2.4 Organizations

Comment Letter B1

March 15, 2021

Joanna Dixon
Project Manager
3501 Civic Center, Suite 304
San Rafael CA 94903

Via email: jdixon@marincounty.org

RE: Comments on Corte Madera Creek Flood Risk Management Project, Phase 1 Draft EIR

Dear Ms. Dixon,

Thank you for the opportunity to comment on this important document. Friends of Corte Madera Creek Watershed is eager to see this project implemented. Our comments are divided into two sections. The first includes general comments on the overall document, project or project components. The second presents corrections that should be made.

Comments

Friends appreciates the challenge this important project presents and the need to balance the project's objectives: Flood Risk Reduction, Environmental Benefits, Public Access and Recreation, Operation Reliability, Regulatory Compliance, and Fiscal Responsibility. Friends agrees these are all worthy objectives. The one troublesome detail, however, is while Friends agrees that improving channel stability is worthy, we disagree that the concrete channel itself should be made stronger. In the long run, Friends believes it would be preferable to remove it. B1-1

Section 1.4.4

In describing Ross' participation, the document uses the word "will" instead of "would." This suggests that Ross will definitely be a participant. The verb "would" is more appropriate. B1-2

Section 2 Project Description

Raised Walls

If it is necessary to build raised walls, we have several recommendations:

1. In many cases, walls should be constructed on the outer edge of the District's right-of-way. Instead of concrete, consideration should be given to wooden walls, soldier pile or sheet pile walls, and/or boulders and earth berms presented in Alternative 3. We believe these walls could be installed within the District's right-of-way, removing the objection that walls in such a location would be expensive and cause delays because of the need to obtain construction rights-of-way from adjacent property owners. In Unit 2, downstream of College Avenue, we specifically request that setback walls not be constructed in the middle of the District's right-of-way in this reach because it would compromise future plans for locating the multi-use path MUP (Route 20) on the left bank of the creek (see comment on Cumulative Projects below). B1-3 B1-4

2. An alternative to building walls in Unit 2 downstream of College Avenue could be to raise the level of the future location of the MUP on the left bank of the creek. This would serve two purposes. First, it would provide part or all of the necessary added height for the wall and it would raise the MUP so it could be designed to meet ADA standards for crossing College Avenue and reaching the new Stadium Way Bridge, both of which are 2 to 4 feet above the ground surface. Second, it would provide a disposal location for fill removed from upstream projects. As for local drainage, it will be necessary to deal with such drainage no matter where the raised "wall" or "berm" is located. B1-5
3. The document should recognize the greater environmental and fiscal benefits of using natural materials instead of concrete. We do not agree that Alternative 3 necessarily would create more vehicle trips to import materials. In fact, a single wooden wall would significantly reduce the number of vehicle trips. Concrete walls require two walls as forms, potentially doubling the number of trips. Trips for the steel and concrete only add more. Additional benefits of a wooden, soldier pile, rock and/or earthen berm walls include a quicker, less labor-intensive job, quieter construction and a less expensive wall, especially in the cases of the wooden or soldier pile walls. Also, existing trees could be incorporated into a wall that uses natural materials, thereby reducing the number of trees that need to be removed from the project. Another benefit would be reduced greenhouse gases (GHG). Concrete, and the cement used in it, is one of the largest sources of industrial process-related emissions (USEPA, Hanle et al., undated. https://www3.epa.gov/ttnchie1/conference/ei13/ghg/hanle.pdf). One more comment, if a goal is to ultimately remove the concrete channel (as much as feasible), as Friends believes, the construction of the proposed concrete wall is in direct conflict with that goal. B1-6 B1-7
4. Upstream of College Avenue, the schematic location of the wall would be problematic for one of the major entrances to the College of Marin campus. A new Learning Center is being built along College Avenue (see discussion in Cumulative Impacts below). B1-8
5. The District should work with the College of Marin and Marin County Parks, and their respective landscape architects and designers, to ensure any new flood walls meet the project objectives for public access and recreation. The flood walls will also necessitate railings in certain locations. Friends recommends walls and railings that are attractive, transparent and that maximize the public's visual and audible interaction with the creek. Concrete walls are inherently hard, physical barriers, and often unattractive (Fig 3.1-18). Friends disagrees with characterization of aesthetics and visualization in Unit 3 and the impacts of the proposed concrete wall (page 3.1-27). The visualization from the right side of the creek is disingenuous. A visualization from the left side of the creek would better illustrate its impacts. Such a wall would significantly obstruct views for users on the left side of the creek, especially if and when the MUP gets relocated to this side of the creek. Similarly, such a wall could be considered a substantial deterioration of the recreational quality of unnamed paths #1 and #2 (page 3.12-11). We also disagree with the conclusion that an Alternative 3 flood wall would necessitate closure of the unofficial Path #2 (page 5-49). B1-9 B1-10 B1-11 B1-12

If the District believes that the wall shown in Figure 3.1-18 is preferred, it should make findings that it meets the project objectives better than those presented in Alternative 3 in terms of (1) environmental benefits, (2) public access and recreation, and (3) fiscal responsibility (complete with estimates from qualified contractors on different wall costs). Friends believes this would be hard to do. B1-13

Pump Station in Granton Park

The District should work with the College of Marin to explore alternative power sources and locations/treatments for above ground improvements. This is particularly true if the pump station will deal with some of the stormwater from the campus; Granton park neighbors would probably appreciate this kind of collaboration to address local drainage problems. The future is tending toward more solar and battery power. College of Marin has existing solar and battery power just downstream that could be used for the pump station. Even if the College's solar/battery power is unavailable, the District should have a plan to convert the pump station to solar and battery power sooner rather than later, instead of committing to petroleum and internal combustion engine energy. B1-14

The location of the pump station currently has a handsome view to Mt Tamalpais. If the above ground improvements cannot be relocated to College of Marin property, they should be painted a color that will reduce their presence (i.e., a tree bark color). B1-15

Further, the vegetation referred to in the document that would visually screen the above ground elements of the pump station is most likely to be removed during construction. A mitigation measure should be included that would ensure vegetation is restored and maintained and would provide adequate visual screening. The District should consult with the College of Marin, Marin County Parks, and the CNPS on such vegetation. B1-16

Tree Removal

The District refers to a USACE policy allowing the USACE to require that all trees within 15 feet of the concrete channel be removed. This would have a significant impact on the biological, visual, and aesthetic resources in the project vicinity. For example, it appears many of the coast redwoods and a few oaks south of the College of Marin's Learning Resource Center may be removed, and this would completely change the character of the planned campus entrance from College Avenue. The District should aggressively pursue keeping trees along the concrete channel, where they have been for decades without damaging the channel or limiting access to it for maintenance. B1-17

Mitigation Measures

MM 3.1-3: Large Tree Planting

Trees need to develop a good root system in place before they put on height and they can't do that in a box. A study reported by Colorado State University (http://csuhort.blogspot.com/2016/10/what-size-tree-should-i-plant.html) states: B1-18

"...if you plant smaller (and less expensive) plant material and wait a few years, you will realize maximum economic gain and greater visual impact from the smaller plants—and they are less

likely to have problems like circling or girdling roots when they are mature trees. But you may have to wait three years for them to catch up with the larger trees."
It may be necessary to include some large box trees to satisfy public concerns. However, Friends recommends that they be considered additional trees to those required by the regulatory agencies. It would also be easier and more fiscally responsible to replace the smaller trees that do not survive the initial, required monitoring period to meet permit requirements.

B1-18 cont.

MM 3.3-1a: Avoid Special-Status Plants and Sensitive Natural Communities
A 10-foot buffer around special-status plants seems barely adequate. Responsiveness to the onsite biological monitor should be adequate to ensure avoidance.

B1-19

Cumulative Impacts
Cumulative Project No. 23, should be expanded to include the section of creek between College Avenue and Stadium Way and, importantly, note that it envisions moving the MUP (Route 20) to the other (left) side of the creek. Additionally, the document should include analysis how the preferred project, and Alternative 3, could impact the MUP if and when it is relocated.

B1-20

College of Marin's new Learning Resource Center building and its surroundings (landscape and hardscape) should be added as a Cumulative Project. Additionally, the document should include analysis of how the project and Alternative 3, could impact the Learning Resource Center, the planned public entrance at that location, and its greater surroundings.

B1-21

Environmental Superior Alternative
Friends does not fully support the finding that Alternative 2 is the "Environmentally Superior Alternative." Yes, restoration of natural creek functions in Allen Park with a boardwalk per Alternative 2 better meets the project objectives than the proposed project or Alternative 1. However, a combination of Alternative 2 and 3 would provide even more benefits, especially when it comes to the environment, public access and recreation, and fiscal responsibility (see discussion above).

B1-22

In the event that the Town of Ross does not support the preferred project, Alternative 2, or Alternative 3, Friends recommends the District quickly move forward with a combination of Alternative 1 and Alternative 3.

B1-23

There is also the possibility that the Allen Park project, the walls, the pump station, or other project elements, cause delays for one or more reasons. However, the Lower COM Corte Madera Creek Restoration Project could be approved without being subject to any of the issues that create such delays. The District should have a strategy for CEQA approval of the Lower Corte Madera Creek Restoration Project so that it can proceed in permitting and funding in the event that the larger project gets delayed. The Lower COM Corte Madera Creek Restoration Project, as a shovel ready project, will be very attractive to funders and could be realized within two or three years.

B1-24

Corrections

Many of these corrections could have been avoided if the authors had used the current 65% design and reviewed the Design Basis Report for the Lower COM Project. All figures should be revised to show the correct footprint for the Lower COM Project. Specifically, the staging area added during preparation of the DEIR should be removed; it is the location of a turn-around for emergency vehicles required by the Kentfield Fire District; it was installed in 2020 and has never been shown as a staging area on any of the project design plans. Second, a planted area beyond the multi-use path on the left bank should be removed from any figure in which it is shown. In addition, other errors could have been avoided if the Admin Draft had been reviewed by someone familiar with the area. B1-25

Page 2-1, Page 3.6-2
Use "San Anselmo Creek and Ross Creek merge to form Corte Madera Creek west of the Lagunitas Road Bridge." B1-26

Page 2-14, Page 3.1-6
Use Stadium Way, not Stadium Avenue B1-27

Page 2-23
Rock and fill energy dissipators, a vegetated bioretention basin, and boulder-lined bioswales would be installed within the newly created ~~channel~~ habitats, including the transition zone.

A vest-pocket park ~~would be created~~ adjacent to the existing multi-use path would be enhanced~~. The upland habitat around the pocket park would be enhanced~~ by planting native ~~understory~~ vegetation ~~beneath the existing trees~~. The two existing trees in the park would be preserved. B1-28

Page 2-25; Page
Figure 2.5-8 The area west of the project should be labeled **College of Marin Maintenance and Operations Facility** B1-29

Page 2-26
Table 2.6-1 Total project area for Lower COM project is 80,419 sq ft B1-30

Page 2-27; Page 3.3-11; Page 3.9-18
Figure 2.6-1; Figure 3.3-3; Figure 3.9-3 Remove staging area shown in COM project area. See Sheet C17 of 65% design plans for designated staging area. B1-31

Page 3.1-8
The wrong photo was used for Figure 3.1-5 B1-32

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Page 3.2-12; 3.10-10
Figure 3.2-2; Figure 3.10-3 The site of COM's M&O Facility is mapped as Park (green). It should be mapped as College Campus (brown). B1-33

Page 3.6-22
Miller Pacific (2020) prepared a geotechnical report for the Lower COM Project. It includes recommendations based on the results of soils samples collected in borings on the site. The soil was also tested for hazardous materials and found to meet safety criteria. Geotechnical investigations are described in the Design Basis Report (GDG 2020) B1-34

Page 3.9-8
Figure 3.9-1
The former main channel of Corte Madera Creek, shown in the southeastern corner of the map, is a cut-off slough. It does not connect to the concrete channel. B1-35

Page 3.9-10
In the middle of the page, this statement is found: "Royston (1977, in (USACE, 2010)) estimated that roughly 20 percent of the total length of bank would be subject to 1 foot of erosion per year." This should be re-evaluated. In the 44 years since this statement was published, bank erosion has been much less. B1-36

Page 3.9-21
At the bottom of the page, high water temperature in Corte Madera Creek is attributed to lack of riparian vegetation. Another cause is low streamflow, caused by pumping of groundwater for irrigation and lack of infiltration caused by extensive impermeable surfaces. This discussion should be improved. B1-37

Page 3.9-36
Table 3.9-5 lists eight projects. Numbers 1 and 2 are on Fairfax Creek; all the others are on San Anselmo Creek, not Corte Madera Creek. B1-38

Page 3.9-42
The description in the first paragraph of the Lower COM action is overly general. Some walls will be lowered, but the channel will not be removed. B1-39

Paragraph 2 calls for soil testing. However, sediments from the project area have been tested and the soil is not hazardous. Test results were presented in the draft Design Basis Report. B1-40

