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# **1.0 – INTRODUCTION**

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This Draft Environmental Impact Report (Draft EIR or DEIR) was prepared in accordance with and in fulfillment of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. As described in the State CEQA Guidelines Section 15121(a), an Environmental Impact Report (EIR) is a public informational document that assesses the potentially significant environmental impacts of a project. CEQA requires that an EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency). The Town of Corte Madera (Town) is the lead agency for the Town of Corte Madera General Plan Update (project). Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have the obligation to balance economic, environmental, and social factors.

### 1.1 PURPOSE OF THE EIR

This Draft EIR has been prepared to provide the public and responsible trustee agencies with information about the probable effects of adoption and implementation of the comprehensive update for the Town of Corte Madera General Plan (Plan). This principal document identifies policies and implementation programs in the Plan that mitigate these effects as well as any necessary mitigation measures to minimize significant impacts to the environment. This EIR also evaluates reasonable alternatives to the proposed project. An environmentally superior alternative is identified as part of the process. A required "No Project" alternative discusses the result of not implementing the project or any reasonable alternatives. Comments generated from public review of this document will be used to revise the Draft EIR and to prepare the Final EIR.

CEQA requires the preparation of an EIR prior to approving any project which may have a significant effect on the environment. The adoption and implementation of a General Plan Update constitutes a project for the purposes of CEQA and the State CEQA Guidelines. With respect to the proposed Town of Corte Madera General Plan Update, the Town has determined that the proposed General Plan Update is a project under CEQA.

The Town of Corte Madera has determined that preparation of an EIR is appropriate due to potentially significant environmental impacts that could be caused by implementing the proposed Town of Corte Madera General Plan Update. This Draft EIR evaluates the existing environmental resources in the vicinity of the Town, analyzes potential impacts on those resources due to the proposed project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts. This EIR provides a general review of the environmental effects of infill and/or redevelopment of the Town based on proposed land use designations. This EIR will be used to evaluate the direct and indirect environmental effects of subsequent development under the General Plan (i.e., residential development, rezones, commercial structures, park sites, recreation facility development, infrastructure improvements).

### 1.2 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

For the purpose of CEQA, the term "trustee agency" means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Specifically, the following trustee agencies may have an interest in the Town of Corte Madera General Plan Update and its implementation:

- California State Lands Commission
- California Department of Fish and Game, Region 3

In CEQA, the term "responsible agency" includes all public agencies other than the lead agency that may have discretionary actions associated with the implementation of the Town of Corte Madera General Plan Update or an aspect of the project. Since potential future

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implementation decisions may occur many years from now when the General Plan is in common use, they cannot be known with certainty. However, the following agencies may have some role in implementing the Town of Corte Madera General Plan Update and have been identified as potential responsible agencies:

- Marin County Local Agency Formation Commission
- Bay Area Air Quality Management District
- Caltrans District 4
- Association of Bay Area Governments
- California Public Utilities Commission
- Regional Water Quality Control Board, Region II
- Federal Emergency Management Agency
- Bay Conservation and Development Commission
- California State Lands Commission
- Marin Municipal Water District
- Larkspur School District
- Reed Union School District
- Tamalpais Union High School District
- Metropolitan Transportation Commission
- Central Marin Sanitation Agency, Sanitary District No. 2
- Transportation Authority of Marin (TAM)
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service

### 1.3 TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR serves as a "Program EIR." Program EIRs are defined by the CEQA Guidelines (Section 15168) as, "[A] series of actions that may be characterized as one large project and may be related either:

- 1) *Geographically;*
- 2) *As logical parts in the chain of contemplated actions;*
- 3) *In connection with the issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or*
- 4) *As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which may be mitigated in similar ways."*

The program-level analysis considers the broad environmental effects of the overall proposed General Plan Update. This EIR will be used to evaluate subsequent projects (public and private) under the proposed Town of Corte Madera General Plan Update consistent with CEQA and the State CEQA Guidelines. When individual projects or activities under the General Plan are proposed, the Town would be required to examine the projects or activities to determine whether their effects were adequately analyzed in this EIR. If the projects or activities would have no effects beyond those analyzed in this EIR, no further CEQA compliance would be required.

## **1.4 INTENDED USE OF THE EIR**

This Draft EIR is intended to evaluate the environmental impacts of adoption and implementation of the General Plan Update. The document will serve as a source of information in the preparation of initial studies for subsequent planning and development proposals, including subsequent environmental review of specific plans, for infrastructure provision and individual development proposals, and for public facilities to serve new development. Moreover, the Draft EIR will be useful in the preparation of revisions to the Town's Zoning Ordinance, Capital Improvement Program, and other development projects that are consistent with the General Plan.

## **1.5 ORGANIZATION AND SCOPE**

Sections 15122 through 15132 of the State CEQA Guidelines identify content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The environmental issues addressed in the Draft EIR were established through review of environmental documentation developed for the project, environmental documentation for nearby projects, and public agency responses to the Notice of Preparation (NOP). This Draft EIR is organized in the following sections:

### **SECTION 1.0 – INTRODUCTION**

This section provides an overview that describes the intended use of the EIR, as well as the review and certification process.

### **SECTION 2.0 – EXECUTIVE SUMMARY**

This section provides a project narrative and identifies environmental impacts and mitigation measures through a summary matrix consistent with State CEQA Guidelines Section 15123.

### **SECTION 3.0 – PROJECT DESCRIPTION**

This section provides a detailed description of the proposed project and project objectives, along with background information and physical characteristics consistent with State CEQA Guidelines Section 15124.

