August 25, 2017

Phil Boyle  
Town of Corte Madera  
300 Tamalpais Drive  
Corte Madera, CA 94925

Subject: Village at Corte Madera Expansion Project  
SCH#: 2016102061

Dear Phil Boyle:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 24, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project’s ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

[Signature]

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency
Document Details Report
State Clearinghouse Data Base

SCH# 2016102961
Project Title Village at Corte Madera Expansion Project
Lead Agency City of Corte Madera

Type EIR Draft EIR
Description The project includes construction of a new 46,000 sf retail store referred to as the restoration hardware gallery (RH Gallery) within the existing parking lot of the Village at Corte Madera and improvements to the existing gravel lot on the north side of Redwood Highway. The gravel lot is designated parks, open space and natural habitat district, with a wetlands and marshlands general plan designation.

Lead Agency Contact
Name Phil Boyle
Agency Town of Corte Madera
Phone (415) 927-5064
email
Address 300 Tamalpais Drive
City Corte Madera
State CA
Zip 94925

Project Location
County Marin
City Corte Madera
Region
Lat / Long 37° 55' 45.9" N / 122° 30' 49.4" W
Cross Streets Redwood Highway
Parcel No. 024-032-030/024-032-019
Township 1N
Range 6W
Section 15
Base

Proximity to:
Highways 101
Airports
Railways
Waterways SF Bay
Schools Neil Cummins ES
Land Use Regional shopping center/C-2 Regional shopping district/mixed use regional servicing commercial general plan

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Sewer Capacity; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

Date Received 07/11/2017 Start of Review 07/11/2017 End of Review 08/24/2017

Note: Blanks in data fields result from insufficient information provided by lead agency.
Letter 1 Response to Comments

Response to Comment 1-1

This letter acknowledges the Project’s compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. At the time the State Clearinghouse sent their letter to the Town, they had not received any responses from reviewing agencies. However, the California Department of Transportation forwarded a comment letter directly to the Town. Refer to Letter 3 below for the responses to the Caltrans letter.
Hi,
Thanks for the NOA on the dEIR. Your notice states that the General Plan land use for the gravel lot is Wetlands and Marshlands. A permit from the U.S. Army Corps of Engineers may be required for this work.

All proposed work and/or structures extending bayward or seaward of the line on shore reached by: mean high water (MHW) in tidal waters, or ordinary high water in non tidal waters designated as navigable waters of the United States, must be authorized by the Corps of Engineers pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403). Additionally, all work and structures proposed in unfilled portions of the interior of diked areas below former MHW must be authorized under Section 10 of the same statute. All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

More information on jurisdictional determinations of wetlands/marshlands and the permit process may be found on the USACE webpage. http://www.spn.usace.army.mil/Missions/Regulatory/

Sincerely,
Sahrye Cohen
Senior Regulatory Project Manager
U.S. Army Corps of Engineers
1455 Market Street
San Francisco, CA 94103
Phone: 415-503-6779
e-mail: Sahrye.E.Cohen@usace.army.mil
Letter 2 Response to Comments

Response to Comment 2-1

As identified in the Draft EIR on page 3.3-28, of Section 3.3, Biological Resources, the gravel lot parcel includes northern coastal salt marsh, an aquatic community which qualifies as a wetlands/waters of the U.S. at the eastern edge of the parcel. However, the marsh would not be directly impacted during Project construction or operation. The footprint of the gravel lot improvements would be limited to the existing gravel area, with no fill occurring in wetlands/waters of the U.S. Because of the close proximity of construction to the northern coastal salt marsh, indirect impacts to waters of the U.S. were identified due to dust or stormwater discharges from the gravel lot. Mitigation is provided to reduce these indirect impacts to less than significant by implementing best management practices for dust control and managing stormwater run-off in compliance with state and local regulations.
August 11, 2017

Mr. Phil Boyle
Planning Department
Town of Corte Madera
300 Tamalpais Drive
Corte Madera, CA 94925

Village at Corte Madera Restoration Hardware Expansion – Draft Environmental Impact Report (DEIR)

Dear Mr. Boyle:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission’s (MTC) Sustainable Communities Strategy (SCS), Caltrans new mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). We aim to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the DEIR.

Project Understanding

The applicant proposes to construct a Restoration Hardware Gallery at The Village in an area currently occupied by surface parking for the shopping center and improvements to an existing gravel lot located northeast of The Village. The Gallery will be approximately 46,000 square feet (sf) of gross floor area, which will entail about 40,200 sf of retail space and 5,800 sf of a café-style restaurant. The proposed project will result in a reduction of 166 parking spaces in the existing parking lot and an addition of approximately 455 parking in the improved gravel lot. Access to the project site is provided via four driveways, three of which are signalized on Redwood Highway. The project site is regionally accessed from the US 101 and Tamalpais Drive/Redwood Highway.

The applicant will enter into a development agreement with the Town of Corte Madera whereby the Town and applicant will establish the rights and obligations for use of the gravel lot for parking including improvements and maintenance. The Town would record a nonexclusive public parking easement on the parcel. Community events, similar to those which have occurred in the past will continue to be allowed.
Operations Analysis
Please clarify the following discrepancies below:

- The Redwood Highway/Industrial Way intersection currently shows congestion in the existing PM peak hour. However, the DEIR shows that the intersection have Level of Service (LOS) B on Tables 3.12-1 and 3.12-10.

- The freeway segment south of I-580 currently is congested in the PM peak hour. However, the DEIR shows that the segment has a LOS A on Table 3.12-11.

Caltrans suggests that Table 3.12-2 reads “Existing Freeway Segment LOS, Volume and Delay Speed” and the subheading “Intersection Segment”.

We also suggests that Table 3.12-11 reads “Cumulative Plus Project Freeway Segment LOS and Delay Volume”.

Sea Level Rise
Please clarify the third statement on page 3.6-8 which states, "Import/export of 5,000 cubic yards for the new Restoration Hardware Building”.

The project site, as well as the surrounding area and transportation network are located in an area that is extremely vulnerable to flooding, related impacts from future sea level rise, and storm surge events are not addressed in the DEIR (Section 3.8 Hydrology and Water Quality). Current climate science suggests that this area will be subject to permanent inundation at approximately 2-feet of sea level rise projected to occur by mid-century. However, the analysis in the DEIR concludes there will be less than significant impacts to water quality and flooding exposure based on current bay water and ground water elevations. The analysis should instead assume water elevations will increase over time throughout the life of the project, and analyze potential impacts based on these increasing water elevations.

Lead Agency
As the Lead Agency, the Town of Corte Madera is responsible for all project mitigation, including any needed improvements to the STN. The project’s fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Vehicle Trip Reduction
With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development. Recently approved guidance for incorporating SB 743 (Local Development-Intergovernmental Review Program Interim Guidance, November 2016) intends to ensure that development projects align with State policies through the use of efficient development patterns, innovative travel demand reduction strategies, and necessary

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability"
multimodal roadway improvements. For information about Local Development-Intergovernmental Review Program Interim Guidance, please see the web link below:

In Caltrans’ Smart Mobility 2010: A Call to Action for the New Decade, this project falls under Place Type 4 Suburban Communities – Dedicated Use Area, which includes areas with a low level of integration of housing with jobs, retail service, poorly connected street networks, low levels of transit service, a large amount of surface parking, and inadequate walkability, weak community design and variable regional accessibility. Given this Place Type and intensification of use, which typically leads to an increase in VMT and corresponding low levels of active transportation, we encourage the Town to establish a Transportation Management Association (TMA) in partnership with other developments in the area to pursue aggressive trip reduction targets with Lead Agency monitoring and enforcement. In addition, the Transportation Demand Management (TDM) elements described below should be included in the program to promote smart mobility and reduce regional VMT and traffic impacts to the STN:

- Project design to encourage walking, bicycling, and convenient transit access;
- TDM coordinator;
- Ten percent vehicle parking reduction;
- Electric vehicle (EV) charging stations and designated parking spaces for EVs and clean fuel vehicles;
- Carpooling incentives and dedicated parking spaces for carpooling employees;
- Transit and trip planning resources such as a commute information kiosk;
- Commuter subsidy for transit, carpool, vanpool, and bicycle use for patrons and employees on an ongoing basis;
- Enhanced bus stops including bus shelters;
- Secured bicycle storage facilities;
- Bicycle route mapping resources and bicycle parking incentives;
- Fix-it bicycle repair station(s); and
- Decrease headway times and improve way-finding on nearby bus lines to provide a better connection between the project, nearby transit stations and regional destinations.

Transportation Demand Management (TDM) programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on US 101 and other State facilities. These smart growth approaches are consistent with the MTC’s RTP/SCS goals and would meet Caltrans Strategic Management Plan sustainability goals.

For additional TDM options, please refer to Chapter 8 of Federal Highway Administration’s Integrating Demand Management into the Transportation Planning Process: A Desk Reference,

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability"
regarding TDM at the local planning level. The reference is available online at: 

For information about parking ratios, please see MTC's report, Reforming Parking Policies to 
Support Smart Growth, or visit the MTC parking webpage: 

**Multimodal Planning**
The project should be conditioned to ensure connections to existing bike lanes and multi-use trails 
such as the existing Class I bikeway/multi-use path along Wamum Drive, Redwood Highway, and 
San Clemente Drive, proposed Class II bike lanes on Redwood Highway, existing Class II bike 
lanes on San Clemente Drive and Tamalpais Drive as shown in the 2016 Town of Corte Madera 
Bicycle/Pedestrian Plan. Providing these connections with streets configured for active 
transportation are likely to reduce VMT and facilitate the use of nearby Marin Transit bus routes 
17, 22, 30, 36, and 70 and Golden Gate Transit bus routes 18, 24, and 27.

**Traffic Impact Fees**
We commend the proposed Fair Share contribution to the Town of Corte Madera for three 
roadway improvements identified in the mitigation measures. Given the potential increase in 
VMT and proximity to US 101, the project should be conditioned to contribute fair share traffic 
impact fees toward multi-modal and regional transit improvements to fully mitigate cumulative 
impacts to regional transportation. These contributions would be used to lessen future traffic 
congestion and improve multimodal transportation facilities in the project vicinity. Caltrans 
strongly supports measures to increase sustainable mode shares, thereby reducing VMT. The fair 
share information should also be presented in the Mitigation Monitoring and Reporting Plan of 
the Final Environmental Impact Report. Required roadway improvements should be completed 
prior to the issuance of the Certificate of Occupancy.

**Transportation Management Plan**
Please identify whether any construction staging adjacent to US 101 is anticipated. If it is 
determined that traffic restrictions and detours are needed on or near US 101, a Transportation 
Management Plan (TMP) will be required from the developer for approval by Caltrans prior to 
construction. TMPs must be prepared in accordance with the California Manual on Uniform 
Traffic Control Devices. Further information is available for download at the following web 
For further TMP assistance, please contact the Office of Operations Strategies at (510) 286-4579.

**Encroachment Permit**
The applicant will be required to apply for and obtain an encroachment permit for any work within 
Caltrans right of way (ROW) prior to construction. As part of the encroachment permit process, 
the applicant must provide appropriate California Environmental Quality Act approval, where 
applicable, for potential environmental impacts within the ROW. The applicant is responsible for
quantifying the environmental impacts of the improvements within Caltrans ROW (project-level analysis) and completing appropriate avoidance, minimization and mitigation measures.

To apply for an encroachment permit, please complete an encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW, and submit to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the website linked below for more information: http://www.dot.ca.gov/hq/traffops/developserv/permits.

Should you have any questions regarding this letter, please contact Stephen Conteh at (510) 286-5534 or stephen.conteh@dot.ca.gov.

Sincerely,

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse
Letter 3 Response to Comments

Response to Comment 3-1

This comment thanks the Town for including Caltrans in the environmental review process and summarizes Caltrans' understanding of the Project. The Project Understanding section accurately represents the project elements.

