

## **4.2 LAND USE AND PLANNING**

This section addresses the effects of the Proposed Project at Gness Field Airport (DVO or Airport) as it relates to existing and future use of the Airport and adjacent lands. The section also presents an analysis of the proposed project's consistency with relevant public plans and policies.

Public scoping comments regarding the Proposed Project were received by Marin County in August 2008. Concerns raised include concerns about the airport's proximity to Redwood Landfill.

### **4.2.1 LAND USE SETTING**

#### **4.2.1.1 Existing Land Uses**

The Airport is located in an unincorporated area of Marin County approximately three miles northeast of the city of Novato on a 120-acre site situated between U.S. Highway 101 and the Petaluma River.

Existing land use in the vicinity of DVO is shown on **Exhibit 4.2-1, Existing Land Use**.

Within Marin County, the Airport property is categorized as publicly-owned land. The area surrounding DVO is predominantly agricultural, vacant, and open space to the east and south with light industrial/office areas to the north and west. Marin County has navigation easements on some properties adjacent to the north and south approaches to the Airport to prevent the construction of structures that would inhibit the takeoff and landing of aircraft at the Airport.

Redwood Landfill, a 450-acre site owned by Waste Management, Incorporated is located approximately one-half mile northwest of DVO, directly east of Highway 101. Light industrial and office uses are located west of DVO along Binford Road. Industrial areas are also located in the eastern portion of the GSA near the border with Sonoma County. Olompali State Historic Park is categorized as publically-owned non-taxable land. Other land use categories include office, general commercial, and residential, including Rush Creek and Bahia communities in the southern portion of the GSA.<sup>1</sup> Within Sonoma County, the areas located in the GSA are used for agriculture.<sup>2</sup>

The City of Novato designates the DVO property as a Community Facility. The *Novato General Plan* notes that existing uses on lands outside the city limits in unincorporated Marin County, include agricultural activities west of DVO, south of Bel Marin Keys, and within the Indian Valley area. Other lands outside the City limits are predominantly open space. Within the City of Novato, existing land use is predominantly residential in the valley areas west of Highway 101. Most units are

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<sup>1</sup> Marin Community Development Agency. *Marin Countywide Plan*, adopted November 6, 2007. On-line at: <http://www.co.marin.ca.us/depts/cd/main/fm/index.cfm>. Retrieved October 19, 2011.

<sup>2</sup> *Sonoma County General Plan 2020*, Adopted September 23, 2008.

single-family detached on lots under one acre in size. Commercial uses are concentrated downtown along Grant Avenue, along Redwood Boulevard, in pockets along Highway 101, and in various small clusters and convenience centers. Offices are located along Highway 101, in and around Downtown, near the Novato Community Hospital, along Novato and South Novato Boulevards, and within the industrial parks. Novato Industrial Park contains the bulk of the City's warehousing, distribution, and manufacturing uses. Several industrial operations remain near the downtown, between the railroad and Redwood Boulevard.<sup>3</sup>

#### **4.2.1.2 Future Land Uses**

The *Marin Countywide Plan*<sup>4</sup>, the *Novato General Plan*, and the *Sonoma County General Plan 2020* each describe planning goals for the area surrounding DVO that is included in the General Study Area (GSA). Future planned land-use is shown on **Exhibit 4.2-2, Future Land Use**, and is described below.

The November 2007 *Marin Countywide Plan* designates Gness Field as a Public Facility/Industrial use. Policy TR-1.7 designates Gness Field as the County's civilian aviation facility, and limits airport use and expansion in accordance with the adopted Airport Master Plan or approved Airport Land Use Plan. Future land use designations in the area around DVO are mostly open space and agriculture/conservation. Vacant lands directly west of the existing airport, as well as existing developed property bordering Binford Road are designated industrial. Future commercial uses on lands designated industrial west of the Airport shall be limited to those uses that are airport related or compatible with the Airport.

The *Novato General Plan* designates future land use in the DVO area as Community Facilities, which is a designation that includes public buildings, schools, recreation and cultural facilities, museums, public libraries, utility facilities, transformer stations, water and sewage treatment plants, solid waste transfer facilities, recycling facilities, and related easements, City offices, fire and police stations, hospitals, churches and privately-owned uses operating in conjunction with public uses. The city of Novato planning goal for this area is to promote development and conservation in this land use pattern.<sup>5</sup>

The *Sonoma County General Plan* designates land use in the "Petaluma and Environs" Planning Area, which includes the western portion of the County that is included in the GSA, as agriculture. Sonoma County's planning goals for agriculture lands are to continue to protect a full range of agricultural uses and to limit residential intrusion.<sup>6</sup>

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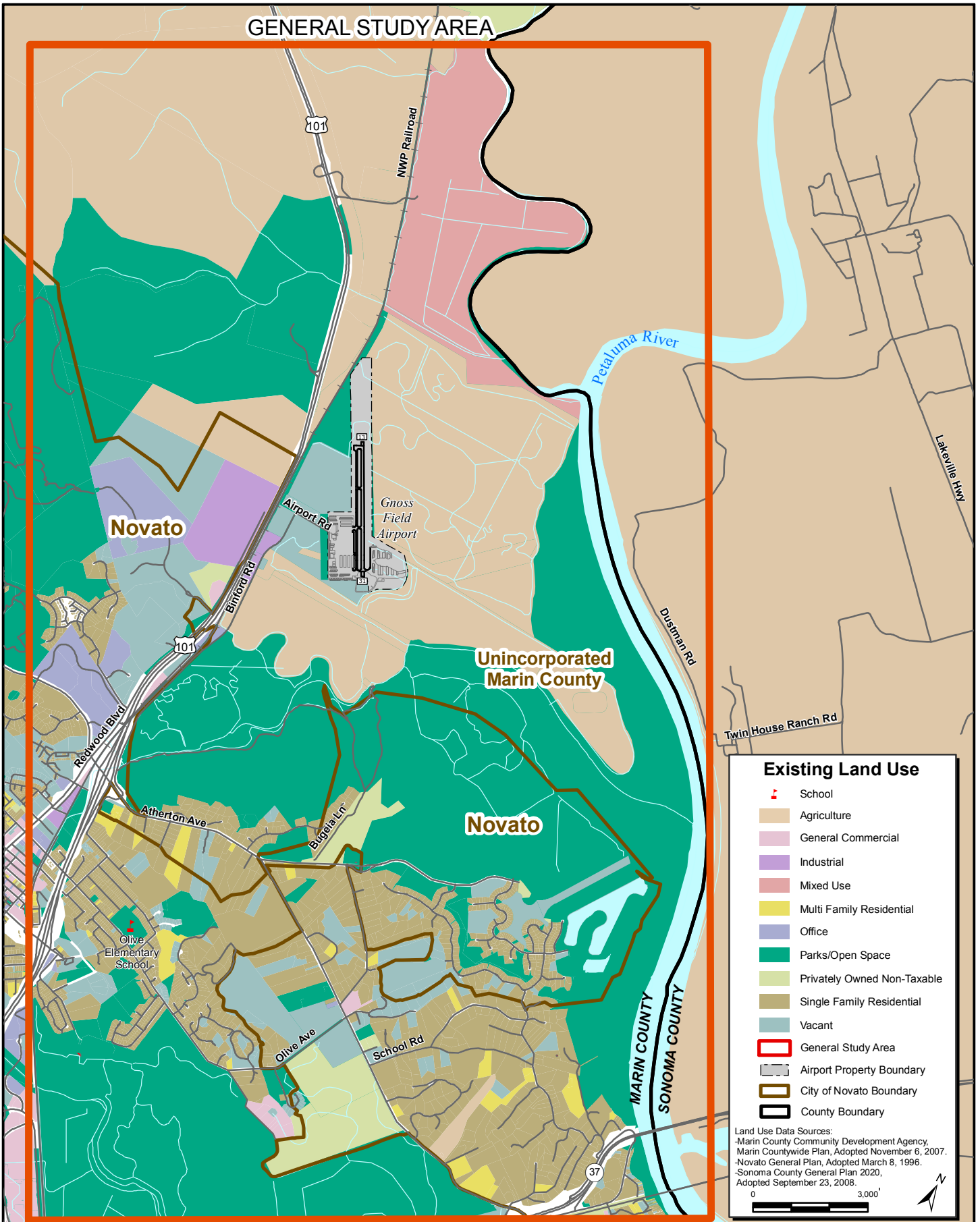
<sup>3</sup> *Novato General Plan*, Adopted March 8, 1996.

