

REC'D JAN 28 2015

Fort Bragg Planning Commission
416 N. Franklin Street
Fort Bragg, CA 95437

Re: Hare Creek Center

Jan. 28, 2015

Dear Commissioners,

I am writing in opposition to a mitigated negative declaration and request a full Environmental Impact Report for the "Hare Creek Center," as guaranteed by the CEQA process, for the following reasons:

1.) The project does not comply with the Coastal General Plan Policy CD- 1.1 which states:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

According to the Planning Commission's Staff Report: (Page 9):

“Protect Views to and along the ocean.” The proposed project will not interfere with views to or along the ocean from the public rights of way. The ocean is not visible across the proposed site from within City Limits.”

That is incorrect. There is a clear view of the Pacific Ocean from a 50-yard section of CA State Hwy 1, south of the Emerald Dolphin Mini Golf,

within the City Limits of Fort Bragg.

The project therefore does not comply with the Coastal General Plan.

2.) **The project severely conflicts with Policy CD-1.5 of the General Plan** because extensive grading will destroy a landmark hill, the highest topographical feature on the coastal bluffs within miles of either direction. This beautiful hill would be turned into 20,000 cubic yards of "fill." The project would permanently alter and degrade the landscape. **Fears of what a full archeological study, (conducted as part of a complete EIR), would reveal are what have caused the owners to withdraw previous applications (not all of which have been documented in the Staff Report, to wit, 1995 application.)** To merely mitigate with notification and/or monitoring is not enough — as has been clearly demonstrated elsewhere in the county recently, in conjunction with the construction of the Willits Bypass. This oversight in (their) planning has cost the State of California as well as the County of Mendocino dearly.

3.) **The Project does not Conform to Use Permit Findings "to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located."**

Although not within City Limits, less than 200 yards south of the proposed project is the Hare Creek Bridge, a concrete structure built in 1947 that is in a crumbling state of dangerous disrepair. The elevated sidewalks are 35.9 inches wide, with a curb 12 inches high, making the span extremely unsafe for pedestrian and bicycle traffic. There is no bike lane on the pavement to protect bicyclists from the heavy and constant

traffic on CA State Hwy 1, going by at a posted speed limit of 40 MPH.

This hazard needs to be addressed in an EIR before a pedestrian and bicycle magnet is installed on adjacent property.

Additionally, the increased traffic that will result from the project is not properly cited in the inadequate study started in March 2013, with surveys done in August of that year. A community college that shares the access road with the project will soon be re-opening, and was not in session at the time the survey was done. Increased congestion caused by the proposed mall will likely cause traffic back-ups, up to and across the dangerously dilapidated and unsafe Hare Creek Bridge. These issues and hazards need to be thoroughly studied and addressed in an EIR.

4.) In selling this project to the public and the City, developers have underplayed the impact of the paved road they want to build behind, and to the west of the proposed mall. This development will severely impact a wildlife corridor to the Hare Creek watershed. There is a herd of over 25 deer that regularly grazes on the Todd Point headlands who access that area, and the woods to the east of Hwy 1, through the planned pavement development area behind the mall. The impact on the deer population, by the closing off of this corridor, needs to be studied and assessed.

There is also a population of wild turkeys that uses this wildlife corridor to access the Todd Point headlands. The mitigated negative declaration does not address any of these issues.

5.) The Groundwater Evaluation by Nolan Associates, done TWENTY years ago in 1995, for a proposed "K-Mart" and submitted by applicants for the same location is outdated, especially with current drought conditions that have already severely affected water availability in the

area, and needs to be re-done.

Additionally, an objective, complete, and up-to-date EIR is required to more accurately evaluate the impact of this project's extraction almost 2 Million gallons/annum on the surrounding homes, (and their property values) as well as take into account the needs of our local community college that would also be affected. It is essential that that such a study would also take into account growth projections and future needs for the Todd Point Campus, which currently houses Mendocino College as well as a k-12 Charter School, both valuable assets to the residents of the City of Fort Bragg.

Thank-you for considering these issues in your decision to require a full and complete Environmental Impact Report.

Respectfully submitted,

C. Swan

P.O. Box 1070, Covelo, CA 95428

(707) 734-3187

Mendocino County Resident for 37+ years

7 of those years on living the coast, with grandkids who still do.

cc: California Coastal Commission

c/o Commissioner Bob Merrill <bmerrill@coastal.ca.gov>

1385 8th Street, Suite 130

Arcata 95521

From: carinber@aol.com [mailto:carinber@aol.com]

Sent: Wednesday, January 28, 2015 4:46 PM

To: Jourdain, Brenda; bmerrill@coastal.ca.gov

Cc: MarkFarver@pga.com

Subject: Hare Creek project

Planning Commission,

My Husband and I are part-time residents on Bay View Avenue. The Hare Creek project proposes to connect our small dead-end, gravel street to the new (back) road that leads to the proposed shopping center. The residents along Bay View Avenue already have to deal with a) the many transients who come to the ends of the street to sleep in their cars and fish and smoke weed, b) the trespassers who fish illegally on other people's property, and c) the locals and tourists who leave their trash (cigarettes, food waste, food containers, rubbers, etc.) on the road and in the ice plant at the end of the road. The area is VERY infrequently monitored by law enforcement as is served by the sheriffs' department because it is not part of the city of Fort Bragg and calls to manage the problem have, for the most part, been ignored or are not timely, and the residents have had to deal with the issues themselves.

Adding a link between the shopping center and Bay View Avenue will increase the traffic which will reduce the privacy and quiet enjoyment that we do have. Since the road will be between city and county lines, I'd like to know how the safety on our street will be managed.

This is a great concern and I hope you will not connect the road to our small street.

Thank you,

Carin Berolzheimer & Mark Farver
31401 Bay View Ave.
(707) 964-2084
(518) 526-4534

Albion, 1-28-2015

I am opposed to the construction of a roughly 30"000 sq. ft. mall next to the Fort Bragg Headlands at the south side of Fort Bragg. Mendocino has a Historical Review Board protecting the town and locals were able to protect the Mendocino Headlands. People in Fort Bragg got used to it that do to the old mill site there is no view of the ocean possible, other than to the south and north of the former mill site. As logging and fishing no longer support the local economy we depend more & more on tourists and retired people. The eco tourists and retirees that frequent the coast are returning time after time because of the innate beauty of the pristine environment.

