

3.0 Environmental Setting, Impacts, and Mitigation Measures

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This section describes existing land uses found within the proposed project study area, evaluates the proposed project's consistency with relevant land use and planning documents and policies, analyzes the project's potential impacts on land use and local planning codes, and identifies potential mitigation measures to reduce those impacts. The proposed project study area includes ½ mile on both sides of the railroad right-of-way.

3.7.1 Regulatory Setting

The regulatory setting is based on the information that was available in 2008 when the March 9, 2009 DEIR was under preparation.

The proposed project was evaluated for consistency with the following adopted land use plans and policy documents governing the study area that were reviewed.

- Mendocino County General Plan (1981)
- County of Mendocino Regional Transportation Plan (2005)
- Vision 2020: City of Willits General Plan Revision (1992)
- City of Ukiah General Plan-Growth Management
- Sonoma County Comprehensive Transportation Plan (2004)
- Sonoma County General Plan (1989, revised 1998)
- Countywide Transportation Plan for Sonoma County (2001)
- Cloverdale General Plan Policy and Program Document (1993)
- City of Healdsburg General Plan Policy Document (1987, revised 2004)
- Town of Windsor General Plan (1996, revised 2005)
- City of Santa Rosa 2020 General Plan (2002)
- City of Rohnert Park General Plan (2000)
- City of Cotati General Plan (1998, Housing Element revised 2003)
- City of Petaluma General Plan (1987, revised 2005); Central Petaluma Specific Plan, (2003)



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- Marin Countywide Plan (1994, revised 2007)
- City of Novato General Plan (1996, revised 2003)
- City of Novato Downtown Specific Plan Novato Downtown Specific Plan (1998, revised 2001)
- Napa County General Plan (1983, Land Use Element revised 2002)
- Metropolitan Transportation Commission Mobility for the Next Generation:
 Transportation 2030 Plan for the San Francisco Bay Area (2005)

3.7.2 Environmental Setting

The environmental setting is based on the information that was available in 2008 when the March 9, 2009 DEIR was under preparation.

3.7.2.1 Overview of Existing Land Use Patterns

The rail line is an existing railroad that has provided rail service dating back to the early 1900's. From Willits, the line runs southward generally following Highway 101 through the towns of Ukiah, Hopland, Cloverdale, Healdsburg, Windsor, Santa Rosa, Rohnert Park, Cotati, Petaluma, and Novato. South of Novato, the line runs eastward near the shore of San Pablo Bay, over the Petaluma River, past Black Point, past the old station at Shellville, over the Napa River, and terminates in Lombard north of the city of American Canyon. A map of the rail line is shown in Figure 2-1.

3.7.2.2 Land uses Along NWP Right-of-Way

The following section summarizes land uses within the study area.

Mendocino County

The total land area of Mendocino County consists of 2,246,000 acres (3,510 square miles). It is naturally bounded on the west by the Pacific Ocean and on the east mainly by the mountainous divide between the North Coastal Basin and the Sacramento River Basin, with the width varying from 35 to 60 miles. The county extends approximately 80 miles north to south (Point No Pass to the Gualala River, or Hammerhorn Ridge to the Geysers).



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Mendocino County contains a wide variety of vegetation, including conifer forests, chaparral, woodlands, grassland-meadow, riparian, marsh and coastal scrub (Mendocino County General Plan, 1981). The coastal terrace area and inland river valleys contain the major population settlements, rural residential subdivisions, and agricultural uses. Timber production, grazing, and sparse rural residential development characterize the Coast Range. Other inland areas are largely mountainous and forested, with only limited population centers.

At present, the County remains largely rural with about 65 percent of the population located in unincorporated Mendocino County and the remainder living in the cities of Ukiah, Fort Bragg, Willits and Point Arena. The Cities of Willits and Ukiah includes part of the railroad right-of-way, as do the unincorporated communities of Ridge, Redwood Valley, and Hopland (Mendocino County General Plan Update Background Report, January 2003).

The following is a summary of land uses in the study area within Mendocino County derived from city and county general plans.

- Figure 3.7-1a shows land use for the City of Willits. The predominant land use within the study area is general industrial, general commercial, low-density residential, and medium-density residential.
- Figure 3.7-1b shows land use for the City of Ukiah, the county's largest city, the Ukiah Valley, and a part of the unincorporated County of Mendocino. The predominant land uses within the study area include parkland and open space, industrial, commercial, mixed uses, and urban residential.
- Figure 3.7-1c presents land use information for Mendocino County. The predominant land use along the rail line is range land, agricultural, rural residential, remote residential, and open space.

Sonoma County

Sonoma County is the largest of the nine San Francisco Bay Area counties, encompassing 1,016,395 acres. In 2000, 92,923 acres (approximately nine percent of the total land area) were identified as urban land and 923,472 acres (91 percent) were non-urban land (ABAG, 2000). Sonoma County includes a diverse mixture of landforms and environments, including rolling hills, flat plains, coastal prairies, oak woodlands and



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redwood and mixed conifer forests. The Santa Rosa Plain lies in the center of the county between the Sonoma Mountains to the east and low coastal hills to the west.

Sonoma County has several cities with well-defined boundaries that are dispersed along the rail line. Many of these communities developed and grew around the historic rail stations and along the railroad track. The incorporated local jurisdictions in the study area include: Cloverdale, Healdsburg, Windsor, Santa Rosa, Rohnert Park, Cotati and Petaluma. The unincorporated community of Geyserville is also located within the NWP project corridor.

The following is a summary of land uses within Sonoma County derived from city and county general plans.

- Figure 3.7-1d presents land use information for the City of Cloverdale. Land uses within the study area are dominated by general industry and commercial developments, medium- to high-density residential, and low-density residential.
- Figure 3.7-1e presents land use information for the County of Sonoma within the Cloverdale area. Land use within the study area includes primarily land-intensive agriculture and resources and rural development.
- Figure 3.7-1f presents land use information for the City of Healdsburg. Land uses within the study area include low to medium density residential, mixed use, downtown and service commercial and medical, and heavy industrial.
- Figure 3.7-1g presents land use information for the town of Windsor. Land uses within the study area include mobile home park, village residential and low-density residential, cemetery/school/waste water treatment plant, gateway commercial, and light and heavy industrial.
- Figure 3.7-1h presents land use information for the County of Sonoma between Healdsburg and Windsor. Land use within the study area is primarily diverse agriculture.
- Figure 3.7-1i presents land use information for the City of Santa Rosa. Land uses within the study area are dominated by single-family to multi-family residential, office and business, and some light and heavy industrial.



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- Figure 3.7-1j presents land use information for Sonoma County around the City
 of Santa Rosa. Land uses within the study area within the county are dominated
 by agriculture, general commercial use, and rural residential.
- Figure 3.7-1k presents land use information for the City of Rohnert Park. Land uses within the study area are largely designed by three categories: urban residential, general commercial, and general industrial.
- Figure 3.7-1I presents land use information for the City of Cotati. The NWP corridor traverses a small part of the city in the east, with land uses in the study area that include neighborhood low density, specific plan-Santero Way, with small patches of neighborhood medium density, neighborhood urban, and commercial east Cotati corridor.
- Figure 3.7-1m presents land use information for the County of Sonoma surrounding Cotati and Rohnert Park. Land use within the study area is primarily rural residential and general commercial.
- Figure 3.7-1n presents land use information for the City of Petaluma. Land uses within the study area within the City of Petaluma include public parks, flood plains, mixed use, river dependent industrial, special commercial, urban diversified, and industrial.
- Figure 3.7-10 presents land use information for Sonoma County surrounding the city of Petaluma. Land use within the study area south of Petaluma is primarily land extensive agriculture.
- Figure 3.7-1p presents land use information for Sonoma County in the Sonoma Valley. Land use within the study area is primarily agriculture and open space.

Marin County

Marin County is one of the nine counties that are adjacent to the San Francisco Bay area. It is linked to San Francisco by the Golden Gate Bridge and to the east bay via the Richmond-San Rafael Bridge. Marin County's total area is approximately 606 square miles (335,380 acres), of which about 87 percent (527 square miles) are unincorporated. Approximately 14 percent (47,565 acres) are urban land uses and 287,995 acres (86 percent) were non-urban land in 2000 (ABAG, 2000). The majority of development in Marin County is located in the eastern portion of the county along the



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rail line. The western portion of the county includes large expanses of state and federal protected lands, and open space (SMART, June 2006).

The following is a summary of land uses within Marin County derived from city and county general plans.

- Figure 3.7-1q presents land use information for Novato, the only incorporated local jurisdiction along the alignment within Marin County. Land use within the study area is agriculture, commercial, single family residential, multi-family residential, and open space.
- Figure 3.7-1r presents land use information for the County of Marin surrounding the City of Novato. Land uses within the study area are largely agriculture, mix-use, and residential.

Napa County

Napa County is located at the southern terminus of the rail line and is bordered by Lake County to the north; Solano County and San Pablo Bay to the south, Yolo County to the east and Sonoma County to the west. The major urbanized cities of San Francisco and Oakland lie to the southwest and south (respectively) of Napa County.

There are five incorporated cities in Napa County: American Canyon, Calistoga, Napa, St. Helena and the Town of Yountville. No incorporated areas are located within the study area. Figure 3.7-1s presents land use information for Napa County within the study area. Land use is dominated by agriculture, watershed, and open space, and industrial / public institutional (Napa airport) near Lombard.

3.7.3 Impacts and Mitigation Measures

This section describes the potential environmental impacts associated with the proposed project related to land use in the proposed project area. A description is provided of the criteria used to determine the level of significance for potential impacts. Mitigation measures are described for any impacts that are considered to be potentially significant.



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3.7.3.1 Significance Criteria

The proposed project would have a significant impact on land use if it:

- Physically divides an established community through the construction of a physical barrier or structure;
- Conflicts with an 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 mitigation an environmental effect;
- Conflicts with any applicable HCP or NCCP;
- Converts prime farmland, unique farmland, or farmland of statewide importance, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- Conflicts with existing zoning for agricultural use, or a Williamson Act contract;
- Involves other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use; or
- Displaces substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

3.7.3.2 Impact Assessment Methodology

Impacts on land uses within the proposed project area were assessed by determining whether operations, rehabilitation activities at Bakers Creek Foss Creek and the Black Point Bridge, construction of the new siding, or minor routine repairs during operations exceed the land use significance criteria outlined above.

In the following section, each impact statement is followed by a policy-by-policy analysis with individual conclusions about consistency. This consistency analysis is presented to assist decision-makers in their formal determinations of the project's consistency.

Two types of consistency statements are made in the analysis below: "consistent" or "inconsistent". Project consistency would occur when the project, or the project plus mitigation measures as described in other chapters of this document, would be in agreement with the policy to which it is being compared. An identification of



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"inconsistent" is made to alert decision-makers where an interpretation of the policy must be made and a final determination of consistency or inconsistency should be declared.

The following discussion analyzes the consistency of the proposed project with relevant land use policies pertaining to specific CEQA required resource areas (i.e. Transportation, Air Quality, Noise, Natural Resources, etc.); each resource area to be evaluated includes citations to the relevant General Plan. Policies considered non-applicable (i.e., related solely to the merits of the project) are excluded from this consistency analysis. General Plans for Mendocino, Napa, Sonoma, and Marin counties are herein referred to by "CGP".

Applicable Goals and Policies From the Adopted Plans Related to Transportation

Mendocino County General Plan (1981)

<u>LU Policy 7-1g:</u> Industrial sites should be located near existing transportation systems and utility services.

<u>LU Policy 7-1h:</u> Promote the provision of an adequate transportation system to serve the resource-based industries of the County.

County of Mendocino Regional Transportation Plan (2005)

The Regional Transportation Plan cites rail transportation as a vital component of the region's balanced multi-modal transportation system. The emphasis of rehabilitating the rail line and striving for an acceptable LOS to the region continues to be a long-range goal for railroads in Mendocino County. The Rail Transportation Element of the Regional Transportation Plan further states as its guiding goal to establish and maintain a fully operational rail transportation system connecting Mendocino County to interregional, state and national rail system service; providing safe and efficient access for freight and passenger movement.

Vision 2020: City of Willits General Plan Revision (1992)

<u>Policy 2.280</u> of the Circulation Element directs the City to encourage continuation and expansion of passenger, tourist and freight rail service, including the Northwestern Pacific and Eureka Southern freight lines and the Skunk Train.



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City of Ukiah General Plan-Growth Management Program (1995, revised 2004)

Goal CT-10, Policies CT-10.1 and CT-10.2 direct the City of Ukiah to work with the railroad operator, as well as planning and transit agencies, to help define and develop integrated transportation corridors; and, develop design standards that facilitate transit use and transportation systems along transportation corridor (including rail) in the Ukiah Valley.

Goal CT-15 directs the City to encourage multiple use of the rail lines into and through the Valley.

<u>Policy CT.2</u> encourages continued freight service on the rail lines.

Sonoma County Comprehensive Transportation Plan (2004)

The Plan cites the need for Sonoma County to ensure that the track and right-of-way is used in a way that is economical, efficient and meets the greatest needs. It includes goals that support an effective, efficient and convenient passenger and freight rail system along the rail line.

Sonoma County General Plan (1989, revised 1998)

Objective CT-1 calls for the design and implementation of a circulation and transit system that will serve projected future travel demand, minimize congestion, achieve the shortest feasible travel times and distances, and achieve the land use plan of city-centered growth and limited growth in rural areas.

<u>Policy CT-3h:</u> Oppose abandonment of freight service, but if service from Sonoma County northward is abandoned and the right-of-way is to be disposed of, acquire it for future use as alternative transportation.

<u>Policy CT-3i:</u> Resolve the future use of the railroad right-of-way for public transportation purposes in cooperation with corridor communities so that an integrated and mutually supportive set of transportation projects may be defined for Sonoma and Marin Counties.



