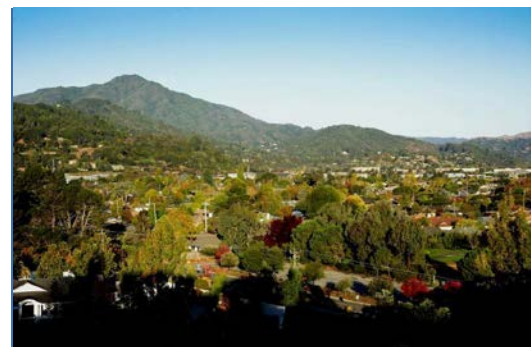


Final Subsequent EIR

# Town of Corte Madera 6<sup>th</sup> Cycle (2023-2031) Housing Element Update

SCH#2005062023

December 8, 2022



Prepared by  
EMC Planning Group



FINAL SUBSEQUENT EIR

**TOWN OF CORTE MADERA  
6<sup>TH</sup> CYCLE (2023-2031)  
HOUSING ELEMENT UPDATE**

Subsequent to the 2009 Town of Corte Madera General Plan EIR

**SCH#2005062023**

**PREPARED FOR**

**Town of Corte Madera**

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**PREPARED BY**

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December 8, 2022

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# 1.0 Introduction

The Town of Corte Madera (hereinafter “the Town”), prepared a program EIR in 2009 for its comprehensive update of its General Plan (“Program EIR”). The Town is now preparing its 2023-2031 Housing Element Update, Land Use and Safety Elements Amendments, and Zoning Amendments (hereinafter “proposed project”) and determined that the proposed project might result in significant adverse environmental effects, as defined by the California Environmental Quality Act (CEQA) Guidelines section 15064, beyond those discussed and mitigated in the Program EIR. Therefore, the Town prepared a draft subsequent environmental impact report (SEIR) to evaluate the potentially significant adverse environmental impacts of the proposed project. The Town circulated the draft SEIR for public review from October 7, 2022 to November 21, 2022 and received written public comments. The Town also held a public meeting on October 27, 2022 to accept oral public comments. CEQA Guidelines section 15200 indicates that the purposes of the public review process include sharing expertise, disclosing agency analysis, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals.

This final SEIR has been prepared to address comments received during the public review period and, together with the draft SEIR, constitutes the complete Town of Corte Madera 6<sup>th</sup> Cycle (2023-2031) Housing Element Update SEIR. This final SEIR is organized into the following sections:

- Section 1 contains an introduction to this final SEIR;
- Section 2 contains written comments on the draft SEIR and the responses to those comments;  
and
- Section 3 contains changes to the draft SEIR.

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# 2.0 Comments on the Draft SEIR

## 2.1 CEQA Requirements

CEQA Guidelines section 15132(c) requires that the final SEIR contain a list of persons, organizations, and public agencies that have commented on the draft SEIR. A list of the correspondence received during the public review period is presented in the following section below.

CEQA Guidelines sections 15132(b) and 15132(d) require that the final SEIR contain the comments that raise significant environmental points in the review and consultation process, and written response to those comments be provided. A copy of each comment letter or other form of correspondence received during the public review period is provided. The number of each letter is included at the top of the first page of each letter. Numbers inserted along the margin of each comment letter identify individual comments for which a response is provided. Responses corresponding to the numbered comments are presented immediately following each letter.

Where required, revisions have been made to the text or graphics of the draft SEIR. Comments that trigger changes to the draft SEIR are so noted as part of the response. Revisions to the draft SEIR are included in Section 3.0, Revisions to the Draft SEIR.

## 2.2 Written Comments on the Draft SEIR and Responses to Comments

The following written correspondence that included comments on the draft SEIR was received during the 45-day public review period:

1. Marin Municipal Water District, e-mail dated November 3, 2022; and
2. California Department of Conservation, e-mail dated November 18, 2022.

The following written correspondence that included comments on the draft SEIR was received after the 45-day public review period:

3. Central Marin Sanitation Agency, letter dated November 23, 2022.

Copies of this correspondence, and responses to environmental comments raised, are provided on the following pages.

