

Marin Country Club Neighborhood Association
Public Comment on the CEQA
Draft Initial Study/Mitigated Negative Declaration
for the proposed
Buck Gulch Falls Creek Restoration and Trail Improvement
Project
at
Ignacio Valley Open Space Preserve
State Clearinghouse (SCH) Number: 2026#####

July 22, 2026

<i>Executive Summary</i>	<i>4</i>
<i>Aesthetics.....</i>	<i>6</i>
Introduction	6
Review Findings.....	6
Summary: Issues Requiring Additional Analysis or Documentation	7
<i>Biological Resources</i>	<i>8</i>
Introduction	8
Review Findings.....	8
Summary: Issues Requiring Additional Analysis or Documentation	10
<i>Cultural Resources</i>	<i>11</i>
Introduction	11
Review Findings.....	11
Summary: Issues Requiring Additional Analysis or Documentation	12
<i>Geology and Soils</i>	<i>13</i>
Introduction	13
Review Findings.....	13
Summary: Issues Requiring Additional Analysis or Documentation	14
<i>Hydrology and Water Quality.....</i>	<i>15</i>
Introduction	15
Review Findings.....	15
Summary: Issues Requiring Additional Analysis or Documentation	18
<i>Land Use and Planning</i>	<i>20</i>
Introduction	20
Review Findings.....	20
Summary: Issues Requiring Additional Analysis or Documentation	24
<i>Noise</i>	<i>25</i>
Introduction	25
Review Findings.....	25
Summary: Issues Requiring Additional Analysis or Documentation	27
<i>Transportation and Traffic.....</i>	<i>28</i>

Introduction	28
Review Findings.....	28
Summary: Issues Requiring Additional Analysis or Documentation	30
Wildfire	32
Introduction	32
Review Findings.....	32
Summary: Issues Requiring Additional Analysis or Documentation	36
Conclusion	36

Executive Summary

The Marin Country Club Neighborhood Association (MCCNA) conducted an independent technical review of the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Buck Gulch Falls Creek Restoration and Trail Improvement Project. The review evaluates whether the Draft IS/MND adequately documents the analytical basis and supporting evidence for its significance determinations under the California Environmental Quality Act (CEQA) Appendix G Environmental Checklist.

This review does not advocate for or against the proposed project, nor does it independently determine whether the project will result in significant environmental impacts. Rather, it evaluates whether the administrative record, as presented in the Draft IS/MND and supporting technical documents, provides sufficient information for decision-makers and the public to understand how the environmental conclusions were reached.

A consistent review methodology was applied throughout each submitted environmental topic. For each Appendix G significance determination evaluated, the review considered two fundamental questions:

- Does the IS/MND identify the analytical criteria, methodology, assumptions, and decision framework used to reach its significance determination?
- Does the IS/MND identify the technical studies, factual evidence, engineering analyses, regulatory findings, or other substantial evidence supporting that determination?

Across multiple environmental topics, the review identified recurring deficiencies in the documentation supporting the Draft IS/MND's conclusions. While the nature of the findings varies by environmental resource, several common themes appear repeatedly throughout the document.

These recurring issues include:

- Analytical methodologies and decision criteria are frequently not disclosed.
- Existing environmental baseline conditions are not consistently documented or are internally inconsistent with other portions of the administrative record.
- Conclusions are often presented without identifying the supporting technical analyses or substantial evidence relied upon.
- The relationship between project objectives, engineering design decisions, and environmental conclusions is not consistently explained.
- References to future permitting decisions, mitigation measures, or subsequent design activities are frequently presented without explaining how they support the current Appendix G significance determinations.
- Several issues also extend across multiple environmental disciplines, including emergency access and evacuation, neighborhood transportation and parking, accessibility implementation, jurisdictional responsibilities, and the relationship between project design assumptions and the environmental analyses supporting the Draft IS/MND.

Collectively, these findings identify recurring documentation deficiencies across multiple environmental disciplines rather than isolated technical disagreements. MCCNA respectfully requests that the Final IS/MND address these issues by documenting the analytical methodologies, supporting evidence, and substantial evidence relied upon for each Appendix G significance determination.

Aesthetics

Introduction

The following Review Findings do not challenge the desirability of the Buck Gulch Falls Trail Improvement Project or its stated recreational and accessibility objectives. Rather, they evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) adequately documents the analytical basis supporting its determinations of "No Impact" and "Less Than Significant Impact" regarding Aesthetics under **CEQA Guidelines Appendix G**. The conclusion that this proposed project—which introduces large-scale infrastructure into a natural riparian corridor—results in "No Impact" requires a transparent, evidence-based methodology. This IS/MND does not document that methodology.

Review Findings

Review Finding 1: Lack of Analytical Basis for “No Impact” Determination on Scenic Vistas

The proposed project includes two large steel pedestrian bridges, retaining structures, approximately ½ mile of hardened trail, metal railings, and a viewing platform within a predominantly natural riparian corridor. While the IS/MND describes these physical elements, it does not document the methodology or criteria supporting its conclusion that these permanent, human-made features result in “no impact” to the site's visual character.

Absence of Visual Impact Assessment: The IS/MND contains no objective analysis of how removal of vegetation and the introduction of steel structures, retaining walls, a viewing platform, and a five-foot-wide hardened trail system alters the existing visual and sensory character of the riparian corridor.

Lack of Analysis of Visual Contrast: The IS/MND does not disclose how the scale, materials, and form of the proposed structures—specifically steel, concrete, and aggregate—were evaluated for visual contrast against the surrounding natural landforms and native vegetation.

Absence of Visual Documentation: The IS/MND does not provide visual simulations, renderings, photo montages, or similar visual documentation that would allow the public or decision-makers to evaluate the project's effect on the site's existing visual character.

Review Finding 2: Inadequate Evaluation of Impacts to Scenic Resources and User Experience

The IS/MND for the proposed project describes the construction of a pedestrian viewing platform, extensive hardened pathways, and two large bridges in a predominantly undeveloped natural setting. It does not document whether representative public viewpoints were evaluated or explain how the permanent structures were assessed with respect to scenic resources or public views. The

IS/MND does not evaluate whether the proposed viewing structures themselves become dominant visual elements within the landscape or alter the character of views experienced by visitors.

- **Deficient Analysis of View Experience by Trail Users:** The IS/MND does not document how the proposed permanent structures were evaluated with respect to the visual experience of existing trail users, nor does it evaluate the cumulative visual effects of bridges, railings, signage, viewing platforms, and hardened trail surfaces on the character of the Buck Gulch corridor.
- **Omission of Evaluation Criteria:** The IS/MND does not identify the criteria used to evaluate whether the proposed engineered features would dominate the landscape or alter the existing visual character or scenic quality of the Buck Gulch trail currently experienced by visitors.

Review Finding 3: Mitigation Measures Rely on Future Surveys Without Clearly Defined Performance Standards

The IS/MND relies upon pre-construction biological surveys to determine whether additional protective measures will be required. However, it does not consistently identify the objective criteria that would govern those future determinations or explain how those measures would ensure impacts remain less than significant. Without clearly defined performance standards, the effectiveness and enforceability of the mitigation program cannot be independently evaluated.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- **Document** the methodology used to evaluate potential visual impacts associated with the proposed project.
- **Provide** representative visual simulations, renderings, photomontages, or other visual documentation depicting existing and proposed conditions from key viewpoints both within the site and as visitors approach the site.
- **Analyze** the cumulative visual effects of the proposed bridges, railings, signage, viewing platforms, and hardened trail surfaces on the natural character of the Buck Gulch corridor.
- **Explain** the criteria used to evaluate landscape compatibility, specifically regarding how the scale, materials, and form of the engineered features were evaluated for compatibility with the surrounding riparian environment.
- **Reconcile** the Appendix G "No Impact" determination with any technical studies, design documents, or visual analyses that informed the project's final configuration.

Biological Resources

Introduction

The following Review Findings evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) provides sufficient substantial evidence to support its determination that impacts to Biological Resources would be "Less Than Significant with Mitigation Incorporated."