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Countywide Transportation Plan for Sonoma County (2001)

The Plan cites the need for Sonoma County to ensure that the track and right-of-way is used in a way that is economical, efficient and meets the greatest needs. The Plan further states that commute, freight and tourism services would create a symbiotic relationship that will ensure a solid economic base for the system as well as meeting a number of different needs. The Plan estimates that by increasing the freight traffic on the rail line would result in fewer trucks on the County's highways, with about 3,000 trucks a week being taken off of Highway 101 (US 101) by implementing a fully operational rail freight system.

Cloverdale General Plan Policy and Program Document (1993)

The Circulation Element of the Cloverdale General Plan calls for implementation of passenger rail service on the railroad right-of-way, increasing existing bus transit services and developing new bus transit services, and planning new residential and commercial development to fully accommodate, enhance, and facilitate public transit including pedestrian and bicycle access to transit.

City of Healdsburg General Plan Policy Document (1987, revised 2004)

<u>Goal E</u> of the Land Use Element directs the City to provide for convenient transit facilities in the community and appropriate and complementary land uses adjacent to designated transit facility sites.

<u>Policy #1</u> indicates that sufficient land needs to be designated in the General Plan for transit facilities including bus stations, rail stations, and park-and-ride lots.

<u>Policy #3</u> under Goal I-E designates the historic railroad depot as the "center" of Healdsburg.

<u>Goal IV-E</u> of the Transportation Element, the City is to maintain coordinated transportation system, including efficient bus service and rail transit that provides an effective alternative to private automobile use.



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Town of Windsor General Plan (1996, revised 2005)

The Town of Windsor General Plan states that the railroad right-of-way could be used to provide directional peak period rail service between Windsor and Larkspur. Freight operations could be accommodated during evening hours and excursion trains could be accommodated on weekends.

City of Santa Rosa 2020 General Plan (2002)

<u>Goal T-I</u> of the Transportation Element of the General Plan calls for supporting the development and implementation of rail service along the railroad right-of-way. The General Plan also states that the introduction of commuter rail service could partially reduce traffic congestion created by workers traveling to Santa Rosa.

Policy T-1-1 supports implementation of rail service along the railroad right-of-way.

<u>Policy T-1-2</u> calls for zoning land in close proximity to potential rail stations for high density residential and/or mixed-use development.

City of Rohnert Park General Plan (2000)

The City of Rohnert Park General Plan cites previous studies that consider the introduction of commuter rail service on the NWP right-of-way as a strategy to alleviate existing and projected traffic congestion along US 101.

City of Cotati General Plan (1998, Housing Element revised 2003)

The City of Cotati 1998 General Plan Update identified the need to implement passenger rail service on the railroad right-of-way.

City of Petaluma General Plan (1987, revised 2005); Central Petaluma Specific Plan, (2003)

Objective 1, Goal 3, and Policy 1.1 of the Central Petaluma Specific Plan calls for implementation of passenger rail service on the railroad right-of-way, renovation of the historic train depot to a rail station, construction of a bus transit mall on Copeland Street, and development of high density office, retail and residential uses in the area immediately surrounding the historic train depot.



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Marin Countywide Plan (1994, revised 2007)

<u>GP7:</u> Provide efficient and effective transportation.

<u>CD-5.c:</u> Maintain Traffic Levels of Service. Cooperate through the proposed City-County Planning Committee to coordinate the pace of development with the provision of alternative transportation system capacity. Modify land use designations; provide capital improvements and transit services as necessary to maintain traffic LOS standards for Highway 101 and other routes of regional significance.

<u>TR-3.2:</u> Support Regional Transit Initiatives. Promote rail service on the Northwestern Pacific Railroad right-of-way, a multi-use pathway that generally follows the rail corridor; expanded regional ferry service; and enhanced regional express bus services.

<u>TR-3.d:</u> Join in Regional Transit Initiatives. Participate in planning for rail transportation through SMART, ferry service enhancements through the Water Transit Authority, and other regional transit expansion initiatives.

<u>GOAL TR-4:</u> Protection of Environmental Resources. Minimize environmental disruption and energy use related to transportation.

<u>TR-4.1:</u> To coordinate transportation and land use planning, and to provide effective public transit services which reduces dependence on automobiles, thereby reducing traffic congestion and emission of air pollutants.

<u>Policy CD-1.1:</u> Stresses the need to improve traffic LOS on County roadways, particularly on the US 101 corridor. The Plan's Transportation Element recommends the establishment of rail transportation service on the railroad right-of-way between Marin and Sonoma counties.

Objective T-1: Efficient Movement of People and Goods. "To have a countywide transportation system that provides for the efficient movement of people and goods and also offers an adequate range of alternate modes of transportation services for the people of Marin County."



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City of Novato General Plan (1996, revised 2003)

The City of Novato General Plan recognizes the significance of the railroad right-of-way for transit service.

TR Program 17.1(Policy 15.5) calls for exploring the development of multi-modal transit facilities along railroad corridor.

<u>Section 4.3.1 of the Infrastructure Element of the Downtown Specific Plan</u> cites the need for "Multiple Use" of the railroad right-of-way.

<u>Policy CP 17 (1)</u> directs the city to work with NCRA and the railroad operator to allow multiple use of their railroad corridor, either on a temporary or permanent basis, to preserve "long term options for public transit.

City of Novato Downtown Specific Plan (1998, revised 2001)

TR Program 17.1(Policy 15.5) calls for exploring the development of multi-modal transit facilities along railroad corridor.

<u>Section 4.3.1 of the Infrastructure Element of the Downtown Specific Plan</u> cites the need for multiple use of the railroad right-of-way.

<u>Policy CP 17 (1)</u> directs the City to work with NCRA and the railroad operator to allow multiple use of their railroad corridor, either on a temporary or permanent basis, to preserve long term options for public transit.

Napa County General Plan (1983, Land Use Element revised 2002)

<u>Planning Goal 5:</u> To encourage the use of the existing rail in Napa County for the transport of goods and products.

<u>Policy Guideline 5a.</u> The County should support all efforts to maintain and upgrade trackage in Napa County.

<u>Policy Guideline b.</u> All rail lanes and rights-of-way should be reserved for future transportation needs.



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<u>Policy Guideline 5c.</u> Maximize opportunities for rail freight service, industrial development which may be served by rail should be concentrated in American Canyon area on sites accessible to the railroad.

<u>Policy Guideline 5d.</u> Monitor the availability of railroad lines. Abandoned rights-of-way should be considered for use as pedestrian and bicycle paths.

Metropolitan Transportation Commission Mobility for the Next Generation: Transportation 2030 Plan for the San Francisco Bay Area (2005)

The 2030 Plan offers three objectives:

- Identify key improvements in the surface transportation system where public investment can help the freight industry;
- Identify long-term capacity issues associated with cargo movement through airports and seaports;
- Collaborate with the private sector to best leverage both public and private financial resources to improve freight-related infrastructure.

Consistent. Many of the city and county general plans specifically cite a need to incorporate rail service within the transportation infrastructure to transport goods, provide services, and reduce dependence on vehicles. Accordingly, the proposed project is consistent with applicable local land use policies.

Protection of Streams Defined as Blue Lines on USGS Quad Maps and Riparian Vegetation (Marin CGP Policy EQ-2.12, 2.2; Napa CGP 1.2 Con-1, 6). Perennial and intermittent streams, which are defined as natural watercourses shown as solid or dashed blue lines on the most recent appropriate USGS quad sheet, may be subject to County stream and creekside protection policies. A perennial stream is further defined as: a watercourse that flows throughout the year (except for infrequent or extended periods of drought), although surface water flow may be temporarily discontinuous in some reaches of the channel such as between pools. At the time of a site specific development application, the County may evaluate impacts on riparian vegetation, when the riparian vegetation extends beyond the Streamside Conservation Zone, and incorporate measures to protect the riparian vegetation into the project design.



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Consistent. As discussed in Section 3.2, "Biological Resources," the proposed project would not adversely impact streams and associated riparian vegetation with the mitigation measures listed in Section 3.2 incorporated.

Reduce Surface Runoff (Marin CGP Policy EQ-2.19). Surface runoff rates in excess of pre-development levels should not be allowed where a new problem will be created or where the runoff will exacerbate an existing problem.

Consistent. As discussed in Section 3.11, "Water Resources," the proposed project with the prescribed mitigation measures would not result in a substantial increase of stormwater runoff rates above existing levels. The proposed project shall comply with the NPDES permit process, including preparation of SWPPPs with BMPs, as well as a Streambed Alteration Agreement from the CDFG and the WDRs from the RWQCB as appropriate for proposed project activities. NCRA shall implement procedures, BMPs, and monitoring programs as described in Section 3.6, Hazardous Materials. Accordingly, the proposed action is consistent with applicable local land use policies.

Protection of Watersheds, Aquifer Recharge Areas, and Natural Drainage Systems (Marin CGP Policy EQ-2.28 through 2.29; Napa CGP 1.10 Con-44; Napa CGP Goal Con-13; Napa County SAF-25). High priority should be given to the protection of watersheds, aquifer-recharge areas, and natural drainage systems in any consideration of land use. The effect of upstream development on downstream land uses should be examined during project review. The following issues should be considered:

- increase in surface runoff;
- potential for erosion;
- corresponding increase in downstream sedimentation;
- decrease in water quality.

Consistent. As discussed in Section 3.11, "Water Resources," the proposed project would have no significant impacts on any aquifer recharge areas or onsite water wells. The proposed project is to re-establish a rail operation that doesn't involve direct water consumption. With the mitigation measures prescribed in Section 3.11, project related impacts associated with protection of watersheds, and natural drainage systems are



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reduced to less-than-significant. Accordingly, the proposed project is consistent with applicable local land use policies.

Avoid Sites with Poor Soil Conditions or Seismically Active (Marin CGP Policy EQ-2.63). Any development (within the watershed areas) proposed for sites that have poor soil conditions for construction or that are seismically active should be designed to minimize:

- earth disturbance;
- erosion;
- water pollution;
- hazards to public safety.

Consistent. As described in Section 3.4, "Geology, Soils, and Seismicity," the prescribed mitigation measures involve design measures to withstand the effects of seismic-related hazards and reducing geology and soils impacts to less than-significant levels. Accordingly, the proposed project is consistent with applicable local land use policies.

Reduce Air Quality Impacts of Projects (Marin CGP Policy EQ-2.75 and 2.78; Napa CGP Goal Con-17). The county shall adhere to the federal or state air quality standards, whichever are more stringent, for management of locally generated pollutants.

Consistent. As discussed in Section 3.1, "Air Quality," the proposed project will either result in a decrease or will not exceed any air criteria pollutant significance thresholds. Localized TAC impacts to sensitive receptors will not result in a significant health risk. The proposed project will result in a net decrease in regional GHG. The proposed project will not create significant odors. Accordingly, the proposed action is consistent with applicable local land use policies.

Protection of Special Status Species (Marin CGP Policy EQ-2.88). Development shall be restricted or modified in areas which contain special status species and migratory species of the Pacific Flyway and/or significant natural areas, wetlands, riparian habitats, and freshwater habitats, to ensure the continued health and survival of these species and areas.



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Consistent. As discussed in Section 3.2, "Biological Resources," the proposed project would have less-than-significant impacts on special-status species and communities (including wetlands) with the prescribed mitigation measures. Accordingly, the proposed project is consistent with applicable local land use policies.

Protection of Unique Geologic, Ecologic, Archaeological, and Historic Sites (Marin CGP Policy EQ-3.5). Unique geological, ecological, archaeological, and historic sites shall be protected. Significant natural features shall be included for preservation in their natural state and in an appropriate setting in any design or plan.

Consistent. No unique geological, archaeological, or historic sites have been identified within the areas of proposed project. As discussed in Section 3.3, "Cultural Resources," no such features would be affected by the project with the incorporation of the prescribed mitigation measures. Accordingly, the proposed project is consistent with applicable local land use policies.

Avoidance of Hazards from Earthquake, Erosion, Landslide, Floods, and Fires (Marin CGP Policy EQ-3.7; Napa CGP SAF-5). Construction and operations shall be located and designed to avoid or minimize the hazards from earthquake, erosion, landslides, floods, fire, and accidents consistent with policies and programs in the Environmental Hazards Element.

Consistent. As discussed in Section 3.4, "Geology, Soils, and Seismicity" and Section 3.11, "Water Resources", potential impacts associated with earthquakes, erosion, landslides, and flooding would be reduced to less than significant levels with implementation of the prescribed mitigation measures. Section 3.9, "Public Facilities and Safety," analyzes fire and other safety issues and concludes that less-than significant impacts would result from the project. Accordingly, the proposed project is consistent with applicable local land use policies.

Prevent Adverse Impacts on Services, Circulation, Economic, and Social Environment (Marin CGP Policy EQ-3.9; Napa CGP SAF 5, 41). Projects shall not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services and facilities, or on the financial or social environment of the community.



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Consistent. The analysis of public services and utilities in this Section 3.9, "Public Facilities and Safety", and Section 3.10, "Transportation.", and Section 3.11, "Water Resources" in this DEIR concludes that there are no significant impacts to water supply (reservoirs or groundwater), fire protection services, waste disposal, schools, traffic and circulation, and other services. Section 3.5, "Growth Inducement", concludes that there will be a net benefit to the economy of the project area. Accordingly, the proposed project is consistent with applicable local land use policies.

Protection of Visual Qualities and Views (Marin CGP Policy EQ-3.11). Visual qualities and the view potential of the natural and built environment shall be considered in any project or operation review. Tree-cutting and damage shall be avoided wherever possible.

Consistent. The proposed project does not involve construction of large structures or buildings such as rail stations that would change the existing visual qualities and view potential of the onsite natural environment or the surrounding environment. Accordingly, the proposed project is consistent with applicable local land use policies.

Protection of Cultural/Historic Resources (Marin CGP Policy EQ-3.29-3.32; Napa CGP 2.1 CC-4). Development sites identified as having a potential for the presence of archeological resources (through review of the sensitivity map or other available sources) shall be evaluated to ascertain if an archeological site is actually present. This evaluation shall be the responsibility of the applicant and may be undertaken by conducting a record search at the NWIC of the California Archaeological Inventory to determine if the project area has been previously surveyed and if resources have been identified. If the record search reveals that no survey has been undertaken, the applicant may be required to undertake a survey of the site, depending upon the sensitivity of the site.

