
Downtown San Rafael to Larkspur Extension Addendum to the Environmental Assessment

Sonoma-Marín Area Rail Transit (SMART)
5401 Old Redwood Highway, Suite 200
Petaluma, California 94954

May 2015

This page intentionally left blank.

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1-1
1.1	Intended Use of the Addendum.....	1-1
1.2	Summary of the Proposed Project.....	1-1
1.3	Noticing and Availability of the Environmental Assessment	1-3
2.0	RESPONSES TO COMMENTS	2-1
2.1	List of Commenters	2-1
2.2	Comments and Responses	2-3
3.0	CORRECTIONS AND ADDITIONS TO THE ENVIRONMENTAL ASSESSMENT	3-1

Tables

Table 2-1:	Comment Letters and Emails.....	2-1
------------	---------------------------------	-----

This page intentionally left blank.

1.0 INTRODUCTION

1.1 INTENDED USE OF THE ADDENDUM

The sponsor of the Downtown San Rafael-Larkspur Extension Project (referred to hereafter as the “Project”) is the Sonoma-Marín Area Rail Transit (SMART) District. The Federal Transit Administration (FTA) is the federal lead agency for the Project pursuant to the National Environmental Policy Act (NEPA). This Addendum to the Environmental Assessment includes a list of persons, organizations, and public agencies who commented on the EA; comments and recommendations received in response to the EA; responses to significant environmental points raised in those comments; and corrections and additions to the EA derived from the comments that were received. This Addendum functions as an errata and incorporates by reference the December 2014 EA, pursuant to NEPA.

This Addendum consists of three chapters:

Chapter 1.0 Introduction. This chapter includes an overview of the Project and a summary of the environmental review process that was conducted for the Project.

Chapter 2.0 Responses to Comments. This chapter contains comments received by SMART during the public review period and responses to each comment.

Chapter 3.0 Corrections and Additions. This chapter provides the changes to the EA in response to comments received during the public review period.

1.2 SUMMARY OF THE PROPOSED PROJECT

Section 2.2.2 of the EA provides a detailed description of the Project. The Project would use the inactive Northwestern Pacific (NWP) Railroad rail right-of-way (ROW) for the extension of passenger rail service from Downtown San Rafael to Larkspur. The NWP historically provided freight and limited passenger rail service between Marin County and points northward. The ROW was acquired by the Golden Gate Bridge Highway and Transportation District (GGBHTD) and the Marin County Transit District (Marin Transit) after freight service was abandoned. The ROW was acquired specifically to preserve the property for future public transit use. Through a 2005 Memorandum of Understanding (MOU), the ROW was transferred to SMART in 2006. The stretch of the rail corridor proposed for use is still in place, but it has been non-operational for several decades. The ROW remains intact but would require limited improvements to be converted from its existing condition as an inactive freight railway to an active passenger railway. Railway improvements are summarized below, and include trackwork, trestle rehabilitation or replacement, the partial realignment of West Francisco Boulevard, at-grade crossing improvements, and construction of a passenger rail station in Larkspur. Acquisition of additional ROW would not be required to construct and operate the extension.

Trackwork. Trackwork would include installing ballast, ties, rail, and other track material, including tie plates, spikes or fasteners, and rail anchors. All existing and inoperable NWP Railroad trackwork would be re-laid as part of the Project, with excavation of the existing track bed typically not to exceed the depth of the existing ties.

Trestle Bridges. Three wooden trestles are in place along the alignment – the San Rafael Creek Trestle, the Unnamed Channel Trestle, and the Woodland Avenue/Bellam Boulevard Trestle (see page 2-30 of the EA for additional detail). These trestles were installed as part of the former NWP Railroad operation and have been out of use for several decades.

West Francisco Boulevard Partial Realignment. As currently configured, the existing rail alignment crosses West Francisco Boulevard at grade immediately south of the San Rafael Creek crossing. The alignment then crosses at grade over two additional roadways (Irwin Street and Rice Drive) further southwards along the alignment. As part of the Project, the existing locations of West Francisco Boulevard and the railroad alignment would be “flipped” between the San Rafael Creek crossing and Rice Drive. Doing this would eliminate two at-grade crossings at West Francisco Boulevard and Irwin Drive, providing more efficient and safe rail operations, and also would eliminate disruptions to local traffic during train movements through the area. The total length of West Francisco Boulevard that would be “flipped” would be approximately 1,800 feet and would run approximately from just south of Second Street to Rice Drive.

At-Grade Road Crossings. The existing rail alignment between Downtown San Rafael and Larkspur includes six public at-grade roadway crossings. From north to south, these are: 1) Third Street; 2) Second Street; 3) West Francisco Boulevard; 4) Irwin Street; 5) Rice Drive; and 6) Andersen Drive. Two of these crossings would be eliminated with the aforementioned realignment of West Francisco Boulevard between Second Street and Rice Drive. The improvements at the Andersen Drive crossing would be implemented by the City of San Rafael, per the terms of a California Public Utilities Commission (CPUC) order issued in 1997, which required the City to design and implement a suitable crossing when rail service was resumed. The City has been working with SMART to design a crossing that would have minimal effect on traffic operations, would meet the CPUC’s criteria and SMART’s operational requirements, and that would fit within the City’s existing budget as well as within the existing timeline for the planned operation of the SMART rail service. As local lead agency for the Andersen crossing improvement project, the City will undertake its own environmental review process under the terms of the California Environmental Quality Act (CEQA) (California Public Resources Code 21000-21177).

Vehicular traffic at all of the at-grade crossings would be controlled by bells, flashing beacons, and gates. Roadway surfaces at each crossing would be upgraded. All at-grade crossings would be designed and approved in compliance with CPUC requirements and in consultation with the City of San Rafael.

Larkspur Station. The Larkspur Station would have boarding platforms that would extend the full length of the passenger boarding area, permitting level boarding to accessible cars of all trains stopping at the station. The station would be designed to be compliant with the Americans with Disabilities Act and equipped with a shelter, lighting, and other amenities such as signage, schedules, bike lockers, leaning bars, information kiosks, and ticket vending machines. Adequate space for bus, van and shuttle, and taxicab and passenger vehicle drop-off also would be provided. A tailtrack would extend beyond the platform to provide storage for rail vehicles. Following the morning commute period, vehicles would be stored on the tailtracks and staged for later use during the evening commute period. Beyond the tailtrack, a parking area would be provided with approximately 70 parking spaces.

1.3 NOTICING AND AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT

The EA was circulated for public review in accordance with the requirements specified in 23 CFR 771.119. The Notice of Availability (NOA) was posted in the Marin Independent Journal and the Sonoma Press Democrat at the beginning of the public comment period. The NOA was sent to the federal, state, and local agencies listed in Section 5.5.2 of the EA, as well as additional agencies that requested it following the EA's public release. Information on the Project, as well as the EA, was posted on the SMART website. Copies of the EA were made available for public review at area libraries. The public comment period began on December 19, 2014, and was originally scheduled for a duration of 33 calendar days. The comment period was extended an additional 14 calendar days and concluded on February 5, 2015.

This page intentionally left blank.

2.0 RESPONSES TO COMMENTS

This section of the Addendum provides responses to all comments received on the Environmental Assessment (EA) during the public review period. Comments include issues raised by the public or agencies that warrant clarification or correction of certain statements in the EA.

2.1 LIST OF COMMENTERS

A total of 46 comment letters or emails were received during the public comment period. Table 2-1 presents a list of all public agencies, organizations, and individuals who submitted written comments. These comments are reproduced and responded to in this section of the Addendum. Each comment letter/email has been assigned a number. Comments are arranged in the following groups: 1) local jurisdictions; 2) organizations; and 3) individuals.

Table 2-1: Comment Letters and Emails

No.	Commenter	Comment Topic(s)
Local Agencies		
1	City of Larkspur	Traffic, parking, bicycles, pedestrians
2	Marin Transit	San Rafael Transit Center, signals, transit access to Larkspur Station, transit services
3	Golden Gate Bridge Highway and Transportation District	San Rafael Transit Center, purchase and transfer of assets, San Rafael Station Area Plan, transit operation impacts, West Francisco flip, traffic impacts (signals), Andersen Drive crossing, Larkspur Ferry Terminal, Larkspur Station access, ferry capacity
4	Transportation Authority of Marin	San Rafael Transit Center, Congestion Management Plan, shuttles, bicycle access
Organizations		
5	Marin Audubon Society	Cliff swallows, wetlands mitigation
6	Marin County Bicycle Coalition	Pathway
7	TRANSDEF	Andersen Drive crossing, ridership projections, alternatives, Woodland Avenue trestle
8	Transportation Alternatives for Marin	Pathway, all issues
Individuals		
9	Mike Arnold	Project description, traffic
10	Carl Sanders	Pathway
11	Jeff Weidner	Pathway
12	John Martin	Pathway
13	Laurie Berliner	Pathway
14	Mark Norstad	Pathway
15	Mark Pletcher	Pathway
16	Peter Strauss	Pathway
17	Robert Schuchardt	Pathway

Table 2-1: Comment Letters and Emails

No.	Commenter	Comment Topic(s)
18	Jeff Brown	Pathway
19	Kent Strauss	Pathway
20	Robin Smith	Pathway
21	Steven Kinsey	Pathway
22	Andrew Lie	Pathway
23	Jana Zanetto	Pathway
24	Jeff Zanetto	Pathway
25	John Cruz	Pathway
26	Charles Harris	Pathway
27	Christian Franklin	Pathway
28	Gil Dowd	Pathway
29	Kenneth Pledger	Pathway
30	Raoul Wertz	Pathway
31	Cameron Stewart	Pathway
32	Dennis Cordin	Pathway
33	Gloria Snyder	Pathway
34	Mary Sackett	Pathway
35	Mike Schulist	Pathway
36	Rebecca Heitz	Pathway
37	Robin Furner	Pathway
38	Sherm Yee	Pathway
39	Ben Mack	Pathway
40	Douglas Lipinski	Pathway
41	Jeff Jorgensen	Pathway
42	Jean Severinghaus	Pathway
43	Lindsay McKenzie	Pathway
44	Mike Mueller	Pathway
45	William Held	Pathway
46	Ruth and Steve Nash	Pathway

On the pages that follow, each comment is reproduced in its original form. Following each comment, SMART and the FTA have provided a response. The comments and responses follow the same order of presentation and organization as described in Table 2-1.

Comments 10 through 46 consisted of emails from individual members of the public concerning their desire for a non-motorized pathway segment within the SMART right-of-way between Downtown San Rafael and Andersen Drive. The emails were largely identical in format and/or content and covered similar issues. A master response has been prepared to address each of the concerns raised in the 37 individual emails.

Comments 1 through 9 were unique comments that covered different topics and in more detail than those described above. These comments are responded to individually.

Several commenters provided additional information that updates text in the EA, and a list of these corrections and additions is presented in Chapter 3 of this Addendum. This information does not constitute significant new information, nor does this information ultimately change the findings made in the EA. Therefore, the EA is not subject to recirculation. Notice of the Finding of No Significant Impact (FONSI) will be made available to the affected units of federal, state, and local governments, and shall be made available to members of the public upon request, as prescribed in 23 CFR 771.121(b).

2.2 COMMENTS AND RESPONSES

The comment letters/emails reproduced in the following pages follow the same order of presentation and organization as described in Table 2-1.



City of Larkspur

Comment #1

400 Magnolia Avenue, Larkspur, California 94939
Telephone: (415) 927-5110 Fax: (415) 927-5022
Website: www.cityoflarkspur.org

January 22, 2015

Hamid Shamsapour
Sonoma-Marin Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

**RE: Response to Notice of Availability:
Environmental Assessment
Downtown San Rafael to Larkspur Extension**

Dear Mr. Shamsapour:

The City of Larkspur appreciates the opportunity to comment on the Environmental Assessment for the San Rafael to Larkspur Extension of the SMART project. We are appreciative of recent meetings with members of the SMART staff and we look forward to continuing our cooperative planning effort with the SMART Board, the Transportation Authority of Marin, and the Golden Gate Bridge and Highway Transportation District for the Larkspur Landing area.

While the City provided numerous comments in response to the Draft EIR (2005) and a number of comments in response to the Supplemental EIR (2008), the principal concern of the City has always been the impact of the project upon traffic, parking, and circulation in the vicinity of the Larkspur Landing area. Please note the following comments:

- 1) The EA indicates that the project will result in a net loss of 123 parking spaces while resulting in a demand of 91 parking spaces. This is a concern as the current parking need in the area has become severe to the point of property owners considering the installation of control gates. It is of particular concern that drivers wishing to access the SMART train and/or other nearby locations will end up circling the area in search of parking, thus impacting local and regional traffic. Larkspur finds the EA analysis on this issue inadequate. The EA relies on future changes to travel modes/patterns and it identifies a number of strategies that *can* be employed to manage parking demand (pages 3.13.-36 and -37). The EA provides no measurable explanation of how SMART *will* work with other agencies to successfully implement such programs. 1-1
- 2) The EA does not provide any analysis of the existing and proposed capacity and parking demand for the GGBHTD. 1-2

Planning and Building: (415) 927-5038
Public Works: (415) 927-5017

Parks and Recreation: (415) 927-6746
Central Marin Police: (415) 927-5150

Library: (415) 927-5005
Fire: (415) 927-5110

SMART Extension to Larkspur Landing AE
 City of Larkspur Comments 1/22/15

- | | |
|---|-------------|
| <p>3) With regards to the planned shuttle service, SMART staff previously informed the Larkspur City Council that there would be shuttle buses (i.e., more than one) that would make 30-minute trips to pick-up as drop-off passengers to help expedite service and alleviate conflicts with crossing through Larkspur Landing. We are aware that there is no operational program identified to provide such shuttle service. While some of the passengers may travel via the Central Marin Ferry Connector overpass, it is likely that many passengers will simply travel through Larkspur Landing or across Sir Frances Drake to access the ferry. This change in the project should be taken into account in the environmental analysis.</p> | <p>1-3</p> |
| <p>4) The EA is unclear as to how the parking lot will interface with GGBHTD property and use. The EA does not identify entitled access routes through the adjacent property, connecting from the station parking lot to Larkspur Landing Circle or Victoria Way. It is also not clear what route vehicles would use when accessing the parking lot. Would they enter via Victoria Way and then meander through the existing Airporter parking lot? How would the Larkspur Landing Circle/Victoria Way intersection be affected (LOS, queuing, etc.) and what wayfinding, channelizing and/or other measures would be installed in the Airporter parking lot?</p> | <p>1-4</p> |
| <p>5) The City anticipates a substantial amount of taxi service and/or pick-up /drop-off activity for the train. How is the pedestrian traffic, taxis or personal vehicles for drop-off/pick up going to maneuver through the theater lot? The EA should explain where motorists would be expected to drop-off and pick-up SMART train passengers.</p> | <p>1-5</p> |
| <p>6) In reviewing the conceptual plan (Figure 2-6) in the EA, it is not clear how motorists entering the SMART parking lot would turn their vehicle around if all of the parking spaces are occupied. The "potential turn-around" is shown upstream, not downstream, of the parking lot.</p> | <p>1-6</p> |
| <p>7) The EA does not discuss pedestrian circulation. How will the pedestrian traffic safely connect from the station to the commercial center at Marin Country Mart and the east side of Larkspur Landing Circle? What way-finding and crossing measures are included as part of the project? How will pedestrian circulation affect the private parking lot next to the movie theater? Can measures be implemented to avoid pedestrian use of the at-grade crossing at the intersection of East Sir Francis Drake Boulevard and Larkspur Landing Circle (West)? Does the project propose to implement or otherwise contribute to measures suggested in the SMART Station Area Plan to help mitigate vehicles pedestrian conflicts in these areas?</p> | <p>1-7</p> |
| <p>8) The EA should document expected bicycle routing, circulation and parking.</p> | <p>1-8</p> |
| <p>9) It appears that the traffic data used in the EA is based on prior studies, including the for the Station Area Plan. The City has experienced significant traffic increases, particularly in the Larkspur Landing Area, in the period since the preparation of the Plan. Please confirm if those traffic data utilized reflects current traffic trends.</p> | <p>1-9</p> |
| <p>10) The EA only evaluates the "project" conditions in its year 2040 analysis. The EA does not evaluate the "project" under short-term conditions or existing plus project conditions.</p> | <p>1-10</p> |
| <p>11) The 2040 assessment does not appear to evaluate conditions whereby the Marin Airporter is relocated and Golden Gate Ferry parking replaces it. The City anticipates that Ferry traffic will result in higher peak commute trips than Airporter parking. An assessment should be performed to evaluate the potential traffic (LOS, queueing, etc.), pedestrian and bicycle</p> | <p>1-11</p> |

impacts associated with peak hour traffic generated by the proposed commuter parking lot, including effects on Larkspur Landing Circle at Victoria Way and at East Sir Francis Drake Boulevard. This should be included as a short-term project condition. **1-11 (cont)**

12) It is likely that both Larkspur Landing Circle intersections with Sir Frances Drake Blvd. would be impacted by the "project" if other planned projects, e.g., the Golden Gate Ferry parking lot expansion to the Marin Airporter site) occur. The EA should discuss improvement measures for these intersections (such as additional right turn lane and modifications to ensure pedestrian traffic does not inhibit traffic flow) **1-12**

13) Figure 3.13-2 indicates the existing PM peak hour southbound right-turn movement at East Sir Francis Drake Boulevard from/Larkspur Landing Circle (West) at 6 vehicles per hour. This appears to be a typo, since recent counts have this court at over 500 vehicles per hour. Please clarify if the LOS conclusions correctly reflect this difference in the existing condition. **1-13**

14) The EA shows that under "project" conditions, the PM peak hour delay at East Sir Francis Drake Boulevard/Larkspur Landing Circle East would increase from 43.9 to 52.2 seconds per vehicle, an increase of over 8 seconds, but remain at LOS "D". However under "project" conditions the Larkspur Landing Circle West intersection's delay would increase from 61.4 to 66.0 seconds per vehicle, an increase of 4.6 seconds, but remain at LOS E. These are already challenged intersections and the further cumulative impact of the SMART station traffic shall further impact the users of Larkspur Landing Circle resulting in potential backups into the residential and commercial driveways and private streets. **1-14**

The City of Larkspur has no wish to deter or delay the extension to Larkspur Landing. However, the City of Larkspur has an obligation to its residents and the greater Marin Community to have these concerns adequately addressed. The City continues to look forward to a cooperative planning effort and to a response to its concerns.

I appreciate receiving updates on the project. Should you have any questions or concerns related to the comments provided above, please contact me by telephone at (415) 927-6713.

Sincerely,



Dan Schwarz
Larkspur City Manger

cc: Neal Toff, Director of Planning and Building
Mary Grace Houlihan, Public Works Director

City of Larkspur

The City's comments center on the existing conceptual Larkspur Station design and the extent to which potential effects of SMART service are evaluated in the EA. To that end, a general introduction is provided here concerning the station's conceptual design. This introduction provides a context for the detailed responses to the City's comments that follow.

The project definition as it currently exists does not contain the level of detail to respond to many of the specific points that were raised in the City's comments. SMART will continue to refine the engineering design and consideration of circulation and access features in coordination with the City. During this subsequent design phase, third party agreements with adjoining commercial properties will be negotiated to ensure safe access across properties, or, in coordination with the Golden Gate Bridge Highway and Transportation District (GGBHTD), to determine the most efficient uses of the limited area for comprehensive station access. Similarly, more detailed engineering design will enable SMART and the City to discuss off-site improvements (off-site to the SMART right-of-way and station proper).

The Larkspur Station Area Plan that was suspended by the City contains a number of strategies for wayfinding, pedestrian circulation and safety, bicycle access and facilities, station circulation, parking design, and other improvements. Outside of SMART's right-of-way limits, SMART partners with local jurisdictions to coordinate off-site improvements and identify mechanisms to design, fund, and implement them. SMART is committed to continuing these discussions with the City. In particular, SMART will seek participation of the City and other interested parties, such as GGBHTD, in the preliminary engineering and design process for the project. It is SMART's intention to include the strategies and design criteria developed during the preliminary engineering and design process into the final design and construction.

Response to Comment 1-1

Parking in the Larkspur Landing area is discussed on page 3.13-19 of the EA. Potential impacts from project implementation are disclosed on page 3.13-34. The parking analysis contained on page 54 of the Transportation Impact Study (included as Appendix F of the EA) provides details concerning the assessment methodology and the rationale that was used to determine the extent of the impact. The EA and the companion Transportation Impact Study both present the projected parking shortfall associated with the Proposed Action.

Potential solutions to meet the existing and increasing parking demand continue to be discussed by the City and other stakeholders in the Larkspur Landing area, but no process to reach a solution has been established nor have any specific commitments been made by area stakeholders. The Larkspur Station Area Plan suspended by the City included a menu of strategies to relieve pressure on the existing parking supply. SMART and other entities attracting parking patrons, together with the City, will need to collaborate during the subsequent engineering design phase to lessen parking demands in the area as a whole, and are likely to revisit the merit and effectiveness of some of the suggestions identified in the City's Station Area Plan. As stated above in the introduction to these responses, SMART is committed to working with the City and others to address these and other issues in the Larkspur Landing area.

Response to Comment 1-2

A description of the existing parking demand and capacity in the Larkspur Landing area is provided on page 3.13-19 of the EA. Future parking demand and parking capacity projections are provided on page 3.13-34 of the EA.

Response to Comment 1-3

Shuttle services are not proposed for the SMART Larkspur extension project. This modification to the EA is noted in the corrections and additions portion of this Addendum.

Response to Comment 1-4

SMART has an existing Memorandum of Understanding (MOU) with the GGBHTD that defines mutually agreeable right-of-access and other conditions. During the preliminary engineering and design phase, SMART will pursue necessary agreements, in accordance with the MOU, with GGBHTD and others, as needed, to address access to the SMART station, including appropriate wayfinding, channelizing, and/or other measures for circulation in and around the GGBHTD property.

Response to Comment 1-5

The station plan presented in the EA is conceptual. During the preliminary engineering and design phase, SMART will continue to refine the station area circulation and access features, including pick-up and drop-off, in coordination with the City and other interested parties.

Response to Comment 1-6

See the response to comment 1-5.

Response to Comment 1-7

Pedestrian-related issues and impacts are discussed on pages 3.13-18 and 3.13-33 of the EA. During the preliminary engineering and design phase, SMART will work with the City and others to develop strategies to address pedestrian circulation and safety issues.

Response to Comment 1-8

Please see the response to comment 1-5 concerning additional refinements to circulation and access that will be addressed as part of the preliminary engineering and design process. With respect to bicycle routing associated with the proposed Larkspur Station, the Marin Ferry Connector is currently under construction, and will likely provide the principal route for bicyclists traveling between the SMART station and the Larkspur Ferry Terminal. At the time of the EA's preparation, construction had just started on the Marin Ferry Connector. Information concerning the project and its likely use as a bicycle and pedestrian route between the station and the ferry terminal is noted in the corrections and additions portion of this Addendum.

Response to Comment 1-9

As indicated by the comment, intersection turning movement counts were obtained from prior studies—namely, the *Larkspur SMART Station Area Plan Existing Conditions Report* (July 31, 2012) and the *Sonoma-Marín Area Rail Transit Traffic Analysis Update for Downtown San Rafael* (January 2013). The selected counts from both studies were collected in 2011. As described in Section 3.13 of the EA and in the Transportation Impact Study (included as Appendix F of the EA), a growth rate of one percent per year was applied to the counts to approximate a 2013 baseline scenario for the analysis of existing conditions. Therefore, use of the count data, as updated, is appropriate.

Response to Comment 1-10

The “cumulative plus project” scenario was used because it provides a conservative evaluation of future project area conditions with other reasonably foreseeable projects and a growth rate of one percent per year to address projected increases in traffic volumes. Therefore, the EA and the Transportation Impact Study (included as Appendix F to the EA) provide a worst-case scenario for the project’s effects. Opening year or “near term” effects would be less than “cumulative plus project” conditions since they would not include the additional effects from other cumulative projects or the annual growth rate.

Response to Comment 1-11

The relocation of the Marin Airporter is a recent development that post-dates preparation of the EA. The conversion of the site from a mix of long-term Airporter parking and ferry overflow parking to an area that will be used exclusively for ferry overflow parking could alter peak hour traffic patterns, particularly on Larkspur Landing Circle and its two intersections with Sir Francis Drake Boulevard. This recent development, however, would not change SMART’s projected contributions to traffic in the area as reported in the EA, and those contributions are expected to be minimal (see the response to comment 1-14, below). SMART recognizes that the GGBHTD’s project will have a cumulative effect on the area’s traffic patterns. As stated in the introduction to these responses, all parties with an interest in the Larkspur Landing area will need to collaborate regarding strategies to lessen traffic impacts in the area as a whole. SMART is committed to working with the City and others to address these and other issues in the area.

Response to Comment 1-12

Please see the response to comment 1-11 regarding the cumulative effects of other foreseeable projects, such as the Marin Airporter parking lot conversion. Details about the relocation of the Marin Airporter and conversion of the Airporter site to commuter parking are not available at this time and conclusions about the extent to which this project may alter future traffic patterns and intersection levels of service is highly speculative. Further, any fair-share contribution or similar mitigation resulting from such a conversion would be the responsibility of the GGBHTD. SMART is committed to working with the City and other parties to define effective solutions.

Response to Comment 1-13

The intersection analysis conducted for the EA is based on volumes reported in the *Larkspur SMART Station Area Plan Existing Conditions Report* and the *City of Larkspur SMART Station Area Plan Environmental Impact Report*. As indicated in the comment, however, there were minor errors in the analysis files at the identified

location (Sir Francis Drake Boulevard/Larkspur Landing Circle (West)), as well as at two other intersections along Sir Francis Drake Boulevard (at US 101 SB Ramps and at Larkspur Landing Circle (East)). The errors in the volumes for the Existing Conditions intersection analysis for these three study intersections have been corrected. The revised LOS results for these three intersections are reported below in strikeout/underline. The analysis of 2040 Baseline Conditions and 2040 Baseline plus Proposed Action Conditions is also based on the previous analysis efforts conducted for the Larkspur SMART Station Area Plan. No errors were found there and no revisions are needed to the reported results for these two scenarios. As a result, the conclusions regarding impacts of the Proposed Action as reported in the EA remain valid.

Intersection		Control	Existing Conditions			
			Weekday AM Peak Hour		Weekday PM Peak Hour	
			LOS	Delay ⁽¹⁾	LOS	Delay ⁽¹⁾
9	Sir Francis Drake Boulevard / US 101 SB Ramps	Signal	B	19.4 <u>19.9</u>	B	13.6
11	Sir Francis Drake Boulevard / Larkspur Landing Circle (West)	Signal	C	20.5	D	35.5 <u>39.2</u>
12	Sir Francis Drake Boulevard / Larkspur Landing Circle (East)	Signal	A	8.1	B	13.6 <u>11.9</u>

Notes:

⁽¹⁾ Delay presented in seconds per vehicle.

As shown in the table above, the delays estimated for existing AM and PM peak hours have been revised, but the LOS for the three intersections would not change from what was previously reported in the EA, and are still valid.

Response to Comment 1-14

The significance determinations for cumulative impacts have been made in accordance with the traffic impact criteria described in the Transportation Impact Study enclosed as Appendix F to the EA. These criteria are identical to the criteria used in the transportation analysis completed for the City of Larkspur *SMART Station Area Plan Draft EIR*, which were developed in consultation with City of Larkspur staff. While the comment notes that average delay during the weekday PM peak hour at both Larkspur Landing Circle study intersections would increase as a result of the project, the project’s effects would not constitute a “significant” impact based on the City’s adopted traffic impact criteria.

In addition, the cumulative analysis concluded that the SMART station (and the resulting increase in traffic volumes at the selected study intersections along Sir Francis Drake Boulevard) would not constitute a significant impact according to the City of Larkspur’s traffic impact criteria, because the increase in average delay at these intersections during the weekday AM and PM peak hours would not reach or exceed five seconds. As disclosed in the EA, SMART’s contribution to traffic volumes at the two intersections along Sir Francis Drake would be as follows:

Sir Francis Drake Boulevard/Larkspur Landing Circle (west end or Larkspur Landing Circle, at ferry terminal access):

- Weekday AM peak hour: 1.5 percent
- Weekday PM peak hour: 1.3 percent

Sir Francis Drake Boulevard/Larkspur Landing Circle (east end):

- Weekday AM peak hour: 0.9 percent
- Weekday PM peak hour: 2.1 percent

Using a cumulative baseline scenario, several intersections along Sir Francis Drake Boulevard within the City of Larkspur are projected to operate at LOS E or LOS F during either the weekday AM peak hour or weekday PM peak hour even without the proposed SMART Larkspur Station. Intersection operations at these locations are largely determined by the effect of background traffic volumes, including activities at the ferry terminal, local and regional traffic patterns, and cumulative growth in traffic associated with new land use development. As shown above, the SMART station would contribute no more than one to two percent of the total cumulative volumes at either of these intersections during the weekday AM and PM peak hours. Given the magnitude of this increase, the SMART station would not constitute a “considerable” contribution to the overall operations of these intersections.

Comment #2



711 grand ave, #110
san rafael, ca 94901

ph: 415.226.0855
fax: 415.226.0856
marintransit.org

board of directors

madeline kellner
president
city of novato

kathrin sears
vice president
supervisor district 3

katie rice
2nd vice president
supervisor district 2

judy arnold
director
supervisor district 5

damon connolly
director
supervisor district 1

steve kinsey
director
supervisor district 4

stephanie moulton-peters
director
city of mill valley

February 4, 2015

Hamid Shamsapour P.E.
Project Manager
Sonoma-Marín Area Rail Transit (SMART)
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

RE: Marin Transit Comments on SMART’s draft Environmental Assessment for the Extension from the Downtown San Rafael Station

Dear Mr. Shamsapour,

Marin Transit very much appreciates the extension of time to offer our comments on the draft Environmental Assessment (EA). We believe our ongoing collaboration to provide the best possible transit service to Marin County is going to yield positive results when SMART service on the Initial Operating Segment (IOS) opens. We are certain that our continued coordination on the Larkspur Extension will be similarly positive. We support the Larkspur Extension and applaud SMART’s efforts to minimize construction disruption in downtown San Rafael by making every effort to construct the extension at the same or nearly the same time as the IOS.

As partner transit operators in the North Bay, our agencies respond to a variety of transportation needs, including the needs of the underserved community and the transit dependent residents of Marin and Sonoma Counties. The Larkspur Extension will provide additional options for transit access from San Rafael to Larkspur and connections to San Francisco via the Golden Gate Ferry.

The EA analyzes the potential environmental and socioeconomic impacts of the No Action Alternative and the Downtown San Rafael to Larkspur Extension Alternative. The proposed project alternative will extend the SMART rail service from the San Rafael station, through the San Rafael Transit Center to reach its terminus at Larkspur Landing.

Transit, Pedestrians, and Bicycles at San Rafael Transit Center

The rail extension created through the “Proposed Action” will bisect the San Rafael Transit Center (SRTC), located between 2nd and 3rd Streets in Downtown San Rafael. This facility is currently served by over 750 buses and 9,000 passengers on a typical weekday. Marin Transit services account for approximately 60% of these passengers and 70% of these buses. It is important to note that local transit riders are overwhelmingly low-income and minority, thus many passengers using the facility also fit this profile.

As noted on page 3.13-10 of the EA, the SRTC is the primary transfer hub for bus transit and airporter services in Marin County. The SRTC supports direct connections to the three adjacent counties, the BART regional rail system, and the Larkspur Ferry. The transit center provides internal pedestrian circulation for safe transfer activity within the off-street facility. The SRTC is located between two major east/west arterials adjacent to Highway 101. Within the SRTC, there are three crossings of the now dormant rail line that enable safe passenger access between platforms A, B, C and platform D and the customer service center.

SMART, Marin Transit, Golden Gate Transit, and the City of San Rafael have collaborated on planning for bus, pedestrian, taxi, and bicycle access to the San Rafael Transit Center with the extension of SMART to Larkspur since 2009. Marin Transit looks forward to continuing that partnership to determine how SMART construction and future rail operations will be integrated to ensure continued functionality of the SRTC. Understanding the types of barriers or controls to be installed within the SRTC and at the external sidewalk crossings and determining the functionality of Platforms C and D with the Larkspur extension will be crucial to assessing future operations. Further detail on these elements will assist the team to ensure that any potential negative impacts on pedestrians, bikes, taxis, and transit services will be mitigated. We are eager to ensure that all passengers can travel seamlessly within the Transit Center with the addition of new SMART service to Larkspur.

2-1

Added Signalization at Rail Crossings

During our transit operator planning effort there has been much discussion and an assumption that the Larkspur extension will add crossing gates and full signals in the following areas:

- Third Street (between Hetherton and Tamalpais),
- Second Street (between Hetherton and Tamalpais), and
- Andersen (between Francisco Blvd W/Hwy 101 on/off and DuBois St).

During both revenue and non-revenue service, local and regional buses operate through these crossings. The Second and Third Street crossings adjacent to the SRTC have additional significance for bus operations as they will limit access and egress to the facility.

2-2

Local and regional services operate on a “pulse” in Downtown San Rafael to ensure that passenger connections are coordinated and timely. We will work with our partner agencies to ensure that the bus transfer activities are maintained as a safe, cost-effective operation supporting timed arrivals and departures (on the pulse).

Marin Transit routes constitute the majority of bus operations at the San Rafael Transit Center. The draft EA states that existing transit ridership and capacity were assessed for Larkspur-San Francisco ferry service and Golden Gate Transit bus routes that potentially may be affected in the Proposed Action. Marin Transit routes are not mentioned specifically in the assessment of ridership and capacity in this section, but do currently serve the Transit Center. It is possible that with all of the varied services in the San Rafael Transit Center, there is some confusion on which agency operates which service. A current list of all of Marin Transit's routes serving the SRTC is attached for your reference.

2-3

While the EA did a thorough job analyzing passenger capacity impacts on transit service, we look forward to working together to better understand specific operational impacts caused by signalization and traffic delays. We will support SMART in its development of a queuing analysis to ensure safe and efficient operation of all services. Queuing analysis is important for quantifying delays at signalized rail crossing and to assess the impact on roadway operations. This assessment will provide necessary information on the potential impacts to the Transit Center, and identify whether buses will be "trapped" within the facility when gates are activated.

2-4

Transit Access to the Larkspur Station

The draft EA provides a conceptual plan for the Larkspur Station. The narrative states that there will be adequate space for bus, van, and shuttle, and taxicab and passenger vehicle drop-off activity. While two on-street bus bays and two on-street shuttle bays are listed in the Site Statistics table, these facilities are not shown in the conceptual plan or identified within the SMART right of way.