Under CEQA, a Mitigated Negative Declaration is appropriate only when the administrative record contains substantial evidence demonstrating that potentially significant impacts can be reduced to less-than-significant levels through feasible, enforceable mitigation. The following Review Findings identify omissions or analytical gaps that limit the substantial evidence supporting the IS/MND's conclusions.

Review Findings

Review Finding 1: Inadequate Documentation of Baseline and Special-Status Species Determinations

The IS/MND concludes that impacts to special-status plants, amphibians, and wildlife would be mitigated to less-than-significant levels. However, it does not explain how the relied-upon surveys establish an adequate environmental baseline.

Survey Limitations: The PCI (2026) assessment relies on reconnaissance-level surveys conducted on three dates: April and July 2021 and October 2025. The IS/MND states that no special-status species were observed during these surveys but identifies that two species had a moderate potential to occur: *Elymus californicus* (California bottlebrush) or *Micropus amphibolus* (Mount Diablo cottonseed).

Unsubstantiated "Absence": The IS/MND does not provide an analytical basis for concluding that suitable habitat is unoccupied. It relies on future pre-construction surveys to resolve uncertainty rather than providing the necessary baseline data required by CEQA Guidelines § 15125.

Omission Relevance: Without documenting the methodology or limitations of its survey windows, the IS/MND does not provide the substantial evidence required to support a "Less Than Significant" determination for special-status species.

Review Finding 2: Lack of Quantitative Analysis for Temporary Construction Impacts

The Project involves extensive heavy-duty construction within a sensitive riparian corridor, yet the IS/MND provides only qualitative descriptions of these activities.

Lacking Quantifiable Disturbance Metrics: The IS/MND does not clearly quantify the temporary construction footprint, total area of riparian vegetation disturbance, or the volume of cut-and-fill required within biological resource areas.

Analytical Assumptions: The document lacks the technical data—such as the size of the three equipment staging areas and the access route widths—necessary to support the conclusion that temporary impacts to the riparian corridor will be less than significant.

Omission Relevance: Without quantified baseline conditions, the public and reviewing agencies cannot independently verify whether the proposed mitigation measures are sufficient to protect the corridor during construction.

Review Finding 3: Incomplete Integration of CDFW (2009/2013) Recommendations

The IS/MND references the 2009/2013 CDFW Stream Inventory Report regarding erosion but does not address the report's broader management recommendations for the Arroyo de San Jose Creek anadromous production stream.

Inconsistency with Stream Management Goals: The IS/MND does not explain how the placement of significant volumes of fill in the streambed was considered or reconciled with the CDFW recommendations to increase pool habitat, utilize biotechnical vegetative techniques to re-establish floodplain benches, or manage the creek for anadromous production.

Unresolved Fish Passage Concerns: The CDFW report explicitly recommends assessing road crossings and dams for fish passage. The IS/MND does not document whether these specific upstream passage issues—or the use of "biotechnical vegetative techniques"—were discussed or vetted with CDFW during project design.

Omission Relevance: By not reconciling the Project design with the CDFW's specific habitat enhancement criteria, the IS/MND provides insufficient evidence that the Project is consistent with the biological management objectives identified in the CDFW Stream Inventory Report.

Review Finding 4: Inadequate Evaluation of Imported Trail Surfacing Materials

The IS/MND states that "Mayacama Aggregate" will be used for trail surfacing but does not evaluate or explain the potential environmental effects of this material on the riparian ecosystem.

Omission of Chemical and Physical Analysis: The document does not disclose the physical and chemical characteristics of the aggregate nor the potential for runoff, leaching, or fine sediment generation.

Omission Relevance: Given the proximity of the trail to Arroyo de San Jose Creek, the lack of an analysis concerning the compatibility of imported materials with adjacent aquatic habitat constitutes a significant analytical gap regarding the potential for water quality degradation or changes to aquatic habitat

Review Finding 5: Mitigation Measures Rely on Future Surveys Without Clearly Defined Performance Standards

The IS/MND relies upon pre-construction biological surveys to determine whether additional protective measures will be required. However, it does not consistently identify the objective criteria that would govern those future determinations or explain how those measures would ensure impacts remain less than significant. Without clearly defined performance standards, the effectiveness and enforceability of the mitigation program cannot be independently evaluated.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- **Document** the methodology and limitations of the biological surveys relied upon, including a reconciliation of survey dates against peak blooming/breeding periods for identified special-status species.
- **Quantify** the temporary and permanent construction footprints, including total vegetation removal and cut-and-fill volumes within riparian habitats.
- **Disclose** the status of coordination with CDFW and the Regional Water Quality Control Board regarding the Project's design consistency with the 2009/2013 CDFW Stream Inventory Report recommendations (e.g., fish passage, biotechnical vegetative techniques, and anadromous habitat management).
- **Provide** a technical evaluation of the imported *Mayacama* Aggregate, disclosing its source, composition, and potential for adverse effects on water quality, aquatic habitat, or native plant communities.
- **Describe** the objective performance standards and enforceable mitigation standards that will be required if pre-construction surveys reveal the presence of special-status species previously assumed absent.

Cultural Resources

Introduction

This submission provides technical comments regarding the Buck Gulch Falls Creek Restoration and Trail Improvement Project Draft Initial Study/Mitigated Negative Declaration (IS/MND). The review evaluates whether the administrative record documents substantial evidence supporting the cultural resources impact conclusions (CEQA Checklist Table 7), consistent with the committee's review methodology.

Review Findings

Review Finding 1: Inadequate Documentation of the Subsurface Archaeological Baseline

The IS/MND's determination regarding sub-surface archaeological resources under CEQA Guidelines § 15064.5 currently lacks a fully documented analytical methodology in the administrative record. The IS/MND applies a buried sites model that explicitly indicates a 'low to high potential for buried resources throughout the study area,' with high-sensitivity zones concentrated within the Holocene soils surrounding the creek banks. The project proposes heavy, intrusive ground disturbance in these exact high-sensitivity zones, including vertical excavations reaching four feet below the surface for concrete spread footings and bridge abutments.

To support its conclusion that no precontact deposits or midden soils will be impacted, MCOSD relies on a June 2026 Far Western memo detailing that only six hand augers were excavated across a project area spanning 4,235 linear feet. However, the environmental document does not clearly document the scientific or professional methodology supporting the conclusion that this sampling density is sufficient to adequately characterize nearly a mile of high-sensitivity riparian terrain. Without this documentation, it remains unclear whether the subsurface baseline is sufficiently robust to support a definitive 'Less than Significant Impact' determination.

Technical Question 1: What scientific or professional methodology supports the conclusion that six hand augers adequately characterize subsurface archaeological conditions across approximately 4,235 linear feet of high-sensitivity Holocene riparian terrain?

Review Finding 2: Reliance on Deferred Mitigation through Inadvertent Discovery Protocols

The environmental analysis appears to rely primarily on deferred mitigation through standard post-review inadvertent discovery protocols to manage known, localized 'high potential' zones of resource sensitivity. Rather than executing full-scale pre-construction trenching or defining explicit resource avoidance / data recovery maps within high-risk sectors, MCOSD defers its mitigation

strategy to standard Regional Trail Master Plan Best Management Practices (RTMP BMPs Cultural Resources-6 and 7).

While inadvertent discovery protocols are standard and appropriate administrative procedures after a discovery occurs, reliance on those procedures alone does not substitute for proactive environmental analysis. The central issue is whether post-discovery mechanisms provide substantial evidence supporting a less-than-significant impact determination in an area that the IS/MND itself identifies as having elevated archaeological sensitivity. Those mechanisms halt work only after an archaeological resource or human remains have already been encountered during construction.

Technical Question 2: What analyses support the conclusion that reliance upon RTMP Cultural Resources BMPs 6 and 7 sufficiently mitigates impacts before construction rather than documenting discoveries after impacts occur?

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- Document the professional or scientific methodology supporting the adequacy of the subsurface sampling program.
- Identify and disclose the substantial evidence supporting the conclusion that the proposed sampling program adequately characterizes archaeological conditions within the project corridor.
- Explain the analytical basis for concluding that reliance on inadvertent discovery procedures (RTMP BMPs Cultural Resources-6 and 7) reduces impacts to a less-than-significant level in high-sensitivity zones.
- Clarify the spatial and physical relationship between the identified high-sensitivity archaeological zones and the specific proposed construction activities (e.g., footings and bridge abutments).