Response to Comment 3-2

The Draft EIR indicates the intersection of Redwood Highway and Industrial Way would operate at Level of Service B conditions based on current counts and an analysis of the current intersection geometrics. During the PM peak hour, congestion on the eastbound section of the Richmond-San Rafael Bridge causes queues that back up onto Sir Francis Drake Boulevard and onto northbound Highway 101. These queues affect delays at several local intersections along the route to the eastbound Richmond-San Rafael Bridge, not necessarily based on the capacity of the intersections to serve traffic, but based on vehicle delays while waiting to access the bridge. Construction is currently ongoing to add a third eastbound lane to the Richmond-San Rafael Bridge. The third eastbound lane, scheduled to be open in late 2017, will be open to motorists during the heavily congested weekday evening commute. Traffic counts were collected at the Redwood Highway/Industrial Way intersection in February 2017 when schools were in session. The LOS methodology used for traffic conditions analysis was the Highway Capacity Manual 2000, which is an isolated intersection capacity analysis. This analysis concluded that the intersection would operate at acceptable levels with the addition of project traffic.

The observations and data analysis conducted for the EIR indicate that northbound Highway 101 is congested south of the Sir Francis Drake interchange, but not between Sir Francis Drake and the I-580 interchange, with the exception of the auxiliary lane for traffic headed to the San Rafael Bridge. Under the “Existing” section of Table 3.12-11, the Draft EIR indicates that the mainline lanes of northbound Highway 101 just south of I-580 operate at Level of Service A conditions during the weekday PM peak hour under existing conditions. The evaluation was based on an assessment of existing condition speed data. Current congestion on this section of northbound Highway 101 does occur as a result of queueing from traffic in the rightmost auxiliary lane that is destined primarily for the eastbound Richmond-San Rafael Bridge (see paragraph above). Traffic destined for the Richmond-San Rafael Bridge on this northbound segment of Highway 101 uses the “Richmond Bridge/Francisco Blvd” exit and must then travel through a traffic signal at Bellam Boulevard. During the PM peak hour, vehicles queue back from the traffic signal at Bellam Boulevard onto northbound Highway 101. Speeds of vehicles on the four through-lanes on this section of northbound Highway 101 are higher than the exit ramp lane during the PM peak period on mid-week weekdays. The Caltrans Performance Measurement System (PeMS) was used in conjunction with ramp intersection count data to prepare the existing conditions volume set for the freeway segment analysis. PeMS contains historical traffic data from individual detectors located throughout the state freeway system and in major metropolitan areas collected in real-time. The available data include traffic counts, vehicle classification, vehicle speed, incidents, and roadway inventory. PeMS average speed data were used to identify the bottleneck that forms at the Sir Francis Drake Boulevard interchange (see the Appendix to the Traffic study). PeMS average speed data (October 2016) shows that average speeds just north of the interchange are 60 mph or greater on the mainline lanes (with the exception of the auxiliary lane, where queuing occurs for the exit to I-580 EB/Richmond-San Rafael Bridge). Therefore, the speed analysis results for the freeway segment was verified as LOS A, which is defined as mainline speeds of 60 mph or greater.
Finally, the comment suggests revisions to the titles of Table 3.12-2 and 3.12-11. These suggestions provide good clarification to the tables.

The following change is made to the title and column heading of Table 3.12-2 on page 3.12-4 of the Draft EIR:

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Freeway Segment</th>
<th>Volume¹</th>
<th>Speed (mph)²</th>
<th>LOS³</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northbound U.S. 101</td>
<td>Tiburon Boulevard to Tamalpais Drive</td>
<td>7,024</td>
<td>&lt;30</td>
<td>F1</td>
</tr>
</tbody>
</table>

The following changes are made to the title and column heading of Table 3.12-11 on page 3.12-21 of the Draft EIR:

<table>
<thead>
<tr>
<th>Freeway Segment</th>
<th>Existing</th>
<th>Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Volume¹</td>
<td>LOS²</td>
</tr>
<tr>
<td>Northbound U.S. 101</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Tiburon Boulevard to Tamalpais Drive</td>
<td>7,024</td>
<td>F³</td>
</tr>
</tbody>
</table>

Response to Comment 3-3

Approximately 2,000 cubic yards of material would be exported, and approximately 3,000 cubic yards of material would be imported to create a level building pad for the new building.

As noted on page 3.8-17 of Section 3.8, Hydrology and Water Quality, of the Draft EIR, much of the low-lying areas of Corte Madera, including the Project site, are protected by existing levees. Levees are periodically inspected and maintained by the Town of Corte Madera to ensure stability. In addition, structures built within the floodplain are subject to the Town's flood damage prevention provisions contained in Municipal Code Chapter 16.10.

Response to Comment 3-4

The Draft EIR did not identify any project-related impacts to the state transportation network. There were however, impacts identified to local streets. If the Town Council moves to approve the Project, a Mitigation and Monitoring Program (MMP) would be adopted at that time to address any potentially significant impacts and the mitigation required to reduce the impact(s) to less than significant. The MMP would identify the responsibilities for implementing each measure and the timeline for implementation. In addition, the Town prepared an analysis of the costs to implement Mitigation Measure C-TR-1 Fair Share Contribution to Intersection Improvements, which establishes a current dollar value of the Project’s fair share contribution of 23 percent.
Response to Comment 3-5

On January 20, 2016, the Governor’s Office of Planning and Research (OPR) released a second draft of proposed changes to CEQA Guidelines in response to SB743 relative to new methodologies that emphasize Vehicle Miles Traveled (VMT). The OPR has yet to submit final guidelines to the California Natural Resources Agency, which will then begin a “rulemaking” process to certify the guidelines. Since the Notice of Preparation (NOP) for the Project EIR was issued in October 2016 prior to the submission or adoption of the final guidelines, the EIR was prepared using the currently approved CEQA Guidelines and Town policies. Therefore, significance criteria for Vehicle Miles Traveled were not applied to the Project, since the Town of Corte Madera’s current transportation significance criteria (as outlined in the General Plan) are based on intersection Level of Service (LOS). Although the Transportation Authority of Marin (TAM) is currently updating the countywide travel demand model and is working with local jurisdictions in Marin County to develop appropriate policies, thresholds, and tools for implementation of SB 743, that model is not yet available.

Improvement Measure C-TR-2, in Appendix G of the Draft EIR, suggests the Applicant develop and implement a transportation demand management (TDM) Program, subject to review and approval by the Town Department of Public Works. This measure was identified to reduce impacts, but is not required to address a significant impact. The Town agrees it is a good idea to require monitoring of the TDM Program. The improvement measure has been revised in the Transportation Impact Study, which is included herein as Appendix A.

Response to Comment 3-6

Mitigation Measure TR-3 requires that access along the existing Class I bikeway/multi-use path adjacent to Redwood Highway (Bay Trail) be maintained at all times during project construction. If a closure of the Bay Trail is required for construction, a continuous path shall be maintained around the closure. If construction at the gravel lot causes any damage to the trail, the trail shall be reconstructed or repaired to its pre-project condition after the final construction phase of the Project. The project does not propose any changes to the Redwood Highway roadway cross-section (with the exception of Mitigation Measure TR-1, which would only effect the center median) and therefore would not present an inconsistency or conflict with the existing Class I bikeway/multi-use path (Bay Trail) or the Town’s planned Class II bike lane facility along Redwood Highway. The Project does not propose to change access to the existing bike lanes and multi-use trails on Wornum Drive, San Clemente Drive, and Tamalpais Drive, nor would the Project have significant impacts to the use of these bike lanes. The Project would not preclude the proposed Class II bike lanes on Redwood Highway, since the Project would not modify the existing roadway cross-section in such a way as to preclude Class II bike lanes from being implemented in the future. Therefore, there are no significant environmental impacts created by the Project that require any additional improvements to these bike lanes and multi-use trails.

Response to Comment 3-7

No significant impacts to existing transit facilities or Highway 101 were identified in the Draft EIR. Therefore no mitigation which would require fair-share impact fees would be required. The Draft EIR identified that the Project’s contribution to cumulative freeway volumes on US 101 would not be significant, so therefore the impact to the regional roadway network is less-than-significant and no mitigation is required. The Project’s impact to transit would also be less-than-significant and no mitigation is required. The Project would result in a significant impact to pedestrians, though this impact is mitigated through Mitigation Measure TR-1A and TR-
1B. Additionally, Improvement Measure C-TR-2 would require the Applicant to develop and implement a TDM program, subject to review and approval by the Town of Corte Madera Department of Public Works.

**Response to Comment 3-8**

Construction staging is anticipated to occur at the gravel lot and within the existing parking lots. The two construction staging areas are shown in the Draft EIR in Figure 2-6, Chapter 2 Project Description. A short segment of a single lane along Redwood Highway (which is not part of the State Transportation Network) could be temporarily closed during construction to allow construction vehicles in and out of the Project site. If this were to occur, traffic would be diverted to the second lane. No detours would be required.

**Response to Comment 3-9**

No work is proposed within the Caltrans right-of-way. An encroachment permit would not be required.
Dear Phil Boyle,

Thank you for notifying the Federated Indians of Graton Rancheria about The Village of Corte Madera Expansion Project, Restoration Hardware, a project within the Tribe’s Ancestral Territory. We appreciate being notified and will review your project within 10 business days. If you have an immediate request please contact the Tribal Heritage Preservation Office for assistance by phone at (707) 566-2288 or by email at thpo@gratonrancheria.com.

Sincerely,

Buffy McQuillen
Tribal Heritage Preservation Officer (THPO)
Native American Graves Protection and Repatriation Act (NAGPRA)
Office: 707.566.2288; ext. 137
Cell: 707.318.0485
FAX: 707.566.2291

Antonette Tomic
THPO Administrative Assistant
Federated Indians of Graton Rancheria
6400 Redwood Drive, Suite 300
Rohnert Park, CA 94928
Office: 707.566.2288, ext. 143
Fax: 707.566.2291
atomic@gratonrancheria.com

Please consider our environment before printing this email.

Federated Indians of Graton Rancheria and Tribal TANF of Sonoma & Marin - Proprietary and Confidential
CONFIDENTIALITY NOTICE: This transmittal is a confidential communication or may otherwise be privileged. If you are not the intended recipient, you are hereby notified that you have received this transmittal in error and that any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify this office at 707-566-2288, and immediately delete this message and all its attachments, if any. Thank you.
Dear Phil Boyle,

The Tribe has received the project notification letter requesting interest and input regarding the project at The Village of Corte Madera Expansion Project, Restoration Hardware. We appreciate your effort to contact the Tribe. The Tribal Heritage Preservation Office staff has reviewed the project information. Based on the project details, the Tribe does not have any comments to provide at this time. Should the project be modified the Tribe respectfully requests project notification and the opportunity to review the project. Thank you for contacting the Tribe with this notice and the opportunity to provide comment.

Sincerely,
Buffy McQuillen
Tribal Heritage Preservation Officer (THPO)
Native American Graves Protection and Repatriation Act (NAGPRA)
Office: 707.566.2288; ext. 137
Cell: 707.318.0485
FAX: 707.566.2291

Antonette Tomic
THPO Administrative Assistant
Federated Indians of Graton Rancheria
6400 Redwood Drive, Suite 300
Rohnert Park, CA 94928
Office: 707.566.2288, ext. 143
Fax: 707.566.2291
atomic@gratonrancheria.com
Letters 4 and 5 Response to Comments

Response to Comment 4-1 and Comment 5-1

Comment 4-1 acknowledges receiving the notification of the project and indicates that a review will be complete within 10 business days. Comment 5-1 indicates that review of the Project has occurred and that the Tribe does not have any comments. If the Project is modified, the Town will provide notification, as requested.
August 25, 2017

Phil Boyle, Senior Planner
Town of Corte Madera Planning Department
300 Tamalpais Drive, Corte Madera CA 94925

Subject: Restoration Hardware Expansion DEIR

Dear Mr. Boyle:

Thank you for the opportunity to comment on the above referenced document.

The Bay Trail Project plans, promotes and advocates for the implementation of a continuous 500-mile bicycling and walking path around the entire San Francisco Bay. When complete, the trail will pass through 47 cities, all nine Bay Area counties, and will cross seven toll bridges. More than half the length of the shoreline Bay Trail has been developed—354 miles—, connecting neighborhoods, schools, parks, and transit centers, and providing a unique alternative commute corridor. The goal of the Bay Trail is a multi-use pathway located as close to the shoreline as possible.

The Bay Trail in Corte Madera runs along and adjacent to Paradise Drive, San Clemente, and old Redwood Highway. There are real and tangible impacts to the safety of Bay Trail users as a result of the proposed project by introducing a significantly increased number of vehicles crossing the pathway. While of lesser concern, shoppers traversing between the parking lot and the mall on foot are also crossing the trail, leading to potential conflicts between cyclists and pedestrians.