In Europe where there is less space available communities get together to discuss where to build what and how dense and how tall buildings can be long before a developer comes with a proposal.

Considering that Mr. Bill Patton was supposedly a local man why has he not approached the community and asked for our input? We live here, he does not anymore I am told. I understand that other than the Grocery Outlet three unidentified stores & an unidentified cafe will occupy the other empty spaces. We are not asked about our vision. We can count ourselves lucky that K-Mart has not moved in already and lucky hat the Dollar Tree will not move in at the proposed building site. If Mr. Patton gets his way we will have to put up with whoever wants to occupy that space.

The proposed mall is bounded to the south and west by undeveloped property. What will come next and when is the question? Former Mendocino County Supervisor Norman De Vall pointed out that creating a road to the west of the project would rope the area out of Coastal Commission influence. This is not a good idea, as the Coastal Commission was created to prevent against exactly this type of exploitation of our coastline. By sneaking this in as part of the "project" developers are avoiding Coastal Commission permit requirements?

This plan relies far too much on studies done in 1995 (for K-Mart/Concentrated Housing/Motel project on owner's entire 12 acre parcel). These studies are dated and inaccurate. In 1995, It was decided that only a motel would be allowed. Breaking their holdings into 3 parcels and (now 2, soon 3?) separate projects is

Albion, 1-21-15

Thanks to the announcement list at MCN I have your e-mail. I will send you my comments about the planned Hare Creek Project in writing in case I can not attend or do not have a chance to speak.

In the meantime I would like to ask you to find another venue for the Fort Bragg Planning Commission public hearing. The Senior Center, nor the John Diederich Educational Center are big enough to accommodate such an important hearing.

Last week I attended a Fort Bragg Unified School Board meeting at the Diederich Educational Center and was dismayed that there was also a meeting in the room adjacent to the main room. A lot of noise came from that room. In addition the microphones were set so low that it became near impossible to hear. The room has an official seating capacity for 72 people. Based on the comments on the Mendocino Community Network announcement & discussion list Derek Hoyle & Sage Statham can tell you that there will be more than 72 people wanting to attend this important hearing in addition to the architect, the Planning Commission members and City Hall staff.

Waiting to see how many people show up and then tell people who have traveled from as far as Elk, Comptche & Westport to go home and come at some other time and to another location is not a good approach.

I believe that there are no lights lighting the parking lot and there is just barely enough room for the Planning Commission members & City Hall staff to park in front of the building. I am aware that the High School parking lot can be used. There is parking on the street, but that does not help elderly and handicapped people make it safely from and to their cars.

Please share my comments also with Community Planning Director, Marie Jones and the Planning Commissioners.

Thanks, Annemarie Weibel

P.S.: I also left you a phone message.

daisy-chaining and a violation of CEQA.

For a small city like Fort Bragg we have enough big franchise stores. We do not need another one that will further harm the survival of the existing stores. We need to come up with creative solutions to fill the thirteen vacant storefronts in downtown Fort Bragg. It seems completely counter intuitive to add more retail space on the outskirts of the city, where there is already a shopping center and when the city of Fort Bragg just spent oodles of money to re-design and gentrify downtown Franklin Street! This project will have a negative impact on local property values.

Why was there not a juried architectural competition that would allow us to choose the most beautiful, stunning architectural design? Why do we need to look at various small and busy architectural details from Highway 1 such as: trellises, many small windows, back doors with back lit cutout letter signage, and storm water catchment tanks?

I believe that this mall has a substantial adverse effect on the scenic vista, that it substantially damages scenic resources, that it degrades the existing visual character and quality of the site and its surroundings. The six foot tall monument signs proposed for both the west and east side of the parking lot will not help the aesthetics that are less than desirable and have a significant impact on the environment.

The proposed Hare Creek Center also creates a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

People move here or visit this area because they are attracted to the feeling of space that living next to an ocean gives you. Looking at the map of the proposed mall opposite the existing mall one gets a claustrophobic feeling. As tourists approach Highway 1 from Highway 20 or drive north on Highway 1 they will have to deal with the challenge of a three lane road leading to a two way road right before making the decision to turn left to go towards the new mall. The proposal indicates no additional need for help by the highway patrol. I question that. We will have a bottle neck situation south of Hare Creek Bridge, at the intersection of Highway 1 and Highway 20, as well as north of the intersection.

While the existing businesses in close proximity are set back about 70 ft., the Hare Creek Center is set back about 35 ft. from the Highway. Why can the director

approve an exception to the setback requirement for the storm water catchment and storage tanks?

I am asking the Fort Bragg Planning Commission for a complete, objective, up-to-date Environmental Impact Report as it is a necessity for this Hare Creek Center Project PRIOR to approving ANY permits, design reviews, use permits and/or lot line adjustments.

Sincerely, Annemarie Weibel

P.O. Box 566 Albion, Ca 95410

Albion, 1-28-2015

In addition to the points I raised in my earlier letter I would like to share with you that I am not satisfied with the superficial archeological findings of your studies. It is likely that Todd Point was originally a Pomo Village site. There is abundant historical documentation that local native people regularly traveled back & forth from inland to the coast to fish & gather seaweed & shellfish. It is also possible that the "mounds" to be graded could be midden sites.

Much evidence of native people's artifacts were found ~~at~~^{at} the Point Cabrillo Lighthouse bluffs near Caspar after the brig Frolic, fog-shrouded on a moonlit 1850 summer night, collided against a rocky reef.

I request that a Complete Archeological Study of the site be included as part of a complete, objective, up-to-date Environmental Impact Report as it is a necessity for this Hare Creek Center Project PRIOR to approving ANY permits, design reviews, use permits and/or lot line adjustments.

Sincerely, Annemarie Weibel

P.O. Box 566
Albion, Ca 95410

REC'D JAN 28 2015

I'm sure you've heard it all before, but using this precious land for a mall, when our town is doing so badly financially and when we have so many empty stores about town just doesn't make sense.

Regards,

Linda Jupiter

Lemos, June

From: Daney Dawson <daneyd@mcn.org>
Sent: Thursday, January 29, 2015 7:37 AM
To: Lemos, June
Cc: Jones, Marie
Subject: for the commissioners- Hare Creek Project

Dear Commissioners,

I'm sorry to say that you have really let the community down with your decision not to require an EIR for the Hare Creek project.