Geology and Soils

Introduction

The following Review Findings do not challenge the desirability of the Buck Gulch Falls Trail Improvement Project or its stated recreational and accessibility objectives. Rather, they evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) adequately documents the analytical methodology and technical evidence supporting the IS/MND's conclusions of "Less Than Significant" and "No Impact" regarding geologic hazards, slope stability, erosion, and long-term site stability.

Review Findings

Review Finding 1: Inadequate Basis for the Scope of Geologic Hazard Assessment

The IS/MND relies upon the 2021 Geologic Hazard Assessment and the January 2025 Miller Pacific Geotechnical Investigation. Both studies focus primarily on the original lower bridge crossing. The current Project, however, includes a second bridge, an upstream trail extension, retaining walls, and a viewing area. The IS/MND does not document whether comparable geotechnical evaluations were completed for these additional project features, leaving the analytical basis for their stability unverified.

Review Finding 2: Contradictory Conclusions Regarding Debris Flow Hazards

The IS/MND identifies that the site is inherently prone to debris flows, particularly during intense rainfall (page 121), yet concludes the geomorphology is consistent with "infrequent" events. This contradiction is not explained. Furthermore, the IS/MND relies on a "low-density public use" justification to find impacts "less than significant." This reasoning fails to account for the fact that trail usage—specifically to view a waterfall—peaks during the very storm events that elevate debris flow risk. The IS/MND does not document an analytical basis for dismissing this public safety risk.

Review Finding 3: Lack of Design-Level Geotechnical Investigation

The IS/MND relies on the Best (2021) assessment, which functions primarily as a qualitative screening tool, to conclude that long-term seismic and foundation impacts are less than significant. However, the Best report explicitly recommends that project-specific geotechnical investigations be completed for final design. The administrative record does not document design-level geotechnical investigations for the upstream bridge, retaining walls, or trail alignment introduced in the 2025 Supplemental Feasibility Study.

Review Finding 4: Undocumented Slope Stability for Upstream Improvements

The March 2025 Supplemental Feasibility Study introduces a 320-foot upstream trail extension and 110 feet of retaining walls within steep canyon terrain. The study notes that construction feasibility

is contingent on the presence of bedrock to ensure stability. Despite this acknowledgment, the IS/MND does not provide the engineering evaluations or slope stability analyses required to conclude that these features will maintain long-term stability without inducing slope failure.

Review Finding 5: Omission of Quantitative Slope Stability Analyses

The project includes engineered slopes and streambank reconstruction within high-erosion soils (Tocaloma–McMullin Complex). The IS/MND concludes that slope stability impacts are less than significant but does not document the quantitative analyses supporting these structures. It lacks disclosure of the required Factors of Safety or the engineering assumptions utilized to ensure that the retaining walls and engineered slopes will perform as intended under saturated soil conditions.

Review Finding 6: Inadequate Documentation of Long-Term Erosion and Maintenance

The IS/MND relies on temporary construction Best Management Practices (BMPs) to mitigate erosion. However, it does not document the methodology used to evaluate long-term post-construction erosion, permanent cut-slope-sediment production, or drainage performance. Given the high-erosion potential of the site soils, the IS/MND provides insufficient evidence that the project will achieve long-term site stability.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- **Evidence of Scope:** Document whether site-specific geologic hazard evaluations were completed for all project components (bridges, retaining walls, viewing platform) and how those results informed the final design.
- **Hazard Integration:** Explain how identified geologic hazards (seismic shaking, liquefaction, historic debris flows) were quantitatively incorporated into engineering design.
- **Foundation Verification:** Clarify the basis for using the January 2025 Miller Pacific investigation to cover project features outside the original bridge site.
- **Quantitative Stability:** Provide the slope stability analyses, including Factors of Safety and engineering assumptions, for all proposed retaining walls and engineered slopes.
- **Long-Term Erosion:** Disclose the methodology used to evaluate long-term post-construction erosion and drainage performance, including long-term maintenance assumptions.
- **Record Reconciliation:** Reconcile the conclusions presented in the IS/MND with the findings of the Best (2021) Geologic Hazard Assessment and all subsequent geotechnical reports.

The foregoing Review Findings identify areas where the IS/MND does not adequately document the analytical basis supporting its "Less Than Significant with Mitigation Incorporated" determination under Geology and Soils.

Hydrology and Water Quality

Introduction

The following review findings evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) for the Buck Gulch Falls Creek Restoration and Trail Improvement Project provides a sufficient analytical framework and substantial evidence to support its determinations of “Less than Significant” and “No Impact” for Hydrology and Water Quality.

The review identifies critical analytical inadequacies, internal contradictions regarding the environmental baseline, regulatory policy conflicts, and a failure to disclose the evidentiary basis for the document's determinations. By relying on erroneous physical assumptions, ignoring its own project descriptions, and omitting essential quantitative analysis, the IS/MND fails to meet CEQA standards for disclosure and environmental impact evaluation.

Review Findings

Review Finding 1: Failure to Provide an Analytical Basis or Substantial Evidence for Impact Determinations

The IS/MND concludes that the proposed project will have a "Less Than Significant Impact" on runoff patterns that may degrade surface water quality and on- or off-site erosion. It further concludes that the project will have "No Impact" on the rate of surface runoff which could result in on- or off-site flooding; in creating runoff that could exceed the capacity of existing or planned stormwater drainage systems, or on the potential to impede or redirect flood flows.

However, the document fails to provide any underlying methodology, quantitative modeling, or empirical data to support these assertions. Under CEQA Guidelines, an agency cannot merely declare that an impact is non-existent or negligible without documenting the factual baseline and engineering calculations used to arrive at that conclusion. The omission of runoff comparisons or upstream/downstream hydrological modeling deprives the public of a meaningful opportunity to evaluate the project's physical impacts on the watershed.

Review Finding 2: Utilization of an Erroneous Environmental Baseline Regarding Trail Surfacing

The impact analysis relies on an incorrect description of the project's physical attributes. Items (b), (c), and (e) of the Hydrology section states that the *"trail tread improvements would retain native soil surfacing..."* This assertion directly contradicts the core engineering parameters of the project, which require grading, mechanical compaction, and the importation of stabilized aggregate material (Mayacama Red) to achieve firmness and stability for wheelchair and adaptive accessibility. By evaluating a baseline of uncompacted "native soil" rather than the engineered, hardened surface actually being proposed, the hydrological analysis is fundamentally invalid. The IS/MND does not explain how the engineered trail surface was represented within the hydrologic analysis.

Review Finding 3: Utilization of an Erroneous Environmental Baseline Regarding Creek Channel Fill

The Hydrology section incorrectly asserts that the proposed project would not place fill within the creek channel bed. This assertion directly contradicts the core engineering parameters detailed in other portions of the document. Specifically, the Biological Resources section (Page 102) describes that rock fill *will* be used in the creek channel: *"A 4-inch-thick layer of rock would be placed in the channel to create a level bench, and half-ton rock and 3-6 inch-cobble and alluvial gravel mix would be placed in the crevasses to stabilize the streambank."* The Project Description also explicitly references placing material in the channel. It is not clear in the IS/MND what baseline was used to analyze channel flow: the existing channel flow or the post-project flow after it is modified. If the IS/MND evaluates a baseline of "no fill placed in the creek bed" rather than the engineered recommendations for adding fill to the creek channel, the hydrological analysis is inconsistent with the description of the proposed project.

Review Finding 4: Omission of Compaction and Surface Hardening Impacts on Runoff Generation

The document does not analyze how the physical process of stabilizing and hardening the trail alignment changes local permeability and hydrographs. The IS/MND fails to mention the federal performance metrics used by the U.S. Access Board and California State Parks to define "firmness" and "stability" via the Rotational Penetrometer. Achieving these standards requires rigorous mechanical compaction of aggregate materials containing a full spectrum of sieve sizes, including fine rock to lock the aggregate into a stable matrix.