**From:** [Carrie Pollard](#) Letter #1  
**To:** [Martha Battaglia](#)  
**Subject:** [EXTERNAL] RE: Corte Madera Draft Subsequent EIR for the Housing Element Update Available for Public Review  
**Date:** Thursday, November 3, 2022 10:41:40 AM

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Martha,

Marin Water staff has reviewed the Draft SEIR. We have a suggested correction.

**Pg 12-3 and Pg 12-10**

“Per capita potable and raw water use in 2020 for residential uses was 128 gallons per capita per day, and adjusted potable water use (excluding recycled water system backup) was 125 gallons per capita per day (Marin Municipal Water District 2021).”

Suggested edit: “Per capita potable and raw water use in 2020 ~~for residential uses~~ was 128 gallons per capita per day, and adjusted potable water use (excluding recycled water system backup) was 125 gallons per capita per day (Marin Municipal Water District 2021).”

Let me know if you have any questions. Thank you for the opportunity to review.

Carrie

**Carrie Pollard**  
**Water Efficiency Manager**



Marin Municipal Water District  
220 Nellen Avenue  
Corte Madera, CA 94925  
Office: 415-945-1522  
Cell: 707-975-3415  
[cpollard@marinwater.org](mailto:cpollard@marinwater.org)

---

**From:** Martha Battaglia <mbattaglia@tcmmail.org>  
**Sent:** Friday, October 07, 2022 3:02 PM  
**To:** Martha Battaglia <mbattaglia@tcmmail.org>  
**Cc:** Adam Wolff <awolff@tcmmail.org>  
**Subject:** Corte Madera Draft Subsequent EIR for the Housing Element Update Available for Public Review

Hello,

The Town of Corte Madera is updating its Housing Element consistent with the requirements under State law. Part of the Housing Element Update requires that the Town identify adequate housing sites to accommodate the Regional Housing Needs Allocation (RHNA). In addition, the Town will need to amend the General Plan Land Use Element and the Municipal Code, including the Zoning Ordinance. In order to comply with additional State legislation, the Town will also be updating the Safety Element.

A subsequent Environment Impact Report (SEIR) has been prepared for the proposed project. The draft SEIR is available for a 45-day public review period. The Town of Corte Madera, acting as the lead agency, has determined that the Town of Corte Madera 2023-2031 Housing, Land Use, and Safety Elements Amendments and the Zoning Amendments could result in significant adverse environmental impacts. The draft SEIR identifies several potential environmental impacts that would result from the proposed project, including: Visual Resources & Aesthetics; Air Quality; Biological Resources; Noise; Public Services; Tribal Cultural Resources; and Transportation (Vehicle Miles Traveled).

A copy of the draft SEIR is Available at the Town of Corte Madera Planning Department, 240 Tamal Vista Blvd., Suite 110, Corte Madera, CA 94925 as well as on Town's housing website: <https://link.edgepilot.com/s/b327b26c/Nu79Y-Y-SUao-RikekWlQA?u=https://www.cortemaderahousing.org/>.

**Public Review and Comment Period:** The 45-day public review period begins on Friday, October 7, 2022 and ends on Monday, November 21, 2022 at 5 PM. Written comments must be received via email or at the mailing address below no later than 5:00 PM **on November 21, 2022**. Comments received outside of the 45-day public review period will not be addressed in the final EIR. Please send email comments to [mbattaglia@tcmmail.org](mailto:mbattaglia@tcmmail.org) or via mail to:

Attn: Martha Battaglia, Senior Planner  
Town of Corte Madera  
PO Box 159  
Corte Madera, CA 94976-0159

A public meeting to receive public comments on the draft SEIR will be held via zoom on October 27, 2022 at 6:30 pm (see below for meeting details).

