneath the failed culvert, on the left bank of San Anselmo Creek (looking downstream) immediately downstream from Pastori Avenue Bridge. During the disaster event, the Town placed emergency rock rip rap on the eroded bank to prevent the bank from eroding further to protect the bridge and the adjacent residence. There is no vegetation on the eroded bank of the creek channel.

The existing damaged 24-inch diameter storm drain outfall pipe will be replaced with a 48-inch diameter HDPE pipe. The triangle-shaped apron area beneath the culvert outfall will be lined with 1-2-ton mixed rock riprap, up to an elevation to protect the immediately downstream site that is currently covered with lighter weight emergency rock rip rap. The rock rip rap will be keyed into the creek channel bottom. The new outfall pipe will not be extended so flows will discharge onto the stable rock rip rap lining the creek bank below. Large woody debris (one rootwad with trunk) will be installed in the base of the rock rip rap at the margin of the pool to enhance the summer rearing habitat and transient winter refugia habitat.

The project will repair the damage and improve the visual quality of the site.

- I.b) See explanation for I.a) above.
- I.c) See explanation for I.a) above.
- I.d) See explanation for I.a) above.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Result in the loss of forest land or conversion of forest land to non-forest land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Explanation of Checklist Judgments:

- II.a) No properties in the vicinity are used or zoned for agricultural operations.
- II.b) The project area is not zoned or used for agricultural purposes and, therefore, is not under a Williamson Act contract.
- II.c) No properties in the vicinity are zoned for forest land, timberland nor timberland production.
- II.d) The project would not result in the loss nor the conversion of forest land to non-forest land.
- II.e) The project would not result in the conversion of Farmland nor forest land since none exists in the project area.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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

Explanation of Checklist Judgments:

- III.a) The project would create short-term impacts to air quality as a result of emissions from excavation and construction equipment associated with construction activities. These short-term impacts would not obstruct the implementation of any applicable air quality plan. The proposed project would not conflict or obstruct implementation of the applicable air quality plan (e.g., the Bay Area 2010 Clean Air Plan), therefore there is no impact.
- III.b) The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter (PM_{2.5}) under both the Federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM₁₀) under the California Clean Air Act, but not the Federal act. The area has attained both State and Federal ambient air quality standards for carbon monoxide. As part of an effort to attain and maintain ambient air quality standards for ozone and PM₁₀, the BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NO_x), PM₁₀ and PM_{2.5} and apply to both construction period and operational period impacts.

The effects on air quality would be limited to temporary construction impacts. Air pollutants would be generated from construction equipment operations and fugitive dust caused by ground disturbance during project construction. After construction of the project, there would be no air pollutant emission associated with the project.

The Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines include significance thresholds for construction period emissions and recommend that the URBEMIS2007 model be used to predict average daily emissions of air pollutants. A list of construction equipment and truck trips along with the schedule were input to the URBEMIS2007 model. The model produced daily and total emissions for the entire 3-month construction project. Modeled average daily emissions and significance thresholds developed by BAAQMD are as follows:

Scenario	Total and (Average Daily Emissions in pounds)				
	ROG	NO _x	PM ₁₀	PM _{2.5}	CO ₂
Construction	0.4	2.9	0.2	0.1	507
BAAQMD Significance Thresholds	54	54	82	54	--
Significant?	No	No	No	No	--

- III.c) As discussed under Impact III.b, the project would only have emissions during construction, which would be less than significant thresholds included in the BAAQMD CEQA Air Quality Guidelines for evaluating impacts to ozone and particulate matter. Therefore, the project would not result in a cumulatively considerable net increase of emissions of any criteria pollutant for which the project region is non-attainment. Carbon monoxide emissions from traffic generated by the project would be the pollutant of greatest concern at the local level. However, the project would generate very little traffic during construction, which would not affect carbon monoxide concentrations. Auto-related emissions would be expected to remain the same.
- III.d) During construction activities, fugitive dust would be generated. The amount of dust generated would be highly variable and is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions and meteorological conditions. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known Toxic Air Contaminant. As indicated under Impacts 2 and 3, these emissions would not be considered to contribute substantially to existing or projected air quality violations. Diesel exhaust from construction equipment operating at construction sites pose both a health and nuisance impact to nearby sensitive receptors. Construction activities are expected to occur during a relatively short time (about three months), and therefore, the impacts are considered to be less than significant if reasonable available control measures are applied. Although construction activities would be temporary, they would have the potential to cause both nuisance and health air quality impacts. PM₁₀ is the pollutant of greatest concern associated with dust. If uncontrolled, dust generated by construction activities represents a potentially significant impact.

