EXECUTIVE SUMMARY

Purpose

This Draft Environmental Impact Report (Draft EIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the Mill Valley 2040 General Plan (State Clearinghouse No. 2013052005). This document is prepared in conformance with CEQA (California Public Resources Code, Section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, et seq.).

The purpose of this Draft EIR is to inform decision makers, representatives of affected and responsible agencies, the public, and other interested parties of the potential environmental effects that may result from implementation of the proposed project. This Draft EIR describes potential impacts relating to a wide variety of environmental issues and methods by which these impacts can be mitigated or avoided.

Project Summary

Project Location

The General Plan area consists of the City of Mill Valley, Marin County, California (Exhibit 2-1). The City of Mill Valley is generally bounded by Mount Tamalpais State Park (west); Corte Madera and Kentfield (north); US 101 and Strawberry (east); and the unincorporated communities of Homestead, Tam Valley, and Almonte (south) (Exhibit 2-2). The project site is located on the San Rafael, California, United States Geological Survey 7.5-minute topographic quadrangle map, Township 1 North, Range 7 West, Sections 28 through 33 (Latitude 37°54′22″ North; Longitude 122°32′39″ West).

Project Description

The City of Mill Valley is undertaking an update of its General Plan, which was last updated in 1989. The planning horizon for the updated General Plan is 2040 (hence the "2040 General Plan" title). The 2040 General Plan contains the following elements:

- Land Use
- Mobility
- Community Vitality
- Natural Environment
- Climate Action

- Hazards and Public Safety
- Noise
- General Plan Administration
- Housing (Under Separate Cover)

Each element begins with a purpose statement and a summary of existing conditions, followed by goals and policies programs for action. Several elements contain a "Trends to Watch" section that outlines relevant data points and forces at work that pertain to Mill Valley.

The 2040 General Plan acknowledges that Mill Valley is essentially built out and, thus, maintains the land use designations and allowable densities set forth within the 1989 General Plan.

A key change contained in the Mobility Element of the 2040 General Plan includes amending the minimum Level of Service (LOS) values to accept LOS E-plus conditions at E. Blithedale Avenue/Camino Alto, and LOS D at all other signalized intersections. This change reflects the desire to avoid widening intersections in such a manner that may adversely affect other modes of transportation (e.g., bicycles, pedestrians, or transit), or negatively affect the City's character.

Finally, the 2040 General Plan includes an updated Housing Element for the 2009–2014 period.

Project Objectives

The objectives of the proposed 2040 General Plan are to:

- 1. Provide a user-friendly General Plan that guides policy making and actions that are consistent with identified community values and Mill Valley's small-town character.
- 2. Provide a comprehensive update of the City of Mill Valley in accordance with state law.
- 3. Revise and update the General Plan map, policies, and text to reflect changes that have occurred since the plan was last comprehensively updated.
- Maintain the existing land use pattern of Mill Valley in a manner that respects the existing
 mostly built-out character of the community, but also allowing development where
 appropriate.
- 5. Recognize lower Level of Service values at select locations in order to avoid requiring improvements that may adversely affect other modes of transportation or negatively affect the City's small-town character.
- 6. Use the General Plan as a vehicle to implement a Climate Action Plan that will guide the City of Mill Valley in meeting its greenhouse gas reduction targets.
- 7. Achieve a certified Housing Element that meets state and regional housing requirements without diminishing local control or Mill Valley's small-town character.

Significant Unavoidable Adverse Impacts

The proposed project would result in the following significant unavoidable impacts:

• Exposure of Persons to Excessive Noise: Development and land use activities contemplated by the City of Mill Valley 2040 General Plan may expose residential land uses to excessive exterior noise as a result of additional vehicle trips on local roadways. Although the General Plan contains policies requiring new residential uses to comply with California Building Standards Code requirements for interior noise attenuation, there is no feasible mitigation to reduce exterior noise levels at new residential development sites along major roadways to "normally acceptable" levels due to existing noise levels; therefore, the residual significance of this impact is significant and unavoidable.

• Permanent Increase in Ambient Noise Levels: Development and land use activities contemplated by the City of Mill Valley 2040 General Plan may expose residential land uses adjacent to major roadways to a permanent increase in ambient noise levels as a result of additional vehicle trips on local roadways. Although the General Plan contains policies requiring new residential uses to comply with California Building Standards Code requirements for noise attenuation, there is no feasible mitigation to reduce exterior noise levels at new residential development sites to "normally acceptable" levels; therefore, the residual significance of this impact is significant and unavoidable.

Summary of Project Alternatives

Below is a summary of the alternatives to the proposed project considered in Section 5, Alternatives to the proposed project.

