

CHAPTER II ENVIRONMENTAL CHECKLIST

INTRODUCTION

The EIR that was completed and certified for the CLASP in 2006 addressed a number of environmental topics that are not required to be reassessed because few changes have occurred between the project evaluated in the CLASP and the project proposed with the recently-submitted Preliminary Development Plan. The main changes include: 1) a requested change in the permitted FAR for single-family homes from 0.4 to 0.45; 2) a change in the average living area of cottages; 3) an increase in the average lot size for single-family homes; 4) the use of tandem parking for cottages; and 5) removal of heritage trees on the site. In the analysis below, the term “Preliminary Development Plan” is used to refer to the complete plan set dated June 12, 2000, that is on file in the Larkspur Planning Department, as well as the requested amendments above.

For issues adequately addressed in the 2006 Environmental Impact Report (EIR), this Initial Study identifies which effects from the checklist were within the scope of and adequately analyzed in the EIR and states whether such effects were addressed by mitigation measures based on the earlier analysis. For effects that are “Less Than Significant With Mitigation Measures Incorporated,” the Initial Study identifies the mitigation measures which were incorporated into the EIR. Relevant pages of the EIR are identified. A copy of the Draft and Final EIRs can be reviewed at the City of Larkspur Planning Department, and the Draft EIR can be viewed on the City’s website (www.ci.larkspur.ca.us; under CLASP Archived Files).

When the analysis below identifies potentially significant new impacts not adequately addressed in the EIR, new mitigation measures are recommended. The level of significance, after mitigation, is identified at the conclusion of the mitigation measure. The initials “LTS” refers to “less than significant”. The applicant’s consent agreement to implement the identified mitigation measures is shown in Appendix A.

The following is a list of references used in this Initial Study. References to the numbers of the reports are provided at the end of each topic.

1. City of Larkspur, 2006. Central Larkspur Specific Plan, September 20 (Resolution No. 48/06).
2. City of Larkspur, 2001. Chapter 12.16 of the City’s Zoning Code (Trees, Including Heritage Trees).
3. EDAW, 2003. Revised Draft Environmental Impact Report – Central Larkspur Specific Plan, Volumes 1 and 2, November 14.
4. EDAW, 2004. Final Environmental Impact Report – Central Larkspur Specific Plan, November.

5. LandWatch, Inc., 2007. "Tree Inventory Report for CLASP-Subarea 3, 2 Ward Street, Larkspur, CA", April 2 and revised June 7.
6. Harrison, Robert, 2007. Memo to Nancy Kaufman, Director, Larkspur Planning Department re: Trip Generation for the Rose Garden Project: PD-PREL 07-07, June 29.
7. LSA, 2007. Letter to Mr. Steve Seely, Larkspur Housing Partners, LLC re: Proposal for Creek Enhancement Measures along Larkspur Creek for the CLASP-Subarea 3 Project, Larkspur, Marin County, CA, April 6.
8. LSA, 2007. "Native Plant Restoration Plan for the Central Larkspur Area Specific Plan (CLASP)-Subarea 3", April 18.
9. LSA, 2007. Letter to Mr. Steve Seely, Larkspur Housing Partners, LLC re: Proposal for Upland Habitat Buffer Enhancement Measures along Larkspur Creek Opposite of the CLASP-Subarea 3 Project Site, Larkspur, Marin County, CA, April 25.
10. Miller Starr Regalia, 2007. Letter to Sky Woodruff, City Attorney for City of Larkspur re: Heritage Trees Issues – Larkspur Housing Partners (Niven Nursery Site): Central Larkspur Specific Plan, June 14.
11. Renshaw, Diane, Consulting Ecologist, 2007. Letter to Mr. Neal Toft, Senior Planner, City of Larkspur re: Consistency Determination: Preliminary Restoration and Enhancement Plans, CLASP Special Area 3, May 17.

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) *Have a substantial adverse effect on a scenic vista?*

Potential interference with scenic vistas was determined to be less than significant (see pages 4.10-6 and 4.10-7 of the Draft EIR). The proposed changes of the Preliminary Development Plan would not have an adverse effect on a scenic vista.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?*

The EIR did not identify any impacts to scenic resources, as addressed on pages 4.10-8 and 4.10-9 of the Draft EIR, but pages 3-31 and 3-33 of the Final EIR recommended changes to the wording of policies related to the creek resources and the open space network. These changes were incorporated into the adopted CLASP. No scenic highway is located in the vicinity of the project and thus the removal of scenic resources within a State scenic highway would not apply to the project. The impact of trees located on the project site are addressed in the next paragraph.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

Impacts to visual character were found to be less than significant in the Draft EIR. The requested amendments as related to lot size, FAR, tandem parking, and the size of cottages would be subject to design review through the City's Preliminary and Precise Development Plan and Design Review processes to ensure that the necessary findings can be made per the City's code and to ensure that no significant visual impacts would occur from the project. Refer to the Impact Land Use-1 discussion.

The removal of heritage trees could have a significant visual impact if not adequately mitigated. As stated in the EIR, the CLASP is intended to protect scenic resources and includes specific policies regarding heritage trees and trees to be retained (see Policy D-66 of CLASP). There are four trees/groupings of trees identified for protection. The updated Preliminary Development Plan includes protection of all these identified trees which include the following:

- Oregon white oak (*Quercus garryana*) located southeast of warming house.
- Valley/white oak (*Quercus lobata*) located about 80 feet south of warming house.
- Small grove of redwood trees (*Sequoia sempervirens*) between warming house and East Ward Street.
- Valley/white oak in southwest corner of Niven property adjoining East Ward Street.