To change zoning on the gravel lot from Wetlands and Marshlands to Mixed-Use Region-Serving Commercial and from Parks, Open Space and Natural Habitat District to a Regional Shopping District is an overall concern. Wetlands, marshlands, open space, parks and natural habitats are in short supply. Shopping is not.

Should the change in zoning and the paving of the gravel lot move forward, and given the impacts to the safety of users, the Bay Trail Project is not sure that it should, the proponent should consider re-routing the trail outboard of the new parking, but within the bounds of the existing gravel lot. This will eliminate the turning conflicts from Redwood Highway and the main Village parking lot. Since the proposed project removes 166 spaces in the main lot and builds 455 in the gravel lot, there is clearly room to reduce those spaces in favor of a generous pathway with plenty of landscaped buffer from the marsh edge. Low, attractive fencing to prevent dogs from entering the sensitive marsh area could also be included.

An additional alternative to consider is adding an official Bay Trail alignment to the railroad right-of-way running between the Wornum Curve and San Clemente Drive. This pathway exists, is currently in use by the public, meets the goals of the Bay Trail, and would require limited improvement for
adoption into the 9-county, regional Bay Trail system. This existing levee-top was identified as the preferred location for the Bay Trail in the 2004 Corte Madera Bay Trail Feasibility Study prepared for the Town of Corte Madera by Alta Planning and Design. While confident cyclist seeking a more direct connection between San Clemente and Wornum could continue to use the Redwood alignment, families cycling with children and the more leisurely walkers that already use this path should be accommodated here.

Providing an opportunity for residents and visitors alike to use and enjoy an uninterrupted, low-stress bayside trail that allows for walking, cycling, birding, and appreciation of nature and the San Francisco Bay are important principles that the proposed project must incorporate. If the trail cannot be routed around the marsh side of the gravel parking lot, an improved alternate path on the levee providing for a fully car-free experience should be pursued.

If you have any questions regarding the Bay Trail or these comments, please do not hesitate to contact me at (415) 820-7909 or by e-mail at mgaffney@bayareametro.gov.

Sincerely,

Maureen Gaffney
Principal Planner
San Francisco Bay Trail Project

Encl:  1 Bay Trail map, Corte Madera
Letter 6 Response to Comments

Response to Comment 6-1

This comment summarizes the goals of the Bay Trail Project and the location of the Bay Trail within the Project area.

There are two existing vehicular and pedestrian crossings of the Bay Trail at the gravel lot. As described in the Draft EIR on page 3.12-5, the northern crossing is a signalized intersection where vehicle, pedestrian, and bicycle movements are all controlled, including those using the Bay Trail. Since this intersection provides full access to Redwood Highway from the gravel lot, most vehicles would access the lot via this driveway (approximately 102 vehicles are anticipated to enter and 106 to exit the gravel lot during the PM Peak). Since the Bay Trail crossing is signal-controlled at this location, conflicting pedestrian/bicyclist and vehicle movements are managed by traffic signal indicators. At the southern crossing, the vehicle driveway is stop-controlled for vehicles leaving the gravel lot and, through Mitigation Measure TR-3d, the driveway would only allow for right-in, right-out vehicle movements. Because of this new right in / right out restriction, the number of vehicles utilizing the southern driveway would be lower than the numbers using the driveway during the holiday season under existing conditions which allows for both left and right turn movements. Operation of the Project would not create a significant safety impact to pedestrians and bicyclists on the Bay Trail as the northern driveway is controlled and the southern driveway would have fewer vehicles crossing than under certain existing conditions.

The Draft EIR identified a significant impact to Bay Trail users during construction of the Project. Mitigation Measure TR-3b, Redirect Bay Trail Users during Construction, requires the Bay Trail to remain open at all times during Project construction. If a closure of the Bay Trail is required for any construction phase, a continuous path shall be maintained around the closure until construction is completed in order to provide safe travel for users of the Bay Trail. A flagger will be stationed at either end of the construction (northern and southern driveway) to assist Bay Trail users to safely navigate the closure.

However, because the Bay Trail is a regional multi-use path, extra striping and signage along this portion of the Bay Trail within and adjacent to the driveway would enhance the crossing’s visibility to both drivers and trail users.

The following change is made to Mitigation Measure TR-3d: Improve Pedestrian Safety, in Section 3.12 Transportation and Traffic.

Measure TR-3d: Improve Pedestrian Safety

Northern Driveway to Improved Gravel Lot

Modify the proposed improvement plans for the gravel lot to provide for low speed vehicular entry and exit at the northern driveway. An extended driveway “throat” length that eliminates the intersection with the north-south vehicular cross aisle, and provides direct, visible pedestrian paths that are separated from vehicular traffic to link the parking lot interior with the adjacent signalized crosswalk.

Southern Driveway to Improved Gravel Lot

Restrict driveway access to right-in, right-out movements and eliminate the southbound left turn lane by extending the existing median to the northwest. Provide fencing, or another type of barrier such as a hedge, inside the curb line of the median to prevent pedestrians from crossing at this
location. The barrier should extend from the northwestern extent of the new median (at the location of the beginning of the median taper for the westbound Redwood Highway left turn lane at the north Village entrance) and continue south for approximately 50 feet past the driveway entrance. Provide signage both within the improved gravel lot and at the southern driveway to direct pedestrians to cross Redwood Highway at the traffic signal at the northern driveway to the improved gravel lot. Provide striping across the driveway and signage adjacent to the driveway to enhance the crossing’s visibility to both drivers and Bay Trail users.

Response to Comment 6-2

Permanently rerouting of the Bay Trail around the perimeter of the gravel lot is not required to mitigate a significant impact of the Project. However, the Town may want to consider this change to the Project. The potential rerouting of the Bay Trail was discussed at the September 21, 2017, Bicycle and Pedestrian Advisory Committee. A detailed plan for the rerouting of the Bay Trail and reconfiguration of the gravel lot improvements has not been prepared or evaluated. However, such an option would not have new significant impacts nor require new mitigation measures compared to the impacts identified in this EIR, if it had the following characteristics:

1. The footprint of the rerouted Trail and gravel lot improvements is located within the footprint of the existing gravel lot improvements described in the Draft EIR, Chapter 2, Project Description;
2. Any reduced parking at the gravel lot does not result in the Project not being able meet the Town’s parking standards;
3. The gravel lot improvements meet the Phase II Small MS4 General Permit requirements as outlined in Section 3.8 Hydrology & Water Quality, of the Draft EIR;
4. A fence, as described as an option in the Draft EIR in Chapter 2, Project Description, is constructed between the Bay Trail and the marsh; and
5. It still meets the project objectives.

Comment 6-2 also mentions including a fence around the perimeter of the gravel lot, if the Bay Trail were to be reconfigured. The fence is already evaluated as an optional element in this EIR.

Response to Comment 6-3

This comment suggests an alternative route for the Bay Trail alignment could be the railroad right-of-way where there is an existing path, as identified in the Corte Madera Bay Trail Feasibility Study (Corte Madera 2004). As with the rerouting of the Bay Trail around the perimeter of the gravel lot, an alternative route along the railroad right-of-way is not required to mitigate a significant impact of the Project. Therefore, this alternative suggestion does not require further consideration to meet the CEQA requirements for this Project.
Phil, My questions regarding the DEIR are as follows.

7 - 1 I am concerned about the amount of material that may need to be exported from the standpoint of the carbon footprint associated with moving this much material but also because both properties are below BFE 11 which we would all like to achieve. Perhaps the asphalt and concrete from the parking lot may be difficult to reuse on site but I do not understand why there would need to be 2400 cubic yards of gravel and material moved from the gravel lot. The property has been compacting for decades and adding fill on top of what is there with compaction would appear to me to be the reasonable approach.

7 - 2 3.6-10 proposal to have lockers and showers for employees is commendable but would be better if this was provided for all employees of the Village by MaceRich at a central secure location.

7 - 3 3.6-11 High sodium vapor lights vs warm LED, which is the more environmentally friendly solution.

7 - 4 3.6-6/3.10-1 Goal of reducing cumulative GHG emissions and noise pollution. I understand that the Village is moving toward electric and battery powered landscaping equipment which would reduce both noise pollution and GHG emissions as well as fugitive dust. Can this be considered in the DEIR to reduce GHG and noise pollution.

7 - 5 3.8-15-16 Flood proofing. I believe dry flood proofing is acceptable for a commercial business but would ask if the infrastructure will be protected if seepage occurs or if there was a failure of the system. Will internal electrical outlets and the equipment used in the restaurant be above BFE11? Also is there a thought to having the window base above BFE11 so these would not need to be protected in the event of unexpected flooding from levee failure or pump failure. FEMA also recommends a detailed plan as to who initiates the plan to place the aluminum blocks in the channels. FEMA also recommends a sump pump in the interior of the building to prevent damage from seepage.

7 - 6 Plans for a backup generator makes sense but has MaceRich considered a backup generator that could provide power for all the tenants or at least the restaurants that would need to maintain refrigeration.

7 - 7 3.8-11 Stormwater runoff, will screening being installed on catch basins to comply with Stormwater Phase II requirements.

7 - 8 I understand that RH will contribute to intersection improvements and I assume Nordstrom also contributed for their remodel. I would be interested in seeing the proposed plans and some sense of when we might try to implement the improvements.

Bob Bundy
Town of Corte Madera Planning Commissioner
Letter 7 Response to Comments

Response to Comment 7-1

The Geotechnical report (Kleinfelder 2017) recommended that, because of the variability in the existing fill, the existing soils be over-excavated to a depth of at least 18 inches below existing grade. However, it is expected that some of the material to be removed would be suitable for reuse, either at the gravel lot or for base material in utility trenches. Emissions related to import/export of material have been accounted for in the Project’s calculated emissions in Section 3.6 Greenhouse Gas Emissions.

Response to Comment 7-2

The bulleted list of measures in Mitigation Measure GHG-1 are provided as a guide, or starting point. Mitigation Measure GHG-1 allows flexibility for the Applicant to develop a reduction plan of any combination of feasible greenhouse gas reduction strategies that reduce the Project’s annual emissions below 1,100 MT per year.

Response to Comment 7-3

An LED light is more environmentally friendly as it uses 1/3 the energy and lasts 10 times longer than a high pressure sodium vapor light.

Response to Comment 7-4

As noted in Response to Comment 7-2, Mitigation Measure GHG-1 allows flexibility for the Applicant to develop a reduction plan of any combination of feasible greenhouse gas reduction strategies that reduce the Project’s annual emissions below 1,100 MT per year. The Draft EIR did not identify an impact from operational noise, therefore a mitigation to reduce noise would not be required.

Response to Comment 7-5

The Project is subject to the Town’s Flood Damage Prevention Regulations and would require a Floodplain Development Permit in accordance with Municipal Code Chapter 16.10, Flood Damage Prevention, before construction or development begins. The Town’s Public Works Department would ensure compliance with the permit. Inspections would be performed at key points during the construction process, and at Project completion. In accordance with the provisions of Municipal Code Chapter 16.10, flood hazard reduction provisions shall include, but would not necessarily be limited to the following:

- Anchoring new construction and improvements to prevent flotation, collapse, or lateral movement of a structure resulting from hydrodynamic and hydrostatic loads;
- Use of flood-resistant materials, utility equipment resistant to flood damage, and other methods and practices that minimize flood damage;
- Rising of the elevation of the lowest floor, including basement, to a height equal to or exceeding one foot above the BFE specified on the FEMA Flood Insurance Rate Map, or floodproofing the building below one foot above the BFE, such that the structure:
  - Is watertight with walls substantially impermeable to the passage of water;
  - Has structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
– Is certified by a registered professional engineer or architect that the standards of Section 16.10.080 of the Municipal Code are satisfied.

Flood-proofing elements following FEMA standards would be incorporated into the Project, including upturned concrete walls at the base of the building and an aluminum barrier system for ground level floors and windows.

**Response to Comment 7-6**

The backup generator is specific to the Restoration Hardware Gallery building. No improvements are being proposed to the other buildings in The Village.

**Response to Comment 7-7**

As noted in Mitigation Measure HWQ-3, Implement Post-construction Stormwater Requirements, the Project would comply with the requirements for catch basin design and maintenance as described in the E.12 Post Construction Requirements contained in the Town’s Phase II Stormwater Permit, and as outlined in the BASMAA Post Construction Manual: Design Guidance for Stormwater Treatment for Projects, in Marin, Sonoma, Napa, and Solano Counties. Although screening is not required, it is an option that could be implemented to keep debris from entering the catch basin.