Mitigation Measure III.d: Include measures to control dust and exhaust emissions during construction.

Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant. The contractor shall implement the following Best Management Practices that are required of all projects:

1. All exposed surfaces (e.g., staging areas, soil piles, graded areas, and unpaved access roads) shall be controlled to minimize dust (e.g., watering).

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. 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]).
5. 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.

III.e) Construction would generate localized emissions of diesel exhaust during equipment operation and truck activity. The odor from these emissions may be noticeable from time to time by adjacent receptors. However, they would be localized, temporary and are not likely to adversely affect people off site in that they would result in confirmed odor complaints. This would be a *less-than-significant* impact.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES --

Would the project:

- | | | | | |
|--|--------------------------|----------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |

Wildlife Service?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Explanation of Checklist Judgments:

IV.a) The following measures will be implemented to avoid and minimize potential adverse effects to steelhead and the unlikely event that California red-legged frogs occur in the action area:

Mitigation Measure IV.a.1 – All construction and activities in or adjacent to San Anselmo Creek will be performed only between June 15th and October 15th.

Mitigation Measure IV.a.2 - Disturbance to existing grades and vegetation will be limited to the actual site of the project and necessary access routes. When possible, existing ingress or egress points will be used and/or work performed from the top of the creek banks.

Mitigation Measure IV.a.3 – Steps in the Bank Stabilization for Pastori Storm Drain Outfall Fish Collection and Relocation Plan, prepared by A.A. Rich and Associates, will be implemented.

Mitigation Measure IV.a.4 – If steelhead are found dead or injured during the construction period, the Town of Fairfax will contact the National Marine Fisheries Service (NMFS) so the NMFS can review the project activities to determine if additional protective measures are needed.

Mitigation Measure IV.a.5 – All standardized Best Management Practices (e.g., per Regional Water Quality Control Boards, the California Stormwater Best Management Practice Handbooks) will be implemented.

Mitigation Measure IV.a.6 – All construction material, wastes, debris, sediment, rubbish, vegetation, trash, fencing, will be removed from the site once the project is completed and transported to an authorized disposal area, as appropriate, and per all federal, state and local laws and regulations.

Mitigation Measure IV.a.7 – No petroleum-based products such as asphalt will be used as a stabilizing material (i.e. riprap).

Mitigation Measure IV.a.8 – Every reasonable precaution will be exercised to protect federally-listed species and their habitats from pollution due to fuels, oils, lubricants, and other harmful material. Vehicles and equipment that are used during the course of the project will be fueled and serviced in a “safe” area (i.e., outside of sensitive habitats) in a manner that will not affect federally-listed species or their habitats. Spills, leaks, and other problems of a similar nature will be resolved immediately to prevent unnecessary effects to listed species and their habitats. A plan for the emergency clean up of any spills of fuel or other material will be available.

Mitigation Measure IV.a.9 – All construction-related holes will be covered to prevent entrapment of individuals.

Mitigation Measure IV.a.10 – Plastic mono-filament netting (erosion control matting) or similar material containing netting will not be used at the project site because the California red-legged frog and other listed species may become entangled or trapped in it. Acceptable substitutes include coconut coil matting or tackified hydroseeding compounds.

- IV.b) The proposed action is located within designated critical habitat for the south central California coast steelhead ESU. The measures listed in IV.a will be implemented to avoid and minimize potential adverse effects to any riparian and designated critical habitat. In addition, the following measure will be implemented to mitigate the installation of rock rip rap along a section of the San Anselmo Creek bank:

Mitigation Measure IV.b - Large woody debris (one rootwad with trunk) will be installed in the base of the rock rip rap at the margin of the pool to enhance the summer rearing habitat and transient winter refugia habitat.

- IV.c) The implementation of measures listed in IV.a and IV.b will reduce any potential adverse

effects on federally protected wetlands as defined by Section 404 of the Clean Water Act to less than significant.