A detailed tree survey was done based on the updated Preliminary Development Plan in April of 2007 and revised in June of 2007 (LandWatch, Inc., 2007). None of the above trees/tree groupings, which are located at the western edge of the site, would be impacted by the project. However, the detailed tree survey concluded that the project would result in the removal of 173 trees, of which 71 trees would be defined as "heritage trees" under the City's code and the removal/relocation of one heritage tree. The issue of tree removal is addressed in more detail in the "Biological Resources" section of this Initial Study.

Impact Aesthetics 1: The project would result in the removal of 173 trees, of which 71 meet the City's definition of heritage trees, an important visual resource for the City.

Mitigation Measure Aesthetics-1: Refer to Impact Biology-2 related to mitigation for the loss of heritage trees at the site, which also addresses the replacement tree requirements to minimize visual impacts from the project. (LTS)

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Potential light and glare impacts were addressed on page 4.10-12 of the Draft EIR and no significant impacts were identified. No additional impacts from the Preliminary Development Plan would occur.

Sources Used: 2, 3, 4, 5

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| II. AGRICULTURAL 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 a non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) <i>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 a non-agricultural use?</i> | | | | |

The project site does not contain prime agricultural land. Refer to page 4.1-15 of the Draft EIR.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Such zoning does not apply to the site (see page 4.1-15 of the Draft EIR).

- c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

Conversion of lands designated as “farmland” would not occur with the project. While Subarea 3 was previously used for greenhouses, the area does not contain soils designated for farmland.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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"/> |

- a) *Conflict with or obstruct implementation of the applicable air quality plan?*

No significant impacts related to conflicts with the Bay Area Air Quality Management District (BAAQMD) Clean Air Plan were identified in the EIR (see pages 4.6-8 and 4.6-9 of the Draft EIR).

- b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

The Draft EIR identified a potential impact related to violations of air quality standards due to reactive organic gases associated with wood-burning stoves. A mitigation measure was identified and the CLASP includes a policy to forbid use of wood-burning stoves and fireplaces. The Preliminary

Development Plan and requested amendments would not create any further violation of air quality standards.

- 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)?*

Refer to (b) above.

- d) *Expose sensitive receptors to substantial pollutant concentrations?*

The issue of dust emissions was addressed on page 4.6-11 of the Draft EIR and 3-24 and 3-25 of the Final EIR. Construction-related asbestos and lead were addressed on page 4.6-10 of the Draft EIR. Mitigation measures were identified on pages 4.6-13 through 4.6-16 of the Draft EIR, and page 3-25 of the Final EIR. No additional mitigation measures would be needed for the Preliminary Development Plan.

- e) *Create objectionable odors affecting a substantial number of people?*

No significant odor impacts were identified in the Draft EIR and the Preliminary Development Plan would not have any new odor impacts.

Sources Used: 3, 4

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

IV. BIOLOGICAL RESOURCES. Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>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 U.S. Fish and Wildlife Service?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 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"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>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?</i> | | | | |

The Draft EIR concluded that loss of habitat would be less than significant (see pages 4.5-15 and 4.5-16 of the Draft EIR). However, the Draft EIR assumed that mature trees and all heritage trees at the site would be protected. Since the completion of the Preliminary Development Plan and an updated tree survey, the applicant has determined that 173 trees would be removed, and that 71 of these would meet the City’s definition of heritage trees, plus one heritage tree which would be removed and relocated. The issue of heritage trees is discussed in more detail under (e) below.

There is the possibility that one or more special-status bird species protected under the Migratory Bird Treaty Act could establish nests in trees planned for removal. Mature trees can provide habitat for such species as red-tailed hawks, great horned owls, and American kestrels which are all protected under the Migratory Bird Treaty Act.

Impact Biology-1: Removal of mature trees from the site could affect nesting migratory birds and raptors protected under the Migratory Bird Treaty Act. Disturbance or destruction of active nests would be a significant impact.

Mitigation Measure Biology-1: Any active nests of birds protected under the Migratory Bird Treaty Act shall be protected during construction. The applicant shall either avoid disturbance by scheduling construction during the non-nesting period (September through February), or

conduct a pre-construction survey for active nests. A pre-construction survey report verifying that no active nests are present shall be submitted to the City of Larkspur Planning Director for review and approval prior to initiation of grading or construction during the nesting season, or verifying that nesting has been completed as detailed below. Provisions of the pre-construction survey and nest avoidance measures, if necessary, shall include the following:

- (1) If grading and new construction are scheduled during the active nesting period (March through August), a qualified wildlife biologist shall be retained by the applicant to conduct a pre-construction nesting survey no more than 15 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity.*
- (2) If active nests are encountered, species-specific measures shall be prepared by a qualified biologist through informal consultation with the California Department of Fish and Game (CDFG) and implemented to prevent nest abandonment. At a minimum, grading and new construction in the vicinity of the nest shall be deferred until the young birds have fledged. A nest-setback zone of at least 300 feet shall be established for raptors and 100 feet for loggerhead shrike and passerine birds within which all construction-related disturbances shall be prohibited. The perimeter of the nest-setback zone shall be fenced or adequately demarcated, and construction personnel restricted from the area.*
- (3) If permanent avoidance of the nest is not feasible, impacts shall be minimized by prohibiting disturbance within the nest-setback zone until a qualified biologist verifies either a) that the birds have not begun egg-laying and incubation, or b) that the juveniles from the nest are foraging independently and capable of independent survival at an earlier date than usual.*
- (4) A survey report of findings verifying that any young have fledged shall be submitted for review and approval by the City of Larkspur Planning Director prior to initiation of grading or new construction in the nest-setback zone. Following approval by the Planning Director, grading and construction in the nest-setback zone may proceed as proposed.*