**Response to Comment 7-8**

As noted in Mitigation Measure C-TR-1, Fair Share Contribution to Intersection Improvements, the Project’s fair share contribution would be 23 percent of the cost to implement the intersection improvements. Nordstrom’s fair share contribution to the improvements at the intersection of Tamalpais Drive and San Clemente Drive was $133,000. The improvements would need to be implemented prior to the cumulative impact occurring. The cumulative impact is based on buildout under the Corte Madera General Plan. Because not all of the future development identified in the General Plan is currently being proposed, the timing of construction of the intersection improvements is not known at this time. Additional development would need to occur before the cumulative impact is triggered, and the intersection improvements would be required to be constructed.
August 24, 2017

Phil Boyle, Senior Planner
Town of Corte Madera
300 Tamalpais Drive
Corte Madera, CA 94925

RE: The Village at Corte Madera Expansion Project

Dear Mr. Boyle:

Thank you for the opportunity to comment on the DEIR for the Village at Corte Madera Expansion Project which involves constructing a Restoration Hardware building in the existing parking lot of the Village Shopping Center and improving the gravel lot across the street. Marin Audubon's focus is on protecting natural resources, therefore, our comments only address the potential environmental impacts of the construction and use of the gravel lot on the adjacent habitats.

On November 30, 2017, Marin Audubon submitted a scoping letter on the project prior to preparation of the DEIR. The purpose of scoping comments is to inform EIR preparers on issues to be addressed in the Draft EIR. The DEIR ignores or inadequately addresses most issues raised in our scoping letter. Therefore, we resubmit our scoping comments and specifically request that responses be provided on our points 3, 6, 8 and portions of 1, 2, 4, and 5 in that letter.

Several MAS Board members also met with representatives of the Village Shopping Center and Restoration Hardware during which we expressed our recommendation for a wider buffer/transition zone and fencing to protect the adjacent transition zone and marsh habitat.

PROJECT DESCRIPTION

The project description discusses an optional fence. A fence would be particularly important, if a path between the parking lot and the marsh is considered. In that case, fencing must be provided as mitigation because the impacts would be even more intense. With no fencing, people would be able and perhaps encouraged to enter the habitat through gaps in the vegetation, possibility to view the marsh, sleep or whatever. We strongly object to the existing buffer/transition zone being reduced in size to construct the fence even if it is described as only being “slightly smaller,” whatever that means. Any fence should be on the parking lot area.

Figure 2.5 shows and describes a 4' high cyclone fence along the perimeter that is set back to allow vehicle overhang, and a wide area (no gage is on the figure) at the north east edge of the lot area between the first row of cars and the fence. The purpose of this area should be stated. It should be included in the transition zone/buffer habitat.
General Plan Amendment and Rezoning

As requested in our earlier letter, the DEIR should address the reasons for designating the gravel lot as Baylands Risk Zone Natural Habitat Overlay District. What is the history of that designation? This entire area is historic tidal marsh and the last remnant of that habitat, known as the ox bow, was filled for the parking lot. It was likely anticipated that the lot area is a high risk zone because of its underlying bay mud and would/could at some time be restored to habitat. The Town needs to decide whether it is in the public interest to remove these long-time designations.

Further, the DEIR should describe the agreements the Town has already approved or is considering approving for use of the gravel lot. We recall the Town was agreeing to a 99-years lease or use agreement.

BIOLOGICAL RESOURCE DISCUSSION INADEQUATE

Most of the biological resource description is boiler plate. The description of the resources focuses too narrowly on plant species in the vegetated 50 feet adjacent to the parking lot, which is described as a buffer to the lot. Some physical aspects of the nearby Ecological Reserve and GGBHTD property are discussed. The only discussion about Shorebird Marsh is that tidal action is “limited” and that coastal saltmarsh and buffer is beyond the gravel lot. There is no discussion of the habitat value of the Shorebird Marsh.

The discussion segments the habitat and describes it in terms of several plant species (Baccharis and Distichlis). The discussion should address the habitat values and functions of the marsh and the condition of the adjacent vegetation. Is the cover provided uniform or are there voids? The same segmented approach is taken with wildlife. Lists of species are presented with no functional context.

To understand the biological resources and their importance as habitat, one must know what the broader setting is, how the project site fits within and functions with other adjacent habitats, and provides habitat for wildlife and other services (e.g. flood control). Lists of special status species are presented along with a sentence or two about each one. But, there is nothing about why the Shorebird Marsh, which is actually a muted tidal pond with tidal marsh fringe, is important biologically.

The EIR should discuss the fact that Shorebird Marsh is an important habitat for migratory waterfowl and shorebirds. It is important for shorebirds in particular because it is a managed muted tidal marsh and provides resting and foraging over-wintering habitat when these birds must leave the nearby intertidal habitat because they are covered with the tide. Shorebird Marsh provides habitat for dabbling ducks which require shallow waters to feed. Special status San Pablo Song Sparrow also use transition zone habitat for nesting and foraging.

The DEIR should also address the importance of transition zones/buffers and of this specific transition zone. We asked several questions about this in our letter, but there is not even a mention of this zone and the important function it serves for wildlife. What habitat value does the vegetation provide? Why is it important? How does it function in relation to the marsh? We note that at 50 feet, the current buffer/transition zone is already too narrow. The preferred width to protect wildlife and habitat from adjacent impacts is a 100 foot wide transition/buffer zone.

IMPACT DISCUSSION INADEQUATE
The discussion fails to adequately address the impact the proposed modifications to the gravel lot would have on the adjacent transition zone, Shorebird Marsh’s habitat and on the wildlife they support. As noted, both direct and indirect effects on local and regional resources must be addressed. Those indirect impacts include more than impacts of artificial lighting. See discussion of indirect impacts on page 4.

We do appreciate that a path is not proposed, but expect you will be receiving comments asking for one. For this reason, we emphasize that the entire rest of Shorebird Marsh is lined with public access trails. Another trail adjacent to the transition zone means this habitat would be completely surrounded by a path and humans that use them. This would greatly increase the significance of the impacts of public use and increase the need for more buffer width and fencing.

BIO 1 Substantial Adverse Effect on Special Status Species

The discussion of the special status species needs further attention with regard to San Pablo Song Sparrow. The habitat for this special status species includes muted tidal marshes and transition zones. Because Shorebird Marsh is operated as a muted tidal marsh for much of the year (except during times of flood threat), it is likely Shorebird Marsh and transition zone habitats are used by this species. Surveys are needed to determine the presence of San Pablo Song Sparrow in the marsh.

Not mentioned is the nesting colony of Terns that has nested on some of Shorebird Marsh islands in past years. Although they may be far enough away to limit impacts, that is not certain. Their presence in recent years should be verified, along with a discussion of possible impacts of people, noise and light they will bring. Additionally, the need for mitigation should be discussed.

The measures listed to protect the endangered Salt Marsh Harvest Mouse (SMHM) are those required by the USFWS when construction is near endangered species habitat. They would be required anyway. The discussion should recognize that the width of the buffer, particularly if no fence is installed, would not be sufficient to protect the Song Sparrow and SMHM. In particular, SMHM must leave tidal marsh habitats when the water level is high in order to find refuge on adjacent lands from predators. SMHM have been found hundreds of feet from their usual tidal marsh habitats.

Thirty-four 20 foot tall light poles are recognized as a potential impact because they might be perches for raptors and the reader is referred to the aesthetic impact discussion (Section 3.1). Section 3.1 focuses on impacts to people and does not include any discussion of impacts to wildlife. Exterior lighting also affects wildlife in ways other than providing perches for raptors.

There is extensive research on the impact of night-lighting on bird behavior. Exterior lighting is known to disrupt migrating birds and also to disrupt feeding, resting and movement patterns. Findings of studies on lighting impacts should be discussed and mitigations to address the possible impacts should be added. Mitigation should address how the lighting being proposed would avoid impacts to migrating, nesting and foraging birds in and around Shorebird Marsh, particularly during low water levels in the marsh.

BIO 2 Adverse Effect on Sensitive Natural Community

Northern Coastal saltmarsh is correctly recognized as a sensitive natural community. As discussed above, a 50-foot setback is not sufficient to adequately protect salt marsh habitat or the species that
depend on it for their survival. The discussion states that the buffer width is 50 to 80 feet. Where the 80 feet length is located and how it would be maintained should be discussed.

The project is covering virtually all of the gravel lot with a paved parking lot that will attract large numbers of people to park their vehicles and possibly for other activities. The effects of this increased number of people on the buffer habitat and species that use it must be identified as an impact and mitigation measures to avoid or minimize the impact should be specified. Indirect impacts would occur from the additional people who will use the lot to park and from the noise and lights of their vehicles at night. Some of the folks are likely to want to enter the habitat to see what’s beyond it, let their dogs loose, smoke, sleep, etc. – all will be additional impacts.

Mitigation should include increasing the width of the buffer and constructing a fence, as well as increasing the width of the buffer area, revegetating with native plants in the buffer where the vegetation is sparse, none exists and to replace any invasive plants. The fence should be constructed in the parking lot. No space should be taken from the already-too-narrow buffer/transition zone habitat. The fence and revegetation would mitigate impacts on the increased human use that is anticipated to be caused by the project.

**ALTERNATIVES ANALYSIS**

Only two alternatives are analyzed. Analyzing just these two does not provide an adequate range for decision-makers or the public. The only developed alternative besides the project is a massive structure which likely to be even less acceptable to the community for many reasons. It would have even more environmental impacts than the current proposal.

A third alternative which could be more environmentally acceptable would include an adequate buffer/transition zone of 100 feet wide between the new lot and Shorebird Marsh. This would provide additional habitat and buffer the increase impacts of increased human activity adjacent to the marsh.

Thank you for responding to our comments.

Sincerely,

Barbara Salzman, Co-chair
Conservation Committee

Phil Peterson, Co-chair
Conservation Committee
**Letter 8A Response to Comments**

**Response to Comment 8A-1**

This comment is introductory in nature and identifies broader elements of the Project. The Project is characterized correctly in the comment.

**Response to Comment 8A-2**

The Town received the referenced scoping letter and included it in Appendix A of the Draft EIR and also has included it in this Final EIR as Comment Letter 8B, for ease of reference. The comment specifically sites requesting responses to items 3, 6, and 8, and portions of 1, 2, 4, and 5. Responses to these items are provided following the responses to Comment Letter 8A. Item 7 is not referenced and assumed to be responded to adequately in the Draft EIR. Please refer to the responses to Letter 8B, following this letter.

**Response to Comment 8A-3**

During the scoping process, Marin Audubon Society requested that a fence be installed around the outside of the gravel lot. Consequently, an option to install a fence was added to the Project Description in the Draft EIR, and the optional fence was evaluated in the same manner as the improvements proposed by the Applicant. A path around the outside of the gravel lot has not been proposed by the Applicant and was not evaluated in the Draft EIR, but has been requested by a representative of the San Francisco Bay Trail and could be considered by the Town; please refer to responses to Letter 6.

Regarding encroachment of the fence into the existing “buffer” zone around the marsh, approximately 100 feet of the fence along the eastern border would be placed approximately 1 foot into the existing “buffer” zone. The fence could not be placed within the existing gravel lot footprint along the eastern border without losing several parking spaces, as cars would hit the fence without the vehicle overhang. Along some segments of the perimeter, the fence would be located within the existing footprint of the gravel lot, thus slightly increasing the buffer in these areas. Along the northern border (approximately 140 feet) the optional fence would be located 2 to 3 feet within the gravel lot footprint, and along the western border the fence would be located about 1 foot within the gravel lot footprint. See also Response to Comment 8A-6 below.

As noted on Figure 2-5 of the Draft EIR, the “wide area” at the northeast edge is a bioretention raingarden. Bioretention is required by State regulation under the Phase II Small MS4 General Permit. Because the bioretention areas would require periodic maintenance, they are proposed to be located inside of the fence to provide easy access.

**Response to Comment 8A-4**

The comment asks about the historical reasons for designating the gravel lot as Baylands Risk Zone Natural Habitat Overlay District. Although the zoning history of the property may be interesting, it does not relate to a potential environmental impact or to a potential conflict with the Zoning Ordinance. No further response is required under CEQA on this issue, but further discussion regarding zoning history may be relevant in the review of the project applications for General Plan and Zoning amendments.