Consistent. As discussed in Section 3.3, "Cultural Resources, potential impacts to cultural or historic resources will be reduced to less than significant levels with the implementation of the prescribed mitigation measures. In addition, an extensive literature review including review of available resources at the NWIC and a preliminary review by the SHPO revealed no concern regarding operation of the railroad. Accordingly, the proposed project is consistent with applicable local land use policies.



3.0 Environmental Setting, Impacts, and Mitigation Measures

3.7 LAND USE AND PLANNING

Minimize Impacts from Excessive Noise Levels Because of Construction Activity and Use Noise Level Guidelines-Existing Development (Marin CGP Policy N-2.1, 2.4; Napa CGP Goal CC-8, Policy CC-46). During all phases of construction, measures should be taken to minimize the exposure of neighboring properties to excessive noise levels from construction-related activity. The County shall use noise level guidelines contained in this (Noise) element to protect existing land uses from noise generated by new development.

Consistent. Construction activities associated with the rehabilitation activities at Bakers Creek, Foss Creek and Black Point Bridge, the new construction of the Lombard Siding and routine maintenance and repairs activities associated with the operation of the railroad are primarily not adjacent to residential areas, and when they are, specific BMPs have been developed to address the situation. Activities at all sites will be conducted with standard construction equipment, in accordance with NCRA's BMPs and will not typically involve high noise activities such as pile driving. Accordingly, the proposed project would not likely generate noise in excess of County exterior noise thresholds, and therefore is consistent with applicable local land use policies.

Construction (Marin CGP Policy EH-8.2; Napa CGP Goal SAF-4). Improvements should be designed to withstand impact from a tsunami and the debris it will carry. Structural features which could become dislodged or detached (docks, decking, floats, vessels) should be situated where they do not have the potential of becoming potential implements of destruction.

Consistent. As discussed in Section 3.11, "Water Resources," with the inclusion of mitigation measures, facilities and the rail rehabilitation will be constructed to withstand the effects of floods. Accordingly, the proposed project is consistent with applicable local land use policies.

Preservation of Agricultural Lands (Marin CGP Goal AG-1, 2; Mendocino CGP LU Goal Number 2-1, 2-1a; Napa CGP 3.1 AG/LU Goal 1; Sonoma CGP LU-11.1). Agricultural lands shall be preserved by maintaining agricultural parcels in sizes large enough to sustain agricultural production, avoiding conversion of agricultural land to non-agricultural uses, discouraging uses which are not compatible with long term agricultural productivity, and encouraging programs that assist agricultural productivity of their land and marketing their products.



3.0 Environmental Setting, Impacts, and Mitigation Measures

3.7 LAND USE AND PLANNING

Consistent. As no land is being acquired or rezoned for the proposed project, no agricultural land will be lost or otherwise negatively impacted. A positive impact will be the availability of the rail to transport agricultural products to markets in cost effective and expeditious manner. Accordingly, the proposed project is consistent with applicable local land use policies.

3.7.3.3 Impacts and Mitigation Measures

Rehabilitation and Construction Activities

Bakers Creek

Rehabilitation at Bakers Creek involves the rebuilding of a washed out embankment and laying of new track in the same location. Although there will be a redesign of the culvert to improve flow in Bakers Creek and prevent storm damage, the general visual character of the embankment and land use will not be altered. Rehabilitation at Bakers Creek would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project since all the required permits will be obtained and the activities will be conducted in accordance with the necessary permits. Accordingly, the rehabilitation at Bakers Creek would result in a *less-than-significant* impact.

Foss Creek

Rehabilitation at Foss Creek involves the re-building of a washed out section of track. Reconstruction of the track will improve flow in Foss Creek, and will not alter the visual character or land use of the existing right-of-way. Rehabilitation would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed project since all the required permits will be obtained and the activities will be conducted in accordance with the necessary permits. Accordingly, the project would result in a *less-than-significant* impact.

Black Point Bridge

Rehabilitation of Black Point Bridge involves primarily conversion from a mechanical to a mechanized bridge. The visual character of the bridge will remain unchanged. Rehabilitation of the bridge would not conflict with any applicable land use plan, policy,



3.0 Environmental Setting, Impacts, and Mitigation Measures

3.7 LAND USE AND PLANNING

or regulation of an agency with jurisdiction over the proposed project since all the required permits will be obtained and the activities will be conducted in accordance with the necessary permits. Rehabilitation will not alter the existing land use on the right-of-way. Accordingly, the project would result in a *less-than-significant* impact.

Lombard Siding (MP 1.0 – MP 2.0)

The new siding to support proposed rail operations will be constructed along the existing rail line from MP 1.0 to MP 2.0 near Lombard. The construction of the siding will include grading, placement of track ballast and clean fill, placement of 5,300 feet of new track, extending a culvert, reestablishing drainage ditches, widening an existing timber deck bridge, the embankment, and constructing culverts. The siding location from MP 1.0 to MP 2.0 crosses an area occupied primarily by wetlands and open grasslands. The footprint of the new siding and new embankment lies within the existing NWP right-of-way and does not alter the existing land use of the area or effect the land use of adjacent areas. Accordingly, the project would result in a *less-than-significant* impact.

Novato Consent Decree (MP 35.5 – MP 18.7)

Improvements required by the Novato Consent Decree include establishing quiet zones at fourteen or more crossings, welding of rails, fencing as required for safety, and landscaping to reduce the effects of glare from trains running after dusk.

The crossings identified in the Novato Consent Decree and the milepost designations are as follows:

- 1. Rush Creek Place (MP 28.5);
- 2. Golden Gate Place (MP 28.4);
- 3. Olive Avenue (MP 28.3);
- 4. Grant Avenue (MP 28.1);
- 5. Pedestrian/Bike Crossing (Manuel Drive) (MP 27.5);
- 6. Novato Creek (Private) (MP 26.9);
- 7. Wetlands Access (Private) (MP 26.2);
- Hanna Ranch Road (MP 25.9);



3.0 Environmental Setting, Impacts, and Mitigation Measures

3.7 LAND USE AND PLANNING

- 9. Private Crossing (Highway 37) (MP 24.4);
- 10. Renaissance Road (MP 23.5);
- 11. Private Crossing (Harbor Drive Business Park) (MP 23.2);
- 12. Grandview Avenue (MP 23.0);
- 13. Private Driveway (Hunter's Club Drive) (MP 22.9);
- 14. Trail crossings immediately to the east of Petaluma River (MP 21.9); and
- 15. Other intersections of the NWP Line with pedestrian trails or vehicular right-of-ways as may be required or recommended by the regulatory agencies.

Specific improvements at crossings vary depending on the type of crossing (public road vs. private or pedestrian), size of the street, and volume of traffic. They include construction of short mountable medians, 3-feet wide medians, quad gates, short pedestrian gates and swing gates, and signage. Except for part of a 200 feet median strip that extends off of the railroad right-of-way at Hanna Ranch Road, road improvements, gates, and signage will be constructed on existing roads or disturbed areas adjacent to the crossings.

Fencing will be established on both sides of the track from north of Rush Creek Place to south of Hanna Ranch Road. Most of this part of the railroad line runs through the urban district of Novato and is paved or disturbed. There are several historic structures identified along this part of the rail line adjacent to the railroad right-of-way.

Landscaping type and location will be determined by the City of Novato during a simulation of an engine running down the tracks. Because the purpose of the landscaping is to prevent glare to residents and businesses along the rail line, it is likely that all landscaping will be established in disturbed undeveloped areas.

The Novato Consent Decree requires close cooperation between the City of Novato and NCRA when designing and constructing quiet zone improvements, fencing, and landscaping. Permit requirements of the city require plans to be submitted for design review and approval, assuring that median strips, gates, and signage are Quiet zone improvements such as medians, gates, and signage at the existing crossings will be designed and constructed in accordance with city requirements and California building codes. According to the Novato Consent Decree, the locations and type of fencing- both



3.0 Environmental Setting, Impacts, and Mitigation Measures

3.7 LAND USE AND PLANNING

quality and style- will be determined by the City of Novato following an inspection of the rail line. Landscaping type and location will be determined by the City of Novato during a simulation of an engine running down the tracks. As a result, impacts related to conflicts with city and county plans, inconsistency with historical resources in the historical district, and general aesthetics is considered to be less than significant.

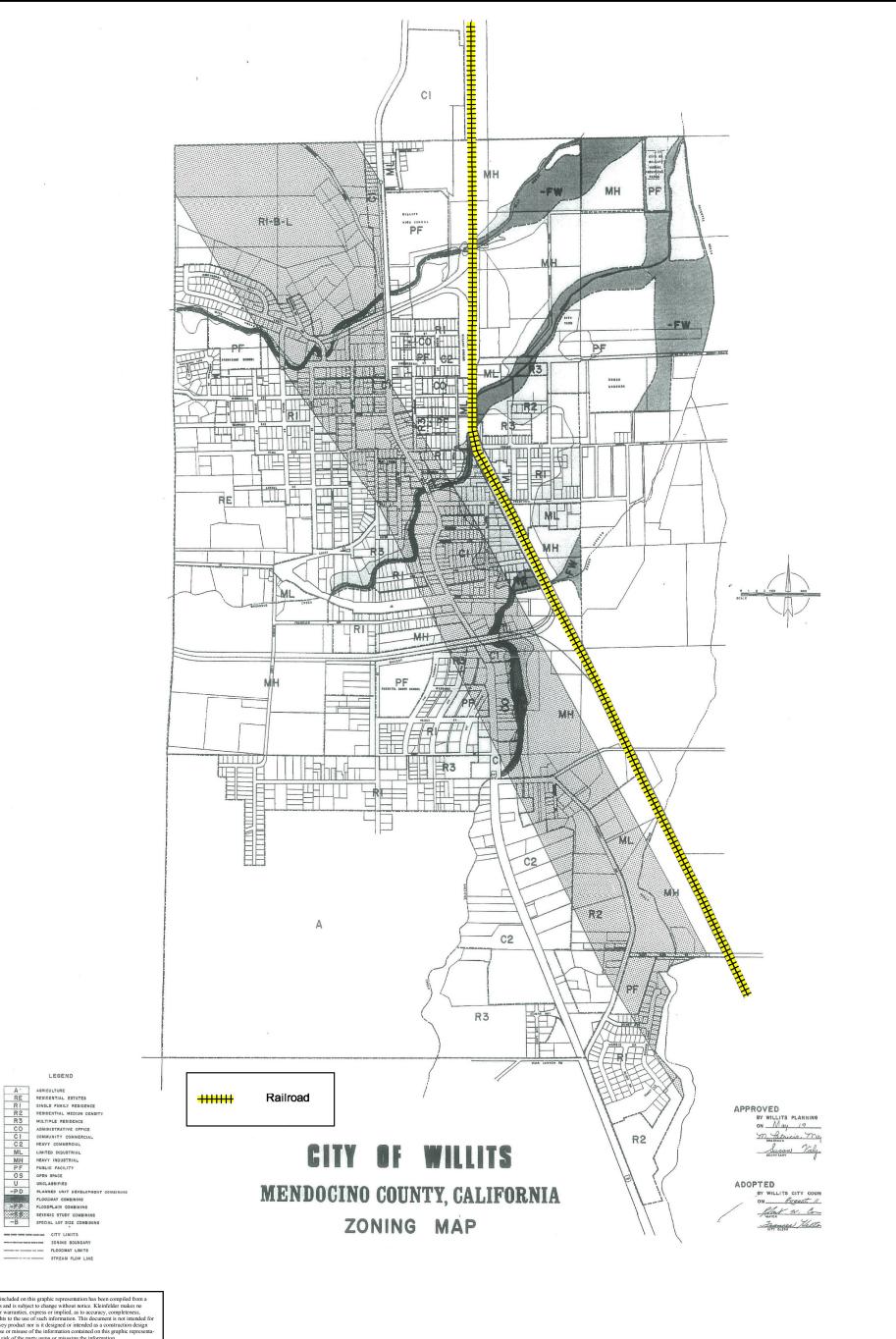
Operations

Resuming freight rail service along the existing rail corridor would not result in significant land use impacts. Although rail service on the tracks has been quiescent for a period of time, resuming operations would not change land use because the rail line has existed since 1907, and communities were originally established and then grew around this railroad.

The General Plans for Mendocino, Napa, Sonoma and Marin counties call for the reestablishment and operation of rail service on the NWP railroad right-of-way. Others indirectly support rail service by expressing the need to expand alternative transportation and reduce traffic, and several support resumption of railroad activity via passenger service. The proposed project would not require land use designation amendments, nor would it change land uses on the proposed project site. Existing land uses are consistent with General Plan Land Use Designations. Accordingly, the proposed project would result in a *less-than-significant* impact.