**Public Meeting to Receive Comments on the DSEIR:**

Date: October 27, 2022  
Time: 6:30 P.M.  
Location: Via teleconference meeting via Zoom  
Link: [https://link.edgepilot.com/s/b0fea356/\\_xKe5HntC0ehW\\_Yae-NKiA?u=https://us06web.zoom.us/j/86765751000](https://link.edgepilot.com/s/b0fea356/_xKe5HntC0ehW_Yae-NKiA?u=https://us06web.zoom.us/j/86765751000)  
Webinar ID: 867 6575 1000

**Public Hearing on the Certification of the EIR and Approval of the Proposed Project:** After the close of the Public Review Period, the Town will consider all timely comments on the draft SEIR received within the Public Review Period, and prepare written responses as required for inclusion in the final subsequent EIR. The final subsequent EIR, once complete, and approval of the proposed project will be brought before the Planning Commission and Town Council for consideration at to-be-determined meeting dates (likely in December 2022 and January 2023). The Town may schedule additional meetings on the project. Agendas for all meetings associated with this project will be posted to the Town's housing website (<https://link.edgepilot.com/s/b327b26c/Nu79Y-Y-SUao-RikekWlQA?u=https://www.cortemaderahousing.org/>).

Do not hesitate to contact me with any questions. I can be reached at 415-927-5791 or via email.

Thank you,  
Martha

Martha Battaglia  
Senior Planner  
Town of Corte Madera  
415-927-5791  
[mbattaglia@tcmmail.org](mailto:mbattaglia@tcmmail.org)  
[Sign Up For Our Newsletter](#)

**\*\*PLEASE NOTE THAT TOWN HALL OFFICES RELOCATED TO [240 TAMAL VISTA BLVD, SUITE 110](#), ON  
TUESDAY, JANUARY 18, 2022\*\***

## Response to Letter 1 from Marin Municipal Water District

1. The commenter suggested a minor edit to pages 12-3 and 12-10 in Section 12.1, Water Supply and Service. The Town has included this correction in the Final SEIR. See Section 3.0, Changes to the Draft SEIR.

**From:** [Frost, Erik@DOC](mailto:Frost.Erik@DOC)  
**To:** [Martha Battaglia](mailto:Martha.Battaglia)  
**Cc:** [OPR State Clearinghouse](mailto:OPR.State.Clearinghouse); [OLRA@DOC](mailto:OLRA@DOC)  
**Date:** Friday, November 18, 2022 12:32:51 PM

Letter #2

---

Hello Martha Battaglia,

The California Geological Survey (CGS) has received the Housing Element update for the Town of Corte Madera. This email conveys the following comments from CGS concerning geologic issues related to the planning area:

1. Tsunami Hazards

The Town's Housing Element update states that geologic hazards are already identified in the 2008 Environmental Impact Report (EIR) for the Town's General Plan, and as such, the Housing Element update does not provide an independent assessment of geologic hazards. However, the EIR's discussion of tsunami hazards is out of date, and the Housing Element update should be revised as necessary to account for the latest tsunami hazard information.

The CGS has mapped a Tsunami Hazard Area (THA) within the planning area. The purpose of a THA is to assist cities and counties in identifying their exposure to tsunami hazards. It is intended for local jurisdictional, coastal evacuation planning uses only. Additional information can be found at the links below:

<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>  
[https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami\\_Hazard\\_Area\\_Map\\_Marin\\_County\\_a11y.pdf](https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Hazard_Area_Map_Marin_County_a11y.pdf)

The planning area also contains a Tsunami Design Zone within the California Building Code (CBC). The CBC requires certain design standards for essential/critical or larger structures. The Town should consider the Tsunami Design Zone with respect to housing, and may wish to revise the Housing Element update. The following website provides additional information regarding the Tsunami Design Zone: <https://asce7tsunami.online/>.

If you have any additional comments or questions, please feel free to call or email.

Erik

**Dr. Erik Frost**

Senior Engineering Geologist | Seismic Hazards Program  
California Geological Survey  
715 P Street, MS 1901, Sacramento, CA 95814  
(916) 205-8255  
[erik.frost@conservation.ca.gov](mailto:erik.frost@conservation.ca.gov)

## Response to Letter 2 from California Department of Conservation

1. This comment is regarding tsunami hazards. The commenter states that the General Plan EIR's discussion of tsunami hazards is out of date, and the Housing Element update should be revised as necessary to account for the latest tsunami hazard information. The commenter provides links to updated maps.

CEQA does not require an evaluation of the environment's impact on a proposed project (reverse CEQA) and therefore, does not require tsunami hazards impact analysis on land development projects. The Town's General Plan Safety Element is required to address tsunami hazards. The Town is in the process of updating its Safety Element, which does address tsunami hazards. As noted in Chapter 8 of the draft updated Safety Element, Marin County will be updating the 2018 Marin County Local Hazard Mitigation Plan, and the updated plan is expected to be adopted in 2023. It is anticipated that the updated tsunami maps will be incorporated into the County mitigation plan.