<sup>4</sup> *Marin Countywide Plan*, adopted November 6, 2007. On-line at: <http://www.co.marin.ca.us/depts/cd/main/fm/index.cfm>

<sup>5</sup> *Novato General Plan*, adopted March 8, 1996.

<sup>6</sup> *Sonoma County General Plan 2020*, Adopted September 23, 2008.

GENERAL STUDY AREA



**Existing Land Use**

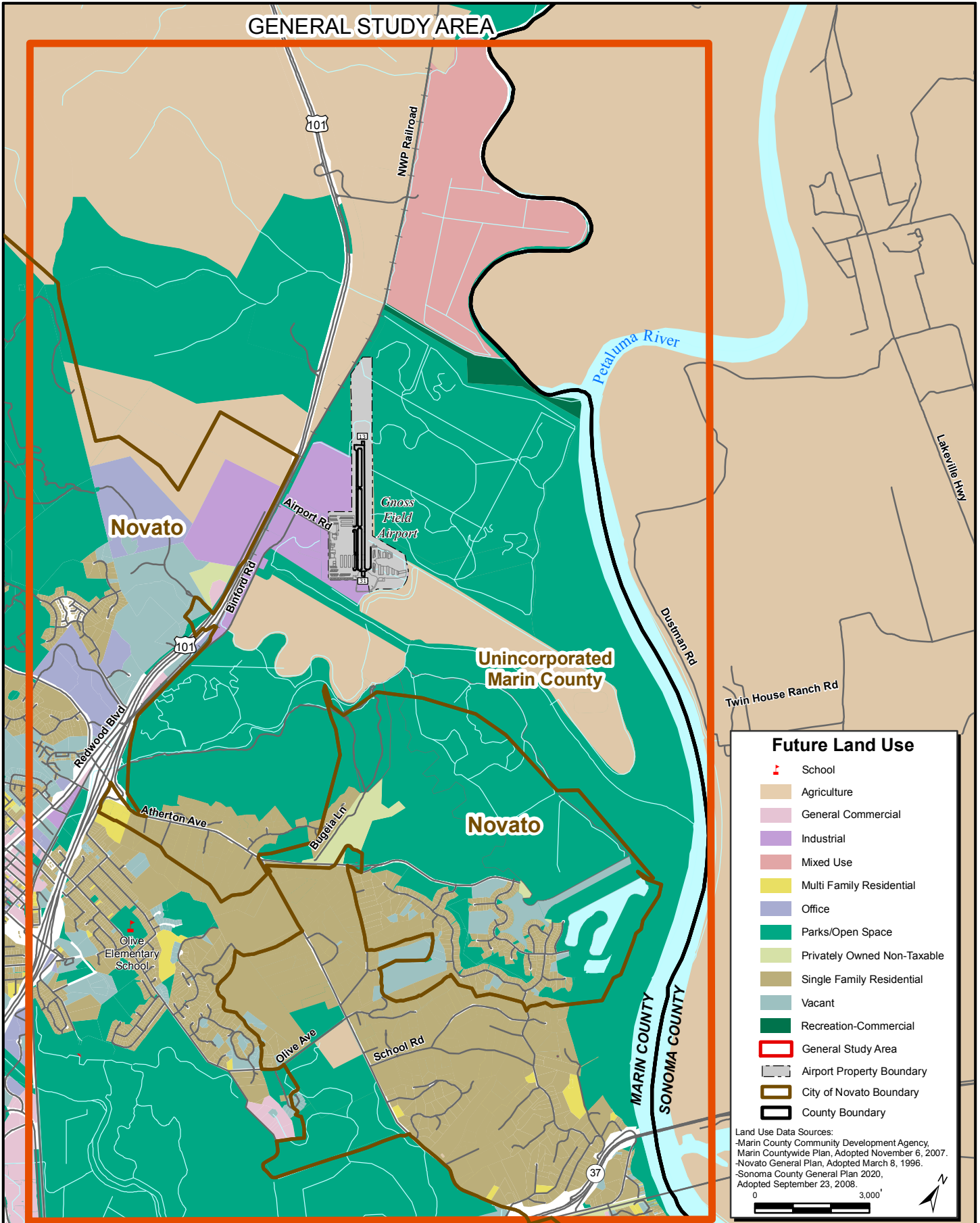
- School
- Agriculture
- General Commercial
- Industrial
- Mixed Use
- Multi Family Residential
- Office
- Parks/Open Space
- Privately Owned Non-Taxable
- Single Family Residential
- Vacant
- General Study Area
- Airport Property Boundary
- City of Novato Boundary
- County Boundary

Land Use Data Sources:  
 -Marin County Community Development Agency, Marin Countywide Plan, Adopted November 6, 2007.  
 -Novato General Plan, Adopted March 8, 1996.  
 -Sonoma County General Plan 2020, Adopted September 23, 2008.

0 3,000'



**GENERAL STUDY AREA**



**Future Land Use**

- School
- Agriculture
- General Commercial
- Industrial
- Mixed Use
- Multi Family Residential
- Office
- Parks/Open Space
- Privately Owned Non-Taxable
- Single Family Residential
- Vacant
- Recreation-Commercial
- General Study Area
- Airport Property Boundary
- City of Novato Boundary
- County Boundary

Land Use Data Sources:  
 -Marin County Community Development Agency, Marin Countywide Plan, Adopted November 6, 2007.  
 -Novato General Plan, Adopted March 8, 1996.  
 -Sonoma County General Plan 2020, Adopted September 23, 2008.

0 3,000'



### **4.2.1.3 Applicable Plans and Policies**

#### **THE MARIN COUNTYWIDE PLAN**

Because the site is located in an unincorporated area it is governed by the policies of the Marin Countywide Plan (2007), the County's general plan. The Countywide Plan contains guiding principles that are being used to guide development within the County.