- IV.d) The project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The proposed project will not interfere with the existing fish ladder nor any future fish ladder reconstruction project.
- IV.e) The project will not conflict with any local policies nor ordinances protecting biological resources such as a tree preservation policy or ordinance.
- IV.f) No impact would occur since no portion of the project lies within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

Explanation of Checklist Judgments:

- V.a) There are known instances of unique paleontological resources occurring throughout the Town of Fairfax. Several mapped sites are located around the two watercourses running through downtown. In the event that previously unknown historic or archaeological remains should be discovered during construction, the project manager shall consult the

Town of Fairfax General Plan 2010-30, Conservation Element, Goal CON-8.1: Historical and cultural preservation, as well as the Town of Fairfax General Plan 2010-30 Initial Study Checklist Section V.a for implementation of possible mitigation measures to ensure that the project does not significantly impact a historic or archaeological resource. If any previously unknown historic or archaeological remains should be discovered during construction, the Corps of Engineers will be notified so the Corps can initiate the Federal and State coordination required to determine if the remains warrant a recovery effort.

V.b) See explanation for V.a).

V.c) Neither a unique paleontological resource or site nor a unique geological feature have been documented in the project area. In the event that previously unknown historic or paleontological or human remains should be discovered during construction, the project manager shall consult the Town of Fairfax General Plan 2010-30, Conservation Element, Goal CON-8.1: Historical and cultural preservation, as well as the Town of Fairfax General Plan 2010-30 Initial Study Checklist Section V.a for implementation of possible mitigation measures to ensure that the project does not disturb or significantly impact paleontological or human remains. Therefore, the proposed project would have a less than significant impact.

V.d) See explanation for V.a).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VI. ENERGY AND NATURAL RESOURCES - Would the project result in:

a) Substantial increase in demand for existing energy sources, or conflict with adopted policies or standards for energy use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Use of non-renewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Loss of significant mineral resources sites designated in the General Plan from premature development or other land uses which are incompatible with mineral extraction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Explanation of Checklist Judgments:

- VI.a) The proposed project would not result in a substantial increase in demand for existing energy sources, nor conflict with adopted policies or standards for energy use.
- VI.b) The proposed project would not result in the use of non-renewable resources in a wasteful and inefficient manner.
- VI.c) The project site is not located on or near an area that contains significant mineral resources. No impact would occur.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

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

Explanation of Checklist Judgments:

- VII.a) All work would be performed within the San Anselmo Creek channel directly downstream of the Pastori Avenue Bridge and includes the stabilization of the creek bank.
 VII.b) See explanation for VII.a).
 VII.c) See explanation for VII.a).
 VII.d) See explanation for VII.a).
 VII.e) Septic tanks nor alternative wastewater disposal systems are not proposed in this project. Therefore, there would be no impact.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. GREENHOUSE GAS

EMISSIONS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Explanation of Checklist Judgments:

- VIII.a) During construction of the proposed project, greenhouse gas emissions would be generated from off-road equipment, on-road trucks, and construction employee vehicle trips. Construction would be conducted over a short period of time (approximately three months) after which all construction-related GHG emissions would cease, and the project would not be a source of continuous emissions.

As described in the Illingworth & Rodkin Pastori Outfall Project, Fairfax, CA - Air Quality and Greenhouse Gas CEQA Evaluation, the URBEMIS2007 model was used to compute average daily construction period emissions. During construction, the project is predicted to emit 507 pounds of carbon dioxide per day from construction equipment, truck and worker traffic exhaust. Assuming these emissions occurred every day for 60 days, the project would emit a total of 13.8 metric tons of CO₂.

Neither the Town of Fairfax nor the BAAQMD have quantified thresholds for construction activities. BAAQMD did establish a significance threshold of 1,100 metric tons of equivalent CO₂ for long-term operational impacts. The emissions from this project would be well below the lowest threshold adopted by BAAQMD. These emissions would not be cumulatively considerable, and therefore would not substantially contribute to the cumulative impact of climate change.