The combination of the above measures, as needed, would reduce this impact to a less-than-significant level. (LTS)

- 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 U.S. Fish and Wildlife Service?*

Potential impacts on Larkspur Creek and associated habitat were addressed on pages 4.5-17 and 4.5-18 of the Draft EIR. Recommended mitigation measures were addressed on page 4.5-21 of the Draft EIR. The applicant has completed additional studies regarding creek enhancement measures along Larkspur Creek (LSA, 2007) and a full “Native Plant Restoration Plan for the CLASP – Subarea 3” has been prepared (LSA, 2007). CLASP clearly identifies required setbacks from Larkspur Creek for buildings and impervious surface area. The applicant’s Preliminary Development Plan shows the required setbacks (see Figure 3) that comply with the CLASP. The creek enhancement plan proposed by the applicant would apply to the area within the setback and addresses native vegetation plantings, irrigation, preservation of existing native trees, upland seeding, soil amendments, and weed control.

The Preliminary Development Plan would comply with the CLASP policies regarding protection of riparian habitat and the required setbacks. The proposed amendments would not impact riparian habitat.

- 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?*

Refer to (b) above regarding Larkspur Creek. Larkspur Creek and its adjacent linear wetlands meet the definition of “other waters of the United States” and come under the jurisdiction of the U.S. Army Corps of Engineers.

- 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?*

Effects on resident or migratory fish and wildlife species were determined in the Draft EIR to be less than significant (see pages 4.5-19 and 4.5-20 of the Draft EIR). The Preliminary Development Plan would not create any new impacts.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

The applicant’s updated tree survey (LandWatch, 2007) concluded that of the 173 trees to be removed by the project, 71 of these would meet the City’s definition of a heritage tree. The City’s Heritage Tree Ordinance, Chapter 12.16 of the City’s Zoning Code, defines heritage trees as either of the following:

- A. A live tree or grove of live trees of historical significance specifically designated by official action of the City Council; or
- B. Any live tree which has a trunk with a circumference of 50 inches or more, measured at 24 inches above the natural grade, or at a point 24 inches above the highest grade. The measurement producing the greatest circumference shall be used. In the case of multi-trunk trees, the circumference of each trunk is to be measured in the manner previously described, and the circumference of each trunk is to be added to ascertain the total circumference of the tree.

As part of the City’s tree ordinance, heritage trees that are deemed to be fire hazards (i.e., pyrophytic) are less protected, and the City is more lenient for such trees in terms of fees and permits required for removal. The City has identified pyrophytic trees as Monterey Pine, Knob Cone Pine, Blue Gum Eucalyptus, Juniper, Bailey Acacia and any acacia species over 50 feet in height.

Table 2 below identifies the total number of heritage trees identified on the site, those to be removed, and the overall conditions of the trees to be removed. Figure 5 shows the trees to be removed.

As shown in Table 2, 39 (or over 50 percent) of the heritage trees to be removed from the project site would be Bailey acacias which are considered pyrophytic trees. Three additional pyrophytic trees

include the Blackwood acacia, one eucalyptus, and one Monterey pine. Of the 71 heritage trees to be removed from the site, 30 have been identified as being in “poor” condition.

In terms of native trees, six trees to be removed are oaks (1), redwoods (2), ash (2), or willow (1), and one oak is to be removed and relocated. Many cities identify only native trees as “heritage” trees and place a stronger emphasis on protection of such trees. However, the City of Larkspur does not distinguish between native and non-native trees.

The applicant has proposed that many of the removed heritage trees would be replaced. For those trees measuring between 15 and 24 inches in diameter, trees would be replaced at a ratio of 2:1. For those trees measuring larger than 24 inches in diameter, the replacement would be at a ratio of 4:1. Trees would be planted in sizes ranging from 5-gallon pots to 24-inch boxes, with not more than 20 percent of the trees to be in 5-gallon containers. The applicant has proposed that 244 trees would be required to meet the mitigation goal but that the proposed tree planting would exceed the mitigation requirement.

Impact Biology-2: The project would result in the removal from the site of 71 heritage trees as defined by the City’s Tree Ordinance (Chapter 12.16 of the City’s Code). Of these, 42 are pyrophytic trees (i.e., a fire hazard) and 30 of the 71 heritage trees to be removed have been identified as being in poor condition. Only five native trees in good condition are to be removed/relocated (7 percent). The heritage tree to be removed and relocated is in good condition. The applicant has proposed mitigation plantings but has not yet prepared a landscape plan for the project. Additional trees may be lost when the final bike/pedestrian plan design is completed.

Mitigation Measure Biology-2(a): The applicant shall replace all heritage trees that are greater than 24 inches in diameter at a ratio of 4 new trees for every tree removed. For those trees with a diameter of 15 inches to 24 inches, the replacement ratio shall be two new trees for every tree removed. Size of replacement trees shall be reviewed and approved by the Planning Commission at the time of the Precise Development Plan.

Mitigation Measure Biology-2(b): The applicant shall prepare a landscape plan for all replacement trees that identifies the species, location, and size (at time of planting) prior to approval of the Precise Development Plan. If all replacement trees cannot be located on the site, the applicant shall work with the City on identifying nearby locations for replacement trees.