The Marin Countywide Plan is divided into three sections; the Natural Systems and Agriculture element, the Built Environment element, and the Socioeconomic element which contains mostly optional subjects. The following Countywide Plan's elements, policies, and programs are relevant to the Proposed Project.

#### Natural Systems and Agriculture Element

The Natural Systems and Agriculture Element establish policies to protect the County's natural resources and ensure that design of the built environment is compatible with its natural setting.

According the Marin Countywide Plan, DVO is within the Baylands Corridor and public improvements at DVO and immediately adjacent properties pursuant to an approved Airport Master Plan for Marin County Airport (Gross Field) (Airport Master Plan) or Airport Land Use Plan will not be subject to additional Baylands protection regulations. Pinheiro Ridge functions as a ridge and upland greenbelt/community separator between the Atherton community and the lands including and surrounding DVO.

#### Built Environment Element

The Built Element of the Marin Countywide Plan covers policies, land use issues, constraints, and opportunities, and addresses the numerous needs, perspectives, and desires within the unincorporated county. It also attempts to balance the amount of growth based on the availability of public services and sets forth a pattern for land use, standards for the density of population, and the intensity of development for each type of allowable use. The Built Environment element also establishes a direct tie between the timing, amount, type, design, and location of development and the traffic, service, and infrastructure resources available to serve additional demand.

A significant amount of bayfront lands have been protected as permanent open space through the acquisition lands around DVO. The Marin Countywide Plan states that DVO should be the primary civilian airport facility in Marin County and shall be for General Aviation (GA), emergency flights, and similar public uses. The Countywide Plan policies are consistent with the relevant airport land use plan adopted by the Airport Land Use Commission in 1991 and amended in 1997.

Policy PA-1.1: Designate Land Use in North Novato. Most of the lands east of the Northwestern Pacific Railroad tracks are within the Baylands Corridor. Lands north of DVO, Birkenstock, and the Buck Center and not within the Baylands Corridor are in the Inland Rural Corridor. Developed parcels not within the Baylands Corridor and south of Olompali State Park are in the City-Centered Corridor. Publicly owned lands shall be designated open space, exclusive of DVO, which shall retain its Industrial land use designation with a Public Facilities combining designation, consistent with the approved and planned development under the Airport Land Use Master Plan. Lands within the City-Centered Corridor and Baylands Corridor shall be designated for industrial use at an FAR of .04 to .35, with master plans required for development; for planned residential at a density of 1 unit per 1 to 10 acres; for recreational-commercial use at an FAR of .01 to .03; and agriculture and conservation at a residential density of 1 unit per 10 to 60 acres. Commercial uses on lands surrounding the Airport shall be limited to those that are airport related or compatible with the Airport.

Policy TR-1.7: Direct Aviation Uses to Appropriate Locations. Maintain DVO as Marin County's civilian airport facility, and limit its use and expansion in accordance with the adopted Airport Master Plan. Continue to allow the private San Rafael Airport consistent with the 1983 Declaration of Restrictions and the Richardson Bay seaplane base and helipad. Require additional aviation facility proposals to conduct site-specific environmental analysis prior to consideration.

Policy TR-1.p: Limit Aviation Uses. Maintain the Marin County Airport at Gness Field as the primary civilian airport facility in the county, and limit its use to GA, emergency flights, and similar public uses, in accordance with an approved Airport Master Plan or Airport Land Use Plan for DVO and current technological conditions. Continue to allow the private San Rafael Airport facility consistent with the 1983 Declaration of Restrictions, the San Rafael General Plan, and other applicable City land use regulations, and the heliport and seaplane bases in Richardson Bay to provide water oriented visitor and commercial uses. Any proposed helipad shall be subject to all applicable California Environmental Quality Act (CEQA) requirements prior to consideration.

In addition to the policies above the Marin Countywide Plan set the following program to be implemented in order to protect the community from excessive noise.

Program NO-1.f: Review Projects Near DVO. Review development proposals within the two-mile referral area of DVO for consistency with the noise criteria set forth in the Countywide Plan and the adopted Airport Land Use Plan.

## **4.2.2 ENVIRONMENTAL IMPACTS AND MITIGATION**

### **4.2.2.1 Significance Criteria**

According to Appendix G of the CEQA guidelines the project may have a significant land use impact if it causes one or more of the following impacts:

- a) physically divides an established community;
- b) conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect; or
- c) conflict with any applicable habitat conservation plan or natural community conservation plan.

Marin County also has developed Land Use criteria for significance thresholds in its Environmental Impact Report Guidelines.<sup>7</sup> Marin County's land use criteria for significance are listed as follows:

- a) calls for a land use that would convert prime agricultural land to nonagricultural use or impair the productivity of prime agricultural land;
- b) conflicts with Marin County's land use goals and policies;
- c) calls for land uses that would conflict with existing or proposed land uses at the periphery of the project area or with local land use plans;
- d) results in conversion of open space into urban or suburban scale development;
- e) conflicts with local zoning; or
- f) Result in nuisance impacts as a result of incompatible land uses.

### **4.2.2.2 Land Use Impacts and Mitigation Measures**

#### **Impact 4.2-1: The Proposed Project would not physically divide an established community (less than significant).**

The Proposed Project would occur almost entirely on existing Airport property. The Proposed Project may require a lot-line adjustment of 0.1 acres of land at the south of the runway for the extended Runway Safety Area (RSA). This land is currently vacant and surrounded by vacant land. Due to an existing easement that Marin County holds on the property, the height of any structures in this area can be restricted so that it would not become a hazard to navigation.<sup>8</sup> For the area being discussed, the maximum vertical height would be less than two feet, making it

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<sup>7</sup> Marin County Community Development Agency. *Environmental Impact Review (EIR) Guidelines Policy and Procedures for Implementation of the California Environmental Quality Act (CEQA), Appendix N*. Adopted May 17, 1994 Marin County Board of Supervisors.

<sup>8</sup> Avigation Easement between Rancho Del Pantano, Inc. and Marin County, April 10, 1967.

impossible to construct buildings. Therefore, the proposed 1,100 foot runway extension and possible minor land use acquisition would not physically divide an established community in the impact is deemed less than significant.

**Mitigation:** None required.

**Impact 4.2-2: The Proposed Project would not conflict with any land use plan, policy, or zoning (less-than-significant).**

The Proposed Project would occur almost entirely on existing Airport property. The Proposed Project is consistent with Marin CWP land use policies and the Airport's Master Plan as shown on the official Airport Layout Plan. The only off-Airport property land use change may be a lot-line adjustment or easement to utilize 0.1 acres of land to the south of the runway for the extended RSA. This land is planned for public facility/industrial uses, but is currently vacant and surrounded by vacant land. Due to an existing easement that Marin County holds on the property to the south, the height of any structures in this area can be restricted so that it the structure's height does not become a hazard to navigation.<sup>9</sup> The maximum vertical height for a structure located on the land directly south of the airport would be less than two feet, making it impossible to construct buildings. The Marin Countywide Plan does not include any recommendations for modifying the land use or the zoning of the land immediately south of the Airport as it is currently compatible with Airport operations. Therefore, the Proposed Project would not conflict with the County's adopted land use policies and the impact is deemed less-than-significant.