With regard to the existing agreement between the Town of Corte Madera and the Applicant for use of the gravel lot, the agreement indicated the site had been and would continue to be “used for parking purposes”. As noted in the Draft EIR in Section 2.3.2, Gravel Lot, since 1996, the gravel lot has been used for overflow
parking for customers of The Village, staging for nearby construction projects, and periodic community events such as Avon Walk for Breast Cancer, Ragnar Relay, Centennial Fireworks, Circus Vargas, and Marin General Hospital Gala. This agreement does not have an expiration date and cannot be unilaterally terminated by the Town.

With regard to the proposed agreement between the Town and the Applicant for use of the gravel lot, the Applicant would enter into a development agreement with the Town whereby the Town and Applicant would establish the rights and obligations for use of the gravel lot for parking for The Village including improvements and maintenance. The Town would record a nonexclusive public parking easement on the parcel. Some Community events, similar to those described in section 2.3.2, Gravel Lot, would continue to be allowed, but such events would be limited by the physical changes to the site and to certain times of year. Only those details of the agreement that have potential environmental impacts are relevant to the evaluation in this EIR.

Response to Comment 8A-5

The biological setting for the project is described in the Draft EIR in the first 12 pages of Section 3.3 on Biological Resources. In addition, the biological setting for the project is described in Appendix C1, Biological Resources Assessment, and Appendix C2, Review of Biological Resources Assessment for Proposed Development at The Village at Corte Madera. The Shorebird Marsh, which is adjacent to the gravel lot, is described briefly on page 3.3-1, and on page 3.3-4, the reader is referred to the description of the Saltgrass Flats biological community which is present around the edges of the gravel lot, as well as in the Shorebird Marsh.

In particular, the Draft EIR in Section 3.3, Biological Resources, identified four biological communities within the Project site at the gravel lot: landscaped, coyote brush scrub, ruderal grassland, and saltgrass flats (also referred to as northern coastal salt marsh). The Draft EIR identified the northern coastal salt marsh as a sensitive natural community, protected by federal, state, and local regulations. The northern coastal salt marsh is located at the Project site (gravel lot parcel) and in the greater Shorebird Marsh and Ecological Reserve. The setting section on biological communities also discusses the relationship between the ruderal grassland, coyote brush scrub, and saltgrass flats/northern coastal salt marsh. The ruderal grassland/cockeney brush scrub would provide a “buffer” between the Project improvements and the saltgrass flats/northern coastal salt marsh.

As stated in CEQA Guidelines section 15125(a), “The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives.” In this case, the project improvements do not overlap the Shorebird Marsh or the Saltgrass Flats biological community associated with the Marsh, and, therefore, the Draft EIR has not identified direct impacts on the Shorebird Marsh. The commenter has not suggested that any such significant direct impacts to the Marsh would occur.

The Draft EIR does identify significant indirect impacts to the nearby Shorebird Marsh, namely Impact BIO-1 relative to potential impacts to special-status species from stormwater or dewatering water discharges to the Marsh during construction and operation, potential impacts to salt marsh harvest mouse habitat during construction, and potential impacts to nesting birds during construction; Impact BIO-2 relative to potential impacts to a sensitive natural community; Impact BIO-3 relative to potential impacts to wetlands/waters at the Marsh; Impact BIO-4 relative to potential impacts to native nursery sites during construction; and Impact HWQ-1 relative to water quality degradation from stormwater or dewatering water discharges to the Marsh during construction and operation. However, a number of mitigation measures have been developed to reduce those impacts to a less-than-significant level (Mitigation Measures BIO-1a, BIO-1b, AES-1, AQ-2, HWQ-1, HWQ-2,
and HWQ-3). The commenter has not suggested any additional mitigation measures that would be needed to reduce impacts to less than significant. Therefore, additional research on the general ecology of the nearby marsh (e.g., uniformity of cover, additional discussion of habitat values and functions, rating of biological importance) is not necessary or useful in establishing whether or not significant impacts may occur due to the project. Nor is such information required to formulate effective and feasible mitigation measures. The indirect effects on Shorebird Marsh that have been identified in the Draft EIR are typical types of effects which occur as a result of construction and operation of any public or private development project, and additional research on the ecology of the Marsh is not required in order to identify or mitigate such impacts.

It is agreed that Shorebird Marsh is an important habitat for migratory birds. The Draft EIR found that habitat within and adjacent to the Project site provides limited nesting and suitable foraging opportunities for many avian species, including migratory birds. In addition, six special-status raptors and migratory birds have the potential to occur at the Project site. As noted in Table 3.3-1 of the Draft EIR, the San Pablo song sparrow has been recorded in association with the surrounding marshes of the Project site. Because of this, the Draft EIR found impacts to nesting raptors and migratory birds to be significant. Implementation of Mitigation Measure BIO-1b, Nesting Raptors and Migratory Birds, would reduce impacts to nesting birds and raptors by requiring avoidance and/or limiting sources of potential interference during construction. In addition, indirect construction impacts to the marsh habitat were identified and would be mitigated through implementation of dust control construction measures, managing stormwater runoff, and managing dewatering discharges to protect the water quality of the marsh and by limiting potential pollution.

Response to Comment 8A-6
As described in the setting section and throughout the analysis in Section 3.3 Biological Resources in the Draft EIR, an existing “buffer” of coyote brush and ruderal grass lies between the existing gravel lot and the marsh. Depending on the location, the “buffer” ranges from approximately 50 to 80 feet wide. Neither coyote brush scrub nor ruderal grassland are considered sensitive natural communities by regulatory authorities and are not considered sensitive under CEQA. However, the “buffer” is identified as helping to protect the marsh. Indirect impacts identified in the Draft EIR were not limited to artificial lighting, but also included dust during construction and runoff water quality during construction and operation. If not properly controlled, stormwater and dewatering discharges would have the potential to carry sediment off the site untreated, entering the “buffer” zone and eventually the marsh. Mitigation Measures AES-1, Reduce Nighttime Lighting; AQ-2 Implement BAAQMD Basic Construction Measure; HWQ-1, Manage Stormwater during Construction; HWQ-2, Manage Construction Dewatering Discharges; and HWQ-3, Implement Post-construction Stormwater Requirements, would be effective at reducing indirect impacts to the nearby marsh to a less-than-significant level.

It is acknowledged that, in general, larger “buffers” such as 100 feet are ideal between natural habitats and developed areas. However, no direct impacts to the marsh would occur due to the Project primarily because of the limited nature of the changes proposed when compared to the existing conditions. The footprint of the Project stays within the existing disturbed gravel lot (unless the optional fence is approved), and the Mitigation Measures identified above would reduce any significant indirect effects to less than significant. The existing “buffer” is approximately 50 to 80 feet wide, and CEQA does not require creation or restoration of historic habitat in the absence of project impacts.

Response to Comment 8A-7
Refer to Response to Comment 6-2.
Response to Comment 8A-8

San Pablo song sparrow is addressed in the Draft EIR in Section 3.3, Biological Resources. This species has been sighted in association with the surrounding marshes. Because San Pablo song sparrow is known to already occur, there is no reason to conduct surveys. The primary threat to San Pablo song sparrow is habitat loss from development, fragmentation, or degradation. A majority of the Project site (parcel on which the gravel lot sits) is already developed and the remainder lacks a consistent tidal influence and dense emergent marsh habitat which is required to support nesting by this species. Therefore, the sparrow is not likely to nest on the Project site. It could, however, forage on the portion of the Project site with ruderal grassland and coyote brush scrub.

As identified in the Draft EIR, the Project would not directly impact the marsh or the ruderal grassland/coyote brush scrub, and therefore would not affect either nesting or foraging habitat for the sparrow. As noted in Response to Comment 8A-6, the Draft EIR identifies significant indirect impacts to these communities, but provides sufficient mitigation to reduce the impacts to less than significant. Five mitigation measures are identified in the Draft EIR to mitigate indirect impacts to the marsh from construction dust, pre and post construction stormwater runoff, construction dewatering, and operational lighting. With implementation of mitigation measures, no significant impacts to the San Pablo song sparrow or its habitat would occur due to the Project.

In addition, Mitigation Measure BIO-1b, Protect Nesting Raptors and Migratory Birds, requires pre-construction nesting surveys for work during the breeding seasons between February 1st and September 1st, and protection of potentially affected nests thereafter. If nesting birds are found within the vicinity of the Project site, including San Pablo sparrow, corrective measures would be implemented to avoid the nest until the young have fledged.

Response to Comment 8A-9

It is not clear where in the Shorebird Marsh, which is larger than 25 acres, the referenced nesting terns have been sighted. However, in neither of the site visits conducted in support of the Biological Resources Assessment reports, were nesting terns documented within the vicinity of the Project site.

The Draft EIR describes on pages 3.3-23 and -24 of Section 3.3, Biological Resources, that habitat adjacent to the Project site provides nesting and foraging habitat for a variety of avian species, which would include terns nesting at the Shorebird Marsh, and that impacts to nesting birds could be significant. Therefore, Mitigation Measure Bio-1b, Protect Nesting Raptors and Migratory Birds, requires pre-construction nesting surveys for work during the breeding seasons between February 1st and September 1st, and protection of potentially affected nests thereafter, and Mitigation Measure AES-1, Reduce Nighttime Lighting, requires that “Lighting within the gravel lot improvements area shall be directed and/or shielded away from Shorebird Marsh”. The commenter mentions, in addition, that potential impacts of additional people and noise at the gravel lot may contribute to disturbance of nesting. Shorebird Marsh is adjacent to Redwood Highway and Highway 101 and therefore currently subject to substantial noise levels, and it is nearly surrounded by a well-used public path. Nesting birds in Shorebird Marsh are subject to substantial noise and the presence of people under existing conditions. As noted in Section 3.10, Noise, on page 3.10-11 of the Draft EIR, the Project would not result in a permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Response to Comment 8A-10

The Draft EIR on pages 3.3-23 and -24 identified a significant impact on salt marsh harvest mouse habitat due to indirect effects of project construction and found that Mitigation Measures BIO-1a, Protect Salt Marsh
Harvest Mouse; HWQ-1, Manage Stormwater during Construction; HWQ-2, Manage Construction Dewatering Discharges; and HWQ-3, Implement Post-construction Stormwater Requirements, would be effective at reducing impacts to the nearby mouse habitat to a less-than-significant level. The Draft EIR on page 3.3-24 also identified a significant impact on salt marsh harvest mouse habitat due to project operation and found that Mitigation Measure AES-1, Reduce Nighttime Lighting, would be effective at reducing indirect impacts to the nearby mouse habitat to a less-than-significant level. The commenter has not suggested any changes or additions to these mitigation measures.

Implementation of the Project would not decrease mouse habitat and would not decrease the “buffer”, unless the optional fence were to be installed. If the optional fence were constructed, it would encroach into the coyote brush/ruderal grassland “buffer” area by approximately 1 foot, for a length of approximately 100 feet along the 550-foot eastern edge of the lot. The entire circumference of the lot is about 1,200 linear feet. The 1-foot encroachment into the “buffer” along 100 feet would be less than significant because it occurs for such a short segment of the overall length.

As discussed under Response to Comment 8A-6, it is acknowledged that, in general, larger “buffers” such as 100 feet are ideal between natural habitats, such as salt marsh harvest mouse habitat, and developed areas. The existing “buffer” ranges from approximately 50 to 80 feet wide, and CEQA does not require creation or restoration of historic habitat in the absence of project impacts.

Response to Comment 8A-11

The Draft EIR on page 3.3-24 identifies a significant impact on avian species due to operational lighting at the gravel lot and found that Mitigation Measures AES-1, Reduce Nighttime Lighting, and BIO-1a, Protect Salt Marsh Harvest Mouse, would be effective at reducing indirect impacts to the nearby avian habitat to a less-than-significant level. Mitigation Measure AES-1, Reduce Nighttime Lighting, requires that “Lighting within the gravel lot improvements area shall be directed and/or shielded away from Shorebird Marsh”. Mitigation Measure BIO-1a requires that “Roosting and landing deterrent (i.e., bird control spikes) shall be permanently installed on the top of new lighting structures at the gravel lot to deter avian predators.” The Draft EIR refers the reader to Section 3.1, Aesthetics, only for the full text of Mitigation Measure AES-1, Reduce Nighttime Lighting, not for the analysis on biological resources. In addition, the Draft EIR Project Description indicates that the Applicant would install lighting that conforms to “dark sky” requirements.