There were so many intelligent, valid arguments in favor of the EIR, and few against. You claim to care about the community, or have a commitment to community, but this type of development is what will make Fort Bragg lose its small town quality, to be jammed with stores that sell inferior merchandise, and traffic congestion. This project is bad for Fort Bragg in so many ways; for local businesses, for the county's revenue base; it's bad for the land, the view shed, traffic, water resources, the quality of life, suburban blight; I could go on.

It is regressive and counter to all sense of environmentally sensitive development.

Whose interests were you considering last night? Those of the residents of Fort Bragg, or the developers'? Are not the people who live on the coast part of the environment which stands to be harmed? You have the legal and moral responsibility to protect the interests of the citizens of Fort Bragg. You failed in your responsibility last night. Too bad.

Daney Dawson

From: nancy preston [mailto:nancy@ikellett.com]
Sent: Wednesday, January 28, 2015 5:33 PM
To: Jourdain, Brenda
Subject: Comments on Hare Creek Project

To the Planning Commission

I respectfully request that a full, complete, objective and up-to-date Environmental Impact Report be completed for the Hare Creek Project. I am in opposition to the Mitigated Negative Declaration as completed to date. The EIR needs to be completed prior to approval of design reviews, lot line adjustment, and/or any permits associated with this project.

Specifically, the project does not comply with the Coastal General Plan Policy CD 1.1. Also, the extensive grading will destroy the landmark hill, which may have archeological value. The grading will turn it into a 20,000 cubic yards of fill. The view shed will be destroyed. The building is planned much too close to Highway 1, and safety precautions are not in place, given the traffic and pedestrian access. The traffic study from March 2013 is inadequate and needs updating at heavy tourist traffic times (ie summer). The Hare Creek bridge is inadequate for increased traffic to a new shopping center.

Thank you for respecting the safety and sanctity of our community.

Sincerely,
Nancy Preston
30700A Pudding Creek Road, Fort Bragg 95437

707-962-0748

From: John or Wendy Gallo [<mailto:homegallo@gmail.com>]
Sent: Wednesday, January 28, 2015 5:32 PM
To: Jourdain, Brenda
Subject: Hare Creek Proposal Comment

Fort Bragg Planning Commission c/o June Lemos
416 N. Franklin Street
Fort Bragg, CA 95437

Re: Hare Creek Center

Jan. 28, 2015

Dear Commission,

I am writing in opposition to a mitigated negative declaration and request a full Environmental Impact Report for the "Hare Creek Center," as guaranteed by the CEQA process.

My opinion is that the long term opportunity costs of the development have not been adequately quantified or factored in the mitigated negative declaration. In other words, mitigated negative declaration did not consider a long enough time horizon, nor a broad enough thematic scope regarding the negative cumulative economic impacts of the proposal.

Further, the project seems counter to the long term objectives of the various visioning documents on the City of Fort Bragg's website. These include: FB Economic Development Strategy 2014-2019 <http://city.fortbragg.com/documentcenter/view/2483> and the Food products Industry Needs Assessment 2011: <http://city.fortbragg.com/documentcenter/view/3890> .

I've combined these with discussions with folks around town, with the vast majority feeling that making the Mendocino Coast more of a "Destination Location" not less, is the way to go for the long term economic, social, and ecological integrity of our home. The question becomes, what is this and how do we get there?

My initial review of the current patchwork of visions and plans is that we are taking too short of a timeframe into consideration. If you look at a 100 year time horizon, or even a 25 year, then things change. In this timeframe, the Fort Bragg Headlands, which are about the same size as the main town, get developed/conserved in some balanced way, and the residential and tourism population greatly expands. In this likely scenario, a small but vibrant college campus would provide huge vigor to our community. This will not only be economic vigor, but social as well, allowing a more normal age demographic in our population with many beneficial consequences, including improving the "Destination Location" goal. To be vibrant, the current campus needs to get past a critical size threshold, which it is not at yet.

Fortunately, there is currently enough real-estate next to the current campus that allows this, and this is ocean view real-estate that can be a big draw for students and faculty. In this scenario, the opportunity cost of having this Hare Creek Headlands already sliced in half by a shopping mall will be huge. This is

the primary reason for the opinion is that the long term opportunity costs of the development have not been adequately quantified or factored in the Mitigated Negative Declaration. I know that in the short term this might not make sense because of the bad experience with College of the Redwoods, but that is the short term.

Additionally, the plans for the mall are counter to both the economic localization program of the Economic Development Strategy, and counter to the food products industry needs assessment.

Thank you,

John Gallo, Ph.D.
32700 Sutliff Lane
Fort Bragg, CA 95437

From: Sheila & Randy [<mailto:esson1997@yahoo.com>]

Sent: Wednesday, January 28, 2015 8:52 PM

To: Jourdain, Brenda

Subject: Hare Creek Project YES

I support the Hare Creek Project.

Many of us in town would love a new shopping center and a grocery outlet.

Sheila and Randy Esson

980 Stewart St

Fort Bragg CA

Lemos, June

From: Jones, Marie
Sent: Thursday, January 29, 2015 9:07 AM
To: Lemos, June
Subject: FW: Hare Creek Project

Marie Jones

Community Development Director
City of Fort Bragg
707-961-1807

-----Original Message-----

From: Daney Dawson [<mailto:daneyd@mcn.org>]
Sent: Wednesday, January 28, 2015 5:12 PM
To: Jourdain, Brenda; Jones, Marie
Cc: bmerrill@coastal.ca.gov
Subject: Hare Creek Project

This letter is to express my strong opposition to the mitigated negative declaration for the Hare Creek Project at Hwy 20 and Hwy I in Fort Bragg and to request a full, UPDATED Environmental Impact Report as required by CEQA, prior to issuance of any permit.

This project will have numerous negative impacts on the town of Fort Bragg, including, but not limited to:

Use of scarce water resources. The groundwater evaluation done in 1995 is outdated. Drought is the new reality.

Visual blight, and its impact on property values. Policy CD-1.1- development must be designed and sited to protect views.

Negative impact on the local economy, harming locally owned, independent businesses.