The IS/MND does not disclose how trail compaction, accessibility requirements, or resulting surface characteristics were incorporated into the hydrologic analysis and how these issues could impact the project site, the Arroyo de San Jose Creek, and downstream drainage.

Review Finding 5: Inadequate Identification and Documentation of Downstream Capacity Constraints within the Residential Neighborhood

The IS/MND fails to track the cumulative downstream effects of accelerated peak flows entering the broader Arroyo de San Jose network. Runoff generated by the project discharges into existing municipal stormwater infrastructure that traverses an established residential area downstream (including the Fairway Drive neighborhood and the Marin Country Club property). The document contains no analysis or evidence demonstrating that the added peak stormwater volumes from the hardened trail alignment will not exceed the design capacity of downstream facilities. The IS/MND does not identify the analysis demonstrating that downstream facilities possess adequate capacity

Review Finding 6: Inadequate Evaluation of Increased Flooding Risks within Designated Flood Hazard Zones

The project corridor and its immediate downstream receiving waters are designated as flood hazard areas by the Federal Emergency Management Agency (FEMA). By introducing a compacted surface into a watershed characterized by steep topography and existing flooding constraints, the project risks accelerating peak storm runoff. The IS/MND does not adequately explain why the project would not affect downstream flood conditions given the identified flood hazard areas. Lacking this discussion, the IS/MND leaves a critical public safety hazard unanalyzed.

Review Finding 7: Regulatory Conflict with MCOSD RTMP Policy SW.30 (Permeable Paving)

The IS/MND remains vague about the aggregate specifications, which directly triggers a conflict with Marin County Open Space District (MCOSD) Road and Trail Management Plan (RTMP) Policy SW.30, which mandates that for *"any new parking areas and other large areas of potentially impermeable surfaces, use permeable paving or an equivalent for all paved areas to provide for the infiltration of rainfall."*

Compacting Mayacama Red aggregate, on over a half-mile of trail surface, at a standard accessible width, to the "stable and firm" density required for wheelchair use, causes it to function as a hard surface.

The IS/MND fails to evaluate the trail's compacted aggregate surface against Policy SW.30. By not specifying the characteristics of the trail surfacing material, or whether it will be compacted to a standard Caltrans Section 26 Class II Aggregate Base (highly impermeable under compaction) or a Caltrans Section 68 Class II Permeable Material (which allows infiltration but generally fails ADA stability metrics), the IS/MND does not demonstrate compliance with SW.30 given the engineered trail surface.

Review Finding 8: Regulatory Conflict with MCOSD RTMP Policy SW.31 (Floodplain Policy)

Because Buck Gulch Creek and the Arroyo de San Jose flow directly into a residential subdivision along Fairway Drive that is a designated FEMA 100- and 500-year Flood Hazard Zone (Miller Pacific, 2025), RTMP Policy SW.31 is directly triggered.

Policy SW.31 states that where a flood risk is identified, proposed facilities "shall either be relocated outside of the flood prone area or designed and constructed in a manner to protect public safety and not increase base flood elevations."

The IS/MND concentrates its flooding narrative almost exclusively on the structural placement of the two large pedestrian bridges. It does not analyze how the *remainder* of the project—the half-mile of linear grading, the individual creek bank rock fill placements, the puncheons and boardwalk, the cut-and-fill balances, and the concentrated runoff from the compacted trail surface—will collectively impact downstream peak flows.

If the project increases peak runoff volumes or restricts active floodway capacity through bank fill and grading within the riparian corridor, it risks increasing the base flood elevation for the Fairway Drive subdivision, placing the project in direct violation of Policy SW.31.

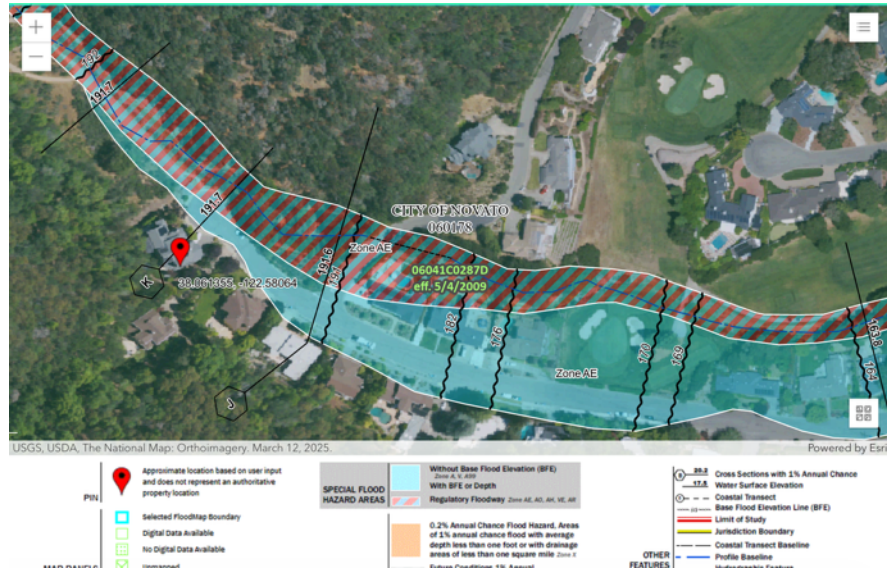
Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- **Reconcile Inconsistent Project Descriptions:** Correct the Hydrology and Water Quality section to accurately reflect that the trail will be graded, mechanically compacted, and surfaced with imported aggregate material rather than remaining "native soil."
- **Reconcile Creek Fill Inconsistencies:** Correct the Hydrology text to reflect placement of rock benches, half-ton rock, cobble, and alluvial gravel mix within the creek channel, and address how this loss of channel volume impacts local hydraulic carrying capacity.
- **Incorporate Accessibility Compaction Realities:** Address the mechanical compaction and sieve/fine requirements necessary to meet federal Rotational Penetrometer metrics for firmness and stability.
- **Provide Supporting Hydrologic and Hydraulic Analysis where relied upon:** Disclose the specific runoff coefficients, peak flow calculations, and hydrological models used to evaluate stormwater generation under both pre-project and post-project conditions considering all proposed creek fill material and proposed compacted surfaces.
- **Demonstrate Consistency with Applicable RTMP Policies:** Provide an explicit analysis proving how the engineered trail surface complies with MCOSD RTMP Policies SW.30 and SW.31. Disclose the exact engineering specifications (including Caltrans material classifications) of the aggregate and any binding agents to be used.
- **Identify Any Mitigation Measures Necessary to Support the Significance Determinations:** Detail the precise engineering specifications, dimensions, locations, and long-term maintenance schedules for all proposed drainage features required to safely manage, slow, and disperse concentrated linear flows, and to demonstrate that the proposed project will not increase base flood elevations on site and downstream.

FEMA Flood Hazard Map of a portion of the Project Site and the Adjacent Neighborhood

Note: Red Arrow indicates 611 Fairway Drive which is the last house on Fairway Drive. The Project Site is located directly north and west of the arrow.



Land Use and Planning

Introduction

The following Review Findings do not challenge the desirability of the Buck Gulch Falls Trail Improvement Project or its stated objectives. Rather, they evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) adequately documents the analytical basis supporting its determination of “No Impact” under the Land Use and Planning section of Appendix G.

The review focuses on whether the IS/MND adequately documents the analytical basis for its conclusions. It does not attempt to substitute alternative conclusions or evaluate the ultimate merits of the project.

Review Findings

Review Finding 1: The Project’s Reliance on Off-Site Neighborhood Parking Is Not Adequately Evaluated

The IS/MND acknowledges that no dedicated visitor parking is provided for the Buck Gulch Falls Trail and that available parking is limited to approximately twenty-five curb spaces located on Fairway Drive and Saint Andrews Drive within an established residential neighborhood. It further recognizes that available parking limits visitation.