A review of the literature on the effect of night lighting on bird behavior is not needed in order to identify and mitigate the impact. The commenter has not suggested any changes or additions to the mitigation measures developed to reduce the night lighting impact.

Response to Comment 8A-12

The entire existing “buffer”, which is vegetated by ruderal grassland and coyote brush scrub (neither of which is considered a sensitive natural community nor primary habitat for endangered species), would be maintained, in that all of the gravel lot improvements would be contained within the existing disturbed footprint of the gravel lot. The exception is the optional fence, as noted in Response to Comment 8A-10. Refer to Response to comment 8A-3 with regard to the location of the fence and vehicle overhang.

The existing gravel lot has been used for parking for many years, especially during the three-month holiday shopping season. Also, during the shopping season, the gravel lot has had night lighting from lights powered by generators. The gravel lot has been used for special events, such as the circus, many of them with night lighting. Informal uses, such as pet owners playing catch with their dog have also been observed at the gravel
lot. Shorebird Marsh is subject to substantial noise from Redwood Highway and Highway 101 and is nearly surrounded by well-used paths with no fences between the path and the marsh. While vehicular use, lighting, noise, and the general presence of people at the gravel lot is likely to increase somewhat due to the Project, these uses and effects would not be new and would have less-than-significant impacts on the marsh, especially in comparison to the existing effects of transportation and recreational facilities.

As discussed under Response to Comment 8A-6 and 8A-10 above, the impacts on the nearby marsh habitat would be adequately mitigated by Mitigation Measures AES-1, AQ-2, BIO-1a, BIO-1b, HWQ-1, HWQ-2, and HWQ-3. Additional mitigation through construction of a fence and expansion of the “buffer” is not required to reduce impacts to a less-than-significant level.

**Response to Comment 8A-13**

The Draft EIR analyzed three alternatives to the Project, two options within Alternative 1 No Project Alternative and Alternative 2 Structured Parking. In addition, the Draft EIR considered an additional four alternatives that were found to be infeasible or similar to Alternative 2. The Project, Option 1b of the No Project Alternative, and Alternative 2 were found to have similar environmental impacts after mitigation, and none were found to be environmentally superior to the others. Potential impacts to the marsh would be mitigated through a variety of mitigation measures meant to reduce light pollution, construction dust, and water quality impacts. Refer to Response to Comment 8A-6 for a complete list. Implementation of these would reduce impacts to northern coastal salt marsh by requiring avoidance and limiting sources of potential pollution during construction and operation.

CEQA requires that alternatives to a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, be considered. As discussed under Response to Comment 8A-6 and 8A-10 above, the impacts on the nearby marsh habitat would be adequately mitigated by Mitigation Measures AES-1, AQ-2, BIO-1a, BIO-1b, HWQ-1, HWQ-2, and HWQ-3. An alternative to reduce impacts to Shorebird Marsh is not required, as the impacts have already been reduced to less than significant. In addition, as noted under Response to Comment 8A-12, Shorebird Marsh is currently subject to substantial noise and human interaction. CEQA does not require a project to analyze alternatives that would reduce existing impacts on the environment.
November 30, 2016

Phil Boyle, Senior Planner
Town of Corte Madera
300 Tamalpais Avenue
Corte Madera, CA 94925

RE: SCOPING COMMENTS FOR RESTORATION HARDWARD

Dear Mr. Boyle:

The Marin Audubon Society appreciates the opportunity to submit Scoping comments for the Draft Environmental Impact Report for the Restoration Hardware Expansion Project. Our comments focus on potential impacts to the adjacent Shorebird Marsh from changes and increased use of the gravel parking lot. Shorebird Marsh was mitigation for adverse impacts to an oxbow marsh for construction of the Village Shopping Center. The oxbows were remnants of the historic tidal marshes that once existed in this site. Shorebird Marsh was designed and functions primarily as a flood ponding basin and also wildlife habitat. Our interest is in ensuring there are no adverse impacts to this remnant of a once extensive tidal marsh system marsh. The DEIR should:

1. Background. Discuss and report the conditions and entitlements for the Village Shopping Center that provided for construction of the gravel parking lot and Shorebird Marsh, and led to the Town’s ownership of it. What agreements, legal restrictions, and binding conditions exist governing development of the gravel lot for parking? A record search should be conducted to verify this important background for the project.

2. Land Use Designation. The property is designated as Baylands Habitat Zone, natural habitat. What was the rational for this designation? Discuss the potential for restoring the site to marsh.

3. Transition Zone. Describe the current conditions of the gravel lot as it interfaces with the adjacent marsh. Discuss the transition zone, the uplands adjacent to Shorebird Marsh, its width and its importance as a component of the flood basin and to the wildlife that use the marsh.

This transition zone is a slope that allows the water level to rise, thereby providing flood ponding benefits. Describe how the marsh is managed for flood control. How much of the transition zone is exposed when measured at the highest water level managed for in the marsh? Discuss the weather that could bring more incidents of intense storm, wave run-up and extreme tides and/or other conditions under which Shorebird Marsh would be full and that would result in risk overflowing and possibly flooding. Would the lot be a useful flood plain under such circumstances? What is the potential for water ponded in the marsh to overflow onto the gravel lot or would all flow be to the north? Could the flood control system be overwhelmed or break down?
Transition zones are widely recognized as important components of marsh habitats during times of high water levels when certain wildlife that do not swim must seek refuge on higher grounds. Transition zones also provide nesting and foraging habitat for special status and other species. Transition zones must be wide enough to allow both habitat and flood benefit functions. Under normal weather and management conditions and at the level of highest water, what is the width of the transition zone that is available for wildlife? i.e. how much refugia habitat remains for wildlife use under usual high tide/storm and then under extreme weather conditions?

4. Vegetation. Describe the current condition of the transition zone vegetation along the banks of Shorebird Marsh adjacent to the project site. Discuss and identify the species of non-native invasive plants that are present. Evaluate the condition of the transition zone as a high water refugia for wildlife.

5. Impacts to the transition zone edge. Describe the project’s plan for the marsh edge/transition zone. How would the project affect the transition zone? Would the transition zone be reduced in size? Would any vegetation be destroyed? What species would be planted to compensate for any destroyed and for any areas that are unvegetated or vegetated with invasives?

We note that an acceptable transition zone width is at least 100 feet from the high water levels. If it is currently narrower, it should be widened and areas where there is a predominance of non-native plants should be revegetated with natives.

6. Impacts to wildlife. Right now this edge of the marsh receives little use. The gravel parking lot is not heavily used and there is no path along the edge, so people are not attracted to it, as they would be with the project’s development and the additional parking activity it would bring. The DEIR should discuss how the project would avoid impacts on wildlife and transition zone of construction and of the ongoing use of the converted lot. Would a fence be used to ensure people and dogs do not get into the marsh?

We understand that there is interest in constructing a public path along the marsh edge. We do not support constructing a path along the perimeter of the lot because of the adverse impacts it would bring. Off leash dogs, which have been a chronic problem in the area, entering the transition zone and marsh, and increased numbers of people are primary concerns. There are paths all along the rest of the marsh. This side should remain without a path. A sidewalk should be provided along the street.

7. Water Quality. Runoff from the increased number of vehicles would carry more oil and grease. Resurfacing with asphalt, particularly when new, would contribute additional pollutants. With conversion from a gravel surface, rain/runoff that would not be filtered through the soil and the volume of runoff would be a greater. What measures are proposed to treat the runoff to protect Shorebird Marsh and the Bay where the runoff eventually ends? How would the increased runoff be accommodated? Describe the impacts of the water treatment system. Is it proposed to be constructed in the transition zone or the parking area?

8. Night Lighting. The lot would have to have night lighting to accommodate evening shoppers. Night lighting has been proven to negatively impact birds during migration by confusing them and diverting them from their migratory routes. The results can be exhaustion and death. Night lighting can also adversely impact resident nesting birds. Discuss how the project proposes to avoid the adverse impacts of night lighting on birds using the adjacent marsh and on migration.
Thank you for considering our questions and concerns.

Sincerely,

Barbara Salzman, Co-chair
Conservation Committee

Phil Peterson, Co-chair
Conservation Committee
Letter 8B Response to Comments

The following responses to comments are provided in response to Comment 8A-2. Comment 8A-2 specifically requests responses to items 3, 6, and 8, and portions of 1, 2, 4, and 5 of a letter submitted during the scoping process in November 2016. That scoping letter is included herein as Letter 8B.

Response to Comment 8B-1 and 8B-2

See Response to Comment 8A-4.

Response to Comment 8B-3

With regard to comments related to “transition zones” refer to responses to 8A-3.

As discussed in the Draft EIR Section 3.8, Hydrology and Water Quality, the Shorebird Marsh Pump Station and Gate are set to control the water level depending on seasonal variations and periods of expected precipitation. Shorebird Marsh is not tidally influenced and therefore the water level remains fairly consistent throughout the year.

Response to Comment 8B-4

The setting section of Section 3.3 Biological Resources, of the Draft EIR, describes the coyote brush scrub and ruderal grassland communities found within the “transition zone” (see pages 3.3-3 and 3.3-3).

Response to Comment 8B-5

The Project does not have any direct impact to the marsh edge, as the gravel lot improvements would be within the existing gravel lot footprint, with the exception of the optional fence which would encroach into the coyote brush/ruderal grassland by approximately 1 feet wide and 100 feet long (see Response to Comment 8A-3). Project impacts to coyote brush scrub/ruderal grassland are discussed under Impact BIO-1, BIO-2, and BIO-4. Its role as a transition zone is mentioned in mitigation Measure BIO-1a, which requires that staging areas occur at least 33 feet away from the edge of this transitional habitat. As discussed under Response to Comment 8A-6 and 8A-10 above, the indirect impacts on the “buffer” and nearby marsh habitat would be adequately mitigated by Mitigation Measures AES-1, AQ-2, BIO-1a, BIO-1b, HWQ-1, HWQ-2, and HWQ-3.

Response to Comment 8B-6

Refer to Response to Comment 8A-9 and 8A-12 with regard to existing use at the lot and potential impacts from increased use at the lot. Refer to Response to Comment 6-2 with regard to a path around the perimeter of the gravel lot.

Response to Comment 8B-7

Comment 8A-2 did not mention item 7, Water Quality, as being inadequately addressed in the Draft EIR. No further response is required.

Response to Comment 8B-8

The Draft EIR did analyze, and determined the impact from night lighting to be significant. Refer to Response to Comment 8A-11 and 8A-12
From: Jean Severinghaus  
Sent: Friday, August 25, 2017 5:02 PM  
To: Phil Boyle  
Subject: Restoration Hardware and Gravel Lot

I have a number of concerns.

9 - 1

One, is it such a good idea to pave or sell or expand use of the gravel lot, changing the General Plan, in the face of imminent sea level rise? Might that land have new unforseen needs by and for the Town even within the next 5-10 years???

9 - 2

Two, how will bicycling people be safe from turning cars on the pathway at the front entrance? Will there be new trees, removing and replacing the current ones which are blocking safe sightlines, paid for by this RH plan?

9 - 3

Will there also be a completely protected signal phase for the crosswalk there, triggered by a pedestrian button or bike recognition hardware in the pathway, with red light arrows that motorists cannot cross during that phase? This path is a critical SR2S route between both sides of 101 at Wornum and deserves complete protection for bikers and walkers in the crosswalks with no "invited conflicts," and no "permissive" phases for turning cars.

9 - 4

Three, will the second entrance be closed to cars to protect the integrity and safety of people including schoolchildren who depend on the Class 1 multi use path? It should be closed to cars.

Four, would it be desirable to build a Class 1 MUP around the outside of the gravel lot to provide safe passage for non-road bicyclists, instead of along the Redwood Highway roadway, crossing either or both entrances?

I would like to see the town insist Restoration Hardware create far safer separated bicycle facilities than I have seen in Town plans, as well as creating and preserving access to the beauty of the pond and marshes for people walking and biking.

Thank you.

Jean Severinghaus  
Caltrans District 4 Bicycle Advisory Cmte, Marin Member at Large  
Greenbrae Boardwalk, in Corte Madera Sphere of Influence  
SR2S Task Force L-CM Schools
Letter 9 Response to Comments

Response to Comment 9-1

CEQA does not require evaluation of impacts of the environment. i.e., sea level rise, on the Project. Therefore, no further response is required.