No Project/1989 General Plan Alternative

Under No Project/1989 General Plan Alternative, the 1989 General Plan would remain the comprehensive planning document for the City of Mill Valley. The 1989 General Plan requires higher level of service (LOS) values for roadway facilities compared to the 2040 General Plan and does not contain a Climate Action Element. However, there is no significant difference in residential or commercial buildout potential between the two plans.

Increased Population Alternative

Under the Increased Population Alternative, policies would be added to the 2009–2014 Housing Element to incentivize the development of second units and senior housing units in order to accommodate anticipated population growth that results from demographic shifts in Mill Valley.

Mobility Improvements Alternative

Under the Mobility Improvements Alternative, the 2040 General Plan Mobility Element would be amended to identify various mobility improvements that would allow higher LOS standards to be achieved at three major intersections.

Areas of Controversy

Pursuant to CEQA Guidelines Section 15123(b), a summary section must address areas of controversy known to the lead agency, including issues raised by agencies and the public, and it must also address issues to be resolved, including the choice among alternatives and whether or how to mitigate the significant effects.

A Notice of Preparation (NOP) for the proposed project was issued on May 2, 2013. The NOP describing the original concept for the project and issues to be addressed in the EIR was distributed to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period extending from May 2, 2013 through May 31, 2013. The NOP identified the potential for significant impacts on the environment related to the following topical areas:

- Aesthetics, Light, and Glare
- Air Quality/Greenhouse Gas Emissions
- Biological Resources
- Cultural Resources
- Geology, Soils, and Seismicity
- Hazards and Hazardous Materials

- Hydrology and Water Quality
- Land Use
- Noise
- Public Services, Recreation, and Utilities
- Transportation

Disagreement Among Experts

This Draft EIR contains substantial evidence to support all the conclusions presented herein. It is possible that there will be disagreement among various parties regarding these conclusions, although the City of Mill Valley is not aware of any disputed conclusions at the time of this writing. Both the CEQA Guidelines and case law clearly provide the standards for treating disagreement among experts. Where evidence and opinions conflict on an issue concerning the environment, and the lead agency knows of these controversies in advance, the EIR must acknowledge the controversies, summarize the conflicting opinions of the experts, and include sufficient information to allow the public and decision makers to make an informed judgment about the environmental consequences of the proposed project.

Potentially Controversial Issues

Below is a list of potentially controversial issues that may be raised during the public review and hearing process of this Draft EIR:

- Air Quality
- Biological Resources
- Climate Change/Greenhouse Gases
- Land Use

- Level of Service/Mobility
- Population Growth
- Public Services
- Transportation

It is also possible that evidence will be presented during the 45-day, statutory Draft EIR public review period that may create disagreement. Decision makers would consider this evidence during the public hearing process.

In rendering a decision on a project where there is disagreement among experts, the decision makers are not obligated to select the most environmentally preferable viewpoint. Decision makers are vested with the ability to choose whatever viewpoint is preferable and need not resolve a dispute among experts. In their proceedings, decision makers must consider comments received concerning the adequacy of the Draft EIR and address any objections raised in these comments. However, decision makers are not obligated to follow any directives, recommendations, or suggestions presented in comments on the Draft EIR, and can certify the Final EIR without needing to resolve disagreements among experts.

Public Review of the Draft EIR

Upon completion of the Draft EIR, the City of Mill Valley filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources Code,

Section 21161). Concurrent with the NOC, this Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, is available for review at Mill Valley City Hall and the Mill Valley Public Library. The address for each location is provided below:

Mill Valley City Hall 26 Corte Madera Avenue Mill Valley, CA 94941

Hours:

Monday–Friday: 8 a.m. to 12 p.m.

1 p.m. to 5 p.m.

(Note that City Hall is closed on alternate Fridays. Please visit the Calendar page of the City's website to determine which

Fridays it is open).

Mill Valley Public Library 375 Throckmorton Avenue Mill Valley, CA 94941

Hours:

Monday-Thursday: 10 a.m. to 9 p.m.

Friday: 12 p.m. to 6 p.m. Saturday: 10 a.m. to 5 p.m. Sunday: 1 p.m. to 5 p.m.

The Draft EIR is also posted electronically on the City of Mill Valley's website: www.cityofmillvalley.org /generalplan.

Agencies, organizations, and interested parties have the opportunity to comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

Mr. Mike Moore, Director of Planning & Building City of Mill Valley 26 Corte Madera Avenue Mill Valley, CA 94941 Phone: (415) 388-4033

Fax: (415) 381-1736

Email: mmoore@cityofmillvalley.org

Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged. Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearing before the Mill Valley Planning Commission and Mill Valley City Council on the 2040 General Plan, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the project.