2-5

Marin Transit currently utilizes an on-street bus bay on Larkspur Landing Circle for Routes 17 and 228. We will work with SMART and the City to Larkspur to determine if the existing bus stop is adequate and whether new stops are needed to serve the Larkspur Station.

Transit Services Included in the Evaluation

The analysis of Transit on pages 3.13-32 through 3.13-34 does not include Marin Local Routes 125 and 228 and Golden Gate Transit's Ferry Feeder Routes 25 and 37 that serve the project area. Route 114 is no longer in operation. An up to date list of the routes that serve the Larkspur Ferry Terminal is attached for your reference.

2-6

Thank you for the opportunity to provide input on the environmental document for the extension to the Larkspur SMART station. As partners, we look forward to adjusting our local bus services to better connect to all SMART stations in Marin County. Our agencies have worked together extensively on the redevelopment plan that supports access to the Marin County Civic Center station. We have effectively collaborated in multiple phases of planning for the Downtown San Rafael Station and surrounding areas and we look forward to our continued collaboration.

I will be more than happy to answer any questions you may have regarding our comments on this draft environmental document. You can reach me at (415) 226-0864.

Sincerely,


Nancy E. Whelan
General Manager

Attachment

Attachment

Marín Transit Comments on SMART's Environmental Assessment

Marín Transit Routes Serving the San Rafael Transit Center

- 17 Sausalito- Marín City- Mill Valley- San Rafael
- 22 San Rafael- San Anselmo- College of Marín- Marín City
- 23 Fairfax Manor- San Anselmo- San Rafael- Canal
- 29 San Rafael- Larkspur- College of Marín- San Anselmo- Fairfax Manor
- 35 Canal- San Rafael
- 36 Canal- San Rafael- Marín City
- 45 Kaiser/Northgate- Marín Civic Center- San Rafael
- 49 Novato- Hamilton- Northgate- Marín Civic Center- San Rafael
- 71 Novato- San Rafael- Marín City
- 68 San Rafael- San Anselmo- Pt. Reyes Station- Inverness
- 125 Lagunitas- Sir Francis Drake HS- San Anselmo Hub
- 126 Sleepy Hollow- San Rafael
- 145 Terra Linda HS- Northgate- Marín Civic Center- San Rafael
- 228 San Rafael- Larkspur Landing- San Anselmo- Fairfax Manor
- 233 Santa Venetia- Marín Civic Center- Dominican- San Rafael
- 257 San Rafael- Dominican- Northgate Mall- Smith Ranch Road- Hamilton- Ignacio
- 259 San Rafael- Marín Civic Center- Northgate Mall- Marínwood- Hamilton- Novato

Golden Gate Transit and Marín Transit Routes Serving Larkspur Ferry Terminal

- 17 Sausalito- Marín City- Mill Valley- San Rafael
- 29 San Rafael- Larkspur- College of Marín- San Anselmo- Fairfax Manor
- 228 San Rafael- Larkspur Landing- San Anselmo- Fairfax Manor
- 25 Fairfax- Larkspur Ferry Terminal (The Wave)
- 37 Smith Ranch Road- Larkspur Ferry Terminal (The Wave)

February 4, 2015

Marin County Transit District (Marin Transit)

Response to Comment 2-1

The San Rafael Transit Center (SRTC) is operated by the Golden Gate Bridge Highway and Transportation District (GGBHTD), which is responsible for management of the site and the site's tenants, which includes Marin Transit. SMART has an existing Memorandum of Understanding (MOU) with the GGBHTD concerning future use of the SRTC. The MOU anticipated that "redesign, relocation, construction and/or reconstruction of existing or new improvements" would be needed as part of the SMART project's development [see MOU Section 4.1(b)]. The MOU sets out the processes by which the required improvements will be carried out, and also specifies that SMART and GGBHTD will "work cooperatively to maximize federal, state, and local funding opportunities to pay for construction of the improvements." SMART will fulfill its responsibilities with the GGBHTD as specified in the MOU. As a key tenant at the GGBHTD's SRTC facility, Marin Transit would be invited to participate in the preliminary engineering and design process for SRTC improvements, with continuing participation through the construction and operation phases.

Response to Comment 2-2

As noted on page 2-24 of the EA, the at-grade crossings that would be utilized as part of the Proposed Action include Third Street, Second Street, Rice Drive, and Andersen Drive. These crossings would be signalized in the manner described in the EA and in the comment. SMART is also cooperating with the City of San Rafael to integrate the rail signaling system with the City's traffic signal operations. It is SMART's intention to work with all area stakeholders to ensure that the operations of area transit providers and other relevant parties are not adversely affected by SMART operations, and that transit service "pulses" are appropriately integrated with SMART operations to the extent feasible.

Response to Comment 2-3

SMART and the FTA appreciate the additional information provided by Marin Transit in its comment. The analysis in the EA evaluated ridership and capacity associated with all service providers at the SRTC. The detailed route information provided in the comment is included in the corrections and additions portion of this Addendum.

Response to Comment 2-4

Please see the responses to comments 2-1 and 2-3. SMART will work cooperatively with the GGBHTD and all of its tenants at the SRTC as specified in the MOU. Marin Transit will be invited to participate in the preliminary engineering and design process for SRTC improvements, with continuing participation throughout the construction and operation phases.

Response to Comment 2-5

The Larkspur Station plan shown in the EA is conceptual in nature and assumes that certain elements remain to be studied and resolved. SMART will work with the City of Larkspur, GGBHTD, and other interested parties like Marin Transit concerning the final design of the Larkspur Station and any adjoining circulation elements.

Response to Comment 2-6

The additional information provided in the comment is included in the corrections and additions portion of this Addendum.



Comment #3

February 5, 2015

Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway #200
Petaluma, CA 94954

Re: Sonoma-Marín Area Rail Transit (SMART)
Downtown San Rafael to Larkspur Extension Environmental Assessment

Dear Mr. Shamsapour:

The Golden Gate Bridge Highway and Transportation District (Bridge District) is excited to see this vital segment of the Sonoma-Marín Area Rail Transit (SMART) project move forward and hereby offers comments on the "Downtown San Rafael to Larkspur Extension Environmental Assessment," (EA) released December 17, 2014 (Proposed Action).

Having not received the EA upon its release on December 17, 2014, the Bridge District is especially appreciative that the Federal Transit Administration and SMART have extended the review period from the original deadline of January 22, 2015 to February 5, 2015.

The Bridge District, along with the County of Marin and Marin County Transit District (Marin Transit) acquired ownership of the former Northwestern Pacific (NWP) Railroad right-of-way (ROW) within the limits of the Proposed Action when freight service was abandoned along the entire corridor. This property interest was acquired specifically to preserve the property for future public transit use, which amplifies the Bridge District's interest in seeing SMART move this project forward.

Through a 2005 Memorandum of Understanding (2005 MOU), the ROW was transferred to SMART in 2006. With the 2005 MOU, the Bridge District retained certain rights in the ROW, including within the limits of the Proposed Action. A copy of the 2005 MOU is attached. It would be constructive if the EA referenced the 2005 MOU, as it spells out the agreements between the parties that are applicable to the Proposed Action to extend passenger rail service from Downtown San Rafael southward to Larkspur in Marin County, California, including measures that serve to mitigate the impacts of the Proposed Action.

BOX 9000, PRESIDIO STATION • SAN FRANCISCO, CA 94129-0601 • USA

Environmental Assessment Comments
February 5, 2015
Page 2

San Rafael Transit Center Impacts

The C. Paul Bettini Transit Center, more commonly known as the San Rafael Transit Center (SRTC), is located immediately south of the Downtown San Rafael SMART Station. Bounded by 3rd Street, Heatherton, 2nd Street and Tamalpais, SRTC is a multi-modal transit hub served by the Bridge District's regional bus service (GGT), Marin Transit's local bus service, the Marin Airporter, Sonoma County Airport Express, Greyhound and private taxis. Approximately 9,000 passenger trips pass through the SRTC on a typical weekday, and about 5,200 bus trips per week.

The Proposed Action bisects the existing SRTC, completely eliminating one bus platform (Platform C), impairing a second platform (Platform D), and possibly impairing a third platform (Platform B). Attached is an aerial photograph that shows the entirety of the SRTC with the four bus platforms and SMART ROW labeled. The aerial also clearly shows the existing pedestrian crosswalk that allows pedestrians to move between the four bus platforms, crossing the ROW approximately midway in the SRTC.

Platform C is currently used by the following bus routes:

- GGT Route 70 northbound which connects San Francisco-Marin City-SRTC-Ignacio-Novato
- GGT Route 71 northbound which connects Marin City-SRTC-Ignacio-Novato
- GGT Route 101 northbound which connects San Francisco-SRTC-Novato-Petaluma-Cotati-Rohnert Park-Santa Rosa

Platform D is currently used by the following bus routes:

- GGT Route 44 northbound which connects San Francisco-SRTC-Marinwood-Lucas Valley
- Sonoma County Transit Route 38 which connects SRTC-Sonoma
- Marin Transit Route 125 which connects SRTC-San Anselmo-Fairfax-Lagunitas
- Marin Transit Route 145 which connects SRTC-Terra Linda
- Marin Transit Route 228 which connects SRTC-Sir Francis Drake-San Anselmo-Fairfax
- Marin Transit Route 233 which connects SRTC-Santa Venetia
- Marin Transit Route 257 which connects SRTC-Terra Linda-Health & Human Services-Hamilton-Ignacio
- Marin Transit Route 259 which connects SRTC-Terra Linda-Marinwood-Hamilton-Ignacio-Novato
- Marin Airporter which connects SRTC-San Francisco International Airport
- Sonoma County Airport Express which connects SRTC-Oakland Airport
- Greyhound which connects San Francisco-SRTC-Arcadia

At this juncture, it is not clear where and how these existing bus trips will be accommodated with the implementation of the Proposed Action, as the EA does not offer any guidance in this regard.

3-1

Environmental Assessment Comments
 February 5, 2015
 Page 3

Also, the Bridge District’s Customer Service Center, the Lost & Found, as well as two other tenants are located on Platform D and may be affected by the project. The Proposed Action will also affect pedestrian movements at the SRTC, because it will construct two railroad tracks, along with concrete barriers on either side of the ROW to prevent pedestrians from crossing the ROW, blocking the above mentioned crosswalk. This raises both circulation and safety concerns.

**3-1
 (cont)**

Purchase and Transfer of Assets

The SRTC was purchased and constructed between 1988 and 1992 with State and Federal funds; the Bridge District provided the requisite matching funds.

The 2005 MOU spells out the agreement between the Bridge District and SMART with respect to the SRTC. At Article 1 **TRANSFER OF ASSETS** Paragraph 1.4 a. **Retained Rights**, the agreement included an easement giving the Bridge District the right to operate and maintain that portion of the SRTC located on the ROW until such time that SMART revenue service begins on the ROW. Thereafter, the easement is non-exclusive and subordinate to SMART rail operations.

Paragraph 1.4 a. iii provided for Bridge District to allow MCTD use of that portion of the transferred ROW subject to the easement for its fixed route local service. MCTD is now known as Marin Transit.

Paragraph 1.4 b. anticipates the need to redesign, relocate, construct and/or reconstruct the SRTC, and that then current plans indicated it would be necessary for SMART to acquire a property right to do so as indicated in the excerpt from 1.4 b of the MOU below:

b. The parties anticipate that the SRTC will require redesign, relocation, construction and/or reconstruction of existing or new improvements (collectively, “Improvements”) to facilitate local bus, regional bus and regional railroad transportation purposes. Current plans for the Improvements developed by SMART indicate that it will be necessary for SMART to acquire a property interest from GGB in a portion of the SRTC that is not part of the San Rafael ROW. The parties shall cooperate in the design and construction of Improvements wherever located to ensure that they accommodate the provision by SMART, GGB, MCTD and other public transportation providers of their then current and reasonably anticipated levels of passenger service. The parties shall also work cooperatively to maximize federal, state and local funding opportunities to pay for construction of the Improvements. Prior to the award by any part of a notice to proceed for construction of the Improvements, SMART and GGB shall enter into an agreement providing for full funding of construction of the Improvements, and if necessary, a program of joint use and ongoing operation and maintenance for the SRTC. Such an agreement shall become effective only after it has been considered and approved by the Board of Directors of both SMART and GGB.

The EA should contain an acknowledgment of these contractual rights and requirements, and it should address specifically the anticipated impacts of the Proposed Action on the SRTC and its bus patrons.

3-2

Environmental Assessment Comments
February 5, 2015
Page 4

2012 Downtown San Rafael Station Area Plan

Page 2-9 of the EA states the Larkspur extension alignment begins “immediately south of the Downtown San Rafael Station” and describes the ROW as “adjacent to the Bettini Transit Center”. As evident by the attached aerial photograph of the SRTC, a more accurate portrayal would instead acknowledge that the rail alignment “bisects” the existing SRTC as opposed to being “adjacent to” the SRTC.

As noted on page 3.13-32 of the EA, the 2012 SMART Downtown Station Area Plan (SAP) considered recommendations for improvements at the SRTC. The EA does not mention that these improvements were proposed to mitigate the adverse impacts to the SRTC resulting from the extension of SMART to Larkspur. Traffic and operational analyses in that document resulted in a recommendation that some operations currently located at the SRTC be potentially relocated to mitigate the impacts of the SMART extension to the SRTC.

The EA, however, summarizes improvements in the SAP as follows: *“for the Bettini Transit Center, such as reconstruction of Platform “D” to provide additional bus right-of-way and the provision of additional passenger loading zones to accommodate taxis and kiss-and-ride activity. These recommendations consist of physical improvements to the Bettini Transit Center and are not anticipated to materially affect existing transit operations or ridership.”* The EA does not note that the discussion of these improvements in the SAP specifically references the 2005 MOU and the division of responsibilities among the signatory agencies for implementing these improvements. Nor does it reflect the recommendation to create a consolidated Transit Complex in the area. (See pp. 118-121 of the SAP) The limited work described in the EA does not appear to address adequately the number of displaced bus trips associated with the Proposed Action as described above.

3-3

The EA seems to imply that the SAP fully addresses the impacts of the Proposed Action; however, the SAP is a conceptual plan that discusses a number of unfunded improvements. It would be constructive if the EA acknowledged and addressed the impacts of the Proposed Action on existing transit operations at the SRTC, as opposed to merely stating that the recommended actions in the SAP will not affect materially existing transit operations.

Transit Operation Impacts

The EA description of available services from the SRTC (beginning on Page 3.13-10) does not include GGT regional bus services to Contra Costa County (i.e., Del Norte BART and Richmond Amtrak stations), intercity services provided by Greyhound, and local taxi services.

3-4

Page S-17 states there will be “No adverse impacts” to “Transit Operations” and refers to Section 3.13 of the EA for information. That section, however, does not provide any information to demonstrate the absence of impacts.

3-5

Environmental Assessment Comments
February 5, 2015
Page 5

Additionally, in the absence of any disclosure to the contrary, the Bridge District assumes that there will not be any increased impacts to bus operations during construction. The EA should expressly state whether this assumption is correct; or alternately, it should disclose the associated construction impacts, particularly if they will affect areas outside of the ROW.

**3-5
(cont)**

Track Realignment

The Bridge District supports any measure that will reduce the number of at-grade crossings and maximize safety at any remaining grade crossings as it will enhance safety along the rail corridor. Pages S-2 and 2-24 of the EA allude to the fact that the alignments of the railroad and West Francisco Boulevard would be “flipped” (or swapped) in order to eliminate two existing at-grade crossings south of the SRTC.

The EA does not include any conceptual design or drawings that depict the “flip,” so the Bridge District appreciates SMART’s providing the preliminary design associated with this facet of the Proposed Action to the Bridge District on February 3, 2015. Preliminarily, it appears that the Proposed Action - that is, flipping the railroad alignment and West Francisco - shifts the railroad tracks within the SRTC toward the east. This shift in the track alignment may affect bus movements into and within the SRTC.

Specifically, the proposed railroad alignment may prevent buses from turning left off of 2nd street into the SRTC to access the West side of Platform B. It also may prevent buses from making a U-turn around the South end of Platform B to access the West side of Platform A or the East side of Platform B after entering the SRTC by turning left off of 3rd Street. The EA should confirm whether or not the Bridge District’s preliminary assessment is correct to allow full consideration of the impacts of the Proposed Action.

If the assessment is correct, the existing bus routes affected by the “flip” are as follows:

3-6

- Marin Transit Route 35 northbound and southbound that connects the SRTC-the Canal neighborhood in San Rafael
- Marin Transit Route 36 northbound which connects Marin City-SRTC-Canal neighborhood
- Marin Transit Route 23 eastbound which connects SRTC-Canal neighborhood-Target
- Marin Transit Route 29 westbound which connects SRTC-Canal neighborhood-Marin General Hospital-College of Marin
- GGT Routes 40 which connects SRTC-Del Norte BART
- GGT Route 42 which connects SRTC-downtown City of Richmond-Richmond Amtrak-Del Norte BART
- Marin Transit Route 45/45K which connects SRTC-Marin Civic Center-Northgate Shopping Center-Kaiser Hospital
- Marin Transit Route 49 which connects SRTC-Marin Civic Center-Novato
- Marin Transit Route 22 which connects SRTC-San Anselmo-College of Marin-Larkspur-Marin City
- Marin Transit Route 23 westbound which connects SRTC-Fairfax

Environmental Assessment Comments
February 5, 2015
Page 6

Many of the patrons on these bus routes are low-income, transit dependent riders. It also appears that this “flip” may necessitate the acquisition by SMART of a portion of the Bridge District’s property at the SRTC. The EA should clearly disclose any proposed property acquisitions associated with the Proposed Action.

**3-6
(cont)**

Traffic Impact Issues

The traffic impacts associated with the Proposed Action appear to go beyond Third and Second streets in San Rafael as suggested in the EA. If so, the list of intersections studied should be expanded to include all affected intersections, including as appropriate the signalized intersections along Fourth Street and Andersen Drive in San Rafael.

Page S-3 of the EA mentions that street blockage at rail crossings would be 35 seconds, yet it does not disclose the associated time required for the traffic signal synchronization network in the downtown area to recover. With train headways of 30 minutes during peak periods, there may not be sufficient time for traffic signal synchronization to recover, which could affect transit, bicycles, pedestrians, cars, and the freeway off-ramps during peak periods.

3-7

With regard to parking at or near the Downtown San Rafael station, Page 3.13-19 of the EA should note that some number of spaces in Caltrans park-and-ride lots are reserved for exclusive use of adjacent private businesses, leaving fewer spaces for transit riders, including SMART patrons.

Andersen Drive At-Grade Crossing Impacts

Page 2-25 of the EA states that Option 6 is the preferred option given it “would have minimal effect on traffic operations and would fit within the City’s existing budget as well as within the existing timeline for planned operation of the SMART rail system.”

The Andersen Drive crossing will be used by buses, including GGT’s regional Route 42. Pursuant to Section 22452 of the California Vehicle Code, buses are required to stop before crossing railroad tracks to allow bus drivers to look down the tracks for oncoming trains. The EA is unclear whether the 11-degree angle street crossing of the train tracks provides adequate visibility of approaching trains either through use of bus side view mirrors or by drivers looking over their shoulders, given the limited vision angle of the mirrors and the angle of this crossing.

3-8

It would be helpful if the EA confirmed and documented that typical school and transit buses can safely use this proposed crossing design. Specifically, the EA should address whether these typical buses will have adequate “sight distance” to see an oncoming train when stopped at the crossing.

Page 2-26 of the EA states that “southbound Andersen Drive would be widened and striped to provide two lanes between Bellam Boulevard and Francisco Boulevard West.”

3-9

Environmental Assessment Comments
 February 5, 2015
 Page 7

Given that Andersen Drive currently is striped for two lanes in this roadway segment, the EA is not clear as to what is intended. **3-9 (cont)**

Page 2-29 of this EA mentions the City of San Rafael “would coordinate with Caltrans to provide preemption at the intersection of West Francisco Boulevard and southbound US101.” The EA, however, does not indicate whether SMART and/or City of San Rafael have secured an agreement with Caltrans to coordinate these signals. The EA should provide detail as to whether these signals have coordination capability as well as whether Caltrans concurs with this concept. **3-10**

Page 2-29 of the EA mentions that “SMART will implement Advance Preemption at Andersen Drive”. The EA, however, does not describe how the Advance Preemption will work. **3-11**

Larkspur Station Area Impacts

The EA should acknowledge and address the fact that the Larkspur Ferry Terminal (LFT) at 101 East Sir Francis Drake Boulevard and Golden Gate Ferry (GGF) services are owned and operated by the Bridge District. **3-12**

As previously noted, the 2005 MOU spells out the agreement between the Bridge District and SMART with respect to SMART’s proposed Larkspur station, so the EA should reference and acknowledge the 2005 MOU terms. **3-13**

SMART Station Vehicular Access

Pursuant to Paragraph 1.4(f) of the 2005 MOU, the Bridge District retained a License Agreement for the Bridge District’s use of the entire ROW for overflow parking for the nearby Larkspur Ferry Terminal on East Sir Francis Drake Blvd. This property right is not correctly acknowledged in the EA. The 2005 MOU terminates this License Agreement at such time as revenue service commences in the SMART ROW over the portion of the ROW subject to the License Agreement.

The EA includes a conceptual plan that shows existing conditions at and adjacent to the proposed Larkspur SMART Station. The EA should identify the Bridge District as the owner of 300 Larkspur Landing Circle, a property that the Bridge District purchased for its ferry business without any federal assistance. As such, SMART has no property right to access its proposed Larkspur station via 300 Larkspur Landing Circle at this time. **3-14**

Fortunately, SMART has an existing easement in front of the Larkspur Century Cinema complex. Coupled with SMART’s ROW behind the Cinema, that easement can provide pedestrian, bicycle and vehicular access to the proposed Larkspur station. In fact this access is currently in use by the contractor building the Central Marin Ferry Connection Multi Use Path in the SMART Larkspur ROW, so it is clearly viable to provide access to the station site.

Environmental Assessment Comments
February 5, 2015
Page 8

Ferry Capacity

Page 3.13-32 of the EA states that sufficient capacity currently exists on GGF. This should be modified to reflect the current overcrowding on the weekday morning commute trips from Larkspur to San Francisco and weekday evening commute trips from San Francisco to Larkspur. There is surplus capacity for all other existing weekday trips and all existing weekend ferry trips.

3-15

Closing

As background, the Bridge District's letter of comment regarding the original EIR as well as the Bridge District's joint letter with Marin Transit regarding the 65 percent design plans are attached. Please consider the comments contained therein that relate to the Proposed Action to be incorporated by reference and included as part of our comments on the EA.

The Bridge District fully supports the extension of SMART service from downtown San Rafael to Larkspur. It is an exciting project, and the Bridge District is heartened to hear that it has been included in President Obama's proposed budget for funding as part of the Federal Transit Administration's Small Starts Program. We look forward to riding the train.

Sincerely,



Denis J. Mulligan
General Manager

Enclosure(s): 2005 MOU
Aerial Photograph of SRTC
Bridge District comments on SMART 2005 EIR
Joint Letter regarding the 65 percent Design Plans

c: Leslie Rogers, Federal Transit Administration
Steve Heminger, Metropolitan Transportation Commission
Nancy Whelan, Marin Transit
Dianne Steinhauer, Transportation Authority of Marin
Nancy Mackle, City of San Rafael
Dan Schwarz, City of Larkspur

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("Agreement") is entered into this 25th day of October, 2005 by and between the Golden Gate Bridge, Highway and Transportation District, a public agency ("GGB"), the County of Marin, a public agency ("County"), the Marin County Transit District, a public agency ("MCTD") and the Sonoma Marin Area Rail Transit District, a public agency ("SMART"), (collectively referred to as the "parties").

RECITALS

A. Pursuant to an Agreement of Purchase and Sale signed in 1984 by and between GGB, as Buyer, and Northwestern Pacific Railroad Company ("NWP") and One Market Street Properties, Inc., as Seller, as amended to date, and all ancillary documents thereto (collectively, the "Corte Madera Purchase Agreement"), GGB acquired a segment of the railroad right-of-way commonly known as the Corte Madera Right-of-Way from NWP MP 11.4 in the City of Corte Madera, California, to NWP MP 14.6 in the city of Larkspur, California, together with all appurtenances thereto, (collectively, the "Corte Madera ROW").

B. Pursuant to an Agreement of Purchase and Sale dated January 24, 1983 by and between GGB, County, and MCTD, as Buyer, and Northwestern Pacific Railroad Company ("NWP") and One Market Street Properties, Inc., as Seller, as amended to date, and all ancillary documents thereto (collectively, the "Larkspur Purchase Agreement"), GGB, County and MCTD acquired a segment of the railroad right-of-way commonly known as the Larkspur Right-of-Way from NWP MP 14.6 in the City of Larkspur, California, to NWP MP 15.71 in the city of San Rafael, California, together with all appurtenances thereto, (collectively, the "Larkspur ROW").

C. Pursuant to an Agreement of Purchase and Sale dated June 1, 1990 by and between GGB, as Buyer, and Southern Pacific Transportation Company ("SP"), predecessor in interest to Union Pacific Railroad Company ("UP"), and Northwestern Pacific Railroad Company ("NWP"), collectively as Seller, as amended to date, and all ancillary documents thereto (collectively, the "San Rafael Purchase Agreement"), GGB acquired a segment of the railroad right-of-way commonly known as the San Rafael Corridor Right-of-Way from NWP MP 15.71 in the City of San Rafael, California, to NWP MP 26.96 in the City of Novato, California, together with all appurtenances thereto, (collectively, the "San Rafael ROW"). The Corte Madera ROW, the Larkspur ROW, and the San Rafael ROW, are collectively referred to in this Agreement as the "ROW".

D. Pursuant to a lease dated May 13, 2002 ("Marin Sanitary Lease"), GGB, County and MCTD leased to Marin Sanitary District a portion of the San Rafael ROW along with certain adjacent property owned by GGB ("Marin Sanitary Property").

E. GGB constructed, maintains and operates in coordination with the City of San Rafael the San Rafael Transportation Center ("SRTC") across part of the San Rafael ROW and on separate property owned by GGB.

F. In December 1998, GGB acquired from the State of California, Department of Transportation, approximately 3.35 acres of unimproved real property in the vicinity of

Cloverdale, California as more particularly described in **Exhibit A** to this MOU. As part of this transaction GGB acquired certain other commitments to provide right-of-way services to acquire a spur track suitable for turning trains and to pay up to \$192,000 to help construct such a facility (collectively, the "Cloverdale Property"). These transactions were documented in a Stipulation for Judgment in Condemnation, Judgment in Condemnation and Final Order of Condemnation (collectively, the "Cloverdale Agreement").

G. GGB and the State of California, Department of Transportation, entered into an agreement ("Gap Closure Agreement") dated November 21, 2002. Pursuant to this agreement, GGB agreed to permit a relocation of a portion of the ROW in San Rafael, California to the property described in **Exhibit B** to this Agreement in connection with the construction of a high occupancy vehicle lane on State Highway 101.

H. GGB has a reserved right to acquire a four acre parcel along the ROW in Novato, California (the "Station Site") for future development as a transit station or for transit purposes, pursuant to a Cooperative Agreement entered into between GGB and the City of Novato in 1995 ("Hamilton Agreement"). The Hamilton Agreement provides that upon written demand by GGB within a 25 year period expiring in December of 2020, the City of Novato must transfer its rights, title, and interest in the Station Site to GGB.

I. SMART was created pursuant to AB 2224, Chapter 341 of the Laws of 2002, for the purpose of providing a unified, comprehensive, institutional structure for the ownership and governance of a passenger rail system within the counties of Marin and Sonoma, California. The enabling legislation for SMART is established in Section 105000 et seq. of the California Public Utilities Code.

J. Public Utilities Code Section 105012 contemplates that GGB, County and MCTD may transfer their respective rights in the Corte Madera ROW, the Larkspur ROW, and the San Rafael ROW to SMART in furtherance of SMART's statutory objectives. The parties now desire to establish the terms and conditions by which GGB, County and MCTD will transfer ownership of the ROW, all appurtenances thereto, and certain specified assets related to it.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

ARTICLE I

TRANSFER OF ASSETS

1.1 GGB/County/MCTD Assets Defined. The term "GGB/County/MCTD Assets" shall consist of the following assets:

- a. the ROW as described in **Exhibit C** to this Agreement;
- b. all interests in leases, licenses and other agreements encumbering any of the ROW (collectively, the "Leases, Licenses and Other Agreements") except as otherwise provided herein with respect to the Marin Sanitary Property;

- therewith;
- c. the Cloverdale Property and all rights and appurtenances connected therewith;
 - d. all contract rights, including all rights under the Corte Madera Purchase Agreement, the Larkspur Purchase Agreement, the San Rafael Purchase Agreement, the Cloverdale Agreement, the Hamilton Agreement, and the Gap Closure Agreement; and
 - e. all grant agreements, including GGB's responsibilities with respect to the various federal and state grant and funding agreements entered into in connection with the acquisitions of the ROW and related ownership and improvement matters.

1.2 Transfer of GGB/County/MCTD Assets. Subject to the terms and conditions of this Agreement, GGB, County and MCTD, to the extent of their respective ownership interests, hereby transfer, convey and assign to SMART all rights, title and interest in the GGB/County/MCTD Assets. All assets of GGB, County or MCTD of any kind and nature other than the GGB/County/MCTD Assets, as specifically described in this Agreement, shall be and remain the property of GGB, County or MCTD, respectively.

1.3 Transfer Consideration. SMART's full acceptance and performance of all of the terms and conditions of this Agreement, including without limitation, the protections for GGB, County and MCTD established in Sections 1.4, 1.5 and Article II below, shall be deemed full consideration for transfer of the GGB/County/MCTD Assets to SMART.

1.4 Retained Rights.

a. GGB has established the SRTC on a portion of the San Rafael ROW as well as on adjacent property separately acquired and improved by GGB. SMART and GGB acknowledge the public benefit derived from continued use of the SRTC as a vital North Bay transportation hub, and its utility in maintaining the integrity of the San Rafael ROW against loss by abandonment or non-use. Accordingly, in the Deed conveying the GGB/County/MCTD Assets to SMART, the form of which is attached hereto as **Exhibit D** ("Deed"), GGB shall retain from the San Rafael ROW a permanent easement ("SRTC Easement") for the limited purpose of operating and maintaining that portion of the SRTC located on the San Rafael ROW. The SRTC Easement shall be exclusive at all times prior to SMART's issuance of a notice to proceed on SMART's primary contract for construction of improvements necessary for commencement of revenue service over that portion of the San Rafael ROW subject to the SRTC Easement, and shall be non-exclusive thereafter. Once the SRTC Easement becomes non-exclusive, it shall be subordinate to SMART's proposed railroad operations over that portion of the San Rafael ROW subject to it in all respects.

(i) During the period of GGB's exclusive SRTC Easement, SMART shall have the right to access the SRTC Easement to conduct property management and maintenance activities and to conduct all appropriate pre-construction related activities related to SMART's proposed rail service, including without limitation, surveying, engineering, and environmental testing activities. SMART will notify GGB of its entry on the SRTC Easement area at the earliest practicable opportunity prior to entry but in no event later than seventy-two

(72) hours prior to entry, except in the case of an emergency involving public health or safety, in which case no notice prior to entry shall be required.

(ii) During the period of GGB's exclusive SRTC Easement, GGB shall allow MCTD to use that portion of the San Rafael ROW subject to the SRTC Easement to serve its fixed route local service passengers if MCTD's contract with GGB for the operation of local fixed route local service is terminated for any reason and MCTD commences to operate local fixed route service independently either by its own forces or pursuant to a contract with a service provider. In such circumstance, MCTD's use of and service to the SRTC shall be subject to administrative and operating procedures established by GGB applicable to all service providers who are granted use of that facility.

b. The parties anticipate that the SRTC will require redesign, relocation, construction and/or reconstruction of existing or new improvements (collectively, "Improvements") to facilitate local bus, regional bus and regional railroad transportation purposes. Current plans for the Improvements developed by SMART indicate that it will be necessary for SMART to acquire a property interest from GGB in a portion of the SRTC that is not part of the San Rafael ROW. The parties shall cooperate in the design and construction of Improvements wherever located to ensure that they accommodate the provision by SMART, GGB, MCTD and other public transportation providers of their then current and reasonably anticipated levels of passenger service. The parties shall also work cooperatively to maximize federal, state and local funding opportunities to pay for construction of the Improvements. Prior to the award by any party of a notice to proceed for construction of the Improvements, SMART and GGB shall enter into an agreement providing for full funding of construction of the Improvements, and if necessary, a program of joint use and ongoing operation and maintenance for the SRTC. Such an agreement shall become effective only after it has been considered and approved by the Board of Directors of both SMART and GGB.

c. SMART shall not encumber, assign, transfer or otherwise hypothecate the Hamilton Agreement contract rights without the prior written consent of GGB provided that SMART may assign these rights to a successor in interest to SMART, who shall take subject to the terms of this Agreement. In the event SMART does not exercise its rights under the Hamilton Agreement to acquire the Station Site by January 1, 2018, the Hamilton Agreement contract rights shall revert back to GGB without further action by the parties. Upon such a reversion, SMART shall have no further interest in the Hamilton Agreement and GGB may thereafter exercise its rights under the Hamilton Agreement and take ownership of the Station Site.

d. SMART shall accept title to that portion of the ROW subject to the Marin Sanitary Lease. As of the Closing, GGB and SMART shall enter into a Lease Management Agreement that will define their rights and obligations as co-lessors under the Marin Sanitary Lease in the form attached hereto as **Exhibit E**. In addition, GGB shall reserve in the Deed a twenty (20) foot non-exclusive private crossing easement to provide access to that portion of the Marin Sanitary Property west of the San Rafael ROW that is owned by GGB, as shown on the attached **Exhibit F**. As a condition to closing, GGB shall prepare, and GGB and SMART shall agree upon, a legal description for the easement set forth on **Exhibit F**.