With respect to CEQA analysis, Appendix G, sample initial study checklist, in the CEQA Guidelines does ask the question, "Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?" Although many of the proposed housing sites are in a tsunami zone according to the mapping provided by the commenter, housing projects are generally not expected to release significant pollutants if inundated, as would for example an industrial or (some) commercial projects that use large amounts of hazardous materials. No changes to the Draft SEIR are required.



November 23, 2022

Martha Battaglia  
Senior Planner  
Town of Corte Madera

Letter #3

Send by email

**Subject: Central Marin Sanitation Agency Comments on the Town of Corte Madera draft SEIR - Wastewater Section**

Dear Martha:

Thank you for sending the Agency the draft wastewater section of the SEIR (Section 12.2). I have reviewed it and suggest the following revisions to improve the accuracy of the CMSA information.

**1. Environmental Setting – Paragraph 2, Sentence 2**

Biosolids from the treatment process are ~~either~~ applied as soil enhancement for agriculture in Sonoma County, ~~or~~ taken to Redwood Landfill in Novato where they are ~~processed for compost,~~ used for landfill alternative daily cover, or ~~directly disposed to the landfill~~ delivered to a biofertilizer processing facility in Fairfield. Some of the treated wastewater is recycled and used for washdown and irrigation at the plant site and also for sewer cleaning and ~~street sweeping~~ construction site dust control where possible.

**2. Environmental Setting – Paragraph 2, Sentence 3**

The treatment plant has a ~~short term treatment and~~ hydraulic capacity of over 125 million gallons of sewage per day during peak rainfall periods. The permitted average dry weather flow is 10 million gallons per day, the current dry weather flow is 7 million gallons per day, and the maximum peak wet weather flow ~~is 90~~ has reached 129 million gallons per day. ~~The treatment plant has an additional hydraulic capacity of 35 million gallons during maximum peak wet weather flow periods~~



### 3. Environmental Setting – Paragraph 2, Sentence 4

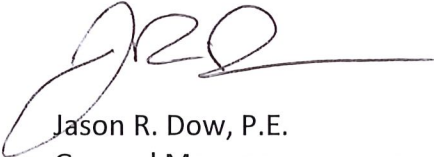
3 | The treatment plant is controlled by a supervisory control and data acquisition system, which is linked to both the plant facilities and to the Sanitary District No. 2 remote pump stations. CMSA staff automatically control operations and monitor performance to ensure compliance with its state-permitted wastewater discharge limits.

### 4. Analysis, Impacts, and Mitigation Measures: Wastewater Treatment Capacity, Paragraph 4, Sentence 3

4 | The CMSA ~~wastewater treatment plant~~ spends, on average, one-five million dollars per year on changes-maintenance and capital projects that improve reliability, increase safety, anticipate regulatory changes, encourage-enhance operational efficiency, control costs, and minimize environmental impacts.

Please let me know if you have any questions with the above changes.

Sincerely,



Jason R. Dow, P.E.  
General Manager

## Response to Letter 3 from Central Marin Sanitation Agency

- 1-4. The commenter suggested minor edits to several pages in Section 12.2, Wastewater. The Town has included the suggested edits in the Final SEIR. See Section 3.0, Changes to the Draft SEIR.

## 3.0 Changes to the Draft SEIR

### 3.1 CEQA Requirements

CEQA Guidelines section 15132 requires that a final EIR contain either the draft EIR or a revision of the draft EIR. This final SEIR incorporates the draft SEIR by reference and includes the revisions to the draft SEIR, as presented on the following pages.

This section contains text from the draft SEIR with changes indicated. Additions to the text are shown with underlined text (underline) and deletions are shown with strikethrough text (~~strikethrough~~). Explanatory notes in italic text (*italic*) precede each revision. The following changes are made.