Page 3.9-47
The description of the Lower COM project states that tidal action could mobilize channel and streambed sediments. Sediments are certainly likely to be mobilized by flood events. However, tidal flows are not particularly strong. The statement in the report should be supported by data on water velocities of tidal flows in the Lower COM reach. B1-41

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Page 3.9-48
Mitigation 3.9-1 has been implemented. See above. B1-42

Page 3.12-4
Figure 3.12-2 The COM M&O Facility is mapped as a campus recreation area. Remove that area from the map of recreational facilities. B1-43

Page 3.12-14
Unnamed Paths. Construction of the new wetlands and transition zone would require the temporary closure of unnamed path #3. No walls will be constructed in that area. B1-44

Page 3.13-3
Figure 3-13-1 Unnamed Path #3 is mapped as a bicycle route. It is virtually never used by cyclists and the Marin County Bicycle Coalition does not consider it a bicycle route. B1-45

Page 3.13-4
For clarity, reword:
Bike Route 20, a biking and pedestrian pathway, follows Corte Madera Creek from the Larkspur Ferry Terminal to the Town of Fairfax. Downstream of Stadium Way it is on the left bank of the creek. Moving upstream, it crosses from the left bank to the right bank on the Stadium Way bridge and continues along the right bank as an off-street paved multi-use path, across College Avenue, to the beginning of Unit 4, where it transitions to an on-road bike path adjacent to Unit 4. Throughout its length, Bike Route 20 is heavily trafficked by pedestrians and cyclists, including commuters. B1-46

Page 3.13-8
3.13.6 Impact Discussion
The second paragraph states: "Vehicles traveling the lower College of Marin concrete-channel-removal area would travel on Woodland Road." This is inaccurate. Vehicles traveling to the Lower COM project area would never use Woodland Road. They would travel on Sir Francis Drake Blvd. to College Avenue and into the campus at the entrance to Parking Lot 12, using an easement held by the District across COM property. The Lower COM project would not use Stadium Way or Bike Route 20 to access the project area. The unnamed path #3 would be closed during construction of the Lower COM project. B1-47

Pages 3.15-1 through 3.15-5
Water Supply, Wastewater Management Services, and stormwater

The third paragraph on page 3.15-1 states that a water pipeline crosses the creek at Stadium Way. Note that this pipeline is an above ground pipeline. This paragraph also refers to MMWD's stormwater lines. This is inaccurate: MMWD supplies treated domestic water; towns and the District are responsible for stormwater. B1-48

The first full paragraph on page 3.15-2 states: "An aboveground sewer pipe crosses the creek on the pedestrian bridge at the end of Stadium Way (Figure 3.15-3)." The sewer is a deeply buried pipeline that crosses the creek in an inverted siphon. The aboveground pipeline is a water distribution line.

B1-49

Figures 3.15-1, -2, -3
The legend refers to MMWD stormwater lines. This is inaccurate: MMWD supplies treated domestic water; towns and the District are responsible for stormwater. The Design Basis Report (GDG 2020) describes utilities in the Lower COM project area, most of which are not shown accurately on Figure 3.15-3. Also, the outline of the Lower COM project area is inaccurate. It shows two areas that should be removed from the figure: the inaccurate staging area and an area on the left bank that has since removed from the project. Please use the most recent 65% designs.

B1-50

Conclusion
In conclusion, overall and subject to the comments herein, Friends supports this important project and is in agreement that flood risk reduction, environmental benefits (such as habitat creation and fish passage improvements) and other project objectives are more than worthy. Friends urges the District to increase its public outreach efforts to garner support for the project from the community at large. Countless resources have gone into this project to get it to this stage and we hope that many, if not all, of the project objectives are realized.

B1-51

Sincerely,
Sandra Guldman
Sandra Guldman

2.4.1 Response to Letter B1: Friends of Corte Madera Creek Watershed

B1-1 The commenter states their support for improving channel stability but disagrees that the concrete channel should be made stronger.

This comment is acknowledged. The proposed project would not modify the stability of the concrete channel and would not replace the concrete within the existing channel. However, the District would need to maintain the flood control infrastructure, including the concrete channel, and has an objective of operational reliability to reduce long-term maintenance requirements and costs.

B1-2 The commenter states that when describing the Town of Ross's participating in Section 1.4.4, the term "would" should be used instead of the term "will".

Section 1.4.4 in the Draft EIR has been revised as follows to use "would" instead of "will":

> **1.4.4 Town of Ross**
>
> The Town of Ross owns Frederick Allen Park. The District would ~~will~~ need to obtain Town of Ross approval of an easement for construction and maintenance of project elements on Town property. The District would ~~will~~ enter into a maintenance agreement with the Town regarding maintenance of project elements within Frederick Allen Park. The Town is a responsible agency under CEQA in the review of project elements within Town jurisdiction. In addition, a Town of Ross tree removal permit is required prior to removing trees within the Town of Ross.

B1-3 The commenter states walls should be constructed within the outer edge of the District's right-of-way and should be made of material other than concrete.

Refer to Master Response 2 regarding the feasibility of non-concrete floodwalls and the additional impacts of constructing the floodwall at the outer edge of the District's right-of-way instead of attached to the existing floodwall.

B1-4 The commenter requests that setback walls in Unit 2 not be constructed in the middle of the District's right-of-way.

The floodwall in Unit 2 is proposed to be attached to the existing concrete floodwall, with no setback in the middle of the District's easement.

B1-5 The commenter states that an alternative to building walls in Unit 2 downstream from College Avenue could be to raise the level of the future location of the multi-use path on the left bank of the creek.

Raising the left bank area downstream of Unit 2 in the absence of a floodwall to contain the additional earthen material would not meet USACE engineering criteria as discussed in Master Response 2 and is not a feasible alternative to the proposed floodwall. The proposed project must meet USACE Section 408 requirements, and the proposed floodwall in Unit 2 has been designed to meet those engineering criteria. The taller floodwall in Unit 2 downstream from College Avenue on the left bank adjacent to the floodwall could allow the area to be raised as part of a separate project in the future. The proposed project does not include modifications to the left bank area in Unit 2 for recreational use; raising the elevation of the left bank area for a future multi-use path is not part of the proposed project.

B1-6 The commenter states that the document should consider the greater environmental and fiscal benefits of using natural materials instead of concrete.

The District has considered the environmental benefits and impacts of using natural materials instead of concrete, as discussed under Alternative 3 in Chapter 5 in the Draft EIR. As discussed in Master Response 2, use of engineered streambed material instead of concrete is proposed for protection for the Ross Valley Sanitary District's sanitary sewer line in Unit 4. See Master Response 2 regarding consideration of natural material alternatives.

B1-7 The commenter states that if an ultimate goal is to remove the concrete channel (as much as feasible), construction of the proposed concrete wall would be in direct conflict with that goal.

Removal of the concrete channel is not one of the project objectives listed in Section 2.4 in the Draft EIR. Environmental benefits, which involves the removal of concrete channel, is one of six project objectives but not the ultimate goal of the project. The project will create environmental benefits that extend beyond the concrete channel and the addition of concrete to the existing floodwall to create the flood protection benefits of the project without creating significant adverse environmental impacts is consistent with the project objectives.

B1-8 The commenter states that the location of the wall upstream from College Avenue would be problematic for one of the entrances to the College of Marin campus.

The District met with the College of Marin and discussed the proposed floodwall locations during project planning. The floodwall locations do not appear to be in conflict with any entrance to the College of Marin.

B1-9 The commenter states that the District should work with the College of Marin and Marin County Parks so that any new floodwalls meet the project objectives for public access and recreation.

This comment is acknowledged. The District has met with the College of Marin and Marin County Parks to discuss the floodwalls as it relates to public access and recreation and will continue to work with both of them throughout the design and construction process.

B1-10 The commenter states that the floodwalls will necessitate railings in certain locations.

The floodwalls are not expected to require railings. The floodwalls may require installation of a fence on top of the floodwalls for safety. The fence be similar in appearance and form to the existing fence along both banks of the concrete channel.

B1-11 The commenter disagrees with the characterization of aesthetics and associated simulation for Unit 3 and the impacts of the proposed concrete wall.

The simulation for the floodwall in Unit 3 was prepared using a key observation point from the right bank of the creek. The right bank is the public use location where the Bike Route 20 multi-use path is located, and where public views of the floodwall would be available. A small number of potential viewers would be on the left side of the creek, walking along the unofficial, unnamed pedestrian paths. Given the small number of potential views, these paths were not selected as key observation points. In addition, Figure 3.1-16 shows a visual simulation of the pump station, which is a representative simulation of what the floodwall would like look from the left side of the creek. The floodwall would be approximately 2 to 4 feet in height. Consideration of visual impacts on a future multi-use pathway on the left bank would be speculative because the pathway does not exist in that location today. No design for, or approval of a multi-use pathway relocation to the left bank has occurred.

B1-12 The commenter disagrees with the conclusion that an Alternative 3 floodwall would necessitate closure of the unofficial Path #2.

As discussed in response to comment B1-6 and Master Response 2, the use of natural materials in lieu of the concrete addition to the existing floodwall either would not meet USACE Section 408 criteria for floodwall engineering and design or would require installation of a levee that would have a much larger footprint than a concrete floodwall. A larger levee footprint potentially would block unofficial Path #2.

B1-13 The commenter states that the District should make findings that the floodwalls shown in Figure 3.1-18 in the Final EIR meet the project objectives better than those presented under Alternative 3.

The floodwalls proposed as part of the project meet all project objectives. Alternative 3 meets most of the objectives but may not meet regulatory feasibility because of Section 408 requirements, or the design of the floodwall would result in additional

environmental impacts because of the larger footprint for a levee that would be required to meet Section 408 design criteria. See Master Response 2.

B1-14 The commenter states that the District should work with the College of Marin to explore alternative power sources and locations/treatments for aboveground improvements.

The District has been meeting with the College of Marin to discuss the proposed project and the Granton Park pump station design. The pump station would require energy only when the pump station is running, which would occur only when the water elevation in the creek exceeds the height of the wet well. This would occur only for a few days a year.

B1-15 The commenter states that if the aboveground improvements (e.g., pump station) could not be relocated to College of Marin property, they should be painted a color that would reduce their presence.

The aboveground elements of the pump station would be painted a neutral tone. The pump station elements would be relocated slightly toward College of Marin property. The revised pump station location and neutral color tone are shown in the following revised visual simulation of the pump station, which is included on page 3.1-34 of the Draft EIR:

B1-16 The commenter states that vegetation visually screening the aboveground elements of the pump station most likely would be removed during construction and a mitigation measure should be included to address this removal.

As discussed on pages 3.1-26 and 3.1-27 in the Draft EIR, the stormwater pump station would have a weak visual contrast to the existing view because the area generally is disturbed by the existing road and adjacent development. The impact of the pump station would be less than significant, and mitigation is not required under CEQA for less than significant impacts. However, the District will seek opportunities for on-site replacement plantings to replace trees removed by the proposed project.

B1-17 The commenter states that the USACE policy requiring a 15-foot setback from the channel would have a significant impact on biological, visual, and aesthetic resources in the project vicinity.

This comment is acknowledged. The potential impacts of vegetation removal resulting from the 15-foot setback from the channel are described in the Draft EIR to give a conservative assessment. The USACE policy requiring a 15-foot setback can be exercised at any time by USACE, regardless of whether the project is implemented. The District is advocating to retain trees wherever possible and would apply for a variance to the 15-foot vegetation buffer along the floodwall, to be approved at the discretion of USACE. Proposed project implementation would involve attaching the taller floodwall to the existing floodwall and would avoid removal of trees to construct the taller floodwalls in Units 2 and 3.

B1-18 The commenter states that trees cannot develop root systems in boxes, and therefore could not gain height, and that smaller plant material would contribute to greater economic gain and visual impact.

Mitigation Measure 3.1-3: Large Tree Planting has been proposed to address the significant and unavoidable visual quality impacts related to removal of mature trees in Frederick Allen Park. Although smaller plant material may be a viable option for planting in the park, the visual impact from loss of tree canopy would extend for a longer duration because it would take longer for the trees to establish. Large box trees would include a box size of 24 to 36 inches that would be sufficient for the tree to develop a root system and grow to adequate height. In addition, large box trees would only be used where ecologically appropriate as stated in the mitigation measure. While it would be more expensive than planting small trees, planting with larger box trees would mitigate the impact by reducing the time frame that it would take to replace the tree canopy. The additional cost for the larger trees is within reason to reduce the significant visual impact by reducing the time it takes to re-establish the tree canopy. Refer also to Master Response 1 regarding the recommendation to adopt Alternative 1, which will not involve tree removal or landscaping in Frederick Allen Park.

B1-19 The commenter states that a 10-foot buffer around special-status plants does not seem adequate, and that responsiveness to the on-site biological monitor should be adequate to ensure avoidance.

As stated on page 3.3-70 in the Draft EIR, Mitigation Measure 3.3-1a: Avoid Special-Status Plants and Sensitive Natural Communities, would require a biological monitor to be present during construction within a 10-foot buffer of special-status plants, to ensure that impacts would be avoided.