Mitigation Measure Biology-2(c): One heritage Valley oak at the south end of the site may be able to be preserved by careful site planning and construction techniques (Tree No. 17267) on Lot No. 25. The applicant shall either revise the house footprint on Lot 25 or shall obtain an arborist’s approval of the “protection zone” around this tree prior to approval of the Precise Development Plan.

Mitigation Measure Biology-2(d): The applicant shall obtain a second opinion from a qualified arborist of the feasibility of relocating one heritage Coast live oak (No. 17337) that would be required to be removed for a proposed road. The applicant has stated that relocation of this tree is planned. If there is any doubt about the ability for this 22-inch

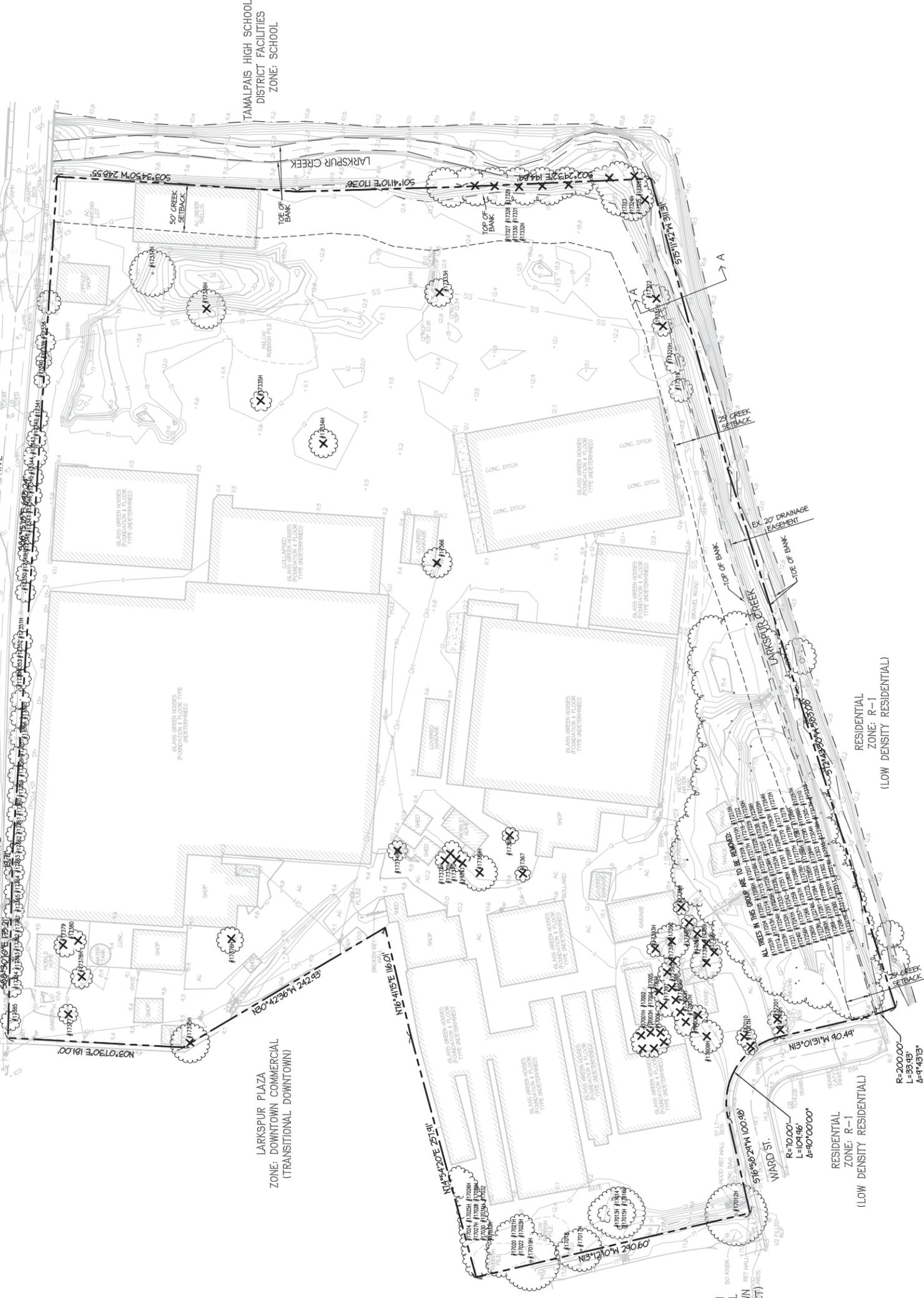
MT. TAMALPAIS RACQUET CLUB
ZONE: DOWNTOWN COMMERCIAL

HALL MIDDLE SCHOOL
ZONE: SCHOOL

TWIN CITIES POLICE
ZONE: PUBLIC FACILITY

LEGEND

- x Trees to be removed
- Property line
- - - Easement line
- - - Creek setback line



LARKSPUR PLAZA
ZONE: DOWNTOWN COMMERCIAL
(TRANSITIONAL DOWNTOWN)

TAMALPAIS HIGH SCHOOL
DISTRICT FACILITIES
ZONE: SCHOOL

RAILROAD BUILDINGS, CITY
PARKING & AMERICAN LEGION
ZONE: DOWNTOWN COMMERCIAL
(SD/H - STOREFRONT DOWNTOWN
HISTORIC PRESERVATION DISTRICT)

RESIDENTIAL
ZONE: R-1
(LOW DENSITY RESIDENTIAL)

RESIDENTIAL
ZONE: R-1
(LOW DENSITY RESIDENTIAL)