Traffic congestion at an already congested traffic area. Increased traffic is not properly cited in the study, not to mention the added burden on the aging Hare Creek Bridge.

Loss of open space.

A full, updated EIR MUST be required for this project to proceed.

Thank you

Daney Dawson
Box 1373
Mendocino, Ca 95460

Lemos, June

From: Jones, Marie
Sent: Thursday, January 29, 2015 9:05 AM
To: Lemos, June
Subject: FW: shopping mall

Marie Jones

Community Development Director
City of Fort Bragg
707-961-1807

-----Original Message-----

From: Carrie Durkee [<mailto:cdurkee@mcn.org>]
Sent: Wednesday, January 28, 2015 5:41 PM
To: Jones, Marie
Subject: shopping mall

Hello Marie Jones:

It seems to me that the full EiR would be the way forward.

Water use, economics of the existing downtown, and the culture of the downtown need to be considered.

The outcry is an indication of how the public feels they have been left out of the process.

Respectfully,
Carrie Durkee

Lemos, June

From: Jones, Marie
Sent: Thursday, January 29, 2015 9:12 AM
To: Lemos, June
Subject: FW: Hare Creek Center

Marie Jones

Community Development Director
City of Fort Bragg
707-961-1807

-----Original Message-----

From: Rick Sacks [<mailto:rixax@mcn.org>]
Sent: Wednesday, January 28, 2015 8:12 PM
Subject: Hare Creek Center

Marie, although I'm not supportive of the project, I was very impressed with your presentation skills. The volume of work you put into the study impressed me. I really liked getting to see that part of you and to be proud to know you. Thanks.

Lemos, June

From: Jones, Marie
Sent: Thursday, January 29, 2015 9:08 AM
To: Lemos, June
Subject: FW: Uproar

Comment for file

Marie Jones

*Community Development Director
City of Fort Bragg
707-961-1807*

From: Wendy Roberts [<mailto:wendy@mcn.org>]
Sent: Wednesday, January 28, 2015 4:05 PM
To: Jones, Marie
Subject: Uproar

I'm sure you are receiving volumes of public input on the Hare Creek project.

Fort Bragg does not strike me as a place in grave danger of runaway development and both the design and siting of this project strike me as reasonable. I have no expertise to assess whether it complies with applicable laws or whether, if built, it will be financially successful and/or contribute to our community rather than detracting. So I am not writing to add my opinion to your In-Box.

Having met you a few years ago when you were working on the update to Fort Bragg's LCP, I just want to send along some encouragement and my thanks for the difficult work you are doing. It is good to feel confident that this project and all-important process are in your capable hands.

Be well,

Wendy A. Roberts
P.O. Box 666
Mendocino, CA 95460-0666

707 937-4702
707 684-9695 (cell)
wendy@mcn.org

From: nancy preston <preston.nancy@sbcglobal.net>
Subject: Comments on Hare Creek Project
Date: January 28, 2015 5:32:42 PM PST
To: bjourdain@fortbragg.com

To the Planning Commission

I respectfully request that a full, complete, objective and up-to-date Environmental Impact Report be completed for the Hare Creek Project. I am in opposition to the Mitigated Negative Declaration as completed to date. The EIR needs to be completed prior to approval of design reviews, lot line adjustment, and/or any permits associated with this project.

Specifically, the project does not comply with the Coastal General Plan Policy CD 1.1. Also, the extensive grading will destroy the landmark hill, which may have archeological value. The grading will turn it into a 20,000 cubic yards of fill. The view shed will be destroyed. The building is planned much too close to Highway 1, and safety precautions are not in place, given the traffic and pedestrian access. The traffic study from March 2013 is inadequate and needs updating at heavy tourist traffic times (ie summer). The Hare Creek bridge is inadequate for increased traffic to a new shopping center.

Thank you for respecting the safety and sanctity of our community.

Sincerely,
Nancy Preston 
30700A Pudding Creek Road, Fort Bragg 95437

707-962-0748

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Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

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"Protect Views to and along the ocean." The proposed project will not interfere with views to or along the ocean from the public rights of way. The ocean is not visible across the proposed site from within City Limits."

That is incorrect. There is a clear view of the Pacific Ocean from a 50-yard section of CA State Hwy 1, south of the Emerald Dolphin Mini Golf, within the City Limits of Fort Bragg. The project therefore does not comply with the Coastal General Plan.

2.) The project severely conflicts with Policy CD-1.5 of the General Plan because extensive grading will destroy a landmark hill, the highest topographical feature on the coastal bluffs within miles of either direction. This beautiful hill would be turned into 20,000 cubic yards of "fill." The project would permanently alter and degrade the landscape.

3.) The Project does not Conform to Use Permit Findings "to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located."

Although not within City Limits, less than 200 yards south of the proposed project is the Hare Creek Bridge, a concrete structure built in 1947 that is in a crumbling state of

dangerous disrepair. The elevated sidewalks are 35.9 inches wide, with a curb 12 inches high, making the span extremely unsafe for pedestrian and bicycle traffic. There is no bike lane on the pavement to protect bicyclists from the heavy and constant traffic on CA State Hwy 1, going by at a posted speed limit of 40 MPH. This hazard needs to be addressed in an EIR before a pedestrian and bicycle magnet is installed on adjacent property.

The increased traffic that will result from the project is not properly cited in the inadequate study started in March 2013, with surveys done in August of that year. A college that shares the access road with the project will soon be re-opening, and was not in session at the time the survey was done. Increased congestion caused by the proposed mall will likely cause traffic back-ups, up to and across the dangerously dilapidated and unsafe Hare Creek Bridge. These issues and hazards need to be thoroughly studied and addressed in an EIR.


4.) In selling this project to the public and the City, developers have underplayed the impact of the paved road they want to build behind, and to the west of the proposed mall. This development will severely impact a wildlife corridor to the Hare Creek watershed. There is a herd of over 25 deer that regularly grazes on the Todd Point headlands who access that area, and the woods to the east of Hwy 1, through the planned pavement development area behind the mall. The impact on the deer population, by the closing off of this corridor, needs to be studied and assessed.

There is also a population of wild turkeys that uses this wildlife corridor to access the Todd Point headlands. The mitigated negative declaration does not address any of these issues.