3.0 Environmental Setting, Impacts, and Mitigation Measures 3.7 Land Use and Planning

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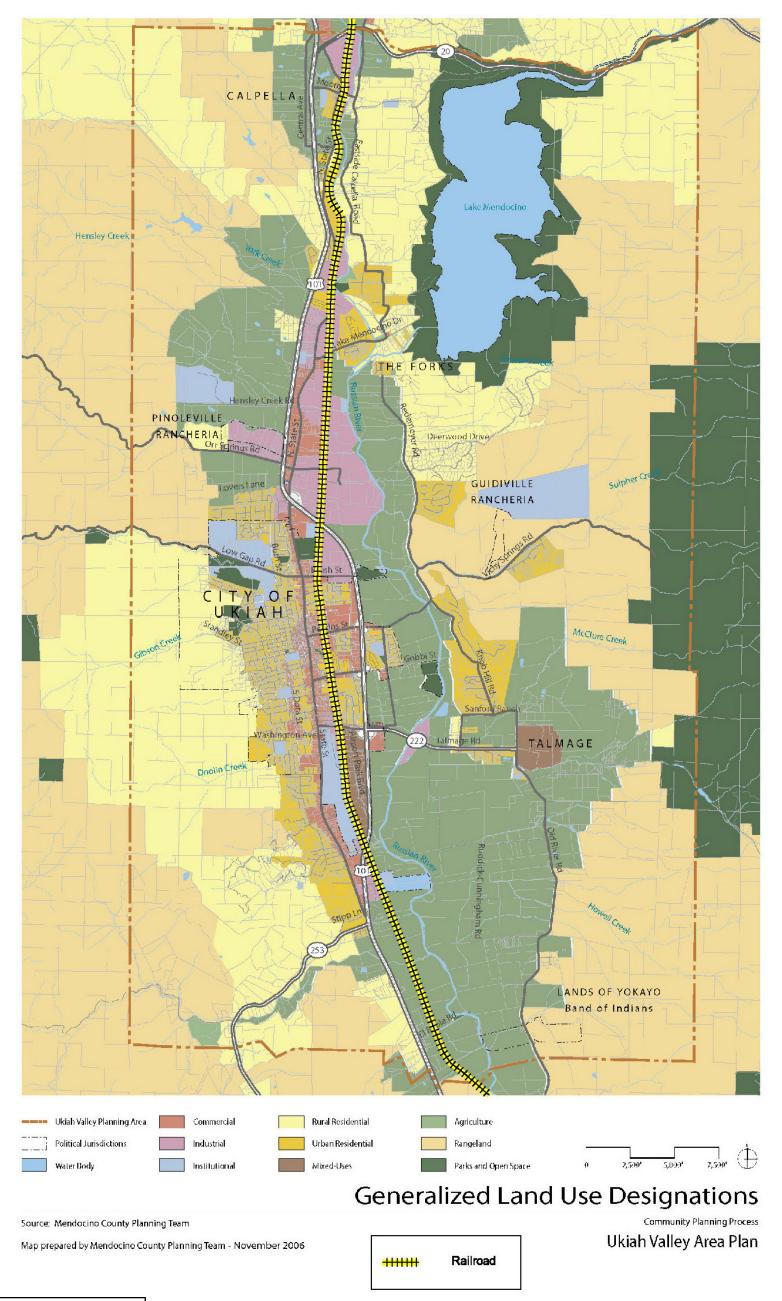
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GENERAL PLAN
LAND USE ELEMENTS
CITY OF WILLITS

3.7-1a

FIGURE

NORTH COAST RAILROAD AUTHORITY **RUSSIAN RIVER DIVISON** FREIGHT RAIL PROJECT



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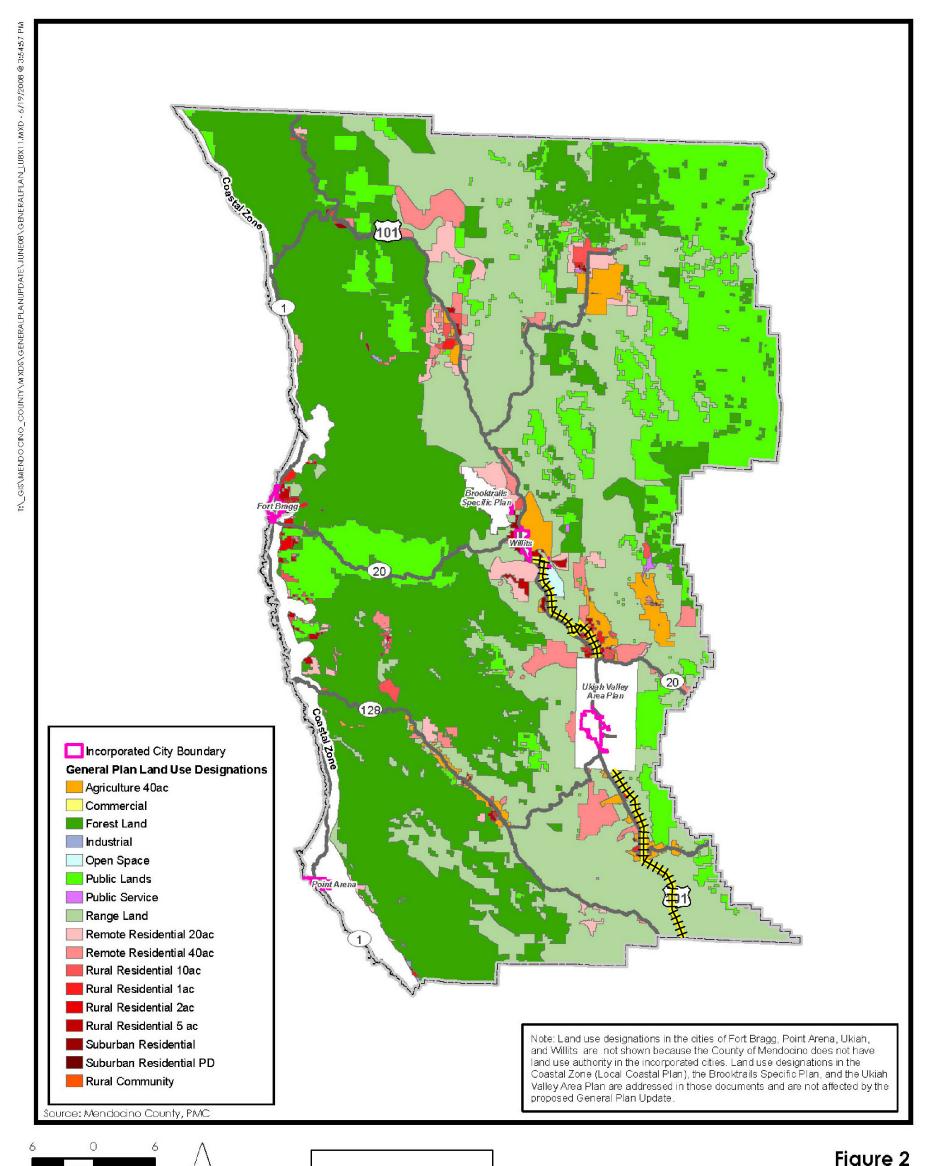
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GENERAL PLAN
LAND USE ELEMENTS
CITY OF UKIAH
AND THE UKIAH VALLEY AREA