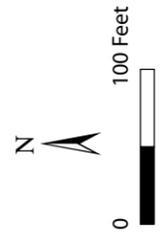


Table 2 Heritage Trees

| Common Name | Total No. of Heritage Trees | To be Removed By Project | Pyrophytic | No. of Trees in Poor Condition | Native |
|------------------|--------------------------------------|-----------------------------|------------|---|--------|
| Almond | 4 | 4 | | 0 | |
| Apple | 2 | 2 | | 1 | |
| Ash | 5 | 2 | | 0 | yes |
| Bailey acacia | 39 | 39 | yes | 24 | |
| Bay | 2 | 1 | | 0 | |
| Black walnut | 1 | 0 | | 0 | |
| Blackwood acacia | 1 | 1 | yes | 0 | |
| Chokecherry | 1 | 1 | | 0 | |
| Coast live oak | 1 | 0* | | 0 | yes |
| Coast redwood | 8 | 2 | | 1 | yes |
| Eucalyptus | 1 | 1 | yes | 0 | |
| Ginko | 1 | 1 | | 0 | |
| Monterey pine | 1 | 1 | yes | 0 | |
| Oregon white oak | 1 | 1 | | 0 | yes |
| Plum | 9 | 9 | | 3 | |
| Stone pine | 1 | 1 | | 0 | |
| Sweetgum | 5 | 2 | | 0 | |
| Valley oak | 5 | 0 | | 0 | yes |
| Willow | 1 | 1 | | 1 | yes |
| Yew | 2 | 2 | | 0 | |
| TOTAL | 91 | 71 | | 30 | |

Note: Fifth column notes those trees in poor condition that are proposed for removal by the project.

* This coast live oak is proposed to be relocated, but for mitigation purposes it is considered to be a removal/ relocation.

diameter oak to survive relocation, the applicant shall investigate the feasibility of relocating the “private drive” between Lots 30 and 43 to protect this existing oak. This tree shall be mitigated at the identified replacement ratio (see Mitigation Measure Biology-2(a) above).

Mitigation Measure Biology-2(e): The final bicycle/pedestrian path design shall protect existing trees as much as possible. If any additional heritage trees must be removed for this path, the applicant shall replace each tree at the identified replacement ratio. The path design shall be submitted for approval prior to approval of the Precise Development Plan.

The combination of the above mitigation measures would reduce this impact to a less-than-significant level. (LTS)

- 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?*

No habitat conservation plan or natural community conservation plan applies to the project site.

Sources Used: 2, 3, 4, 5, 7, 8, 9, 11

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 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"/> | <input checked="" type="checkbox"/> | <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"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</i> | | | | |

Page 8-6 of the CLASP and page 4.11-11 of the Draft EIR address the need for documentation of the Niven Nursery structures according to Historic American Buildings Survey (HABS) standards before any demolition of these on-site structures is permitted. The nursery structures date back to the 1920s and 1930s. The Preliminary Development Plan and amendments requested would not have any additional impacts on historic structures.

b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Paged 4.11-8, 11 and 12 of the Draft EIR and pages 3-32 and 3-33 of the Final EIR address the potential impact to archaeological resources and the required mitigation. The Preliminary Development Plan would not have any additional impacts on archaeological resources.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No impacts to paleontological resources were identified in the Draft EIR.

d) *Disturb any human remains, including those interred outside of formal cemeteries?*

Potential disturbance to unknown human remains are addressed on page 4.11-10 of the Draft EIR. The mitigation measure constituted a new policy incorporated into the CLASP, as stated on page 4.11-11 and 12 of the Draft EIR. No additional impacts from the Preliminary Development Plan would occur.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|-------------------------------------|
| VI. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) <i>Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; iv) Landslides?</i> | | | | |

Pages 4.3-11 through 4.3-13 of the Draft EIR address seismic-related impacts of CLASP development. All such impacts were found to be less than significant. The Preliminary Development Plan would not result in any additional impacts.

b) *Result in substantial soil erosion or the loss of topsoil?*

Soil erosion during construction was identified as a potentially significant impact (see page 4.3-13 of the Draft EIR). An Erosion Control Plan (in the form of a Stormwater Pollution Protection Plan) was addressed as the needed mitigation on page 4.3-18 of the Draft EIR. This impact and mitigation measure were also addressed on pages 3-22 and 3-23 of the Final EIR. The Preliminary Development Plan would not result in any additional impacts.

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?*

No significant impacts related to unstable geologic units were identified in the Draft or Final EIR. The Preliminary Development Plan would not result in any additional impacts.

- 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?*

Expansion of clay soils was identified as a less than significant impact on page 4.3-16 of the Draft EIR. The Preliminary Development Plan would not result in any additional impacts.

- 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?*

The project would not require the use of septic tanks or alternative waste water disposal systems.

Sources Used: 1, 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
|--|--------------------------------------|--|------------------------------------|--------------|

VII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

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

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|-------------------------------------|
| f) For a project located 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"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i> | | | | |

The Draft EIR, on pages 4.12-19 through 4.12-22 addresses potential impacts related to hazardous materials, primarily as related to on-site contaminated soils and groundwater from previous nursery activities and other on-site uses outside of Subarea 3. Mitigation measures were recommended on pages 4.12-22 through 4.12-26 of the Draft EIR. The Preliminary Development Plan would not result in any additional impacts.

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?*

Refer to (a) above.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Refer to (a) above.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Refer to (a) above.

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?*

The project site is not within the vicinity of an airport or within an airport land use plan area.

f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

Refer to (e) above.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The Draft EIR addressed this issue on page 4.12-21 and found the potential impact to be less than significant. The Preliminary Development Plan would not result in any additional impacts.

