SECTION 7: EFFECTS FOUND NOT TO BE SIGNIFICANT

7.1 - Introduction

This section is based on the Notice of Preparation (NOP), dated May 2, 2013, and contained in Appendix A of this Environmental Impact Report (EIR). The NOP was prepared to identify the potentially significant effects of the proposed projects and was circulated for public review between May 2, 2013 and May 31, 2013. In the course of this evaluation, certain impacts were found to be less than significant because the proposed project's characteristics would not create such impacts. This section provides a brief description of effects found not to be significant or less than significant, based on the NOP comments or more detailed analysis conducted as part of the EIR preparation process. Note that a number of impacts that are found to be less than significant are addressed in the various EIR topical sections (Sections 3.1 through 3.11) to provide more comprehensive discussion of why impacts are less than significant, in order to better inform decision makers and the general public.

7.2 - Effects Found Not To Be Significant

7.2.1 - Aesthetics, Light, and Glare

State Scenic Highways

US 101, the only state highway located within the Mill Valley Planning Area, is neither an "Officially Designated" State Scenic Highway nor is it eligible for such a designation. This condition precludes the possibility of development and land use activities contemplated by the 2040 General Plan from adversely impacting scenic resources within a state scenic highway. No impacts would occur.

7.2.2 - Agriculture and Forest Resources

Important Farmland

The California Department of Conservation Farmland Mapping and Monitoring Program indicates that the Planning Area does not contain Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, which fall under "Important Farmland" umbrella. This condition precludes the possibility of development and land use activities contemplated by the 2040 General Plan from converting Important Farmland to non-agricultural use. No impacts would occur.

Williamson Act Contracts or Agricultural Zoning

There is no active farmland or grazing land within the Planning Area, a condition that precludes the possibility of any properties becoming encumbered by Williamson Act contracts. Additionally, as shown in General Plan Figure 2.5, the Mill Valley Zoning Ordinance does not establish any agricultural zoning districts. This condition precludes the possibility of development and land use activities contemplated by the 2040 General Plan from conflicting with Williamson Act contracts or agricultural zoning. No impacts would occur.

FirstCarbon Solutions 7-1

Conversion of Forest Land to Non-Forest Use

The upper slopes of the western and northern portions of the Planning Area contain forested areas that may meet state definitions of "forest land." However, these areas are controlled by public agencies and the 2040 General Plan designates these areas as "Publicly Owned"; thus, urban development is not contemplated within these areas. This condition precludes the conversion of forest land to non-forest use. No impacts would occur.

Conflicts with Forest Zoning

The Planning Area does not contain any areas zoned for forest. Therefore, land use and development activities contemplated by the 2040 General Plan would not impact these resources. No impacts would occur.

Pressures to Convert Farmland to Non-Agricultural Use

As previously noted, there is no active farmland within the Planning Area. Therefore, land use and development activities contemplated by the 2040 General Plan would not have the potential to create pressures to convert farmland to non-agricultural use. No impacts would occur.

7.2.3 - Biological Resources

Conservation Plans

The Planning Area is not within the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, land use and development activities contemplated by the 2040 General Plan would not conflict with the provisions of such a plan. No impacts would occur.

7.2.4 - Geology, Soils, and Seismicity

Septic and Alternative Wastewater Disposal Systems

The Mill Valley city limits are served by sewer service provided by the Sewerage Agencies of Southern Marin. Septic tanks or alternative wastewater disposal systems exist only in rural residential areas outside the city limits. New development within the City limits would be required to employ sanitary sewer. Therefore, land use and development activities contemplated by the 2040 General Plan would not result in the use of septic tanks or alternative wastewater disposal systems. No impacts would occur.

7.2.5 - Hazards and Hazardous Materials

Airports

The Planning Area does not contain any airports and does not overlap with any airport influence areas. The closest airport to the Planning Area is San Rafael Airport, located approximately 8 miles to the north. (Note that the Richardson Bay Seaplane Base is located east of the Planning Area in Richardson Bay; however, seaplane aviation activities occur outside of the Mill Valley city limits and, thus, do not represent a hazard to the Planning Area.) Therefore, land use and development activities contemplated by the 2040 General Plan would not expose persons residing or working in the Planning Area to aviation safety hazards. No impacts would occur.

Private Airstrips

The Planning Area does not contain any private airstrips. Therefore, land use and development activities contemplated by the 2040 General Plan would not impact private airstrips. No impacts would occur.

7.2.6 - Hydrology and Water Quality

Levee and Dam Failure

The Planning Area does not contain any levees or dams, nor are any such facilities located upstream of the Planning Area. Therefore, land use and development activities contemplated by the 2040 General Plan would not be susceptible to flooding from levee or dam failure. No impacts would occur.

7.2.7 - Land Use

Conservation Plans

The Planning Area is not within the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, land use and development activities contemplated by the 2040 General Plan would not conflict with the provisions of such a plan. No impacts would occur.

7.2.8 - Mineral Resources

Mineral Resources of Statewide or Local Importance

The California Department of Conservation Division of Oil, Gas, and Geothermal Resources indicates that the Planning Area does not contain any known mineral deposits or active mineral extraction operations. This condition precludes the possibility of the loss of important mineral resources as a result of development and land use activities contemplated by the 2040 General Plan.

7.2.9 - Noise

Aviation Noise

The Planning Area does not contain any airports and does not overlap with any airport influence areas. The closest airport to the Planning Area is San Rafael Airport, located approximately 8 miles to the north. (Note that the Richardson Bay Seaplane Base is located east of the Planning Area in Richardson Bay; however, seaplane aviation activities occur outside of the Mill Valley city limits and, thus, do not represent a significant source of noise within the Planning Area.) Therefore, land use and development activities contemplated by the 2040 General Plan would not expose persons residing or working in the Planning Area to excessive aviation noise. No impacts would occur.

7.2.10 - Population and Housing

Growth Inducement

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

FirstCarbon Solutions 7-3

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.

Displacement of Persons or Housing

Buildout of the proposed 2040 General Plan would not result in the displacement of persons or housing. Therefore, land use and development activities contemplated by the 2040 General Plan would not impact population or housing. No impacts would occur.

7.2.11 - Transportation

Air Traffic Patterns

The Planning Area does not contain any airports and does not overlap with any airport influence areas. The closest airport to the Planning Area is San Rafael Airport, located approximately 8 miles to the north. (Note that the Richardson Bay Seaplane Base is located east of the Planning Area in Richardson Bay; however, seaplane aviation activities occur outside of the Mill Valley city limits and its approach and departure patterns are primarily over water.) Therefore, land use and development activities contemplated by the 2040 General Plan would not alter air traffic patterns. No impacts would occur.