### **SECTION 4.0 – ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES**

This section contains technical analyses relative to each environmental topic. Included in this section is a comprehensive analysis related to impacts and mitigations that correspond to project implementation. Each subsection contains a description of the existing setting of the project area. The environmental topics are summarized as follows:

- Land Use
- Population/Housing/Employment
- Human Health/Risk of Upset
- Transportation and Circulation
- Air Quality

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- Noise
- Geology and Soils
- Hydrology and Water Quality
- Cultural Resources
- Biological Resources
- Public Services
- Visual Resources and Aesthetics

### SECTION 5.0 – CUMULATIVE IMPACTS

This section discusses the cumulative impacts associated with the proposed project that, when combined with past, present, and reasonably anticipated future events, may have a cumulative impact.

### SECTION 6.0 – PROJECT ALTERNATIVES

This section discusses alternatives to the proposed project, including the CEQA mandatory “No Project” alternative, that are intended to avoid or reduce significant environmental impacts of the proposed General Plan Update.

### SECTION 7.0 – LONG-TERM IMPLICATIONS

This section contains discussions and analysis of various topical issues mandated by State CEQA Guidelines Section 15126.2. These issues include significant environmental effects that cannot be avoided if the project is implemented, significant irreversible environmental changes, and growth-inducing impacts.

### SECTION 8.0 – REPORT PREPARERS

This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

### VOLUME II - APPENDICES

This volume includes all notices and other procedural documents pertinent to the EIR, as well as all technical material prepared to support the analysis.

## 1.6 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

### NOTICE OF PREPARATION AND INITIAL STUDY

In accordance with Section 15082 of the State CEQA Guidelines, the Town prepared a Notice of Preparation (NOP) of an EIR for the project on May 19, 2005. The Town was identified as the lead agency for the proposed project. The notice was circulated to the public, local, state, and federal agencies, and other interested parties to solicit comments on the proposed project. A scoping meeting was held on June 14, 2005, to receive additional comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix A**. An Initial Study for the project was

prepared and released for public review along with the NOP. Its conclusions supported preparation of an EIR for the project. The Initial Study is also included in **Appendix A**.

### DRAFT EIR

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. Upon completion of the Draft EIR, the Town will file the Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161).

### PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the NOC, the Town will provide public notice of the availability of the Draft EIR for public review and invite comment from the general public, agencies, organizations, and other interested parties. The public review and comment period is sixty (60) days. Public comment on the Draft EIR will be accepted both in written form and orally at public hearings. Notice of the time and location of the hearing will be published prior to the hearing. All comments or questions regarding the Draft EIR should be addressed to:

Robert J. Pendoley  
Director of Planning, Assistant Town Manager  
Town of Corte Madera  
Community Development Agency  
300 Tamalpais Drive  
Corte Madera, CA 94925

### RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR (FEIR) will be prepared. The Final EIR will respond to written comments received during the public review period and to oral comments made at any public hearing.

### CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Town will review and consider the Final EIR. If the Town finds that the FEIR is "adequate and complete," the Town may certify the FEIR. Upon review and consideration of the FEIR, the Town may act upon the proposed General Plan Update. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and, if applicable, Section 15093. The Town would also adopt a Mitigation Monitoring Program, as described below, for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The Mitigation Monitoring Program will be designed to ensure that these measures are carried out during project implementation.

### MITIGATION MONITORING

State CEQA Section 21081.6(a) requires lead agencies to adopt a reporting and mitigation monitoring program to describe measures which have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is not required to be included in the EIR;

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however, it will be presented to the Town Council for adoption. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring program. Any mitigation measures adopted by the Town as conditions for approval of the project will be included in a mitigation monitoring program to verify compliance.

### 1.7 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The Town received several comment letters on the Notice of Preparation for the Town of Corte Madera General Plan Update DEIR. A copy of each letter is provided in **Appendix A** of this DEIR. The Town received letters from the following federal, state, and local agencies, and other interested parties.

- Bay Area Air Quality Management District (BAAQMD)
- California Department of Transportation (Caltrans), District 4
- Central Marin Sanitation Agency
- Department of Fish and Game (DFG)
- Pacific Gas and Electric Company (PG&E)
- Marin Audubon Society
- Friends of Corte Madera Creek

The following summarizes the concerns in these letters.

- Protection of unique and sensitive habitats, including wetlands, marshlands, woodlands, streams, and the Corte Madera Ecological Reserve.
- Adequate assessment of flora and fauna within the Town of Corte Madera, including identification of rare, threatened, endangered, and locally unique species and sensitive habitats.
- Potential impacts to salt marsh habitat, wetland areas, San Clemente Creek, and biological resources resulting from the Storm Drainage Master Plan and increased use of trails.
- Potential habitat fragmentation, blocking of movement corridors, and direct habitat loss in the area resulting from the General Plan Update.
- The fill of wetlands including requiring adequate mitigation ratios when fill does occur.
- The impacts of public access on wildlife and wildlife habitats.
- The increased use of recreational trails along Corte Madera's marshes and bay trails.
- Improvements to Highway 101 interchange and level-of-service along 101 freeway segments, ramps, and ramp terminal intersections.
- Land use conflicts that will expose sensitive receptors to toxic air contaminants (TACs).
- Consistency with the Bay Area 2000 Clean Air Plan (CAP).
- Promoting transit and alternative modes of transportation.

- Increasing the minimum number of affordable housing units and increasing density of new development.
- Regulating the use of wood burning stoves and fireplaces in future development.
- Highway and non-highway improvements and services, including special attention to the development of alternative solutions to circulation problems that do not rely upon increased highway construction.
- Funding for planned highway and transit system improvements in the Town of Corte Madera.
- Impacts to gas and electric service which may require additions to facilities and expansions of distribution and transmission lines.
- The use of electric and magnetic fields, which can be an issue of public concern.