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?*

The Draft EIR addressed this issue on page 4.12-21 and found the potential impact to be less than significant. The Preliminary Development Plan would not result in any additional impacts.

Sources Used: 1, 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| VIII. HYDROLOGY AND WATER QUALITY. Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) *Violate any water quality standards or waste discharge requirements?*

Potential impacts related to surface water quality and groundwater quality were addressed on pages 4.4-15 through 4.4-20 of the Draft EIR and pages 3-24 of the Final EIR. Mitigation measures were identified on page 4.4-21 of the Draft EIR. The Preliminary Development Plan would not result in any additional impacts.

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)?*

Refer to (a) above which primarily addresses groundwater quality. Groundwater supplies would not be required for the project.

- 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?*

Increased runoff from site development was addressed on pages 4.4-15 and 4.4-16 of the Draft EIR and impacts were found to be less than significant. The Preliminary Development Plan would not result in any additional impacts.

- 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?*

Potential hazards from tidal flooding or stormwater flooding was addressed on pages 4.4-14 and 4.4-15 of the Draft EIR and page 3-24 of the Final EIR. The Preliminary Development Plan would not result in any additional impacts.

- 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?*

Refer to (d) above.

- f) *Otherwise substantially degrade water quality?*

Refer to (a) above.

- 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?*

A portion of the project site is within the 100-year floodplain as addressed on page 4.4-14 of the Draft EIR. All new buildings would be required to be elevated to 1 foot above the 100-year flood elevation. The Preliminary Development Plan would not result in any additional impacts.

- h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

Refer to (g) above.

- i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?*

Refer to (g) above.

- j) *Inundation by seiche, tsunami, or mudflow?*

The project site would not be exposed to hazards associated with a seiche, tsunami, or mudflow.

Sources Used: 1, 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| IX. LAND USE AND PLANNING. Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) *Physically divide an established community?*

The project would not physically divide an established community. Land use impacts associated with the CLASP were addressed on pages 4.1-14 and 4.1-15 of the Draft EIR and page 3-22 of the Final EIR. No significant impacts were identified and no mitigation measures were found necessary.

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?*

The applicant is requesting revisions to the CLASP as part of the approval process for the Preliminary Development Plan. The requested amendments deal with maximum floor area ratio, maximum lot sizes, allowances for tandem parking, and average square footages for the cottages. These amendments would not have any significant environmental impacts as discussed in other sections of this Initial Study.

Impact Land Use-1: Unless the requested CLASP amendments are granted, the project would not comply with the adopted CLASP in terms of maximum floor area ratio, maximum lot sizes, allowances for tandem parking, and average square footages for the cottages. The requested changes would not have associated significant environmental effects.

Mitigation Measure Land Use-1: The project shall undergo discretionary review by way of the City's Preliminary and Precise Development Plan and Design Review processes to ensure that the necessary findings can be made per the City's code. (LTS)

- c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?*

No habitat conservation plans or natural community conservation plans apply to the site.

Sources Use: 1, 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| X. MINERAL RESOURCES. Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- 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?*

No known mineral resources exist at the project site.

- 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?*

Refer to (a) above.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| XI. 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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"/> |
| a) <i>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?</i> | | | | |

Potential noise impacts associated with development under the CLASP were addressed on page 4.8-12 through 4.8-17 of the Draft EIR. Mitigation measures were addressed on pages 4.8-17 through 4.8-18 of the Draft EIR. The Preliminary Development Plan would not result in any additional impacts.

b) *Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?*

Refer to (a) above.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Refer to (a) above.

d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Refer to (a) above.

- 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?*

The project site is not within the vicinity of an airport or within an airport land use plan area.

- 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?*

Refer to (e) above.

Sources Used: 1, 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| XII. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>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)?</i> | | | | |

The population increase associated with the project was addressed on pages 4.2-5 and 4.2-6 of the Draft EIR. No significant impacts were identified and no mitigation measures were found necessary. The Preliminary Development Plan would not result in any additional impacts.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

Refer to (a) above.

- c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Refer to (a) above.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
|--|--------------------------------------|--|------------------------------------|--------------|

XIII. 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- 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, police protection, schools, parks, other public facilities?*

Potential impacts related to public services were addressed on pages 4.9-6 through 4.9-13 of the Draft EIR and page 3-31 of the Final EIR. No significant impacts were identified and no mitigation measures were required. The Preliminary Development Plan would not result in any additional impacts.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| XIV. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>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?</i> | | | | |

Parks and recreational facility impacts were addressed on page 4.9-7 of the Draft EIR. No significant impacts were identified for the CLASP and the Preliminary Development Plan would not result in any additional impacts.

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?*

Refer to (a) above.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| XV. TRANSPORTATION/TRAFFIC. Would the project: | | | | |
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| 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"/> | <input checked="" type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Conflict with adopted polices, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</i> | | | | |

Traffic impacts related to the project were addressed on pages 4.7-26 through 4.7-41 of the Draft EIR, and pages 3-25 through 3-30 of the Final EIR. Mitigation measures were identified on pages 4.7-41 through 4.7-45 of the Draft EIR and page 3-20 of the Final EIR. In June of 2007, the City retained Robert Harrison to identify the trip generation of the Preliminary Development Plan (Harrison, 2007). The conclusion of the analysis was that the proposed project would generate trips at a rate 22 percent to 27.6 percent lower than the project evaluated in the CLASP EIR, for daily and peak hour trips. Even if higher trip generation rates were used for the proposed senior housing, the project would still generate fewer trips than identified in the EIR. The Preliminary Development Plan would not result in any additional impacts.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?*

Refer to (a) above.