**Mitigation:** None required.

**Impact 4.2-3: The Proposed Project would not conflict with any applicable habitat conservation plan or natural community conservation plan (less than significant).**

The Proposed Project would occur almost entirely on existing Airport property. The airport's property and the 0.1-acre of land located on private property south of the airport are not included in any existing or proposed habitat or natural community conservation plan-. Extension of the runway to the north and the RSA to the south will result in the filling of wetlands. While the Marin CWP contains policies call for the protection of existing wetlands and avoiding wetland fill, the policies recognize that some projects cannot avoid wetlands and therefore the policies require on-site or off-site mitigation for any wetland loss. The mitigation measures recommended in the EIR are consistent with the County's mitigation polices. Therefore, the Proposed Project would not conflict with any applicable habitat conservation plan or natural community conservation plan and will mitigate for wetland fill. Accordingly, the impact is deemed less-than-significant.

**Mitigation:** None required.

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<sup>9</sup> Avigation Easement between Rancho Del Pantano, Inc. and Marin County, April 10, 1967.

**Impact 4.2-4: The proposed 1,100-foot runway extension to the north would bring the runway into closer proximity with the operations at the Redwood Landfill and Recycling Center (less-than-significant).**

The Redwood Landfill (RLI) is located approximately 1.5 miles north/northwest of DVO along Highway 101. This project would include the following activities:

- Merge the existing landfill permit and composting permit into a single solid waste facility permit;
- Establish maximum daily tonnages of solid waste, compostable material, cover material and recyclables, the total of which is 2,310 tons per day;
- Increase traffic to 662 vehicles per day;
- Clarify hours and days for the receipt of wastes and other materials and for certain landfill activities;
- Add food waste as a compost feedstock;
- Increase site capacity; and
- Extend the estimated closure date to July 2024.

The Federal Aviation Administration (FAA) has advisory guidelines that relate to the proximity of landfills near airports. Landfills have the potential to attract wildlife that may be hazardous to air navigation. The southern edge of the Redwood Landfill and Recycling Center (RLI) is currently located approximately 3,460 feet northwest of Runway 13/31 at DVO. This separation is less than the 5,000 feet recommended by the FAA. The current operating elevation at the RLI landfill is approximately 86-88 feet, with permitted maximum land fill height of 160 feet. Critical to the nature of the Redwood Landfill facility, with respect to aviation related activity at DVO, is the landfill's 'working face'. The working face at RLI at any given time is typically smaller than 1 acre, or less than 0.5 percent of the total area of the waste disposal/landfill. The working face delineates the exposed area of the landfill which is known to be an attractant to scavenger birds, particularly gulls. According to FAA National Wildlife Strike Database, January 1990–April 2003, gulls rank low on the FAA's relative hazard score with a ranking of 24 out of 100. Mitigation for this project, which is included as a condition of the expanded permit from Marin County, includes the continued implementation of the RLI bird control program. To discourage gull populations, RLI currently implements multiple operational controls as part of its bird management plan.

- Minimize the area of the working face and push distance when possible;
- Use pyrotechnic devices to discourage scavenging gulls during refuse placement and compaction;
- Place daily cover consisting of a 6-inch thickness of compacted soil or approved alternative;
- Employ an outside contractor in the winter months who uses falcons to deter gulls from the landfill; and

- A propane gas-fired cannon may be used in conjunction with the pyrotechnic devices. The cannon emits a loud blast that discourages gulls from approaching the active face of the landfill.

Redwood's bird control program has significantly reduced gull activity at the site as compared to prior years and has resulted in an effective bird control program that demonstrates no interference with the Airport. Currently, aircraft fly over all portions of the RLI when arriving to and departing from DVO. There have been no reported bird strikes related to activity at the RLI.

RLI's adaptive bird management plan is required by Marin County, California, through its permitting approval authority over the RLI. As owner and operator of DVO, Marin County also has the authority to direct the landfill to undertake additional management measures if the existing measures at the landfill prove insufficient in preventing the area from becoming an attractant to birds.

RLI operates under the Solid Waste Facilities Permit #21-AA-0001, issued by Marin County on December 8, 2008, with concurrence by the State of California Integrated Waste Management Board.<sup>10</sup> This permit speaks to the size of the working face and addresses the measures the landfill must implement in order to control birds attracted to the face.

As a part of the application for a new Solid Waste Facilities Permit, RLI underwent extensive environmental review including the preparation of a full scope Environmental Impact Report (EIR), which was certified by Marin County on December 18, 2008 before issuing the Solid Waste Facilities Permit. In 2009 the landfill received and updated Waste Discharge Requirements from the San Francisco Regional Water Quality Control Board and received a Title 5 Air Permit from the Bay Area Air Quality Management District in 2010.<sup>11</sup>

The EIR identified the proximity of the landfill to DVO as a potential conflict with airport operations at DVO. Associated mitigation measures included in the Mitigation Monitoring and Reporting Program (MMRP) of the EIR, relative to the working face and the bird control measures, became part of the enforceable solid waste facility permit conditions, as required under CEQA.<sup>12</sup>

As stated in the EIR, the RLI site is located within designated safety zones of DVO, which is located south of the site. The safety zones, established in the 1991 Airport Land Use Plan are areas in the vicinity of the Airport in which land use and/or zoning restrictions are established to protect public safety on the ground by limiting exposure to aircraft crash hazards. Five zones are established, with Zone 1 (Clear Zone) the closest to the Airport and Zone 5 (Referral) the farthest. The southern half (roughly) of the landfill site is located in safety zone 3, Traffic

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<sup>10</sup> *Marin County Solid Waste Facilities Permit #21-AA-0001.*

<sup>11</sup> *Redwood Landfill Final Environmental Impact Report.* On-line at: <http://www.ciwmb.ca.gov/permittoolbox/Notices/RedwoodLF/default.htm>. California Integrated Waste Management Board. September 26, 2011.

<sup>12</sup> *Redwood Landfill Solid Waste Facilities Permit Revision, Mitigation Monitoring and Report Program,* November 17, 2008.

Pattern Zone, and the northern half is within safety zone 4, Overflight Zone. Zone 5, Referral Area, extends 2 miles from DVO and therefore, RLI also falls within this zone. The proposed 1,100-foot runway extension to the north would bring the runway into closer proximity with RLI, and would result in a shift of the safety zones closer to the landfill.<sup>13</sup>

As referenced in the Redwood EIR, in addition to FAA distance criteria, the US Environmental Protection Agency (USEPA) adopted amendments to the Resource Conservation and Recovery Act, adding 40 CFR Part 258, §258.10 effective October 1993, to require FAA notification for proposed new or expanded municipal solid waste landfill units (MSWLF) (USEPA, 1991). §258.10 requires: (a) owners or operators of new MSWLF units, existing MSWLF units, and lateral expansions that are located within 10,000 feet (3,048 meters) of any Airport runway end used by turbojet aircraft or within 5,000 feet (1,524 meters) of any Airport runway end used by only piston-type aircraft to demonstrate that the units are designed and operated so that the MSWLF unit does not pose a bird hazard to aircraft; (b) owners or operators proposing to site new MSWLF units and lateral expansions within a five-mile radius of any Airport runway end used by turbojet or piston-type aircraft to notify the affected airport and the FAA; and (c) the owner or operator to place the demonstration in paragraph (a) in the operating record and notify the State Director that it has been placed in the operating record. The combined State Water Resources Control Board/California Integrated Waste Management Board (CIWMB) regulations concerning facility siting and classification (Division 2, Title 27, §20270) include language nearly identical to items (a) through (c) above.<sup>14</sup>

