



*Town of Tiburon
Community Development Department
Planning Division
1505 Tiburon Boulevard, Tiburon CA 94920
Phone (415) 435-7390
www.townoftiburon.org*

ENVIRONMENTAL REVIEW

A. INTRODUCTION

This information sheet is provided to quickly familiarize the public with Tiburon's environmental review procedures, as required by the California Environmental Quality Act, commonly called "CEQA". More detailed information is available in the Town's Local CEQA Guidelines and in the State CEQA Guidelines. Town staff can assist you with the interpretation of these documents as needed.

B. PURPOSE

CEQA requires public agencies to consider the environmental consequences of projects that require discretionary governmental approval. The purpose of CEQA is to draw attention to the environmental effects of projects and to protect the natural and cultural environment of California. It is recognized that, in certain instances, economic and social objectives may override environmental factors, but CEQA requires that environmental effects are identified and considered prior to making a decision on a project.

C. ENVIRONMENTAL REVIEW PROCEDURE

- 1. REVIEW FOR EXEMPTION.** When an application for a discretionary permit is submitted, Town staff will preliminarily determine whether the project is exempt from CEQA. Specific exemptions are listed in the Town's Local CEQA Guidelines and in the State CEQA Guidelines. In most instances, staff's preliminary determination of CEQA exemption is subject to ratification by the decision-making body prior to approval of a project.
- 2. INITIAL STUDY.** If a project is not exempt, the Town will require preparation of an Initial Study to determine if the project may have a significant effect on the environment. The Initial Study is an extended checklist of questions involving various environmental factors and probing whether the project will have a potentially adverse impact whether any of those factors. Environmental factors include air quality, biology, cultural resources, geology, circulation, and many others. A standardized Initial Study checklist may be found in Appendix G of the State of California CEQA Guidelines.

3. **DETERMINING SIGNIFICANT EFFECT.** On the basis of the Initial Study, the Town determines if the project may have a significant effect on the environment. If the Town determines that a project will not have a significant effect, a Draft Negative Declaration or Mitigated Draft Negative Declaration is prepared. If the Town determines that there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared.
4. **NEGATIVE DECLARATION PROCESS.** If a Draft Negative Declaration or Mitigation Draft Negative Declaration is prepared, a notice to that effect is included with the notice for the project hearing. At the public hearing, interested persons have an opportunity to comment on whether they believe a Negative Declaration or Mitigated Negative Declaration is appropriate, as well as to comment on the merits of the project. Prior to approving a project, the decision-making body must adopt the Negative Declaration or Mitigated Negative Declaration. This adoption and the decision on the project are generally subject to appeal, except when the Town Council is the decision-making body on the project.
5. **ENVIRONMENTAL IMPACT REPORT (EIR) PROCESS.** If Town staff determines that a project may have a significant effect on the environment, an EIR shall be prepared. This staff determination may be appealed to the Planning Commission, whose decision is final. In the case of a private project, an EIR is prepared by an independent consultant selected by the Town and under contract with the Town, but paid for by the applicant. A Draft EIR is prepared for public review. After public review, a Final EIR is prepared which responds to comments made on the Draft EIR. Prior to approval of a project, the decision-making body must certify that the Final EIR was completed in compliance with CEQA and was considered prior to approving the project. If significant impacts on the environment will remain with implementation of the project, the decision-making body must adopt findings of “overriding considerations” before approving the project.

D. ENVIRONMENTAL DATA SUBMISSION

An applicant seeking approval from a decision-making body in the Town for a project that is not exempt from CEQA is required to submit sufficient information to enable the Town to complete an Initial Study (either prepared by staff or by a qualified consultant selected by staff) determining whether a Negative Declaration or Mitigated Negative Declaration may be issued or whether an EIR must be prepared. This applicant-supplied information may be partially collected in the form of an Environmental Data Submission or an applicant may choose, with Planning Division staff concurrence, to bypass the Environmental Data Submission process and move directly to the preparation of an Initial Study.

References: Town of Tiburon Local CEQA Guidelines
State of California CEQA Guidelines

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ENVIRONMENTAL DATA SUBMISSION

Any applicant seeking approval for a discretionary permit from a decision-making body in the Town of Tiburon for a project that is not exempt or of an emergency nature must submit sufficient information for the Town to complete an Initial Study. The Initial Study is used to determine whether an Environmental Impact Report (EIR) must be prepared or whether a Negative Declaration or Mitigated Negative Declaration may be issued.

Project applicants have the option to complete and submit an “Environmental Data Submission” document at the time an application is filed or prior to its completeness determination. The Environmental Data Submission and project application materials have separate purposes and separate requirements. One document may not simply refer to material contained in the other; the Environmental Data Submission must give an adequate description of the project for environmental review purposes, from project inception through completion and operation. If there are phases to the project, the submission may discuss them by phase as long as a cumulative impact discussion is also provided.

The outline below is intended to serve as a general guide to preparers of an Environmental Data Submission. Preparers may also wish to consult Appendix G of the State CEQA Guidelines for a more detailed list of questions that would need to be addressed in an Initial Study.

Most projects are likely to require additional information, beyond that found in an Environmental Data Submission, in order to adequately evaluate possible environmental impacts. Many applicants, with Town staff concurrence, prefer to move directly to preparation of an Initial Study and bypass the Environmental Data Submission preparation. Questions regarding that option should be directed to Community Development Department staff.