(i) GGB hereby grants to SMART an option to purchase that portion of non-ROW real property ("Marin Sanitary Option Property") owned by GGB that is subject to the Marin Sanitary Lease, as set forth on the map attached hereto as **Exhibit G** to this Agreement, in its AS IS WHERE IS condition, subject to all faults, at a price equal to the greater of (a) the price paid by GGB for the Marin Sanitary Option Property plus a rate of return on the purchase price equal to GGB's average rate of return on its invested funds, compounded annually from the date the Marin Sanitary Option Property was acquired, and (b) the fair market value of said property as of the date of exercise of the Option, as determined by mutual agreement of SMART and GGB or by a mutually agreed upon process by which a third party appraiser determines fair market value. In any such valuation, it shall be assumed that adequate access exists across the ROW to allow the conduct of normal commercial activities on the subject property. Transfer of title to the Marin Sanitary Option Property shall be by quitclaim deed. SMART shall pay any and all closing, title insurance and other costs incurred in connection with any such transaction. The option will terminate if not exercised within five (5) years of the date of this Agreement. As a condition to closing, GGB shall prepare, and GGB and SMART shall agree upon, a legal description for the Marin Sanitary Option Property.

e. The parties acknowledge that GGB owns and has continuing obligations to restore a tidal wetlands area in Corte Madera, California known as the "Muzzi Marsh." The parties further acknowledge that GGB and the town of Corte Madera want to provide the public with access to the Muzzi Marsh. Accordingly, GGB shall reserve in the Deed: (1) a temporary crossing easement at Industrial Way in the town of Corte Madera ("Industrial Way Crossing Easement"), (2) a temporary longitudinal access easement ("Industrial Way Longitudinal Easement") from Industrial Way in the town of Corte Madera to the northern most boundary of the Muzzi Marsh, (3) a permanent public access easement ("Access Easement") from the southern boundary of the Muzzi Marsh to the northern most boundary of the Muzzi Marsh, and (4) a permanent construction and maintenance access easement ("Maintenance Easement") (collectively, the "Muzzi Marsh Easements"). The Muzzi Marsh Easements are depicted on the attached **Exhibit H** and will be described in the Deed at Closing based on mutually agreed upon legal descriptions prepared by GGB. The Industrial Way Crossing Easement and Industrial Way Longitudinal Easement will terminate upon SMART's issuance of a notice to proceed on SMART's primary contract for construction of improvements necessary to commencement of revenue service over those portions of the ROW subject to said easements. All of the Muzzi Marsh Easements will be assignable by GGB. If, based on an affirmative determination by SMART that is communicated to GGB, it is necessary to relocate the Access Easement to accommodate SMART's proposed rail service over the Corte Madera ROW, the Access Easement will be subject to relocation to a mutually agreeable location on the ROW at SMART's request. Such a relocation will provide comparable access to the ROW from the north and will be timed to coincide with SMART's issuance of a notice to proceed on SMART's primary contract for construction of improvements necessary to commencement of revenue service over the Corte Madera ROW.

f. At Closing, SMART shall grant to GGB a license to use a segment of the ROW in the vicinity of Larkspur Ferry Terminal as an overflow parking area for the terminal consistent with past use of this area for such purpose in the form of the license agreement attached hereto as **Exhibit I** ("Larkspur Parking License"). GGB's use of the licensed area will occur in such a manner that will be compatible with all appropriate pre-construction activities

related to SMART's proposed rail service, including without limitation, surveying, engineering, and environmental testing activities, as well as the possible development and use by SMART or others of a public bike path within the ROW. The Larkspur Parking License will be for a term commencing on the Closing Date and ending on the date of SMART's issuance of a notice to proceed on SMART's primary contract for construction of improvements necessary to commencement of revenue service over that portion of the ROW subject to it.

1.5 Station Site Use. SMART agrees to coordinate with GGB, MCTD and County in the future identification, design and construction of station sites on the ROW, including the Hamilton Station Site, to assure that appropriate access to the station sites will be provided to GGB, County and MCTD for the performance of their respective transportation responsibilities.

ARTICLE II

"AS IS" TRANSFER, ASSUMPTION OF OBLIGATIONS AND INDEMNITY

2.1 "AS IS" Transfer. SMART acknowledges and agrees that the GGB/County/MCTD Assets are conveyed to and accepted by SMART in an "as is" condition with all faults, subject to those rights as described in Section 1.4 of this Agreement and all other existing encumbrances of any type or nature. GGB, County and MCTD do not make any representations or warranties of any kind whatsoever, either express or implied, with respect to the ROW or any of such related matters; in particular, but without limitation, GGB, County and MCTD make no representations or warranties with respect to the use, condition, title, occupation or management of the GGB/County/MCTD Assets.

2.2 Receipt of Benefits and Assumption of Liabilities. Effective as of the Closing Date, SMART hereby shall (a) succeed to all of the benefits of ownership of the GGB/County/MCTD Assets, and (b) assume and perform or otherwise satisfy, any and all contracts, obligations, claims and/or other liabilities of any type or nature, whether currently existing or contingent, and whether or not disclosed by GGB, County or MCTD to SMART, that have been entered into or incurred by GGB, County and/or MCTD in connection with the acquisition, ownership, management and/or development of the GGB/County/MCTD Assets by GGB, County or MCTD prior to the Closing Date, including those related to the known or unknown physical and environmental condition of the ROW (collectively, "Liabilities"). Nothing herein is intended or should be deemed to limit SMART's right to contest the validity of any of the Liabilities with any third party in any way, it being the express intent of the parties for SMART to have the ability to do so. Prior to Closing, GGB shall inform SMART of any actually known contracts, obligations, claims, and/or other liabilities which pertain to the ROW, including without limitation, any state or federal administrative actions or any tort claims or demand letters.

2.3 Indemnification.

a. SMART shall fully indemnify, defend and hold harmless, GGB, County, MCTD, their successors and assigns and their directors, officers, employees and agents (each an "Indemnitee", and collectively, the "GGB, County and MCTD Indemnitees"), from and against all liability, claims, suits, sanctions, costs or expenses for injuries to or death of any person, or

any property damage, arising out of or resulting from (i) the Liabilities, (ii) any breach of any representation, warranty or covenant expressly established in this Agreement by SMART, and/or (iii) SMART's acquisition, ownership, management and/or development of the GGB/County/MCTD Assets after the Closing Date. SMART's obligation to defend shall include the payment of all reasonable attorneys' fees and all other costs and expenses of suit, and if any judgment is rendered against any person indemnified in this paragraph, SMART shall, at its expense satisfy and discharge the same.

b. GGB, County and MCTD shall fully indemnify, defend and hold harmless, SMART and its directors, officers, employees and agents (each an "Indemnitee", and collectively, the "SMART Indemnitees"), from and against all liability, claims, suits, sanctions, costs or expenses for injuries to or death of any person arising out of or resulting from any breach by GGB, County or MCTD of their respective representations, warranties and/or covenants expressly established in this Agreement. GGB, County and MCTD's obligation to defend shall include the payment of all reasonable attorneys' fees and all other costs and expenses of suit, and if any judgment is rendered against any person indemnified in this paragraph, GGB, County and/or MCTD shall, at their expense satisfy and discharge the same.

2.4 **Release.** Upon the Closing, SMART hereby releases and discharges GGB, County and MCTD Indemnitees, and each of them, from any and all claims, actions, debts, liabilities, demands, obligations, promises, acts, agreements, costs and expenses (including, without limitation, court costs and attorneys' fees), damages, and causes of action of whatever kind or nature, whether known or unknown, suspected or unsuspected, whether arising, or accruing before or after the Closing Date, based on, arising out of, or in connection with the acquisition, ownership, management and/or development of the GGB/County/MCTD Assets by GGB, County or MCTD, including, without limitation, the Liabilities, SMART's ownership, management and/or development of the GGB/County/MCTD Assets after the Closing Date, and all matters directly or indirectly claimed or alleged between the parties in connection therewith or in any way related thereto. SMART agrees and acknowledges that this release applies to both known and unknown claims and agrees to waive the benefits of Civil Code §1542, which states as follows:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR."

The Parties agree and represent that they may hereafter discover facts different from or in addition to those they now know or believe to be true in respect to the claims, demands, debts, liabilities, accounts, actions or causes of action herein released, and hereby agree that these releases shall be and remain in effect in all respects as complete, general and full releases as to the matters released, notwithstanding any such different or additional facts.

ARTICLE III

TITLE AND CLOSING

3.1 At the Closing, GGB County and MCTD shall execute and deliver to SMART the Deed. Title in Sonoma County shall be evidenced by the issuance by North American Title Company (the "Title Company"), at SMART's cost, of a CLTA owner's policy of title insurance in an amount to be determined by SMART, insuring title in SMART to that portion of the ROW in Sonoma County, subject to any and all exceptions of title mutually agreeable to SMART and Title Company. Title in Marin County shall be evidenced by the issuance by Old Republic Title Company, at SMART's cost, of a CLTA owner's policy of title insurance in an amount to be determined by SMART, insuring title in SMART to that portion of the ROW in Marin County, subject to any and all exceptions of title mutually agreeable to SMART and Old Republic Title Company. The title insurance policies issued by North American Title Company and Old Republic Title Company shall collectively be referred to as the "Title Policy". GGB, County and MCTD expressly disclaim any warranty of title of the ROW.

ARTICLE IV

SMART'S CONDITIONS TO CLOSING

The following are conditions precedent to SMART's obligation to accept the GGB/County/MCTD Assets:

4.1 Approval of Title. Within ten (10) days after opening of escrow, SMART, at its sole cost and expense, shall obtain a preliminary title report from the Title Company on the ROW ("Title Report"), together with copies of the documents underlying the exceptions contained therein. The Title Company shall deliver a copy of the Title Report to GGB, County and MCTD for informational purposes. Within thirty (30) days after receipt by SMART of the Title Report and the legal description of the ROW ("Title Contingency Date") SMART shall notify GGB, County and MCTD whether or not SMART accepts the state of title of the ROW or whether SMART disapproves of the state of title of the ROW and desires to terminate this Agreement. GGB, County and MCTD shall have no obligation to cure any title deficiencies identified by SMART. If this Agreement is terminated pursuant to this Section 4.1, SMART shall pay the Cost of Cancellation of the Escrow, and no party to this Agreement shall have any further rights or obligations under this Agreement (other than the Surviving Obligations). The term "Cost of Cancellation of the Escrow," as used herein shall be the costs accrued and charged by Title Company for the Cost of Cancellation of the Escrow only.

4.2 Inspections and Studies. For the period of time commencing on the Effective Date and ending at such time as is designated in writing by SMART but in no event later than ninety (90) days from the date of this Agreement ("Contingency Period"), SMART shall have the right to conduct any reasonable and non-destructive inspections, investigations, tests and studies (including, without limitation, investigations with regard to zoning, building codes and other governmental regulations, architectural inspections, engineering tests, economic feasibility studies, and soils, seismic and geologic reports and environmental testing) with respect to the

ROW as SMART may elect to make or maintain. The cost of any such inspections, tests and/or studies shall be borne by SMART.

(a) During the Contingency Period SMART and SMART's employees, agents, contractors, subcontractors and consultants (collectively, "SMART's Representatives") hereby are granted the right to enter upon the ROW, at reasonable times during ordinary business hours upon notice to GGB at least seventy-two (72) hours prior to entry, to conduct such reasonable and non-destructive inspections, investigations, tests and studies of the ROW as SMART may designate (including, without limitation, investigations with regard to zoning, building codes and other governmental regulations, architectural inspections, engineering tests, and soils, seismic and geologic reports and environmental testing). All such testing shall be conducted in a manner which minimizes interference with GGB's bus and other operations. The cost of all such inspections, tests and/or studies shall be borne solely by SMART. SMART shall, to the extent permitted by law, use its best efforts to keep confidential and not to disclose to any third party any information obtained or developed in connection with the GGB/County/MCTD Assets, including, but not limited to, all environmental reports, surveys, marketing reports, geotechnical reports, lot studies and improvement plans. In any event, SMART shall promptly notify GGB of any potential disclosure or request for disclosure prior to releasing or permitting the release of such information.

SMART shall indemnify, defend and hold GGB, MCTD and the County of Marin harmless from any and all claims, damages or liabilities arising out of or resulting from the entry onto or activities upon the ROW by SMART or SMART's Representatives or liens arising from SMART's due diligence review of the ROW. Prior to any entry on to the ROW by any contractor, subcontractor, consultant or agent engaged by SMART (each, a "Permittee"), said Permittee shall obtain a policy of commercial general liability insurance with a financially responsible insurance company acceptable to GGB covering the activities of such Permittee on or upon the ROW. This insurance shall provide a per occurrence limit of at least One Million and No/100ths Dollars (\$1,000,000.00) and an aggregate limit of at least Three Million and No/100ths Dollars (\$3,000,000.00). This policy of insurance shall name GGB, the County of Marin and MCTD as an additional insured, and shall (as to any loss arising from the acts or omissions of any of SMART's contractors, subcontractors, consultants or agents) be primary and non-contributing with any other insurance available to GGB, the County of Marin and MCTD. Prior to said Permittee's entry onto the ROW, SMART shall assure that said Permittee shall deliver to GGB a certificate of insurance evidencing that the foregoing insurance is in place. Additionally, SMART shall, at its own cost and expense, procure and maintain Workers' Compensation as required by Section 3700 et. seq. of the California Labor Code, or any subsequent amendments or successor acts thereto, governing the liability of employers to their employees.

Prior to the expiration of the Contingency Period, SMART shall deliver to GGB, the County of Marin, MCTD and Escrow Holder written notice ("Contingency Period Notice") of its approval or disapproval of the ROW. The failure of SMART to timely deliver the Contingency Period Notice shall be deemed to constitute SMART's disapproval of the ROW. If SMART disapproves of the ROW, this Agreement shall terminate and the parties will have no further obligations or rights to one another under this Agreement (other than the Surviving Obligations).

If this Agreement is terminated pursuant to this Section, SMART shall deliver to GGB, at no cost and without representation or warranty as to accuracy or correctness, (i) any and all documentation (including without limitation, leases, licenses, other agreements, environmental documentation, and title documentation,) regarding the GGB/County/MCTD Assets delivered by GGB to SMART (“Property Materials”).

4.3 Approval. SMART’s Board of Directors shall have approved this Agreement and the acceptance of assets contemplated by it. SMART’s obligations to accept transfer of the ROW is expressly conditioned on SMART’s approval prior to Closing, in its sole discretion, of the condition of the ROW. SMART’s acknowledgment of the Certificate Acceptance to be delivered in connection with the Deeds shall be deemed SMART’s approval of the condition of the ROW for this purpose.

4.4 Regulatory Authority. SMART shall have filed a notice of exemption with the Surface Transportation Board (“STB”) in connection with SMART’s acquisition of the ROW.

4.5 Grant Funding Assurances. SMART will have agreed to accept any terms and conditions to the acceptance of the GGB/County/MCTD Assets to it imposed by any state or federal funding authority that provided funding for their acquisition.

4.6 Performance by GGB, County and MCTD. GGB, County and MCTD shall have performed all of the obligations to be performed by them pursuant to this Agreement.

4.7 CEQA/NEPA Compliance. SMART shall have complied with the California Environmental Quality Act and the National Environmental Policy Act, as applicable, to transfer the ROW to SMART pursuant to this Agreement.

4.8 Final Approval of Legal Descriptions. SMART shall have verified and approved legal descriptions as prepared for Exhibits C, F, G and H.

ARTICLE V

GGB, COUNTY AND MCTD CONDITIONS TO CLOSING

The following are conditions precedent to the obligation of GGB, County and MCTD to transfer their respective interests in the GGB/County/MCTD Assets.

5.1 Approval. The respective Board of Directors of GGB, the Marin County Board of Supervisors and the Board of Directors of MCTD shall each have approved this Agreement and the transfer of assets contemplated by it.

5.2 Regulatory Authority. SMART shall have filed a notice of exemption with the Surface Transportation Board (“STB”) in connection with SMART’s acquisition of the ROW.

5.3 Grant Funding Assurance. GGB, County and MCTD shall have received approval of the proposed transfer of the GGB/County/MCTD Assets to SMART from federal and state authorities that provided funding for the acquisition of the GGB/County/MCTD Assets, if any, by GGB, County and MCTD.

5.4 SMART's Performance. SMART shall have performed all of the obligations to be performed by it pursuant to this Agreement.

5.5 CEQA/NEPA Compliance. GGB, County and MCTD shall have complied with the California Environmental Quality Act and the National Environmental Policy Act, as applicable, to transfer the ROW to SMART pursuant to this Agreement.

5.6 Final Approval of Legal Descriptions. GGB, County and MCTD shall have verified and approved legal descriptions as prepared for Exhibits C, F, G and H.

ARTICLE VI

CLOSING

6.1 Opening of Escrow and Escrow Instructions. Upon execution of this Agreement, the parties shall deposit one fully executed counterpart of this Agreement with Title Company and this instrument shall serve as the instructions to the Title Company for consummation of the transfer contemplated hereby. Title Company shall only be responsible for undertaking such matters in connection with the Closing as are specifically provided for herein or in any additional or supplementary escrow instructions delivered by the parties.

6.2 Closing.

a. **Closing Date.** The consummation of the transaction contemplated by this Agreement and recording of the Deed (the "Closing" or "Close of Escrow") shall occur and delivery of all items to be made at the Closing under the terms of this Agreement shall be made within ninety (90) days of the date of this Agreement, or at such other date as the parties may agree upon (the "Closing Date").

b. **Notification; Settlement Statements.** If Title Company cannot comply with the instructions herein and to be provided, Title Company is not authorized to cause the recording of the Deeds or close this escrow. If Title Company is unable to cause the recording of the Deed, Title Company shall notify David J. Miller at (415) 777-3200, Patrick Faulkner at (415) 499-7160, and Gregory Dion at (707) 565-2421 without delay.

6.3 Deliveries by GGB, County and MCTD. Not later than one business day prior to the Closing Date, GGB, County and MCTD shall deposit with Title Company the following items:

a. **Deed.** The Deed from GGB, County and MCTD for their respective interests in the ROW, in the form of **Exhibit D** duly executed and acknowledged by GGB, County and MCTD;

b. **Assignment.** The Assignment and Assumption Agreement in the form of **Exhibit J** duly executed by GGB, County and MCTD whereby GGB, County and MCTD assign to SMART, and SMART assumes, their respective rights to the Leases, Licenses and Other Agreements;

- c. Bills of Sale. Bills of Sale duly executed by GGB, County and MCTD, in the form of **Exhibit K** attached hereto;
- d. Non-Foreign Status Certificates. Non-Foreign Status Certificates pursuant to Internal Revenue Code Section 1445 duly executed by GGB, County and MCTD in the form of **Exhibit L**;
- e. Management Agreement. The Management Agreement for the Lease to the Marin Sanitary District in the form attached as **Exhibit E**, duly executed by GGB;
- f. California Form 597-W. California Form 597-W duly executed by GGB, County and MCTD in the form of **Exhibit M**;
- g. Property Materials. The Property Materials listed in the final form of Property Materials Acknowledgment in the form attached as **Exhibit N**; and
- h. Other Documents. Any other documents, instruments, data, records, correspondence or agreements reasonably necessary for the Closing which have not previously been delivered.

6.4 Deliveries by SMART. Not later than one business day prior to the Closing Date, SMART shall deposit with Title Company the following items:

- a. Closing Costs. Immediately available funds, in an amount sufficient to satisfy all closing costs including escrow fees, recording fees, and title insurance premium fees, as provided in a settlement statement to be prepared by Title Company and approved by SMART;
- b. Deed. Executed acceptance of the Deed;
- c. Assignment. The Assignment and Assumption Agreement described in Section 6.3(b) above, duly executed by SMART;
- d. The Management Agreement described in Section 6.3(e) above duly executed by SMART;
- e. Property Materials Acknowledgment. A duly executed original of the Property Materials Acknowledgment attached to this Agreement as **Exhibit N**; and
- f. Other Documents. Any other documents, instruments, data, records, correspondence or agreements reasonably necessary for the Closing which have not been previously delivered.

6.5 Prorations. All revenue and expenses of the ROW including, without limitation, real property taxes, special taxes, assessments and utility fees and/or deposits, and rentals under the Lease(s), shall be prorated and apportioned between SMART and GGB, County and MCTD as of the Closing Date, so that GGB, County and MCTD bear all expenses with respect to the ROW and have the benefit of all income with respect to the ROW through and including the

Closing Date. GGB, County and MCTD and SMART hereby agree that any of the aforesaid prorations that cannot be calculated accurately as of the Closing Date shall be prorated on the basis of the parties' reasonable estimates.

6.6 Special Taxes, Bonds or Assessments. If, at the time of Closing, any portion of the ROW is affected by an assessment or other charge, whether for taxes or bonds, or interest thereon, which is or may become payable in installments, and an installment payment of such assessment is then a lien, then such installment shall be prorated as the Closing Date. All installments not then yet due whether or not the same have been prepaid shall not be prorated and SMART shall assume such bonds or assessments. Any prepaid assessments made in advance of their due dates shall be credited to GGB, County and MCTD, as appropriate. In addition, SMART shall assume any and all future bonds, assessments, special taxes, fees or charges applicable to the ROW for liabilities now or hereafter imposed by any governmental authority (collectively referred to as "Governmental Requirements") including, without limitation, any such Governmental Requirements imposed by any county or municipality with jurisdiction over a portion of the ROW, and those for (i) common area improvements, whether or not specifically set forth in this Agreement, (ii) local assessment or improvement districts, (iii) any special tax assessments, (iv) traffic mitigation improvements (v) park and recreation fees, and/or (vi) any other public facility infrastructure or traffic mitigation required or imposed by any county or municipality with jurisdiction over a portion of the ROW. SMART shall assume all such bonds or future assessments without offset or adjustment.

6.7 Costs and Expenses. SMART will pay all costs and expenses incurred in connection with the Closing, including without limitation, escrow fees, recording fees, documentary transfer tax fees (if any) and title insurance premium fees.

6.8 Delivery of Documents. Title Company shall forthwith deliver to the party entitled thereto the recorded originals of such instruments or documents upon Title Company's receipt of the same.

ARTICLE VII

POST CLOSING COMMITMENTS OF THE PARTIES

SMART hereby acknowledges that GGB retains a valid public interest in assuring that the ROW is well utilized for public transportation purposes. SMART and GGB mutually acknowledge the need and desire to continue to work cooperatively on a sustained basis to advance the general public transportation mission of each agency and to administer their interdependent transportation planning and operational responsibilities with respect to the ROW. At the request of either party, SMART and GGB shall confer and cooperate on any particular matter related to the ROW that bears upon their respective transportation missions and SMART shall consider any request or proposal in good faith and with due deliberation.

ARTICLE VIII

MISCELLANEOUS

8.1 Dispute Resolution. Any controversy, claim or dispute arising out of or related to the interpretation, construction, performance or breach of this Agreement, which cannot be resolved by the parties after good faith discussions shall be submitted to mediation in the County of Marin, California, administered by the American Arbitration Association under its Commercial Mediation Rules. Mediation shall proceed and continue until such time as the matter is either resolved or the mediator finds or the parties agree that mediation should not continue. If the parties cannot resolve the controversy, claim or dispute through the mediation process described above, the matter shall be settled by arbitration in the County of Marin, California, administered by the American Arbitration Association under its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. All direct costs and expenses of each party other than those for payment of the mediator or arbitrator(s) and/or mediation or arbitration facilities shall be borne and paid for by the party that incurs such expenses.

8.2 Agreement Expenses. The parties agree to bear their respective expenses, incurred or to be incurred in negotiating and preparing this Agreement and in closing and carrying out the transactions contemplated by this Agreement.

8.3 Successors and Assigns. This Agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors and assigns. The parties to this agreement may not assign, encumber or otherwise transfer its rights under this Agreement, whether voluntarily, involuntarily, by operation of law or otherwise. Any assignment, encumbrance or other transfer in violation of the foregoing shall be void and confer no rights on the transferee.

8.4 Parties in Interest. Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any persons other than the parties to it and their respective successors and assigns, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third persons to any party to this Agreement, nor shall any provision give any third persons any right to subrogation or action over against any party to this Agreement.

8.5 Entire Agreement. This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior or contemporaneous oral or written agreements, representations, statements, documents, or understandings of the parties.

8.6 Amendment. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing by the party to be bound.

8.7 Waiver. No waiver of any of the provisions of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver

constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

8.8 Timeliness. GGB, County, MCTD and SMART hereby acknowledge and agree that time is of the essence with respect to each and every term, condition, obligation and provision hereof.

8.9 Notices. Any notice or other communication required or permitted to be given under this Agreement ("Notices") shall be in writing and shall be (i) personally delivered; (ii) delivered by a reputable overnight courier; or (iii) delivered by certified mail, return receipt requested and deposited in the U.S. Mail, postage prepaid. Notices shall be deemed received at the earlier of actual receipt or (i) one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (ii) three business days following deposit in the U.S. Mail, as evidenced by a return receipt. Notices shall be directed to the parties at their respective addresses shown below, or such other address as any party may, from time to time, specify in writing to the other in the manner described above:

if to SMART: Sonoma Marin Area Rail Transit District
4040 Civic Center Drive, Suite 200
San Rafael, CA 94903
Attn: Lillian Hames

with a copy to: Gregory Dion, Esq.
Sonoma County Counsel Office
575 Administration Drive
Santa Rosa, CA 95403

if to GGB: Golden Gate Bridge Highway and
Transportation District
Box 9000 Presidio Station
San Francisco, CA 94129-0601

with a copy to: Hanson, Bridgett, Marcus, Vlahos & Rudy, LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
Attn: David J. Miller, Esq.

if to County: The County of Marin
3501 Civic Center Drive, Room 304
San Rafael, CA 94913
Attn: Amy Van Doren
Transit Planning Manager

with a copy to: Patrick Faulkner, Esq.
County Counsel of Marin
Civic Center, Suite 342
San Rafael, CA 94903

if to MCTD:

Marin County Transit District
3501 Civic Center Drive
San Rafael, CA 94903
Attn: Amy Van Doren
Transit Planning Manager

with a copy to:

Patrick Faulkner, Esq.
County Counsel of Marin
Civic Center, Suite 342
San Rafael, CA 94903

8.10 Governing Law and Venue. This Agreement shall be construed in accordance with, and governed by, the laws of the State of California, and any action or proceeding, including mediation or arbitration, brought by any party in which this Agreement is subject, shall be brought in the County of Marin, California.

8.11 Effect of Headings. The headings of the paragraphs of this Agreement are included for purposes of convenience only, and shall not affect the construction or interpretation of any of its provisions.

8.12 Invalidity. Any provision of this Agreement which is invalid, void, or illegal, shall not affect, impair, or invalidate any other provision of this Agreement, and such other provisions of this Agreement shall remain in full force and effect.

8.13 Counterparts. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

8.14 Number and Gender. When required by the context of this Agreement, each number (singular and plural) shall include all numbers, and each gender shall include all genders.

8.15 Further Assurances. Each party to this Agreement agrees to execute, acknowledge, and deliver such further instruments as may be necessary or desirable to accomplish the intent and purpose of this Agreement, provided that the party requesting such further action shall bear all costs and expenses related thereto.

8.16 Negotiated Terms. The parties agree that the terms and conditions of this Agreement are the result of negotiations between the parties and that this Agreement shall not be construed in favor of or against any party by reason of the extent to which any party or its professionals participated in the preparation of this Agreement.

8.17 Severability. Any provision of this Agreement which is determined by a court of competent jurisdiction to be invalid or unenforceable shall be invalid or unenforceable only to the extent of such determination, which shall not invalidate or otherwise render ineffective any other provision of this Agreement.

8.18 Merger/Survival. Except as otherwise expressly provided herein, the covenants, representations and warranties of Buyer and Seller herein shall merge into the Deed to be delivered by Seller to Buyer at Closing and shall not survive the Close of Escrow. The following provisions shall survive the Close of Escrow: Section 1.4, Article II, Section 6.5, 6.6, Article 7 Sections 8.1, 8.3-6, 8.9-12, and 8.16-18.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have entered into this Agreement with the intent to be legally bound.

GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT, a public agency

By: *Maureen Middlebrook*
Name: Maureen Middlebrook
Its: Board President

By: *Janet S. Tarantino*
Name: Janet S. Tarantino
Its: District Secretary

APPROVED AS TO FORM

David J. Miller
Attorney

THE COUNTY OF MARIN, a public agency

By: *Harold C. Brown, Jr.*
Name: _____
Its: _____ Harold C. Brown, Jr., President _____

APPROVED AS TO FORM

Paul A. Gori
Attorney

MARIN COUNTY TRANSIT DISTRICT, a public agency

By: *Harold C. Brown, Jr.*
Name: _____
Its: _____ Harold C. Brown, Jr., President _____

APPROVED AS TO FORM

[Signature]
Attorney

SONOMA MARIN AREA RAIL TRANSIT DISTRICT, a public agency

By: *[Signature]*
Name: Robert Jehn
Its: Chairman of the Board

APPROVED AS TO FORM.

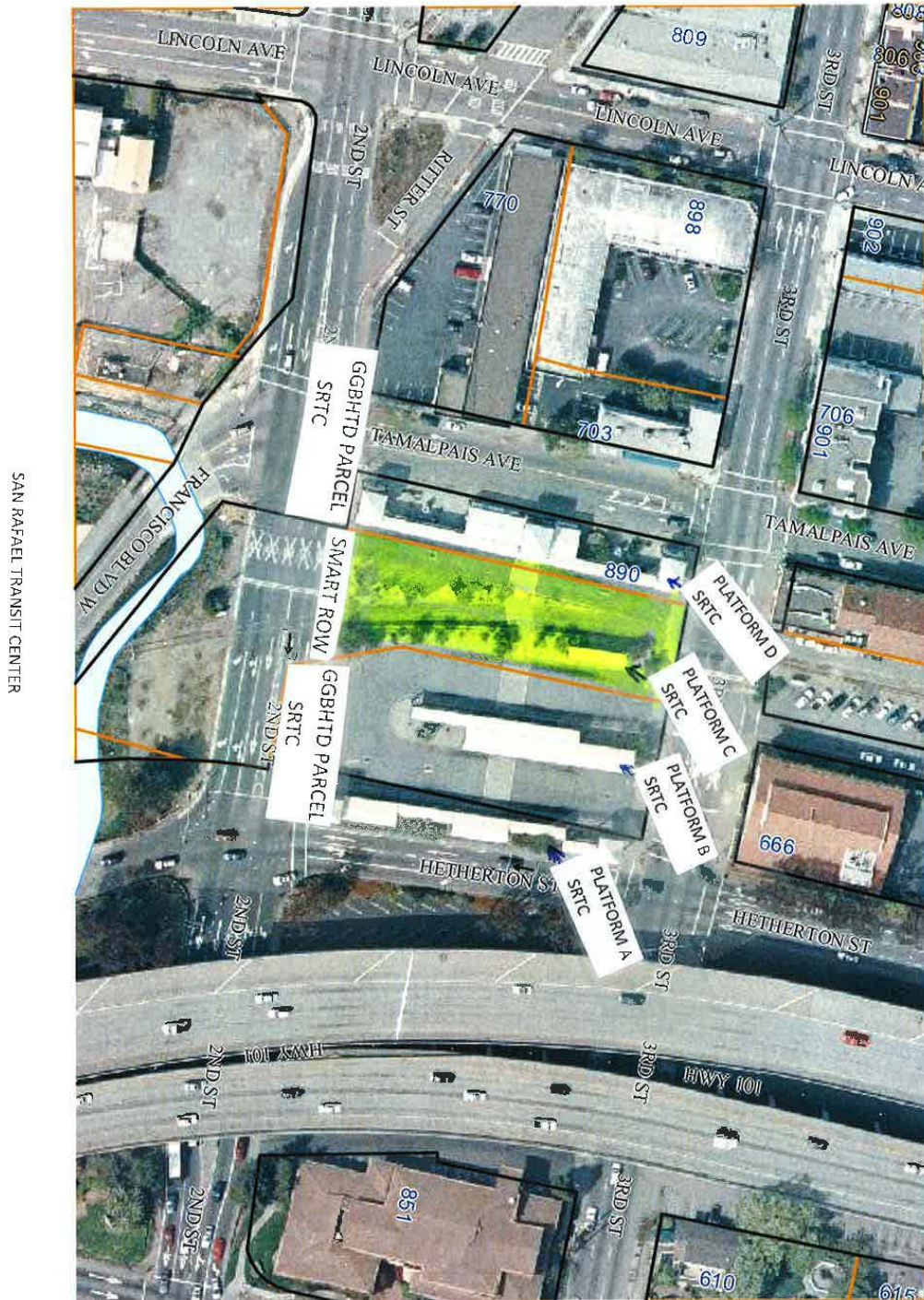
Margy T. Dixon
Attorney

THE UNDERSIGNED ESCROW HOLDER ACKNOWLEDGES ITS RECEIPT OF THE ORIGINAL DEPOSIT AND ONE EXECUTED COPY OF THIS AGREEMENT AND AGREES TO ACT IN ACCORDANCE THEREWITH.

ESCROW HOLDER:
TITLE COMPANY

[]

By: _____
_____, Escrow Office



January 20, 2006

Ms. Nina West
Sonoma-Marín Area Rail Transit District
4040 Civic Center Drive, Suite 200
San Rafael, CA 94903



Re: **Draft Environmental Impact Report (DEIR) for the Implementation of the Sonoma-Marín Area Rail Transit District Passenger Rail Service**

Dear Ms. West:

The Golden Gate Bridge, Highway and Transportation District (District) staff has reviewed the above-referenced document and offers the following comments as they pertain to District's transit services and facilities along the U.S. Highway 101 (US 101) corridor in Marin and Sonoma counties. These comments are ordered by subject matter, and specific page numbers are provided for your convenience in cross-references to the DEIR.

1. Project Description

- a. DEIR (Page 2-1) cites the "NWP corridor is owned by the SMART District from Milepost (MP) 68.22 in Healdsburg to the Ignacio Wye at MP 26.96 in Novato." The southerly limit of property currently owned by the Sonoma-Marín Area Rapid Transit (SMART) District is at MP 26.26 and is at Novato Creek, not Ignacio Wye. However, SMART also owns the RRROW parallel to Highway 37 from Ignacio Wye east to Lombard in Napa County.

2. Existing Transit Services

- a. DEIR (Page 2-5) cites transit services currently provided in Sonoma and Marin counties but does not mention the following services: Marin Stagecoach, Sally Shuttle in Sausalito, EZ Rider in Novato, and County Shuttle Connection between SRTC and Marin County Civic Center in San Rafael.
- b. District recommends the following edits (shown with underlining and strikethroughs):
 - 1) (Page 2-5, seventh paragraph, last sentence): "In addition to these primary bus services, GGT operates four additional services that are not included in the basic transit network: recreational service to Stinson Beach, seasonal service between Muir Woods and Marin City, ferry feeder service to Tiburon, special event service, and Club Bus. Special event service includes ferry service provided to San Francisco Giants home games, other special non-baseball events at the Giants home stadium, and to the Bay to Breakers races; and bus service to San Francisco 49ers home games. Club Bus services are subscription bus services to major employment centers in San Francisco. These services are partially subsidized by the District and are privately operated."
 - 2) (Page 2-6, second paragraph, fifth line): "Fixed-route intercity service is provided by Sonoma County Transit and by Golden Gate Transit to Marin, Contra Costa, and San Francisco."