Executive Summary Matrix

Table ES-1 below summarizes the impacts, mitigation measures, and resulting level of significance after mitigation for the relevant environmental issue areas evaluated for the proposed project. The table is intended to provide an overview; narrative discussions for the issue areas are included in the corresponding section of this EIR. Table ES-1 is included in the EIR as required by CEQA Guidelines Section 15123(b)(1).

Table ES-1: Executive Summary Matrix

Impacts	Mitigation Measures	Level of Significance After Mitigation	
Section 3.1 - Aesthetics, Light, and Glare	Section 3.1 - Aesthetics, Light, and Glare		
Impact AES-1: Implementation of the Mill Valley 2040 General Plan would not have substantial adverse impacts on scenic vistas.	No mitigation is necessary.	Less than significant impact.	
Impact AES-2: Implementation of the Mill Valley 2040 General Plan would not degrade the visual character of the Planning Area or its surroundings.	No mitigation is necessary.	Less than significant impact.	
Impact AES-3: Implementation of the Mill Valley 2040 General Plan would not create new sources of light and glare that may adversely affect views.	No mitigation is necessary.	Less than significant impact.	
Section 3.2 - Air Quality/Greenhouse Gases		'	
Impact AIR-1: Implementation of the 2040 General Plan would not conflict with or obstruct implementation of the applicable air quality plan.	No mitigation is necessary.	Less than significant impact.	
Impact AIR-2: Implementation of the 2040 General Plan would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.	No mitigation is necessary.	Less than significant impact.	
Impact AIR-3: Implementation of the 2040 General Plan may result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors).	No mitigation is necessary.	Less than significant impact.	