VIII.b) The project does not conflict with applicable policies adopted for the purposes of reducing greenhouse emissions. Therefore, there is no impact.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX. HAZARDS AND HAZARDOUS MATERIALS B Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | X | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

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

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Explanation of Checklist Judgments:

- IX.a) The proposed project does not involve the transport, use, or disposal of hazardous materials.
- IX.b) During construction of the project, the only hazardous substances anticipated would be fuel and lubricating oil used by construction equipment. Normal use of these substances would be a less than significant impact.
- IX.c) There are no significant hazardous material sites within the project area or its immediate surroundings.
- IX.d) See explanation for IX.c).
- IX.e) The proposed project is not located within an airport land use plan nor within two miles of a public airport or public use airport.
- IX.f) The proposed project is not located within the vicinity of a private airstrip.
- IX.g) The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

IX.h) The proposed project is not located adjacent to wildlands and therefore does not expose people and structures to the risk of wildland fires.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Explanation of Checklist Judgments:

X.a) The proposed project would not violate any water quality standards or waste discharge requirements due to the implementation of the measures listed below. In addition, the stabilization of the bank should reduce future erosion and sedimentation.

Mitigation Measure X.a.1 - All construction activities shall be performed in a manner that minimizes the sediments and/or pollutants entering directly or indirectly into the storm drain system, groundwater, or the creek.

1. All construction staging areas and areas for the storage of any hazardous material (i.e., motor oil, fuels, paints) to be used during construction will be located away from any drainage areas to prevent runoff from construction areas from entering the creek. A plan for the emergency clean up of any spills of fuel or other material will be available.
2. No debris, soil, silt, sand, cement, concrete, or washing thereof, or other construction related materials or wastes, soil or petroleum products or other organic or earthen material shall be allowed to enter the creek. All discarded material including washings and any accidental spills shall be removed and disposed of at an approved disposal site.

Mitigation Measure X.a.2 – No petroleum products such as asphalt will be used.

Mitigation Measure X.a.3 – Rock rip rap will be free of trash or reinforcement steel.

Mitigation Measure X.a.4 – Equipment will be refueled and serviced at designated construction staging areas. All construction material and fill will be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into San Anselmo Creek.

Mitigation Measure X.a.5 – Erosion control measures will be implemented prior to construction and will be kept in place until completion of construction. These measures will be inspected periodically to ensure they are functioning properly. If the erosion

control measures are found to be damaged or are not functioning properly, construction will cease and remain ceased until the erosion control measures are repaired.

- X.b) Excavation for the proposed project would not be at a depth that would affect groundwater or groundwater recharge.
- X.c) The proposed project would not alter the course of the creek.
- X.d) The proposed project would not substantially alter the existing drainage pattern of the site or area that would result in less flooding on- and off-site.
- X.e) The proposed project would improve the capacity of the storm water drain system by extending the 48" pipe in Pastori Avenue to the outfall. Per the *Hydrology and Hydraulic Analysis, Pastori Storm Drain Outfall, Town of Fairfax, California*, dated April 9, 2010, a reduction in velocities and small reduction in flow rates would be due to changes in the storm drain system which would cause the system to go from pressure flow to gravity flow. The current pressure flow is likely the result of an under capacity outfall pipe and water ponding/ flooding upstream of the system, creating hydraulic head which forces the storm water into the storm drain system and to exit the outfall at a high velocity. With a 48-inch outfall pipe, under gravity flow, storm water would be more efficiently conveyed through the storm drain system. As such the pipe velocity through Pastori Avenue to the outfall would be slower. This change in flow rate or discharge at the Pastori Avenue outfall is statistically negligible. The same volume of storm water would enter San Anselmo Creek.
- X.f) The proposed project would not substantially degrade water quality. The expected disturbance of riparian habitat from the proposed project will be temporary and should result in bank stabilization and reduction of erosion within the action area.

Mitigation Measure X.f – Standard Best Management Practices (BMPs) and Town Performance Standards shall be followed in order to minimize possible discharge of sediment into aquatic habitats and ensure that construction activities do not affect water quality.

- X.g) The project does not propose the construction of housing.
- X.h) The proposed project does not include structures that would impede or redirect flood flows.
- X.i) The proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

X.j) The project site's distance from a large body of water precludes the risk of damage from seismically-induced waves (tsunamis or seiches).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XI. LAND USE AND PLANNING -

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|----------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Explanation of Checklist Judgments:

- XI.a) The proposed project would replace an existing storm drain within an existing roadway plus repair and stabilize the creek bank damaged by a major storm event.
- XI.b) The proposed project does not conflict with any applicable Town of Fairfax land use plan, policy or regulation.
- XI.c) The proposed project does not conflict with any habitat conservation plan or natural community conservation plan.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XII. MINERAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|----------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
|--|--------------------------|--------------------------|--------------------------|----------|

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

Explanation of Checklist Judgments:

XII.a.) There are no known mineral resources at the project site. Therefore, the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

XII.b) There are no locally-important mineral resource recovery sites in the vicinity of the proposed project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. NOISE Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation of Checklist Judgments:

XIII.a) Project construction activities would cause temporary increases in local noise levels.