1011 ANDERSEN DRIVE • SAN RAFAEL, CA 94901-5381 • USA

3. Golden Gate Transit (GGT) Ridership

- a. DEIR (Page 3-111) describes the proposed passenger rail service along the US 101 corridor and supplemental shuttle bus service to and from proposed station sites. Although DEIR describes potential impacts to GGT ridership on Route 75, there is no mention of potential loss (or gain) of remaining GGT bus and ferry ridership in Marin and Sonoma counties other than the statement that other routes "... are not likely to be affected". DEIR should state the forecasted increase (or decrease) in ridership on District transit services with the Proposed Project, the "No-Project Alternative," the "Express Bus Alternative" and the "Minimum Operable Segment (MOS) Rail Alternative."

4. Rail Shuttle Service

- a. DEIR (Table 2.5-6, Page 2-53) presents proposed shuttle services at each rail station site. Dedicated rail shuttle routes are proposed to complete a one-way loop in less than 30 minutes or the headway of the train service. One rail shuttle route is proposed to serve the SMART Larkspur rail station, San Quentin Prison, Larkspur Landing, Marin General Hospital and College of Marin. GGT's experience operating buses in this area prompts us to question the feasibility of a single vehicle operating this route in less than 30 minutes.

5. Grade Crossings and Street Impacts

- a. Although DEIR (Page ES-20) describes construction-related impacts related to ambient noise, vibration, and general traffic conditions; it does not mention potential construction-related impacts to existing GGT bus operations at the following grade crossings and streets:

- Andersen Drive, San Rafael
- Second Street, San Rafael*
- San Rafael Transit Center (SRTC), San Rafael*
- Third Street, San Rafael*
- Fourth Street, San Rafael*
- Los Ranchitos Road (N. San Pedro Road), San Rafael
- Civic Center Drive, San Rafael
- Hamilton Parkway, Novato
- Golden Gate Place, Novato*
- Golf Course Drive, Rohnert Park

DEIR should acknowledge that GGT operates bus service on a nearly "24/7" basis at the grade crossings shown with an asterisk (*). District is concerned that construction at these crossings may cause significant travel time impacts to GGT bus operation, not just at the grade crossing, but throughout the entire GGT network as delays ripple along the entire bus routes.

- b. In addition, construction-related impacts to GGT bus services may also occur at the following grade crossings after the City of Petaluma and Sonoma County Transit construct a new bus transit terminal on Copeland Street in Petaluma:

- D Street, Petaluma
- Washington Street, Petaluma

- c. As noted on Page 2-6, the Marin County Transit District (MCTD) is currently planning an expansion of bus transit services in Marin County. New routes may also be impacted by travel time delays generated by construction at grade crossings.
 - d. DEIR (Page 2-64) describes typical construction activities. DEIR should identify:
 - 1) How long a “short-lived” street closure is, and
 - 2) How construction at the SRTC is to be accomplished without disrupting GGT bus service, as well as other transit bus services.
 - e. To minimize impacts to GGT bus services and its customers, District requests that the “construction phasing/sequencing and traffic management plan” cited in the DEIR minimize street closures at the above-grade crossings and require close coordination with District staff. Specifically, it should also identify:
 - 1) How grade crossing construction will be staged (by segment), and
 - 2) Which streets will be closed entirely (requiring street detours) or remain partially open.
 - f. DEIR (Page 2-55) references several private crossings along the railroad right-of-way. It does not specifically mention the private crossing at Golden Gate Place (at approximately MP 28.3) that is used mostly by GGT buses, District employees and truck traffic accessing the GGT Novato bus yard and other industrial uses. The conditions of this crossing are poor and it should be upgraded and brought to standard as part of this project.
 - g. Although DEIR (Page ES-20) describes traffic-related impacts at intersections, it does not acknowledge operating impacts to GGT bus services at grade crossings mentioned above. What impacts of train operations (if any) are anticipated for GGT bus service at these grade crossings, given that buses, unlike general traffic, operate on fixed schedules that do not accommodate additional delay?
 - h. Any traffic signal improvements required by this project should not preclude the future possibility of transit signal priority along arterials with transit services.
- 6. Rail Stations/General Comments**
- a. DEIR (Page ES-4) describes the proposed rail stations as having “adequate space for bus bays.” It should be noted that the GGT bus fleet includes 30-, 40-, 45- and 60-foot coaches. These coaches have physical and operating characteristics (e.g. turning radii, lift location and deployment mechanisms, vertical clearance, and bicycle rack location and deployment mechanisms) that require various clearances not currently found in standard design manuals (i.e., California Department of Transportation [Caltrans] *Highway Design Manual*, and American Association of State Highway and Transportation Officials [AASHTO] *A Policy on Geometric Design of Highways and Streets* [“Greenbook”]). District requests that all bus facilities (e.g. bays and access roadways) to be utilized by GGT buses be designed to safely and efficiently accommodate its entire fleet. District requests review of final designs of bus facilities to be used by GGT.
 - b. Chapter 2 of the DEIR (Pages 2-36 to 2-52) provides schematic plans for the 14 proposed SMART station sites. It is not always clear from these schematic plans

where bus stops will be located, which bus routes are intended for these station sites, or which transit provider is expected to provide these services.

- c. In reviewing Appendix C, it appears that this detailed description of stations and possible impacts may not have been fully incorporated into the main body of the DEIR. For example, the detailed description of San Rafael downtown station refers to mitigations that are not identified in Chapters 2 and 3. District review and comments are focused on the main body of the DEIR.

7. Larkspur Ferry Terminal (LFT) Station

- a. DEIR (Pages ES-10 and 2-11) describes the location of the rail station that serves the Larkspur Ferry Terminal (LFT) “on the NWP right-of-way, directly behind the Marin Airporter (terminal).” Although Appendix C, “SMART Passenger Station Summaries” highlights this station site as “Not Recommended,” the DEIR cites this site as “preferred.” A rail station within the Larkspur Ferry Terminal (similar to the “Alternative 2 Station Concept Plan” shown in Appendix C) would provide superior transit connectivity between ferry and rail services at this location. Transfers between ferries and the right-of-way rail station site will be difficult since District estimates these transit passengers will be required: to walk approximately 1500 to 1600 feet (0.28 to 0.30 miles), use a path that is unprotected from the weather elements, use three or two crosswalks (signalized and unsignalized), and perform a grade level change.

DEIR does not state whether a new crosswalk across Larkspur Landing Circle West at Victoria Way (shown on Figure 2.5-27, Page 2-52) will require a new traffic signal.

DEIR also does not point out that the current traffic signal at Larkspur Landing Circle West and East Sir Francis Drake Boulevard, if actuated by a pedestrian, will increase the signal time for the Larkspur Landing Circle West approach at this intersection and increase traffic delay at this intersection. This intersection is the main access to LFT. During weekday evening peak periods, existing traffic conditions are frequently saturated, with very little pedestrian activity. Current plans to extend the left-turn lane for westbound Sir Francis Drake Blvd. traffic at the nearby intersection with northbound US 101 ramps will improve these conditions slightly. Nevertheless, a platoon of pedestrians at the Larkspur Landing Circle West intersection, however small, may have serious impacts to the operations of this intersection. It is District’s understanding that the existing pedestrian overpass on East Sir Francis Drake Boulevard was constructed by the City of Larkspur to redirect pedestrian and bicycle traffic from the signalized intersection. From traffic operations and transit connectivity standpoints, it is highly desirable to encourage pedestrian and bicycle access between the rail station and LFT across the existing pedestrian overpass.

It is not clear from the DEIR how traffic operations at the intersection of East Sir Francis Drake Blvd. and Larkspur Landing Circle West will vary for the three station sites considered for this location.

The rail station “directly behind the Marin Airporter (terminal)” also proposes a flight of stairs, escalators and a walkway between the station site and Larkspur

Ms. Nina West, SMART
January 20, 2006

Page 5

Landing Circle. It appears these pedestrian circulation elements may require District property (currently leased to Marin Airporter). Use of District property to improve access to the rail station site will result in a loss of revenue to the District and could impact our ability to use the property for ferry parking purposes in the future. Also, existing airport transportation services could be affected. Such impacts should be clarified and acknowledged in the DEIR.

Since transfers between ferries and a rail station “directly behind the Marin Airporter (terminal)” may not be deemed attractive by transit passengers, transfers between ferries and rail service could be low. From a transit connectivity perspective, a rail station site within LFT provides superior connectivity over to the DEIR preferred site and should be considered in a future phase if SMART trains are to service transbay travel.

- b. DEIR (Page 2-24) does not describe how the proposed bicycle/pedestrian pathway adjoining the Larkspur station would interface with a proposed bicycle path over Corte Madera Creek as described in the City of Larkspur’s Central Marin Ferry Connector Project report, March 2004.
- c. DEIR (Page 2-51) incorrectly states Marin Airporter “offers scheduled service daily between Marin County and San Francisco and Oakland airports.” Marin Airporter does not currently provide service to Oakland Airport. Service to Oakland Airport from Marin County is provided by Sonoma County Airport Express service at the SRTC.
- d. DEIR (page 2-52) presents conceptual shuttle routes to the LFT rail station. Although recognizing that it is a concept, District questions whether the shuttle stops for these services can be adequately accommodated on Larkspur Landing Circle as shown in Figure 2.5-27.

8. San Rafael Transit Center Station

- a. DEIR (Pages 2-13 and 2-53) describes how trains will operate on a 30-minute frequency to achieve better connectivity with GGT existing bus services at SRTC. GGT service will be supplemented by shuttle services at many rail station sites. Greater connectivity between transit services at SRTC will require many passengers to cross Third Street, either on the street level or via a proposed tunnel, as described on Page 2-48. Given the peak period concentration of train service, District concurs with the SMART proposal to time the majority of transfers between rail and bus to be from southbound morning trains to buses; and from buses to northbound evening trains. Hence, to facilitate transfers between modes to allow for train passengers to cross Third Street without interfering with buses arriving and departing on the pulse, and allow more time for the elderly, disabled and parents with young children,, it may be desirable to have southbound morning trains arrive prior to the bus pulse and northbound evening trains arrive after the bus pulse.
- b. DEIR (Table 2.5-5, Page 2-33) cites the SRTC does not have any existing, planned or funded park-and-ride spaces. Caltrans provides approximately 193 park-and-ride spaces on Hetherton Street (beneath US 101) between Third Street and Mission Avenue.

Ms. Nina West, SMART
January 20, 2006

Page 6

- c. District recommends the following edits (shown with underlining and strikethroughs):
- 1) (Page 2-48, first paragraph, second sentence) “The western portion of this block currently houses the administrative center for Whistlestop ~~Wheels Depot~~ Café and the primary dining venue and central kitchen...”
 - 2) (Page 2-48, first paragraph, fifth sentence) “Golden Gate Transit, Greyhound, Marin Airpoter, Sonoma County Airport Express, Sonoma County Transit, County Connection shuttle and taxicabs all serve this center. Transit riders can make connections between lines serving Marin, Alameda, Contra Costa, San Francisco and Sonoma counties.”
- d. DEIR (Page 2-48) presents two options for the San Rafael station site. Although both options call for the rail station to be located between Third and Fourth streets, “Option 1” has the majority of bus operations in the present location at SRTC (between Third and Second streets) whereas “Option 2” has several bus berths also located on the block between Fourth and Third streets. It is not clear from the DEIR how many transit passengers might transfer between trains and buses, or might be required to cross Third Street to transfer between buses. As this proposal develops, GGT and SMART staffs will need to decide how to facilitate these transfers, assign bus berths by route, and minimize the number of pedestrians crossing Third Street.
- e. There are a number of concerns pertaining to buses serving the SRTC as shown on the design concepts:
- 1) It is not clear whether bus routes will be required to be realigned on the streets surrounding SRTC. The design of many intersections near SRTC and the narrow curb-to-curb widths are such that many GGT buses cannot safely turn in this area. These geometric constraints limit the ability to realign bus routes. It is not clear whether SRTC buses can exit safely onto (or cross) Third Street with a new right-hand turn lane on southbound Hetherton Street (proposed for “Option 2”). District is concerned that changes to SRTC access/egress could result in an increase in traffic conflicts with buses, delay in bus service and additional service operating cost.
 - 2) It is not known whether buses from the new bus transit station (between Fourth and Third streets) can safely exit onto (or enter from) Fourth Street (left- or right-turns). Facilitation of bus maneuvers at this location may require installation of a westbound left-turn lane on Fourth Street (for entering buses) and/or a new signal on Fourth Street (between Hetherton and Tamalpais Avenue).
 - 3) It is not known if the reactivation of the grade crossings across Fourth, Third and Second streets will require additional travel times by buses serving the SRTC.
 - 4) Both design Options 1 and 2 appear to restrict the current ability of GGT buses to maneuver within the SRTC. Specifically it is not clear whether all GGT buses will be able to maneuver from southbound Platform B to northbound Platform C or serve either of these two platforms.
 - 5) Design Option 2 calls for a new right-turn lane for southbound Hetherton Street. It appears the second lane from the right (shown as a through-traffic lane in Figure 2.5-25) may be aligned with the downstream bus loading lane on Platform A, which is not a desirable option.

- 6) Figure 2.5-26 presents a Third Street pedestrian undercrossing for Option 2. This feature should minimize the number of pedestrians crossing Third Street at-grade. However, this undercrossing requires structural modification to the existing roof over Platform A. Since this figure is not to scale, it is not known whether the existing northbound and southbound loading berths on Platform A may remain fully operational, whether a wheelchair lift can be fully deployed, and whether an 8-ft. by 5-ft. clear zone (required by ADA) is possible.
- 7) DEIR should indicate which agency shall be responsible for maintenance of the proposed underpass and elevators.
- f. DEIR (Page 5-9) correctly characterizes "Traffic impacts associated with the station location and train operations in downtown San Rafael" to be "areas of known concern." Similarly, it characterizes "Effects on bus transit" to be "areas of known concern."

In summary, there appear to be a number of possible significant impacts on the SRTC and related bus operations associated with the downtown San Rafael rail station that are not identified and addressed in the DEIR. Many of these will have cost impacts to your project that we believe must be identified now so that the EIR clearly encompasses the full scope of the rail project. To avoid a separate EIR for just the San Rafael Transit Center, perhaps this section could be expanded to a level of detail that allows impacts to be identified and mitigations proposed.

9. Novato North Station

- a. DEIR (Page 2-46) presents a schematic plan for this station site. Since this site is very constrained, the plan shows bus drop-off points immediately next to angled parking. GGT experience has shown that similar parking configurations with active driveways for buses can be problematic from both operational and safety perspectives.

10. Downtown Petaluma Station

- a. DEIR (Page 2-21) cites the proposed bicycle/pedestrian pathway "would continue on Copeland Street to D Street, just south of the Downtown Petaluma Station." No mention is made of a new City of Petaluma and Sonoma County Transit-sponsored bus transit center and inter-modal facility that is to be constructed on Copeland Street which might impact the viability of a safe bicycle pathway on this section of Copeland.

11. Rohnert Park Station

- a. DEIR schematic plans (Page 2-41) for this station site show bus stops on Roberts Lake Road in their current location. To facilitate connectivity between rail and bus service, consideration should be given to relocating these bus stops to the entrance of the joint park-and-ride lot/rail station. To facilitate transfers to buses operating northbound on Roberts Lake Road, consideration should be given to the installation of a new traffic signal at this location.

12. Santa Rosa Railroad Square Station

- a. (Page 2-38) Since it is approximately 2800 feet (0.53 miles) between the Downtown Santa Rosa station site and the Santa Rosa Transit Mall, where City Bus, Sonoma

County Transit and GGT provide services, how will transit connectivity be provided between SMART rail and these existing bus transit services?

13. Cloverdale Station

- a. DEIR (Page 2-18) appears to have erroneously described the public grade crossing at Citrus Fair Drive as an “at-grade” crossing. Citrus Fair Drive is grade separated and is situated below the railroad right-of-way.

14. Project Review and Approvals

- a. DEIR (Table 2.10-1, Page 2-70) presents a listing of regulatory agencies required to obtain permits for this project. Although not a regulatory agency, District would expect any necessary modifications to its facilities to require a complete and thorough review and approval by the District and to be consistent with the railroad property transfer agreement between the two agencies.

15. Express Bus Alternative

- a. DEIR (Page ES-10) describes three hypothetical intercounty bus routes as part of the Express Bus Alternative. Specifically, the DEIR states “Two new freeway bus pads would be located at Highway 101/Steele Lane interchange in Santa Rosa and Highway 101/State Route 116 (Gravenstein Highway) interchange in Cotati.” In addition, DEIR (Pages 4-22 and 4-23) describes the “Super Express Bus Route” stopping at four bus pads (Santa Rosa, Cotati, Novato and San Rafael) and four off-freeway transit centers (Cloverdale, Healdsburg, Windsor and Larkspur). District would like to know the rationale for the specific service design of the express bus alternative so as to be able to comment most appropriately on this section of the EIR.

16. Minimal Operable Segment (MOS) Rail Alternative/San Rafael Transit Center Impacts

- a. DEIR (Pages ES-10 and 4-34) describes the southern terminus of the MOS Rail Alternative to be “Downtown San Rafael.” Since the DEIR states (Page 4-35) “Physical impacts associated with the MOS Rail Alternative would be the same as those for the proposed project within the limits of the MOS segment,” it is assumed the southern terminus station for this rail alternative will be located between Fourth and Third streets, as indicated for the Proposed Project on Page 2-24. Therefore, it is also assumed this alternative calls for construction of a second track (i.e., a “tail track”) crossing Third Street through the SRTC (between Third and Second streets), across Second Street and West Francisco Blvd. as indicated in Figures 2.5-25 and 2.5-16.
 - 1) Section 4.5.2 of the DEIR cites “impacts” associated with this alternative. While no mention is made of impacts to SRTC, if the above trackage assumptions are correct, the “tail track” may result in significant impacts to bus operations at SRTC by eliminating two heavily-utilized bus berths on “Platform C” and severely restricting, if not eliminating, the ability of GGT buses to circulate between southbound Platform B and northbound Platform C. Once again, it is not known whether turning characteristics of GGT’s entire bus fleet have been adequately considered in your discussion of the SRTC.

Ms. Nina West, SMART
January 20, 2006

Page 9

While provision of a "tail track" may be more efficient from a rail operations standpoint, District suggests that SMART consider a two-track "stub-end" rail terminal at Third Street that would not require installation of rail across Third Street through SRTC, across Second Street and West Francisco Blvd. A stub-end terminal could eliminate most impacts to SRTC operations and either eliminate or minimize traffic impacts on streets adjoining SRTC. Given the level of rail service proposed for this alternative, it appears that a two-track stub-end terminal at Third Street could be operationally adequate for SMART, lower SMART project costs, eliminate impacts to GGT bus services at SRTC, eliminate some construction-related impacts, and mitigate potential traffic impacts to several streets surrounding SRTC.

- 2) Section 4.5.2 of the DEIR does not mention required structural changes to SRTC associated with a proposed underpass (described on Figure 2.5-26) and potential operational impacts at SRTC previously mentioned.

It appears to District that the SMART project could result in significant impacts on the SRTC and many bus operations. Specific mitigation of these impacts should be identified in the DEIR.

District staff appreciates the opportunity to comment on the DEIR for this project and wishes you success in moving forward with this project. We also recognize and appreciate that the SMART project brings with it many other potential benefits besides passenger rail service to the railroad corridor, such as upgraded drainage that may benefit flood prevention and replacement of old bridges that may benefit navigation of waterways, particularly the Haystack Landing Bridge.

Please call me or Principal Planner Maurice Palumbo at (415) 257-4431 if you have questions.

Sincerely,



Alan R. Zahradnik
Planning Director

ARZ/MJP/kmp

c: Celia G. Kupersmith
David J Miller
Teri Mantony
Susan C. Chiaroni
Jim Swindler
Denis J. Mulligan
Maurice P. Palumbo
Suzanne Wilford, SCTA
Dianne Steinhauser, TAM
Amy Van Doren, MCTD

H:\P\GRail\SMART\DEIR comments final.doc



September 12, 2014

Mr. Farhad Mansourian
General Manager
Sonoma-Marin Area Rail Transit (SMART)
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Dear Farhad:

The District and Marin Transit appreciate the opportunity provided to the transit agencies of Marin and Sonoma Counties to review the 65% design plans for SMART stations in the two counties.

Our transit agencies embrace the concept of inter-operability of transit modes at the SMART stations. Locally in Marin County, Marin Transit has identified opportunities in its planning efforts to improve transit connectivity by adjusting local service to serve all four new SMART stations. Accommodation of transit within or adjacent to these stations will provide the functionality of an intermodal hub and will benefit all users of both rail and bus transit. Providing seamless connectivity between all transportation modes will enhance ridership and customer satisfaction.

Having jointly reviewed the plans, along with the May 7th meeting minutes, we offer the following overall comments for your consideration as you enter the final station design phase. While we recognize that some of these comments and potential solutions may apply to areas outside your right-of-way, we ask for your partnership with us and the local jurisdictions to identify enhancements to your plans that create a truly multi-modal station. Additional detailed engineering analysis is provided in the attached memo.

1. Currently the closest bus stop to the Hamilton Station is at Hamilton Theater (~0.3 miles). Paired bus pull outs on Main Gate Road, adjacent to the station, would facilitate transfer opportunities between the train and the four local services that currently pass by the future Hamilton Station. Crossing treatments along Main Gate Road between these paired stops should be coordinated with the City of Novato and consistent with SMART's multi-use path crossing of this roadway.
2. We appreciate the addition of a bus stop and turn around capability at the Atherton station. The current configuration needs to be reviewed to ensure that our 40' and 45' buses are able to make the turn to exit the station. Recognizing the challenges of the narrow right-of-way at this station, we would encourage a larger discussion that includes City of Novato staff and SMART to identify other solutions that would allow our equipment to reorient in the adjacent area while still providing convenient passenger pickup and drop-off.
3. We would like to work with SMART to develop a plan for providing for adequate transit access to allow for any future bridge bus services that may be needed in the event of rail service interruptions.

BOX 9000, PRESIDIO STATION ♦ SAN FRANCISCO, CA 94129-0601

4. We would also like to work with SMART to designate within each of the stations a safe location for paratransit drop-offs.
5. Additional consideration should be given to designating separate shuttle drop off and private passenger drop off locations (kiss and ride) that don't compromise current or future transit operations. Downtown San Rafael and San Rafael Civic Center are two stations where no accommodation is shown for these functions.

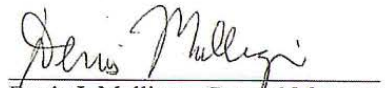
We appreciate SMART's goals to balance functionality within available funding. We also understand that there are trade-offs in any constrained site. While our comments acknowledge and respect these goals, we would ask that the items above be included in your priority list of project improvements to ensure fixed route bus connectivity could occur on the first day of train operations.

Let's not miss this opportunity to provide seamless connectivity between rail, bus, paratransit, bicycles, taxis and pedestrians. The potential impacts and opportunities new construction and new rail service will provide to transit service along the US 101 corridor should be foremost in designing stations that maximize future ridership potential.

Again, we offer these comments in the spirit of continuing coordination and cooperation between our agencies.

We look forward to your feedback and next steps in addressing these matters.

Sincerely,



Denis J. Mulligan, General Manager
Golden Gate Bridge, Highway & Transportation District



Nancy Whelan, General Manager
Marin Transit

- c:
- Nader Mansourian, City of San Rafael
 - Russ Thompson, City of Novato
 - Anthony Williams, City of Novato
 - Bryan Albee, Sonoma County Transit
 - Joe Rye, Petaluma Transit
 - Ron Downing, Golden Gate Bridge Highway & Transportation District

BOX 9000, PRESIDIO STATION ♦ SAN FRANCISCO, CA 94129-0601

MEMORANDUM

To: Denis J. Mulligan, General Manager

From: Maurice Palumbo, Principal Planner
Ray Santiago, Senior Planner

Date: August 19, 2014

Subject: **GGBHTD COMMENTS ON SMART 65% STATION DESIGNS**

GENERAL COMMENTS

• **65% Station Designs**

As architectural plans, the 65% "Design Package 4" does not include details pertaining to bus stop locations, traffic signing, striping, traffic signal installation or signal timing plans.

We request to receive other available "Design Packages" with this information. This information will allow Golden Gate Transit (GGT) and Marin Transit (MT) to identify:

- Potential impacts to existing bus operations
- Opportunities for future bus services to and from SMART stations.

• **SMART Extension to Larkspur**

Drawing 1TR101 from the City of San Rafael package indicates mainline tracks that cross 3rd Street and impacts SRTC Platforms C and D. While GGBHTD concurs with the principle of extending SMART to Larkspur, it also appreciates the termination of SMART service at 3rd Street in San Rafael may be short lived.

Since Drawing 1TR101 indicates mainline tracks will cross 3rd Street and appears to impact the functionality of SRTC Platforms C and D, we strongly request SMART coordinate with GGBHTD with regards to:

- Design and construction that will impact GGT property and bus operations at SRTC
- Signal timing along 4th, 3rd and 2nd streets both prior and subsequent to the SMART extension to Larkspur and its impact on traffic circulation.

• **SMART Projections**

We understand SMART will have new data on September 10th relative to:

- Origin and destination
- Mode of access to/egress from SMART stations.

Please share this information with GGT and MT as soon as it becomes available, as it will assist in identifying demand for station parking and shuttle services.

• **Intermodal Connectivity**

Golden Gate Transit and Marin Transit believe the success of SMART will greatly depend on seamless connectivity between rail services, existing bus services, paratransit services, bicycle trails and pedestrian paths of travel. In order to achieve this success, SMART station plans should identify and enhance connectivity between all modes of

Memorandum To: Denis J. Mulligan
 RE: GGBHTD COMMENTS ON SMART 65% STATION DESIGNS
 August 19, 2014
 Page 2

travel. A specific loading and unloading area for paratransit services should also be identified in these plans.

- **SMART “Bus Bridge”**

In the event rail service is ever disrupted, it is assumed SMART will deploy a “Bus Bridge” for continuing transit service along the US 101 Corridor. We believe all SMART stations should be able to accommodate Bus Bridge services. The following is not clear from the 65% plans:

- Where are the Bus Bridge loading and unloading locations?
- Is SMART developing contingency plans for Bus Bridge service:
 - Southbound during morning periods?
 - Northbound during evening periods?
 - Both directions during midday service?
- Is southbound Bus Bridge service expected to terminate in downtown San Rafael, Larkspur Ferry Terminal or both?

- **Bus Turning Radii**

In the event 40-, 45- or 60-ft buses will need to serve SMART stations, our review has identified the inability (or difficulty) by these buses to enter (or exit) the station site and/or maneuver within the site. Station site plans should be revised to allow the maximum operating flexibility by allowing all types of buses to serve *every* SMART station in Marin and Sonoma County. Comments specific to a station are identified below.

- **Bus Stop Amenities**

In general, SMART plans provide shelters for the rail platform and none for adjoining bus stops (within or outside of the SMART right-of-way). Shelters are low-cost enhancements that facilitate connectivity between SMART and bus services. We also request conduit be provided to accommodate future installation of equipment for real-time bus information—in addition to real-time rail information.

- **Construction Staging**

GGBHTD and Marin Transit require at least two weeks notice of any street closures, bus stop relocations, bus stop closures or other construction activities that will be disrupt GGT and/or Marin Transit bus services near SMART stations.

SAN RAFAEL – DOWNTOWN STATION

- **Station Access and Egress**

Please share plans or information relative to:

- Bus/shuttle stop locations for:
 - Larkspur Ferry Terminal
 - Whistlestop services
 - Kiss-and-ride
- Pedestrian railing/barrier along 3rd Street to deter midblock crossings
- How will pedestrians leaving the Downtown Station know (from the sidewalk)

Memorandum To: Denis J. Mulligan
RE: GGBHTD COMMENTS ON SMART 65% STATION DESIGNS
August 19, 2014
Page 3

- which platform the “next train” will leave the station?
 - Installation of dual right turn lanes from Hetherton onto 3rd Street
 - Signal timing plans for Hetherton and 3rd Streets (e.g., has an all-red pedestrian phase or a pedestrian leading cycle been considered and evaluated?)
 - Plans for signal operation along 4th, 3rd and 2nd streets prior to extending rail service to Larkspur
 - Plans for signal operation along 4th, 3rd and 2nd streets following the extension of rail service to Larkspur
 - Street direction of Tamalpais Avenue (West)
- **Tamalpais Avenue East (TAE) – Street Width**

Drawings (4GA100, 4GE003, 4C110) suggest a curb-to-curb width of “Tamalpais Avenue East” (TAE) to be 14-feet. While TAE appears to continue to be a public street, this width suggests no stopping will be allowed. The minimum width of TAE to accommodate through traffic and curbside loading/unloading areas is approximately 18-ft. Please verify (or identify):

 - The proposed curb-to-curb width of TAE
 - There will be no loading/unloading of passengers along TAE
 - There will be no bus stops along the east curb of TAE
 - There will be no new bus shelters for TAE or any other location for this station
 - GGT buses may continue to utilize TAE to allow access between the San Rafael Transit Center (SRTC) and Fourth Street
 - How buses (or traffic)—turning left from northbound TAE onto westbound 4th Street—will queue when the 4th Street grade crossing is activated
 - Traffic signal operating plan for the intersection of 4th Street and TAE
 - **Tamalpais Avenue East (TAE) – Turning Radii**

Preliminary review by GGBHTD staff has identified the inability by 40-ft buses (or longer) to turn:

 - right from 3rd Street onto TAE
 - right from TAE onto 4th Street

Plans should be revised to accommodate these turns to maintain operating flexibility for GGT services and enhance connectivity between SMART and all bus services.

SAN RAFAEL – CIVIC CENTER STATION

- **Station Access and Egress**

Drawing 4C210 lacks a base map which shows the station relative to adjacent roadways and surrounding geography
- Plans should clearly indicate roadway features that affect pedestrian and vehicular access to and egress from the SMART station in addition to the grade crossing operation on Civic Center Drive. Roadway features include:
 - Bus stops for transit services

Memorandum To: Denis J. Mulligan
 RE: GGBHTD COMMENTS ON SMART 65% STATION DESIGNS
 August 19, 2014
 Page 4

- Loading and unloading location for paratransit services
 - Bus shelters
 - Station parking and drop-off areas
 - Curb lines
 - Sidewalks
 - Pedestrian access routes between bus stops and SMART station
 - Pedestrian signal indications
 - Roadway striping (e.g., lane lines, grade crossing markings, crosswalks)
- GGBHTD and Marin Transit have jointly reviewed plans by Marin County DPW for Civic Center Drive. The following summarize our shared comments and suggestions to Marin DPW:
 - The length of the new bus stops (120ft northbound and 80ft southbound) are adequate to support Marin Transit's current and future services on Civic Center Drive. However, there does not appear to be adequate space for shuttle services originating or terminating at these bus stops.
 - The potential to increase use of these stops appears to warrant shelters at both bus stops and other amenities (such as real-time signs and trash receptacles). Shelters are low-cost solutions to facilitate transfers between bus and rail services at all SMART station sites.
 - Plans show a Cycle Track on the southbound sidewalk of Civic Center Drive. A shelter for the southbound stop will facilitate passenger queuing and provide greater separation between bicycles and waiting bus customers.
 - It appears the existing bus stop on northbound Civic Center Drive and east of Peter Behr/Memorial Drive will lack sidewalk access during project construction. How will access to this bus stop be maintained if this stop remains in service?

NOVATO – HAMILTON STATION

- **Station Access and Egress**
 Given existing bus services on Main Gate Road, station plans should accommodate new bus stops on Main Gate Road to increase connectivity between bus and rail services.
- Station plans should clearly indicate and include the following roadway features:
 - Bus stops near the station entrance on Main Gate Road
 - Loading and unloading location for paratransit services
 - Pedestrian access routes between bus stops on Main Gate Road and this station
 - Bicycle routes between Main Access Rd and the bicycle path adjoining the railroad right-of-way
 - Crosswalks at the station entrance on Main Gate Road
 - Traffic pavement markings at the station entrance on Main Gate Road
 - Traffic and pedestrian signal indications at the station entrance on Main Gate Road
- Preliminary review by GGBHTD staff has identified difficulty by 40-ft buses (or longer)

Memorandum To: Denis J. Mulligan
RE: GGBHTD COMMENTS ON SMART 65% STATION DESIGNS
August 19, 2014
Page 5

to:

- Turn right (or left) from Main Gate Road into the station site
- Ability to exit the station site.

Plans should be revised to accommodate these turning movements in order to enhance connectivity between SMART and bus services.

- **Station Site Plan**

Drawings 4GA300 and 4C350 are station site plans.

- Both plans designate a “Taxi, Shuttle, Kiss and Ride, Drop Off/Turnaround” on the north end of the station site. Preliminary review by GGBHTD has identified the inability or difficulty by 40-ft buses (or longer) to turn within the station site. Plans should be revised to accommodate turns by buses in order to enhance connectivity between SMART and all bus services.
- The north (or right) side of Drawing 4C350 shows a 30-ft entrance road reserved for buses, taxis and drop-offs. This drawing also shows an 8-ft “pathway” and an adjoining 10ft-6in space. Since a bus will load and unload passengers in this area—the 10ft-6in space should be a hard surface (such as concrete) in order for a bus to adequately deploy a wheelchair lift.
- Drawing 4C350 also shows a 20-ft departure road for buses, taxis and drop-offs. This drawing shows a 6-ft space between the departure road and accessible parking. In the event parking for this station proves to be inadequate and more reliance and additional access to and from this station is desired, plans should consider widening the 20-ft departure road and the adjoining 6-ft space to accommodate additional transit services (and wheelchair deployment areas) at this station.
- Plans show a covered “Transit Plaza” adjoining the station platform. Will there be any shelters (or similar covered areas) for bus stops at the entrance or departure roads?
- Shade trees should not include species with wide canopies as they will interfere with passing buses and other tall vehicles
- It is not clear if the “pathway” (shown on Drawings 4C300 and 4C351) is intended for pedestrians only, bicycles only, or a shared path. Plans should clearly indicate the designated bicycle path between Main Gate Road and the 8-ft “pathway” shown on Drawings 4C300 and 4C351.
- Plans should accommodate a clear separation for bicycle paths that are adjacent to queuing areas for bus, taxi and pick-up areas.
- Plans should accommodate bike paths that are behind shelters for buses, taxis and pick-ups; thereby minimizing conflicts between pedestrians and bicycles.