3.7-1b

FIGURE

NORTH COAST RAILROAD AUTHORITY RUSSIAN RIVER DIVISON FREIGHT RAIL PROJECT



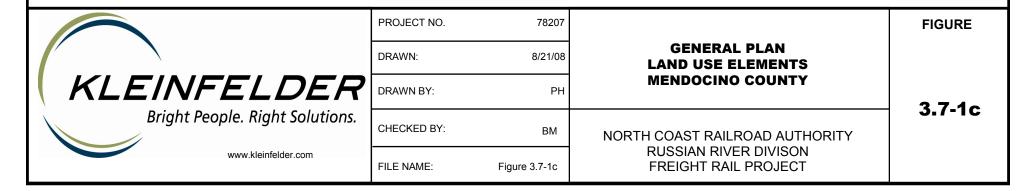


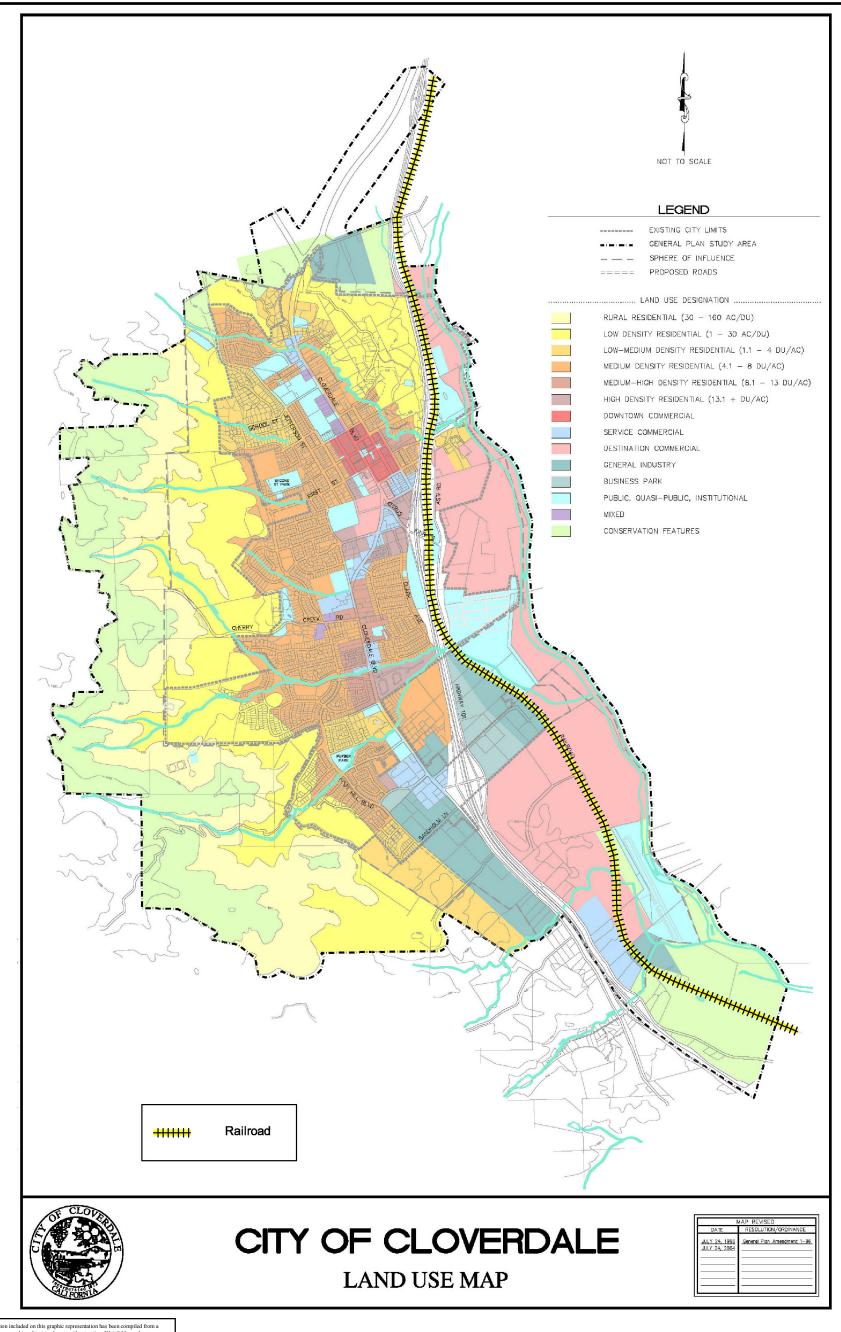


Railroad +++++

Figure 2 Existing General Plan Land Use Map

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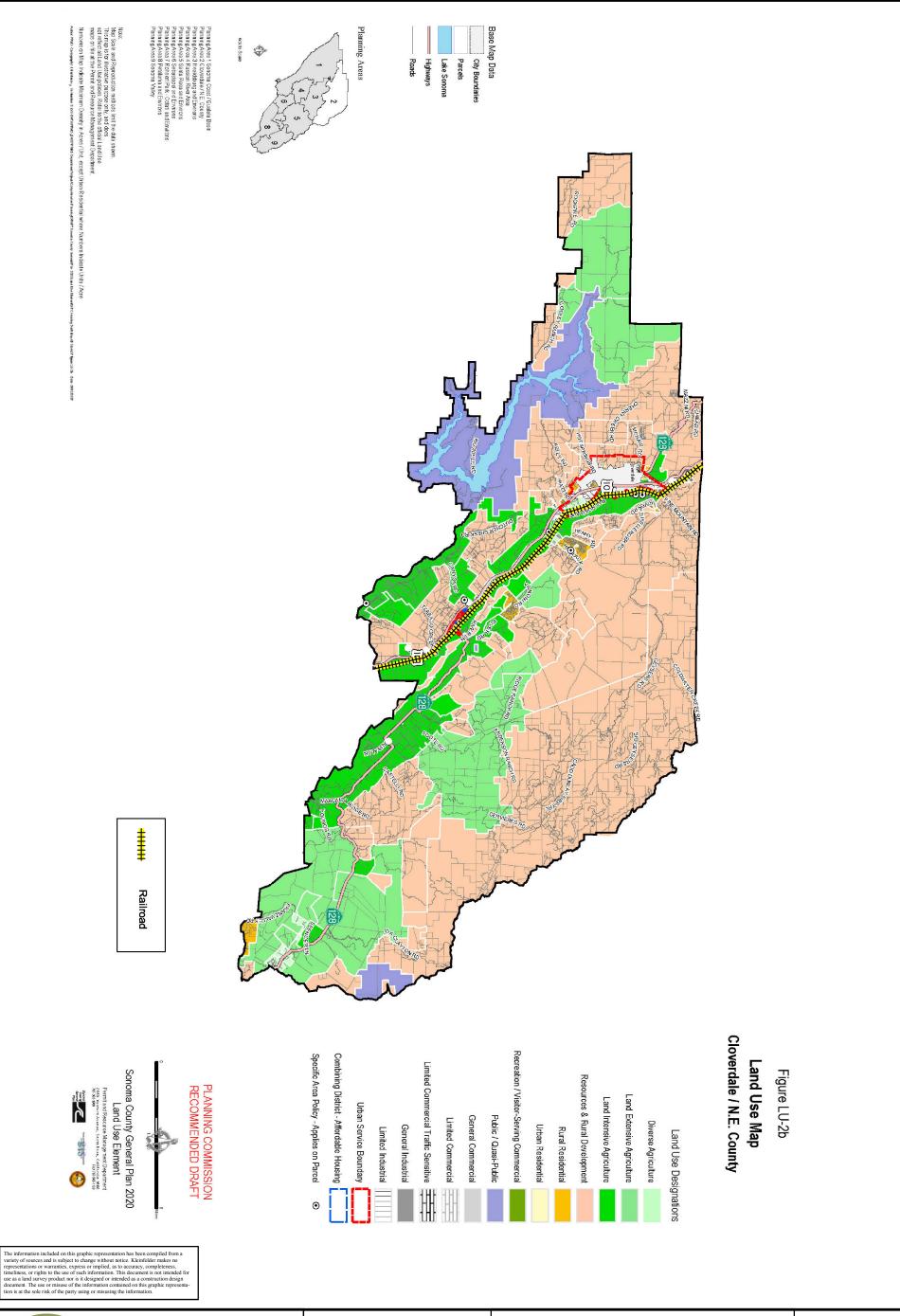
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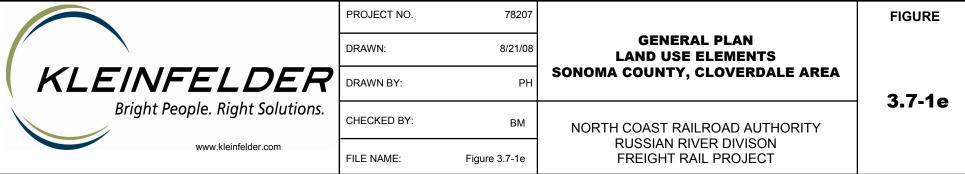
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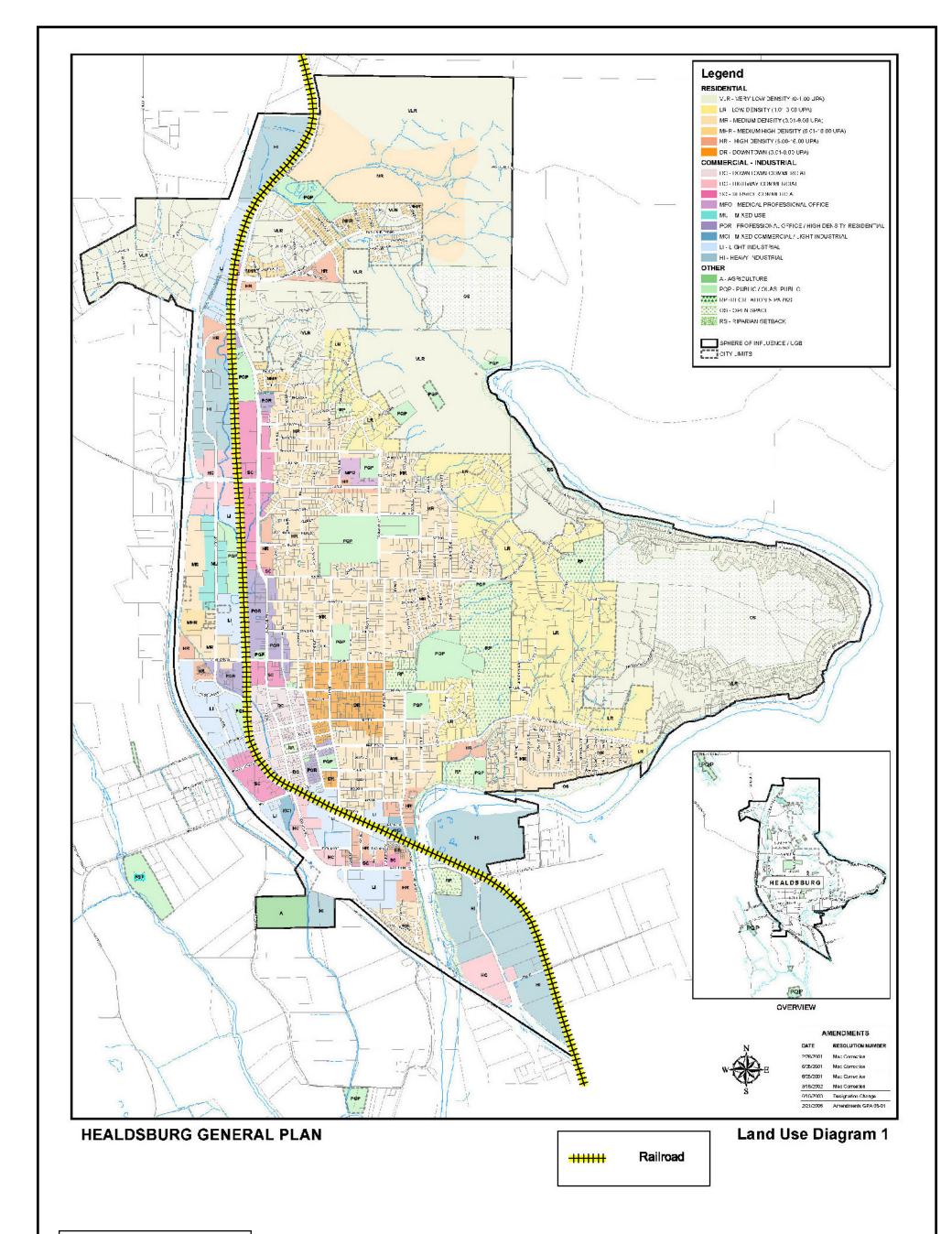
GENERAL PLAN LAND USE ELEMENTS CITY OF CLOVERDALE

NORTH COAST RAILROAD AUTHORITY RUSSIAN RIVER DIVISON FREIGHT RAIL PROJECT **FIGURE**

3.7-1d







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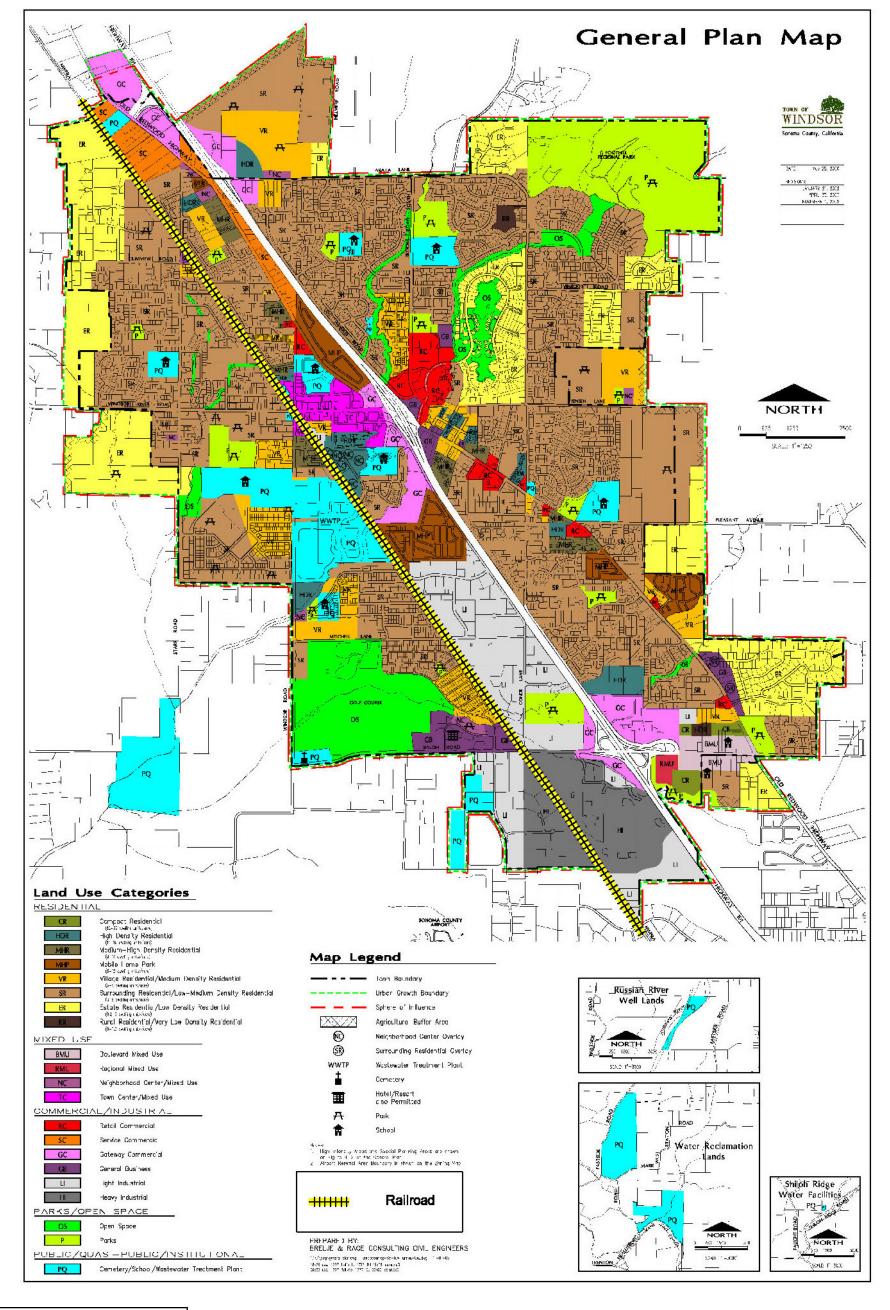
GENERAL PLAN LAND USE ELEMENTS CITY OF HEALDSBURG

NORTH COAST RAILROAD AUTHORITY RUSSIAN RIVER DIVISON

FREIGHT RAIL PROJECT

FIGURE

3.7-1f



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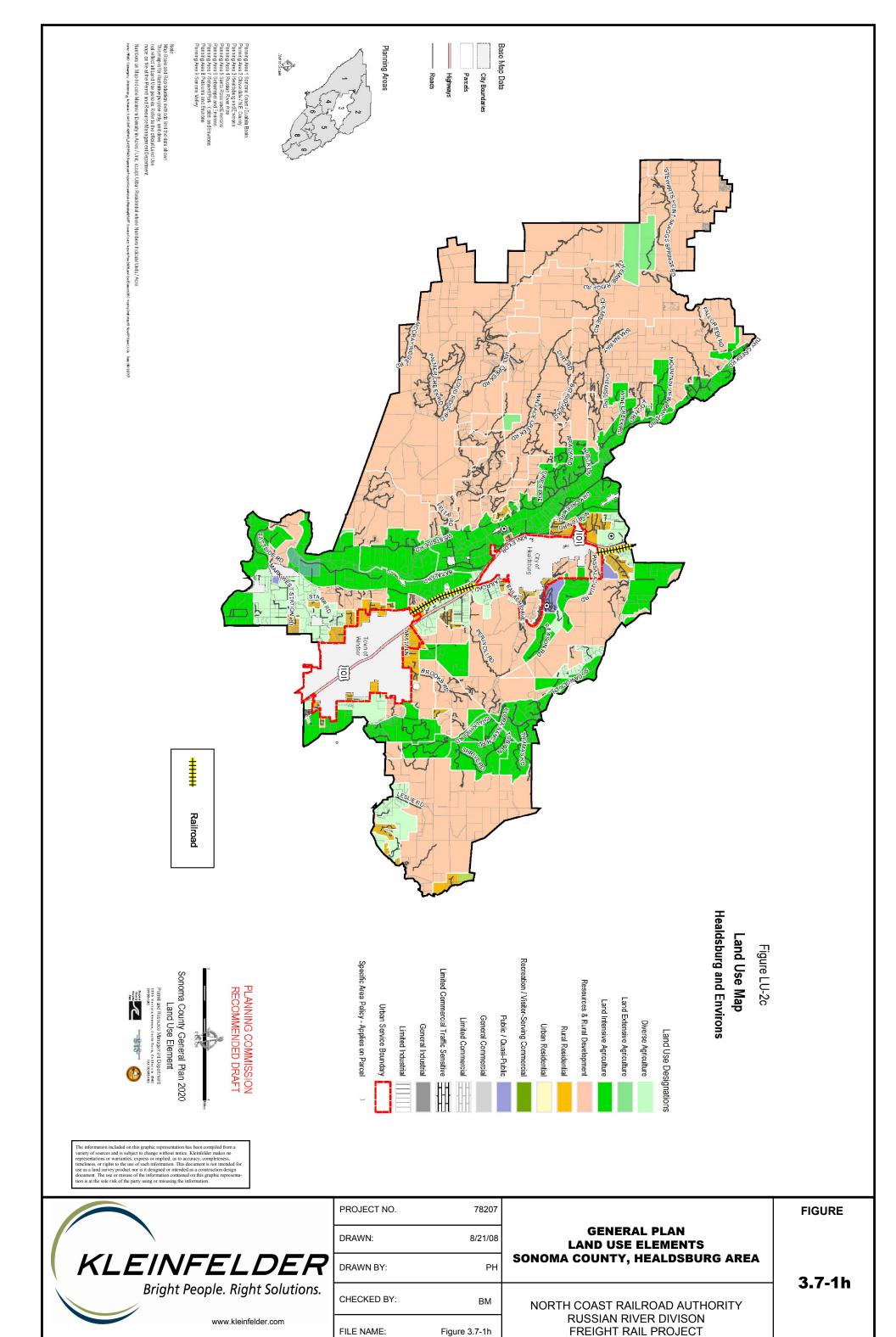
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TOWN OF WINDSOR