Mitigation Measure XIII.a - All construction activities shall comply with applicable Performance Standards in the Town of Fairfax Zoning Ordinance and Municipal Code.

1. All construction equipment powered by internal combustion equipment shall be properly muffled and maintained to minimize noise. Equipment shall be turned off when not in use.

XIII.b) There would be no permanent increase in vibration levels.

XIII.c) There would be no permanent increase in ambient noise levels.

XIII.d) See explanation for XIII.a) above.

XIII.e) The proposed project is not located within an airport land use plan nor within two miles of a public airport or public use airport.

XIII.f) The proposed project is not located within the vicinity of a private airstrip.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIV. POPULATION AND HOUSING

-- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Explanation of Checklist Judgments:

XIV.a) There is no residential component to the proposed project. The project proposes the completion of the replacement of an existing storm drain in an existing roadway. The land adjacent to Pastori Avenue is already developed with businesses and residences.

XIV.b) The proposed project does not involve the displacement of any housing.

XIV.c) The proposed project does not involve the displacement of any people.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Explanation of Checklist Judgments:

XV.a) Construction of the proposed project is not expected to have an impact on fire protection services.

XV.b) Construction of the proposed project is not expected to have an impact on police protection services.

XV.c) Construction of the proposed project is not expected to have an impact on schools.

XV.d) Construction of the proposed project is not expected to have an impact on parks.

XV.e) Construction of the proposed project is expected to have a positive impact on storm water management.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVI. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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Explanation of Checklist Judgments:

XVI.a) Construction of the proposed project is not expected to have an impact on recreational facilities.

XVI.b) See explanation for XVI.a).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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**XVII.
TRANSPORTATION/TRAFFIC --**

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system,	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
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including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the town for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

Explanation of Checklist Judgments:

XVII.a) There would be a temporary increase in construction vehicle trips during construction of the project. Although the number of construction vehicles would be limited, mitigation measures would reduce the impacts to less than significant.

Mitigation Measure XVII.a.1 - The number of construction vehicles entering and leaving the construction area shall be limited at any given time to a small number.

Mitigation Measure XVII.a.2 - The Town shall review and approve a route plan for trucks and construction equipment prior to the commencement of construction activities.

XVII.b) The proposed project would not conflict with any applicable congestion management program nor have an impact on the levels of service on the Town streets.

XVII.c) The proposed project would not have an impact on air traffic patterns since there are no airports in the vicinity of the project.

- XVII.d) The proposed project would not result in any permanent traffic hazards.
- XVII.e) The proposed project would not permanently impact emergency access on local roadways.
- XVII.f) The proposed project would not impact permanent parking capacity.
- XVII.g) The proposed project would not conflict with policies, plans nor programs supporting alternative transportation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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XVIII. UTILITIES AND SERVICE SYSTEMS B Would the project:

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

and regulations related to solid waste?

X

Explanation of Checklist Judgments:

XVIII.a) The proposed project would not result in the need for new wastewater treatment.

XVIII.b) The proposed project would not result in the need for new water nor wastewater treatment facilities or expansion of existing facilities.

XVIII.c) The proposed project would result in the increase in size of the storm water outfall pipe from 24" to 48," however, the environmental effect would be less than significant.

XVIII.d) The proposed project would not result in the need for water supplies. No new or expanded entitlements would be needed.

XVIII.e) The proposed project would not result in the need for new wastewater treatment.

XVIII.f) The proposed project would not significantly increase demands on municipal solid waste collection and disposal services nor the capacity of local landfills.

XVIII.g) See explanation for XVIII.f).