The IS/MND also does not address how visitors with mobility impairments are expected to access the trailhead. Although implementation of the Inclusive Access Plan (IAP) is identified as a principal project objective, the IS/MND identifies no dedicated accessible parking and does not document how visitors with mobility impairments are expected to reach the trailhead from available parking. Nor does it explain whether the accessibility objectives of the IAP, including accessible arrival at the trailhead, were evaluated in concluding that reliance on neighborhood streets provides reasonable access to the improved trail.

As illustrated in Figure 1, the project begins immediately adjacent to an established residential neighborhood within the City of Novato, where visitor access is dependent upon neighborhood streets serving both residents and project users.

Despite these objectives, the Land Use analysis does not document the basis for concluding that permanent reliance on residential streets for visitor parking is compatible with surrounding residential land uses. It also does not explain how that reliance is consistent with local land use objectives related to neighborhood safety, emergency access, residential access, and street capacity.

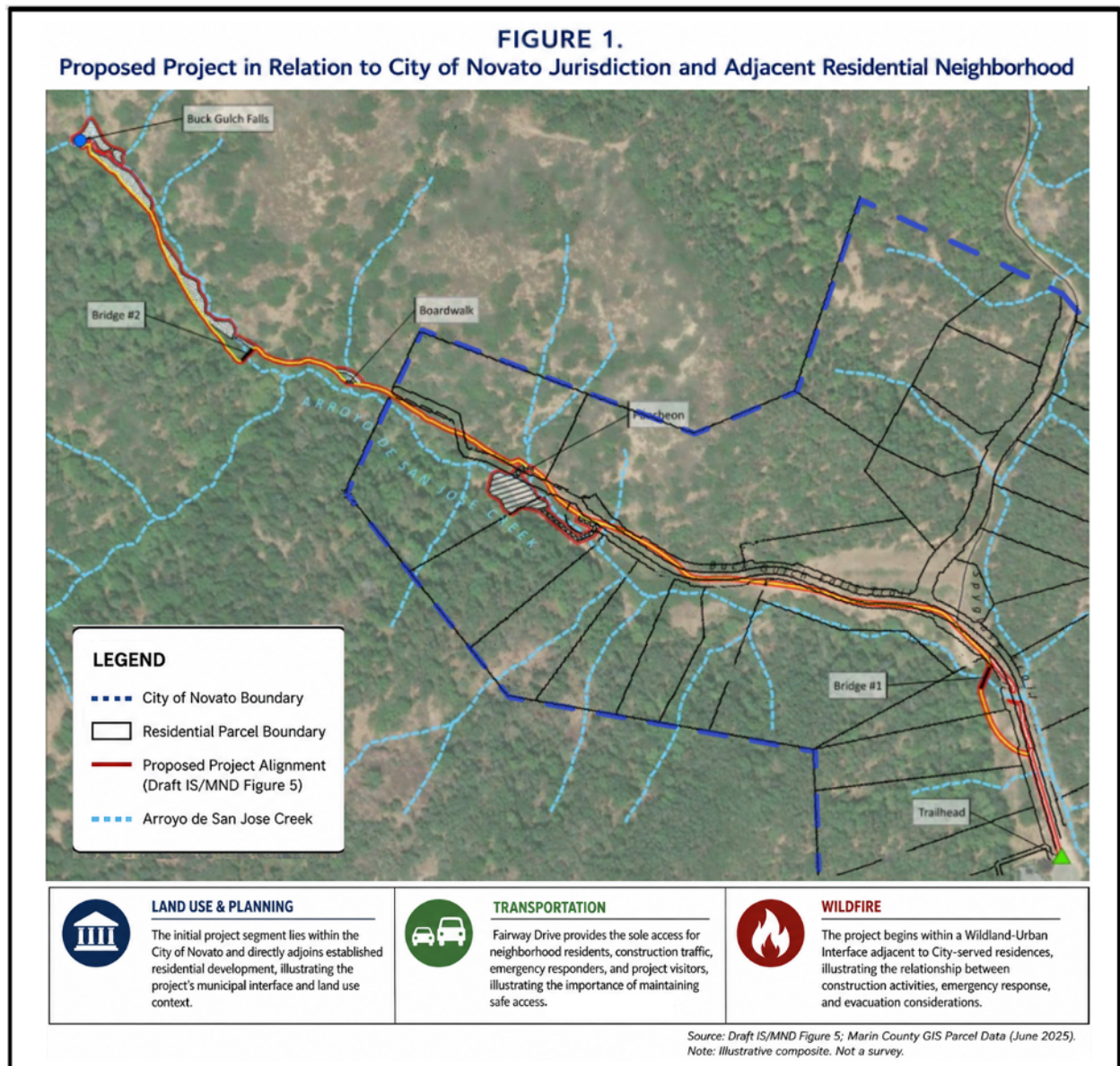


Figure 1. Proposed Project in Relation to City of Novato Jurisdiction and Adjacent Residential Neighborhood. The figure illustrates the relationship between the proposed project, the City of Novato jurisdiction, adjacent residential neighborhoods, and the transition to Marin County Open Space. It provides geographic context for the Land Use and Planning, Transportation, and Wildfire review findings.

Review Finding 2: The IS/MND Does Not Adequately Explain the Jurisdictional Basis for Limiting the City's Role to an Encroachment Permit

As shown in Figure 1, the initial portion of the proposed project lies within the City of Novato before entering County open space. The IS/MND identifies a City of Novato Encroachment Permit as the only required City discretionary approval while describing a project consisting of two

pedestrian bridges, four retaining walls, extensive grading, hardened trail construction, boardwalks, streambank restoration, and other permanent engineered improvements.

The IS/MND does not explain the legal or jurisdictional basis for limiting the City's role to an encroachment permit. It does not identify whether the project is exempt from additional municipal land use approvals, whether Marin County Open Space District is exercising independent statutory authority over construction activities, or how construction oversight, inspection, and enforcement responsibilities will be administered for project work occurring within the City of Novato.

Accordingly, while the IS/MND identifies a City Encroachment Permit, it does not adequately disclose the jurisdictional framework supporting that conclusion or explain how that framework supports its determination of "No Impact" under Land Use and Planning.

Review Finding 3: The IS/MND Does Not Adequately Document the Basis for Its Conclusion of RTMP Consistency

The IS/MND concludes that the proposed project is consistent with the Marin County Road and Trail Management Plan (RTMP) and states that applicable RTMP policies, Best Management Practices, and trail standards have been incorporated into the project.

The December 2024 Accessible Trail Feasibility Study documents engineering evaluations addressing accessibility, environmental constraints, constructability, grading, vegetation removal, and other project design considerations. The IS/MND summarizes portions of those evaluations but does not identify which RTMP policies, standards, or decision criteria governed selection of the final project configuration or explain how those evaluations support the Appendix G determination.

Accordingly, while the IS/MND concludes that the project is consistent with the RTMP, it does not adequately document the evaluation process supporting that conclusion for purposes of the Appendix G Land Use and Planning determination.

Review Finding 4: The IS/MND Does Not Adequately Document the Basis for Its Conclusion of Inclusive Access Plan Consistency

The IS/MND concludes that the proposed project meets most Inclusive Access Plan (IAP) standards and summarizes the December 2024 Accessible Trail Feasibility Study.

The Feasibility Study evaluates applicable accessibility standards, trail widths, cross slopes, passing spaces, resting intervals, and Conditions for Exception. The March 2025 Supplemental Study introduces an alternative 320-foot upstream segment designed to meet Marin County Improved Access Trails Standards and AGODA slope standards via a series of switchbacks (6% to 8% inclines), handrails, and approximately 110 feet of retaining walls. While the IS/MND summarizes portions of these technical evaluations, it does not document how those evaluations support its conclusion that the proposed project satisfies the Inclusive Access Plan.

The Inclusive Access Plan establishes accessibility objectives extending beyond individual trail design features, including accessible arrival, parking, and application of Conditions for Exception where compliance is not feasible. While the IS/MND summarizes portions of the Accessible Trail

Feasibility Study and Supplemental Study, it does not identify which specific IAP provisions were incorporated into the final project design, which accessibility provisions were determined infeasible, whether any Conditions for Exception were applied, or how those determinations support the conclusion that the project is consistent with the Inclusive Access Plan.