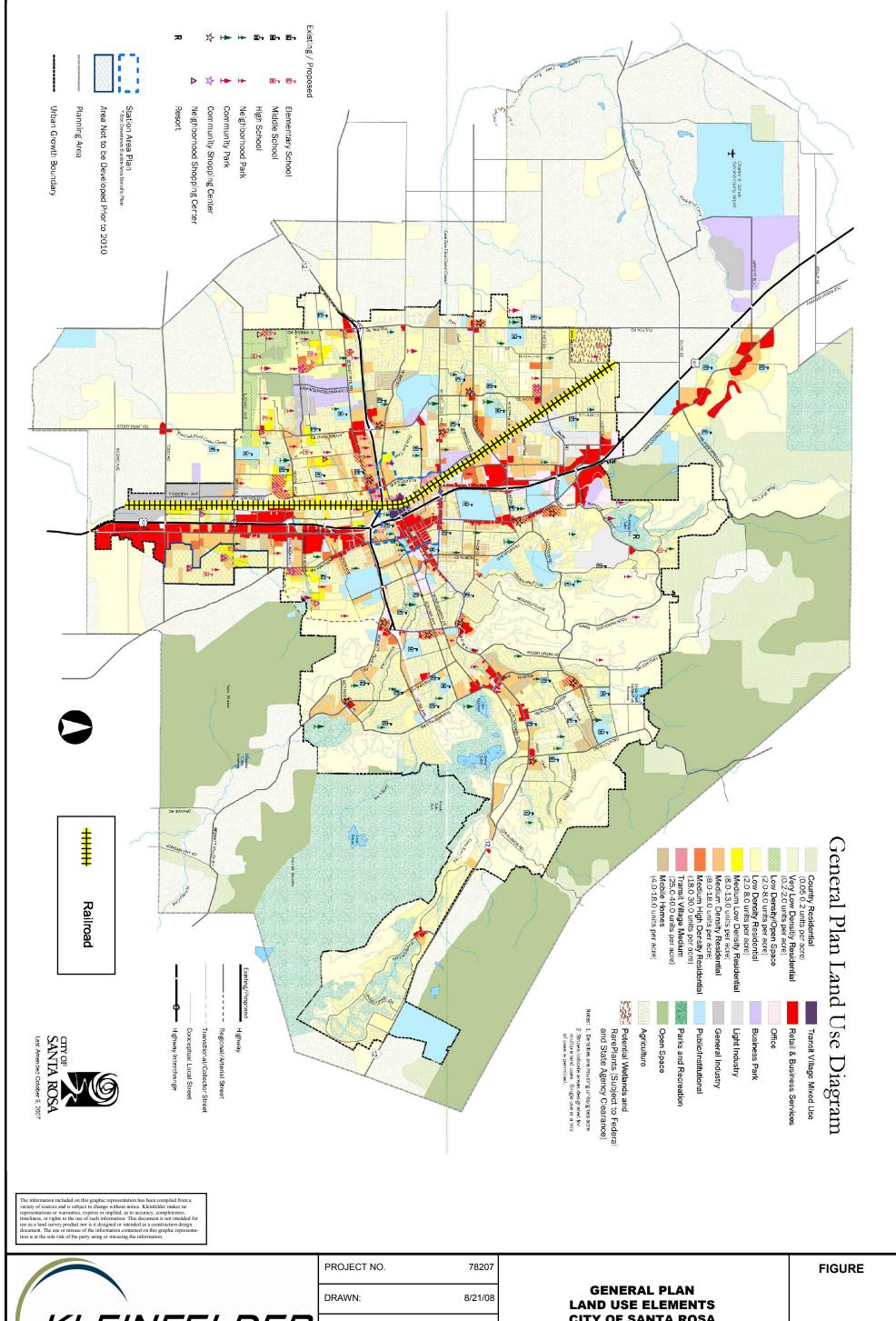
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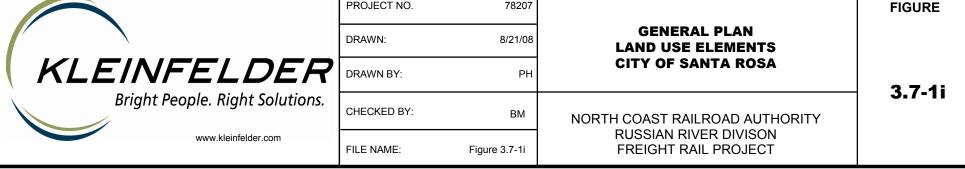
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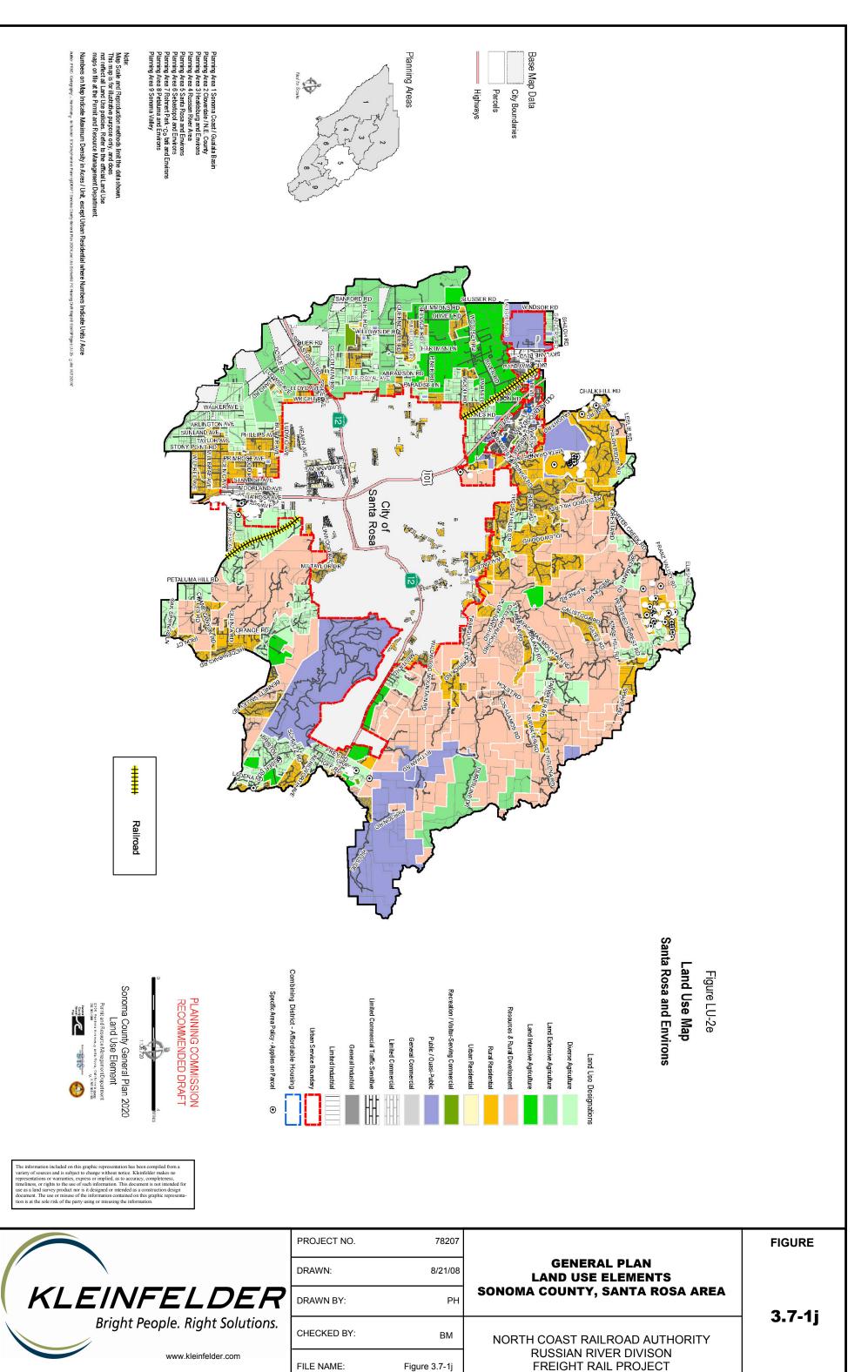
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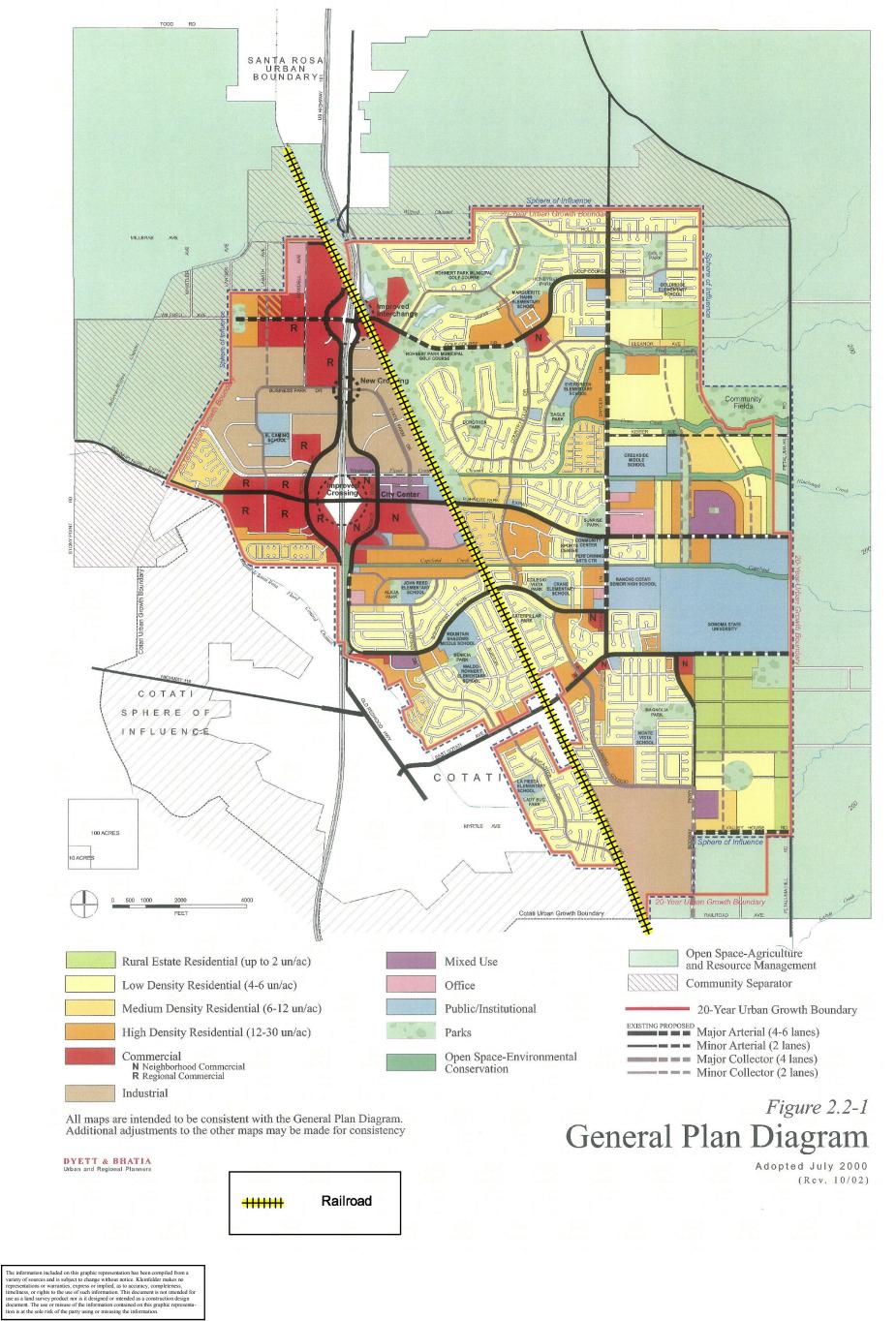
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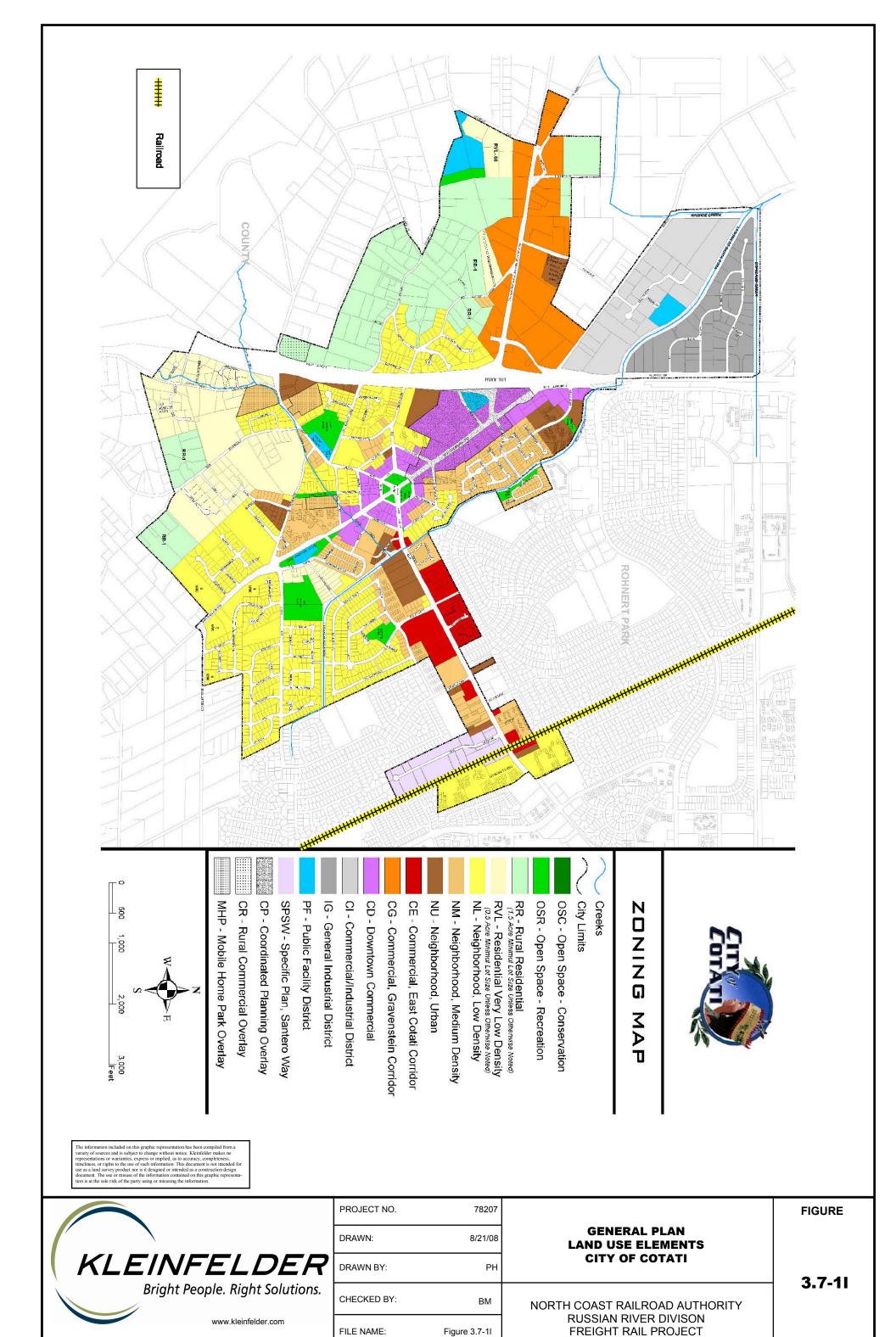
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GENERAL PLAN LAND USE ELEMENTS **CITY OF ROHNERT PARK**