5.) The Groundwater Evaluation by Nolan Associates, done in the Summer of 1995 for a proposed "K-Mart" and submitted by applicants for the same location, is outdated, especially with current drought conditions, and needs to be re-done.

Thank-you for considering these issues in your decision to require a full and complete Environmental Impact Report.

Respectfully,

DALE E. MOYER 
17301 Redwood Springs Dr
Fort Bragg CA 95437

Marie Jones,
Director, Community Development Department
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

January 28, 2015

Re: Hare Creek Center; Coastal Development Permit 8-13 (CDP 8-13), Design Review 7-13 (DR 7-13), Use Permit 5-13 (USP 5-13), Boundary Line Adjustment 1-14 (BLA 1-14) and Mitigated Negative Declaration

Dear Commissioner,

The Mitigated Negative Declaration for the Hare Creek Center Development is inadequate to address the inevitable impacts that accrue as land is developed. The MND points out obvious problems but fails to adequately mitigate them.

LOT LINE ADJUSTMENT: The HCC requires a lot line adjustment so that a legal lot of sufficient size, 3.16 acres, to handle the development and its infrastructure can be created. 3.16 acres is a large scale development in Fort Bragg.

WATER: Considering the ongoing, extreme drought conditions currently existing, the request to conserve water on the part of Fort Bragg Water Utility users and the nearly 2,000,000,000 gallons of water that would be sucked out of Fort Bragg's meager water resources – to expend this precious resource on a new unnecessary shopping center when there is commercial space available elsewhere in Fort Bragg seems, in my opinion, imprudent and possibly much worse. Why drain the water resource down to less than 3% above absolute minimum amount of water required to maintain health and safety of Fort Bragg? Moreover, why take a chance of further impacting the threatened and endangered fish that depend on the Noyo River, Waterfall Gulch, and Newman Gulch streams to spawn in and return to and on which our fishing economy relies?

VISUAL: The visual impact of a shopping mall being the first thing tourists see upon getting to Fort Bragg will be deflating and a big turn-off, they can see shopping centers where they come from. Tourists come here to enjoy the magic of a small, remote, rural, exotic Northern California Coastal town. Though the designers and architects have done a nice job of this shopping center, trellises and planters don't change the fact that this is just another mall.

At the very least this project needs more public scrutiny and an EIR that truly examines all of the impacts.

Sincerely,



Sue Boecker
16721 Hills O Home Lane
Fort Bragg, CA 95437

Marie Jones, Director January 27, 2015
Community Development Department
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

Re: Hare Creek Center; Coastal Development Permit 8-13 (CDP 8-13), Design Review 7-13 (DR 7-13),
Use Permit 5-13 (USP 5-13), Boundary Line Adjustment 1-14 (BLA 1-14) and Mitigated Negative
Declaration

Dear Commissioner,

The Sierra Club Group Executive Committee of Mendocino County has serious concerns about the proposed Hare Creek Center Development Application and MND and respectfully submits the following comments.

We are gravely concerned about the impacts and cumulative impacts this project will have on **water** quantity, quality, and availability for the City of Fort Bragg as well as the health of the Noyo River, Waterfall Gulch, Newman Gulch, and Hare Creek and the wildlife supported by these streams and river.

The location of the Hare Creek Center development is troubling. In its last segment before entering the Pacific, Hare Creek passes very close to the site of this development. The impacts of this shopping center project could be the last straw when added to the existing burden effecting Hare Creek, an already seriously impacted waterway. The **cumulative impacts** on Hare Creek and the other sources of Fort Bragg domestic water are not addressed in the MND and must be examined very closely by experts. An EIR may be required.

According to the MND this proposed development will use about 2,000,000 gallons of water per year and it will be supplied by the Fort Bragg Municipal Water Utility. It is good that the project attempts to mitigate this huge draw on City resources with rain catchment providing 89,000 gallons of water but that happens only if there is rain and is hardly a significant amount compared to the 2,000,000 gallons of water it would require.

The MND notes that "[w]ater availability under severe drought conditions is the primary constraint for City utility service for a project of this size" but fails to address current or future drought conditions, quantify potential consequences of drought on the water supply, or disclose potential impacts of increased water diversion on the streams which comprise the source of that supply.

We are deeply concerned about diversion and lack of an adequate amount of water to serve the City as well as our river and streams, and wildlife including two "threatened" and/or "endangered" species of salmon.

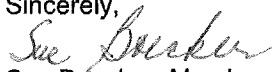
The Sierra Club Group Executive Committee of Mendocino County wholly agrees with and supports the comments and recommendations in the January 20, 2015 letter from the California Department of Fish and Wildlife to the City of Fort Bragg.

Recommendations (page 6 of that letter)

"In order to avoid or reduce potential impacts to fish and wildlife resources and their habitats to a less than significant level, the Department recommends the City of Fort Bragg address the following:

1. Pursuant to FGC 1602, the City of Fort Bragg **shall enter** into a **LSAA Lake or Streambed Alteration Agreement** [*emphasis added*] for ongoing and future water diversion from all pertinent stream and river sources.
2. **The City of Fort Bragg should not approve the Hare Creek Center Project** [*emphasis added*] nor additional projects or developments with the potential to increase water demand without adequate bypass flows.
3. The City of Fort Bragg should develop a long-term, comprehensive plan to address water use and water shortage concerns including measureable conservation goals and strategies consistent with Senate Bill X7-7."

Sincerely,


Sue Boecker, Member

Sierra Club, Group Executive Committee Mendocino / P.O. Box 522 / Mendocino, CA 95460

Attachment: January 15, 2015 letter from California Department of Fish & Wildlife to City of Fort Bragg

Dear Planning Commission,

January 28, 2015

I strongly oppose the placement of a new shopping mall at the intersection of Hwy 1 and Hwy 20. This land could be utilized for a Native American History center, Performing Arts Center, green industry or some tourist attraction that fits in with whale watching for tourists. There could be some commercial project that will not make our town less beautiful as a destination for visitors. Even though this land is zoned commercial, the mound should not be scraped with a "grubber" to remove all the topsoil down to bedrock, and since the topsoil cannot be stored there, where would 20,000 yards of soil be moved?