Potentially Significant Impact

Less Than Significant with Mitigation Incorporation

Less Than Significant Impact

No Impact

XIX. MANDATORY FINDINGS OF SIGNIFICANCE --

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

X

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in

X

connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

Explanation of Checklist Judgments:

XIX.a) The potential exists for various impacts related to construction activities to degrade the quality of the environment. These temporary impacts include air pollutant emissions, water quality degradation, and noise. The implementation of mitigation measures and best management practices can reduce the potential impacts to less than significant. The proposed project would not reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, nor eliminate important examples of the major periods of California history or prehistory.

Mitigation Measure XIX.a.1 - The applicant shall designate a project manager with authority to implement all mitigation measures and conditions of approval and provide name, address, and phone numbers to the Town prior to issuance of any permits.

Mitigation Measure XIX.a.2 - Mitigation measures required during construction shall be listed as conditions on permits and signed by the contractor responsible for construction.

Mitigation Measure XIX.a.3 - Town inspectors shall insure that construction activities occur with the approved plans and conditions of approval.

XIX.b) Most of the potential impacts related to the proposed project would be a result of construction activities. These temporary impacts would cease when construction is complete. The implementation of the mitigation measures for potential temporary and long-term impacts would remove the potential for the individual effects of the project to have a cumulatively significant impact.

XIX.c) Most of the potential impacts related to the proposed project would be a result of construction activities. These temporary impacts would cease when construction is complete. The implementation of the mitigation measures for potential temporary and long-term impacts would reduce any potential adverse environmental effect on human beings, either directly or indirectly, to a less than significant impact.

Linda Neal, Senior Planner for
I, Town of Fairfax, the project applicant, have reviewed this Initial
Study and hereby agree to incorporate the mitigation measures and monitoring programs
identified herein into the project.

Linda Neal
Signature of Applicant

Date 4/30/12

MITIGATION MONITORING PROGRAM

A Mitigation Monitoring Program has been developed pursuant to the California Environmental Quality Act, Public Resource Code Section 21.081.6 to ensure proper and adequate monitoring or reporting in conjunction with project(s) approval that relies upon a Mitigated Negative Declaration or an Environmental Impact Report. The table on the following page indicates the 1) the review department, 2) who requested the review or the due date, 3) the date finished, and 4) the initials of the department staff. Twenty-four mitigation measures are required to reduce potential impacts to less than significant.

REPORTING/MONITORING RECORD – MITIGATION MEASURES

Review Department

PD Planning Division
 FM Fire Marshal
 ENG Engineering
 BD Building Division

Requested By or Due Date

FM Final Map
 BP Building Permit
 CO Certificate of Occupancy
 LTM Long-Term Monitoring

Mitigation Measures	Review Department	Requested By or Due Date	Date Finished	Department Staff Initials
<p><u>Mitigation Measure III.d: Include measures to control dust and exhaust emissions during construction.</u></p> <p>Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant. The contractor shall implement the following Best Management Practices that are required of all projects:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., staging areas, soil piles, graded areas, and unpaved access roads) shall be controlled to minimize dust (e.g., watering). 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. Idling times shall be minimized either by shutting equipment off when not in use or 				

Mitigation Measures	Review Department	Requested By or Due Date	Date Finished	Department Staff Initials
<p>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]).</p> <p>5. 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.</p>				
<p>Mitigation Measure IV.a.1 – All construction and activities in or adjacent to San Anselmo Creek will be performed only between June 15th and October 15th.</p>				
<p>Mitigation Measure IV.a.2 - Disturbance to existing grades and vegetation will be limited to the actual site of the project and necessary access routes. When possible, existing ingress or egress points will be used and/or work performed from the top of the creek banks.</p>				
<p>Mitigation Measure IV.a.3 – Steps in the Bank Stabilization for Pastori Storm Drain Outfall Fish Collection and Relocation Plan, prepared by A.A. Rich and Associates, will be implemented.</p>				
<p>Mitigation Measure IV.a.4 – If steelhead are found dead or injured during the construction period, the Town of Fairfax will contact the National Marine Fisheries Service (NMFS) so the NMFS can review the project activities to determine if additional protective measures are needed.</p>				