B1-20 The commenter states that Cumulative Project No. 23 should be expanded to include the section of creek between College Avenue and Stadium Way and should note that this project envisions moving Bike Route 20 to the left side of the creek. The commenter indicates that the Draft EIR should analyze how the proposed project and Alternative 3 could impact the relocated Bike Route 20.

The proposed floodwall in Unit 2 would not prohibit the future relocation of Bike Route 20 to the left bank of the creek. Consideration of impacts on a future multi-use pathway on the left bank would be speculative because the pathway does not exist in that location today and no design of, nor approval for a multi-use pathway relocation to the left bank has occurred. The description of Cumulative Project No. 23 on page 4-10 in the Draft EIR has been revised as follows to include the intent to relocate Bike Route 20 to the left side of the bank:

> Corte Madera Creek Project Phase II would include removal of the existing concrete channel from College Avenue <u>to Stadium Way</u> along College of Marin property. The channel bed would be in natural substrate. The right bank would be laid back to create a natural creek slope. The left bank would remain with either an existing concrete wall, a new shorter wall, or large rock embankment to protect an existing Ross Valley Sanitation District owned sewer pipeline that runs parallel to the concrete channel left bank. <u>In addition, the proposed project would relocate Bike Route 20 from the right bank to the left bank of the creek.</u>

B1-21 The commenter states that the College of Marin's new Learning Resources Center building and its surroundings (landscape and hardscape) should be added as a Cumulative Project.

Table 4.3-1: Projects Considered in Cumulative Impact Analysis in the Final EIR has been revised as follows to include the Learning Resources Center Project:

Project No. on Map	Project Name (Project Sponsor or Jurisdiction)	Project Description	Status	Construction Schedule
<u>34</u>	<u>Learning Resources</u>	<u>The project would construct a three-story, 77,000-square-foot</u>	<u>The project currently is</u>	• <u>The construction would take</u>

Project No. on Map	Project Name (Project Sponsor or Jurisdiction)	Project Description	Status	Construction Schedule
	Center Project (College of Marin)	replacement facility on the site of the existing building, to address seismic safety and provide upgraded facilities. The associated work would be limited to within the footprint of the existing building, and no alterations would occur to the adjacent pedestrian bridge.	under construction.	approximately 12 months.

Page 4-15 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Cumulative Projects

Concurrent construction of the project with cumulative projects proposed within the same viewsheds could result in visual impacts during construction. Projects located within the same viewshed as the proposed project include the access ramp to Corte Madera Creek (#1), Lower Corte Madera Creek Improvement Study (#21), ~~and~~ Corte Madera Creek Project Phase II (#23), and the Learning Resources Center Project (#34).

Page 4-16 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

The Corte Madera Creek Project Phase II and Lower Corte Madera Creek Improvement Study would be located near the Lower College of Marin Project's concrete channel removal. Additional removal of the concrete channel and flood-control improvements to areas downstream of the concrete channel would appear consistent with the proposed concrete -channel removal and would result in a beneficial aesthetic impact. The Learning Resources Center Project would be constructed before the proposed project and would be in proximity to the floodwall. The new Learning Resources Center would be three stories in height and would appear similar to the existing two-story building at the project site and within the overall context of the college. The proposed increase in floodwall height also would appear similar to the existing floodwall; therefore, the cumulative aesthetic impact from addition of the floodwall and Learning Resource Center would be less than significant. ~~The cumulative aesthetic impact would be less than significant.~~

Toxic Air Contaminants

The only cumulative projects proposed within 1,000 feet of the proposed project include the Access Ramp to Corte Madera Creek (#1), the Cedar Tentative Map (#11), the Corte Madera Creek Project Phase II (#23), ~~and~~ the Sir Francis Drake Boulevard Rehabilitation (#24), and the Learning Resources Center Project (#34).

Page 4-17 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Toxic Air Contaminants

The cumulative projects and the proposed project would generate toxic air contaminants (TACs) during construction and operation. The proposed project would include a new generator, but the generator would only be used up to 50 hours per year and would not be a considerable source of TACs. Construction of the Learning Resources Center Project would be completed before the proposed project and would not contribute to cumulative TACs because it would not generate TACs during the same time frame as the proposed project's construction. The Access Ramp to Corte Madera Creek and Sir Francis Drake Boulevard Rehabilitation would be constructed a year prior to the proposed project.

Page 4-21 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

The only cumulative projects located close enough to the proposed project to result in cumulative impacts on cultural resources are the Access Ramp to Corte Madera Creek (#1) ~~and~~ Corte Madera Creek Project Phase II (#23), and the Learning Resources Center Project (#34). The remaining projects are separated from the project by a considerable distance, with intervening developed areas.

Page 4-23 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Cumulative Projects

The Access Ramp to Corte Madera Creek (#1), Cedar Tentative Map (#11), Lower Corte Madera Creek Improvement Study (#21), Corte Madera Creek Project Phase II (#23), ~~and~~ Sir Francis Drake Boulevard Rehabilitation Project (#24), and the Learning Resources Center Project (#34) would occur in proximity to portions of the project.

Page 4-24 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Cumulative Projects

The cumulative projects identified in Table 4.3-1 would likely require transport of hazardous materials on Highway 101 and Sir Francis Drake Boulevard during construction. Construction of cumulative projects #1 through #5, #16, #18, ~~and~~ #22 through #25, and #34 would require transport of small volumes of hazardous materials for vehicle and equipment operations during construction.

Page 4-25 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Handle Hazardous Materials within 0.25 Mile of Schools

As discussed in Section 3.8 Hazards and Hazardous Materials, the project is located within 0.25 mile of three schools. The only cumulative projects located within 0.25 mile of the same schools include the Access Ramp to Corte Madera Creek (#1), ~~and~~ Corte Madera Creek Project Phase II (#23), and the Learning Resources Center Project (#34).

Page 4-30 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Cumulative Projects

The Access Ramp to Corte Madera Creek (#1), the Cedar Tentative Map (#11), the Lower Corte Madera Creek Improvement Study (#21), Corte Madera Creek Project Phase II (#23), ~~and~~ Sir Francis Drake Boulevard Rehabilitation Project (#24), and the Learning Resources Center Project (#34) are located within 1,000 feet of portions of the project.

Noise and Vibration

The proposed project and cumulative projects would only generate substantial noise and vibration during the construction phase. Cumulative noise and vibration impacts would, therefore, only occur if the proposed project and cumulative projects within 1,000 feet of the proposed project were constructed at the same time. The access ramp to Corte Madera Creek, ~~and~~ Sir Francis Drake Boulevard Rehabilitation, and Learning Resources Center Project would be constructed prior to the proposed project and would not cause a cumulative noise impact.

Page 4-34 in the Draft EIR has been revised as follows to include the Learning Resources Center Project:

Cumulative Projects

Several of the cumulative projects will require removal of trees, including the following:

- San Anselmo Creek flood control – nursery basin site (#3)
- Hillview pump station and stormdrain (#5)
- Brownridge tree removal (#12)
- Cooney tree removal (#14)
- Real Equity tree removal (#20)
- Lower Sleepy Hollow Creek Improvements (#22)
- Corte Madera Creek Project Phase II (#23)
- Learning Resources Center Project (#34)

Cumulative Projects

Cumulative projects located within the geographic scope of analysis include the Winship Avenue Bridge Replacement Project (#6), the access ramp to Corte Madera Creek (#1), a number of minor structures, tree removal, and land-use modifications (projects #7 #8, #9, #10, #11, #12, #13, #15, #17, #19, and #20), ~~and~~ the Marin Health Care District, and the Learning Resources Center Project (#34).

B1-22 The commenter states that they do not fully support the finding that Alternative 2 is the "Environmentally Superior Alternative."

The rationale for selection of Alternative 2 as the Environmentally Superior Alternative is provided on pages 5-37–5-46 in the Draft EIR. While Alternative 2 is the Environmentally Superior Alternative, District staff are recommending adoption of Alternative 1 for the reasons discussed in Master Response 1.

B1-23 The commenter states that if the Town of Ross does not support the proposed project, Alternative 2, or Alternative 3, they recommend that the District quickly moves forward with a combination of Alternative 1 and Alternative 3.

See Master Response 1 regarding staff recommendation to adopt Alternative 1.

B1-24 The commenter states that the Lower College of Marin Project's concrete channel removal could be approved, even if the work in Frederick Allen Park, floodwalls, pump station, and other project elements are delayed.

The ability to proceed with construction of the lower College of Marin project element separate from other project components is noted. See Master Response 1 regarding the approach to achieving the project schedule for construction in 2022.

B1-25 The commenter presents various corrections to the Draft EIR, based on the current 65 percent design and Design Basis Report for the Lower College of Marin Project.

Figures 2.6-1, 3.3-3, 3.9-3, and 3.15-3 have been revised as follows to show the correct footprint for the Lower College of Marin Project. These maps do not include a staging area at the location of a turn-around for emergency vehicles required by the Kentfield Fire District nor a planted area beyond the multi-use path on the left bank of the creek:

Figure 2.6-1 Staging, Stockpile, and Temporary Work Areas

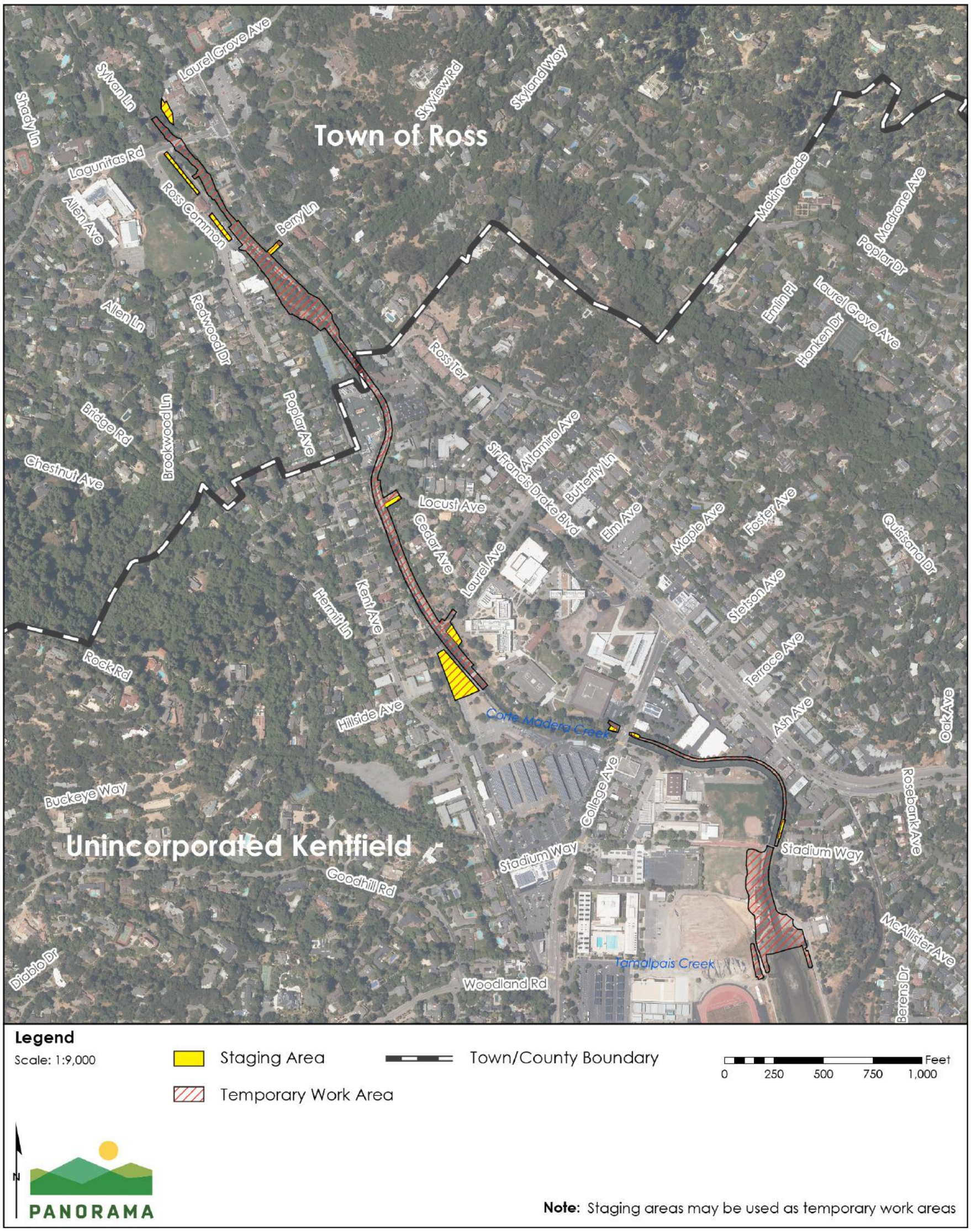

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Figure 3.3-3 Habitat Types within Project Area (Map 3 of 3)