We believe in growth that is good for our community and its small business owners, as well as our natural beauty of the environment. Fort Bragg was recently written up in the New York Times as a number one tourist destination and was also promoted by the AAA magazine VIA as one of the most beautiful places to travel along the California Coast. Do you really want to approve an eyesore Mall in the middle of the beauty just to fill a developer's pocket while destroying our downtown stores and our natural beauty? A 2003 survey of citizens showed that Big Box stores and Malls are the least popular uses for our land. This project will kill existing downtown businesses with local owners who are struggling to exist in these difficult economic times. While I like the Discount stores in Willits and Ukiah and want good prices for needed food items, this location at the Hwy 20 & Hwy 1 intersection is the wrong place for a Mall. It would curtail the chances of tourist dollars in order to send money out of town to the Discount Store chain. The other stores and restaurant that will go into this Mall are not identified, so how can we tell what the impact will be on existing businesses? When a Kragen was put in at the Boatyard, the Acme Automotive shop that was here for over 20 years had to quit business, and then they left and an O'Reilly's went in to replace it, with all that money going out of the area. Vacancy rates are too high downtown and at the Boatyard to build another Mall.

It would be good to reserve land for expansion of our local Community College, which is just being reopened by Mendocino College after nearly being destroyed by the Eureka branch of College of the Redwoods. Young people in Fort Bragg need to have a chance at higher education here in Fort Bragg, and Governor Brown and President Obama just pledged to start free Community Colleges. There are not enough classrooms since COR leased a part of the College rooms to the Three Rivers Charter School and put a fence around them. The newly opened Mendocino College is holding classes online and at the Presbyterian Church and because there is not enough space.

There has been a lot of bypassing of Environmental Impact Reports and lot line adjustments, zoning changes and a revision of the Mitigated Negative Declaration for this project just last Friday by the City's Community Development Director. I believe that as a City employee making over \$130,000 salary this person is out of touch with the struggles the downtown merchants are going through to stay in business. There are serious water shortages due to a historic drought and the Environmental Scientist from the California Department of Fish and Wildlife has written a letter to Marie Jones about providing a detailed water budget for the entire project and a detailed assessment documenting how water will be provided to this project in a manner that does not result in new or continuing violations of the Fish and Game Code and related laws and regulations.

Reasons to oppose this project include:

- Noise pollution
- Air pollution
- View loss
- Trash increase due to discount store
- Impact on wildlife and recreation
- Water shortages
- Increased runoff into the Ocean and Hare Creek
- Spoiling a possible Native American archeological site
- Visual blight in an important viewshed
- Increased need for police services due to shoplifters, transients, panhandling, theft from cars in parking lot
- Business killed for downtown merchants
- High vacancy rates in downtown and Boatyard Shopping Center
- Prevention of tourist industries being developed at this site
- Studies for the project rely on data from 1995 and a traffic study that was done before the Dollar Store went into the Boatyard Shopping Center
- Bypassing CEQA by breaking the project into 3 parcels and adjusting lot lines
- Creating a shipping lane and a 99 car parking lot in the middle of the Mall
- Negative impact on local property values, imperiling our tax base
- Prevention of more appropriate economic development ventures on nearby properties due to limited water supply
- Needs a proper EIR
- The road to the west of the project could prevent the Coastal Commission from stopping this exploitation of our Coastline
- The use of Ocean Drive and Harbor Drive by Mall traffic and shipping trucks will interfere with college students and visitors to Todd Point
- Traffic backup at Hwy 1 and Hare Creek Bridge
- Many of the conclusions reached in the Mitigated Negative Declaration are based on opinion instead of facts and studies, and I disagree that there will be minimal impact of this Mall
- The vacant buildings at the downtown area and in the Boatyard must be revitalized, including a plan for parking
- The proposal estimates 40 low-income service jobs which are non-union but it will ruin more that it replaces

For these reasons I hope the Planning Commission will hold off on a decision for this proposed development until a CEQA report, water report to DF& W, proper traffic report and Coastal Commission review can be obtained. Most of our business owners, environmentalists, and many citizens oppose this development in the location Title II Development has chosen.

Thank you for your consideration of my comments. Ann Rennacker, Fort Bragg

Claire Amanno
Box 1375
Mendocino, CA 95460

Re: Hare Creek Center Jan. 28, 2015

Marie Jones
Fort Bragg Planning Commission

Dear Commission,

I am writing in opposition to a mitigated negative declaration and request a full Environmental Impact Report for the "Hare Creek Center," as guaranteed by by the CEQA process, for the following reasons:

Besides the conditions set forth below, it seems the impact on local businesses, especially those in the downtown corridor in Fort Bragg, has not been considered. At present, there are 13 empty store fronts in the historic district bounded by Main and Pine to Franklin and Pine and by Franklin and Alder to Main and Alder. The addition of generic chain stores and restaurants will add nothing to the experience of visitors, much less the impact on locals. People choose to live here for the area's natural beauty. Visitors come here to escape the commercially homogenized cities in which they live.

Surely there can be developed a better use of this land than dumbing down to the lowest common denominator. Let's begin a dialog to achieve a solution that preserves our uniqueness rather than obliterate it.

1.) The project does not comply with the Coastal General Plan Policy CD- 1.1 which states:

Policy CD-1.1: Visual Resources: Permitted development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance scenic views in visually degraded areas.

According to the Planning Commission's Staff Report: (Page 9):

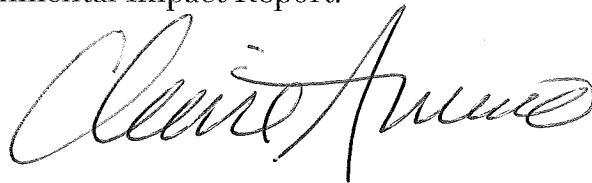
4.) In selling this project to the public and the City, developers have underplayed the impact of the paved road they want to build behind, and to the west of the proposed mall. This development will severely impact a wildlife corridor to the Hare Creek watershed. There is a herd of over 25 deer that regularly grazes on the Todd Point headlands who access that area, and the woods to the east of Hwy 1, through the planned pavement development area behind the mall. The impact on the deer population, by the closing off of this corridor, needs to be studied and assessed.

There is also a population of wild turkeys that uses this wildlife corridor to access the Todd Point headlands. The mitigated negative declaration does not address any of these issues.

