
San Francisco Bay Regional Water Quality Control Board

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Town of Corte Madera
Planning Department
300 Tamalpais Drive
Corte Madera, CA 94925-1418
Attn.: Mr. Adam Wolff
Email: AWolff@tcmmail.org

Subject: Comments on the Draft Environmental Impact Report for the Corte Madera Inn Rebuild Project, SCH No. 2014042069

Dear Mr. Wolff:

We have reviewed the Draft Environmental Impact Report for the Corte Madera Inn Rebuild Project (Project). The Project would involve demolishing an existing 110-room hotel and restaurant, and constructing a new 187-room hotel. Based on the information provided in the EIR, we offer the following comments. These comments are to advise the Town of Corte Madera (Town) and Reneson Hotels, Inc. (Project Applicant) of our concerns, so they may be incorporated into the planning and design process.

Comments on Impacts to Aquatic Resources

The EIR indicates that the Project will fill a pond that has been part of the Corte Madera storm water management system but was determined by the Town's Flood Control Board to be no longer needed. Please note that the pond is a water of the State.

The Water Board adopted U.S. Environmental Protection Agency's Section 404(b)(1), "Guidelines for Specification of Disposal Sites for Dredge or Fill Material," dated December 24, 1980, in its Basin Plan for determining the circumstance under which filling of waters of the State may be permitted. Section 404(b)(1) Guidelines prohibit all discharges of fill material into regulated waters of the United States, unless a discharge, as proposed, constitutes the least environmentally damaging practicable alternative (LEDPA) that will achieve the basic project purpose. To accomplish this, the Guidelines sequence the order in which proposals should be approached: 1) Avoid - avoid impacts to waters; 2) Minimize – once impacts have been avoided to the maximum extent practicable, modify the project to minimize impacts to waters; and, 3) Mitigate – once impacts have been fully minimized, compensate for unavoidable impacts to waters.

We appreciate inclusion of an alternative in the EIR that would avoid filling the pond (Alternative 2) and appears to meet the basic purpose of the Project, which is to establish a hotel in south Marin. However, there is no indication that Alternative 2 will be selected as the preferred alternative for the Project. If Alternative 2 is not selected as the preferred alternative, then additional alternatives that avoid filling the pond will need to be evaluated because the Section 404(b)(1) Guidelines will require evaluation of the practicability of all alternatives that avoid filling the pond and only the LEDPA will be permitted by the Water Board. Because the EIR only evaluates one alternative that avoids filling the pond and does not indicate that it will be implemented moving forward, the only permissible alternative (i.e., the LEDPA) may not have been included in the EIR. To rectify this situation, we recommend evaluating additional alternatives that avoid filling the pond, including, but not limited to: (1) renovating the existing hotel; (2) using a multi-story garage and shifting the position of the hotel to avoid the pond; (3) reducing the number of units to reduce the footprint of the hotel thereby avoiding the pond; (4) altering the types of rooms offered by the hotel to reduce the footprint thereby avoiding the pond; and (5) eliminating or reducing the size of some of the amenities offered by the hotel.

If you have any questions, please contact me by e-mail at xafernandez@waterboards.ca.gov or via phone at (510) 622-5685.

Sincerely,

Xavier Fernandez
Environmental Scientist

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