NOVATO – ATHERTON STATION

- **Station Access and Egress**

Drawing 4AG400 lacks a base map which shows the station relative to adjacent roadways and surrounding geography

- Drawing 4C451 shows a bus pullout, internal to the station site, that is approximately 60ft in length. Consideration should be given to:

Memorandum To: Denis J. Mulligan
 RE: GGBHTD COMMENTS ON SMART 65% STATION DESIGNS
 August 19, 2014
 Page 6

- Extend the on-site bus pullout to allow more than one bus to serve this station simultaneously
- Revise pavement markings on Redwood Blvd. to allow buses to legally enter and exit the station site from southbound Redwood Blvd
- Create additional bus stops on northbound and southbound Redwood Blvd. to serve this station
- Provide pedestrian access between this station and a new bus stop on southbound Redwood Blvd

Station Site Plan

- Preliminary review by GGBHTD staff has identified the inability by 40-ft buses (or longer) to serve the station bus pullout and leave the site at the exit driveway onto Redwood Blvd. Exit driveway should be widened and moved to the north to facilitate this movement by a GGT 45-ft MCI coach.
- Please clarify the purpose of the “Vehicle Turn-Around” at the north end of the station site. If this turn-around is not required for site circulation, additional parking may be created in that area instead.
- Plans should indicate the location for on-street bus stops and pedestrian access to and egress from on-street bus stops
- Plans should indicate loading and unloading location for paratransit services

The following are GGBHTD comments relative to the Downtown Petaluma station.

PETALUMA – DOWNTOWN STATION

- **Station Access and Egress**
 Past planning efforts for railroad property on the block bounded by Washington Street, Lakeville Road, D Street and Copeland Street (including the Petaluma Station Area Plan) called for a Transit-Orientated Development (TOD) that would encourage transit ridership to downtown Petaluma and facilitate connectivity between rail and bus services at the Downtown Station. Although the development of SMART’s downtown property may not coincide with SMART’s station construction and service planning efforts; direct pedestrian access (even if temporary) that facilitates transfers and minimizes the distance between the rail station and the bus transit facility on Copeland Street (currently more than a 500ft walking distance) should be accommodated on SMART’s downtown property until a TOD materializes.
- Plans suggest buses on southbound East Washington Street will be able to turn left onto Lakeville Road in the event the grade crossing gates are activated. Is this correct?
- While it is assumed a right turn from Lakeville Rd onto southbound East D Street will be prohibited while railroad gates are activated, Drawing 4GA500 does not appear to indicate a gate prohibiting this turn.

Memorandum To: Denis J. Mulligan
RE: GGBHTD COMMENTS ON SMART 65% STATION DESIGNS
August 19, 2014
Page 7

Station Site Plan

- Plans should indicate the location for on-street bus stops and pedestrian access to and egress from on-street bus stops
- Plans should indicate loading and unloading location for paratransit services

Golden Gate Bridge Highway and Transportation District

The bulk of the Bridge District's comments concern two principal issues: 1) the 2005 Memorandum of Understanding (MOU) between the Bridge District and SMART; and 2) the conceptual railway alignment design and the extent to which potential effects of SMART service are evaluated in the EA. A general introduction concerning both of these issues is presented here as context to the detailed responses provided below.

While the EA does not specifically reference the MOU between SMART and the Bridge District, SMART recognizes that the MOU defines the parameters of SMART's relationship with the Bridge District, and defines the agreements, rights, and responsibilities of both parties with respect to the SMART right-of-way (ROW). SMART is committed to working with the Bridge District within the parameters in the MOU. A summary of the MOU's agreements and conditions is included in the additions and corrections portion of this Addendum, and the full MOU has been attached to the Finding of No Significant Impact.

Some reconfiguration of the San Rafael Transit Center (SRTC) will be required as SMART rail service is introduced in the area, and some of those modifications could affect operations at the SRTC. This acknowledgement of potential impacts is included in the corrections and additions portion of this Addendum. While the project definition as it currently exists does not contain the level of detail needed to respond to many of the specific points that were raised in the Bridge District's comments, the MOU anticipated that "redesign, relocation, construction and/or reconstruction of existing or new improvements" would be needed as part of the SMART project's development [see MOU Section 4.1(b)]. The MOU sets out the processes by which the required improvements will be carried out, and also specifies that SMART and GGBHTD will "work cooperatively to maximize federal, state, and local funding opportunities to pay for construction of the improvements." SMART will work with the GGBHTD in the manner specified in the MOU.

Following the FTA's NEPA approval of the project, SMART will continue to refine the engineering design and consideration of circulation and access features in coordination with the Bridge District, the City of San Rafael, the City of Larkspur, and other relevant parties. With respect to the Bridge District's facilities and operations, the MOU provides the framework for how that process will move forward.

Response to Comment 3-1

As indicated in the introduction above, some reconfiguration of the SRTC will be required as SMART rail service is introduced in the area, and some of those modifications could affect operations at the SRTC. This acknowledgement of potential impacts is included in the additions and corrections portion of this Addendum. SMART will continue to refine the engineering design and consideration of circulation and access features at the SRTC with the Bridge District, its tenants, and the City of San Rafael. The MOU provides the framework for how that process will move forward.

Response to Comment 3-2

SMART recognizes that the MOU defines the parameters of SMART's relationship with the Bridge District, and defines the agreements, rights, and responsibilities of both parties with respect to the SMART ROW and the properties retained by the Bridge District. SMART is committed to working with the Bridge District within the parameters in the MOU.

With respect to the anticipated impacts at the SRTC, some reconfiguration of the facility will be required as SMART rail service is introduced in the area, and some of those modifications could affect operations at the facility. This acknowledgement of potential impacts is included in the corrections and additions portion of this Addendum. As noted in the introduction above, the MOU sets out the processes by which required improvements will be carried out, and also describes the working relationship between SMART and the Bridge District as the design process moves forward. SMART is committed to working with the Bridge District and other transit providers during the design phase to ensure safe and effective transit operations in the area.

Response to Comment 3-3

Please see the introduction to these responses, as well as the responses to comments 3-1 and 3-2.

Response to Comment 3-4

The additional information provided in the comment from the Bridge District is included in the corrections and additions portion of this Addendum.

Response to Comment 3-5

Please see the introduction to these responses, as well as the responses to comments 3-1 and 3-2. SMART is committed to working with the Bridge District and other transit providers during the design phase to ensure safe and effective transit operations in the area.

Response to Comment 3-6

Conceptual design drawings depicting the West San Francisco Boulevard “flip” were provided in Appendix G of the circulated EA. With respect to the Proposed Action’s potential impacts at the SRTC and elsewhere, please see the introduction to these responses, as well as the responses to comments 3-1 and 3-2. SMART is committed to working with the Bridge District and other transit providers during the design phase to ensure safe and effective transit operations in the area. Potential effects to environmental justice communities, including low-income populations, are addressed in Section 3.12, Socioeconomics and Environmental Justice, of the EA. As reported in Section 3.12.3 of the EA, implementation of the Proposed Action would not disproportionately affect environmental justice communities in the Proposed Action area.

Response to Comment 3-7

As stated in the EA on page 3.13-3 and on page 11 of the Traffic Impact Study (provided as Appendix F of the EA), the intersections that were studied represented locations where the Proposed Action’s operations could potentially affect traffic. Intersections north of the Downtown San Rafael Station (i.e., Fourth Street, as suggested by the Bridge District) are located within the locally-funded SMART project limits. This project is currently under construction, and revenue service is expected to begin in late 2016. Train headways and associated traffic impacts along the locally-funded SMART project will not change if the Proposed Action is implemented, and traffic-related impacts associated with that project’s operations will occur regardless of whether the Proposed Action is constructed. As such, intersections north of the Downtown San Rafael Station were not studied, because the Proposed Action would not create any new traffic effects at those locations.

With respect to potential traffic impacts along Andersen Drive, five intersections along Andersen Drive were analyzed in the EA. Table 3.13-6 lists the intersections that were studied and their Level of Service (LOS) under existing conditions. Table 3.13-15 lists the intersections and Existing Plus Project conditions. As shown in the table, one intersection (Bellam Boulevard/Andersen Drive) is anticipated to operate at unacceptable LOS (LOS E). However, the City of San Rafael determined that although the LOS at the intersection of Bellam Boulevard/Andersen Drive would worsen from LOS D to LOS E, the change in intersection delay (1.5 seconds) would be negligible. Therefore, the Proposed Action is not expected to result in any additional adverse effects on traffic conditions along Andersen Drive.

SMART is cooperating with the City of San Rafael to integrate the rail signaling system with the City's traffic signal operations. SMART will work with all area stakeholders to ensure that traffic operations in the area are not adversely affected by SMART passenger rail operations. SMART is committed to working with the City, the Bridge District, and other affected parties during the design phase to ensure safe and effective traffic movement in the area.

The additional information in the comment regarding parking arrangements at the existing Caltrans park-and-ride lots in the area is included in the corrections and additions portion of this Addendum.

Response to Comment 3-8

The proposed Andersen Drive crossing is being advanced by the City of San Rafael. Under the conditions contained in the 1997 California Public Utilities Commission (CPUC) order concerning the Andersen Drive crossing, the City is responsible for securing continuing authority to use the crossing for automobile traffic once rail service resumes. As such, the City bears the burden of proving that any modifications it proposes to accommodate rail service through the crossing will meet the CPUC's standards for safety. As described in the EA, the City's proposed plan contains a number of features to ensure safe operation at the crossing. Further, SMART has agreed to limit the speeds of its rail vehicles to 15 miles per hour through the crossing. The clear sight distance approaching the crossing in both directions would be in excess of 1,000 feet, more than twice the distance required for the train to come to a full stop from 15 miles per hour. These clear sight distances would also be available to school and transit bus operators as they approach the crossing.

Ultimately, the CPUC has sole authority in determining whether the City's proposed crossing meets the CPUC's standards for safety. Preliminary discussions between the City and CPUC staff indicate that the City's proposal will meet the CPUC's requirements. If approved, the crossing would be authorized for use by all modes, including school and transit buses.

Response to Comment 3-9

The reference in the EA to the southbound Andersen Drive restriping between West Francisco Boulevard and Bellam Drive is an error. The information is amended in the corrections and additions portion of this Addendum.

Response to Comment 3-10

SMART has been advised that the City has been working with Caltrans with respect to signal preemption at the intersection of West Francisco Boulevard and southbound US 101. Based upon this coordination, Caltrans may be agreeable to such an arrangement.

Response to Comment 3-11

The description of advanced preemption provided in the EA is adequate in that it allows the reader to understand the essential nature of advance preemption and what it is intended to accomplish. The technical elements of advance preemption and other types of advance signaling technology are beyond the scope of the EA.

Response to Comment 3-12

The EA acknowledges the Bridge District's ownership and operation of the Larkspur Ferry Terminal on page 3.13-9.

Response to Comment 3-13

SMART is aware of the 2005 MOU's provisions concerning the Bridge District's facilities in the vicinity of the proposed Larkspur Station. SMART is committed to working with the Bridge District within the parameters in the MOU.

Response to Comment 3-14

SMART is aware of the Bridge District's ownership of certain parcels in the vicinity of the proposed Larkspur Station. SMART is also aware of the Bridge District's use of the SMART ROW for overflow parking use and the MOU conditions under which that use can be terminated. SMART has made no claims concerning right of use of the Bridge District's property at 300 Larkspur Landing Circle (the existing Marin Airporter site).

The conceptual design elements relating to the project's design remain to be studied and resolved. SMART will continue to refine the engineering design and consideration of circulation and access features in coordination with the Bridge District, the City of Larkspur, and other relevant parties.

Response to Comment 3-15

The additional information provided in the comment regarding existing passenger capacity on the Golden Gate Ferry is included in the corrections and additions portion of this Addendum.

Comment #4



781 Lincoln Avenue
Suite 160
San Rafael
California 94901

Phone: 415/226-0815
Fax: 415/226-0816

www.tam.ca.gov

Belvedere
Sandra Donnell

Corte Madera
Diane Furst

Fairfax
John Reed

Larkspur
Dan Hillmer

Mill Valley
Stephanie Moulton-Peters

Novato
Madeline Kellner

Ross
P. Beach Kuhl

San Anselmo
Ford Greene

San Rafael
Gary Phillips

Sausalito
Tom Theodores

Tiburon
Alice Fredericks

County of Marin
Damon Connolly
Katie Rice
Kathrin Sears
Steve Kinsey
Judy Arnold

February 5, 2015

Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Re: Draft Downtown San Rafael to Larkspur Extension EA

Dear Mr. Shamsapour:

Thank you for the opportunity to comment on the Draft Environmental Assessment (EA) for the Downtown San Rafael to Larkspur Extension project. As a participating agency in this project and as the Congestion Management Agency (CMA) for Marin County, we appreciated the opportunity to comment on the Draft EA. We kindly request consideration of the following comments:

1. *Bettini Transit Center*: As noted in the EA, the project would operate through the current site of the Bettini Transit Center. The transit center is Marin's largest bus transfer hub with over 9,000 bus passengers travelling through the center daily. Any impacts to bus transit operations including reduced capacity and required physical improvements due to the operation of SMART service should be considered as part of the proposed SMART extension. Improvements were not sufficiently identified or committed to in the downtown San Rafael Station Area Plan and should be further addressed as necessary mitigation for this project.

4-1

2. *Congestion Management Plan (CMP)*: As stated in the EA, Sir Francis Drake Boulevard in the vicinity of the proposed project is a grandfathered roadway segment in the CMP operating at level-of-service "D" during peak hours. The presence of a "grandfathered" designation on roads that could be affected does not constitute a waiver in needing to address traffic changes that may occur. Any increase of congestion on Sir Francis Drake or the adjacent Highway 101 above the current CMP designation should be addressed and suitable mitigation proposed. This is of particular concern because recent studies in the area have identified significant traffic congestion as already existing and a major problem for the area. Any change in traffic congestion has been identified through a number of community meetings as a major concern to the local jurisdiction and the local community. TAM encourages SMART to address traffic changes due to the presence of the new SMART station especially as the end station in Southern Marin.

4-2

Making the Most of Marin County Transportation Dollars

3. *Shuttle Service*: The Draft EA identifies shuttle service as part of the proposed action. TAM strongly supports this recommendation as access to the SMART station sites in San Rafael and Larkspur will be heavily dependent on transit service due to lack of parking. TAM would also appreciate the inclusion of shuttle service as mitigation to the project, as a necessary feature of the extension.

4-3

4. *Bicycle access*: The Draft EA does not address bicycle and pedestrian access and egress at the Larkspur station. There have been long standing plans to provide for access from Larkspur Landing Circle to the platform area. This should be included in the proposed project. Additionally the Draft EA does not address how the current bicycle and pedestrian facilities on Anderson Drive would be affected by the SMART crossing Anderson Drive. Please address both of these areas.

4-4

We appreciate the opportunity to comment on the draft Environmental Assessment. Please contact Dianne Steinhauser if you need further clarification of our comments.

Sincerely,



Dianne Steinhauser
Executive Director

Transportation Authority of Marin

Response to Comment 4-1

Some reconfiguration of the San Rafael Transit Center (SRTC) will be required as SMART rail service is introduced in the area, and some of those modifications could affect operations at the SRTC. This acknowledgement of potential impacts is noted in the corrections and additions portion of this Addendum. The SRTC facility is operated by the Golden Gate Bridge Highway and Transportation District (GGBHTD), which is responsible for management of the site and the site's tenants. SMART has an existing Memorandum of Understanding (MOU) with the GGBHTD concerning future use of the facility. The MOU anticipated that "redesign, relocation, construction and/or reconstruction of existing or new improvements" would be needed as part of the SMART project's development [see MOU Section 4.1(b)]. The MOU sets out the processes by which the required improvements will be carried out, and also specifies that SMART and GGBHTD will "work cooperatively to maximize federal, state, and local funding opportunities to pay for construction of the improvements." SMART will work with the GGBHTD in the manner specified in the MOU.

Response to Comment 4-2

As shown in Table 3.13-17 of the EA, the project is expected to decrease, not increase, overall traffic along Sir Francis Drake Boulevard as a result of motorists switching to SMART and walking, biking, or taking transit to and from the Downtown San Rafael Station. During both the weekday AM and PM peak hours, the volume-to-capacity (v/c) ratio in both directions of Sir Francis Drake Boulevard (eastbound and westbound) would decrease slightly with the project as a result of reduced traffic volumes induced by mode shift to SMART and sustainable station access modes. As shown in Table 3.13-12 of the EA, v/c ratios along nearby northbound and southbound US 101 segments also would not be adversely affected by the Proposed Action. Since there would be no increase in congestion from the Proposed Action, no mitigation with respect to the Congestion Management Plan would be required.

Response to Comment 4-3

Shuttle services are not proposed for the SMART Larkspur extension project, and the information contained in the EA concerning the provision of shuttle services is amended in the corrections and additions portion of this Addendum. Mitigation in the form of shuttle services is not required, since no adverse effects have been identified that would require such mitigation.

Response to Comment 4-4

The Larkspur Station plan shown in the EA is conceptual and, as such, certain elements remain to be studied and resolved. SMART will work with the City of Larkspur and interested parties concerning the final design of the Larkspur Station and any adjoining circulation elements. SMART will continue to refine the engineering design and consideration of circulation and access features in coordination with the City and area stakeholders.

With respect to the Andersen Drive crossing and accommodation of bicycle and pedestrian facilities at the modified crossing, page 2-29 of the EA describes the provisions that will be made at the crossing for cyclists and pedestrians. Figure 2-5 shows a plan view of the modified pathways, signage, and other features that would be integrated to provide for the safe movement of cyclists and pedestrians through the crossing. As stated in the EA,

the conceptual design separates bicycle and pedestrian facilities from the roadway and the railroad crossing, using signage and channelization fencing. In addition, pedestrian crossings have been planned for locations to the north and south of Andersen Drive, which are oriented at a 90-degree angle to the railroad. These at-grade pedestrian crossings would be equipped with their own tactile warning strips, automatic gates and flashers, electronic bells, and emergency swing gates.



Marin Audubon Society

P.O. Box 599 | MILL VALLEY, CA 94942-0599 | MARINAUDUBON.ORG

Comment #5

January 22, 2015

Hamid Shamsapour
SMART
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Re: SMART DOWNTOWN SAN RAFAEL TO LARKSPUR EXTENSION
ENVIRONMENTAL ASSESSMENT

Dear Mr. Shamsapour

Marin Audubon has several comments on biological issues related top the Assessment for the SMART Extension from San Rafael to Larkspur Environmental Assessment.

Swallow Nesting

To avoid impacts to nesting swallows, the preferred alternative is to schedule construction outside of nesting season, which should be considered to be February 15 to August 15. Preferably, surveys for the presence of nesting swallows should take place the year prior to the construction. Swallows usually return to nest in the same place. If the construction could take longer than one year, the material would not need to be removed, but could stay in place until the next nesting season.

To protect colonial nesting swallows, we strongly recommend that SMART follow the procedure that was developed and used successful by Caltrans to avoid killing cliff swallows during reconstruction on the Petaluma River Bridge. That method was to install "Hard Surface Exclusion Material (HSEM)" such as coroplast, plexiglass, and plastic sheeting materials along with Bird-Slide for angled surfaces. Exclusion measures should be installed by February 15 and stay up until August 15th. Under no circumstances should netting be used to exclude nests. At the Petaluma Bridge, initial use of netting resulted in swallows being trapped and dying.

For further information, consult the terms of the Settlement Agreement in the recent litigation on cliff swallow injuries and deaths between FHSA and Caltrans, and plaintiffs Native Songbird Care & Conservation, Marin, Madrone and Golden Gate Audubon Societies and the Center for Biological Diversity.

Removing nests prior to demolition of the bridge, as is stated in the EA is not an acceptable mitigation. It is illegal to remove nests that have eggs or young.

5-1

A Chapter of the National Audubon Society

Wetland Mitigation

According to the EA discussion, less than one acre of wetland will be lost to construct this segment. Mitigation will be required for this loss. Mitigation should be provided on a ratio of two acres of mitigation per one acre lost or portion thereof.

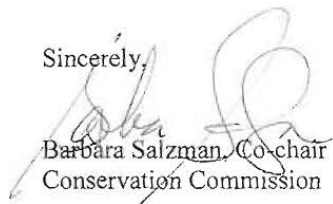
5-2

More specific information should have been provided in the EA about possible locations for mitigating the wetland loss. Marin Audubon may have a location slightly further south, and there might be an alternative in the Calpark area. We would be pleased to participate in evaluating options.

5-3

Thank you for considering our input.

Sincerely,



Barbara Salzman, Co-chair
Conservation Commission



Phil Peterson, Co-chair
Conservation Committee

Marín Audubon Society

Response to Comment 5-1

Scheduling construction activities outside the avian nesting season is the preferred method for avoiding impacts to cliff swallows and other avian species. In some instances, however, construction scheduling needs and other factors require that construction occur during the nesting season. In these instances, and as noted on pages S-12 and 3.2-17 of the EA, SMART's 2006 Final Environmental Impact Report (EIR) included mitigation to avoid impacts to cliff swallows. This mitigation is also applicable to the Proposed Action, and has been incorporated as a mitigation measure in the EA. For demolition activities, the measure requires that bridges be inspected by a qualified biologist if activities are to occur during the nesting season, and that the nests be removed prior to demolition being one-third completed. The measure also provided that "alternative methods to prevent cliff swallow nesting on a bridge may be used with prior approval by the California Department of Fish and Wildlife (CDFW)." The measure does not specifically state what the alternative measures would be, only that the selected measures be approved by CDFW beforehand. Alternative methods could presumably include Hard Surface Exclusion Material (HSEM) methods as suggested in the comment, so long as they are approved by CDFW.

As noted in the comments, exclusion netting was formerly considered an effective method to discourage nesting, but recent projects have demonstrated that exclusion nets can sometimes do more harm than good. In light of this, a current impact avoidance practice is to regularly monitor nesting locations during the nesting season and to remove nests prior to their completion and the laying of eggs. This method is labor-intensive but is generally effective if a rigorous system of regular monitoring is in place. This is the method that was specifically identified in the 2006 Final EIR, and is currently authorized for use by CDFW on a number of projects in the Bay Area. This is likely the method that would be used for the Proposed Action, unless it is found to be impractical or ineffective, in which case alternative methods would be developed in consultation with CDFW, as required in the mitigation measure.

The HSEM method suggested could be incorporated as an alternative mitigation method, but is not always practical depending on the specific structure in question. It also requires regular monitoring and sometimes nests become established despite the installation of the exclusion materials, and therefore construction work in the area must be halted. As such, the previous efforts to exclude the birds, sometimes undertaken at great expense, are negated. If needed, SMART may choose to implement alternative strategies using HSEM; however, it reserves the discretion to choose the best legal means of exclusion dependent upon cost, schedule, and feasibility, in consultation with CDFW.

Regardless of the method employed, SMART is committed to avoiding impacts to cliff swallows and protected migratory birds and sensitive species. Mitigation in the 2006 Final EIR, such as that described above, has been integrated into SMART's construction protocols. Compliance with these protocols is currently in effect as SMART constructs its locally-funded project between Santa Rosa and San Rafael. These same protocols would also be implemented as part of the Proposed Action, together with other mitigation strategies identified in the EA.

Response to Comment 5-2

Mitigation ratios are determined through a negotiated process with the resource agencies and are based on a number of factors such as the quality of the impacted wetlands and the habitat values that are present. A determination of a suitable ratio would need to be made based upon an evaluation of the factors noted above.

For the Proposed Action, this process has yet to be initiated, so establishing a mitigation ratio at this time would be premature. SMART will comply with all required regulatory requirements concerning wetlands, and will mitigate any project-related impacts in compliance with agency directives and negotiated permit conditions.

Response to Comment 5-3

SMART is considering a number of mitigation locations, and the ultimate selection of mitigation properties will be undertaken as part of the regulatory permitting process. SMART will consider the commenter's suggestion of a potential mitigation property as an option if it is appropriate to do so.



www.marinbike.org

V 415 456 3469
 F 415 456 9344
 733 Center Blvd.
 Fairfax, CA 94930

Board of Directors

Maureen Gaffney, *President*
 Mark Comin, *Vice President*
 Don Magdanz, *Secretary*
 Julia Violich, *Treasurer*
 Morris Beazley
 Chris Hobbs
 Scott Penzarella
 John Vipiana

Advisors

Mark Birnbaum
 Joe Breeze
 Tom Hale
 Deb Hubsmith
 Jim Jacobsen
 Patrick Seidler

Staff

Jim Elias
Executive Director
 Tom Boss
Off-Road Director
 Bob Trigg
Administrator
 April Spooner
Volunteer and Activities Coordinator
 Andy Peri
Advocacy Director
 Alisha O'loughlin
Planning Director
 Wendi Kallins
Safe Routes to Schools Director
 Laura Kelly
Safe Routes Volunteer Liaison
 Peggy Clark
Safe Routes Project Coordinator
 Share the Road Program Manager
 Gwen Froh
Safe Routes Teen Coordinator
 James Sievert
Safe Routes Instructor

Comment #6

January 22, 2015

Hamid Shamsapour
 Sonoma-Marín Area Rail Transit (SMART) District
 5401 Old Redwood Highway, Suite 200
 Petaluma, CA 94954

Dear Mr. Shamsapour:

The Marin County Bicycle Coalition (MCBC) wishes to submit the following comments on the SMART Downtown San Rafael to Larkspur Extension Environmental Assessment (EA).

Overall General Comments re: SMART Project & Measure Q

MCBC has been very closely involved in the SMART Train and Pathway Project since the late 90's, well before the passage of Measure Q in 2008. On behalf of our organization's 1800 plus members and as advocates for Marin's bicycle and pedestrian community, we wish to emphasize our deepest concern over the proposed project's elimination of the SMART multi-use pathway in this document.

6-1

The proposed project and related environmental assessment are fundamentally flawed because they do not include a parallel multi-use pathway alongside the rail corridor, as was promised to Marin and Sonoma voters and taxpayers with the passage of SMART Measure Q.

6-2

The SMART Measure Q legislation (Exhibit A) specifically states:

“. . .to provide two-way passenger train service every 30 minutes during weekday rush hours, weekend service, a **bicycle/pedestrian pathway linking the stations**, and connections to ferry/bus service, by levying a 1/4-cent sales tax..”

County Counsel's Impartial Analysis of Measure Q and Excerpts of Measure Q Ordinance No.2008-01 (Exhibit A) state:

“Proceeds of the tax would provide funding **for the design, construction, implementation, operation, financing, maintenance and management of the rail system and a bicycle/pedestrian pathway** from Cloverdale in Sonoma County to Larkspur in Marin County. The revenue from the tax can only be spent on project elements listed in the Expenditure Plan, **including** but not limited to:

1. Weekday and weekend passenger rail service.
2. **A parallel bicycle/pedestrian pathway.**

6-3

Comment: Include among the project alternatives, an array of feasible alternatives for a multi-use pathway parallel to the rail corridor between Second Street and Andersen Drive in San Rafael, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and Multi-use Pathway.

6-4

2.0 Alternatives

As discussed above under “Overall General Comments,” the EA does not include a multi-use pathway alongside the rail corridor as part of the proposed project, as was voted for by Marin and Sonoma County voters in 2008 with the passage of SMART Measure Q. In fact, the EA should not only include the multi-use pathway, but should also include a range of reasonable alternatives to the pathway in order to determine which of the many possible alternatives would result in the least environmental impact; however, the EA includes only two rail-only Alternatives, the No Project Alternative and the Preferred Project Alternative.

Furthermore, the EA not only excludes the multi-use pathway amongst the proposed project alternatives, it could in fact preclude the pathway from ever being constructed in the future as a result of the physical and environmental impacts related to the Preferred Alternative.

6-5

Upon completion of the project as proposed, when construction of the multi-use pathway is pursued in the future, there will likely be many additional environmental impacts related to reconstruction within the project area due to the absence of planning and designing for the pathway at this time. Clearly, planning for the pathway and the rail concurrently would result in the least environmental impact verses segmenting the rail and pathway project into two separate projects, each with their own individual associated environmental impacts.

6-6

Under NEPA, a “reasonably foreseeable future action” must be accounted for in the cumulative impacts analysis of an environmental assessment. The following documents provide evidence that the multi-use pathway is “a reasonably foreseeable future action”:

1) Measure Q legislation (Exhibit A);

6-7

2) Identification and prioritization of the multi-use pathway in local planning documents, including the Downtown San Rafael SMART Station Area Plan (pgs. 85 & 105), accepted by the San Rafael City Council as recent as June 2012 (Exhibit B);

6-8

3) SMART’s own 2009 preliminary design document (Exhibit C) which includes the multi-use pathway partially on or adjacent to the tracks between Second Street and Andersen Drive; and

6-9

4) February 12, 2014 Metropolitan Transportation Commission Programming and Allocations Committee’s staff report (pg. 2: US 101 Proposed Funding Redirection) pertaining to the Regional Measure 2 Strategic Delivery Plan (Exhibit D).

6-10

The above documents clearly illustrate that the multi-use pathway is “reasonably foreseeable,” thus the reviewing agency is required to include this future action in the cumulative impact analysis. In summary, the elimination of the multi-use pathway is an example of improper

6-11

segmentation of the SMART project and does not address the cumulative impacts related to the entire planned SMART Train and Pathway project.

6-11
(cont)

Comment: Include among the project alternatives, an array of feasible alternatives for a multi-use pathway parallel to the rail corridor between Second Street and Andersen Drive in San Rafael, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and Multi-use Pathway.

6-12

3.0 Affected Environment & Environmental Consequences

3.8 Hydrology & Water Quality

As noted with greater specificity above, under "Alternatives," NEPA requires that a "reasonably foreseeable future action" be accounted for in the cumulative impacts analysis of an environmental assessment. The elimination of the multi-use pathway is an example of improper segmentation of the SMART project and does not address the cumulative impacts related to the entire SMART Train and Pathway Project.

As noted in the EA, during construction of the Proposed Action, land would be disturbed with the use of heavy machinery, and work would be conducted along the banks of San Rafael Creek and the unnamed channel. Construction would include use of heavy equipment for excavation, trenching, grading, pile driving, and soil compaction, all of which would have the potential to result in erosion and sedimentation of local waterways, including San Rafael Creek, for which a TMDL has been established. Local waterways ultimately drain into the Central Bay which is an impaired water under section 303(d) of the CWA. Therefore, the proposed construction activities would have the potential to affect the beneficial uses of San Rafael Creek, the unnamed channel, and their receiving water, San Rafael Bay and San Francisco Bay, by affecting water quality.

The proposed project will include repair of railroad bridges and replacement or rehabilitation of existing structures. In-stream construction, dewatered areas and temporary culverts will be required during construction. Stream diversion structures will temporarily be put in place and pumps used for dewatering will be used.

All of these impacts, among others, should be evaluated simultaneously with the future foreseeable multi-use pathway to be constructed within the same project location. At such time that the multi-use pathway portion of the project is designed and constructed, additional impacts to San Rafael Creek and the unnamed channel will result. For example, new or rehabilitated structures such as bridges may require widening or alteration to accommodate the pathway.

If the rail and multi-use pathway were to be preliminarily engineered and evaluated simultaneously, these impacts would be evident and could be addressed accordingly. For instance, there may be room for the pathway with minor roadway modifications which would not result in additional impacts to the creek. Secondly, by designing the multi-use pathway into the project at this time, the project could actually result in an environmental net positive to the creek and channel. This could be accomplished, for

example, by constructing a cantilever pathway which would provide minimal impacts/shading of the creek and by mitigating those impacts through removal of existing rip rap fill between Best Buy and Rice Street and/or through removal of the existing pedestrian bridge over the creek serving the Toyota dealership located on the corner of Rice Drive and West Francisco Boulevard.

Comment: The Hydrology & Water Quality analysis should include a range of reasonable alternatives which include the multi-use pathway so as to avoid improper segmentation of the SMART project and to adequately address foreseeable cumulative environmental impacts.

6-13

3.9 Land Use

As noted under “Alternatives” above, the SMART Train and Pathway Project is identified in several locally adopted plans and in the SMART Measure Q legislation. Locally adopted plans for which the SMART multi-use pathway is proposed parallel to the rail corridor between Second Street and Andersen Drive include the:

- 2012 Downtown San Rafael SMART Station Area Plan
- 2008 Marin County Unincorporated Area Bicycle and Pedestrian Master Plan: Primary Bikeway Network
- 1994 Marin County North-South Bikeway Feasibility Study

Given that the project as proposed does not include the multi-use pathway and may actually preclude construction of the pathway in the future, implementation of the proposed alternative will conflict with locally adopted plans and legislation.

6-14

3.11 Safety & Security

The existing, abandoned rail corridor between Second Street and Andersen Drive is heavily used daily by pedestrians, as well as by some cyclists. Many residents located within or adjacent to the project area, including residents from the Canal Neighborhood, utilize the existing rail corridor as a direct, traffic-free path of travel between the Canal neighborhood and Downtown San Rafael/the Bettini Transit Center.

In the 2007 San Rafael Canal Neighborhood Community Based Transportation Plan, the Canal community expressed concern over the ability to safely walk and bicycle to locations west of the neighborhood using Bellam Boulevard and Andersen Drive. Many workshop participants stated that it was difficult to get to the Borders/Toys-R-Us shopping center located off of West Francisco Boulevard. The Plan also acknowledged that the population in the Canal Neighborhood is largely transit-dependent. Consequently, demand for transit service is high not only during peak commute times but also during the weekday midday and weekends. Therefore, it is reasonable to presume that once the SMART Train is operational there will be an increased demand to utilize this corridor to access the SMART Train, in addition to the existing demand to access Downtown, shopping centers off of West Francisco Boulevard, and other nearby destinations.

6-15

Closing off this important corridor, which provides the shortest and most direct route to/from Downtown San Rafael and the Transit Center, would present a significant safety concern to those dependent upon this corridor and who will likely continue to use the corridor despite the train being operational.

Comment: Include among the project alternatives, an array of feasible alternatives for a multi-use pathway parallel to the rail corridor between Second Street and Andersen Drive to ensure the safety of those using this corridor daily once the train is operational.

**6-15
(cont)**

3.12 Socioeconomics and Environmental Justice

Four Census block groups are adjacent to the alignment that are considered minority Environmental Justice Communities and one block group is considered a low income community. Many residents of these communities are day laborers and large numbers of these community members spend time on Andersen Drive near the location where the SMART pathway is needed. The transportation impacts to pedestrians and bicyclists residing within these communities resulting from the proposed project-related impacts would be disproportionately borne by these minorities or low income populations.