Response to Comment 9-2

Refer to Response to Comment 6-1, with regard to the safety of bicyclists from turning cars on the pathway. The existing crosswalk is already fully signalized. No new improvements at this crosswalk are proposed as part of the Project.

No trees will be removed at the gravel lot, including those trees adjacent to the Bay Trail. Any lack of visibility of Bay Trail users is an existing condition which has not been caused by the Project.

Response to Comment 9-3

Refer to Response to Comment 6-1.

Response to Comment 9-4

Refer to Response to Comment 6-2.
Phil, I have been in the shopping center business for over 40 years. Most of that time as President of Terranomics Retail Services. My most recent project in Marin was the redevelopment of Strawberry Shopping center. Prior to that I was involved in the revitalization of Corte Madera Town center when it was foreclosed on many years ago. We took it over when the entire center shop area was vacant and created the spring board for its current evolution.

My concern about Restoration Hardware is the fact that it is in the wrong location. They are a destination retailer and their catalog supports that definition. Customers are driven to their offerings through their extensive catalog. The number of people that just walk in to browse is minimal and seldom result in a sale. Unlike their counterpart which is an “impulse retailer” such as The Gap, Abercrombie, etc. That being the case, they should be locating the store on the farthest spot on the ring road (Redwood Hwy) and not at the entry to the most popular parking entrance to the mall and eliminating a large number of easy access parking spaces. Bad location and bad decision.

Should you have any interest in furthering this conversation I would be more than happy to meet.

Best regards,
Nick Javaras.
Letter 10 Response to Comments

Response to Comment 10-1

The comment does not question the adequacy of the Draft EIR, but suggests the location of the building should change for economic and parking reasons. Moving the Restoration Hardware building to a different location within the existing parking lot would not reduce any significant environmental impacts, and therefore, this suggested alternative location need not be analyzed as an alternative in the EIR.
Dear Phil,

I am a resident of Corte Madera (5463 Paradise Drive) and will be out of town for the Planning Commission meeting on August 8, so wanted to submit my comments and concerns regarding this proposed project. These are as follows:

- **The loss of 166 parking spaces in the Village will result in severe traffic congestion as well as loss of business for the shops.**
  - People come from San Francisco and further afield to shop here largely because of the ease of getting in and out, and being able to park conveniently close to the shops. The parking and roads around the Village are congested as it is, and this would make it considerably worse, and consequently the destination will be much less attractive to visiting shoppers as well as locals. Anyone who has attempted to enter or navigate this area during holiday shopping season will attest to this obvious fact.
  - I predict that the backups into Tamalpais Drive and onto the highway will be severe if this goes ahead. I expect that shops further down, such as Trader Joe's etc will also be adversely affected. There will probably even be backups on 101 north, adding to the already out-of-control afternoon rush hour leading to the Richmond Bridge. Why add to that if we don't have to?
  - We do not need to lose or impact our beautiful marshland to pave it over with yet more car parking spaces.

- **If Restoration Hardware really has a compelling reason for needing to expand (and one that will benefit our community economically, for which there has so far been zero evidence), there are better alternatives available.** Macy's is a failing store that is part of an increasingly downmarket chain - it would be far better to see that store replaced with a new Restoration Hardware, and it could be expanded upwards and outwards with minimal loss of prime parking spaces.

If the Village is sincere in its commitment to our community, I'd like to see that demonstrated with some critical thinking about alternatives, as well as a meaningful strategy to fill the existing empty shops within the mall before they start trying to expand. For example, they could also start with repairing the gaping holes and broken down fences that abut Highway 101 (that no doubt facilitate the easy getaways from robberies at the jewelry store etc).

Perhaps you could also think about asking the Village to fund the proposed new pedestrian bridge to link the two malls/sides of 101, and/or a safer and more accessible bus stop that would contribute something positive to Corte Madera. Ditto for Restoration Hardware.

I am happy to discuss all of these comments and suggestions if that would be helpful. I'm not a reactionary when it comes to new building projects - I believe that communities have to grow
and adapt to meet changing needs of the times - but this particular project seems to fail the cost/benefit analysis to our town in every respect.

Kind regards,

Sarah

--

Sarah Blumling
(415) 702-5061
sarah.blumling@gmail.com
Letter 11 Response to Comments

Response to Comment 11-1
The Draft EIR does not identify an existing significant congestion impact on local streets (see Draft EIR evaluation starting on page 3.12-13). The Project would replace the 166 lost parking spaces at The Village parking lot with up to 455 spaces at the improved gravel lot.

However, during construction, the Draft EIR identified a significant congestion impact and developed mitigation. Mitigation Measure TR-3c requires that the Applicant prepare and submit a detailed parking management plan to the Public Works Director to maintain a sufficient level of parking supply at the Village during construction. The plan would include travel and/or parking management strategies to address any shortfall in parking at The Village during construction such as: (a) valet parking, (b) an off-site parking area with sufficient parking spaces to meet the deficit in supply and a shuttle service between the off-site parking area and the Village, (c) incentives to reduce vehicle travel by employees, and/or (d) special shopper shuttle buses.

Response to Comment 11-2
The signalized intersections on Redwood Highway to the north and south of the Trader Joe’s access driveway (Industrial Way and Wornum Drive) were assessed as part of the EIR. The EIR found that the project would result in the addition of 17 vehicle trips on Redwood Highway during the PM peak hour, which would not result in a significant impact to traffic conditions at these adjacent intersections under either existing plus project or cumulative plus project conditions. Please refer to the Draft EIR Section 3.12, Transportation, which shows that 14 local intersections and 8 nearby freeway segments were evaluated, and no significant impacts would occur due to the Project with implementation of mitigation measures.

Response to Comment 11-3
The Project does not propose to pave any of the marsh. The improvements at the gravel lot would be confined to the existing disturbed area unless a fence is approved. If the optional fence were constructed, an approximately 1-foot wide by 100-foot long of coyote brush/ruderal grassland “buffer” would be disturbed, however, no clearing of vegetation would occur.

Response to Comment 11-4
Macy’s has not publicly provided any notice of vacating their store at The Village. Macy’s owns the land where the store is located. Therefore, utilizing the Macy’s space is not a feasible alternative and is not considered further.

Response to Comment 11-5
The comment suggests improvements elsewhere in The Village, but does not comment on the adequacy of the Draft EIR. No further response is required on this issue.

Response to Comment 11-6
The Draft EIR did not identify any impact that would be mitigated by requiring a pedestrian bridge or more accessible bus stop. As noted in Section 3.12, Transportation and Traffic, impacts to bicycle and pedestrian facilities were found to be less than significant.
Hello Phil

I was just looking at http://townofcortemadera.org/DocumentCenter/View/1515

Could you please tell me if the overlay box of the proposed RH at A17 Design Details/images as seen from NW, SW, and SE is drawn to scale? The squares seem very large in comparison to the other buildings in the pictures.

How does the height of RH to the skylight ridge (i.e. 47') compare to the East facing wall of Nordstrom's with the Nordstrom sign?

Also I think it would be very helpful if RH could provide a video such as the following (which was made before the building was built): http://vimeo.com/62829090, to show what the expansion would look like from various places.

Many of us were shocked when we saw how big Tam Ridge was and wished we could have seen a scale model.

Also do you know if people come to RH to look at merchandise and then order it online whether they pay the Corte Madera sales tax?

Thanks for giving us the opportunity to ask questions and give input -- I know you're very busy.

Peggy Burnett
Letter 12 Response to Comments

Response to Comment 12-1

Architectural Sheet number A17 shows examples of exterior designs for the proposed Restoration Hardware Building. The overlay boxes shown on Architectural Sheets A18 and A19 show the location of the Restoration Hardware site as seen from a distance from the northwest, southeast, west, and southwest directions but do not represent the actual size of the proposed building.

Response to Comment 12-2

As noted in the Draft EIR, the top of the Restoration Hardware building elevator tower and roof ridge of the scenery loft would be 46 feet from finished grade. The courtyard outside the scenery loft would have an exterior parapet wall. The top of the parapet of the second floor would be 33 feet and 9 inches from finished grade. For comparison, the highest peak at the Nordstrom building is 46 feet above finished grade. The height of the Restoration Hardware would be similar to the Nordstrom’s building in overall scale.

The Draft EIR Section 3.1, Aesthetics and Visual Resources, includes a visual simulation of the building from the trail adjacent to the marsh (see Figure 3.1-2b Proposed Building). Although Nordstroms cannot be seen in this view, the adjacent Village buildings can be seen. These buildings have a ridgeline height of 34 feet. Figure 3.1-3b Proposed Gravel Lot Improvements, includes the Restoration Hardware building in the distance as well as the Nordstrom’s building for comparison. In addition, Appendix B – Project Plans, sheets A2.1 – A2.5, include visual simulations of the Restoration Hardware building from the west face, view to the west, rooftop patio, west elevation from the plaza, and east elevation from the parking lot. These simulations show the Restoration Hardware building accurately in context. A video is not required.

Response to Comment 12-3

CEQA does not require an evaluation of economic issues such as sales taxes. No further response is required.
From: Peggy Burnett [mailto:peggy_burnett@yahoo.com]
Sent: Wednesday, August 9, 2017 5:11 PM
To: Phil Boyle <pboyle@tcmmail.org>
Subject: Corte Madera Bayfront Vision Plan

Hello Phil

Do you know if this is on the Corte Madera website?

It's cited under part X Land Use and Planning (page 27) of http://www.townofcortemadera.org/DocumentCenter/View/1968 (the DEIR for the RH expansion)

I couldn't find it online although I didn't look too extensively

Thanks
Peggy Burnett
Letter 13 Response to Comments

Response to Comment 13-1

The Corte Madera Bayfront Vision Plan is available at the counter of the Planning Department at City Hall. It can be viewed during normal business hours. No further response is required on this issue.
Nighttime sky – As Corte Madera is a suburban community and most of Restoration Hardware’s other mega stores have been in urban areas, I think nighttime illumination needs to be no more than the other stores at the Village. Also because Corte Madera encourages green building excessive illumination should be avoided.

Traffic congestion studies – I’d like to see the intersection of Warnum and Redwood Highway included as I think some shoppers at Restoration Hardware who go north or to the East Bay will travel through this intersection. In fact I think the impact on the driveway to Cost Plus and Trader Joe’s should also be included (although this is in Larkspur) as traffic there is already very congested and will get worse when people are living at the Tam Ridge apartments and there is more traffic from the Village.

PS - I learned the Corte Madera Bayfront Vision Plan was created in 1994 but I couldn't find it online.

Thanks,
Peggy
Letter 14 Response to Comments

Response to Comment 14-1

The Project is subject to the State of California Title 24 Outdoor Lighting Standards Regulatory Framework which sets requirements for outdoor lighting for residential and non-residential development. The standards regulate lighting characteristics such as maximum power and brightness, shielding, and sensor controls to turn lighting on and off.

As noted on page 3.1-13 of the Draft EIR, the Project is required to comply with General Plan Policy CD-1.5 which requires preserving the value of the community’s night sky and avoiding unnecessary light and glare from signage, building and landscape illumination, or other sources of outdoor lighting.

In addition, Mitigation Measure AES-1, Reduce Nighttime Lighting, would ensure the Project implements known measures that reduce or prevent unnecessary lighting, and do not allow light to spill onto adjacent properties. Mitigation Measure AES-1 includes the following requirements:

- Skyward-casting lighting shall be prohibited for any new parking lot lighting;
- Over-lighting shall be prevented and full-cut off fixtures shall be used to minimize light pollution and trespass in the parking lots. Lighting within the gravel lot improvements area shall be directed and/or shielded away from Shorebird Marsh and other adjacent land uses (except for Redwood Highway);
- Lighting for exterior locations shall be designed primarily for public safety and shall not result in unnecessary glare beyond the project boundary;
- Whenever possible, lighting for pathways shall be low path lighting;
- Motion sensors shall be used where possible to lessen unnecessary lighting;
- Use of separate circuits shall be implemented where feasible to allow peripheral lighting to be turned off.

Response to Comment 14-2

The intersection of Redwood Highway / Wornum Drive was studied as part of the EIR (study intersection #1). The Draft EIR did not identify a significant transportation-related impact at this intersection due to traffic added by the Project. With regard to the driveway at Cost Plus and Trader Joe’s, refer to Response to Comment 11-2.