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?*

The project site is not in the vicinity of any airport, nor does it affect air traffic patterns.

d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The EIR did not identify any impacts related to safety hazards associated with a design feature of the project. The Preliminary Development Plan would not result in any additional impacts.

e) *Result in inadequate emergency access?*

No significant impacts related to emergency access were identified in the Draft or Final EIR. The Preliminary Development Plan would not result in any additional impacts.

f) *Result in inadequate parking capacity?*

Parking demand was addressed on page 4.7-32 through 4.7-34 of the Draft EIR and no significant impacts were identified. The Preliminary Development Plan would not result in any additional impacts.

g) *Conflict with adopted polices, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?*

No significant impacts were identified in the EIR related to pedestrian and bicycle circulation (see page 4.7-31 of Draft EIR). The Preliminary Development Plan would not result in any additional impacts.

Sources Used: 3, 4, 6

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| XVI. UTILITIES AND SERVICE SYSTEMS. Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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"/> | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, State, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</i> | | | | |

Water, wastewater, solid waste removal, and stormwater impacts were addressed on pages 4.9-9 through 4.9-13 of the Draft EIR, and no significant impacts requiring mitigation were identified. The Preliminary Development Plan would not result in any additional impacts.

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?*

Refer to (a) above.

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?*

Refer to (a) above.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

Refer to (a) above.

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?*

Refer to (a) above.

f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Refer to (a) above.

g) *Comply with federal, State, and local statutes and regulations related to solid waste?*

Refer to (a) above.

Sources Used: 3, 4

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
|--|--------------------------------------|--|------------------------------------|--------------|

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <p>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?</p> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>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 connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- 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?*

As discussed above under “Aesthetics” and “Biological Resources,” the removal of heritage trees has the potential to degrade the quality of the local environment and mitigation measures have been recommended in the “Biological Resources” section of this Initial Study.

- 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 connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Cumulative impacts were addressed in the EIR on the CLASP and, though the City is proposing to replace the existing City Corporation Yard and the Twin Cities Police Facility in the same location across from the site, no additional cumulative impacts are anticipated. Since the certification of the Final EIR on the CLASP, no additional projects have been proposed that would change the EIR conclusions regarding cumulative impacts.

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

The project’s identified impacts as related to removal of heritage trees would not cause substantial adverse effects on human beings, either directly or indirectly, with the incorporation of the recommended mitigation measures.

Sources Used: 1, 3, 4

XVIII. SIGNIFICANT UNAVOIDABLE IMPACTS

It should be noted that the EIR on the CLASP identified ten significant and unavoidable impacts related to the project and Findings of Overriding Consideration were required for these impacts at the time of approval of the CLASP (September 2006). These significant, unavoidable impacts, which would remain with the proposed project include the following:

Impact 4.7-1: Unacceptable Level of Service at Doherty Drive/Rivera Circle/Redwood High School Intersection (DEIR, pp. 4.7-26, 27).

Impact 4.7-2: Unacceptable Level of Service at East Ward Street/Magnolia Avenue Intersection (DEIR, p. 4.7-28)

Impact 4.7-3: Unacceptable Level of Service at King Street/Magnolia Avenue Intersection (DEIR, p. 4.7-28).

Impact 4.7-8: Unacceptable Cumulative Level of Service at Doherty Drive/Rivera Circle/Redwood High School Intersection (DEIR, pp. 4.7-39, 40).

Impact 4.7-9: Unacceptable Cumulative Level of Service at East Ward Street/Magnolia Avenue Intersection (DEIR, p. 4.7-40).

Impact 4.7-10: Unacceptable Cumulative Level of Service at King Street/Magnolia Avenue (DEIR, p. 4.7-40).

Impact 4.7-13. Unacceptable Cumulative Level of Service at Doherty Drive/Piper Park Intersection (DEIR, p. 4.7-41).

Impact 4.11-2: Potential Damage to or Destruction of Archaeological Resources (DEIR, pp. 4.11-8, 12).

Impact 4.11-3: Alteration of or Other Effects on Historical Resources (DEIR, pp. 4.11-8, 9, 12).

Impact 4.11-5: Possible Discovery of Human Remains (DEIR, pp. 4.11-10, 12)

No additional findings are required at this time because no new additional significant, unavoidable impacts have been identified.

CHAPTER III REFERENCES & PERSONS CONTACTED

City of Larkspur, 2006. Central Larkspur Specific Plan, September 20 (Resolution No. 48/06).

City of Larkspur, 2001. Chapter 12.16 of the City's Zoning Code (Trees, Including Heritage Trees).

EDAW, 2003. Revised Draft Environmental Impact Report – Central Larkspur Specific Plan, Volumes 1 and 2, November 14.

EDAW, 2004. Final Environmental Impact Report – Central Larkspur Specific Plan, November.

LandWatch, Inc., 2007. "Tree Inventory Report for CLASP-Subarea 3, 2 Ward Street, Larkspur, CA", April 2 and revised June 7.

Harrison, Robert, 2007. Memo to Nancy Kaufman, Director, Larkspur Planning Department re: Trip Generation for the Rose Garden Project: PD-PREL 07-07, June 29.

LSA, 2007. Letter to Mr. Steve Seely, Larkspur Housing Partners, LLC re: Proposal for Creek Enhancement Measures along Larkspur Creek for the CLASP-Subarea 3 Project, Larkspur, Marin County, CA, April 6.