The minority Environmental Justice Communities within the project area, located east of Highway 101 and the SMART rail corridor, includes communities within the Canal Neighborhood. In the 2007 San Rafael Canal Neighborhood Community Based Transportation Plan, the Canal community expressed concern over the ability to safely walk and bicycle to locations west of the neighborhood using Bellam Boulevard and Andersen Drive. Many workshop participants stated that it was difficult to get to the Borders/Toys-R-Us shopping center located off of West Francisco Boulevard. The Plan also acknowledged that the population in the Canal Neighborhood is largely transit-dependent. Consequently, demand for transit service is high not only during peak commute times but also during the weekday midday and weekends.

As noted above under “Safety and Security,” many Canal residents utilize the existing rail corridor as a direct, traffic-free path of travel between the Canal neighborhood and Downtown San Rafael/the Bettini Transit Center. Therefore, it is reasonable to presume that once the SMART Train is operational, there will be an increased demand to utilize this corridor to access the SMART Train, in addition to the existing demand to access Downtown and shopping centers and other destinations located off of West Francisco Boulevard.

Implementation of the proposed project would present the severe risk of being struck by a train for those who continue to use this popular pedestrian and bicycle corridor, specifically to the minority Environmental Justice and low income communities residing within and adjacent to the project area. In order to keep the corridor accessible to foot and bicycle traffic and to minimize safety impacts to these communities, the proposed project should include a multi-use pathway parallel to the train tracks between Second Street and Andersen Drive.

6-16

Comment: Include among the project alternatives, an array of feasible alternatives for a multi-use pathway parallel to the rail corridor between Second Street and Andersen Drive to ensure the safety of those who will continue to this corridor daily once the train is operational.

**6-16
(cont)**

3.13 Traffic & Transportation

The existing, abandoned rail corridor between Second Street and Andersen Drive is heavily used daily by pedestrians, as well as by some cyclists. Many residents located within or adjacent to the project area, including residents from the Canal Neighborhood, utilize the existing rail corridor as a direct, traffic-free path of travel between the Canal neighborhood and Downtown San Rafael/the Bettini Transit Center.

Implementation of the proposed project would completely close off this heavily used corridor to foot and bicycle traffic. In order to keep the corridor accessible to foot and bicycle traffic, the proposed project should include a multi-use pathway parallel to the train tracks between Second Street and Andersen Drive.

Comment: Include among the project alternatives, an array of feasible alternatives for a multi-use pathway parallel to the rail corridor between Second Street and Andersen Drive to ensure the continued accessibility of this important corridor to foot and bicycle traffic.

6-17

4.0 Cumulative Impacts

Under NEPA, a "reasonably foreseeable future action" must be accounted for in the cumulative impacts analysis of an environmental assessment. Given the SMART Measure Q legislation (Exhibit A), the identification and prioritization of the multi-use pathway in local planning documents, including the Downtown San Rafael SMART Station Area Plan, accepted by the San Rafael City Council as recent as June 2012 (Exhibit B), SMART's own preliminary designs (Exhibit C), and the February 12, 2014 Metropolitan Transportation Commission Programming and Allocations Committee's staff report on the Regional Measure 2 Strategic Delivery Plan (Exhibit D), the multi-use pathway is certainly "reasonably foreseeable." A cumulative impact analysis requires the reviewing agency to include "reasonably foreseeable" future actions in its review. The elimination of the multi-use pathway is an example of improper segmentation of the SMART project and does not address the cumulative impacts related to the entire SMART Train and Pathway project.

Comment: The EA should include a range of reasonable alternatives which include the multi-use pathway so as to avoid improper segmentation of the SMART project and to adequately address foreseeable cumulative environmental impacts.

6-18

Sincerely,



Alisha Oloughlin, Planning Director
Marin County Bicycle Coalition

Exhibit "A"

SONOMA-MARIN AREA RAIL TRANSIT DISTRICT MEASURE Q	
<p>Q MEASURE Q: To relieve traffic, fight global warming and increase transportation options, shall Sonoma-Marín Area Rail Transit District be authorized to provide two-way passenger train service every 30 minutes during weekday rush hours, weekend service, a bicycle/pedestrian pathway linking the stations, and connections to ferry/bus service, by levying a ¼-cent sales tax for 20 years, with an annual spending cap, independent audits/oversight, and all funds supporting these environmentally responsible transportation alternatives in Marin and Sonoma Counties?</p>	YES
	NO

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS
OF MEASURE Q**

The Sonoma-Marín Area Rail Transit District ("SMART") is a rail district created by the Legislature in 2003 to evaluate, plan, and implement passenger rail and associated rail transit facilities and services from Cloverdale in Sonoma County to a ferry terminal in Marin County that connects to San Francisco. The geographic area of the district includes all of Sonoma and Marin counties.

The District is authorized, with the approval of the voters, to propose a special tax to implement this service. The District has adopted an ordinance proposing a quarter-cent transactions and use tax (\$0.0025 on every \$1 spent), to be imposed on retail sales in Sonoma and Marin Counties, beginning April 1, 2009. Proceeds of the tax would provide funding for the design, construction, implementation, operation, financing, maintenance and management of the rail system and a bicycle/pedestrian pathway from Cloverdale in Sonoma County to Larkspur in Marin County. An Expenditure Plan for the tax revenues is incorporated into the proposed sales tax ordinance. The revenue from the tax can only be spent on project elements listed in the Expenditure Plan, including but not limited to:

- 1. Weekday and weekend passenger rail service.
- * 2. A parallel bicycle/pedestrian pathway.
- 3. Fourteen rail stations from Cloverdale to Larkspur (9 in Sonoma County, 5 in Marin County).
- 4. Rehabilitation and upgrading of the existing Northwestern Pacific Railroad (NWP) corridor from Cloverdale to Larkspur, including new passenger train passing sidings.
- 5. A maintenance facility in either Cloverdale or Windsor.
- 6. Shuttle service at selected rail stations.

The tax would be collected in the same manner as sales tax is currently collected, would begin on April 1, 2009, and would continue in effect for twenty (20) years.

The District is empowered under state law to issue bonds to fund all or part of the construction of the project, so that work can begin sooner. The bonds would be repaid over time from the tax revenue collected. The ordinance also establishes an appropriations (spending) limit for SMART. The ordinance must be approved by two-thirds of the voters voting on the question in order for the special tax to go into effect.

s/PATRICK K. FAULKNER s/STEVEN WOODSIDE
Marin County Counsel Sonoma County Counsel

SMM-1

[Emphasis Added]

**EXCERPTS OF MEASURE Q
ORDINANCE NO. 2008-01**

AN ORDINANCE OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT IMPOSING A RETAIL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION; ADOPTING AN EXPENDITURE PLAN; AND ESTABLISHING AN ANNUAL APPROPRIATIONS LIMIT FOR THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT.

BACKGROUND FINDINGS:

The Sonoma-Marín Area Rail Transit District (SMART) was created to provide a passenger rail system along the Northwestern Pacific Railroad within Sonoma and Marin Counties. The entire 75-mile corridor is publicly owned and can be used to provide passenger rail service. SMART will provide passenger rail service and a bicycle/pedestrian pathway to 14 rail stations in Sonoma and Marin Counties. SMART is committed to providing service with the most environmentally clean passenger rail vehicle possible.

SMART requires this measure in order to provide matching revenues to existing state and federal transportation grants, to bond for the construction of the project, and to provide funding for the on-going operation and maintenance of the project.

Section 1. TITLE. This ordinance shall be known as the Sonoma-Marín Passenger Rail Act. The Sonoma-Marín Area Rail Transit District hereinafter shall be called "District." This ordinance shall be applicable in the incorporated and unincorporated territory of the Counties of Sonoma and Marin, which shall be referred to herein as "District."

Section 2. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the effective date of this ordinance, as set forth below.

Section 3. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To provide funding for the design, construction, implementation, operation, financing, maintenance and management of a passenger rail system and a bicycle/pedestrian pathway connecting the 14 rail stations from Cloverdale to Larkspur. *

B. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 105115 of the Public Utilities Code which authorizes the District to adopt this tax ordinance which shall be operative if a two-thirds majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

* * *

***SONOMA-MARIN AREA
RAIL TRANSIT DISTRICT***

***2008 EXPENDITURE
PLAN***

July 2008

SMM-8

I. Executive Summary: SMART Expenditure Plan

The Sonoma-Marín Area Rail Transit District (SMART) proposes a 1/4-cent sales tax measure for Sonoma and Marín Counties in order to pay for the construction and operation of a passenger train system and ancillary bicycle/pedestrian pathway along the existing, publicly owned Northwestern Pacific Railroad. The SMART project will extend from Cloverdale in Sonoma County to Larkspur in Marín County. (See Figure 1) **[Emphasis Added]**

SMART's proposed 1/4-cent sales tax measure would relieve traffic, fight global warming and increase transportation options, by providing two-way passenger train service every 30 minutes during weekday rush hours, weekend service, a bicycle/pedestrian pathway linking the stations, and connections to ferry/bus service, by levying a 1/4-cent sales tax for 20 years, with an annual spending cap, independent audits/oversight, and all funds supporting these environmentally responsible transportation alternatives in Marín and Sonoma Counties.

Passage of this measure allows SMART to access other state, regional, and federal funds for the provision of passenger train service that are currently unavailable to Sonoma and Marín residents.

This measure would raise approximately \$890 million over a 20-year period or approximately \$45 million a year. The proceeds of the tax would be allocated to the design, construction, implementation, operation, financing, maintenance and management of a passenger train system and a bicycle/pedestrian pathway connecting the proposed train stations.

In 2006 SMART certified an Environmental Impact Report (EIR) analyzing the potential environmental impacts of the proposed passenger train and pathway corridor. The report's findings included:

- The train and pathway project is the environmentally superior alternative to the congested 101 freeway.
- The proposed project would reduce greenhouse gases.
- Up to 1.5 million car trips would be removed from Highway 101 annually.

- Energy use is reduced thereby reducing dependence on fossil fuels.
- The pathway provides another clean transportation option linking the train stations, along with health and recreational benefits.
- Replacement of waterway bridges and culverts with modern structures would significantly improve drainage along the train corridor and eliminate seasonal flooding.

More recently, a Supplemental EIR was prepared to evaluate:

- Potential addition of weekend passenger train service;
- Potential use of lighter-weight train vehicles;
- Potential alternative locations for the Novato South Station; and
- The cumulative impact due to a change in the level of future freight rail service operating in the SMART corridor.

See www.sonomamarintrain.org to view the environmental documents.

II. SMART Expenditure Plan Background

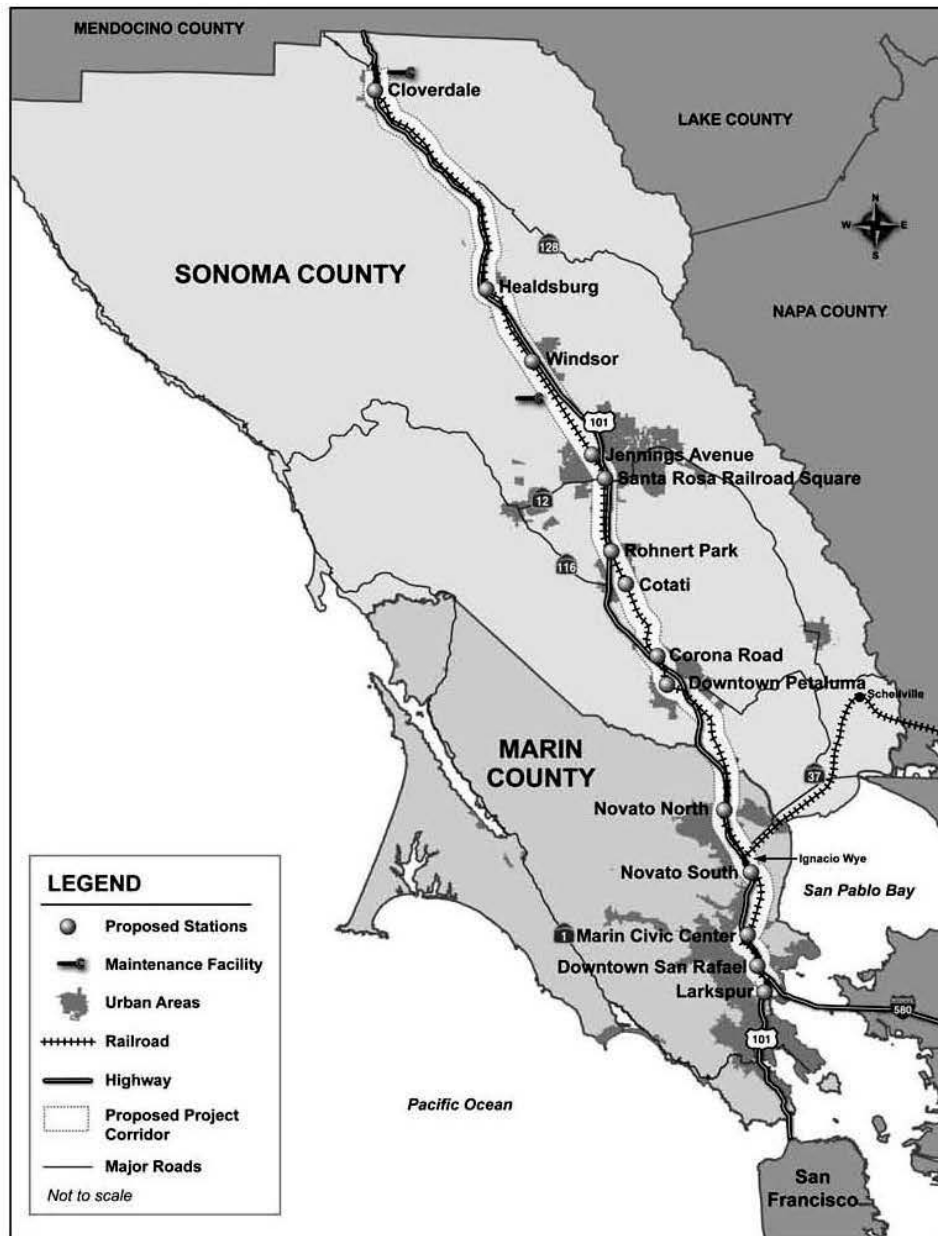
A. SMART District Role and Purpose

On January 1, 2003, the SMART District was established by the California Legislature through the enactment of AB 2224. The SMART District includes both Sonoma and Marín Counties and was created for the purpose of providing a unified and comprehensive structure for the ownership and governance of a passenger rail system within Sonoma and Marín Counties. The goal of SMART is to provide passenger train service along the existing publicly-owned railroad right-of-way.

B. Rail Corridor Ownership and Management

The primary asset of SMART is the NWP rail right-of-way and properties contained within that right-of-way along the railroad corridor extending from Healdsburg in Sonoma County to Corte Madera in Marín County. (See Figure 1). This right-of-way is a significant public asset and is to be managed for the public's use and benefit via the restoration of passenger train service and the development of a pathway linking the train stations.

Figure 1



SMM-10

SMART is managed by a General Manager, who is appointed by and reports to the SMART Board of Directors. SMART adopts an annual budget documenting all revenues and expenditures. Upon passage of this measure, SMART will prepare a Strategic Plan, under the direction of the SMART Board of Directors, and will update the plan at least every five years. The Strategic Plan will provide detailed annual revenue and cost assumptions for project implementation and operation. SMART will also prepare a five-year Short Range Transit Plan documenting service and funding assumptions. Prior to initiating train service, SMART will prepare a Start-Up Plan and an Emergency Preparedness Plan one year in advance of scheduled service. The Start-Up Plan will include implementation requirements, schedule assumptions, staffing, and maintenance and operations requirements. The Emergency Preparedness Plan will be developed in coordination with local jurisdictions and emergency responders and will address response protocols and procedures along the corridor.

A Citizens Oversight Committee will be established by the SMART Board to provide input and review on the Strategic Plan and subsequent updates. The committee will be composed of citizens from the SMART District, appointed by the Board.

C. Community Outreach

SMART's community outreach efforts have included monthly public Board meetings, public hearings, special ad hoc meetings and hundreds of presentations to community, business and special issue groups. SMART maintains an agency website with regular postings of project documents, a project hotline with phone numbers in both Sonoma and Marin counties and has provided regular email updates on the project's development to over 2,200 email recipients each year.

III. Expenditure Plan and Project Details

A. Project Description

The SMART passenger train project will upgrade the existing NWP right-of-way, to provide passenger train service from Cloverdale to Larkspur, with convenient linkages to bus, ferries, and shuttle feeder routes and direct connections to the bicycle/pedestrian pathway.

Fourteen stations are planned, nine in Sonoma County and five in Marin County. Proposed station sites include: Cloverdale, Healdsburg, Windsor, Santa Rosa (two stations), Rohnert Park, Cotati, Petaluma (two stations), Novato (two stations), Marin Civic Center, San Rafael and Larkspur.

Two-way train service is proposed at 30 minute frequencies, operating in the weekday a.m. and p.m. commute periods, along with one mid-day train. Weekend train service is also proposed with four, two-way round trips per day on Saturdays and Sundays.

B. Project Components: Capital Improvements

4. Implementing Other Needed Improvements: Two tunnels will be upgraded for train service. The CalPark Hill Tunnel, between San Rafael and Larkspur, will be funded 50% by SMART and 50% by Marin County. The CalPark Hill Tunnel will include both train and pathway improvements. The Puerto Suello Hill Tunnel, located north of San Rafael, will be upgraded for passenger rail service.

All public crossings will be upgraded along the rail line.

A new signal and dispatch system will be provided along the rail line to control train operations in accordance with state and federal operating rules and requirements.

The replacement of old railroad bridges and trestles will provide significant improvements in drainage and aid in the elimination of seasonal flooding along the corridor.

5. Providing Funding for a Bicycle/Pedestrian Pathway: SMART will provide a bicycle/pedestrian pathway along the SMART rail corridor linking the 14 train stations and on-going annual maintenance of the pathway. *

6. Providing for Connecting Shuttle Services: Peak hour shuttle service is proposed for selected train stations. SMART has proposed nine shuttle routes serving selected stations during peak commute periods. Maps showing the shuttle routes are included as part of White Paper #9 and can be found on the district's website at www.sonomamarintrain.org.

7. Building a Needed Maintenance Facility: A maintenance facility will be constructed to provide rail car maintenance and storage.

8. Implementing Quiet Zones: SMART has committed to funding Quiet Zones in urban areas along the corridor, which would allow crossings to operate without train horns.

* * *

[Emphasis Added]

Exhibit B



Approved Final Draft

June 4, 2012

This project is funded in part through the Metropolitan Transportation Commission's Station Area Planning Program. The preparation of this report has been financed in part by grants from the U.S. Department of Transportation. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

VI. Station Access and Connectivity

The objective of the station access strategy is to ensure safe and convenient connections to both the SMART station and the Bettini transit center for all users, including: those walking, arriving by bicycle, arriving by train or bus, carpooling, or driving alone and parking. The access strategy incorporates connections to Downtown San Rafael and neighborhoods east of US-101, the regional roadway network, the San Francisco Bay Trail, and other pedestrian/bicycle facilities in the area. Figure VI-1 presents the various planned, proposed, and potential projects that are currently under review that will improve local station access and connectivity.

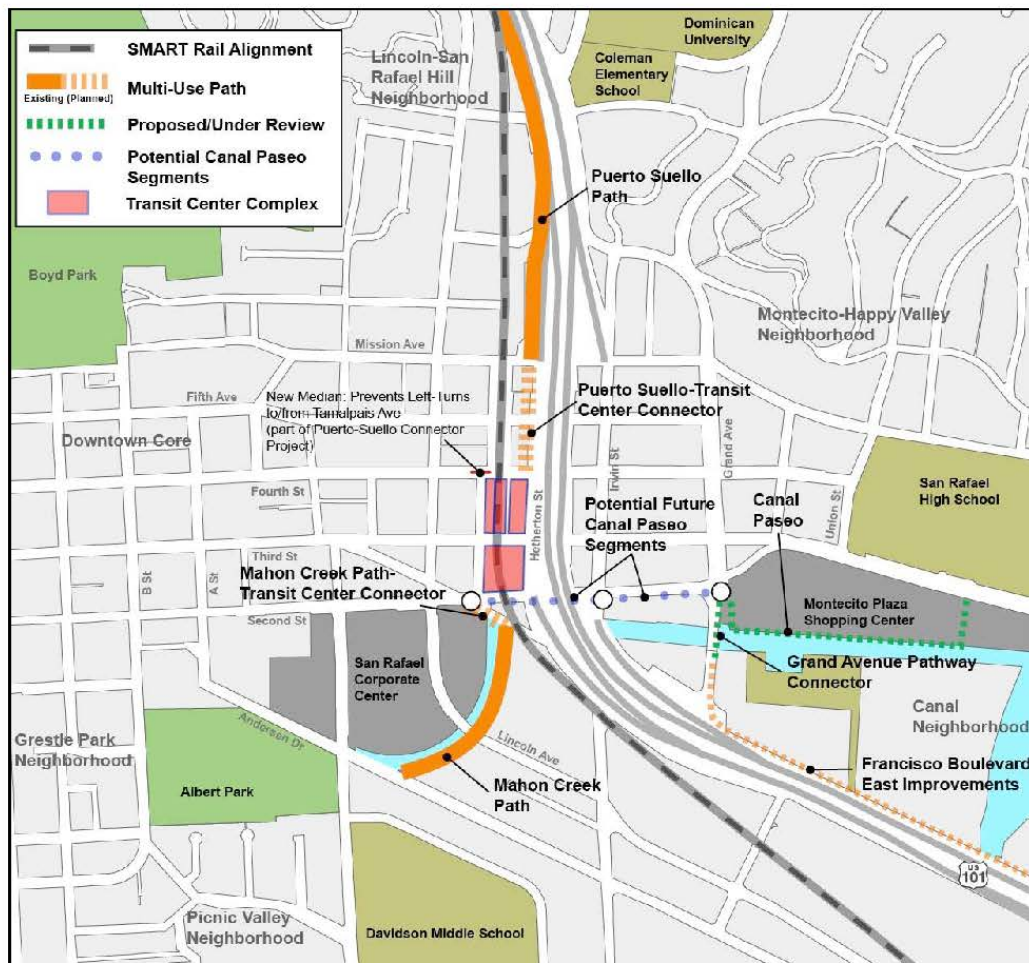


Figure VI-1: Planned and Proposed/Potential Projects Affecting Station Access; does not include proposed SMART multi-use pathway connection from Second Street to Andersen Drive

The major existing and planned pedestrian/bicycle facilities in the vicinity of the transit center include:

- **Puerto Suello Hill Multi-Use Path:** an existing 1.2-mile Class I multi-use path (a Class I pathway provides for pedestrian and bicycle travel on a paved right-of-way separated from the street) that runs north-south on the west side of US 101. The Puerto Suello Hill path connects North with Central San Rafael. Within the Plan Area, the Puerto Suello path currently terminates at the northwest corner of the Hetherton Street / Mission Avenue intersection.
- **Mahon Creek Path:** is an existing 0.22-mile Class I path that connects the Class II on-street bike lanes (a Class II bike lane provides a striped and stenciled lane for one-way travel on a street) along Andersen Drive to Francisco Boulevard West at the southern edge of the Plan Area boundary. The Mahon Creek Path and the Class II bike lanes along Andersen Drive provide the primary north-south bike access to areas south of Downtown San Rafael.
- **Puerto Suello Path – Transit Center Connector:** is a Class I multi-use path planned along the west side of Hetherton Street between Mission Avenue and Fourth Street and will provide an important north-south connection between the Puerto Suello Path and the SMART Station and bicycle/pedestrian facilities to the south. This project also includes median improvements to Fourth Street at Tamalpais Avenue that will prevent vehicles from making left turns at this intersection, helping to reduce traffic congestion and delays. Median cuts will allow bicyclists to make left turns and to proceed across the median where vehicles cannot, and an accessible crosswalk with a pedestrian refuge in the new median will make it easier for pedestrians to cross both streets at this intersection. This project is funded through the Nonmotorized Transportation Pilot Program (NTPP) and is slated for construction in 2012.

The recommended access routes and curb locations for transit center drop-off from both the east and the west, as discussed in Chapter VI, will not be affected by the new median. Pedestrians will travel between the Puerto Suello Path and Tamalpais Avenue along the existing sidewalks on the north and south sides of Fourth Street. To improve pedestrian conditions, these sidewalks should be widened in conjunction with the creation of a public plaza at Fourth and Tamalpais as discussed in Section 2 of this chapter, future transit center improvements as discussed in Chapter V, and improvements to Tamalpais Avenue as discussed in Chapter VI. Bicyclists will travel between the Puerto Suello Path and Tamalpais Avenue along a planned Class III bikeway on Fourth Street.

- **Second Street to Andersen Drive Multiuse Pathway:** SMART has developed a number of concept alignments for a multi-use pathway between Second Street and Andersen Drive on or along the SMART right-of-way. While this segment is not currently being designed as part of SMART's Initial Operating Segments (IOS-1 and IOS-2), it will become relevant when SMART extends service from downtown San Rafael to Larkspur.
- **East Francisco Boulevard Improvements:** this NTPP project plans to widen the existing sidewalk to a width of nine to twelve feet along the north side of East Francisco Boulevard from Bellam Boulevard to the southern end of the Grand Avenue Bridge. The sidewalk will

serve multiple users and improve pedestrian and bicycle access between Grand Avenue and Bellam Boulevard. Final design is complete and construction is expected to begin in 2013.

- **Grand Avenue Pathway Connector:** this project will construct a nine to twelve foot multi-use pathway across the east side of the Grand Avenue Bridge from the terminus of the East Francisco Boulevard path (see above) to Second Avenue. This project is still in design.
- **Canalfront Paseo Pathway Concept:** the Canalfront Paseo Pathway was recommended in the *Canal Neighborhood Community-Based Transportation Plan* (Transportation Authority of Marin, 2006), with design guidance provided in the *San Rafael Canalfront Design Guidelines* (City of San Rafael, 2009). The Paseo is still very conceptual, but it would focus on providing pedestrian and bicycle access along the Canal waterway from US 101 to areas beyond the Montecito Shopping Center. The most feasible components of the Paseo concept include sections behind the Shopping Center with a connection to the Grand Avenue Pathway Connector. Extending the Paseo west of Grand Avenue is challenging from an engineering perspective and will require further study. A short section along Second Street under US 101 from Tamalpais to Irwin Avenue is discussed as part of this Plan. A further extension along Second Street is shown only for illustrative purposes.

The access plan incorporates these existing and planned facilities into the overall access strategy for the station, which is illustrated in Figure VI-2 and elaborated upon in the sections that follow.

4. Recommended Bicycle Improvements

The following bicycle improvements are recommended for the Study Area in order to enable convenient and safe bicycle access to the SMART rail transit (see Figure VI-10).

A Class I pathway refers to a bike path or multi-use path. Class I pathways provide for bicycle travel on a paved right-of-way separated from the street.

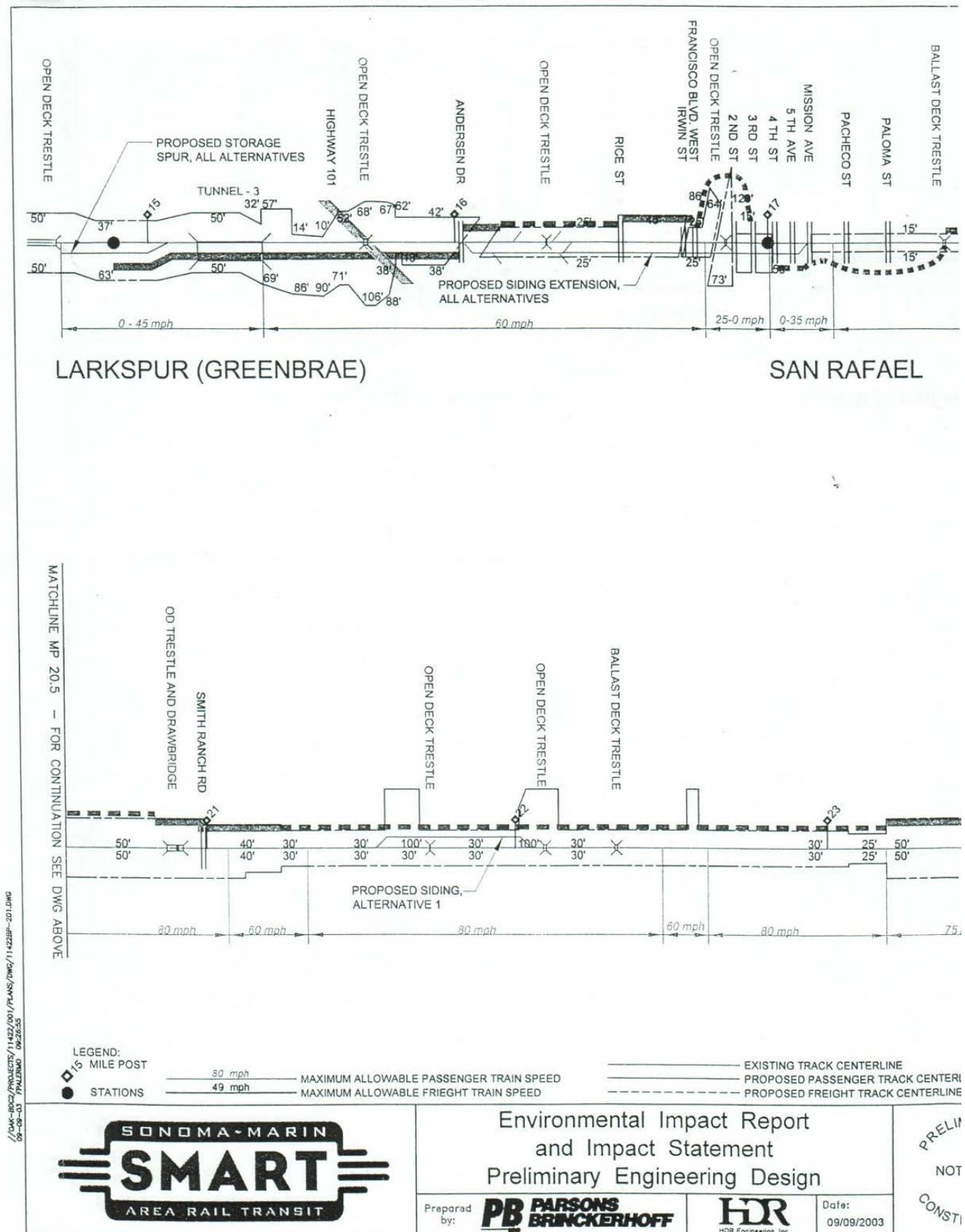
A Class II bikeway is referred to as a bike lane. A Class II bike lane provides a striped and stenciled lane for one-way travel on a street.

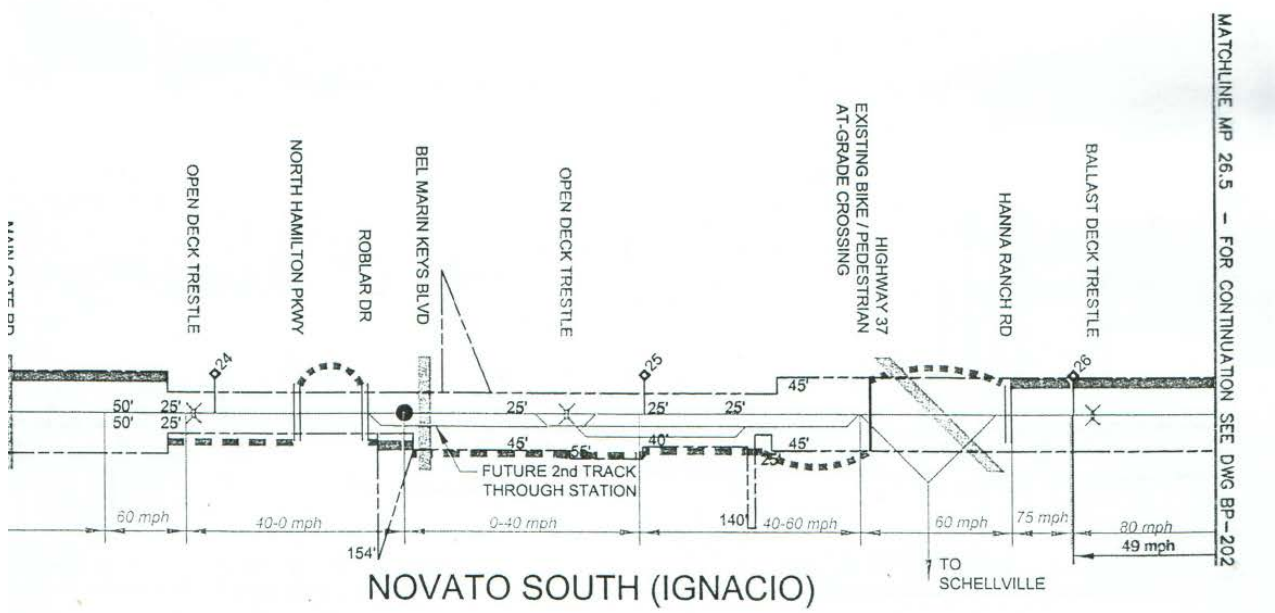
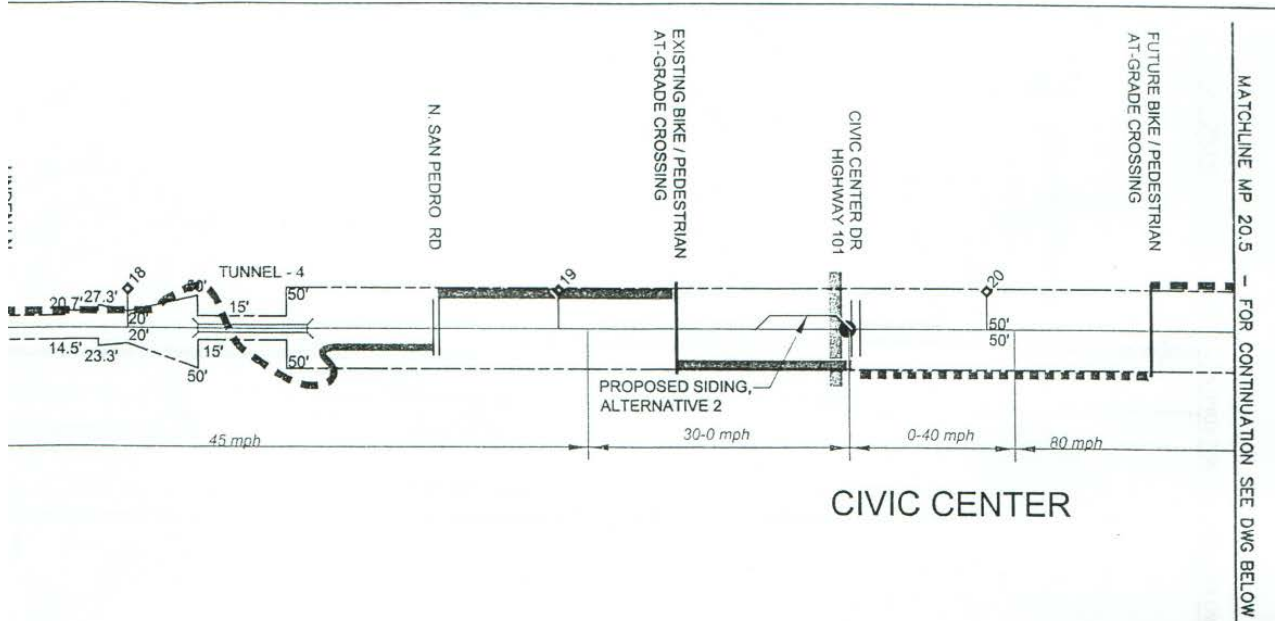
A Class III bikeway is referred to as a bike route. A Class III bike route provides for shared use with pedestrian or motor vehicle traffic and is identified only by signage and/or stenciling.