5.) The Groundwater Evaluation by Nolan Associates, done in the Summer of 1995 for a proposed "K-Mart" and submitted by applicants for the same location, is outdated, especially with current drought conditions, and needs to be re-done.

Thank-you for considering these issues in your decision to require a full and complete Environmental Impact Report.

Respectfully,
Claire Amanno

A handwritten signature in black ink, appearing to read "Claire Amanno". The signature is written in a cursive, flowing style with a large initial "C".

Ocean From Highway 1

4/28/15




David Cunningham





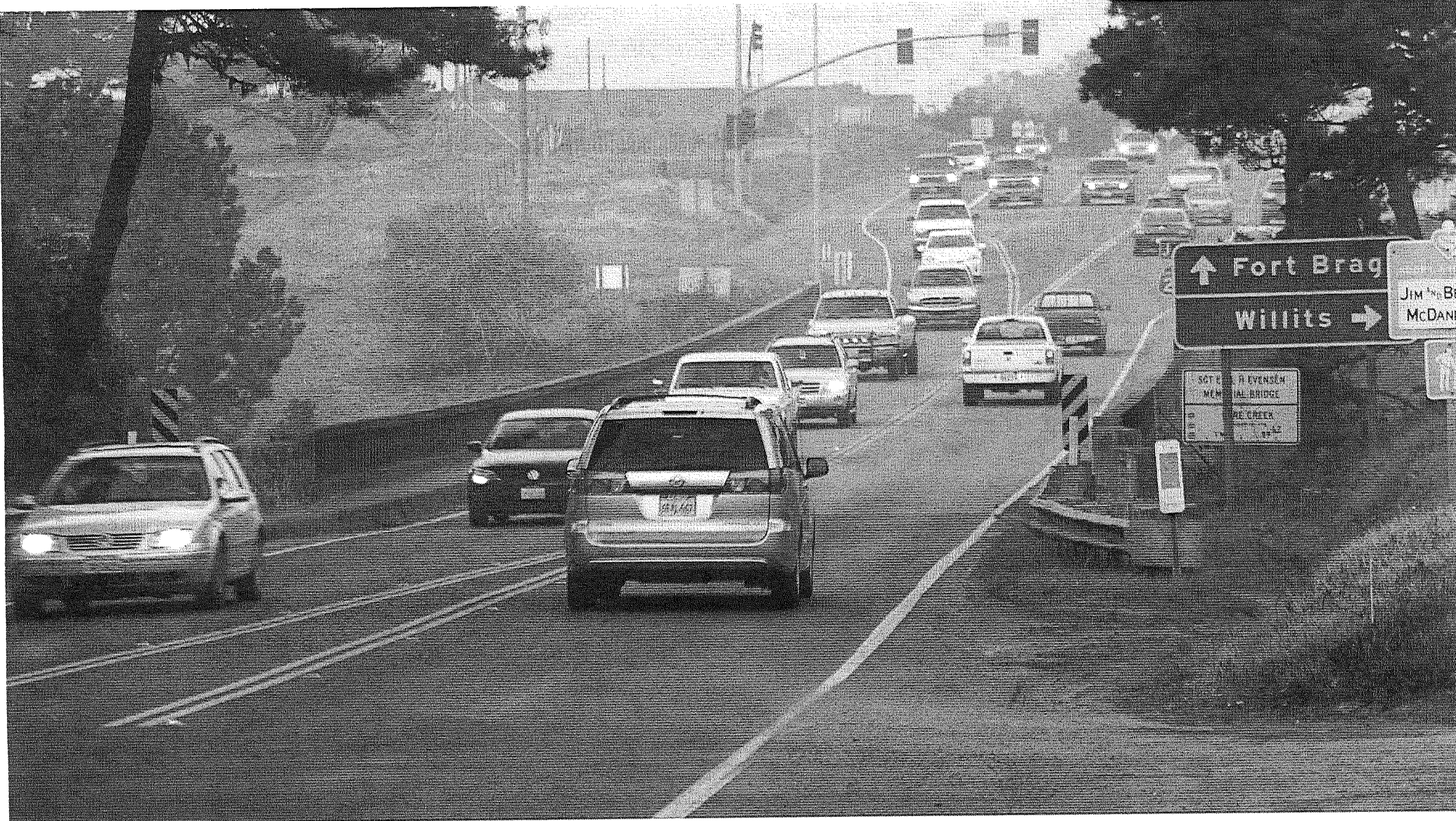
Hare Creek Bridge

1/27/15



1947

David Conroy



↑ Fort Bragg
Willits →

JIM McBECK
McDANN

SOTER EVENDEN
MEMORIAL BRIDGE
RE CREEK







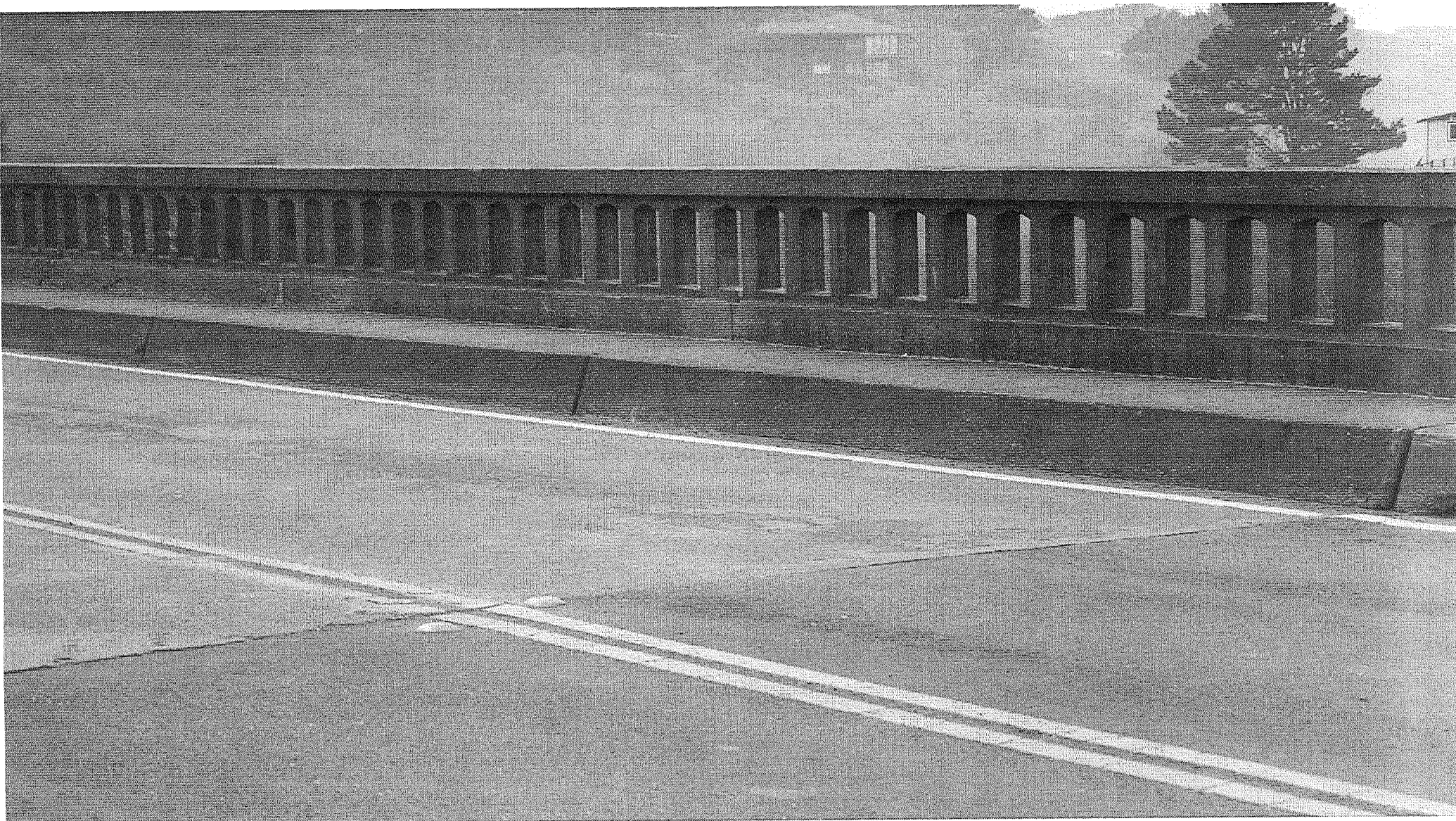














SPEED
LIMIT
45

ADRIAN'S HIGHWAY
MENDOCINO HOTEL
1890

PACIFIC COAST


BIKE ROUTE



I would like to speak to the Planning Commission

I would like to submit the following comments to the Planning Commission

NAME: DERMOT O'KEELEY

ORGANIZATION REPRESENTED (IF ANY): _____

ITEM NUMBER (IF APPLICABLE): _____

SUBJECT: AQUAFER

COMMENTS: WE ARE CONCERNED ABOUT POSSIBLE

CONTAMINATION OF WELL WATER — APPROX

22 RESIDENTS LIVE DIRECTLY WEST BELOW PROJECT

SIGNATURE: Dermot O'Keely DATE: _____

ADDRESS/CITY (OPTIONAL): 19101 PACIFIC DRIVE

PHONE (OPTIONAL): 707.416.1189 E-MAIL (OPTIONAL): MOXDOKES@GLOBEONLINE.NET

(Completion of this form is not required for attendance at the meeting or for speaking at the meeting. This information is retained as Public Record, and as such, may be shared with others upon request. Please do not provide any information that you do not wish to be disclosed to others.)

I would like to speak to the Planning Commission

I would like to submit the following comments to the Planning Commission

NAME: ELLIE GREEN

ORGANIZATION REPRESENTED (IF ANY): _____

ITEM NUMBER (IF APPLICABLE): _____

SUBJECT: _____

COMMENTS: WE HAVE PLENTY OF EMPTY RETAIL SPACES FOR SERIOUS BUSINESSES FILL THESE FIRST. DO NOT BUILD ALONG HIGHWAY ONE & OBSCURE OUR BIGGEST ASSET, THE OCEAN. NO LAKE TAHOE SYNDROME HERE!

SIGNATURE: Ellie Green DATE: 1-27-15