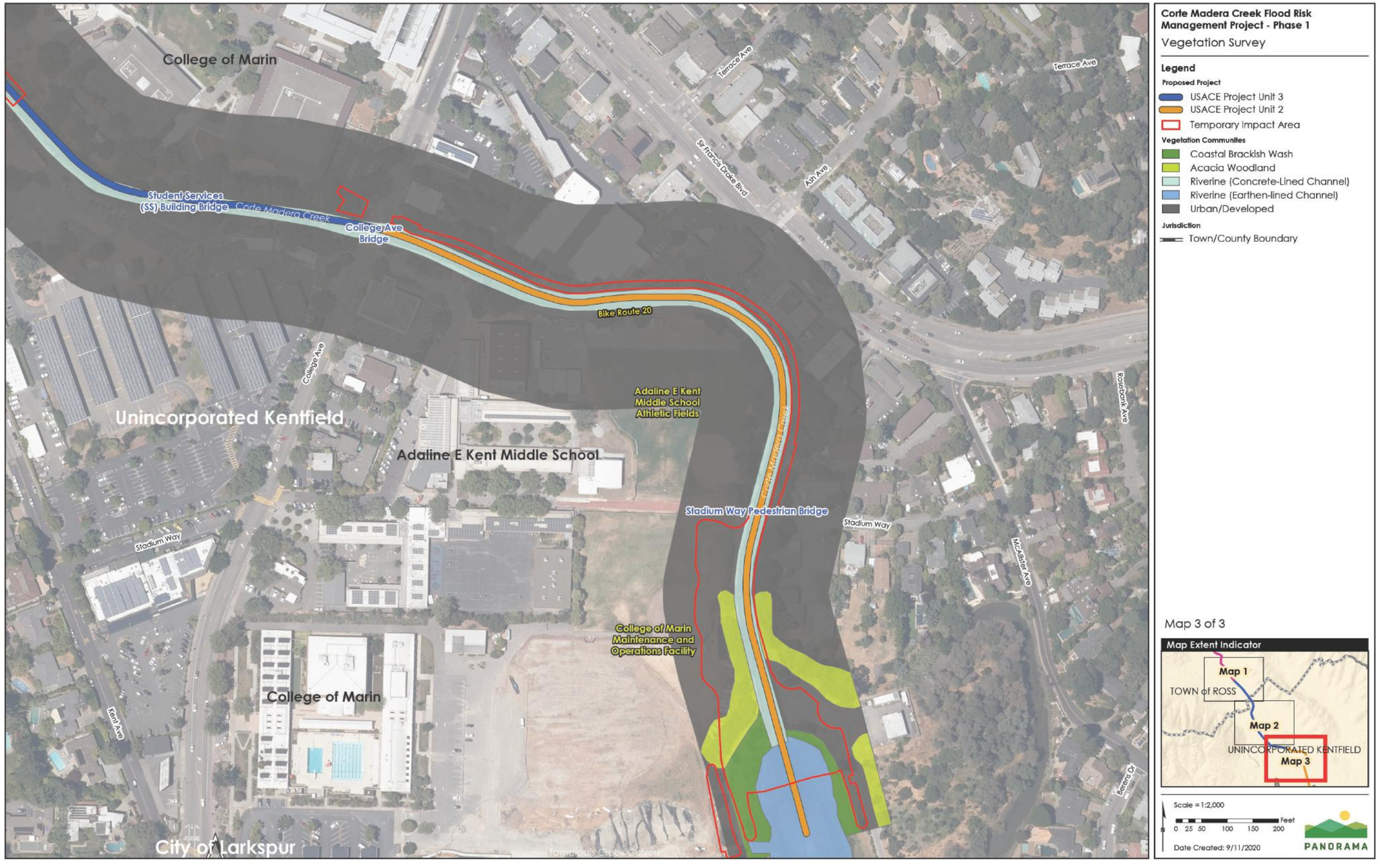
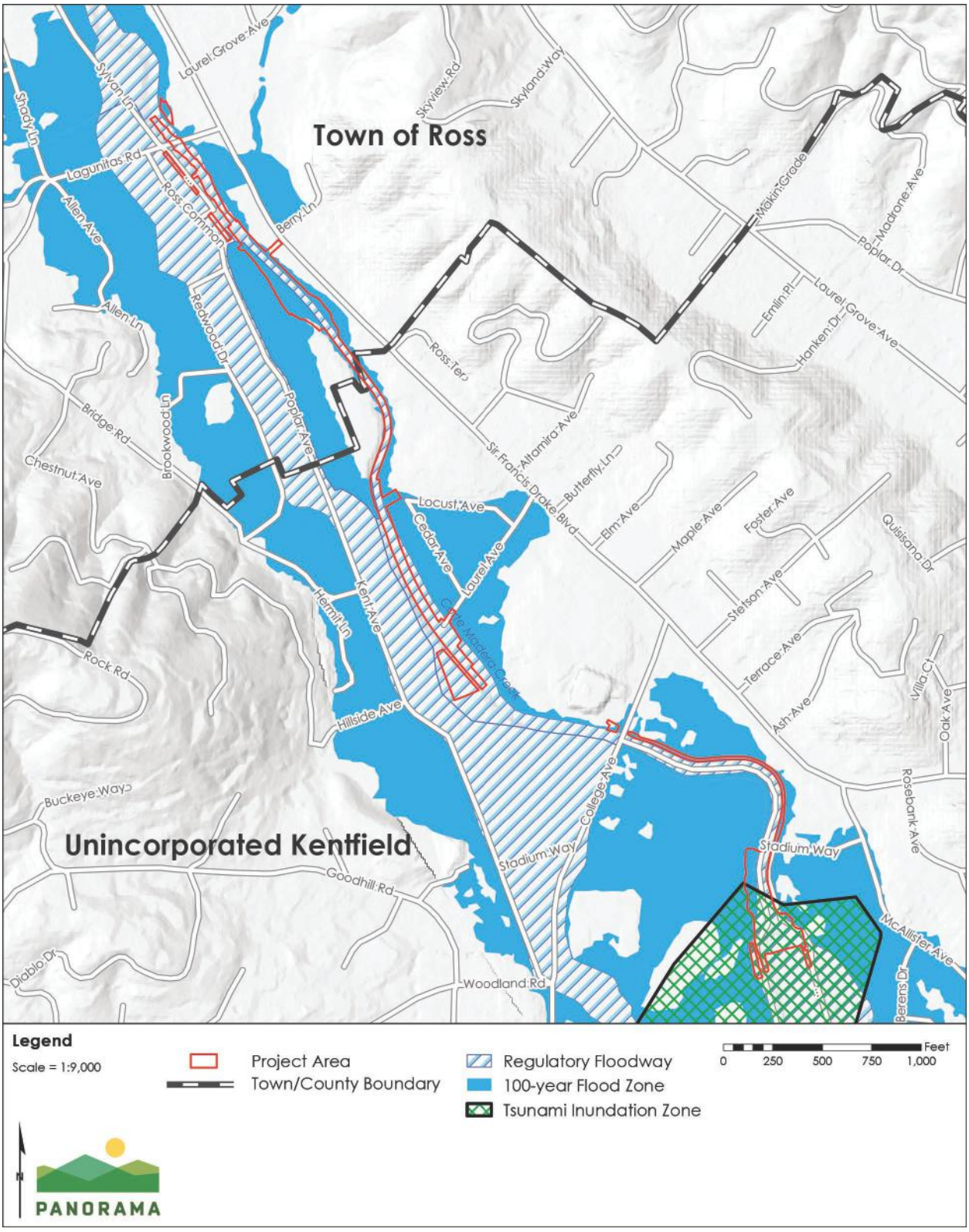


Figure 3.15-3 Utilities and Service Systems in the Project Area (Maps 3 of 3)

Figure 3.9-3 Floodway and Tsunami Inundation Zones



B1-26 The commenter states that text should be updated on page 2-1 and page 3.6-2 in the Draft EIR to say, "San Anselmo Creek and Ross Creek merge to form Corte Madera Creek west of the Lagunitas Road Bridge."

Page 2-1 and page 3.6-2 in the Draft EIR have been revised as follows:

> San Anselmo Creek and Ross Creek merge to form Corte Madera Creek west of the Lagunitas Road Bridge ~~flows into Corte Madera Creek west of Greenbrae at the confluence with Ross Creek~~.

B1-27 The commenter states that the term "Stadium Way" should be used and not "Stadium Avenue."

Page 2-14 in the Draft EIR has been revised as follows to use the term "Stadium Way":

- **Habitat-enhancing elements.** Creek habitat would be enhanced by replacing the concrete channel with an earthen channel and vegetation downstream from Stadium Way. ~~Avenue.~~

Page 3.1-6 in the Draft EIR has been revised as follows to use the term "Stadium Way":

> Lower Unit 3 and Unit 2 within the Kentfield area share similar characteristics as upper Unit 3 within the Town of Ross. Unit 3 extends from Kentfield Hospital downstream to just south of Stadium Way ~~Avenue~~. Bike Route 20 continues through Kentfield adjacent to the right bank of the creek, eventually crossing to the left bank at the Stadium Way ~~Avenue~~ Bridge.

B1-28 The commenter provides direct text edits for page 2-23.

Page 2-23 in the Draft EIR has been revised as follows to respond to the commenter's direct text edits:

> Rock and fill energy dissipators, a vegetated bioretention basin, and boulder-lined bioswales would be installed within the newly created ~~channel~~ habitats, including the transition zone.
>
> A vest-pocket park ~~would be created~~ adjacent to the existing multi-use path would be enhanced. ~~The upland habitat around the pocket park would be enhanced~~ by planting native ~~understory~~ vegetation ~~beneath the existing trees~~. The two existing trees in the park would be preserved.

B1-29 The commenter states that in Figure 2.5-8 in the Draft EIR, the area west of the project site should be labeled "College of Marin Maintenance and Operations Facility."

Figure 2.5-8 in the Draft EIR has been revised as follows to include a label for the College of Marin Maintenance and Operations Facility:

Figure 2.5-8 Lower College of Marin Concrete Channel Removal Habitat Creation

B1-30 The commenter states that the total project area for the Lower College of Marin Project's concrete channel removal is 80,419 square feet.

Table 2.6-1 in the Draft EIR has been revised as follows to note the correct area for the Lower College of Marin Project:

Unit 2	Floodwall (segment #1)	4,750	950	5,700
	Lower College of Marin concrete channel removal	0	80,419~~86,250~~ [a, b]	80,419~~86,250~~

B1-31 The commenter states that the staging area shown in the College of Marin Project area should be removed from Figures 2.6-1, Figure 3.3-3, and Figure 3.9-3.

Figures 2.6-1, Figure 3.3-3, and Figure 3.9-3 in the Draft EIR have been revised to remove the staging area shown in the College of Marin Project area as shown in response to B1-25 above.

B1-32 The commenter states that the wrong photo was used for Figure 3.1-5 in the Draft EIR.

Figure 3.1-5 has been updated with the correct photo in the Draft EIR, as shown in response to comment A5-15.

B1-33 The commenter states that the College of Marin's Maintenance and Operations Facility is mapped as Park (green) and should be mapped as College Campus (brown) in Figure 3.2-2 and Figure 3.10-3 in the Draft EIR.