The Redwood EIR states that because RLI is located in DVO safety zones 3, 4, and 5, changes to the existing operations at RLI could potentially conflict with Airport operations. Given that the area of the working face of the landfill would be larger as a result of the RLI expansion project, it could result in increased bird activity at RLI and an associated increase in the risk of bird/aircraft strikes. The proposed increase in composting operations, especially the addition of food as a composting feedstock, also could increase bird activity at the RLI site and contribute to increased risk of bird/aircraft strikes. In addition, the increased amount of light that would be needed to accommodate more frequent nighttime operations at the larger working face could potentially interfere with nighttime aircraft operations at DVO.<sup>15</sup>

Mitigation measures included in the MMRP of the Redwood EIR, and subsequently incorporated into the landfill's current operating Permit are listed below. The standards in the Permit also meet the requirements of the CIWMB pursuant to Public Resources Code Section 44009. The owner of RLI (Waste Management, Inc.)

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<sup>13</sup> Redwood Landfill Solid Waste Facilities Permit Revision EIR, July 2005.

<sup>14</sup> Redwood Landfill Solid Waste Facilities Permit Revision EIR, July 2005.

<sup>15</sup> Redwood Landfill Solid Waste Facilities Permit Revision EIR, July 2005.

has agreed to comply with the mitigation measures contained in the MMRP of the Redwood EIR. Redwood Landfill is implementing the following bird control mitigation measures:

- Redwood Landfill will continue their existing bird control program, which is previously discussed in this document under Existing Conditions.
- To ensure that nighttime activities do not interfere with operations at DVO, lights used during nighttime landfill operations will not be colored, will be shielded and directed downward to reduce glare, and will be placed in an irregular pattern in order not to appear to be a runway. Redwood Landfill will notify the DVO prior to any change in the way lighting is used for nighttime operations.
- If bird activity at the landfill, including the areas outside the permitted landfill footprint proposed for composting, increases as a result of the project, as determined by the local enforcement agency during regular site inspections, RLI shall adjust its existing bird control program as necessary to ensure that the facility does not pose a bird hazard to aircraft. RLI shall modify as necessary the demonstration required in 40 CFR Part 258, §258.10 (a) and 27 CCR, §20270(a) (that the landfill does not pose a bird hazard to aircraft).

The proposed extension of Runway 13/31 by 1,100 feet to the northwest would result in the north end of the runway being located 2,500 feet from the southern edge of the RLI. This would decrease the distance between the end of the runway and the RLI as compared to existing conditions. Aircraft currently fly over the landfill at an altitude of approximately 300-400 feet Above Ground Level (AGL) on approach from the northwest. When departing to the northwest, aircraft are at an altitude of approximately 500-700 feet AGL when they fly over the landfill. With the proposed runway extension, all aircraft landing at DVO from the northwest would overfly the landfill at an approximate altitude of 250-350 feet AGL. Some of the aircraft operating at DVO today would be able to accommodate heavier payloads or more fuel as a result of the extended runway. Due to these heavier overall weights, these aircraft would be at an approximate altitude of 475-675 feet AGL on departure to the northwest. Because there would be no change in the flight patterns and only a small change in altitude (25 – 50 feet) of aircraft as they overfly the landfill, the change in operational distance from aircraft in flight and the landfill would be relatively small. In addition, the RLI will continue the measures included in the bird management plan that have proven effective to date.

Marin County previously authorized the continued operation of RLI near DVO, but in so doing, identified mitigation measures in the MMRP to minimize the attractiveness of the area to wildlife, especially birds, so as to avoid creation of a wildlife aircraft strike hazard at RLI and to prevent RLI from becoming an incompatible land use. The County's permit issued to RLI requires mitigation measures including ongoing management efforts to prevent minimize bird attractants. If deemed ineffective over time, the mitigation measures will change per Marin County's permit requirements. Therefore, the location and operation of the RLI should not impede the proposed extension of Runway 13/31 at DVO. The impact is considered less-than-significant.

**Mitigation 4.2-4:** No additional mitigation required.

**Impact 4.2-5: The Proposed Project would not conflict with any of Marin County's land use goals and policies (less than significant).**

The Proposed Project does not call for a land use that would convert prime agricultural land to nonagricultural use or impair the productivity of prime agricultural land. The Proposed Project does not call for land uses that would conflict with existing or proposed land uses at the periphery of the project area or with local land use plans. While the Airport borders areas that are designated open space, it does not result in conversion of open space into urban or suburban scale development.

The Proposed Project does not require a change in current local zoning. The Proposed Project does not result in nuisance impacts as a result of incompatible land uses. The Proposed Project is consistent with *Marin Countywide Plan (CWP)* Policy TR1.7 that allows for extension of the airport runway within the Baylands Corridor.

The Proposed Project would require the filling of 11.83 acres of jurisdictional wetlands and could remove burrowing owl habitat, which is inconsistent with Biological Resources policies of the *Marin Countywide Plan (CWP)*. The incorporation of Mitigation Measures 4.5-1, 4.5-2, and 4.19-1 would ensure that the filled jurisdictional wetlands are replaced on-site and off-site in accordance with Marin County policies and the provisions of the necessary Federal permit from the U.S. Army Corps of Engineers. In addition, the incorporation of Mitigation Measures 4.5-3 and 4.5-4 into project approval would ensure that potential impacts to Burrowing Owl and migratory bird nesting habitat will be avoided. Incorporation of recommended mitigation measures into the project approval will ensure that the project does not conflict with Marin's land use goals and policies and therefore the impact is deemed less-than-significant.

**Mitigation:** None required.

### **4.2.2.3 Consistency Analysis**

The *State CEQA Guidelines* require EIRs to "... discuss any inconsistencies between the proposed project and applicable general plans and regional plans".<sup>16</sup> This section contains an analysis of the proposed airport runway extension project's consistency with adopted planning policy and zoning.

General Plans articulate long-term goals and policies for economic growth, proposed use of land, development of infrastructure, conservation of resources, preservation of open space, and related issues (see Government Code sections 63300 and 65302). A project does not need to be consistent with every policy of a general plan; rather, it must be "generally consistent" and "in harmony".

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<sup>16</sup> *CEQA Guidelines*, Section 15125(d).