SA, 2007. "Native Plant Restoration Plan for the Central Larkspur Area Specific Plan (CLASP)-Subarea 3", April 18.

LSA, 2007. Letter to Mr. Steve Seely, Larkspur Housing Partners, LLC re: Proposal for Upland Habitat Buffer Enhancement Measures along Larkspur Creek Opposite of the CLASP-Subarea 3 Project Site, Larkspur, Marin County, CA, April 25.

Miller Starr Regalia, 2007. Letter to Sky Woodruff, City Attorney for City of Larkspur re: Heritage Trees Issues – Larkspur Housing Partners (Niven Nursery Site): Central Larkspur Specific Plan, June 14.

Renshaw, Diane, Consulting Ecologist, 2007. Letter to Mr. Neal Toft, Senior Planner, City of Larkspur re: Consistency Determination: Preliminary Restoration and Enhancement Plans, CLASP Special Area 3, May 17.

APPENDIX A

APPLICANT'S APPROVAL OF MITIGATION MEASURES



MITIGATION MEASURES

Mitigation Measure Aesthetics-1: Refer to Impact Biology-2 related to mitigation for the loss of heritage trees at the site, which also addresses the replacement tree requirements to minimize visual impacts from the project. (LTS)

Mitigation Measure Biology-1: Any active nests of birds protected under the Migratory Bird Treaty Act shall be protected during construction. The applicant shall either avoid disturbance by scheduling construction during the non-nesting period (September through February), or conduct a pre-construction survey for active nests. A pre-construction survey report verifying that no active nests are present shall be submitted to the City of Larkspur Planning Director for review and approval prior to initiation of grading or construction during the nesting season, or verifying that nesting has been completed as detailed below. Provisions of the pre-construction survey and nest avoidance measures, if necessary, shall include the following:

- (1) If grading and new construction are scheduled during the active nesting period (March through August), a qualified wildlife biologist shall be retained by the applicant to conduct a pre-construction nesting survey no more than 15 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity.
- (2) If active nests are encountered, species-specific measures shall be prepared by a qualified biologist through informal consultation with the California Department of Fish and Game (CDFG) and implemented to prevent nest abandonment. At a minimum, grading and new construction in the vicinity of the nest shall be deferred until the young birds have fledged. A nest-setback zone of at least 300 feet shall be established for raptors and 100 feet for loggerhead shrike and passerine birds within which all construction-related disturbances shall be prohibited. The perimeter of the nest-setback zone shall be fenced or adequately demarcated, and construction personnel restricted from the area.
- (3) If permanent avoidance of the nest is not feasible, impacts shall be minimized by prohibiting disturbance within the nest-setback zone until a qualified biologist verifies either a) that the birds have not begun egg-laying and incubation, or b) that the juveniles from the nest are foraging independently and capable of independent survival at an earlier date than usual.
- (4) A survey report of findings verifying that any young have fledged shall be submitted for review and approval by the City of Larkspur Planning Director prior to initiation of grading or new construction in the nest-setback zone. Following approval by the Planning Director, grading and construction in the nest-setback zone may proceed as proposed.

The combination of the above measures, as needed, would reduce this impact to a less-than-significant level. (LTS)

Mitigation Measure Biology-2(a): The applicant shall replace all heritage trees that are greater than 24 inches in diameter at a ratio of 4 new trees for every tree removed. For those trees with a diameter of 15 inches to 24 inches, the replacement ratio shall be two new trees for every tree removed. Size of replacement trees shall be reviewed and approved by the Planning Commission at the time of the Precise Development Plan.

Mitigation Measure Biology-2(b): The applicant shall prepare a landscape plan for all replacement trees that identifies the species, location, and size (at time of planting) prior to approval of the Precise Development Plan. If all replacement trees cannot be located on the site, the applicant shall work with the City on identifying nearby locations for replacement trees.

Mitigation Measure Biology-2(c): One heritage Valley oak at the south end of the site may be able to be preserved by careful site planning and construction techniques (Tree No. 17267) on Lot No. 25. The applicant shall either revise the house footprint on Lot 25 or shall obtain an arborist's approval of the "protection zone" around this tree prior to approval of the Precise Development Plan.

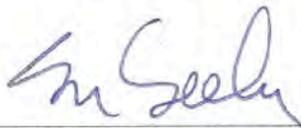
Mitigation Measure Biology-2(d): The applicant shall obtain a second opinion from a qualified arborist of the feasibility of relocating one heritage Coast live oak (No. 17337) that would be required to be removed for a proposed road. The applicant has stated that relocation of this tree is planned. If there is any doubt about the ability for this 22-inch diameter oak to survive relocation, the applicant shall investigate the feasibility of relocating the "private drive" between Lots 30 and 43 to protect this existing oak. This tree shall be mitigated at the identified replacement ratio (see Mitigation Measure Biology-2(a) above).

Mitigation Measure Biology-2(e): The final bicycle/pedestrian path design shall protect existing trees as much as possible. If any additional heritage trees must be removed for this path, the applicant shall replace each tree at the identified replacement ratio. The path design shall be submitted for approval prior to approval of the Precise Development Plan.

The combination of the above mitigation measures would reduce this impact to a less-than-significant level. (LTS)

Land Use-1: The project shall undergo discretionary review by way of the City's Preliminary and Precise Development Plan and Design Review processes to ensure that the necessary findings can be made per the City's code. (LTS)

I, the applicant, agree to the above mitigation measures for the Subarea 3 Preliminary Development Plan.



8/28/07

Name LARKSPUR HOUSING PARTNERS, LLC Date