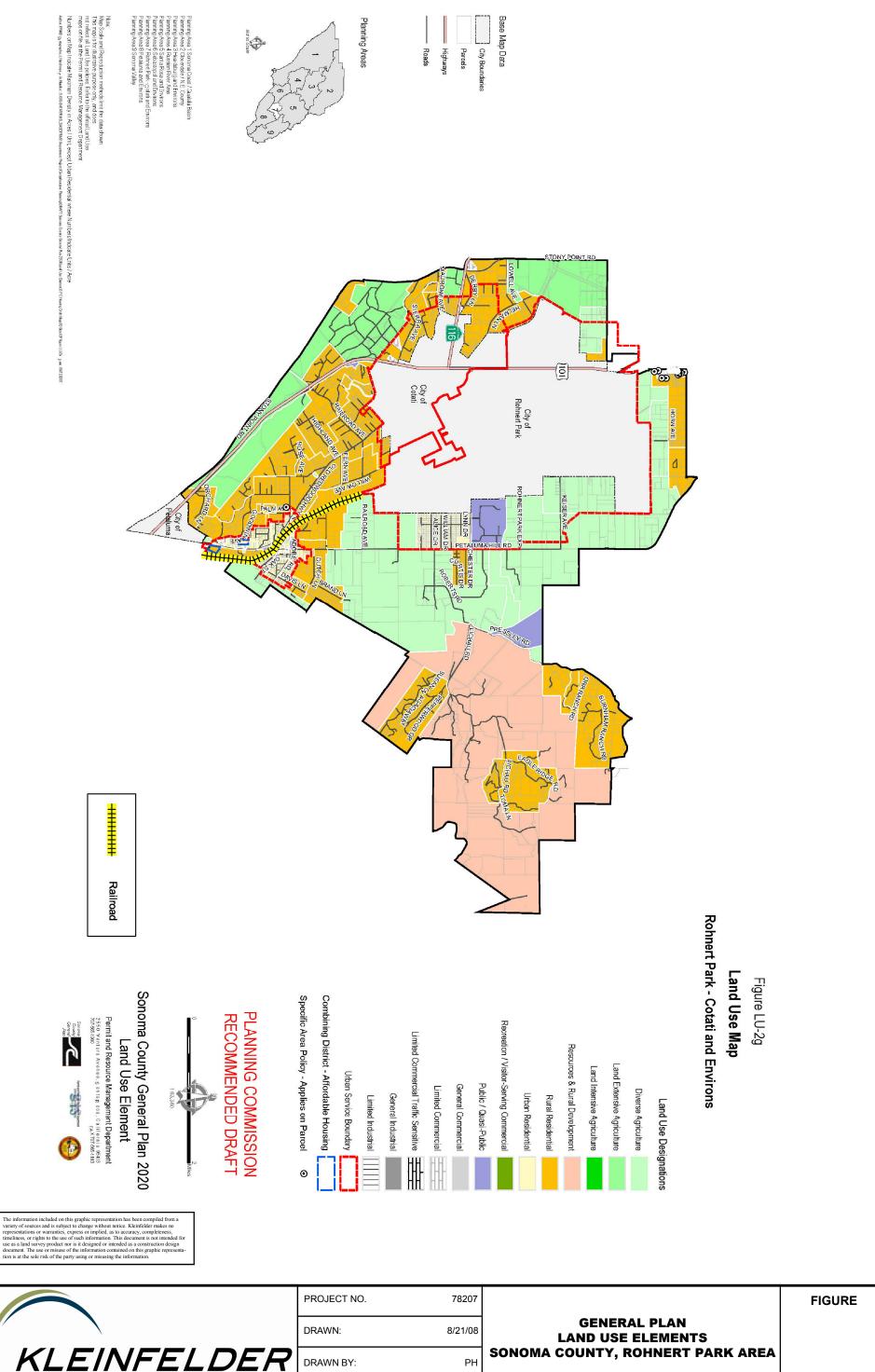
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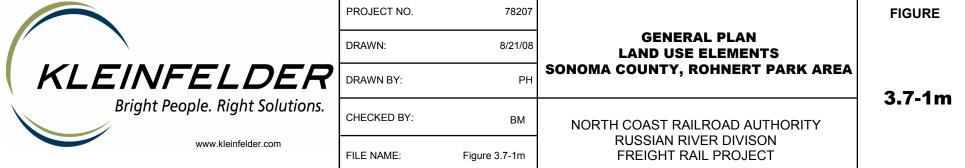
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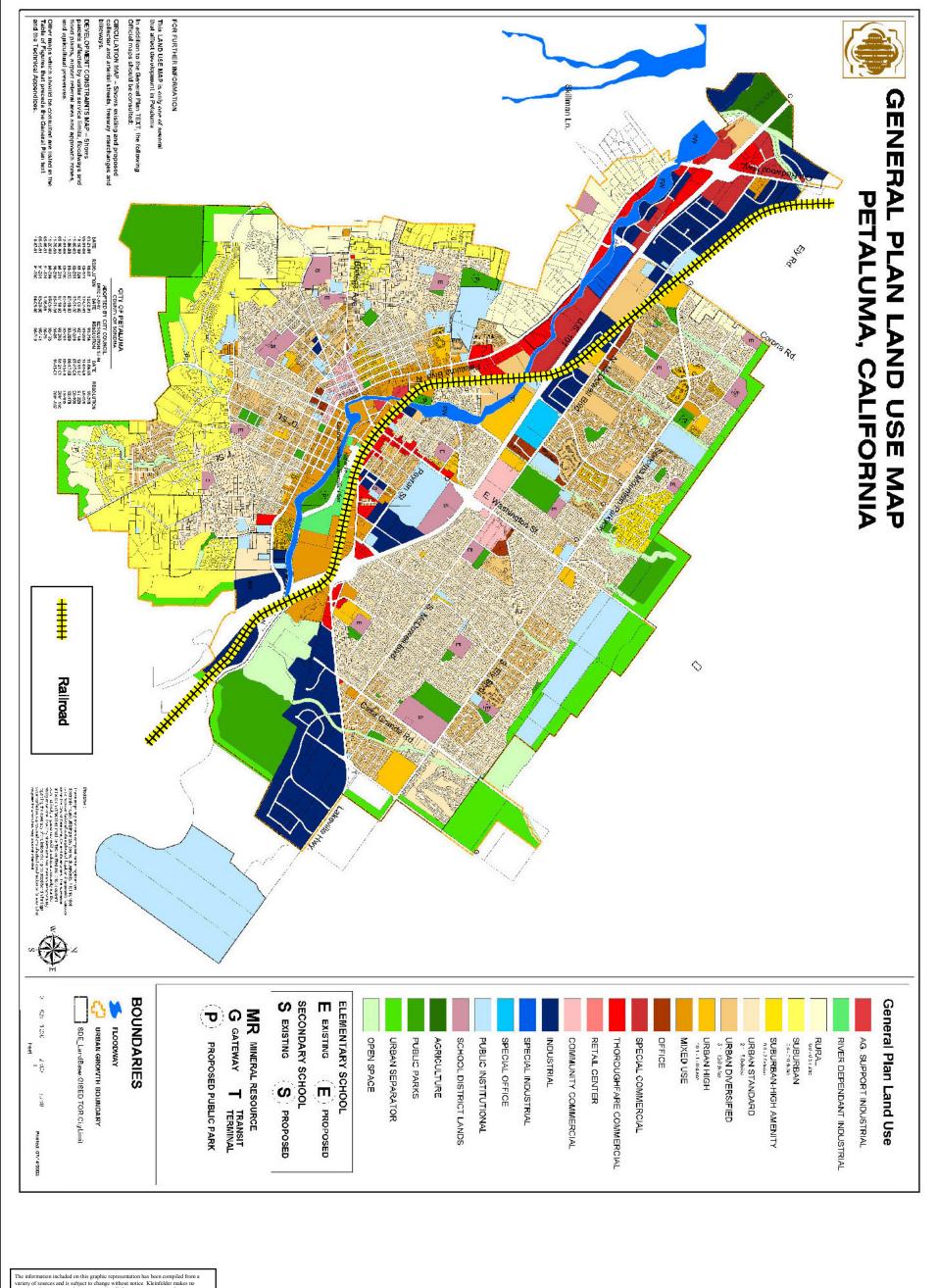
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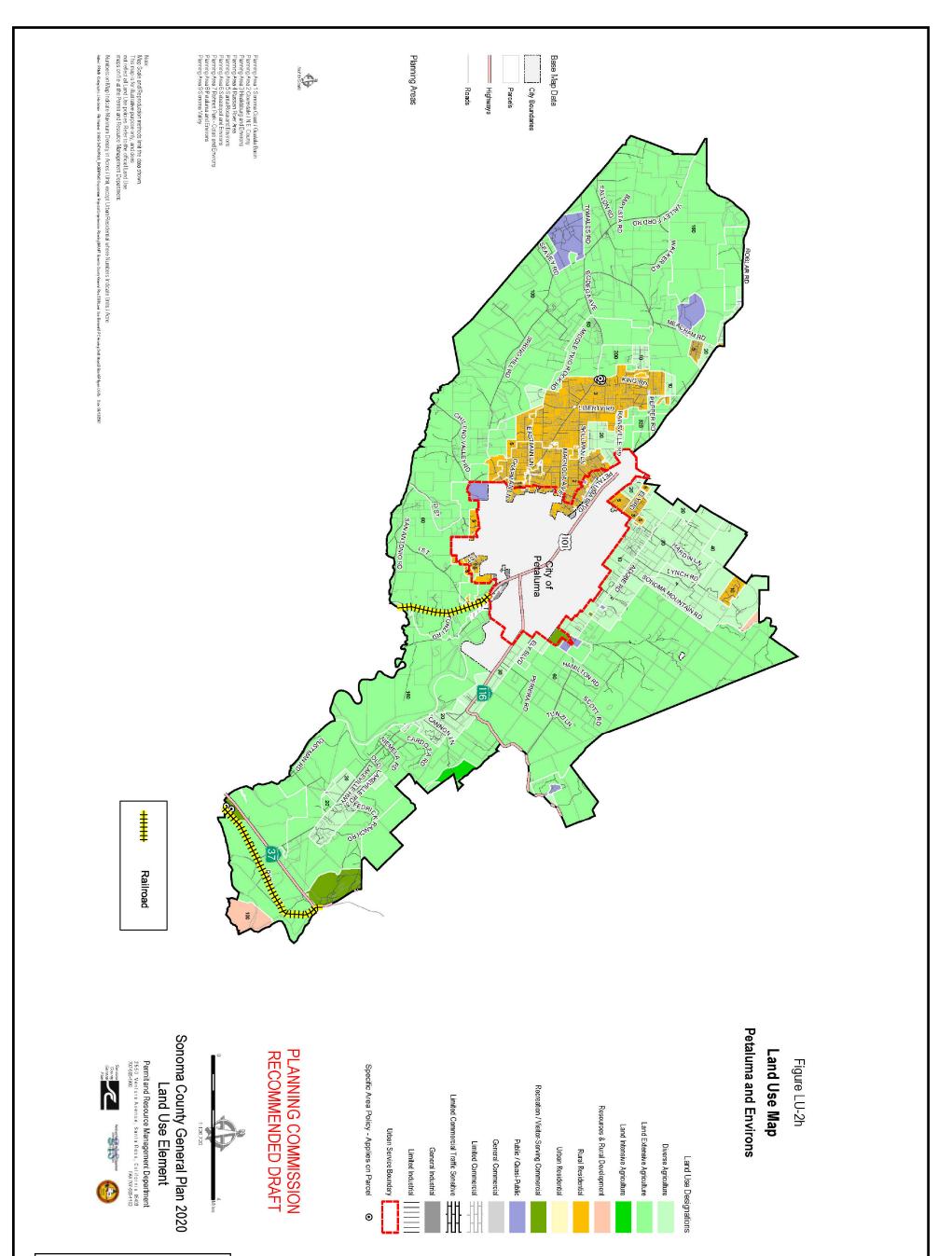
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GENERAL PLAN
LAND USE ELEMENTS
CITY OF PETALUMA

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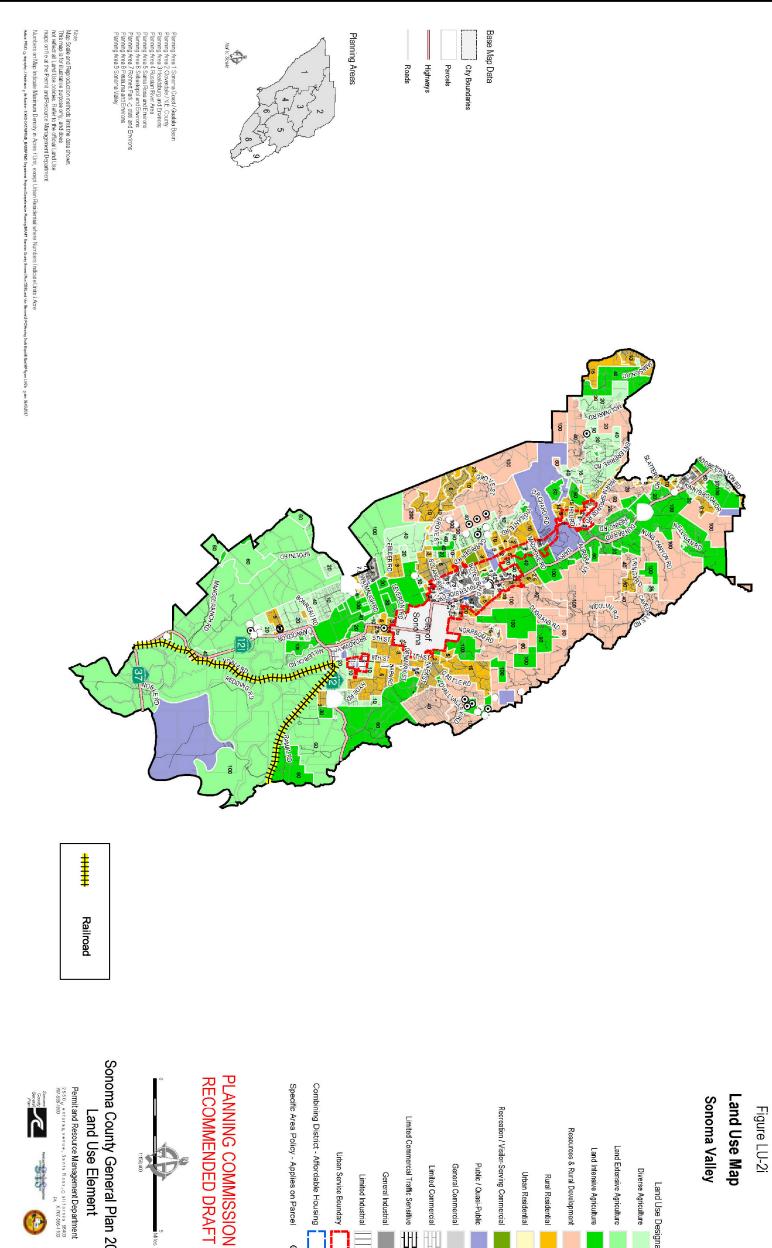
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NORTH COAST RAILROAD AUTHORITY RUSSIAN RIVER DIVISON FREIGHT RAIL PROJECT