State law does not impose a requirement that a project completely satisfy every policy stated in a general plan. The goals, objectives, and policies in a general plan set the stage for later decision-making. As noted in the recent case of *Sierra Club v. County of Napa*,<sup>17</sup> "A project is consistent with a county's general plan if "considering all its aspects; it will further the objectives and policies of the general plan and not obstruct their attainment. A given project need not be in perfect conformity with every general plan policy. To be consistent, a project must be compatible with the objectives, policies, general land uses and programs specified in the general plan"

A general plan "must try to accommodate a wide range of competing interests... and to present a clear and comprehensive set of principles to guide development decisions. Once a general plan is in place, it is the province of elected officials to examine the specifics of a proposed project to determine if it would be "in harmony" with the policies stated in the plan.<sup>18</sup> Recognizing that the plan provisions would ordinarily provide policy guidance on a range of issues, rather than mandatory, objective regulatory standards, the courts have recognized that the decision-maker must weigh plan policies when applying them, and that the law does not require every policy be completely satisfied.<sup>19</sup> However, in some instances general plans contain fundamental, mandatory, and objective standards that do not allow any discretion in interpretation and application. A project will be found inconsistent with such a standard if it is clearly incompatible.<sup>20</sup>

The discussions provided below represent the EIR authors' best judgment of the policies examined. **Marin County ultimately must determine the project's consistency with County policies before taking action to approve, conditionally approve, or deny the pending application.** (Other responsible agencies similarly must determine the project's consistency with their relevant policies when reviewing and commenting on or taking action on the project.) The discussion in this EIR is intended to aid in these decisions.

While CEQA requires a discussion of consistency with public plans, inconsistency does not necessarily lead to a significant impact. Inconsistencies with public plans create significant impacts under CEQA only when an *adverse physical effect* would result from the inconsistency. All adverse physical effects resulting from any inconsistency are discussed in the appropriate environmental analysis in the EIR (in **Chapter 4.0 Environmental Setting, Impacts, and Mitigation Measures**). The location of these environmental analyses is referenced in each policy discussion, as appropriate.

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<sup>17</sup> *Sierra Club v. County of Napa et al.* (2004) 121 Cal. App. 4th 1490.

<sup>18</sup> *Sequoiah Hills Homeowners Assn. v. City of Oakland*, 23 Cal. App. 4th 704,791, summarizing from *Greenbaum v. City of Los Angeles*, 153 Cal. App. 3d 391.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Families Unafraid to Uphold Rural El Dorado Co. v. El Dorado County*, 62 Cal.App.4<sup>th</sup> 1332 (1998).

**Table 4.2-1** summarizes the consistency of the Proposed Project with relevant land use policies, as outlined in the *Marin Countywide Plan*.<sup>21</sup> Consistency determinations have been made using the following categories:

*Consistent:* The Proposed Project would be consistent with the existing policies.

*Inconsistent:* The Proposed Project would conflict with the existing policies. Project modifications and priorities may be suggested to mitigate the impacts to return to a state of consistency.

As summarized in Table 4.2-1, the project was found to be consistent with the policy direction contained in the *Marin Countywide Plan*.

### **4.2.3 CUMULATIVE IMPACTS OF THE PROPOSED PROJECT**

The Proposed Project does not require a land use amendment or zone changes and is considered consistent with the local land use plans and comprehensive planning policies. The Proposed Project may require the acquisition of or an easement over 0.01 acre privately owned land south of the airport property. However, the acquisition of or easement over any property would comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (49 CFR Part 24). The recent past and current projects in the vicinity of DVO have not caused a significant change in local land use or created any land use conflicts that cannot be mitigated to less-than-significant levels. Specifically, the mitigation included in the Redwood Landfill EIR ensures that no land use conflicts between the RLI and DVO will occur. The reasonably foreseeable projects would not change or impact zoning or land use in the vicinity of DVO. Therefore, there would be no significant cumulative impact to land use.

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<sup>21</sup> *Marin Countywide Plan*, Adopted November 6, 2007.

**Table 4.2-1  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Biological Resource Policies</b>		
<p>Bio-1.1: Protect Wetlands, Essential Habitat for Special- Status Species, Sensitive Natural Communities, and Important Habitat Corridors.</p>	<p>The proposed project does not avoid wetlands, and will require the filling of 14.7 acres of jurisdictional wetlands. Although the project does not avoid wetlands it is consistent with CWP Policy TR1.7 that allows for extension of the airport runway within the Baylands Corridor. Special status species were identified within the detailed project boundary.</p>	<p><u>Consistent</u>. As stated in the Discussion, although this project does not avoid wetlands, the CWP allows for the extension of the runway within the Baylands Corridor. Incorporation of Mitigation Measure 4.19.1 into project approval would ensure no overall loss of wetland habitat. The incorporation of Mitigation Measure 4.5-5 into project approval would ensure that potential impacts to Burrowing Owl and migratory bird nesting habitat will be avoided.</p>
<p>Bio-1.5: Promote Use of Native Plant Species. Encourage use of native or compatible native plant species indigenous to the site vicinity as part of project landscaping to improve wildlife habitat values.</p>	<p>The proposed project does not include any new landscaping. Any replanting that would be required to mitigate for vegetation, wetland, and wildlife habitat loss will use native plant species.</p>	<p><u>Consistent</u>. As stated in the Discussion, any replanting that would be required to mitigate for vegetation, wetland, and wildlife habitat loss will use native plant species. Furthermore, continued airport compliance with the BMPs and SWPPPs will protect areas removed of vegetation from further erosion and replanting the area with a seed mix of native grasses.</p>
<p>Bio-1.6 / 1.7: Remove and Control the Spread of Invasive Exotics. Work to remove invasive plants listed in the State's Noxious Weed List, California Exotic Pest Plant Council's List of Ecological Pest Plants and other priority species identified by the Agricultural Commissioner and California Department of Agriculture.</p>	<p>The project would remove would use BMPs for erosion control and revegetation of disturbed surfaces and would not use invasive or noxious species.</p>	<p><u>Consistent</u>. As stated in the vegetation and Wildlife discussion, the project would not introduce invasive or exotics species.</p>
<p>Bio-2.1: Include Resource Preservation in Environmental Review.</p>	<p>This policy requires an assessment of the impact of proposed development on native species, habitat diversity and special status species.</p>	<p><u>Consistent</u>. The Draft EIR includes an assessment of the impact of the project on Vegetation and Wildlife (Section 4.5) and Wetlands (Section 4.20). Mitigation measures recommended for impacts due to wetland fill and potential special status species habitat loss have been incorporated into the project approval.</p>

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Biological Resource Policies, Continued</b>		
<p>Bio-2.2: Limit Development Impacts. Restrict or modify proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, coastal and riparian habitat, as necessary to ensure the continued health and survival of these species and sensitive areas.</p>	<p>The policy encourages modification of projects to avoid impacts on sensitive biological resources or to adequately mitigate for impacts by providing on-site or off-site replacement at higher ratios.</p>	<p><u>Consistent</u>. The proposed project does not avoid wetland fill, but mitigates for wetland impacts both on site and off-site. (Mitigation Measure 4.19-1). The incorporation of Mitigation Measure 4.5-5 into project approval would ensure that potential impacts to Burrowing Owl and migratory bird nesting habitat will be avoided.</p>
<p>Bio 2.5 Restrict disturbance in sensitive habitat during nesting season.</p>	<p>The Biological Resources study prepared for the Draft EIR (Appendix I) includes recommendations for avoiding disturbance of sensitive Burrowing Owl and migratory bird habitat during nesting season.</p>	<p><u>Consistent</u>. Mitigation Measure 4.5-5 recommends measures that can be taken to avoid disturbance to sensitive wildlife habitat during nesting season. Incorporation of the mitigation measure as a condition of project approval will restrict disturbance to sensitive habitat.</p>
<p>Bio-2.8: Coordinate with Trustee Agencies.</p>	<p>Marin County, as Lead Agency under CEQA, sent a Notice of Preparation to all Responsible and Trustee agencies including the USACOE, FWS, State Water Resource Control Board, the CDF&amp;G, and the BAAQMD. In addition the environmental consultants met directly with the USACOE, State Water Resources Control Board, the BAAQMD and the City of Novato to discuss the project and the level of environmental analysis.</p>	<p><u>Consistent</u>. All recommended consultations were completed by Marin County and the environmental consultant. Appendix A of the Draft EIR documents all public agency contacts.</p>