### 3.2 Changes to Section 2.0, Summary

*The word “project” was inadvertently removed from the following mitigation measure.*

#### Page 2-14

12-5 Individual development projects that are proposed prior to approval of an updated Sanitary District No. 2 of Marin County Sewer Master Plan that accommodates the 6th Cycle Housing Element housing numbers, shall be required to obtain verification from the sanitary district and Central Marin Sanitation Agency prior to approval of planning applications that adequate capacity exists to support the project.

### 3.3 Changes to Section 4.0, Project Description

#### Page 4-6

*The following revisions have been made to the section titled “Units Currently Allowed by Town Regulations and State Law” in order to provide consistency with the Housing Element Update draft submitted to the California Department of Housing and Community Development (HCD) in August 2022.*

The proposed project will allow development of 883 residential units at the 11 housing opportunity sites. These sites could not be developed under the current general plan. The draft housing element submitted in August 2022 to HCD plans for 1,016 units, which includes:

- 873 units at the 11 housing opportunity sites (there is a delta of 10 units between the units analyzed in the draft SEIR and the units included in the draft Housing Element submitted to HCD. This difference is a result of discrepancy in rounding and refinement of units allowed at one of the housing opportunity sites);
- 100 Accessory Dwelling Units;
- 25 45-additional units (primarily single-family units on undeveloped lots) and SB 9 applications; and
- 18 supportive housing units at the Casa Buena (these are already constructed but are counted for the 6th Cycle RHNA purposes because the Town issued the certificate of occupancy after July 1, 2022).

The additional ~~433~~ units in the draft housing element update (i.e., 100 ADUs, 25 additional units & 18 supporting housing units at the Casa Buena) are not part of the “project” under review in this subsequent EIR because the Town regulations and state law already allow them. In addition, individual single-family homes and ADU’s are generally exempt from environmental review under CEQA.

### 3.4 Changes to Section 12.0, Utilities

*In response to the Marin Municipal Water District’s suggested correction.*

#### Page 12-3

Per capita potable and raw water use in 2020 ~~for residential uses~~ was 128 gallons per capita per day, and adjusted potable water use (excluding recycled water system backup) was 125 gallons per capita per day (Marin Municipal Water District 2021).

#### Page 12-10

Per capita potable and raw water use in 2020 ~~for residential uses~~ was 128 gallons per capita per day, and adjusted potable water use (excluding recycled water system backup) was 125 gallons per capita per day (Marin Municipal Water District 2021).

*In response to the Central Marin Sanitation Agency’s suggested revisions.*

#### Page 12-15

Biosolids from the treatment process are ~~either~~ applied as soil enhancement for agriculture in Sonoma County, ~~or~~ taken to Redwood Landfill in Novato where they are ~~processed for compost,~~ used for landfill alternative daily cover, or ~~directly disposed to the landfill~~ delivered to a biofertilizer processing facility in Fairfield. Some of the treated wastewater is recycled and used for washdown and irrigation at the plant site and also for sewer cleaning and street sweeping construction site dust control where possible (~~Town of Corte Madera 2008, p 4.11-29, Suokko 2022~~) (Jason R. Dow, P.E General Manager, Central Marin Sanitation District, November 23, 2022).

The treatment plant has a short-term treatment and hydraulic capacity of over 125 million gallons of sewage per day during peak rainfall periods. The permitted average dry weather flow is 10 million gallons per day, the current dry weather flow is seven million gallons per day, and the maximum peak wet weather flow is 90 has reached 129 million gallons per day. ~~The treatment plant has an additional hydraulic capacity of 35 million gallons during maximum peak wet weather flow periods~~ (Town of Corte Madera 2008, p 4.11-29) (Jason R. Dow, P.E General Manager, Central Marin Sanitation District, November 23, 2022).

The treatment plant is controlled by a supervisory control and data acquisition system, which is linked to both the plant facilities and to the Sanitary District No. 2 remote pump stations. CMSA staff automatically control operations and monitor performance to ensure compliance with its state permitted wastewater discharge limits.

### Page 12-17

The CMSA ~~wastewater treatment plant~~ spends, on average, ~~one~~ five million dollars per year on ~~changes~~ maintenance and capital projects that improve reliability, increase safety, anticipate regulatory changes, ~~encourage~~ enhance operational efficiency, control costs, and minimize environmental impacts.

*This side intentionally left blank.*