

## **SECTION 7**

### **SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED**

#### **7.1 STATE CEQA GUIDELINES REQUIREMENTS**

Section 15126(b) of the State CEQA Guidelines requires an EIR to “describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described”.

#### **7.2 SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROPOSED PROJECT**

Section 5 of this EIR provides a description of the potential environmental impacts of the proposed CEQA Project and recommends mitigation measures to reduce impacts to a less than significant level, where possible. After implementation of the recommended mitigation measures, and with the exception of traffic-related noise impacts and the Project’s incremental contribution to cumulative traffic impacts on a.m. peak period levels of service on U.S. 101, as described in Section 6 of this EIR, all of the significant impacts associated with the proposed CEQA Project would be reduced to a less than significant level.

##### **7.2.1 PROJECT IMPACTS**

As described throughout Section 5 of this EIR, with the exception of traffic-related noise impacts under both baseline and project implementation conditions, all project-related potentially significant impacts can be mitigated to less than significant levels by implementation of the identified mitigation measures.

##### **7.2.2 CUMULATIVE IMPACTS**

As described in Section 6 of this EIR, all cumulative effects of the Project, when considered in combination with impacts anticipated for future development (including approved and planned development within the Project Area and surrounding affected area) are less than significant, with the exception of cumulative traffic impacts on the a.m. peak period levels of service on U.S. 101. Regional impacts on the U.S. 101 corridor would be prohibitively expensive and difficult to fund. These improvements would likely represent major freeway widening and/or improvements to the Northwest Pacific Railroad. The magnitude of the improvements necessary to the U.S. 101 corridor are so extensive that no single project could reasonably bear the burden.

The current Federal transportation legislation, the Transportation Enhancement Act for the 21<sup>st</sup> Century (TEA 21), has very limited allocations for new freeway lanes, so it is unlikely that major upgrades to U.S. 101 could be entirely funded through TEA 21. Implementation of a passenger rail system along the Northwest Pacific Railroad would have a greater chance of receiving Federal funding, but a significant local match (approximately 20 percent) would be required to complete funding for the system. It is possible that a countywide sales tax could be used to fund improvements, or a countywide impact fee could also be used to partially fund transportation improvements that serve the larger region.

It is also important to note that major freeway improvements, particularly the widening and upgrade of the portion of U.S. 101 that extends between Marin and Sonoma counties, have been opposed by many groups in both counties, and that implementation of a passenger rail on the Northwest Pacific Railroad, although identified as the preferred alternative for improving transportation conditions in the Sonoma-Marín Multi-Modal Transportation and Land Use Study, has also been strongly opposed by many groups. This is most evident by the defeat of recent sales tax initiatives, which require a two-thirds majority (to approve the list of proposed improvements), in both Marin and Sonoma counties. Given these factors, it is unrealistic to assume major improvements within the U.S. 101 corridor. As such, the City has determined that cumulative traffic growth within the U.S. 101 corridor will result in significant and unavoidable cumulative traffic impacts.