Figure 3.2-2 and Figure 3.10-3 have been updated as follows in the Draft EIR, to map the College of Marin's Maintenance and Operations Facility correctly as College Campus:

Figure 3.2-2 Sensitive Receptors within 1,000 Feet of the Project Area

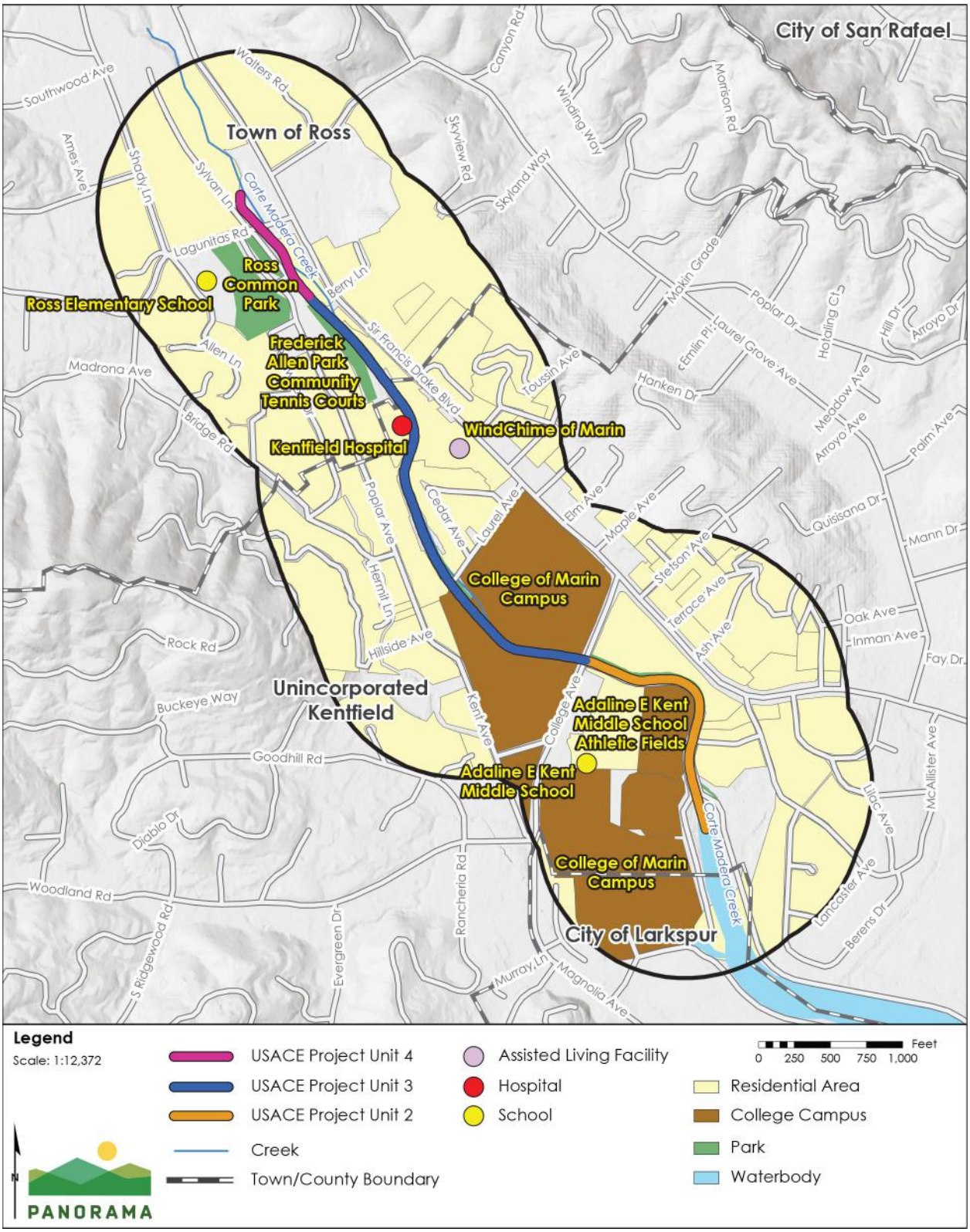
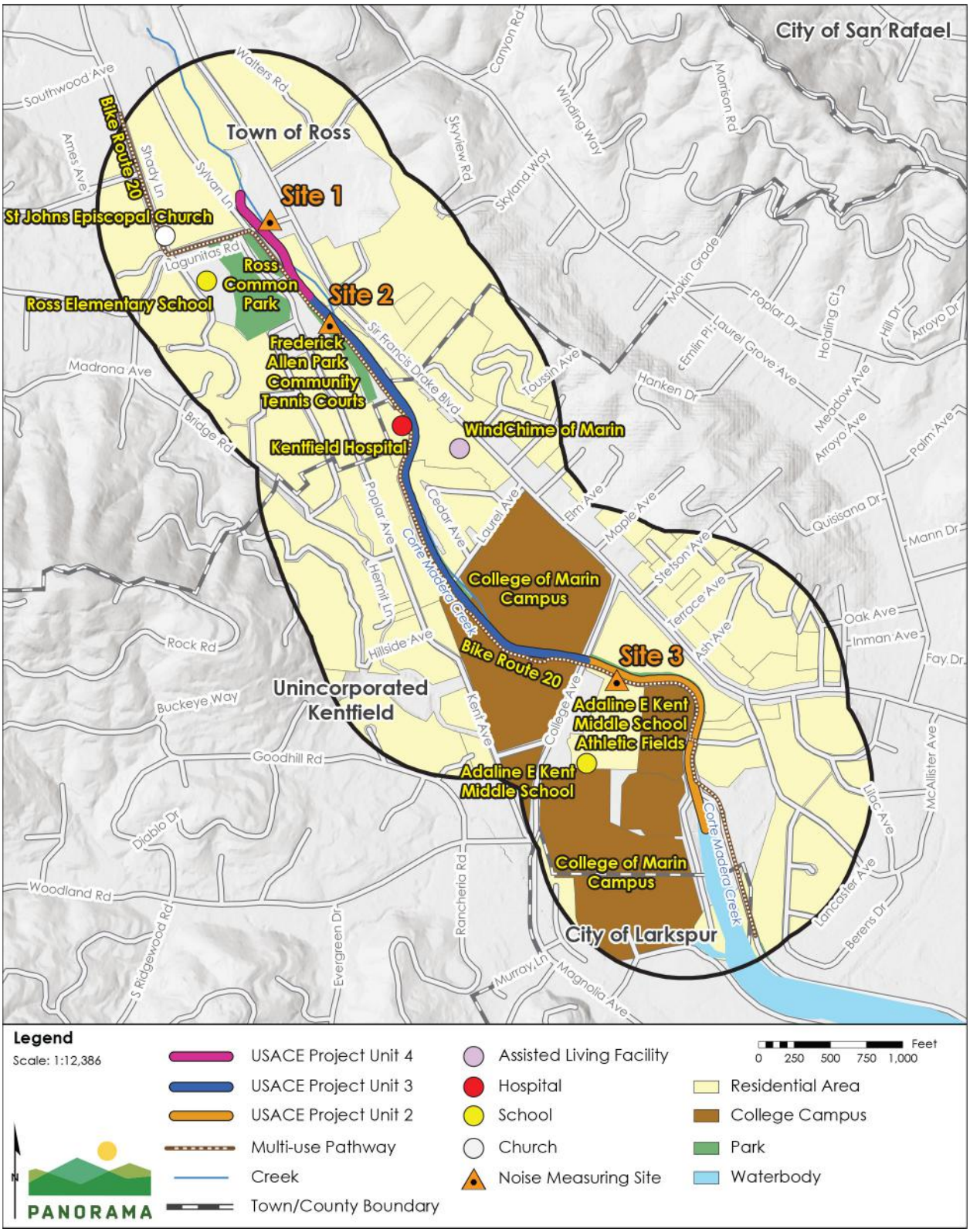


Figure 3.10-3 Noise Measuring Sites and Sensitive Receptors within 1,000 Feet of the Project Area



B1-34 The commenter states that Miller Pacific prepared a geotechnical report for the Lower College of Marin Project and includes recommendations based on the results of soils samples collected in borings on the site.

The Miller Pacific geotechnical report recommends that design of new structures be in accordance with the provisions of the 2019 California Building Code or subsequent codes that are in effect when final design of the proposed project is prepared. As described on page 3.6-21 in the Draft EIR, the Lower College of Marin Project's concrete removal would not introduce any infrastructure that could result in the risk of loss, injury, or death from seismic shaking, and no mitigation is required.

The geotechnical report also recommends that measures be implemented to mitigate the potential for liquefaction that could damage planned improvements in the Lower College of Marin Project area. As discussed above, the proposed project would not include new infrastructure that could be susceptible to liquefaction. As discussed on pages 3.6-21 and 3.6-22 in the Draft EIR, removal of the concrete channel walls would improve stability of the channel banks and reduce the area of concrete structures that could be subject to damage from liquefaction. The impact would be less than significant, and no mitigation is required.

The geotechnical report does not provide mitigation measure recommendations for impacts from fault surface rupture or expansive soils, which is consistent with the analysis in the Draft EIR.

Page 3.6-25 in the Draft EIR has been revised as follows to reference the findings of the Miller Pacific geotechnical report:

> ***Lower College of Marin***
>
> The Bay Mud underlying the Lower College of Marin Project area is weak. The Lower College of Marin Project work involves removal of a portion of the existing concrete channel and riprap, creating a less steeply sloped habitat area and planting the area to establish saltwater marsh and transitional habitat. Riprap would be reinstalled as needed for stability. The reduced slope of the created habitat relative to existing conditions, and use of soil stabilization, including riprap reuse, would generally stabilize the underlying soils. In addition, Marin County Municipal Code requires the Department of Public works to review acceptable soils and geologic reports prior to construction activities located on Bay Mud. ~~Per these regulatory requirements, the geotechnical investigation report for the lower College of Marin concrete channel removal, which is located on Bay Mud, will~~ The Miller Pacific geotechnical report prepared by for the Lower College of Marin Project includes detailed information related to soils matters such as stability, erosion; and settlement, and ~~will~~ includes recommendations for remediating soil instability ~~expansive soils~~, ~~which may includes for example,~~ including removal of these soils and

~~replacement~~ replacing them with ~~engineered~~ imported fill. With adherence to the Marin County Municipal Code, the project would have a less than significant impact due to its location on unstable soil units.

B1-35 The commenter states that the former main channel of Corte Madera Creek, shown in the southeastern corner of Figure 3.9-1, is a cut-off slough and does not connect to the concrete channel.

The McAllister Slough connects to Corte Madera Creek at the earthen channel. The figure shows the extent of McAllister Slough close to the Corte Madera Creek concrete channel in the map scale shown, but it is not connected to the concrete channel as noted in the comment.

B1-36 The commenter states that bank erosion has been much less than the statement from Royston in 1977, indicating that "roughly 20 percent of the total length of bank would be subject to 1 foot of erosion per year."

No recent erosion monitoring data is available. The statement in the Draft EIR reports the findings from Royston. Although the erosion possibly has been less, the findings of Royston do not affect the impact analysis and findings in the Draft EIR.

B1-37 The commenter states that the discussion in the Draft EIR about high water temperatures in Corte Madera Creek should be improved.

Pages 3.9-21 and 3.9-22 in the Draft EIR have been revised as follows to indicate other reasons for high water temperatures in Corte Madera Creek:

> Corte Madera Creek also exhibits high water temperatures. These increased temperatures have been attributed to urbanization of the watershed, specifically the reduction of shaded stream surface area due to loss of riparian vegetation and increased channel width, although less so within Unit 4 (Friends 2008a, in (USACE, 2010). Increased temperatures also have been attributed to low streamflow, caused by groundwater pumping for irrigation, and lack of infiltration, caused by extensive impermeable surfaces.

B1-38 The commenter states that projects 3 through 8 listed in Table 3.9-5 in the Draft EIR are on San Anselmo Creek, not on Corte Madera Creek.

San Anselmo creek is a tributary to Corte Madera Creek, and the future condition hydrologic analysis was conducted to address public scoping comments about the impacts of upstream projects on the hydrology of Corte Madera Creek and the flood control effectiveness of the proposed project.

B1-39 The commenter states that the description about the Lower College of Marin Project on page 3.9-42 in the Draft EIR is overly general. Some walls will be lowered, but the channel will not be removed.

Page 3.9-42 in the Draft EIR has been revised as follows to clarify the concrete removal proposed at the Lower College of Marin Project location:

> ***Unit 2 Lower College of Marin Concrete Channel Removal***
>
> The ~~l~~Lower College of Marin Project ~~concrete channel removal~~ will involve ~~the~~ removal of portions of the concrete-lined flood control channel walls downstream ~~of~~ from Stadium Way to restore natural creek function and create tidal and wetland habitat.

B1-40 The commenter states that sediments from the project area have been tested, and the soil is not hazardous, per the draft Basis of Design Report.

Page 3.9-42 in the Draft EIR has been revised as follows to indicate that the soils in the Lower College of Marin Project area are not hazardous, per the Lower College of Marin Project's Basis of Design Report:

> Much of the exposed area will be revegetated with native vegetation; however, re-exposed channel sediments could be mobilized during tidal flows. The Unit 2 concrete channel removal project area is within the tidal influence of the San Francisco Bay. The Central San Francisco Bay is listed on the 303(d) list for mercury, PCBs, furan compounds, dioxin compounds, pesticides, and other contaminants. Sediments that would be excavated and exposed during construction could potentially be contaminated due to existing known contaminants in the San Francisco Bay, and the construction could result in transport of sediments and associated pollutants into San Francisco Bay. The transport of contaminated sediment to San Francisco Bay would be a significant impact. Soil testing was performed on samples from borings in the Lower College of Marin Project's concrete removal area (Geomorph Design Group, 2020). The soil samples were tested for heavy metals (CAM 17 metals), TPH (gas, diesel, and motor oil), semi-volatile organic compounds and PCBs. No hazardous materials were detected in the samples, and the soil contaminants are within the standard background levels for Marin County. ~~The implementation of Mitigation Measure 3.9-1: Conduct Soil/Sediment Testing, would ensure that soil and sediment exposed by the project is tested and any contaminated sediments are removed/immobilized.~~
>
> As mentioned in the analysis of the other project elements construction above, compliance with the Construction General Permit and implementations of the SWPPP and associated BMPs would reduce the potential degradation of surface water quality and potential impacts from construction-related spills or leaks.

Therefore, with the implementation of the SWPPP~~,~~ and associated BMPs, ~~and Mitigation Measure 3.9-1, construction of~~ the ~~l~~Lower College of Marin concrete channel removal would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The impact would be less than significant ~~with the application of the prescribed mitigation measure~~.

