

## SECTION 6: OTHER CEQA CONSIDERATIONS

### 6.1 - Significant Unavoidable Impacts

CEQA Guidelines Section 15126.2(a)(b) requires an EIR to identify and focus on the significant environmental effects of the proposed project, including effects that cannot be avoided if the proposed project were implemented.

This section describes significant impacts, including those that can be mitigated but not reduced to a level of less than significant. Where there are impacts that cannot be alleviated without imposing a project alternative, their implications, and the reason why the project is being proposed, notwithstanding their effect, is described. With implementation of the proposed project, two significant impacts that cannot be avoided would occur. Each significant unavoidable impact is discussed below.

- **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, it would not fully reduce the impact to a level of less than significant.

### 6.2 - Growth-Inducing Impacts

There are two types of growth-inducing impacts that a project may have: direct and indirect. To assess the potential for growth-inducing impacts, the project’s characteristics that may encourage and facilitate activities that individually or cumulatively may affect the environment must be evaluated (CEQA Guidelines Section 15126.2(d)).

Direct growth-inducing impacts occur when the development of a project imposes new burdens on a community by directly inducing population growth, or by leading to the construction of additional developments in the same area. Also included in this category are projects that remove physical obstacles to population growth (such as a new road into an undeveloped area or a wastewater treatment plant with excess capacity that could allow additional development in the service area).

Construction of these types of infrastructure projects cannot be considered isolated from the development they facilitate and serve. Projects that physically remove obstacles to growth, or projects that indirectly induce growth may provide a catalyst for future unrelated development in an area such as a new residential community that requires additional commercial uses to support residents.

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. As such, there would be no significant change in buildout potential between the two plans, which precludes the possibility of substantial population growth inducement. No impacts would occur.

## 6.3 - Energy Conservation

Public Resources Code Section 21100(b)(3) and CEQA Guidelines Section 15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary consumption of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted Assembly Bill (AB) 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct state responses to energy emergencies, and—perhaps most importantly—promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary consumption of energy caused by a project. Thereafter, the State Resources Agency created Appendix F of the CEQA Guidelines. Appendix F is an advisory document that assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. For the reasons set forth below, this EIR concludes that the proposed project will not result in the wasteful, inefficient, and unnecessary consumption of energy, will not cause the need for additional natural gas or electrical energy-producing facilities, and, therefore, will not create a significant impact on energy resources.

### 6.3.1 - Energy Requirements of the Proposed 2040 General Plan

Short-term construction and long-term operational energy consumption are discussed below.

Adoption of the proposed 2040 General Plan itself would not result in changes to energy consumption patterns. However, development and land use activities that occur pursuant to the 2040 General Plan would consume energy. Below are discussions of short-term construction and long-term operational energy consumption and associated 2040 General Plan goals and policies.

#### Short-Term Construction

Development and land use activities contemplated by the 2040 General Plan would include short-term construction activities that would consume energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). It is not possible to reasonably estimate the amount of energy consumed by construction activities, as a number of hard-to-predict

variables influence energy consumption (e.g., length of activities, size of buildings, equipment fleet, management practices).

The 2040 General Plan establishes a goal and policy that indirectly relates to construction energy consumption. Goal CL.1 calls for reducing the community's carbon footprint, and Policy CL.1 calls for supporting and providing incentives for utilizing and investing in clean energy end energy efficiency solutions. Additionally, construction projects that occur pursuant to the 2040 General Plan would be subject to federal, state, and regional air quality rules and regulations.

Finally, there are no aspects to the 2040 General Plan that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities. For example, there are no policies that would directly or indirectly cause construction activities to be any less efficient than would otherwise occur elsewhere (restrictions on equipment, labor, types of activities, etc.).

In summary, the 2040 General Plan would not result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities.

### **Long-Term Operations**

Development and land use activities contemplated by the 2040 General Plan would include long-term operational activities that would consume energy, both in the form of transportation fuel and building/equipment energy (e.g., electricity and natural gas). It is not possible to reasonably estimate the amount of energy consumed by operational activities, as a number of hard-to-predict variables influence energy consumption.

The 2040 General Plan establishes a goal and policy that indirectly relates to construction energy consumption. Goal CL.1 calls for reducing the community's carbon footprint and Policy CL.1 calls for supporting and providing incentives for utilizing and investing in clean energy end energy efficiency solutions. Additionally, the 2040 General Plan sets forth a number of other policies that promote reductions in vehicle miles traveled and use of alternative modes of transportation. Finally, there are no aspects to the 2040 General Plan 2030 that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during operational activities.

In summary, the 2040 General Plan would not result in the inefficient, wasteful, or unnecessary consumption of energy during operational activities.