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Biological Resource Policies, Continued</b>		
<p>Bio-2.9: Promote Early Consultation with Other Agencies. Require applicants to consult with all agencies with review authority for projects in areas that support wetlands and special status species.</p>	<p>Marin County, as Lead Agency under CEQA, sent a Notice of Preparation to all Responsible and Trustee agencies including the USACOE, FWS, State Water Resource Control Board, the CDF&amp;G, and the BAAQMC. In addition, the environmental consultants met directly with the USACOE, State Water Resources Control Board, the BAAQMD, and the City of Novato to discuss the project and the level of environmental analysis.</p>	<p><u>Consistent</u>. All recommended consultations were completed by Marin County and the environmental consultant. Appendix A of the Draft EIR documents all public agency contacts.</p>
<p>Bio-3.1: Protect Wetlands. Require development to avoid wetland areas so existing habitat and buffers are preserved and opportunities for enhancement are retained.</p>	<p>The proposed project does not avoid wetlands and will require the filling of 14.7 acres of jurisdictional wetlands. Although the project does not avoid wetlands, it is consistent with CWP Policy TR1.7 that allows for extension of the airport runway within the Baylands Corridor. The proposed project is consistent with Marin CWP Policy Bio-3.2 where wetland fill cannot be avoided.</p>	<p><u>Consistent</u>. The proposed project does not avoid wetland fill, but mitigates for wetland impacts both on site and off-site (Mitigation Measure 4.19-1). The CWP allows for the extension of the runway within the Baylands Corridor. The incorporation of Mitigation Measure 4.5-5 into project approval would ensure that potential impacts to Burrowing Owl and migratory bird nesting habitat will be avoided.</p>
<p>Bio-3.2: Require thorough Mitigation. Where complete avoidance of wetlands is not possible, require provision of replacement habitat on-site through restoration and/or habitat creation at a 2:1 ratio, provided no net loss of wetland acreage, function, and habitat values.</p>	<p>The proposed runway extension will require the filling of 14.7 acres of jurisdictional wetlands. Suitable on-site and off-site wetland mitigation is available. See Mitigation Measure 4.19-1.</p>	<p><u>Consistent</u>. The proposed project does not avoid wetland fill, but mitigates for wetland impacts both on site and off-site. (Mitigation Measure 4.19-1) as required by Policy Bio-3.2.</p>

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Biological Resource Policies, Continued</b>		
Bio-4.10: Promote Interagency Cooperation.	Marin County, as Lead Agency under CEQA, sent a Notice of Preparation to all Responsible and Trustee agencies including the USACOE, FWS, State Water Resource Control Board, the CDF&G, and the BAAQMD. In addition, the environmental consultants met directly with the USACOE, State Water Resources Control Board, the BAAQMD, and the City of Novato to discuss the project and the level of environmental analysis.	<u>Consistent.</u> All recommended consultations were completed by Marin County and the environmental consultant. Appendix A of the Draft EIR documents all public agency contacts.
<b>Healthy Watershed Policies</b>		
WR-Policies: Address watershed management priorities such as protection of watershed and aquifer recharge, improving infiltration, erosion, sedimentation, runoff, infiltration, nutrient loading, water quality, etc.	The Draft EIR addresses stormwater runoff, erosion and sedimentation control during construction, and water quality issues (Section 4.4 and Appendix G).	<u>Consistent.</u> As stated in the discussion, the Draft EIR addresses stormwater runoff, erosion and sedimentation control during construction, and water quality issues. Any impacts to water quality as a result of construction activities and normal daily function of the airport would be mitigated to within existing permitted thresholds through the continued use of Best Management Practices (BMPs) and SWPPP plans.
<b>Environmental Hazard Policies</b>		
EH Policies: address avoidance of hazard areas and continuing to implement and enforce the Alquist-Priolo Earthquake Fault Zoning Act	The Draft EIR addresses avoidance of hazard and earthquake fault zone areas (see Section 4.3 and Appendix M).	<u>Consistent.</u> As stated in the discussion, the Draft EIR concludes that the project would avoid hazard and fault zone areas and would not result in impacts associated with fault rupture, soil collapse, steep slopes or tsunamis.
<b>Atmosphere &amp; Climate Policies</b>		
AIR-1.1 Coordinate Planning and Evaluation Efforts. Coordinate air quality planning efforts with local, regional, and State agencies, and evaluate the air quality impacts of proposed plans and development projects.	An Air Quality Scoping Meeting was held at the offices of the BAAQMC in order to coordinate with regional and State agencies, planning efforts and the air quality impact assessment for the proposed project. The evaluation of air quality impacts of the proposed project are included in this Draft EIR (Section 4.8)	<u>Consistent.</u> Appendix A contains documentation related to the Air Quality Scoping Meeting held for the proposed project at the offices of the BAAQMD. The evaluation of air quality impacts of the proposed project incorporates the comments and guidance received as a result of the Air Quality Scoping Meeting (Section 4.8)

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Atmosphere &amp; Climate Policies, Continued</b>		
<p>AIR-1.3 Require Mitigation of Air Quality Impacts. Require projects that generate potentially significant levels of air pollutants, such as quarry, landfill operations, or large construction projects, to incorporate best available air quality mitigation in the project design.</p>	<p>Short-term increases in air pollution emissions due to construction activity are potentially significant, unless mitigated. During construction, open space areas adjacent to the project site and other existing development in the area would be intermittently impacted by construction dust. In addition, operation of construction equipment would result in temporary emissions.</p>	<p><u>Consistent</u>. Mitigation Measure 4.8-2 would be incorporated into the project, wherein Marin County would ensure that all possible measures would be taken to reduce emissions during construction by requiring the construction contractor to submit a proposed method of erosion and dust control, and disposal of waste materials pursuant to guidelines included in FAA, <i>Standards for Specifying Construction of Airports</i>.<sup>22</sup> The use of required BAAQMD Best Management Practices (BMPs), as outlined in Section 4.8, would also be incorporated into the project.</p>
<p>AIR-5.1 Determine Marin-Specific Climate Change. Participate in research that examines the effects of climate change on human and natural systems in Marin.</p>	<p>Adaptation to climate change as part of the proposed project is discussed in Section 4.8 of this EIR.</p>	<p><u>Consistent</u>. Section 4.8 of the EIR demonstrates that the proposed project will not violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The Proposed Project does not conflict with adopted environmental plans or goals of Marin County and would not create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area.</p>

<sup>22</sup> FAA, *Standards for Specifying Construction of Airports*, Item P-156, *Temporary Air and Water Pollution, Soil Erosion, and Siltation Control*, AC 150/5370-10A, February 17, 1989.