Pages 3.9-47 and 3.9-48 in the Draft EIR have been revised as follows to remove the requirement for Mitigation Measure 3.9-1: Conduct Soil/Sediment Testing:

Following concrete removal, much of the exposed area will be revegetated with native vegetation. However re-exposed channel sediments along the lower banks and streambed could be mobilized during ~~tidal flows or~~ flood events and tidal conditions, possibly building up fine sediment deposition in the reach that could be mobilized during daily tidal cycles, potentially increasing turbidity and transporting associated pollutants into San Francisco Bay. As discussed above, soil sampling in the Lower College of Marin area concluded that the soils are not hazardous, and the proposed project would not expose contaminated soil and sediment. ~~Implementation of Mitigation Measure 3.9-1 would ensure that soil and sediment exposed by the project is tested and any contaminated sediments are removed/immobilized during construction.~~ In addition, site-specific bank protection will be installed in areas determined to be at increased risk of erosion or scour and creation and enhancement of vegetated tidal habitat would minimize the risk of erosion and increased turbidity to a less than significant level. Therefore, ~~with the implementation of Mitigation Measures 3.9-1,~~ operation and maintenance in this element would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The impact would be less than significant ~~with mitigation~~.

B1-41 The commenter states that sediments are likely to be mobilized by flood events in the Lower College of Marin area.

Clarification has been added to the Draft EIR that tidal conditions could build up fine sediment deposition in the reach that could be mobilized during daily tidal cycles. See proposed revisions to the text on page 3.9-47 in the Draft EIR, as provided in response to comment B1-40.

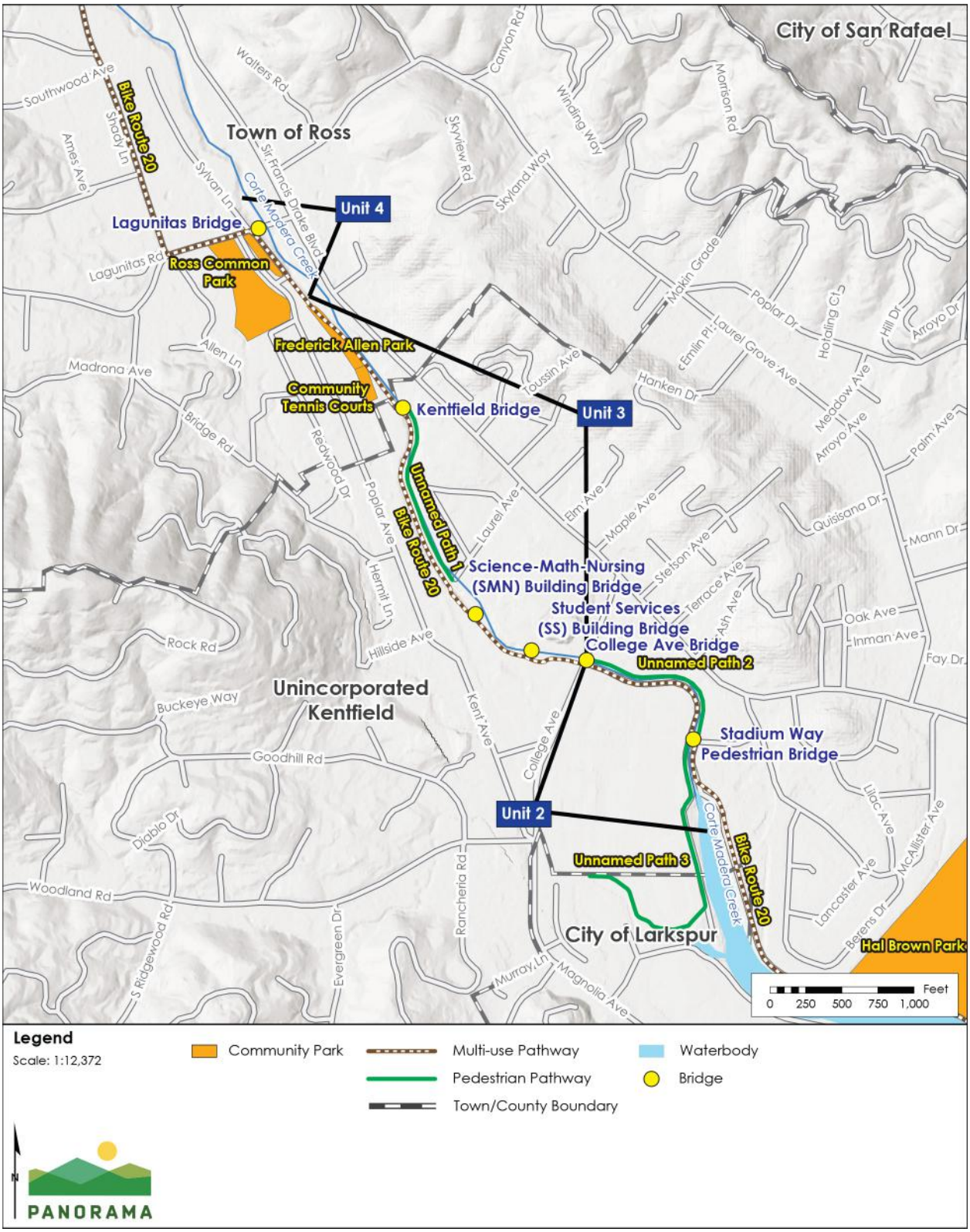
B1-42 The commenter states that Mitigation Measure 3.9-1 already has been implemented.

See the response to comment B1-40. Mitigation Measure 3.9-1: Conduct Soil/Sediment would be required to mitigate operation and maintenance water quality impacts for Unit 3 in Frederick Allen Park, as described on page 3.9-47 in the Draft EIR.

B1-43 The commenter states that the College of Marin Maintenance and Operations Facility should be removed from Figure 3.12-2.

Figure 3.12-2 has been revised in the Draft EIR as follows, removing the College of Marin Maintenance and Operations Facility.

Figure 3.12-2 Parks and Recreational Facilities in the Project Area



B1-44 The commenter states that construction of the new wetlands and transition zone would require the temporary closure of unnamed path #3. No walls would be constructed in that area.

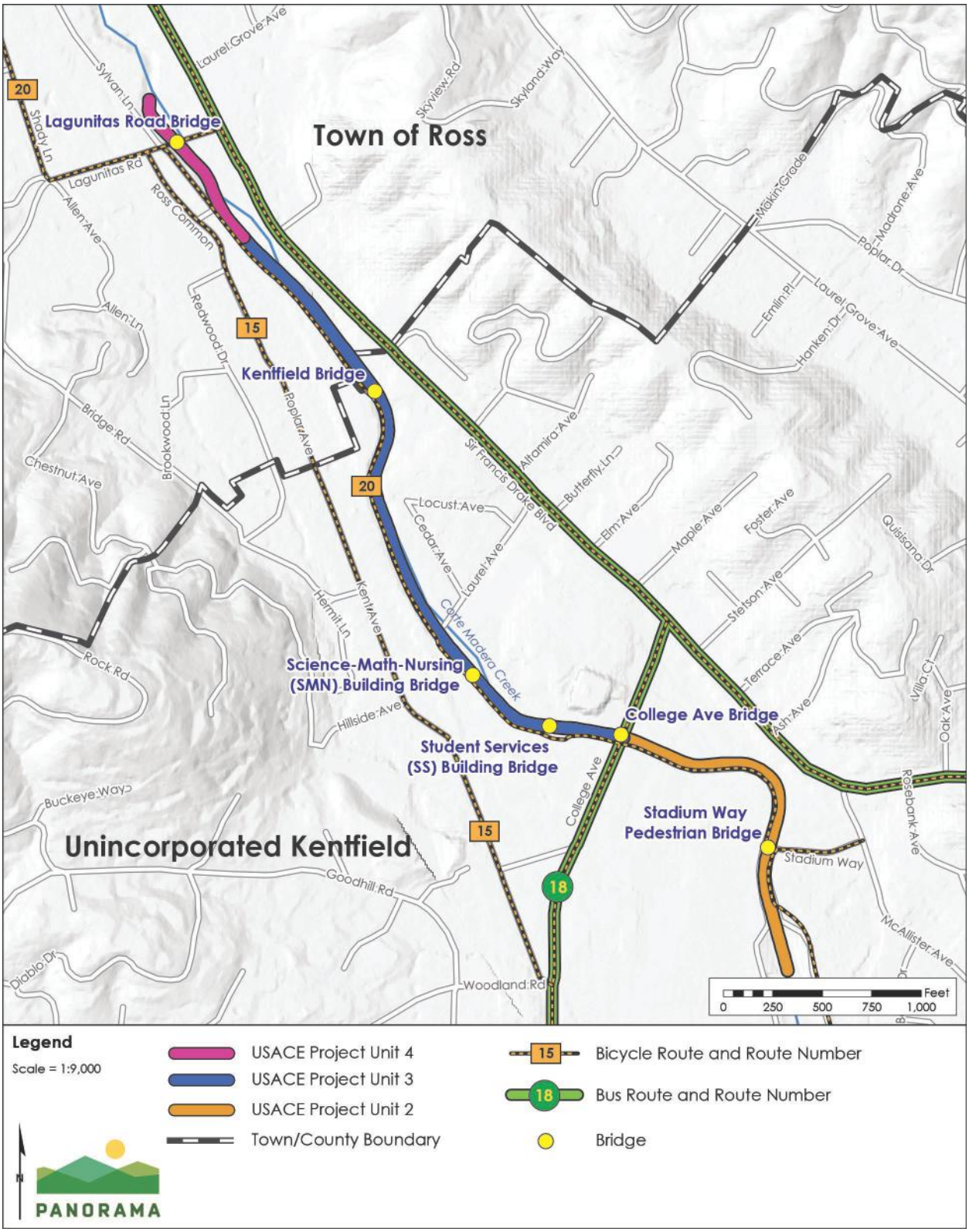
Page 3.12-14 in the Draft EIR has been revised as follows to clarify the reason for temporary closure of unnamed path #3 during construction:

> ***Unnamed Paths***
>
> The project would require temporary closure of unnamed paths #1~~,~~ and #2~~, and #3~~ during construction of floodwalls and temporary closure of unnamed path #3 during removal of the concrete channel and habitat enhancement in Unit 2.

B1-45 The commenter states that in Figure 3.13-1 in the Draft EIR, Unnamed Path #3 is mapped as a bicycle route.

Figure 3.13-1 has been revised as follows in the Draft EIR to remove the bike route from the right bank of the creek south of Stadium Way.

Figure 3.13-1 Local Transportation Network



B1-46 The commenter requests that the text on page 3.13-4 be reworded for clarity.

Page 3.13-4 in the Draft EIR has been revised as follows for clarity:

> Bike Route 20, a biking and pedestrian pathway, follows ~~the right bank of~~ Corte Madera Creek ~~and runs~~ from the Larkspur Ferry Terminal to the Town of Fairfax (Marin County Bicycle Coalition, 2008). ~~Bike Route 20 is a biking and pedestrian pathway.~~ Downstream from Stadium Way, the bike route follows the left bank of the creek. Moving upstream, the bike route crosses from the left bank to the right bank of the creek at the Stadium Way bridge. The bike route continues along the right bank as an off-street paved multi-use path, across College Avenue, to the beginning of Unit 4. The bike route then transitions to an on-road bike path adjacent to Unit 4. ~~The segment of Bike Route 20 within the project area consists of an off-street paved multi-use pathway adjacent to Corte Madera Creek Units 2 and 3. Bike Route 20 transitions to an on-road bike path adjacent to Unit 4. Bike Route 20 crosses over Corte Madera Creek from the right bank to the left bank at the Stadium Way pedestrian bridge and continues along the left bank as an off-street paved multi-use path to Bon Air Road.~~ Bike Route 20~~, within Units 3 and 2,~~ is heavily trafficked by pedestrians and bicyclists, including commuters.

B1-47 The commenter states that vehicles traveling to the Lower College of Marin area would never use Woodland Road and would travel on Sir Francis Drake Boulevard to College Avenue.

Page 3.13-8 in the Draft EIR has been revised as follows to reflect the correct vehicle route to the Lower College of Marin area:

> Vehicles traveling to the lower College of Marin ~~concrete channel removal~~ area would travel on ~~Woodland Road~~ College Avenue and into the College of Marin campus at the entrance to parking lot 12. Limited vehicle access would also occur on segments of Bike Route 20 within Unit 3 and on an informal path within the District's easement on the left bank.

B1-48 The commenter states that the water pipeline that crosses the creek at Stadium Way is an aboveground pipeline, and that towns and the District are responsible for stormwater, not Marin Municipal Water District (MMWD).

The text on page 3.15-1 in the Draft EIR has been revised as follows to clarify that the water pipeline crossing the creek at Stadium Way is aboveground:

> One water pipeline crosses the creek aboveground at Stadium Way in Unit 2.