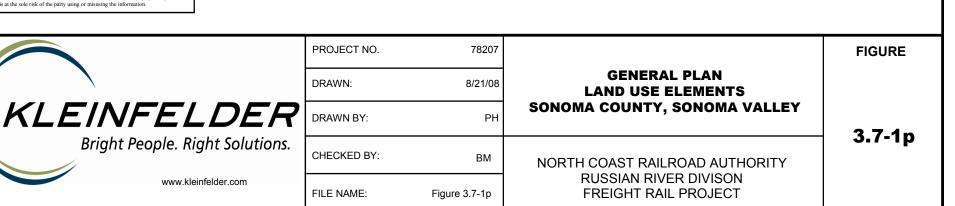
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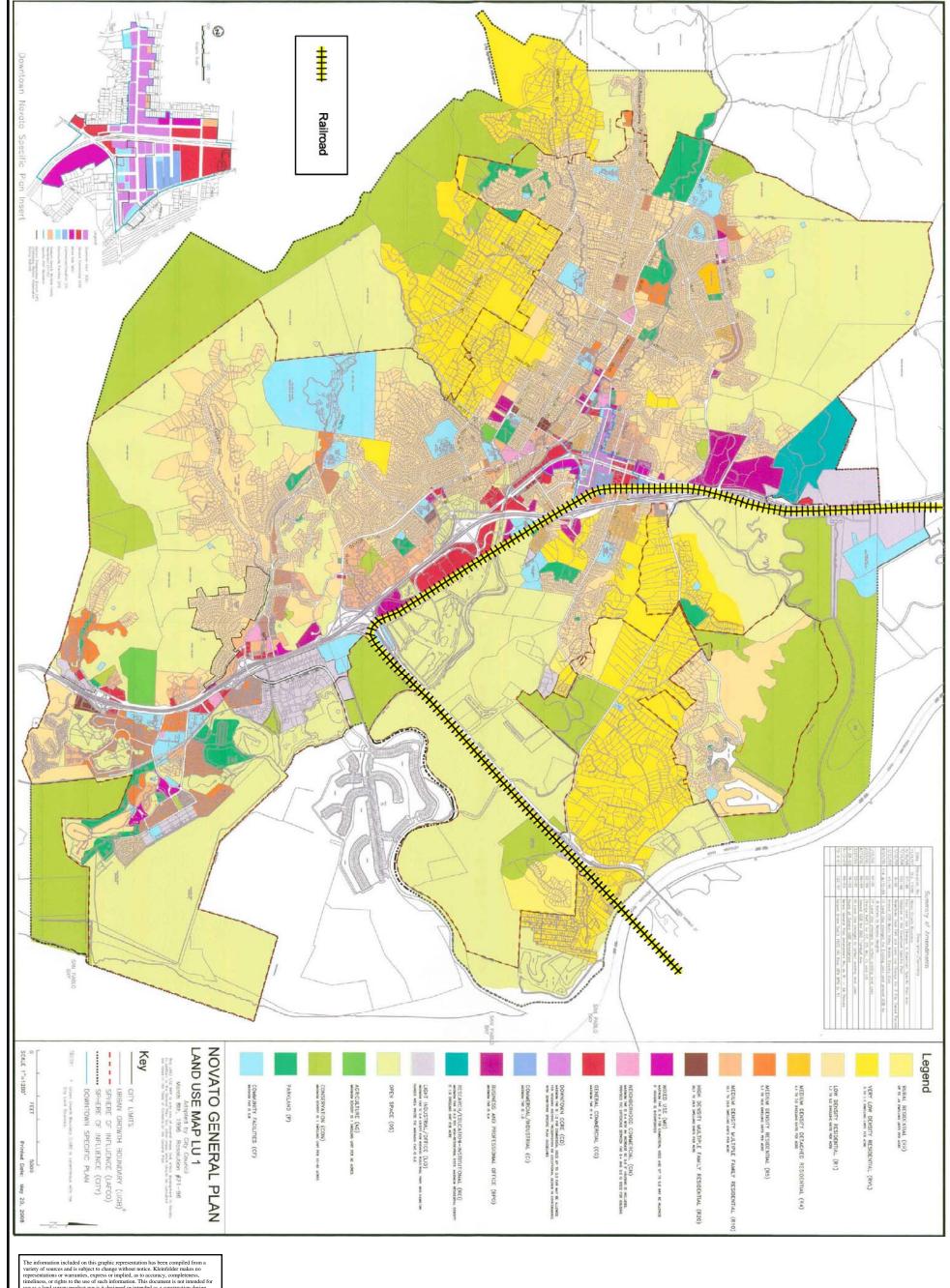


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Resources & Rural Development Land Intensive Agriculture Land Extensive Agriculture

Diverse Agriculture Land Use Designation



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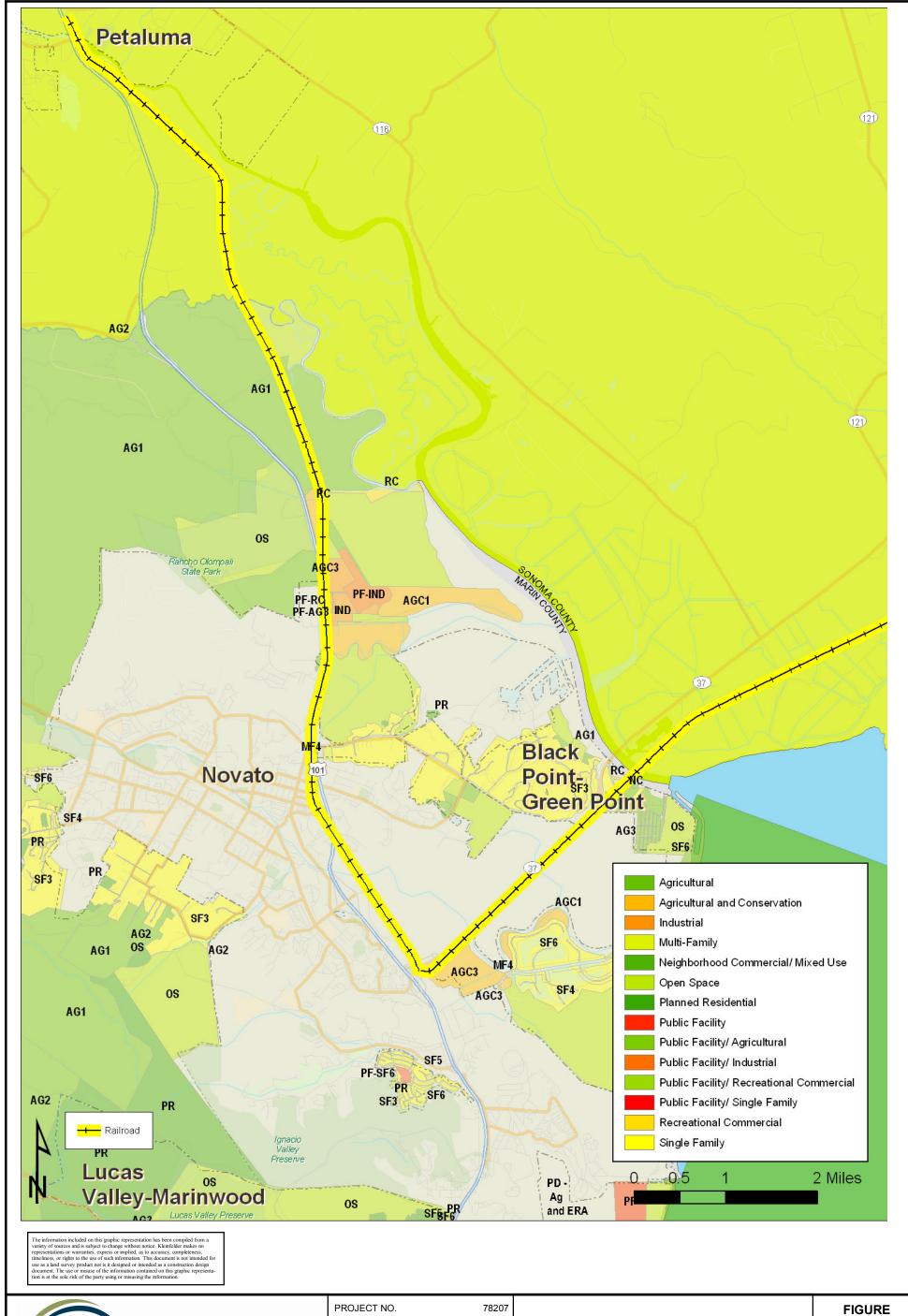
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GENERAL PLAN
LAND USE ELEMENTS
CITY OF NOVATO

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NORTH COAST RAILROAD AUTHORITY RUSSIAN RIVER DIVISON FREIGHT RAIL PROJECT

FIGURE



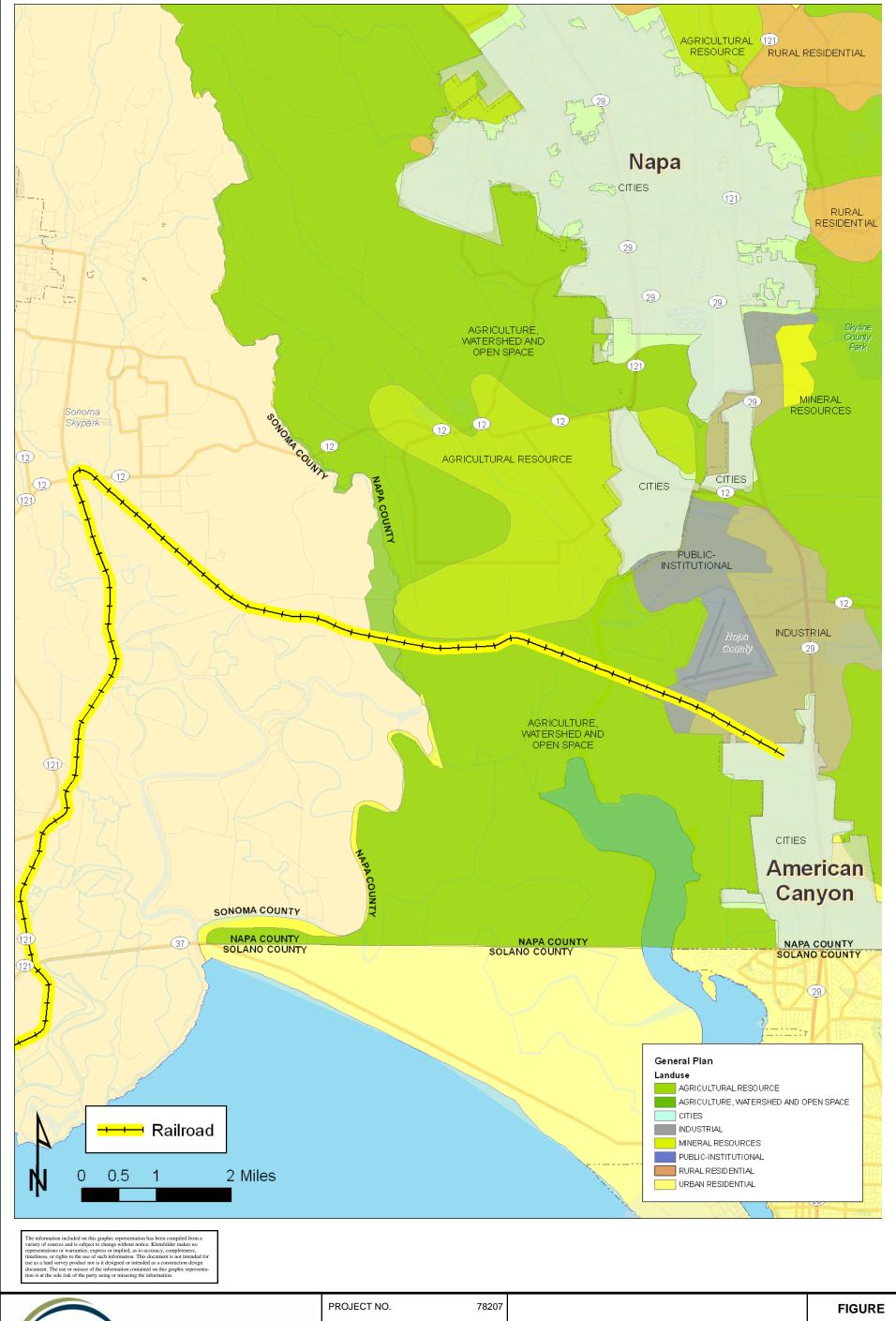
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GENERAL PLAN LAND USE ELEMENTS MARIN COUNTY, NOVATO AREA

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NORTH COAST RAILROAD AUTHORITY RUSSIAN RIVER DIVISON FREIGHT RAIL PROJECT



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