Mitigation Measures	Review Department	Requested By or Due Date	Date Finished	Department Staff Initials
Mitigation Measure IV.a.5 – All standardized Best Management Practices (e.g., per Regional Water Quality control Boards, the California Stormwater Best Management Practice Handbooks, etc.) will be implemented.				
Mitigation Measure IV.a.6 – All construction material, wastes, debris, sediment, rubbish, vegetation, trash, fencing, etc. will be removed from the site once the project is completed and transported to an authorized disposal area, as appropriate, and per all federal, state and local laws and regulations.				
Mitigation Measure IV.a.7 – No petroleum-based products such as asphalt will be used as a stabilizing material (i.e. riprap).				
Mitigation Measure IV.a.8 – Every reasonable precaution will be exercised to protect federally-listed species and their habitats from pollution due to fuels, oils, lubricants, and other harmful material. Vehicles and equipment that are used during the course of the project will be fueled and serviced in a “safe” area (i.e., outside of sensitive habitats) in a manner that will not affect federally-listed species or their habitats. Spills, leaks, and other problems of a similar nature will be resolved immediately to prevent unnecessary effects to listed species and their habitats. A plan for the emergency clean up of any spills of fuel or other material will be available.				
Mitigation Measure IV.a.9 – All construction-related holes will be covered to prevent entrapment of individuals.				
Mitigation Measure IV.a.10 – Plastic mono-				

Mitigation Measures	Review Department	Requested By or Due Date	Date Finished	Department Staff Initials
<p>filament netting (erosion control matting) or similar material containing netting will not be used at the project site because the California red-legged frog and other listed species may become entangled or trapped in it. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.</p>				
<p>Mitigation Measure IV.b - Large woody debris (one rootwad with trunk) will be installed in the base of the rock rip rap at the margin of the pool to enhance the summer rearing habitat and transient winter refugia habitat.</p>				
<p>Mitigation Measure X.a.1 - All construction activities shall be performed in a manner that minimizes the sediments and/or pollutants entering directly or indirectly into the storm drain system, groundwater, or the creek.</p> <p>1. The applicant shall designate on the improvement plans construction staging areas and areas for the storage of any hazardous material (i.e., motor oil, fuels, paints, etc.) to be used during construction. All construction staging areas shall be located away from any drainage areas to prevent runoff from construction areas from entering the creek.</p> <p>2. No debris, soil, silt, sand, cement, concrete, or washing thereof, or other construction related materials or wastes, soil or petroleum products or other organic or earthen material shall be allowed to enter the creek. All discarded material including washings and any accidental spills shall be removed and disposed of at an approved disposal site.</p>				

Mitigation Measures	Review Department	Requested By or Due Date	Date Finished	Department Staff Initials
Mitigation Measure X.a.2 – No petroleum products such as asphalt will be used.				
Mitigation Measure X.a.3 – Rock rip rap will be free of trash or reinforcement steel.				
Mitigation Measure X.a.4 – Equipment will be refueled and serviced at designated construction staging areas. All construction material and fill will be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into San Anselmo Creek.				
Mitigation Measure X.a.5 – Erosion control measures will be implemented prior to construction and will be kept in place until completion of construction. These measures will be inspected periodically to ensure they are functioning properly. If the erosion control measures are found to be damaged or are not functioning properly, construction will cease and remain ceased until the erosion control measures are repaired.				
Mitigation Measure X.f - Standard Best Management Practices (BMPs) and Town Performance Standards shall be followed in order to minimize possible discharge of sediment into aquatic habitats and ensure that construction activities do not affect water quality.				
Mitigation Measure XIII.a - All construction activities shall comply with applicable Performance Standards in the Town of Fairfax Zoning Ordinance and Municipal Code.				

Mitigation Measures	Review Department	Requested By or Due Date	Date Finished	Department Staff Initials
1. All construction equipment powered by internal combustion equipment shall be properly muffled and maintained to minimize noise. Equipment shall be turned off when not in use.				
Mitigation Measure XVII.a.1 - The number of construction vehicles entering and leaving the construction area shall be limited at any given time to a small number.				
Mitigation Measure XVII.a.2 - The Town shall review and approve a route plan for trucks and construction equipment prior to the commencement of construction activities.				
Mitigation Measure XIX.a.1 - The applicant shall designate a project manager with authority to implement all mitigation measures and conditions of approval and provide name, address, and phone numbers to the City prior to issuance of any permits.				
Mitigation Measure XIX.a.2 - Mitigation measures required during construction shall be listed as conditions on permits and signed by the contractor responsible for construction.				
Mitigation Measure XIX.a.3 - Town inspectors shall insure that construction activities occur with the approved plans and conditions of approval.				