Accordingly, the IS/MND documents the existence of accessibility evaluations but does not adequately document the analytical basis supporting its conclusion that the proposed project satisfies the Inclusive Access Plan for purposes of the Appendix G Land Use and Planning determination.

Review Finding 5: The IS/MND Does Not Adequately Document the Basis for Its Comparative Environmental Conclusion

The IS/MND describes Alternatives A, B, and C that were developed during project planning and concludes that the Proposed Project is environmentally superior because it utilizes the majority of the existing trail alignment while limiting grading and vegetation removal.

The December 2024 Accessible Trail Feasibility Study and the March 2025 Supplemental Study evaluate multiple conceptual configurations. Each alternative involves distinct engineering and environmental trade-offs among accessibility standards, creek zone protection, earthwork volumes (such as cut and fill requirements), handrail and guardrail infrastructure, structural footprint, and long-term maintenance constraints.

While the IS/MND summarizes these studies, it does not identify the specific evaluation criteria, weighting, or analytical basis supporting its conclusion.

Accordingly, the IS/MND states a comparative environmental conclusion but does not adequately document the analysis supporting that conclusion for purposes of the Appendix G Land Use and Planning determination.

Review Finding 6: The IS/MND Does Not Adequately Document the Basis for Its Land Use Determination Considering Multiple Jurisdictions and Future Permitting

The IS/MND identifies multiple jurisdictions, easements, and permits applicable to the proposed project, including approvals from federal, state, County, and City agencies.

Figure 1 illustrates the relationship between the City of Novato jurisdiction, adjacent residential properties, and the transition to County open space. That jurisdictional setting provides important context for understanding the multiple permitting authorities identified by the IS/MND.

The review does not question the authority of those agencies or the outcome of future permitting processes. Rather, it evaluates whether the IS/MND explains how the identified permitting framework and jurisdictional considerations were considered in reaching its present determination that the project would not conflict with applicable land use plans, policies, or regulations.

While the IS/MND identifies the anticipated permits and regulatory jurisdictions, it does not explain how those jurisdictional responsibilities, future permitting processes, or any associated design

constraints support its present conclusion of “No Impact” under the Land Use and Planning checklist.

Accordingly, the IS/MND identifies the permitting framework but does not adequately document the analytical basis connecting that framework to its Appendix G Land Use determination.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration’s analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- Document the basis for concluding that reliance on neighborhood street parking, including parking for visitors with mobility impairments, is compatible with surrounding residential land uses and supports the project’s stated accessibility objectives.
- Explain the legal and jurisdictional basis for limiting the City’s role to a City of Novato Encroachment Permit, including any statutory exemptions relied upon and the agency responsible for construction oversight, inspection, and enforcement for project activities occurring within the City of Novato.
- Document how the RTMP decision-making framework was applied in evaluating the proposed project and explain how that evaluation supports the conclusion of RTMP consistency.
- Identify the specific Inclusive Access Plan (IAP) provisions and Improved Access Trail standards applied to the project, identify any Conditions for Exception relied upon, document how accessible arrival at the trailhead was evaluated, and explain how those determinations support the conclusion of IAP consistency.
- Document the evaluation criteria and analytical process used to conclude that the Proposed Project is environmentally superior to the alternative alignments and structural configurations evaluated during project development.
- Explain how the identified permitting framework, multiple jurisdictions, and future agency approvals were considered in reaching the present determination that the project would not conflict with applicable land use plans, policies, or regulations.

Noise

Introduction

This review evaluates whether the Draft Initial Study/Mitigated Negative Declaration (IS/MND) provides sufficient analysis and substantial evidence to support its determination that the proposed project would result in less-than-significant noise impacts under the CEQA Appendix G Noise checklist. The review focuses on both temporary construction noise and long-term operational noise, including the adequacy of the documented baseline conditions, significance criteria, analytical methodology, and supporting assumptions used to reach the IS/MND's conclusions. The review does not independently evaluate whether the project will result in significant noise impacts. Rather, it assesses whether the IS/MND adequately documents the basis for its significance determinations and provides sufficient information to permit independent evaluation of those conclusions.

Review Findings

Review Finding 1: Construction Noise Analysis Does Not Establish the Basis for the Significance Determination

The IS/MND concludes that temporary construction noise impacts would be less than significant. However, it does not establish the existing ambient noise environment at the nearest residential receptors or identify the threshold used to determine when a temporary increase in construction noise becomes substantial. Although the document provides general descriptions of typical community noise levels, it does not identify the ambient noise level assumed for adjacent residences, nor does it disclose the criterion used to conclude that the predicted construction noise would not constitute a substantial temporary increase.

Without identifying the baseline conditions and the significance criterion applied, the basis for the less-than-significant determination cannot be independently evaluated and is not supported by substantial evidence.

Review Finding 2: Construction Noise Modeling Does Not Represent Foreseeable Construction Activities

The IS/MND estimates construction noise using a single excavator operating at full power and predicts a construction noise level of approximately 64 dBA at the nearest residence. However, the project description identifies numerous additional construction activities and equipment, including loaders, compactors, generators, concrete trucks, dump trucks, bridge deliveries, power equipment, and other heavy machinery. The document does not disclose which equipment combinations were analyzed, whether multiple pieces of equipment were assumed to operate simultaneously, or whether the selected scenario represents the loudest reasonably foreseeable construction condition.

In addition, the analysis does not distinguish between continuous equipment operation and intermittent maximum-noise events associated with foreseeable construction activities, including material handling, bridge installation, equipment loading and unloading, jackhammers, power saws, backup alarms, and similar intermittent construction activities. The document does not explain why evaluation of a single equipment source adequately characterizes the full range of temporary construction noise generated by the project.

Because the analysis evaluates only a single equipment source and does not characterize the range of foreseeable construction noise, the basis for the less-than-significant determination is not supported by substantial evidence.

Review Finding 3: Construction-Related Transportation and Staging Noise Are Not Evaluated

The project description identifies approximately 100 haul and concrete truck trips, bridge deliveries, equipment staging areas, and construction access routes. However, the Noise section evaluates only construction occurring along the trail alignment and does not evaluate noise associated with haul truck operations, equipment staging, bridge deliveries, material unloading, idling equipment, or backup alarms occurring within staging areas or along residential access routes. These activities are foreseeable components of project construction and in some cases may occur substantially closer to residential receptors than portions of the trail work itself. Because these temporary construction noise sources are not evaluated, the analysis does not fully characterize the project's construction-related noise impacts, and the basis for the less-than-significant determination is not supported by substantial evidence.

Review Finding 4: Construction Noise Methodology Cannot Be Independently Verified

The Noise section identifies the nearest residential receptor and presents a calculated construction noise level based upon distance attenuation. However, the document does not identify the specific residence used as the representative receptor, provide a map identifying receptor locations relative to the various construction areas, or disclose sufficient information to independently verify the calculations. In addition, other sections of the IS/MND describe different distances between construction activities and nearby residences, creating uncertainty regarding the assumptions used in the noise analysis.

Because the methodology, receptor selection, and calculation inputs are not fully documented and appear internally inconsistent, the basis for the predicted construction noise levels is not supported by substantial evidence.

Review Finding 5: Site-Specific Noise Propagation Assumptions Are Not Explained

The project is located within a confined creek corridor characterized by steep terrain, varying elevations, and dense vegetation. The IS/MND applies a standard distance-attenuation calculation

to estimate construction noise but does not explain whether terrain, elevation differences, vegetation, line-of-sight conditions, or other site-specific propagation characteristics were considered in developing the predicted receptor noise levels.

Without identifying the propagation assumptions used or explaining why simplified attenuation methods are appropriate for the project setting, the basis for the predicted construction noise levels cannot be independently evaluated and is not supported by substantial evidence.

Review Finding 6: Long-Term Operational Noise Conclusions Are Not Supported

The IS/MND concludes that operation of the completed project would not result in a measurable increase in ambient noise because no new parking areas or recreational facilities are proposed. However, the project is specifically intended to improve year-round accessibility, visitor experience, and trail usability through construction of bridges, trail improvements, reduced grades, and upgraded viewing areas. The document does not explain the basis for concluding that these improvements would not influence visitation patterns or recreational activity, nor does it provide evidence supporting the conclusion that operational noise would remain unchanged.