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Open Space Policies</b>		
OS-2.2: Preserve Open Space for Future Generations. Ensure that protected open space remains open in perpetuity for the benefit of residents, visitors, citizens, wildlife and the environment.	The proposed project would not change the status of protected Open Space.	<u>Consistent</u> . Existing Protected Open Space and planned open space areas in Marin County would not be impacted by or changed as a result of the proposed project. The open space lands adjacent to the project site will not be impacted by the proposed project.
<b>Trails System Policies</b>		
TRL-1.1: Sustain the Countywide Trail System. Continue to provide a countywide trail system that offers recreational opportunities and alternate public transportation routes that may lessen reliance on automobile use and new road construction.	The proposed project would not change the status of the countywide trail system or proposed trail plan.	<u>Consistent</u> . The Countywide Trail Plan proposes new trails along Binford Road and Airport Road. The proposed runway extension project would not have an impact on or require a change in the trail plans. .
<b>Agricultural Resource Policies</b>		
AG-1.3: Preserve Agricultural Zoning. Maintain very low-density agricultural zoning in the Coastal Recreation Corridors to support land-extensive agricultural production and discourage conversion to non agricultural uses.	The project would not change existing agricultural zoning designations.	<u>Consistent</u> . The existing Agricultural Zoning adjacent to the airport property or elsewhere in Marin County would not change as a result of the proposed project.
<b>Community Development Policies</b>		
CD-4.3 Participate with Regional, State, and Federal Agencies. Coordinate with nearby counties, and with State and federal agencies, regarding regional land use and transportation planning.	Marin County, as Lead Agency under CEQA, sent a Notice of Preparation to all potentially affected/interested Federal, State, Regional, and Local agencies including the USACOE, FWS, State Water Resource Control Board, the CDF&G, and the BAAQMC. In addition, the environmental consultants met directly with the USACOE, State Water Resources Control Board, the BAAQMD, and the City of Novato to discuss the project and the level of environmental analysis.	<u>Consistent</u> . All recommended consultations were completed by Marin County and the environmental consultant. Appendix A of the Draft EIR documents all public agency contacts.

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Energy &amp; Green Building Policies</b>		
EN-3.3 Incorporate Green Building in County Facilities. Integrate green building practices into all County facilities.	Although the construction plan for the proposed project has not yet been developed, it is anticipated that green construction practices will be incorporated to the greatest extent possible, in keeping with Marin County's associated policies, goals, and programs.	<u>Consistent</u> . The project sponsor has stated that Marin County's established policies, goals, and programs related to green building and construction practices will be incorporated into the construction plan for the proposed project to the greatest extent possible.
<b>Transportation Policies</b>		
TR-1.7 Direct Aviation Uses to Appropriate Locations. Maintain Gness Field as the County's civilian airport facility, and limit its use and expansion in accordance with the adopted Airport Master Plan.	The proposed runway extension, and associated taxiway extension, relocation of existing levees/drainage ditches, and relocation of existing air navigation installations are consistent with the current adopted Airport Master Plan for Gness Field Airport.	<u>Consistent</u> . The proposed 1,100 foot runway extension project is included in the adopted Airport Master Plan for Gness Field Airport and is therefore consistent with policy TR-1.7..
<b>Noise Policies</b>		
NO-1.3 Regulate Noise Generating Activities. Require measures to minimize noise exposure to neighboring properties, open space, and wildlife habitat from construction-related activities, yard maintenance equipment, and other noise sources, such as amplified music.	As demonstrated in Section 4.7 of the Draft EIR, none of the noise levels associated with the construction equipment would be considered excessive. Noise levels resulting from aircraft activity associated with the proposed project was found not exceed any Federal, state, or local standard for significance. Therefore, there would be no substantial increase in ambient noise levels due to the project.	<u>Consistent</u> . Section 4.7 of the Draft EIR demonstrates that construction noise levels associated with the proposed project are in compliance with County noise guidelines. The noise impact analysis found that there would not be a substantial increase in ambient noise levels due as a result of aircraft activity resulting from the proposed project. The CNEL noise contours for future airport operations did not result in noise levels that exceeded the County's guidelines for sensitive noise receptors such as residential area, hospitals and recreation areas.
<b>Planning Areas Policies</b>		
PA-1.1 Designate Land Use in North Novato. Publicly owned lands shall be designated open space, exclusive of Gness Field, which shall retain its Industrial land use designation with a Public Facilities combining designation, consistent with the approved and planned development under the Airport Land Use Master Plan.	The proposed project would not alter Gness Field Airport's existing Industrial land use designation with a Public Facilities combining designation.	<u>Consistent</u> . The airport runway extension project is consistent with the industrial land use Public Facilities/Industrial land use designation for the airport property and the runway extension is included in the adopted Airport Master Plan.

**Table 4.2-1, Continued  
CONSISTENCY DETERMINATION  
Marin Countywide Plan**

Plan Policy	Discussion	Conclusion, Including Recommendations to Eliminate Inconsistencies
<b>Community Participation Policies</b>		
<p>CP-1.1 Provide Access for All. Take all feasible steps to ensure that everyone interested in participating in community forums has the materials necessary to contribute to informed decisions, as well as convenient access to meeting venues.</p>	<p>Appendix A includes documentation of the public involvement process for this Draft EIR. Public involvement measures include CEQA-required public scoping and an open public hearing and comment period. In addition, a public project web site is in use for the proposed project: (<a href="http://www.gnossfieldeis-eir.com">www.gnossfieldeis-eir.com</a>).</p>	<p><u>Consistent</u>. Public coordination and involvement measures as required by CEQA and Marin County Environmental Guidelines were followed in preparing the Draft EIR, as outlined in Appendix A.</p>
<b>Historic &amp; Archaeological Resources Policies</b>		
<p>HAR-1.1 Preserve Historical Resources. Identify archaeological and historical resource sites.</p>	<p>A field survey was completed by a State certified archaeologist to determine the presence of archaeological and historical resources that are located within the Areas of Disturbance for the proposed project and would, therefore, potentially be affected by the proposed project. Results of the survey show that there are no archaeological or historical resources located within the Areas of Disturbance for the proposed project.</p>	<p><u>Consistent</u>. There are no archaeological or historical resources located within the Areas of Disturbance for the proposed project. (Section 4.9). Therefore, no such resources would be affected by the proposed project.</p>
<p>HAR-1.3 Avoid Impacts to Historical Resources. Ensure that human activity avoids damaging cultural resources.</p>	<p>A field survey was completed by a State certified archaeologist to determine the presence of archaeological and historical resources. Results of the survey show that there are no archaeological or historical resources located within the Areas of Disturbance for the proposed project. In addition, the project sponsor and FAA conducted a nation to nation meeting with the Federated Indians of Graton Rancheria concerning the parameters to be used and procedures to be followed in the archaeological survey.</p>	<p><u>Consistent</u>. The cultural resource investigation concluded that there are no archaeological or historical resources located within the Areas of Disturbance for the proposed project. (Section 4.9). Therefore, the proposed project is not expected to result in impacts on historic or cultural resources .</p>

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