The Environmental Data Submission document is divided into four distinct sections:

- 1) Project information;
- 2) Environmental setting;
- 3) Impacts;
- 4) Mitigation measures and alternatives.

These sections must be presented separately. Information sources should be cited wherever possible.

ENVIRONMENTAL DATA SUBMISSION

A. Project Information

1. Applicant Name (owner or legally authorized party in interest):
Address:
Telephone:
Fax:
E-Mail:
2. Person preparing this submission:
Address:
Telephone:
Fax:
E-Mail:
3. Project Number(s):
4. Assessor's Parcel No(s):
5. Type of permit approval(s) sought:
6. Location of project (attach vicinity map):
7. Size of subject property:
8. Present and previous use of site or structures:
9. Existing General Plan and Zoning designations; any Master Plans and/or Precise Development Plan restrictions applicable to the site:

10. General description of project:
 - a. Intent of project (be as specific as possible; include the applicant's objectives, proposed uses, number & size of lots or buildings, etc.).
 - b. Map showing use(s) to which land will be put (may be a duplicate of a map exhibit submitted with project application).
 - c. Major activities contemplated and their sequence (construction-related and permanent).
 - d. Indicate: amount of area covered by structures, permeable surfaces, landscaping and natural open space; number of floors, floor area, employees and shifts for commercial projects; and types and numbers of units for residential units.
11. Other agencies or Town departments from which permits or approvals will be required, specifying type and granting body.
12. A map showing the location of the project with relation to adjacent streets shall be included for site specific projects.

B. Environmental Setting

1. Topography: Average slopes, significant topographic features.
2. Geology:
 - a. Geologic type.
 - b. Slope stability (landslides and debris flows, size and extent; is repair, remediation or avoidance of landslides proposed?) If so, by what methods?
 - c. Seismic hazards (tsunami, liquefaction, ground shaking, subsidence, etc.)
3. Air Quality: Exposure to or generation of air pollutants or odors. Greenhouse gas emission levels projected to be generated by the project.
4. Hydrology: Existing hydrologic features - streams, marsh, bay, lake, etc; drainage patterns; flood zones (see Flood Insurance Rate Maps available in Tiburon Planning Division) and any alterations proposed.
5. Water Quality: Percolation rate if known, depth of groundwater if known, any wells in the area, quality of any surface water and any sources of contamination (such as parking lot runoff) existing in the vicinity of or resulting from the project.

6. Biology: Major plant types, known habitats of special status flora or fauna, and identification of all trees by species and trunk circumference two feet above the ground.
7. Noise: Any significant noise generators in the area. How do noise levels for the proposed use compare with Tiburon General Plan Noise Element Guidelines for the proposed use?
8. Visual/Scenic Resources: Is the site a scenic resource, either by itself or as a part of a larger area resource? Describe visual characteristics including impacts to ridgelines, view corridors, and adjacent property views. Will the project create substantial sun shadow, light intrusion, or glare problems?
9. Grading: If the project requires grading, how many cubic yards? Will it be balanced on-site and, if not, where will it be deposited or obtained? If there is grading, provide a cut/fill map and, if it is unbalanced, a map delineating the borrow site and/or deposit site and haul route.
10. Archaeological/Cultural Resources: Is this an area of archaeological sensitivity? If so, or if there is a known archaeological site within 300 yards, an archaeological reconnaissance should be included with the Environmental Data Submission. Are there cultural/historic or prehistoric resources on or adjacent to the site?
11. Land Use & Planning: Disclose any conflicts with the Tiburon General Plan, zoning ordinance, other land use regulations, and applicable existing zoning permits.
11. Population and Housing Characteristics: Describe potential effects on population in the project area? What are the housing characteristics of the adjacent area and would they be affected by the project?
12. Circulation: Circulation patterns, latest traffic counts available, alterations to existing or proposed street improvements of the Town, availability of public transportation, pedestrian and bicycle trails.
13. Public Service and Utilities: Describe the availability of public services and infrastructure to serve the site. Distance and/or response time to sewer, water, gas, electricity, police fire, parks; method of sewage disposal proposed. Describe any impacts on recreation facilities in the community.
14. Health and Safety:
 - a. Identify any flammable, reactive or explosive materials to be located on site (including pressurized tanks).

- b. Indicate distance to nearest high fire hazard (i.e., brush, stored flammable, etc).
- c. Identify any proposed use storage or production of hazardous materials and procedure for disposal.
- d. Identify disposal procedures for all waste products.
- e. Indicate distance to nearest sensitive receptors (i.e., schools, hospitals, dwelling units) if there is a potential hazardous emissions source proposed.

C. Impacts

Provide a preliminary determination of the significance of impacts from the proposal on any of the topic areas listed above, considered over the life of the project. The discussion must document specific environmental topic areas impacted, the nature of the impact and the relative measure of the severity of the impact.

D. Mitigation Measures and Alternatives

- 1. Identify mitigation measures that have been incorporated into the project design to lessen or eliminate (specify which) potential adverse environmental effects. These measures should be distinguished from mitigation measures that could be part of the proposed project, but are not. The description should include a discussion of the implementation and monitoring procedures anticipated.
- 2. Provide a discussion of feasible on-site or off-site alternatives to the project location or design. Also provide a brief discussion of significant impacts of alternatives, if different than the project's impacts.

E. Certification

- 1. Attach the following statement as part of the submission:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: _____

(Signature)