The recommended bicycle improvements include the following:

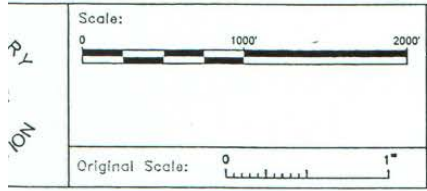
- Create a Class II southbound bike lane along the west side of Tamalpais from Second to Fourth Streets. This is feasible with Tamalpais Avenue converted to one-way northbound travel.
- On Tamalpais Avenue from Second Street to Mission Avenue, options include the designation of Class III routes, a bi-directional separated multi-use pathway, or a Class II northbound and a Class II southbound bike lane.
- Designate a northbound Class III bike route on East Tamalpais from Fourth Street to Mission Avenue (see Figure VI-4).
- If the Bettini Transit Center is relocated to the site east of the SMART station, consider building a bicycle parking facility shared with the SMART station.
- Explore additional options for making West Tamalpais Avenue and Tamalpais Avenue between Mission Avenue and Second Street more inviting for bicyclists. The City's Bicycle and Pedestrian Advisory Committee and City staff could investigate the feasibility of various design solutions, such as creating a streetside multi-use path or barrier-separated cycle track. The landscape treatment of this bikeway should be integrated with the proposed landscape treatment of the SMART right-of-way and East and West Tamalpais Avenues.
- Consider locating a "bike station" – an indoor facility for longer-term bike storage– in a ground floor space near the transit complex.
- Work with SMART to determine alignment of SMART multi-use pathway between Second Street and Andersen Drive.

Exhibit C





- - - - - RIGHT OF WAY
 ROADWAY OVER CROSSING
 ROADWAY AT GRADE CROSSING
 BIKE / PEDESTRIAN PATH ON RR ROW
 BIKE / PEDESTRIAN PATH PARTIALLY ON OR ADJACENT TO RR ROW
 BIKE / PEDESTRIAN PATH ADJACENT TO BUT NOT ON RR ROW



BIKE / PED. PATH ALTERNATIVES
PHASE 2 - LONG TERM
RIGHT- OF - WAY AND SPEED CHART
SMART CORRIDOR

Drawing No.
BP-201

Figure No.

11422BP-201.DWG

Exhibit D

**Metropolitan Transportation Commission
Programming and Allocations Committee**

February 12, 2014

Agenda Item 3a

Regional Measure 2: Capital Program Update

Subject: Regional Measure 2 (RM2) Strategic Delivery Plan

Summary: The RM2 program will reach its 10th anniversary in March 2014. Over \$1.2 billion in RM2 capital funds of the \$1.5 billion available have been allocated. In April 2013, this Committee directed staff to develop a delivery strategy for the approximately \$225 million in unallocated RM2 project funds. Of the \$225 million, some projects are still not fully funded and do not have a good prospect of being fully funded in the near term. Other projects are experiencing implementation challenges due to lack of consensus on scope or complications in obtaining environmental approval.

As summarized in Attachment A and detailed in the presentation, the initial recommendations include delivering existing RM2 projects and reassigning RM2 funds from projects that don't have a viable strategy to eligible corridor projects that are ready-to-go. In addition, staff is recommending to direct approximately \$11 million in RM2 project savings to strengthen and reinforce funding plans for several corridor projects. For several projects, staff continues to work with project sponsors and intends to provide additional recommendations to this committee in the coming months.

Initial RM2 Strategic Delivery Plan Recommendations


In September 2013, project sponsors submitted proposals to address remaining RM2 balances. Sponsor proposals included completing the original project, or reassigning RM2 funds to eligible projects in the same corridor. In some cases, reassignment of funds would require a public hearing pursuant to California Streets and Highway Code Section 30914(f).

Staff has been evaluating the proposals based on the following:

- Scope: focus on deliverable construction segments
- Schedule: construction underway in the near term
- Budget: fully funded useable segment
- Consistency with regional priorities: project reinforces Resolution 3434, Regional Express Lane Network, Priority Development Areas, Transit Sustainability Project, or other Commission priority.


US 101 Greenbrae Interchange Proposed Funding Redirection

Recommendations	RM2 Funds
Sonoma-Marin Area Rail Transit (SMART) <ul style="list-style-type: none"> Fund elements in preparation for SMART Larkspur Extension, to include: <ul style="list-style-type: none"> Andersen Drive Rail Crossing San Rafael Bettini Transit Center access improvements and potential future relocation Multi-purpose bike/pedestrian pathway 	\$20 million



Requires public hearing
29

US 101 Greenbrae Interchange Proposed Funding Redirection

Recommendations	RM2 Funds	BATA Funds	The North South Greenway
Bike/Ped Improvements <ul style="list-style-type: none"> Modified North South Greenway Bike/Ped path over Corte Madera Creek 	\$20 M		
Proposed BATA funding: <ul style="list-style-type: none"> Extend Sir Francis Drake Auxiliary Lane on EB I-580 Richmond-San Rafael Bridge EB PM Peak Third Lane and Bike Access 		\$70 M	

30

Marin County Bicycle Coalition

Response to Comment 6-1

At the request of pathway supporters, SMART agreed to investigate the possibility of accommodating a pathway along the segment as part of the Proposed Action. A number of constraints were identified during the investigation that prompted SMART to not include a pathway as part of the current Proposed Action. This exclusion from the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more other agencies at a later time. See the responses below for further clarification concerning these issues.

Response to Comment 6-2

The SMART pathway has historically been divided into two phases: 1) the recommended initial project (Phase 1); and 2) “Future” pathway project elements (Phase 2). In 2003, the SMART Bicycle/Pedestrian Advisory Committee (BPAC) divided the pathway into 64 segments. Of the 64 segments, 21 were considered potential “Future” phase segments due to cost, technical complexity or right-of-way (ROW) issues. “Future” phase segments include those from North San Pedro Road through San Rafael to Andersen Drive. The BPAC’s recommendations were incorporated into Section 2.5.2 of SMART’s 2006 Environmental Impact Report (EIR) (available for download on SMART’s website), where it is stated:

The proposed project would consist of approximately 54 miles of a Class I pathway located on the rail right-of-way and 17 miles of Class II pathway improvements [between Cloverdale and Larkspur]. In locations where the existing rail right-of-way is not of sufficient width to accommodate a pathway or in environmentally sensitive areas, Class II pathways would be implemented outside the right-of-way on existing streets, providing links between the Class I portions of the pathway. These proposed Class I and II improvements represent Phase I of a two phase concept proposed by the BPAC. Phase 2, which is not part of the proposed project, [emphasis added] would require implementation and funding by either the local cities and towns or the counties. Construction of Phase 2 would require acquisition of additional right-of-way and further environmental review if and when a project sponsor is established.

The pathway segment between North San Pedro Road and Andersen Drive was identified as a Phase 2 segment in the EIR. This segment includes the entirety of the pathway segment between Downtown San Rafael and Andersen Drive. As stated above from the EIR, Phase 2 segments are not a part of the Measure Q-funded SMART project. Not including a pathway as part of the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more agencies at a later time.

Response to Comment 6-3

Measure Q and its accompanying Expenditure Plan as passed by the voters in 2008 contained no reference to a “parallel” bicycle and pedestrian pathway. Section III.B.5 of the Expenditure Plan required “SMART to fund and provide a bicycle-pedestrian pathway along the SMART rail corridor linking the 14 train stations...” The only reference to a “parallel” pathway is in the Marin and Sonoma County Counsel’s impartial voter guide analysis. That analysis was prepared independently from SMART and is not a part of the ordinance approved by the voters.

Physical constraints along segments of the SMART project corridor make a pathway parallel to SMART rail along the entire corridor infeasible. In many areas, there is not sufficient ROW to accommodate both facilities side-by-side. In other areas, environmental constraints such as wetlands and other features constrain the placement of a pathway within the SMART ROW. Many of these more challenging segments were classified as Phase 2 or “future” segments, as described previously.

These non-parallel pathway segments have been identified throughout the history of the pathway planning process, most notably in the 2006 EIR for the SMART project, where the pathway was presented as consisting of a mix of off-street and on-street segments, both within and outside of the SMART ROW. Appendix E of the EIR contains schematics of the pathway showing extensive portions of pathway outside of the ROW, including the entirety of the segment between Downtown San Rafael and Andersen Drive. Figure 2.5-9 of the EIR shows the SMART project corridor from southern Novato to Larkspur, and substantial portions of pathway are shown outside the ROW on surface streets, including the entire pathway segment between Downtown San Rafael and Andersen Drive. Page 2-24 of the EIR provided a narrative description of the pathway route between Downtown San Rafael and Larkspur. That description is provided below, with certain location clarifications added in brackets:

From the [Downtown] San Rafael Station, the proposed bicycle/pedestrian pathway would follow Tamalpais Avenue to 2nd Street/Francisco Boulevard where it would connect with the existing pathway along San Rafael Creek [the Mahon Creek Path] to Andersen Drive. The pathway would follow Andersen Drive until it reconnects with the railroad right-of-way at MP 15.9 [south of the Andersen Drive crossing]. From here the bicycle/pedestrian pathway would be built within the railroad right-of-way, through Tunnel #3 [the Cal Park Tunnel], to the Larkspur Ferry Station on the west side of the tracks.

Based on this and other available public information, a parallel pathway along the SMART ROW between Downtown San Rafael and Andersen Drive was not identified in SMART’s 2006 EIR.

Response to Comment 6-4

Please see the responses to comments 6-1 through 6-3.

Response to Comment 6-5

Please see the responses to comments 6-1 through 6-3.

As explained in the EA, there are two project alternatives evaluated: No Action and the Proposed Action. Under the former, there would be no rail extension; under the latter, the rail extension project would link Downtown San Rafael and Larkspur. Neither would include the pathway, but neither would preclude the pathway either. In early 2013, SMART was approached by the Marin County Bicycle Coalition (MCBC) and asked to revisit the possibility of accommodating a pathway along the segment as part of the Proposed Action. SMART agreed to study the issue further, with the understanding that if any delay in the rail extension project would occur as a result of including a pathway, then the pathway would be withdrawn from further consideration at this time.

SMART hired an engineer to study the Downtown San Rafael to Andersen Drive segment and to determine whether a pathway could be included in conjunction with the rail project’s construction. The investigation

determined that the lack of sufficient width at Irwin Street and West Francisco Boulevard would require filling approximately 300 feet of the aforementioned tidal channel. During a field meeting at the site in April 2014, the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife each indicated that they would not issue a permit to fill the channel because a practicable alternative to impacting the channel was available. The practicable alternative was the provision of a pathway on adjoining surface streets, identical to the route presented in the SMART EIR, which would completely avoid impacts to wetlands.

Not including a pathway as part of the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more agencies at a later time. During SMART's investigation of the issue, construction of an adjacent pathway was determined to be feasible, and construction of the rail extension prior to the pathway would not preclude construction of the latter. It would take some time, however, to obtain the required regulatory approvals, and suitable mitigation properties would need to be identified, negotiated with the agencies, and purchased. SMART is agreeable to assisting and working with local agencies to seek outside funds to design and construct a pathway in the future. In the interim, while the Proposed Action moves forward, SMART will work with the City of San Rafael and others to design the rail extension in such a manner as to not preclude the future construction of a pathway within the segment.

Response to Comment 6-6

The Proposed Action presented in the EA is its own project with independent utility from other transportation projects in the area. Likewise, a pathway between Downtown San Rafael and Andersen Drive, should a project sponsor be identified and such a project be advanced, would also be a project with its own independent utility and its own planning process. A project sponsor for the pathway segment has not been identified, and no commitments to design and fund such a project are currently underway. The pathway segment is not included in the City of San Rafael's 2011 Bicycle Master Plan, and the City is the local entity with direct jurisdiction over the area. Therefore, a pathway is not a reasonably foreseeable action, and any attempt to evaluate the effects of such a project would be speculative.

Response to Comment 6-7

Please see the responses to comment 6-2 and comment 6-6.

Response to Comment 6-8

The recommendations in the Downtown San Rafael Station Area Plan concerning pathway improvements do not specify any particular alignment for a pathway between Second Street and Andersen Drive. The recommendation on page 101 of the plan states that the City should work with SMART to determine the alignment of such a pathway. This recommendation points to the fact that there is no specific plan to implement a pathway along the segment, and that there are currently no commitments by any entity to design and fund such a project. No plan for a pathway has undergone any form of environmental review, and there are no plans to initiate such a process by any entity. Further, the pathway segment is also not included in the City of San Rafael's 2011 Bicycle Master Plan, and the City is the local entity with direct jurisdiction over the area.

Response to Comment 6-9

The schematics included as Exhibit C with MCBC’s comments and referred to as “SMART’s own 2009 preliminary design document” in the comments, are from 2003. These schematics predate the BPAC’s recommendation to move the Downtown San Rafael to Andersen Drive pathway segment to Phase 2 status, meaning that the segment would not be constructed by SMART and would not be located within or adjacent to the SMART ROW. The schematic that was circulated in the 2006 EIR (see Appendix E of the EIR, available for download on the SMART website) was dated May 2004 and took into account the BPAC’s recommendations and showed the segment outside of the SMART ROW and on surface streets. Accordingly, the schematics included as Exhibit C to the MCBC’s comments have been superseded by other schematics and renderings that were circulated during the EIR’s public review process. The EIR schematics do not commit SMART to constructing this Phase 2 segment.

Response to Comment 6-10

MTC Resolution 3801, adopted on May 28, 2014, reallocated \$20 million of RM2 funds to SMART for use with the Larkspur extension. The resolution, as adopted, stated the following: “For the \$20 million recommended for the SMART project (reallocated from the Greenbrae Interchange project), staff will continue to work with SMART and other local agencies within Marin County to identify the scope for the near term SMART improvements that will help advance the rail extension to Larkspur.” See MTC Resolution 3801, page 3.

Response to Comment 6-11

Please see the responses to comments 6-6 through 6-10.

Response to Comment 6-12

Please see the responses to comments 6-6 through 6-11.

Response to Comment 6-13

Please see the response to comment 6-6.

Response to Comment 6-14

Please see the response to comment 6-6. The Proposed Action is not in conflict with any locally adopted plans since it would not preclude the City, the County, or some other entity from constructing a pathway in the future.

Response to Comment 6-15

Persons utilizing the inactive SMART corridor for pedestrian use or any other use not specifically authorized by SMART are in trespass and have no existing rights to utilize the corridor for those purposes. SMART is not required to accommodate or to provide a substitute for any unauthorized uses that may be occurring within its ROW.

Assuming that the comment is specifically referring to the SMART ROW between the existing West Francisco Boulevard crossing and the Andersen Drive crossing, there are substitute pedestrian routes available that provide

safe and legal passage for pedestrians in the area. Both Andersen Drive and DuBois Street are equipped with sidewalks that are available for pedestrian use, as is Irwin Street, Rice Drive, and Lincoln Avenue. The Mahon Creek Pathway is also available for pedestrian use between Andersen Drive and West Francisco Boulevard. West Francisco Boulevard is also equipped with sidewalks between Rice Drive and Andersen Drive. These safe and legal facilities are already available for use by pedestrians in the area and would remain available following construction of the Proposed Action.

Response to Comment 6-16

Please see the response to comments 6-15. In addition, the EA discussed potential safety issues in Section 3.11, Safety and Security, and potential environmental justice effects in Section 3.12, Socioeconomics and Environmental Justice. As reported in Section 3.12.3 of the EA, implementation of the Proposed Action would not disproportionately affect environmental justice communities in the Proposed Action area.

Response to Comment 6-17

Please see the responses to comments 6-15 and 6-16.

Response to Comment 6-18

Please see the responses to comments 6-2, 6-8, 6-8 through 6-10, and 6-14.

Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

January 22, 2015
By E-Mail

Hamid Shamsapour, P.E.
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Re: Downtown San Rafael to Larkspur Extension Environmental Assessment

Dear Mr. Shamsapour:

The Transportation Solutions Defense and Education Fund (TRANSDEF) is an environmental non-profit promoting the regional planning of transportation, land use and air quality. Starting from before the founding of TRANSDEF, the undersigned has advocated for the restoration of rail passenger service on the SMART corridor for the past 25 years.

In a case at the California Public Utilities Commission (CPUC) that started in 1995, I successfully litigated with the City of San Rafael (the City) over the at-grade crossing at Andersen Drive. Marin Advocates for Transit, the group I co-led and represented, received a CPUC Decision that terminates the City's right to have Andersen Drive continue crossing the SMART tracks once SMART resumes passenger rail service, unless the City obtains CPUC approval for a crossing that cures its inherent safety hazard. The Decision clearly places the burden on the City to resolve the safety issue.

With that long background in issues integral to the Proposed Action, TRANSDEF is pleased to offer its comments on the *Downtown San Rafael to Larkspur Extension Environmental Assessment* (the EA):

Future Traffic Conditions

Table 3.13-13 demonstrates that continued dependence on solo driving will lead to gridlock in Downtown San Rafael. Therefore, a fast, convenient transit network is needed to support a major mode shift to transit. SMART is planned as the backbone of that effort.

TRANSDEF believes the ridership projections for the Proposed Action are exceedingly conservative. The ridership model was known to not adequately capture the dynamics

7-1

TRANSDEF

1/22/15

2

of the rail-ferry interface. It also failed to consider the potential for tourism. Expert evidence submitted to the CPUC in the A.95-08-020 Application proceeding established that the SMART line had the potential to become the most popular tourist railroad in the United States. (The Declaration of Arthur Lloyd, incorporated herein by reference.)

7-1
(cont)

Please label the units in the Forecasted Transit Ridership in Table 3.13-18.

7-2

Project Purpose and Need

TRANSDEF supports the Proposed Action (although not the alternative selected for the crossing at Andersen Drive). Nonetheless, the Purpose and Need statement needs to be accurate. It is not correct to state that "The proposed rail termini [sic] in Larkspur lies adjacent to the Larkspur Ferry Terminal..." (EA, p. 1-2.) The Ferry Terminal is 0.6 miles away. This is a significant walk, which will likely result in less than optimum ridership.

7-3

The Proposed Action needs to be considered to be a Starter system--an affordable first phase that later will be extended to be closer to the Ferry Terminal. Because of the possibility that Marin County could seek the relocation of the Ferry Terminal to a new deep water landing on the San Quentin peninsula as part of a larger land use program, it is reasonable to not invest heavily in better access to the current ferry landing at this time.

History of the Andersen Drive Crossing

Andersen Drive is a former railroad ROW that went to a ferry landing at San Quentin. It was purchased by the City for a future road. I contacted the City in 1996, prior to the road construction, to urge the DPW Director to resolve the crossing issue. (I presented the same proposal back then as was studied as Alternative 5 in the 2014 *City of San Rafael Andersen Drive Report on Analysis of Alternatives to Accommodate Rail Service*.) The City secured permission from the Golden Gate Bridge, Highway, and Transportation District, the owner of the rail ROW back then, to pave over the tracks.

Marin Advocates for Transit, represented by the undersigned, filed a Protest to the City's Application to the CPUC for an At-Grade Crossing involving the paving-over of the crossing. The City's position was that rail would never return to San Rafael, and therefore, did not need to be considered. The CPUC disagreed, and ordered the preservation of the absolute priority of rail at the Andersen Drive crossing:

"This authorization to blockade the tracks shall expire upon the scheduling of regular train service over the tracks which intersect Andersen Drive. The City shall take all actions necessary to ensure the unimpeded use of the intersection by the rail service, absent further order of the Commission." (D.97-07-055.)

It is clear from the citation above and from the entirety of the CPUC Decision that the EA statement below is incorrect. Because the crossing was the subject of a formal Commission proceeding, the following paragraph needs to be rewritten:

7-4

Andersen Drive currently is not recognized as an existing crossing by the California Public Utilities Commission (CPUC). Andersen Drive was constructed over the former Northwestern Pacific (NWP) Railroad tracks in the late 1990s. A grade crossing had not been located there because at the time of NWP operations, Andersen Drive did not cross the rail line. When Andersen Drive was extended over the tracks in the late 1990s, the trackbed and rails were covered with paving material. Because the tracks at that time were inactive, no crossing controls or signage was installed. Despite this lack of official recognition as a crossing, for all practical purposes the area is a crossing and would be recognized officially as such on approval of the CPUC, installation of required crossing controls, and the return of rail service to the area envisioned as part of the Proposed Action. (EA, p. 3-12, 3-13, emphasis added.)

**7-4
(cont)**

Hazards: Safety and Security

In 1997, the CPUC made the following Finding of Fact in the above-mentioned Decision D.97-07-055:

8. The proposed configuration of the intersection is not safe for use by both trains and automobiles.

Decision D.97-07-055 then adopted these Conclusions of Law:

5. The Commission will not allow both trains and automobiles to use this intersection as currently configured.

6. Absent further order of the Commission, rail service will have priority right to use the intersection.

10. The City is on notice that it is responsible for securing continuing authority to use the intersection for automobile traffic, should rail service resume.

12. The City will bear the burden of proving that any modifications it proposes to accommodate rail services through the intersection will meet the Commission's standards for safety.

These actions by the Commission establish conclusive proof that the current geometry of the Andersen Drive crossing is unsafe, and that the burden to make it safe is on the City if it desires to continue to operate Andersen Drive for its full length.

7-5

TRANSDEF

1/22/15

4

Andersen Drive Crossing Alternatives Analysis

The City produced an alternatives analysis that was seemingly intended to address the safety concerns: *City of San Rafael Andersen Drive Report on Analysis of Alternatives to Accommodate Rail Service* (the AA). It is clear from the document's internal structure that the City's priority was to preserve the current road geometry, presumably to avoid complaints from San Rafael drivers. All the alternatives other than the City's preferred Alternative 6 were found infeasible to implement, having either terrible traffic impacts (Alternative 3), terrible costs (Alternatives 1, 4 and 5), or have safety and environmental problems (Alternative 2). Constraining the alternatives to non-viable ones is the preferred technique when a project sponsor wants to move a preferred alternative forward through an otherwise challenging Alternatives Analysis process.

**7-5
(cont)**

The City did not honor the priority through the crossing that SMART was granted by the CPUC. SMART's needs were clearly not important to the City. A "Lower commuter rail operating speed" (AA, p. 20) did not disqualify Alternative 6.

The crossing alternative selected by the City, Alternative 6, could best be described as a kluge. [Wikipedia: A kluge (or kluge) is a workaround or quick-and-dirty solution that is clumsy, inelegant, difficult to extend, and hard to maintain, yet an effective and quick solution to a problem.] Alternative 6 maintains the current unsafe crossing geometry, and attempts to compensate with two-and-a-half pages of measures (EA, pp. 2-26 - 2-30). Most egregious of all is:

As a primary means of addressing the challenge associated with this location, SMART would modify the operation of commuter rail service to permanently restrict the speed of trains through and approaching the grade crossing to 15 miles per hour. (EA, p. 2-29.)

It is clear that Alternative 6 fails to perform reasonably:

With crossing gate movement delays before and after each crossing, street blockage at crossings would be expected to total approximately 35 seconds. The exception to this would be at Andersen Drive, where the long, acute angle of the crossing and the necessary times to ensure clearance of the intersection could require closures for as long as 2 minutes. To further improve traffic flow, the rail crossing signal system would be integrated with local, centralized traffic signal operations, which would electronically coordinate traffic lights with grade-crossing signals. (EA, p. S-3.)

After meetings with SMART and the City DPW staff to discuss the design that became Alternative 6 in the AA, TRANSDEF supplied a further alternative design (see attached and the reply indicating receipt) that proposed a standard 90° crossing of the tracks at West Francisco Boulevard. This alternative did not have the excessive costs of the

7-6

other alternatives, was logical for drivers, would not require a slow order through the crossing, and would operate like other crossings, with a 35 second street blockage. As an alternative far more feasible than the ones studied, it should have been considered in a head-to-head comparison with Alternative 6. The City's decision to not study this alternative was unreasonable, making decisions and studies based on the AA flawed, inadequate and incomplete. This EA must be redone, after a full analysis of the 90° crossing alternative has been completed.

**7-6
(cont)**

It is extraordinary that SMART, a half-billion dollar brand-new rail operation, published an EA permanently limiting itself to 15 mph through an at-grade crossing--especially where it had unquestionable legal priority. Clearly, SMART did not vigorously protect its interest: the normally contested process between a railroad and a municipality broke down here. Outside experts must be brought in to review the Alternatives Analysis, because the parties' top-level staffers cannot be presumed to have exercised independent judgment (the San Rafael Director of Public Works and the SMART General Manager are brothers).

7-7

SMART's interest must be vigorously protected. TRANSDEF will undertake that role, if the SMART Board doesn't. Interestingly, the 1995 CPUC case had a parallel dynamic, in that the Golden Gate Bridge, Highway and Transportation District did not protect its ROW from San Rafael's desire to sever it. At that time, Marin Advocates for Transit stepped into the role of protecting future rail service.

CEQA Review

We note parenthetically that the adoption of the EA, with its Alternative 6 would require further CEQA study before the project can be approved. Given the past CPUC findings, analysis would need to determine if the implementation of Alternative 6 would substantially increase hazards due to a design feature or create indirect environmental impacts (i.e., reduce the performance and ridership of the proposed rail service).

7-8

FRA Regulations

It is no longer true that "Federal Railroad Administration (FRA) regulations prohibit light rail from operating on the same line as freight without temporal separation, which would render passenger service infeasible." (EA, p. 2-3.) Alternate compliance waivers are now available that do not require temporal separation between light vehicles and FRA-compliant vehicles.

7-9

Project Cost Estimates

We note that the \$40 million cost estimate appears to be extremely high for a 2 mile extension. For example, it would be highly unusual for a basic station platform to cost \$3.25 million. We request publication of the detailed cost analysis that resulted in the Table S-1 summary.

7-10

West Francisco Boulevard Relocation

TRANSDEF strongly supports this element of the Proposed Action. It is engineering at its finest, solving problems at low cost.

7-11

TRANSDEF

1/22/15

6

Woodland Avenue/Bellam Boulevard Trestle

The EA determined that the trestle "lacks sufficient vertical and horizontal clearance to accommodate modern traffic. To remedy this condition, a new trestle of modern design would be required." It says nothing about the structural integrity of this trestle, describing it as being "in fair condition," (EA, p. 2-10) while describing two others as "in poor condition and would require complete replacement" (EA, p. 2-30) and "also would require replacement." (EA, p. 2-31.)

7-12

The only other information given about the Woodland trestle was that "An impact by a truck or other heavy vehicle could seriously damage the structure, and evidence on the current structure indicates that such impacts have occurred in the past." (EA, p. 2-31, emphasis added.) Note that there is no assertion that impacts over the past 90 years have resulted in actual damage to the structural competence of the trestle.

A structural engineer evaluated the trestle at Sir Francis Drake Boulevard on behalf of TRANSDEF after it was hit by a crane, and reported the trestle there was as strong after the impact as it had been when it was built. (Report incorporated by reference.) If the one at Woodland has withstood 90 years of incidents, there is no reason to believe it will not be good for another 50.

Although SMART compiled a report on the structural condition of all the bridges on the SMART corridor, none of that analysis is presented here. In the absence of information to the contrary, it must be assumed that the trestle has the same structural strength it had when it supported heavy freight locomotives.

Increasing clearances for vehicular traffic does not fall within the responsibilities of the SMART District. If some agency decides that historic clearances no longer suffice for its users, that agency should bear the cost of replacement. Rebuilding the trestle will do nothing for rail passengers, and does not advance SMART's mission.

TRANSDEF appreciates this opportunity to comment on the EA.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President
David@Schonbrunn.org

Attachments

TRANSDEF Alternative Design email
DPW Reply email
Declaration of Arthur Lloyd (to follow)
Structural Engineer's Report (to follow)

TRANSDEF

1/22/15

7

CC: Gary Phillips, Mayor of San Rafael
Nader Mansourian, San Rafael DPW
Farhad Mansourian, SMART
Daren Gilbert, CPUC

Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

January 30, 2015
By E-Mail

Hamid Shamsapour, P.E.
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Re: Downtown San Rafael to Larkspur Extension Environmental Assessment

Dear Mr. Shamsapour:

Following the publication of the final version of the City of San Rafael's *Andersen Drive Report on Analysis of Alternatives to Accommodate Rail Service* (the AA) and the extension of the formal comment period, the Transportation Solutions Defense and Education Fund (TRANSDEF) finds it needs to offer this supplement to its comments on the *Downtown San Rafael to Larkspur Extension Environmental Assessment* (the EA):

Correction

On page 2, our 1/22/15 comment letter mistakenly identified the alternative proposed by Marin Advocates for Transit prior to the construction of the Andersen Drive extension (sometime before 1996) as equivalent to the one studied as Alternative 6 in the 2014 *City of San Rafael Andersen Drive Report on Analysis of Alternatives to Accommodate Rail Service*. It had been equivalent to Alternative 5. A corrected version of the entire comment packet is attached.

San Rafael's Alternative Analysis

The new Executive Summary explicitly identified the five evaluation categories used in the AA:

1. Traffic Impacts
2. Cost
3. Feasibility
4. Safety
5. Schedule
(AA, p. 2)

Please note that none of these criteria pertain to the interests of SMART and all of them pertain to the direct interests of the City of San Rafael (the City).

7-13

SMART's Alternative Analysis

There is no evidence in Section 2.0 of the EA, Alternatives, that SMART conducted its own alternatives analysis. On the contrary, the text indicates that SMART uncritically accepted the preferred alternative that was the conclusion of the City's alternatives analysis. It did not exercise independent judgment or evaluate alternatives in keeping with its own operational requirements, notwithstanding the EA's claim that:

7-14

The City and the County, with SMART's assistance, have been working to finalize a design for the crossing that would be acceptable to the CPUC while meeting SMART's operational requirements. (EA, p. 2-25, emphasis added.)

The EA provides no analysis of the following secondary impacts of a lowered speed through the crossing:

1. on travel time,
2. on ridership,
3. on overall GHG emissions reductions (from avoided auto trips), or
4. on operational costs.

7-15

These should have been SMART's alternatives analysis criteria. In accepting Alternative 6, San Rafael's preferred alternative, SMART deferred to the wishes of the City and failed to exercise independent judgment consistent with the operational needs of the agency.

TRANSDEF believes that SMART will be unable to identify any railroad that willingly accepted operational limitations as severe as those of Alternative 6. If SMART were to protest an Application by the City of San Rafael to implement Alternative 6, CPUC precedent strongly suggests to us that the Commission would deny it.

Because of the priority within the crossing given by the CPUC to SMART, the City's criteria of cost, feasibility and schedule were irrelevant considerations for SMART. Andersen Drive would have to be barricaded on either side of the tracks if the City fails to construct an approved crossing by the time SMART is ready to commence scheduled service. It should not have been a consideration for SMART that Andersen Drive would no longer be able to serve as a through street.

As recently as 2010, TRANSDEF attempted to enter into dialogue with San Rafael DPW via the City Manager and City Attorney, but received no response. Because the City delayed fixing the safety of the crossing for twenty years, any schedule issue must remain the City's problem.

The City squarely placed upon itself the responsibility to fix the safety of the crossing. SMART abdicated its responsibility to its taxpayers by allowing the City to shirk its legal obligation to make SMART whole. SMART accepted an alternative that harmed its own interests.

TRANSDEF

1/30/15

3

SMART needs to perform its own alternative analysis, using relevant criteria as discussed above. The EA is legally inadequate without one. TRANSDEF appreciates this opportunity to supplement and correct its comments on the EA.

7-16

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President
David@Schonbrunn.org

Attachment

Corrected version of 1/22/15 comment letter

CC: Gary Phillips, Mayor of San Rafael
Nader Mansourian, San Rafael DPW
Farhad Mansourian, SMART
Daren Gilbert, CPUC

From: David Schonbrunn <david@schonbrunn.org>
Subject: Andersen Drive
Date: May 27, 2014 2:30:17 PM PDT
To: "Nader Mansourian (Nader.Mansourian@cityofsanrafael.org)"
<Nader.Mansourian@cityofsanrafael.org>
Cc: Gary Phillips <Gary.Phillips@cityofsanrafael.org>
Bcc: Steve Birdleough <affim@friendshouse.org>
▶ 1 Attachment, 4.2 MB



Nader,

A friend of mine gave me a design for a grade crossing alternative which has the road meet the tracks at a right angle. I did a site visit yesterday, modified his plan to fit conditions there, and came up with the attached drawing. I hope you find it useful.

It is consistent with existing traffic patterns and so, should be more straightforward than the bypass design yet safer than the existing alignment.

This one requires acquisition of a part of the storage facility rather than the auto repair place, although the latter would work as well. The real estate value may be less for this piece due to the low income generation of a storage use. A land swap might be possible for newly surplus Andersen Dr. ROW (with access from the new NB lane). A land swap would gain the storage property owner significantly more land for storage units, thus dropping the cash cost for the City.