Because the analysis does not explain the relationship between the project's stated objectives and its operational noise conclusions, the basis for the less-than-significant determination is not supported by substantial evidence.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- Identify the ambient noise baseline and the significance criterion used to evaluate temporary construction noise.
- Document that the construction noise model represents the loudest reasonably foreseeable construction activities, including concurrent equipment operation where applicable.
- Evaluate construction-related transportation, staging, material delivery, equipment access, and other temporary noise sources associated with project implementation.
- Document the representative residential receptors, distances, assumptions, and calculation methodology used in the construction noise analysis so that the results can be independently verified.
- Explain and support the sound propagation assumptions used for the project site, including any terrain-related considerations incorporated into the analysis.
- Provide substantial evidence supporting the conclusion that operation of the completed project would not measurably increase ambient noise levels.

Transportation and Traffic

Introduction

The following Review Findings evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) provides substantial evidence to support its determination of “Less Than Significant Impact” under the Transportation section. CEQA requires a lead agency to analyze whether a project will conflict with transportation programs, plans, or policies, increase vehicle miles traveled, introduce incompatible uses, or result in inadequate emergency access. The following findings identify critical omissions where the IS/MND fails to connect the project’s increased site accessibility with its reliance on off-site residential infrastructure. Figure 1 illustrates the relationship between the project, the Fairway Drive access corridor, and the adjacent residential neighborhood that provides the project’s sole public access.

Review Findings

Review Finding 1: Unsupported Determination Regarding Circulation and Neighborhood Parking Capacity

The IS/MND concludes there is "No Impact" regarding conflicts with the circulation system. This conclusion relies on circular logic: it assumes that since the number of trail miles remains static and no dedicated parking is proposed, visitor demand will not increase. It does not consider the potential gain in visitor count because the trail will become accessible to all. Because the IS/MND presumes visitor demand will remain the same, it fails to address the potential secondary effects of increased parking demand, including narrowed lanes, impaired emergency access, pedestrian-vehicle conflicts, and neighborhood quality of life. By failing to consider an increase in visitor parking demand, the IS/MND lacks an analytical basis to conclude that permanent reliance on limited street parking will not conflict with surrounding traffic circulation and neighborhood parking capacity.

The project also identifies year-round “all-abilities” access as a primary objective. Because the project provides no dedicated visitor parking, the IS/MND does not explain how neighborhood parking was evaluated to support that accessibility objective or whether the accessibility provisions of the Inclusive Access Plan (IAP) influenced the conclusion that existing on-street parking is adequate.

Review Finding 2: Failure to Analyze Induced Vehicle Miles Traveled (VMT)

The IS/MND claims the project will not increase VMT because "no dedicated parking" is being developed. This conclusion is inconsistent with the project’s stated goal of providing ADA access and improving recreational opportunities for all. By increasing accessibility and providing a "year-round amenity," the project inherently induces demand. The IS/MND provides no analytical support for the claim that expanding year-round recreational use will not increase visitation, vehicle trips, or VMT.

Review Finding 3: Lack of Analysis for Construction-Related Impacts on Residential Roadways

The project requires significant heavy haul trips (prefabricated bridges, boardwalks, aggregate) along approximately 2 miles of Fairway Drive, a winding residential street. The IS/MND lacks a formal Construction Traffic Management Plan (TMP). It does not quantify the number of peak truck trips or analyze the potential for pavement degradation on the residential network. The IS/MND does not address or determine if construction work will impede traffic or degrade local infrastructure.

Review Finding 4: Failure to Evaluate Pedestrian-Vehicle Conflicts

The project introduces high-volume pedestrian access to a site with limited sidewalks, where parking often narrows the affected roadways. The Fairway Drive access road terminates at a cul-de-sac designated for emergency turnarounds. Pedestrians, including mobility-impaired visitors and families, are forced to navigate active travel lanes and the cul-de-sac. The IS/MND fails to evaluate how the influx of "all-abilities" users will interact with vehicular traffic on this approach, effectively ignoring the safety conflict between the trailhead terminus and existing residential circulation. (See photo.)

The IS/MND further states that the project will provide year-round "all-abilities" access consistent with IAP. However, the Transportation analysis does not document how visitors with mobility impairments are expected to safely travel between available parking and the trailhead, how the accessibility objectives of the IAP were considered in evaluating the access corridor, or whether any IAP Conditions for Exception were applied. Because accessible arrival is integral to the project's stated objectives, the Transportation section should document how these accessibility considerations support its significance determination.

Review Finding 5: Inadequate Evaluation of Emergency Access and Evacuation Routes

As illustrated in Figure 1, the project site is located at the end of a 2-mile, single-access road that serves as the sole route for residents, emergency responders, and visitors. The IS/MND limits its emergency access review to internal trail widths, ignoring the Fairway Drive corridor. It fails to evaluate whether visitor parking spillover constricts the effective width of the road, potentially delaying emergency response or blocking evacuation. There is no documented consultation with the Novato Fire Protection District or City Police regarding the adequacy of turnaround capacities at the terminus.

Review Finding 6: Inadequate Evaluation of Project-Related Transportation Impacts Along the Fairway Drive Corridor

Figure 1 illustrates that Fairway Drive effectively functions as the project's transportation infrastructure. Because no dedicated visitor parking or drop-off facilities are proposed, this residential roadway serves as the project's permanent visitor access route, parking area, construction haul route, emergency access corridor, evacuation route, and accessible approach to

the trailhead. The IS/MND does not document whether these multiple transportation functions were collectively evaluated in reaching its “Less Than Significant” determination.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration’s analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall document how the following deficiencies have been addressed.

- **Parking Demand:** Document the analytical basis and trip-generation criteria used to conclude that induced visitor demand from new ADA-accessible features will not exceed the capacity of neighborhood street parking.
- **VMT Projection:** Revise the VMT analysis to acknowledge the project's goal of increased accessibility and provide a realistic visitor-use projection accounting for increased vehicle trips.
- **Construction TMP:** Integrate an enforceable Construction Traffic Management Plan (TMP) as a formal mitigation measure, governing haul routes, restricting staging hours, and mandating a post-construction road pavement restoration program.
- **Pedestrian Safety:** Evaluate baseline pedestrian safety conditions along the upper segments of Fairway Drive and identify necessary enhancements to prevent vehicle-pedestrian conflicts at the trailhead.
- **Accessible Arrival:** Document how visitors with mobility impairments are expected to access the trailhead from available street parking. Also identify the accessibility criteria from the Inclusive Access Plan (IAP) that were applied to the project, and explain whether any Conditions for Exception were relied upon in the determination of “Less Than Significant Impact” under the Transportation section of Appendix G.
- **Emergency/Evacuation:** Incorporate a formal emergency access and evacuation analysis, vetted and approved by the Novato Fire Protection District, ensuring that emergency vehicle clearance and turnaround capacities are maintained during peak trail use.
- **Public Concerns:** Explicitly address neighborhood concerns regarding public safety, emergency access and evacuation-route impacts.



Fairway Drive immediately before the proposed trailhead during the waterfall's active season, 2025

Wildfire

Introduction

The following Review Findings do not challenge the objectives of the Buck Gulch Falls Trail Improvement Project, including trail sustainability, erosion control, habitat protection, or improved public access. Rather, they evaluate whether the Initial Study/Mitigated Negative Declaration (IS/MND) adequately documents the analytical basis supporting its conclusions regarding wildfire hazards, emergency access, fire prevention, and consistency with applicable wildfire planning policies.

The review focuses on whether the IS/MND sufficiently evaluates existing wildfire conditions within the Ignacio Valley Open Space Preserve. Figure 1 illustrates the project's location within a high-risk wildland-urban interface (WUI), providing context for the potential for human-caused ignition sources, construction-related fire hazards, emergency response limitations, and the relationship between increased recreational access and community wildfire exposure.