The text on page 3.15-1 in the Draft EIR has been revised as follows to clarify that MMWD only provides water and not stormwater services.

> Several stormwater lines and MMWD water ~~and stormwater~~ lines are in the project area. There are water supply and stormwater lines that cross the creek just upstream of Lagunitas Road Bridge in Unit 4. Water pipelines are also adjacent to the southern end of Unit 4 and parallel parts of Bike Route 20. Two stormwater lines are near the proposed storm drain pump station in Unit 3. Smaller stormwater lines are scattered throughout Unit 3 and Unit 2. One water pipeline crosses the creek at Stadium Way in Unit 2. See Figure 3.15-1 to Figure 3.15-3 for locations of water pipelines in the project area.

B1-49 The commenter states that the sewer crossing the creek at the end of Stadium Way is a deeply buried pipeline crossing the creek in an inverted siphon.

Refer to response to comment A4-1, which shows revisions to page 3.15-2 in the Final EIR, reflecting the correct alignment of the sewer line.

B1-50 The commenter states that the stormwater lines in Figures 3.15-1, 3.15-2, and 3.15-3 are incorrectly attributed to MMWD, and other utilities are not accurately shown.

Figures 3.15-1, 3.15-2, and 3.15-3 in the Draft EIR have been revised as follows (on the next pages) to reflect the utilities and project components as shown in the Basis of Design Report for the Lower College of Marin area.

B1-51 The commenter states that they support the project.

The District acknowledges the commenter's support for the project.

Figure 3.15-1 Utilities and Service Systems in the Project Area (Map 1 of 3)

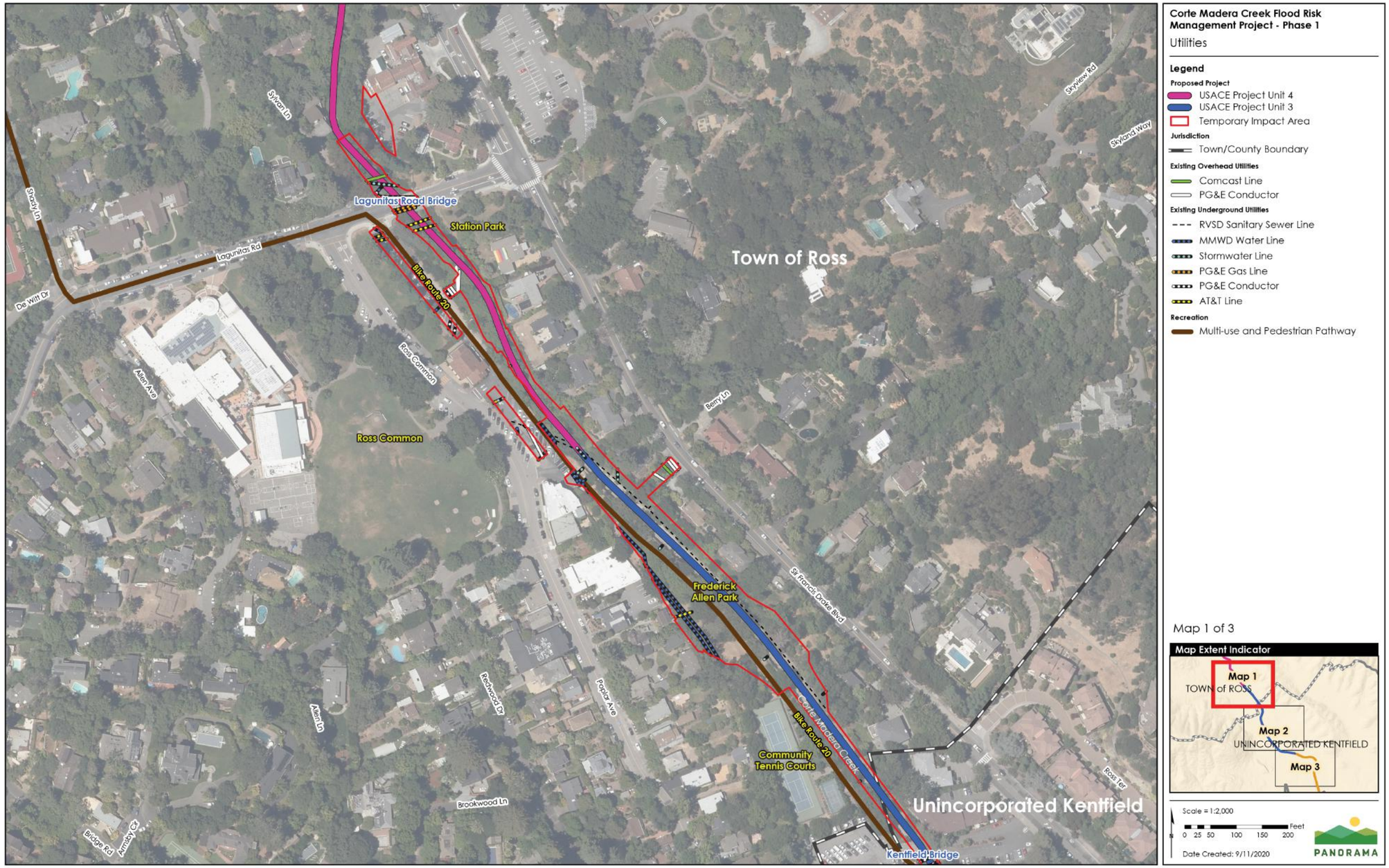


Figure 3.15-2 Utilities and Service Systems in the Project Area (Map 2 of 3)

Figure 3.15-3 Utilities and Service Systems in the Project Area (Map 3 of 3)

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Comment Letter B2

COLLEGE OF
MARIN

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March 16, 2021

Joanna Dixon
Project Manager
County of Marin – Department of Public Works
3501 Civic Center Drive Suite 304
San Rafael, CA 94903

RE: College of Marin Comments to Corte Madera Creek Flood Risk Management Project, Phase 1 DEIR

Dear Ms. Dixon
Thank you for the opportunity to review the Draft Environmental Impact report for the Corte Madera Creek Flood risk management project prepared by Panorama Environmental Inc. The College of Marin has reviewed the document and we are providing comments in the attached letter.

Please feel free to contact me if you have any questions or need further clarification. I can be reached at 415-485-9449.

Sincerely,

Klaus Christiansen
Director of Facilities Planning, Maintenance and Operations

Attachment

CC:
Greg Nelson, Asst. Superintendent/Vice President College Operations
Isidro Farias, Director of Capital Projects

COLLEGE OF
MARIN

College of Marin Comments to Environmental Corte Madera Creek Flood Risk Management Project Phase 1 Draft Environmental Impact report

Project Description Page 2-20 and 2-23 Floodwalls

The section of floodwall along the left bank of College Ave at the College Ave. Bridge **Figure ES-4** is currently shown on land that is higher than the College Ave. Bridge. This would only serve to guide flows that are high enough to be blocked by the bridges solid wall or funnel flows over College Avenue pavement between the bridge wall and the wing wall if there's a gap between the two. If something is really needed just upstream of the bridge, perhaps raising the existing channel wall a bit higher than the bridge's soffit to contain a bit more flow within the channel. B2-1

The potential setback floodwall along the left bank of Unit three **Figure ES-3** would impact college property preventing future use of the space by the college. B2-2

The potential setback floodwall along the left back of Unit three would create an unsafe hiding space between he new floodwall and the existing fence. B2-3

Project Description Page 2-20 Stormwater Pump Station and Backup Power

The Pump station would encroach on College property preventing any future use of the space by the college. B2-4

The station backup generator as shown in **Figure 3.1-16** would adversely affect the view of Mount Tamalpais from the end of Laurel Ave. B2-5

The potential noise from the equipment could be detrimental to the learning environment. B2-6

Any above ground features should be painted a natural color such as "tree bark warm gray" to blend with the surroundings and reduce their presence. B2-7

Project Description page 2-23 Unit 2 Chanel Improvements

Removal of the existing floodwall would impact college property preventing future use of the space by the college. B2-8

Removal of the existing floodwall would eliminate a heavily used walking path. This path would need to be retained in some fashion. B2-9

COLLEGE OF
MARIN

Project Description Page 2-27 Staging, Stockpile and Temporary Work Areas

The staging area located in Parking Lot 9 on college property **Figure 2.6-1** would take away from parking which is already in limited supply at the college and in Kentfield in general. Any use of college property would need to be returned to equal to or better than their current condition. B2-10

There appear to be five other locations designated for staging that would impact college property. Any use of college property would need to be returned to equal to or better than their current condition. B2-11

Project Description Page 2-28 Tree Removal

Tree Removal Unit 2 **Figure 2.6-4** The Corps appears to have a policy to remove trees within 15' of the channel, if they acted on that they would remove many of the Coast Redwoods and a few Oaks south of the College of Marin Learning Resource Center Project site. This would completely change the character of the potential new campus entrance from College Avenue at the Learning Resource Center project site. B2-12

Project Description Page 2-39 Construction Access

Project access through College of Marin Property **Figure 2.6-6** shows construction traffic using a pedestrian path between the baseball and soccer fields. This path is used by student athletes as well as the public for access to view events. B2-13

Construction access although not clearly shown will need to go through college of Marin parking lots. These lots are generally full of passenger vehicles and are not suited for construction use B2-14

College of Marin parking lots have multiple sub surface utilities including, plumbing, electrical, and geo thermal well that could be damaged by heavy construction equipment. B2-15

Project description Page 2-33 Diversion and Dewatering

Noise from pumps running continuously will have an impact on student learning. B2-16

General comments

Construction activities in the concrete channel will be noisy, has the potential for vibration and shaking on college property. These activities have a negative impact on student learning and should be minimized and/or mitigated. B2-17

Dust concerns affect sensitive groups on campus. B2-18

2.4.2 Response to Letter B2: College of Marin

B2-1 The commenter states that the floodwall along the left bank at the College Avenue Bridge is sited on land higher than the bridge and could result in flows over College Avenue.

The floodwall along the left bank at the College Avenue Bridge is proposed to contain water that overflows the creek bank along the overbank area and back into the concrete channel at the College Avenue Bridge. The area of the proposed floodwall has a lower elevation than College Avenue. A floodwall along the concrete channel edge would prevent flows along the left bank overflow area from re-entering the channel; therefore, this floodwall is proposed as a setback floodwall to direct flows back into the channel. The floodwall location was adjusted slightly in the 60% design, based on the latest survey data. The District will provide the updated floodwall design to the College of Marin for review.

B2-2 The commenter states that the potential setback floodwall along the left bank of Unit 3 would impact college property, preventing future use of the space by the college.

The current design would attach the floodwall to the existing floodwall, with the exception of the short segment of floodwall adjacent to College Avenue (see response to comment B2-1). The District will coordinate with the College of Marin regarding the floodwall location, and it would obtain an easement for any project features on College of Marin property that extend beyond the existing easement.

B2-3 The commenter states that the potential setback floodwall along the left bank of Unit 3 would create an unsafe hiding space between the new floodwall and the existing fence.

As discussed in response to comment B2-2, the current design includes attaching the floodwall to the existing floodwall. In addition, the new floodwall would be approximately 2 to 4 feet high.

B2-4 The commenter states that the pump station would encroach on College of Marin property, preventing any future use of the space by the college.

As stated in Table 2.8-1 of the Draft EIR, The District would obtain an easement from the College of Marin for construction and operation of the stormwater pump station and any additional work within College of Marin property.

B2-5 The commenter states that the station backup generator would adversely affect the view of Mount Tamalpais from the end of Laurel Avenue.

The backup generator would be a maximum of 7 feet in height and located in an area where it would be visible only from the end of Laurel Avenue. The area currently does

not have views of Mount Tamalpais, and the backup generator would not affect views of Mount Tamalpais, as shown in Figures 3.1-15 and 3.1-16 in the Draft EIR.

B2-6 The commenter states that the potential noise from the pump station equipment could be detrimental to the learning environment.

As described on page 3.10-20 in the Draft EIR, the pumps for the stormwater pump station would be installed underground and are not anticipated to create perceptible noise at the College of Marin. The pump station would be operational only during and immediately following storm events, when the pump station is needed to avoid flooding. The only noise produced from the pump station would be from operation of the emergency generator, which would occur only when power is down in the area and up to 50 hours per year. The generator would have a maximum sound level of 82 dBA at 50 feet and would result in noise levels of approximately 76 dBA at 100 feet. Closed windows would provide noise attenuation of 10 to 15 dBA. Students at the nearest College of Marin building (100 feet from the pump station) would experience noise levels from61 dBA to 66 dBA without consideration of noise reduction from other building shielding and ground absorption. This range of noise levels would be equivalent to typical noise levels from normal speech at 3 feet (refer to Figure 3.10-1 in the Draft EIR). The noise is also extremely infrequent and would be isolated to periods when the pump station is running to avoid flooding and there is a power outage requiring operation of the generator. Due to the low level of noise and very infrequent noise generation, the generator would not affect student learning.