Response to Comment 14-3

Refer to Response to Comment 13-1.
From: Maureen Gaffney [mailto:MaureenG@abag.ca.gov]
Sent: Tuesday, August 08, 2017 1:09 PM
To: Adam Wolff
Subject: RE: The SF Bay Trail on Paradise Drive

A few more questions--what is the status of the Bay Trail repaving/widening on Redwood between San Clemente and Wornum? What is the current width (guessing approx. 6 feet?) and what will the new width be? When will construction start/finish?

Barbara Salzman’s scoping comments referenced a potential pathway around the outboard perimeter of the gravel parking lot, but I don't see that in any of the current documents. Assume that was dropped?

I'll want to comment as a Bay Trail rep and also, separately, as a Larkspur resident. Should I fill out two separate speaker cards?

While I have you, what is the status of the requests for zoning amendments on the gravel parking lot?

Thanks much,
Maureen Gaffney
Letter 15 Response to Comments

Response to Comment 15-1
This is not a comment on the adequacy of the Draft EIR. The Town has met with the commenter and discussed these questions in relation to the Town’s Bay Trail project. No further response is required under CEQA.

Response to Comment 15-2
A path is not proposed as part of the Project. Please refer to Response to Comment 6-2.

Response to Comment 15-3
As described in the Draft EIR, Chapter 2, Project Description, the zoning amendment is one of the entitlements that the Town would need to consider as part of approval of the Project. The proposed zone change has been evaluated in the EIR. No changes have been proposed to the zoning amendment as described in the Draft EIR.
MINUTES
REGULAR PLANNING COMMISSION MEETING
AUGUST 8, 2017
CORTE MADERA TOWN HALL
CORTE MADERA

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner Jennifer Freedman
Commissioner Charles Lee

STAFF PRESENT: Adam Wolff, Planning Director
Phil Boyle, Senior Planner
Judith Propp, Assistant Town Attorney
Kristine Gaspar, Consultant
Joanne O’Hehir, Minutes Recorder

1. OPENING:

A. Call to Order – The meeting was called to order at 7:30 p.m.

B. Pledge of Allegiance – Chair Chase led in the Pledge of Allegiance.

C. Roll Call – All the commissioners were present.

2. PUBLIC COMMENT

Peggy Burnett, 14 Laurel Drive, suggested that the Town includes other public meetings on its website calendar, noting that tonight’s meeting clashes with an important meeting at the school district.

Lucinda Smith, Alta Way, requested that the Town coordinates meetings with other agencies to ensure important meetings do not clash.

3. CONSENT CALENDAR – None

4. CONTINUED HEARINGS – None

5. NEW HEARINGS
A. VILLAGE AT CORTE MADERA RESTORATION HARDWARE EXPANSION PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT - PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE VILLAGE AT CORTE MADERA EXPANSION PROJECT (Senior Planner Phil Boyle)

Senior Planner Phil Boyle introduced consultants, Kristine Gaspar and Pat Collins from GHD, authors of the Draft Environmental Impact Report (DEIR). Mr. Boyle stated that the Town hired GHD.

Mr. Boyle provided an overview of the proposed store and café with rooftop courtyard, landscaping, and illumination. He noted that 455 parking spaces would be created in the gravel lot, which would increase the total number of spaces by approximately 280 spaces.

Mr. Boyle explained that the building would be placed opposite The Gap store towards the west and center of the parking lot. He discussed the entitlements, including a Conditional Use Permit for the café, minor lot line adjustment, amendments to the Preliminary and Precise Development Plans, including design review, and a General Plan Amendment to convert the gravel lot to parking from Marshlands and Wetlands to Regional Shopping, and a rezoning from Parks and Open Space and Natural Habitat to Regional Shopping District. Mr. Boyle said that a development agreement would be established between the Town and the applicants for the use of the gravel lot.

Ms. Gaspar provided information on the DEIR, noting that its purpose is to provide information on the potential impacts the project might have on the environment, mitigation measures to reduce significant impacts, and to provide project alternatives. She discussed the EIR process and the impacts that were identified, which she said have been reduced to less than significant with the incorporation of mitigation measures.

Mr. Boyle discussed the purpose of tonight’s meeting, which he said is to discuss the DEIR and take public comment. He stated that the review period ends on August 25th, until which time public comments can be submitted. Mr. Boyle provided a timeline for the DEIR process, which should conclude late in 2017 or early 2018.

Planning Director Wolff stated that staff would not respond to public comments during the meeting, but that the comments would be addressed in the Final EIR (FEIR).

Commissioner Bundy and Mr. Boyle discussed the creation of 455 new parking spaces on the gravel lot. Mr. Boyle noted that the new lot will result in more spaces because the spaces will be formally delineated.

Chair Chase opened the public comment period.
Michael Harlock, 544 Redwood Avenue, said the project is of a higher class than the other buildings in The Village shopping center. Mr. Harlock suggested an alternative design that would provide more parking spaces in the middle of the lot, rather than around the perimeter, which would create more space for a larger landscaping easement. Mr. Harlock questioned the need for the building to be placed close to other shop buildings, which he discussed in relation to fire protection. He said the design is outstanding and aesthetically pleasing and that it breaks up the monolithic parking lot.

Lucinda Smith, Corte Madera, commented on the process that established the shopping center, noting that the size of the original proposal was reduced. She asked staff to determine the size of the original proposal, the final approved project, the space added to Nordstrom, and incorporate that information into the current project’s records. Ms. Smith questioned the size of the proposed building, although she said it is a nice upgrade to an older development, and she commented on the need to restructure the gravel parking lot that was converted from marshland. Ms. Smith said it would be better for the applicant to expand their present space.

Maureen Gaffney, San Francisco Bay Trail project, discussed the Bay Area Trail project, noting that the trail works best when uninterrupted. Ms. Gaffney discussed the impacts of more traffic, conflicts between cyclists and pedestrians, and the creation of further potential conflicts relating to additional buildings. She asked that the trail be rerouted outboard of the parking and within the existing bounds for the gravel lot. This would eliminate vehicles crossing the Bay Trail to access the parking lot. She stated that since the project creates a substantial number of new parking spaces there is plenty of room to create the path and landscaping. Ms. Gaffney mentioned that the addition of low, attractive fencing to exclude dogs from the marsh might be a good idea.

Ms. Gaffney also added her comments as a town resident. She said the Bay is a special resource, that voters have approved the rehabilitation of wetlands with Measure AA, and that she is against the resurfacing of the gravel lot. Ms. Gaffney said the project is not providing additional housing, but more shopping, which she said is not a good use of resources or a good reason to rezone the property. She sees this as an opportunity to rehabilitate wetlands.

Patty Stoliar, Casa Buena Drive, and Age Friendly Corte Madera representative, said she likes the concept of a rooftop deck but that she would like the building to be moved in order to retain the disabled parking spaces.

Phyllis Galanis, East side of Corte Madera, said she agrees with Ms. Stoliar that the disabled parking spaces should remain, and she discussed her concern that the building will block views of Mt. Tamalpais, will add more light pollution, and that the Town should be moving towards restoring the night sky. Ms. Galanis said that another furniture store is not necessary and that low buildings and a two-story height limit should be maintained so that the views of natural beauty can be maintained. Ms. Galanis stated her opposition to the project.
Peggy Burnett, 14 Laurel Drive, discussed her concern that the customized building might become abandoned in the future as a result of falling mall visitors, and stated that the lot should not be rezoned. She stated a visual demonstration or model of the building should be included. Ms. Burnett said people live in Corte Madera to appreciate the wetlands and the project is yet another encroachment.

Chair Chase closed the public comment period.

Mr. Boyle said that the public’s comments would be addressed in the FEIR. Mr. Wolff explained there would be more opportunity for public comment, noting that there is project information on the Town’s website, and that staff is available during counter hours to discuss the project with members of the public.

Chair Chase announced a 5-minute break at 8:15 p.m.

6. BUSINESS ITEMS - None

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

Commissioner Bundy reported on the August 1st Town Council meeting, at which discussions took place on Park Madera Plaza. He noted that the outstanding loan on the Plaza will take 20 years to pay off.

Planning Director Wolff said he would request a report from the Town Manager on Park Madera Plaza.

Commissioner Bundy also reported on the Town Council’s recommendation that Robert’s Rules are replaced by Rosenberg’s Rules of Order, that a timer is used for the public comment period, and that meetings start at 6:30 p.m. with the aim of concluding at 9:30 p.m. He said there appeared to be consensus amongst the councilmembers to this suggestion.

In response to Commissioner Freedman, Mr. Wolff said that commissioners could make a recommendation to change the Planning Commission’s rules and procedures but that any changes would need to be approved by the Town Council.

ii. Planning Director

Planning Director Wolff stated that the Town Council would be discussing the recommendations by the Planning Commission to change their rules and procedures at their next meeting. He also reported that workshops might take place to discuss the Town’s approach to the regulation of adult and recreational use of marijuana.
Michael Harlock

Response to Comment 16-1

The commenter’s suggestion regarding a larger landscaping easement is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA. Redesign of the Restoration Hardware building to improve parking efficiency and increase landscaping would not reduce any significant environmental impacts, and therefore, this suggested alternative need not be analyzed as an alternative in the EIR.

Regarding fire safety, the Project is subject to multiple regulatory frameworks including the Uniform Fire Code, the California Health and Safety Code, and the California Building Code, Title 24. These guidelines establish minimum standards regarding construction and regulate how each new business is built or altered in California. The Restoration Hardware building will meet these requirements. In addition, the Town’s General Plan Goal PSH-1, Reduce fire hazards Town-wide, will require fire safe construction practices, such as fire preventive site design, landscaping and building materials, and installation of sprinklers on new development and redevelopment projects.

Lucinda Smith

Response to Comment 16-2

Inclusion of historic details regarding the Nordstrom project is not required under CEQA, as those details are not relevant to the evaluation of environmental impacts of the proposed project. Refer to Response to Comment 8A-3.

In regards to the comment regarding the size of the proposed building, please see the Response to Comment 12-2.

As noted in the Draft EIR, Section 2.2, page 2-1, one of the Project objectives is to build a retail space large enough to operate as a design gallery, rather than a regular retail store. The existing Restoration Hardware store space is considered a regular retail store, and will not allow an increase in size large enough to accommodate a design gallery store. Therefore, expanding the existing Restoration Hardware store does not meet the Project objectives and is not a feasible alternative.

Maureen Gaffney

Response to Comment 16-3

Refer to Responses to Comments 6-1, 6-2, 6-3, and 8A-3.

Response to Comment 16-4

An evaluation of wetlands near the gravel lot was conducted for the Draft EIR, and no significant direct impacts were identified; indirect impacts were identified and reduced to less than significant through mitigation. The Applicant and the Town have agreed on the Project Objectives (see the Draft EIR page 2-1). The objectives are consistent with the Town’s General Plan and two of the objectives support the Town as a whole, not just “shopping”:

- Promote the community’s economic development and enhance the Town’s tax base by supporting the continued evolution and relevance of The Village to provide a first-class shopping and dining experience.
• Allow the Town to retain ownership of the gravel lot, while eliminating costs associated with liability, maintenance, security, and potential required future improvements.

**Patty Stoliar**

**Response to Comment 16-5**

CEQA does not require an evaluation of handicapped parking spaces. However, for information purposes, there would be seven handicapped spaces along the north side of the Restoration Hardware building and eleven on the south side of the building, positioned closest to the existing Village shops.

**Phyllis Galanis Verbal Comments**

**Response to Comment 16-6**

In regards to the disabled parking spaces, please refer to Response to Comment 16-5.

In regards to the building height, please refer to Response to Comment 12-2.

In regards to light pollution, please refer to Response to Comments 8A-11 and 14-1.

**Response to Comment 16-7**

In regards to the comments about height limits and aesthetics, please refer to Response to Comment 12-2.

**Peggy Burnett Verbal Comments**

**Response to Comment 16-8**

The commenter’s concerns regarding potential abandonment of the Restoration Hardware building and decreasing mall visitors are economic issues and therefore not subject to evaluation under CEQA. The commenter has not provided substantial evidence to indicate that this Project would cause significant blight and that it therefore would cause a significant environmental issue. Therefore, no further response is required.

Regarding the visual model comment, please refer to Response to Comment 12-2.