ADDRESS/CITY (OPTIONAL): 520 CYPRESS, #41

PHONE (OPTIONAL): _____ E-MAIL (OPTIONAL): Ellieg@mcn.org

(Completion of this form is not required for attendance at the meeting or for speaking at the meeting. This information is retained as Public Record, and as such, may be shared with others upon request. Please do not provide any information that you do not wish to be disclosed to others.)

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- I would like to speak to the Planning Commission
- I would like to submit the following comments to the Planning Commission

NAME: Nancy Preston

ORGANIZATION
REPRESENTED (IF ANY): _____

ITEM NUMBER (IF APPLICABLE): Hare Creek Project

SUBJECT: Inadequate Negative Mitigation Declaration

COMMENTS: Please complete an objective and up to date Environmental Impact Report see attached letter

SIGNATURE: Nancy Preston DATE: 1/2

ADDRESS/CITY (OPTIONAL): 30700A Pudding Creek Rd, Fort Bragg 95437

PHONE (OPTIONAL): _____ E-MAIL (OPTIONAL): preston.nancy@sbcglobal.net

(Completion of this form is not required for attendance at the meeting or for speaking at the meeting. This information is retained as Public Record, and as such, may be shared with others upon request. Please do not provide any information that you do not wish to be disclosed to others.)

10

- I would like to speak to the Planning Commission
- I would like to submit the following comments to the Planning Commission

NAME: Leslie Kashiwada

ORGANIZATION
REPRESENTED (IF ANY): _____

ITEM NUMBER (IF APPLICABLE): _____

SUBJECT: Hare Creek Development

COMMENTS: Asree w/request for new EIR Most residents I spoke to were unaware of the project, yet look how many showed up. This proposal should be more widely disseminated for public comment

SIGNATURE: Leslie Kashiwada DATE: 1/28/2015

ADDRESS/CITY (OPTIONAL): Boice Lane, Fort Bragg

PHONE (OPTIONAL): _____ E-MAIL (OPTIONAL): _____

(Completion of this form is not required for attendance at the meeting or for speaking at the meeting. This information is retained as Public Record, and as such, may be shared with others upon request. Please do not provide any information that you do not wish to be disclosed to others.)