B2-7 The commenter states that the aboveground features should be painted a natural color, such as "tree bark warm gray," to blend with the surroundings and reduce their presence.

The aboveground features would be painted a neutral color such as tree bark warm gray. The visual simulation has been updated in the Final EIR to show use of tree bark warm gray paint for the aboveground components, as shown in response to comment B1-15. The raised concrete floodwall would be the same color as the existing floodwall, to blend with the existing color.

B2-8 The commenter states that removal of the existing floodwall would impact college property, preventing future use of the space by the college.

The proposed project would not include removal of an existing floodwall in Unit 2, but rather would involve removal of portions of the existing concrete channel walls. As stated in Table 2.8-1 of the Draft EIR, The District would obtain an easement from the College of Marin for any project areas on its property.

B2-9 The commenter states that removal of the existing floodwall would eliminate a heavily used walking path. This path would need to be retained in some fashion.

As described on page 3.12-11 in the Draft EIR, access along unnamed path #3, located on the right bank of the creek, would be restored after the concrete channel removal is completed. A new informal path segment would be constructed on the right side of the creek, replacing the segment of unnamed path #3 to be affected by the concrete-channel-removal. The new path segment would connect to the existing unnamed path #3 south of the concrete channel removal work area, restoring access along unnamed path #3.

B2-10 The commenter states that the staging area in parking lot 9 on college property would take away from parking space, which already is in limited supply at the college and in Kentfield in general.

Refer to response to comment B1-31. Figure 2.6-1 in the Final EIR has been revised to remove the staging area shown in parking lot 9 on college property.

B2-11 The commenter states that five other locations appear to be designated for staging that would impact college property. Any use of college property would need to be returned to equal to or better than the current condition.

As stated in Table 2.8-1 of the Draft EIR, The District would obtain a temporary construction easement from the College of Marin for any construction activities within College of Marin property. All staging areas would be restored to pre-project conditions following construction.

B2-12 The commenter states that if USACE implements its 15-foot setback policy, many of the coast redwoods and a few oaks south of the College of Marin Learning Resource Center would be removed.

Per USACE's Pamphlet No. 1110-2-18, USACE has the authority to require tree removal within 15 feet of the channel at any time because of the existing floodwalls along Corte Madera Creek. Even if the proposed project is not implemented, USACE could require this tree removal. Tree removal, as required by USACE, is part of existing regulatory requirements and would not be an impact of the proposed project.

B2-13 The commenter states that project access through College of Marin property shows construction traffic using a pedestrian path between the baseball and soccer fields. This path is used by student athletes as well as the public for access to view events.

The path would be used temporarily during the Lower College of Marin project element restoration and planting. The access would occur for a few weeks during initial mobilization and planting.

B2-14 The commenter states that construction access would need to go through College of Marin parking lots, which generally are full and not suited for construction use.

As stated in Table 2.8-1 of the Draft EIR, The District would obtain an easement from the College of Marin for work within College of Marin property.

B2-15 The commenter states that College of Marin parking lots have multiple subsurface utilities that could be damaged by heavy construction equipment.

No proposed project-related construction activities would occur in College of Marin parking lots. The District would obtain an easement from the College of Marin for work within College of Marin property, which would include requirements, as necessary, to prevent damage by heavy equipment traveling through College of Marin parking lots.

B2-16 The commenter states that noise from pumps running continuously would have an effect on student learning.

A dewatering pump would be installed upstream from the Unit 2 work area, approximately 700 feet from Diamond Physical Education Center at the College of Marin (the nearest building to the pump location). The proposed dewatering activities would occur between June 15 and October 15, and the use of dewatering pumps would operate only when in-water work is needed.

Noise from point sources, such as construction equipment, drops off at a rate of approximately 6 decibels (dB) per doubling of distance. For example, a sound level of 80 A-weighted decibels (dBA) at 50 feet from the noise source would be reduced to 74 dBA at 100 feet, 68 dBA at 200 feet, and so on as discussed on page 3.10-4 of the Draft EIR. Pumps would have a maximum sound level of 77 dBA at 50 feet (Table 3.10-7 in the Draft EIR). The dewatering pump would result in noise levels of approximately 53 dBA at 700 feet, assuming no noise attenuations from intervening structures and vegetation. Closed windows would provide noise attenuation of 10 to 15 dB. Students inside the Diamond Physical Education Center would experience noise level close to 38 to 43 dBA (without consideration of noise reduction from other building shielding and ground absorption). This noise levels would be equivalent to typical noise levels in an office (Figure 3.10-1 in the Draft EIR) and would not affect student learning.

B2-17 The commenter states that construction activities in the concrete channel would be noisy and have a negative effect on student learning that should be mitigated.

The closest project component to the sensitive receptors at the College of Marin campus that would involve construction activities in the concrete channel would be the fish pools in lower Unit 3. As described on page 3.10-18 in the Draft EIR, although the overall construction duration at the fish pools would be for several weeks, construction of each pool would last only a few days. Fish pool construction in the area adjacent to the College of Marin would be of short duration, lasting approximately 3 weeks. In addition, noise from the fish pool construction would be reduced by the concrete

channel walls, which would act as a partial noise barrier. For these reasons, construction noise impacts would be less than significant.

B2-18 The commenter states that project dust would affect sensitive groups on campus.

As described on page 3.2-25 in the Draft EIR, Mitigation Measure 3.2-2: Fugitive Dust Measures would be implemented. This mitigation measure would require implementation of BAAQMD-recommended fugitive dust control measures. As described in the Draft EIR, construction activities that are proposed in proximity to the College of Marin would not generate a significant amount of fugitive dust.

Comment Letter B3

Marin Audubon Society

P.O. Box 599 | Mill Valley, CA 94942-0599 | marinaudubon.org

March 17, 2021

Joanna Dixon, Project Manager
Department of Public works
Marin County Center
3501 Civic Center Drive
San Rafael, CA 94903

RE: Comments on Corte Madera Creek Flood Risk Management Project Draft EIR

Dear Ms. Dixon:

The Marin Audubon Society appreciates the opportunity to comment on the DEIR for the Corte Madera Creek Flood Risk Management Plan. This is a multi-benefit project that will go a long way to improve habitat conditions along major lengths of the creek channel. While we strongly support the project we have some concerns about the plan and recommendations for components that should be analyzed in the Final EIR are addressed herein. B3-1

The potential environmental enhancements the project will provide are extensive: restoration of fish passage habitat by removing impediments to flood flows, replacing the inadequate fish ladder, increasing capacity of the channel, creating floodplains, constructing more, larger fish resting pools, restoring natural creek banks and stabilizing slopes which will improve habitats for fish and bird habitat. B3-2

The method of responding to scoping questions is user-unfriendly. It required extensive time to search through the text for the response to our comments. We request that future responses be made directly to comments as is usually done in CEQA processes. B3-3

We request that the following questions and concerns be addressed in the Final DEIR: B3-4

A Chapter of the National Audubon Society

1. Alternatives to concrete - The removal of a large portion of the concrete channel in Unit 2, east of the College we see as a significant ecological benefit to fish, birds and people. However, the plan includes installation of more concrete floodwalls in all units. Hard concrete floodwall structures surface may be cheaper but they provide no environmental benefit.

   We recommend that the DEIR review and evaluate alternative natural materials that could be used, in place of concrete. Wooden planks, logs and other natural materials are a few of the materials that should be considered as alternatives.

   The evaluation should address alternative materials for floodwalls in each of the units, as different materials could be appropriate for different sections. The evaluation should address habitat benefits and bank stability for each.

   We note that the Alternatives Analysis includes alternatives with rock stabilization structures instead of concrete. Rock walls would allow for growth of vegetation, which would be is improvement over concrete walls. Rock walls should be discussed further as to the likelihood of success and ease of growing the vegetation, i.e. evaluated as to the potential for success.

2. Tree Removal - Implementing the Corps of Engineer's requirement that vegetation not be planted within 15 feet of the concrete channel would significantly diminish the habitat value of the creek and lower the environmental benefits of the project. It is urgent that this restriction not be imposed on the project. We urge the County to aggressively pursue an exemption from this requirement. If organizations could be helpful in achieving this goal, please let us know.

   Regarding mitigation for tree loss, since the Habitat Restoration and Monitoring Plan has not been produced and cannot be reviewed as part of this DEIR and the EIR discussion lists only agencies as participating in the Plan development, we express our concern that the interested public would not have an opportunity to comment. We are particularly concerned that the mitigation trees be planted at

B3-4 cont.

B3-5

B3-6

B3-7

Environmentally Superior Alternative. Alternative 1 would reduce the concrete footprint at Frederick Allen Park and replace it with retaining walls made of rock or other natural material. Alternative 3 reduces concrete from Unit 2 and also replaces it with rock to allow plantings to improve habitat

The Environmentally Superior Alternative would combine these features to substantially improve the habitat values of the creek.

B3-7 cont.

Correction: Wildlife Marin Audubon Society has conducted bird counts along Corte Madera Creek from 1978 to 2013, not Friends of Corte Madera Creek (Birds page 3.3-17). Actually, we have conducted the Christmas Count from 1978 to 2019. The Count was not conducted in 2020 due to the pandemic. Clearly the list provided is extensive attesting to the environmental value of the creek. If you would like an updated one, let me know.

B3-8

Sincerely,

Barbara Salzman, Chair
Conservation Committee

2.4.3 Response to Letter B3: Marin Audubon Society

B3-1 The commenter states that they strongly support the project but have some concerns about the plan and recommendations for components that should be analyzed in the Final EIR.

This commenter's support for the project is acknowledged.

B3-2 The commenter states that the potential environmental enhancements the project would provide would be extensive.

These environmental improvements provided by the project are reflected in the project objectives and impact analysis in the EIR.

B3-3 The commenter states that the responses to scoping questions are not user friendly and finding responses is difficult.

The responses to scoping comments are presented in each applicable Draft EIR section, as well as in Appendix A, Notice of Preparation and Scoping Summary Report. Because the comments were considered as the basis for detailed analysis, a reference to the section of the Draft EIR where the comment is addressed is included, rather than providing a detailed response to each comment. This approach is consistent with other Marin County EIRs.

B3-4 The commenter states that future responses to comments and alternatives related to concrete should be addressed in the Final EIR.

The responses to comments in the Final EIR include a detailed response to each comment (provided here).

The concrete floodwalls that are part of the proposed project would be an extension of the existing floodwalls along the creek. The new floodwalls would be installed on top of the existing concrete floodwalls. The proposed project would not install floodwalls in areas where floodwalls do not exist currently and would result in slightly taller floodwalls than current conditions. This type of floodwall extension is needed to comply with the engineering requirements of USACE Section 408 standards. A non-concrete alternative was considered in the Draft EIR as Alternative 3. Refer to Master Response 2 for information on the feasibility of Alternative 3 and non-concrete floodwalls.

B3-5 The commenter states that the alternatives analysis includes alternatives with rock stabilization structures instead of concrete, which would be an improvement over concrete walls.

Refer to Master Response 2 regarding the environmental impacts of non-concrete floodwalls and Alternative 3.

B3-6 The commenter states that implementing the USACE 15-foot setback requirement for vegetation would lower the environmental benefits of the proposed project, and the County should propose an exemption from this requirement.

The USACE policy requiring a 15-foot setback can be exercised at any time by USACE, regardless of whether the project is implemented. The District is proposing to attach the new concrete floodwalls on top of the existing floodwalls, to avoid tree removal behind the floodwalls. The District has discussed the 15-foot setback requirement with USACE and has urged USACE to waive the setback requirement. The District will continue to work with USACE to avoid additional tree removal associated with the 15-foot setback. The District's goal is to avoid and minimize tree removal to the extent feasible.

B3-7 The commenter states that they are concerned about the public not having an opportunity to comment on the Habitat Restoration and Monitoring Plan and on the Environmentally Superior Alternative.

Habitat mitigation requirements cannot be determined until a project alternative is approved; therefore, it is not feasible to develop the Habitat Restoration and Monitoring Plan before County approval of the proposed project or an alternative. Mitigation Measure 3.3-2a: Habitat Restoration and Monitoring Plan specifies the performance criteria and standards that would be applied during plan development and implementation.

Alternative 1 would not reduce the concrete footprint in Frederick Allen Park because Alternative 1 would include only construction of fish pools within Corte Madera Creek adjacent to Frederick Allen Park. No work in Frederick Allen Park is proposed under Alternative 1. Refer to Master Response 1 regarding the staff recommendation to adopt Alternative 1 and Master Response 2 regarding Alternative 3.

B3-8 The commenter states that Wildlife Marin Audubon Society conducted bird counts along Corte Madera Creek from 1978 to 2019, not the Friends of Corte Madera Creek.

Page 3.3-17 in the Draft EIR has been revised as follows to correct the bird count statement.

> Wildlife Marin Audubon Society ~~Friends of Corte Madera Creek Watershed has~~ conducted ~~Christmas~~ ~~Bird Counts~~ bird counts along Corte Madera Creek from 1978 to 2019~~2003~~.

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