The review does not attempt to substitute alternative conclusions or evaluate the ultimate merits of the project. Rather, it identifies areas where additional wildfire analysis and documentation are necessary to demonstrate that the project's determination of less-than-significant wildfire impacts is adequately supported.

Review Findings

Review Finding 1: The IS/MND Does Not Adequately Document Existing Wildfire Conditions Within the Project Area

The Ignacio Valley Open Space Preserve is located within a wildfire-prone WUI environment characterized by steep terrain, dense vegetation, seasonal drought conditions, and direct adjacency to residential neighborhoods.

- The IS/MND does not document or evaluate:
- Existing vegetation fuel conditions within and surrounding the project area;
- Presence of continuous vegetation corridors capable of supporting wildfire spread;
- Topographic conditions that may increase fire intensity, including steep slopes and limited firefighter access;
- Historical wildfire occurrence within the greater Novato area;
- Current wildfire hazard classifications applicable to the preserve and surrounding neighborhoods;
- Existing limitations associated with emergency vehicle access, evacuation routes, and responder mobility.

Without a documented baseline wildfire assessment, the IS/MND does not provide sufficient evidence demonstrating how the project's proposed improvements would avoid increasing wildfire risk within an already vulnerable WUI setting.

Accordingly, the IS/MND does not adequately document the analytical basis supporting its conclusion that wildfire impacts would be less than significant.

Review Finding 2: The IS/MND Does Not Adequately Evaluate Construction-Related Ignition Risks

The proposed project includes substantial physical improvements, including trail reconstruction, engineered crossings, retaining structures, grading, vegetation disturbance, and construction activity within a heavily vegetated open space preserve.

Potential ignition sources include:

- Operation of heavy mechanical equipment;
- Hot exhaust components contacting dry vegetation;
- Vehicle access and staging within vegetated areas;
- Welding, cutting, or other spark-producing activities;
- Accumulation of combustible construction materials.

The IS/MND references compliance with applicable construction practices; however, it does not identify project-specific wildfire prevention measures, such as:

- Required daily equipment inspections;
- Minimum fire suppression equipment requirements;
- Construction-season restrictions during extreme fire weather;
- Designated equipment staging locations;
- Vegetation clearance requirements around active work areas;
- Procedures for immediate response to accidental ignition.

Because the project occurs within a WUI environment where small ignitions may rapidly escalate under extreme weather conditions, the IS/MND should provide greater detail regarding construction fire prevention protocols.

Accordingly, the IS/MND does not adequately document the basis for concluding that temporary construction activities would not create a significant wildfire hazard.

Review Finding 3: The IS/MND Does Not Adequately Evaluate Increased Visitor Use as a Potential Ignition Source

The project proposes improvements intended to increase trail sustainability, improve access, and enhance visitor experience. However, improved trail conditions may increase visitation, including during periods when vegetation moisture is reduced and wildfire conditions are elevated.

Ignition risks associated with:

- Increased pedestrian use within wildfire-prone vegetation;
- Improper disposal of smoking materials;
- Unauthorized fires or recreational ignition sources;
- Increased vehicle activity near residential streets and trail access points;
- Visitor presence during extreme fire weather conditions.

The analysis should identify whether anticipated increases in visitation were incorporated into wildfire risk modeling or whether additional operational controls are necessary.

While seasonal visitation patterns may reduce some wildfire exposure because peak waterfall use occurs during wetter months, the project would create a permanent improvement to public access within a fire-prone landscape.

Accordingly, the IS/MND does not adequately document the analytical basis supporting its conclusion that increased recreational access would not substantially increase wildfire risk.

Review Finding 4: The IS/MND Does Not Adequately Analyze Emergency Access, Evacuation, and Firefighter Response Considerations

As illustrated in Figure 1, the project begins adjacent to residential neighborhoods and is accessed through the Fairway Drive cul-de-sac, where emergency access, evacuation capacity, and responder safety are critical wildfire planning considerations.

The IS/MND does not appear to adequately evaluate whether project-related changes could affect:

- Whether emergency vehicle access near the trailhead has been evaluated;
- Whether existing parking conditions could interfere with emergency access;
- Whether visitor evacuation procedures have been evaluated;
- Whether increased visitation could affect emergency response;
- Whether coordination with the Novato Fire Protection District occurred.

The project relies on existing neighborhood streets and trail access points. However, increased public use combined with wildfire evacuation conditions may create additional demands on limited access routes.

A comprehensive wildfire analysis should also evaluate whether proposed improvements:

- Maintain adequate emergency access;
- Evaluate existing parking utilization patterns during peak visitation periods;
- Evaluate the frequency and duration of parking within designated or functional emergency access areas;
- Evaluate emergency vehicle access under current visitor parking conditions;
- Determine whether increased visitation projections account for additional parking demand;
- Evaluate whether operational measures, parking management strategies, enforcement mechanisms, or visitor controls are necessary to maintain emergency access.
- Avoid creating obstacles for fire suppression activities;
- Provide adequate visitor notification and closure procedures;
- Coordinate with local fire agencies.

Accordingly, the IS/MND does not adequately document the basis for concluding that the project would not interfere with emergency response or evacuation activities.

Review Finding 5: The IS/MND Does Not Adequately Document Consistency with Regional Wildfire Prevention Planning

Figure 1 illustrates the project's immediate interface with adjacent residential development and provides context for the area's ongoing wildfire mitigation efforts, including regional fuel management programs intended to reduce community wildfire exposure.

The IS/MND references wildfire prevention practices but does not adequately explain how the project relates to broader wildfire planning efforts, including:

- Marin County wildfire resilience strategies;
- Marin Wildfire Prevention Authority (MWWA) initiatives;
- Greater Novato Shaded Fuel Break planning;
- Local fire protection district priorities;
- Vegetation management objectives surrounding residential communities.

The IS/MND does not explain whether project design decisions:

- Support firefighter access;
- Avoid conflicting vegetation management objectives;
- Maintain compatibility with future fuel reduction activities;
- Incorporate wildfire resilience principles into trail design and operations.

Accordingly, the IS/MND does not adequately document the analytical basis supporting its conclusion that the project is consistent with applicable wildfire prevention policies and planning efforts.

Review Finding 6: The IS/MND Does Not Adequately Evaluate Cumulative Wildfire Effects

Cumulative wildfire considerations include:

- Increased recreation use across regional open space preserves;
- Continued residential development within WUI areas;
- Existing vegetation fuel accumulation;
- Climate-driven increases in extreme fire weather conditions;
- Regional wildfire mitigation projects occurring simultaneously.

Although individual project impacts may appear limited, CEQA requires evaluation of whether the project contributes incrementally to existing wildfire hazards.

The IS/MND does not provide sufficient discussion of how increased public access, permanent trail improvements, and ongoing regional development patterns interact with existing wildfire vulnerability.

Accordingly, the IS/MND does not adequately document the basis for concluding that cumulative wildfire impacts would be less than significant.

Summary: Issues Requiring Additional Analysis or Documentation

The Review Findings identify deficiencies in the Draft Mitigated Negative Declaration's analysis and supporting documentation that do not adequately support the Appendix G significance determinations. The Final IS/MND shall address the following issues:

- Establish the existing wildfire hazard baseline within the Ignacio Valley Open Space Preserve;
- Evaluate construction-related ignition risks associated with grading, equipment use, and vegetation disturbance;
- Analyze increased visitor use as a potential human-caused ignition factor;
- Evaluate emergency access, evacuation considerations, and firefighter response limitations;
- Demonstrate consistency with regional wildfire prevention and fuel management planning;
- Analyze cumulative wildfire impacts within the broader Novato WUI environment.

Additional wildfire-specific analysis, including baseline hazard documentation, construction fire prevention requirements, emergency response coordination, visitor management strategies, and cumulative wildfire evaluation, would assist the public, reviewing agencies, and decision-makers in determining whether the IS/MND's wildfire conclusions are adequately supported under CEQA.

Conclusion

MCCNA appreciates the opportunity to provide these technical comments during the public review period. The association respectfully requests that the identified issues be considered during preparation of the Final IS/MND so that the environmental record fully documents the analytical basis supporting the Appendix G significance determinations.