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact AIR-4: Implementation of the 2040 General Plan would not expose sensitive receptors to substantial pollutant concentrations.	No mitigation is necessary.	Less than significant impact.
Impact AIR-5: Implementation of the 2040 General Plan would not create objectionable odors affecting a substantial number of people.	No mitigation is necessary.	Less than significant impact.
Impact AIR-6: Implementation of the 2040 General Plan would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.	No mitigation is necessary.	Less than significant impact.
Section 3.3 - Biological Resources		
Impact BIO-1: Implementation of the 2040 General Plan would not have a substantial adverse effect on special-status plant or wildlife species.	No mitigation is necessary.	Less than significant impact.
Impact BIO-2: Implementation of the 2040 General Plan would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact BIO-3: Implementation of the 2040 General Plan would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	No mitigation is necessary.	Less than significant impact.
Impact BIO-4: Implementation of the 2040 General Plan would not 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 wildlife nursery sites.	No mitigation is necessary.	Less than significant impact.
Impact BIO-5: Implementation of the 2040 General Plan would not conflict with any local policies or ordinances.	No mitigation is necessary.	Less than significant impact.
Section 3.4 - Cultural Resources		
Impact CUL-1: Implementation of the City of Mill Valley 2040 General Plan would not damage or destroy previously undiscovered historic resources.	No mitigation is necessary.	Less than significant impact.
Impact CUL-2: Implementation of the City of Mill Valley 2040 General Plan would not damage or destroy previously undiscovered archaeological resources.	No mitigation is necessary.	Less than significant impact.
Impact CUL-3: Implementation of the City of Mill Valley 2040 General Plan would not damage or destroy previously undiscovered paleontological resources.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact CUL-4: Implementation of the City of Mill Valley 2040 General Plan would not damage or destroy previously undiscovered human burial sites.	No mitigation is necessary.	Less than significant impact.
Section 3.5 – Geology, Soils, and Seismicity		
Impact GEO-1: Implementation of the City of Mill Valley 2040 General Plan would not expose people or structures to potential substantial adverse effects associated with seismic hazards.	No mitigation is necessary.	Less than significant impact.
Impact GEO-2: Implementation of the 2040 General Plan would not result in substantial soil erosion or the loss of topsoil.	No mitigation is necessary.	Less than significant impact.
Impact GEO-3: Implementation of the City of Mill Valley 2040 General Plan would not expose persons or property to hazards associated with unstable geologic units or soils.	No mitigation is necessary.	Less than significant impact.
Impact GEO-4: Implementation of the City of Mill Valley 2040 General Plan would not be exposed to unacceptable risks associated with expansive soils.	No mitigation is necessary.	Less than significant impact.
Section 3.6 – Hazards and Hazardous Materials		
Impact HAZ-1: Implementation of the City of Mill Valley 2040 General Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact HAZ-2: Implementation of the City of Mill Valley 2040 General Plan would not create significant hazards to the public associated with sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.	No mitigation is necessary.	Less than significant impact.
Impact HAZ-3: Implementation of the City of Mill Valley 2040 General Plan would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	No mitigation is necessary.	Less than significant impact.
Impact HAZ-4: Implementation of the City of Mill Valley 2040 General Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	No mitigation is necessary.	Less than significant impact.
Impact HAZ-5: Implementation of the City of Mill Valley 2040 General Plan would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.	No mitigation is necessary.	Less than significant impact.
Section 3.7 – Hydrology and Water Quality		
Impact HYD-1: Implementation of the 2040 General Plan would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact HYD-2: Implementation of the 2040 General Plan would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.	No mitigation is necessary.	Less than significant impact.
Impact HYD-3: Implementation of the 2040 General Plan would not substantially alter the existing drainage pattern in a manner which would result in substantial erosion or siltation.	No mitigation is necessary.	Less than significant impact.
Impact HYD-4: Implementation of the 2040 General Plan would not substantially alter the existing drainage pattern or substantially increase the rate or amount of surface runoff in a manner, which would result in downstream flooding or require new or expanded storm drainage facilities.	No mitigation is necessary.	Less than significant impact.
Impact HYD-5: Implementation of the 2040 General Plan would not place housing or structures within a 100-year flood hazard area.	No mitigation is necessary.	Less than significant impact.
Impact HYD-6: Implementation of the 2040 General Plan would not result in inundation by seiche, tsunami, or mudflow.	No mitigation is necessary.	Less than significant impact.
Section 3.8 – Land Use		
Impact LU-1: Implementation of the City of Mill Valley 2040 General Plan would not divide an established community.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact LU-2: Implementation the City of Mill Valley 2040 General Plan would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.	No mitigation is necessary.	Less than significant impact.
Section 3.9 - Noise		
Impact NOI-1: Implementation of the City of Mill Valley 2040 General Plan may expose persons to noise levels in excess of adopted standards for residential uses along major roadways.	No feasible mitigation is available.	Significant unavoidable impact.
Impact NOI-2: Implementation of the City of Mill Valley 2040 General Plan would not expose persons to excessive vibration levels.	No mitigation is necessary.	Less than significant impact.
Impact NOI-3: Implementation of the City of Mill Valley 2040 General Plan may expose persons to a permanent increase in ambient noise levels for residential uses along major roadways.	No feasible mitigation is available.	Significant unavoidable impact.
Impact NOI-4: Implementation of the City of Mill Valley 2040 General Plan would not expose persons to temporary increases in ambient noise levels.	No mitigation is necessary.	Less than significant impact.
Section 3.10 – Public Services and Utilities		
Impact PSU-1: Implementation of the 2040 General Plan would not create a need for new or expanded fire protection or emergency medical services facilities.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact PSU-2: Implementation of the 2040 General Plan would not create a need for new or expanded police protection facilities.	No mitigation is necessary.	Less than significant impact.
Impact PSU-3: Implementation of the 2040 General Plan would not create a need for new or expanded schools.	No mitigation is necessary.	Less than significant impact.
Impact PSU-4: Implementation of the 2040 General Plan would not create a need for new or expanded parks, recreation, or other public facilities.	No mitigation is necessary.	Less than significant impact.
Impact PSU-5: Implementation of the 2040 General Plan would not result in the construction of new or expanded water treatment facilities or require additional supplies or entitlements.	No mitigation is necessary.	Less than significant impact.
Impact PSU-6: Implementation of the 2040 General Plan would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board or result in the construction of new or expanded wastewater treatment facilities.	No mitigation is necessary.	Less than significant impact.
Impact PSU-7: Implementation of the 2040 General Plan would not result in the construction of new or expanded storm drainage facilities.	No mitigation is necessary.	Less than significant impact.
Impact PSU-8: Implementation of the 2040 General Plan would not result in a need for additional landfill capacity or conflict with federal, state, and local statutes and regulations related to solid waste.	No mitigation is necessary.	Less than significant impact.

Impacts	Mitigation Measures	Level of Significance After Mitigation
Impact PSU-9: Implementation of the 2040 General Plan would not result in inefficient, wasteful, or unnecessary consumption of energy.	No mitigation is necessary.	Less than significant impact.
Section 3.11 – Transportation		
Impact TRANS-1: Implementation of General Plan 2040 would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.	No mitigation is necessary.	Less than significant impact.
Impact TRANS-2: Implementation of the 2040 General Plan would not conflict with an applicable congestion management program.	No mitigation is necessary.	Less than significant impact.
Impact TRANS-3: Implementation of the 2040 General Plan would not substantially increase hazards due to a design feature or incompatible uses.	No mitigation is necessary.	Less than significant impact.
Impact TRANS-4: Implementation of the 2040 General Plan would not result in inadequate emergency access.	No mitigation is necessary.	Less than significant impact.
Impact TRANS-5: Implementation of the 2040 General Plan would not conflict with plans, programs, or policies intended to support public transit, bicycles, or pedestrians.	No mitigation is necessary.	Less than significant impact.