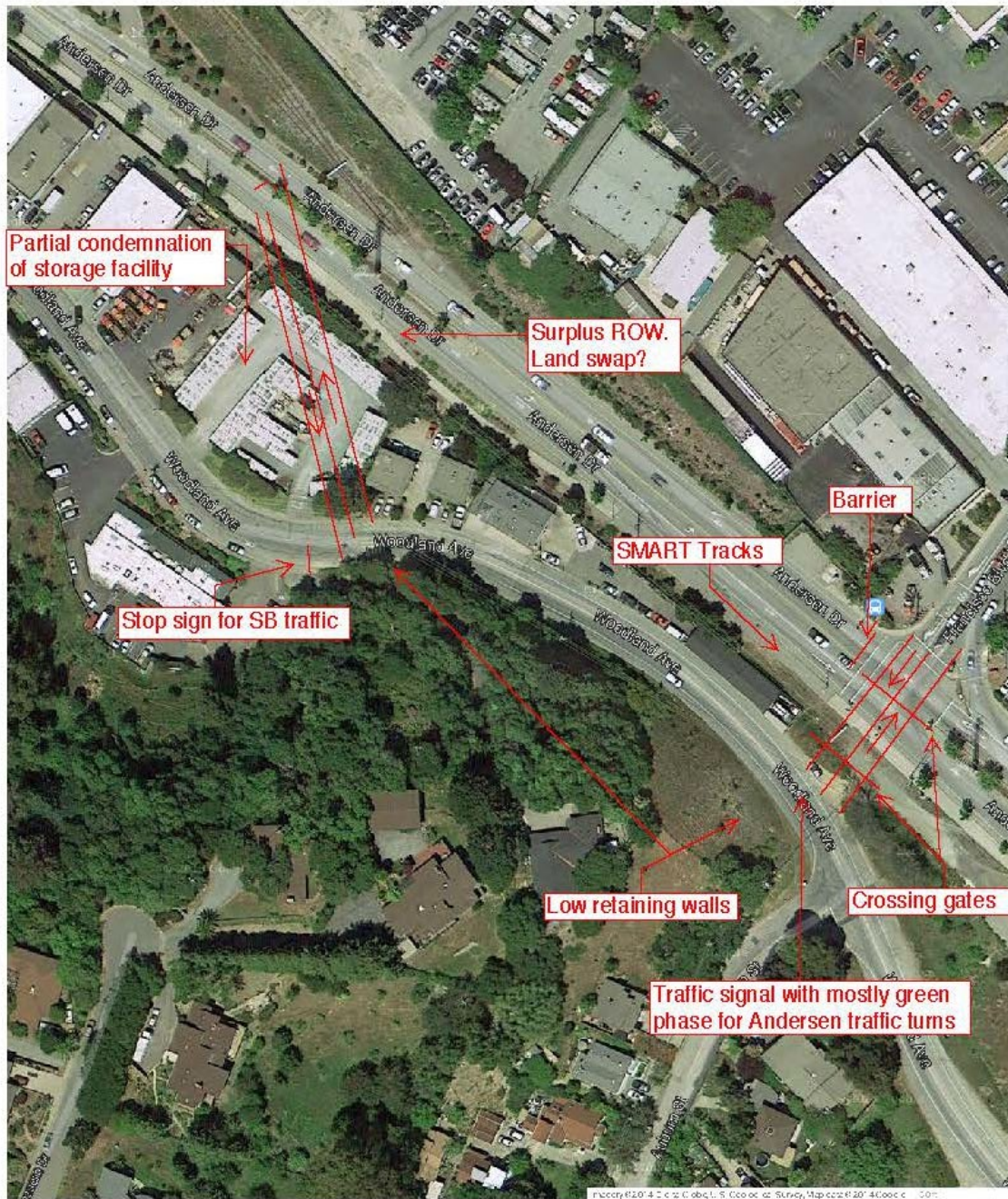
Please note: To keep it simple, this design does not accommodate NB Woodland traffic. That would be diverted onto Andersen, unless a more complicated engineering solution is implemented.

--David

David Schonbrunn, President
Transportation Solutions Defense and Education Fund (TRANSDEF)
P.O. Box 151439
San Rafael, CA 94915-1439

415-370-7250 cell & office

David@Schonbrunn.org
www.transdef.org



From: "Nader Mansourian" <Nader.Mansourian@cityofsanrafael.org>
Subject: RE: Andersen Drive
Date: May 29, 2014 11:48:50 AM PDT
To: "David Schonbrunn" <david@schonbrunn.org>

Thank you David.

Nader Mansourian
Public works Director

City of San Rafael
111 Morphew Street
San Rafael, CA 94901
(415) 485-3355

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

From: David Schonbrunn [mailto:david@schonbrunn.org]
Sent: Tuesday, May 27, 2014 2:30 PM
To: Nader Mansourian
Cc: Gary Phillips
Subject: Andersen Drive

Nader,

A friend of mine gave me a design for a grade crossing alternative which has the road meet the tracks at a right angle. I did a site visit yesterday, modified his plan to fit conditions there, and came up with the attached drawing. I hope you find it useful.

It is consistent with existing traffic patterns and so, should be more straightforward than the bypass design yet safer than the existing alignment.

This one requires acquisition of a part of the storage facility rather than the auto repair place, although the latter would work as well. The real estate value may be less for this piece due to the low income generation of a storage use. A land swap might be possible for newly surplus Andersen Dr. ROW (with access from the new NB lane). A land swap would gain the storage property owner significantly more land for storage units, thus dropping the cash cost for the City.

Please note: To keep it simple, this design does not accommodate NB Woodland traffic. That would be diverted onto Andersen, unless a more

complicated engineering solution is implemented.

--David

David Schonbrunn, President
Transportation Solutions Defense and Education Fund (TRANSDEF) P.O. Box
151439 San Rafael, CA 94915-1439

415-370-7250 cell & office

David@Schonbrunn.org
http://cp.mcafee.com/d/k-Kr6gUg6h8SyNt5ddNCZPtPrbVEVos76zB4SO-qem77CnPrbVEVos76zBASOUPuWab9K6Ev7BtxiHspr05mBcJISCMzHK-vM04TqkORnqr2eKXV_00jq2b5TTCn-LP8VNAQszKLSKCCDvDS3hOMyzORQX8EGTd7b7axVZicHs3jq9J4TvAXTLuZXTKrKrateeMExXL00jq6Cp80GByto48JMxM04SVsQsLI8I6N227NFY3h07hApYSyMrVd3ZIUFNMrie

From: [David Schonbrunn](#)
To: [Hamid Shamsapour](#)
Subject: Appendix B
Date: Thursday, January 15, 2015 4:04:32 PM

Hamid,

Thanks for getting back to me.

There is an Appendix B referenced on page 10 of Appendix F, the Transportation study, of the EA. This Appendix B is the San Rafael alternatives analysis for Andersen Drive. It should have been published with the EA. I need it for my comments.

Please confirm that you will send me an electronic copy immediately and post the report on the website with an apology.

This affects the legal validity of the comment deadline, as that document is clearly part of the record.

Thank you,

--David

Sent from my iPad

From: [David Schonbrunn](#)
To: [Hamid Shamsapour](#)
Subject: Re: Appendix B
Date: Friday, January 16, 2015 5:37:08 PM

While this document may have been the subject of my meeting with SR staff, I've never seen it. I've waited a long time for it to become public, and even then, it was not published--as it clearly should have been.

A very good argument can be made that the comment period should restart, from the time this report is posted.

Thank you for sending it. I'll be sending you comments on the adequacy of the EA that rely on it.

--David

On Jan 16, 2015, at 3:46 PM, Hamid Shamsapour wrote:

> Hi David:
>
> Attached please find an electronic copy of the "Andersen Drive - Report on Analysis of Alternatives." This document was prepared by the City of San Rafael. It is the same document that was the subject of a meeting and conversation between you, SMART General Manager Mr. Farhad Mansourian and the City of San Rafael's Director of Public Works Mr. Nader Mansourian, about one year ago.
>
> Hamid Shamsapour, P.E.
> Project Manager
> Sonoma Marin Area Rail Transit (SMART)
> 5401 Old Redwood Highway, Suite 200
> Petaluma, CA 94954
> Tel: (707) 285-8180
> Fax: (707) 794-3037
> hshamsapour@sonomamarintrain.org
>
> -----Original Message-----
> From: David Schonbrunn [<mailto:David@Schonbrunn.org>]
> Sent: Thursday, January 15, 2015 4:05 PM
> To: Hamid Shamsapour
> Subject: Appendix B
>
> Hamid,
>
> Thanks for getting back to me.
>
> There is an Appendix B referenced on page 10 of Appendix F, the Transportation study, of the EA. This Appendix B is the San Rafael alternatives analysis for Andersen Drive. It should have been published with the EA. I need it for my comments.
>
> Please confirm that you will send me an electronic copy immediately and post the report on the website with an apology.
>
> This affects the legal validity of the comment deadline, as that document is clearly part of the record.
>
> Thank you,
>

> --David
>
> Sent from my iPad
> <Andersen Drive - Report.pdf>

David Schonbrunn, President
Transportation Solutions Defense and Education Fund (TRANSDEF)
P.O. Box 151439
San Rafael, CA 94915-1439

415-370-7250 cell & office

David@Schonbrunn.org
www.transdef.org

From: [David Schonbrunn](#)
To: [Hamid Shamsapour](#)
Subject: TRANSDEF's EA Comments
Date: Friday, January 23, 2015 12:11:41 PM

Hamid,

Please consider yesterday's filing to be complete as submitted. We will not be submitting further information.

We would appreciate an email indicating receipt of yesterday's comment package.

--David

David Schonbrunn, President
Transportation Solutions Defense and Education Fund (TRANSDEF)
P.O. Box 151439
San Rafael, CA 94915-1439

415-370-7250 cell & office

David@Schonbrunn.org
www.transdef.org

Transportation Solutions Defense and Education Fund

Response to Comment 7-1

The ridership forecasts in the EA are based on ridership projections from the Metropolitan Transportation Commission's BAYCAST travel demand model for the Downtown San Rafael and Larkspur Stations. The 2035 projections from the BAYCAST model were extrapolated out to 2040 using per-annum growth rates derived from previous ridership forecasts from SMART's 2006 Environmental Impact Report.

Response to Comment 7-2

The units in Table 3.13-18 represent the number of riders per day. This information is included in the corrections and additions portion of this Addendum.

Response to Comment 7-3

The distance from the proposed Larkspur Station to the ferry terminal is noted on page 2-10 of the EA. This information, where applicable, is included in the corrections and additions portion of this Addendum.

Response to Comment 7-4

The U.S. Department of Transportation (DOT) has never issued a crossing number for the SMART right-of-way's (ROW) intersection with Andersen Drive. No crossing equipment has ever been installed at the intersection and no trains have passed through the intersection since the tracks were paved over by the roadway. The intersection will be officially recognized as a crossing upon approval by the CPUC and issuance of a DOT number. The fact that a DOT number was not issued previously has no bearing on the City's responsibility to address the situation to the CPUC's satisfaction, in accordance with the CPUC's order.

Response to Comment 7-5

The term "geometry" does not appear in the text of the CPUC's findings. Rather, the CPUC's findings state that it would "not allow both trains and automobiles to use this intersection as currently *configured*" (emphasis added). The crossing's configuration takes into account a number of factors, including signaling, gates, striping, established sight distances, vehicle queuing and storage controls, and other criteria, all of which have been incorporated into the City's design. The City of San Rafael has been working with the CPUC to design a crossing that meets the CPUC's safety requirements. Ultimately, the CPUC has the sole authority to determine whether or not the City's solution meets applicable safety requirements.

Response to Comment 7-6

The alternatives were evaluated using a number of criteria. Based on those criteria, the suggested alternative would not meet the project's objectives, because the alternative would be substantially more costly; would be disruptive to area circulation, residences, and businesses; and would require substantial reconfiguration of nearby transportation infrastructure. In addition, implementing the suggested alternative would require property takes and additional permitting requirements, adding to the cost and time needed to complete the project. In short, there

were demonstrably greater impacts from the suggested alternative that made it impractical for further consideration.

Response to Comment 7-7

SMART has evaluated its operational requirements along this segment, and by reducing train speeds to 15 mph through the Andersen Drive crossing, less than one minute would be added to the approximately five-minute train passage between Downtown San Rafael and Larkspur. The addition of less than one minute to the passage would be unlikely to result in effects to ridership, greenhouse gas emissions, or operational costs.

SMART, in coordination with other agencies, exercised its own judgement during its evaluation of the alternatives for the crossing. SMART provided staff assistance to the City during the evaluation process and attended meetings with City staff and reviewed drafts of the analysis prior to finalization. SMART believes that addressing this issue should be based on a solution that meets the needs of all parties. The City has made a reasonable effort to correct the situation, and SMART is pleased that the City has been able to advance a City-funded solution that will meet SMART's operational needs, the safety requirements of the CPUC as required in its order, and limit impacts to the City and its residents.

Response to Comment 7-8

Per the CPUC's order, the City of San Rafael is responsible for implementing the proposed crossing improvements. As such, the City will serve as lead agency for any CEQA review that may be required to advance the project.

Response to Comment 7-9

The additional information provided in this comment is included in the corrections and additions portion of this Addendum.

Response to Comment 7-10

Capital costs for the Proposed Action were derived using the cost categories and methodologies consistent with FTA guidelines for projects that have yet to begin preliminary engineering. The cost estimates will be refined and evaluated in detail by FTA as design progresses.

Response to Comment 7-11

SMART appreciates that the commenter supports this aspect of the project.

Response to Comment 7-12

A preliminary inspection by a structural engineer indicated that the existing trestle over Woodland Avenue may be substandard and may be subject to further damage if struck by a vehicle or subjected to a strong seismic event. Previous collisions may have contributed to this substandard condition. Even though the existing trestle may appear outwardly sound, no trains have passed over it for many decades and structural deficiencies may, in fact, be present. Further investigations by a structural engineer will be used to determine if the Woodland Avenue structure can be repaired, retrofitted, or if outright replacement will be required. SMART will make that decision

based on the merits of the engineer's findings, but for purposes of the EA, it was assumed that the trestle would need to be replaced.

Response to Comment 7-13

See the response to comment 7-7.

Response to Comment 7-14

See the response to comment 7-7.

Response to Comment 7-15

See the response to comment 7-7.

Response to Comment 7-16

See the response to comment 7-7.



February 5, 2015

Comment #8

Mr. Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

VIA Email: hshamsapour@sonomamarintrain.org

RE: Draft SMART Downtown San Rafael to Larkspur Extension Environmental Assessment and Compliance with the National Environmental Quality Act

Dear Mr. Shamsapour:

Transportation Alternatives for Marin (TAM) is a non-profit corporation whose mission is to promote sustainable mobility. This mission is advanced through the study and promotion of national and international best practices including integrating modalities, model community programs, funding, design standards, education, safety and maintenance.

Since 1993, TAM has been working for sustainable mobility in Marin, most particularly for bicycle and pedestrian transportation.

We are writing to submit our REVISED comments on the DRAFT SMART Downtown San Rafael to Larkspur Extension Environmental Assessment (EA) and its compliance with the National Environmental Quality Act (NEPA). Attached to this cover letter is a document entitled "Detailed Comments to SMART Downtown San Rafael to Larkspur Extension Environmental Assessment." Our overview comments are below.

A. Overview.

TAM's attorneys have reviewed the EA and there are material legal inadequacies in the document. The EA must be withdrawn or substantially revised to provide:

1. A Project Description that clearly, completely and accurately represents the scope of both SMART's enacting legislation and Measure Q's intent and mandate;
2. A thorough evaluation of Alternatives;
3. Proper consideration of Environmental Consequences and Environmental Justice; and
4. Proper consideration of Cumulative Impacts.

Page 1 of 7

TRANSPORTATION ALTERNATIVES FOR MARIN • 187 E. BLITHEDALE AVENUE • MILL VALLEY • CA • 94941
TEL: 415.389.5040 x24 FAX: 415.389-5044



Further, the NEPA process is flawed because while the Federal Transit Administration (FTA) is the lead agency, the EA is not clear about the decision making authorities and the decision process itself including the roles of the Metropolitan Transportation Commission and SMART. Also, the applicant is not fulfilling NEPA requirements because the FTA is not making its own evaluation as required by the Council on Environmental Quality (CEQ) NEPA Implementing Regulations, 40 CFR § 1506.5(b). FTA’s current process impermissibly allows for an FTA rubber stamp of a SMART drafted EA. Thus, at this point, a finding of no significant impact (FONSI) cannot be made by the FTA. **8-1**

Also, this project potentially violates Proposition 218 and other state public agency finance law, which requires precise limits and parameters for project spending. Since the Measure Q ballot measure specifically provided for a parallel SMART bicycle/pedestrian Pathway, any action by SMART to preclude a future bike path’s feasibility would potentially illegally frustrate the will of the voters. **8-2**

Additionally, the \$20 million funding from the Metropolitan Transportation Commission (MTC) is directed by Regional Measure 2 (RM2) and the MTC Board’s further programming and allocations. Regional Measure 2 provides in §30914(a)(11) that funding shall be used for “rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal.” In February 2014 the MTC Programming and Allocations Committee recommended to its Board that \$20 Million in RM2 funds be used to “Fund elements in preparation for SMART Larkspur Extension, to include... Multi-purpose bike/pedestrian pathway.” In May 2014, the MTC resolved: “Staff to work with SMART to advance rail extension... Alternatively, could fund elements in preparation for SMART Larkspur Extension: Multi-purpose bike/pedestrian pathway.” **8-3**

It is envisioned in RM2 legislation as well as prioritized by the MTC Board that RM2 funds be used to build a pathway to “connect the San Rafael Transit Center with the Larkspur Ferry Terminal.” To advance the Proposed RAIL ONLY Action of the EA would cripple the intent of the RM2 legislation and the MTC’s prioritized use of the funds to build the “Multi-purpose bike/pedestrian pathway.”

B. NEPA Document Inadequacies.

1. Project Description. The EA narrowly defines the Project Description as “the extension of passenger rail service from Downtown San Rafael southwards to Larkspur.” [Emphasis added.] In the Summary Project Overview description, the SMART Project is repeatedly referred to as only a “passenger rail” project. **8-4**



The SMART Project is defined in its enacting legislation and Measure Q as a passenger rail AND Bicycle/Pedestrian Pathway (the SMART Pathway) intended to “relieve traffic, fight global warming and increase transportation options.” **8-4 (cont)**

The exclusion of the SMART Pathway from the Project Description is a fundamental flaw in the EA. **8-5**

2. Alternatives. CEQ regulations state that “Agencies shall rigorously explore and objectively evaluate all reasonable alternatives.” (CEQA Regulations, §1502.14.)

The EA Alternatives, however, are impermissibly narrow, and are expressly contrary to the Measure Q multi-modal project scope as well as provisions for the SMART Pathway in Marin County’s and San Rafael’s historic and current bicycle and pedestrian plans for the subject area. **8-6**

The EA fails to meet CEQ regulations in that it evaluates only Two Alternatives:

1. Alternative 1 - No Action; and
2. Alternative 2 - Proposed Action (Rail only).

Moreover, the EA suggests an Alternative that it does not evaluate. This Alternative, described in §3.15.3, on page 3.15-1, provides:

“An additional NMP segment [SMART Pathway] may be constructed in the future using local funds alongside the Proposed Action [Rail Only Project] alignment from Andersen Drive northwards to the vicinity of Rice.” [Parenthetical comments added to quote for clarity.]

Not reviewing the NMP [SMART Pathway] segment impermissibly results in the segmentation of the NMP from the Proposed Action.

Most particularly, the Alternative described in §3.15.3 on page 3.15-1, “An additional NMP segment may be constructed in the future using local funds alongside the Proposed Action alignment from Andersen Drive northwards to the vicinity of Rice,” should be an evaluated Alternative or added to the Proposed Action. Since this Alternative would reduce the potential environmental impacts more substantially than all other Alternatives, it must be included in the EA. At a minimum the “additional NMP segment” Alternative identified in the EA should be studied in the EA. **8-7**

In actuality, a range of reasonable Alternatives does exist, including those that reflect the full scope of SMART’s enacting legislation; all alternatives should adequately assess and mitigate the project’s environmental consequences, including its cumulative impacts due to other projects and recent developments and Environmental Injustice impacts.



A full range of Alternatives includes:

- a. No Action;
- b. Proposed Action – Build a double track rail line only;
- c. Build only the SMART Pathway from Andersen Drive to Second Street; no rail line;
- d. Build the Proposed Action AND the SMART Pathway from Andersen Drive to Rice Drive evaluated with two sub-alternatives:
 - i. SMART Pathway on the West side; and
 - ii. SMART Pathway on the East side.
- e. Build the Proposed Action AND the SMART Pathway from Andersen Drive to Second Street.
- f. Build double track from Cal Park Hill Tunnel to Andersen, single track from Andersen to Second, with SMART Pathway from Andersen to Second Street.

See Exhibit “F” for a full description of the above range of Alternatives.

Further, the EA fails to consider key authority for consideration of transportation alternatives, including the Federal-Aid Policy Guide, Environmental Impact and Related Procedures. §771.111 of those procedures provides that an action evaluated in an Environmental Impact Statement “Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.”

To build the Proposed Action passenger rail line only would PERMANENTLY ELIMINATE the “foreseeable transportation improvement” of the SMART Pathway parallel to the rail line. Restricting evaluation of alternatives which include the SMART Pathway and eliminating the viability of building the SMART Pathway in the subject area in the future is therefore a violation of § 771.111 and NEPA’s requirements regarding addressing reasonable alternatives.

8-8

It is incumbent upon SMART to demonstrate how the SMART Pathway from Andersen Drive to Rice and separately from Rice to Second Street would fit in the space available after construction of the Proposed Action double track rail line is completed, including detailed engineered drawings that illustrate alignment, placement and boundary lines. Furthermore, SMART must demonstrate how such a Pathway could be built right next to an operating rail line. Because NEPA is, among other things, a public disclosure law, it is obligatory that SMART provide its public with access to its decision making resources and environmental information.



3. Proper consideration of Environmental Consequences and Environmental Justice.

- a. *Environmental Consequences.* CEQ regulations require consideration of “conflicts between the proposed action and the objectives of ... local ... land use plans, policies and controls for the area concerned.” (see 40 CFR §§ 1502.16, 1506.2(d).)

Multiple Regional, County and City Bicycle and Pedestrian and Sustainability Plans call for the SMART Pathway in this area. Furthermore, Measure Q, SMART’s enacting legislation, calls for a “bicycle/pedestrian pathway along the existing, publicly owned [SMART right-of-way]” parallel to the passenger rail line in the subject area. The EA impermissibly fails to address the 2008 SMART Expenditure Plan included in Measure Q.

The 2008 SMART Expenditure Plan provides in Section V., Implementing Guidelines states that:

“8. If additional funds become available, the SMART Board will prioritize completion of the bicycle/pedestrian pathway.”

The proposed action of building a double track rail line within a narrow right of way would be inconsistent with and permanently eliminate the “objectives of... local... land use plans” because it potentially eliminates the feasibility of the 2008 Expenditure Plan. The EA must discuss this document – especially as it reflects the will of the voters, and should assess such conflicts and impacts.

8-9

- b. *Environmental Justice.* The environmental impacts of the Proposed Action would fall disproportionately on members of minority and low-income populations. Residents of the Canal district, with its significant minority and low-income population, currently use the subject area as evidenced by many dirt walking paths that provide access to, and along, the right of way. The EA Proposed Action to build only the passenger rail line, without the voter-approved parallel SMART Pathway that would provide reasonable pedestrian and bicycle accommodation in the area, would subject the Canal district residents to disproportionately high and adverse environmental effects, including potentially disruption of the community, safety and health effects. The EA fails to address these impacts, as is required by NEPA, Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” and FTA Circular 4703.1, “Environmental Justice Policy Guidance for FTA Recipients”

8-10



Safety. With safe, separated facilities, like the SMART Pathway parallel the passenger rail line, the chances of pedestrians or cyclists being in jeopardy from accidents with the train are reduced. People currently are walking this corridor and will continue to do so. We need to make it safe for them to do so. The proposed action would place additional tangible safety, air quality and other physical environmental impacts to an already burdened minority community.

8-11

4. Proper consideration of Cumulative Impacts.

a. *Resident Implications.* The Canal district, with its significant minority and low-income population, has over time been subjected to isolating and inconveniencing obstructions erected in the physical environment. These obstructions include the massive Highway 101 and Highway 580 realignments constructed without (or with marginal) provision for pedestrian and bicycle facilities. These obstructions have led Canal district residents to resort to less direct and less safe routes and methods of travel. These impacts must be addressed in any NEPA document for this project.

8-12

Canal district residents currently walk along the SMART right of way in the subject area. Building the Proposed Action (rail line) should not proceed without adequate consideration and commitment to mitigation, which would be accomplished through building, or at least specific accommodation of, the SMART Pathway in the subject area.

b. *Safe Routes to School.* A community pathway on the Andersen to Second Street segment is currently used to connect to the Mahon Creek Path, which leads to Davison Middle School. Building the rail only Proposed Action without the SMART Pathway would eliminate a key community path connector actively used by school children to traverse between the Dominican, Canal, Gerstle Park and Bret Harte neighborhoods. The Project Area segment is a vital part of a Safe Routes to School project of significant importance to the local communities, including low income, minority communities.

8-13

c. *Temporal Implications.* Building the rail line separately from the SMART Pathway will temporally extend the duration of construction impacts and inconveniences in the area, including increasing the frequency of creek crossings and associated implications. Such temporal impacts could also include impacts to aquatic resources where consecutive projects are constructed over a drawn out and extended period of time.

8-14



C. Conclusion.

As drafted, the EA and SMART's Proposed Action to build a double track rail line for service from Downtown San Rafael to Larkspur Extension is flawed in a multitude of ways, including abrogation of the SMART district's multi-modal mission described in Measure Q, inconsistency with local plans and policies, and extensive, material legal inadequacies in the EA, as described in our attached "Detailed Comments to SMART Downtown San Rafael to Larkspur Extension Environmental Assessment."

The readily available solution, which would mitigate the negative impacts outlined above, is to include in the Proposed Action the SMART Pathway from Andersen Drive to Rice Drive, and ideally including it from Rice Drive to Second Street.

We hope these comments are received in the spirit in which they are submitted, with a vision towards completing the SMART passenger rail line AND the SMART Pathway from Larkspur to Cloverdale, as approved by the voters.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Patrick M. Seidler', is written over a light blue circular stamp.

Patrick M. Seidler
President

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
SUMMARY				
S-1	Summary	"The Proposed Action that is evaluated in this Environmental Assessment (EA) is the extension of passenger rail service from downtown San Rafael southwards to Larkspur, in Marin County, California."	Accurate	The Proposed Action is too narrowly defined. The Proposed Action should include the SMART Pathway, not only the passenger rail service from San Rafael to downtown Larkspur. As well, the SMART Pathway should be referred to consistently in the EA as the "SMART Pathway," as it is referred to internally at SMART, by all agencies, and to and by the public.
S-1	Summary	SMART is currently constructing the locally-funded SMART project, which will eventually operate approximately 43 miles of passenger rail service from Downtown San Rafael northwards to Airport Boulevard in Santa Rosa, Sonoma County, California.	Misleading	The SMART project provides for a rail and "bicycle / pedestrian pathway along the existing, publicly owned" [SMART right-of-way] the entire length of the operating system, as required by Measure Q, (Sonoma-Marin Area Rail Transit District 2008 Expenditure Plan, incorporated by reference in Measure Q, ordinance No. 2008-1) The omission of the SMART Pathway in the Summary is misleading to the MTC and the Federal Transit Administration on the scope of the "SMART project." See Exhibit "A," an excerpted copy of Measure "Q."
S-1	Summary	The entire SMART project, from Cloverdale to Larkspur, was reviewed in 2005 under the California Environmental Quality Act (CEQA), in an Environmental Impact Report (EIR). A Supplemental EIR that assessed specified changes to the original EIR was prepared and certified in 2008.	FALSE	The entire SMART project was <u>not</u> cleared in the CEQA and the EIR and Supplemental EIR in 2005 and 2008. There are six segments of the SMART Pathway that were left out of the CEQA clearance. Please see Exhibit "B" for documentation regarding which segments were not covered by the CEQA environmental reviews.

8-15

8-16

8-17

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
S-3	Summary	The tunnel was reopened and rehabilitated in 2010 to accommodate a Multi-Use Pathway and future SMART rail service.	Misleading	The more accurate statement is that the SMART Pathway was built through the Cal Park Tunnel in <u>coordination with SMART as part of the requirement for a parallel bicycle and pedestrian pathway along the SMART right-of-way</u> as required in Measure Q. An excerpted version of Measure Q is attached as Exhibit "A" . There is a clear description in the Measure Q language describing the SMART Pathway as "along the publicly owned" SMART right-of-way. The SMART Pathway should be clearly described in Section S-3. The misleading description misleads the MTC and the Federal Transit Administration as to the importance in the planning for the SMART Pathway in the project area.
S-6	Summary	This EA will be available for public review. Following the public review period, FTA will review and consider the comments received on the EA and determine whether adverse effects are likely to result from the Proposed Action.	Ridiculous	While the EA may ostensibly be "available for public review," there has been no opportunity for substantive public participation or public hearings regarding the SMART Proposed Action. Given that 2/3 of the voters in Marin and Sonoma voted to tax themselves through Measure Q to fund the SMART Project that INCLUDES the SMART Pathway, which included the SMART Pathway segments from San Rafael to Larkspur, the "public review" concept discussed in the Summary is ridiculous at best and more accurately deceptive. This language should be changed.

8-18

8-19

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
1.0 INTRODUCTION / PURPOSE AND NEED				
1-1	1.1	This EA is intended to provide a full and fair discussion of environmental impacts associated with a range of alternatives and to inform decision-makers and the public.	FALSE	<p>As discussed previously the Alternatives that are presented in the EA are not a "range of alternatives." Rather only two Alternatives are put forth:</p> <ol style="list-style-type: none"> 1. Do Nothing 2. Build a RAIL ONLY Project. <p>Such "alternatives" are narrowly defined to achieve a desired outcome, which will eliminate the SMART Pathway in this critical Operating Segment.</p> <p>Further the Proposed Action contravenes the intention of Measure Q. Limiting the range of alternatives leads to more cumulative impacts. The EA does not inform any public decision makers or the public of the full extent of the environmental impacts of the Proposed Action. It is fair to say that every effort has been made to keep the EA and its numerous false and misleading statements from public scrutiny.</p>
1-1	1.2	Locally-Funded SMART Project: The approximately 43-mile passenger rail system, currently under construction, that will provide passenger rail service from Downtown San Rafael northwards to Santa Rosa.	FALSE	<p>The locally funded SMART project is a <u>passenger rail AND Pathway project</u>. Constant referral of the project as solely a passenger rail system is false and misleading and should be replaced in its entirety in the EA and all subsequent Environmental review documents. See the excerpted version of Measure Q, attached as <u>Exhibit "A"</u> for the legislative intent for the "Locally-Funded SMART Project."</p>

8-20

8-21

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
1-2	1.2.2	The entire SMART project from Cloverdale to Larkspur, was reviewed in 2005 under the California Environmental Quality Act (CEQA), in an Environmental Impact Report (EIR) (SMART 2005). A Supplemental EIR that assessed specific changes to the original EIR was prepared and certified in 2008 (SMART 2008).	FALSE	<p>There are six segments of the Pathway that were omitted from the CEQA Environmental Clearances in 2005 and 2008. You will find enclosed an outline of these segments as Exhibit "B." These sections were omitted from the CEQA review solely because inclusion would have delayed the CEQA EIR from being completed before Measure R was put on the ballot in 2006. It failed.</p> <p>In the supplemental 2008 EIR the six segments were omitted again because environmental clearance could not be finished before Measure Q went to the ballot. You will find attached as Exhibit "B" materials including the correspondence between SMART, Transportation Alternatives for Marin, and the Marin County Bicycle Coalition, which shows that SMART intended to perform CEQA on the "six segments" of the SMART Pathway in 2009. The CEQA review has never been performed on three Central San Rafael segments of the SMART Pathway, as required by Measure Q. (The three segments are: Andersen to Second Street, Second Street to Mission, the top of the Puerto Suello Hill Path to North San Pedro Road – The Civic Center).</p>
2.0 ALTERNATIVES				
2-1	2.0	Previous Planning Efforts	Misleading	<p>The Strategic Plan's "description" of Previous Planning Efforts is woefully incomplete. Omitted from The Previous Planning Efforts are:</p> <ol style="list-style-type: none"> 1. The 1974 Marin County Bike Plan; 2. The San Rafael 1986 General Plan provides for a "class I separated path" along the NWPRA; 3. The 1994 County North South Bikeway Study. The 1994 North South Bikeway Study Exhibit "C" was the first study for transportation use of the rail corridor

8-22

8-23

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
				<p>from where the Larkspur station is planned to the San Rafael Transit Center using the Northwest Pacific Railroad right-of-way now the SMART right-of-way. The North South Bikeway Study has been incorporated in full in the Marin County Unincorporated Area Bicycle and Pedestrian Master Plan 2008 (Exhibit "D").</p> <ol style="list-style-type: none"> 4. The 1997-1998 ballot Measures A & B, which incorporated the 1994 North South Bikeway Study; 5. Measure R the 2006 ballot measure to fund SMART, which included most of the currently defined SMART Pathway; 6. The Marin County Unincorporated Area Bicycle and Pedestrian Master Plan 2008, which shows the primary Marin County Bicycle System, including the rail corridor from Andersen to Second Street. See Exhibit "D;" and 7. 2008 Measure Q. <p>All of these studies and plans clearly identify the Andersen to Second Street segment on the railroad right-of-way now the SMART right-of-way as a critical section of the County's and San Rafael's bikeway plans.</p> <p>Further in 1997 / 1998 Measures A&B also identified the 1994 North South Bikeway Study as a funding project which included the Andersen to Second Street bicycle path. This Measure did not pass.</p>

**8-23
(cont)**

Detailed Comments to
 SMART Downtown San Rafael to Larkspur Extension
 Environmental Assessment (EA)



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation	
				<p>Measure Q passed in 2008 and requires a bicycle / pedestrian pathway alongside the SMART rail line. The omission of these extremely important previous planning efforts and the current planning efforts by the Cities of Marin and the County and the cities through which the SMART Pathway passes is misleading to all evaluators of the EA.</p> <p>The North South Greenway is referred to expressly in the Sausalito, Mill Valley, Corte Madera, Larkspur, San Rafael and Novato Bicycle and Pedestrian Plans. All of these plans are omitted from the EA.</p>	8-23 (cont)
2-2	Table 2-1		Misleading	<p>This table leaves out the 1994 North South Bikeway Study which was the first study of this transportation corridor. [It also leaves out the alternatives shown in the primary systems detailed in the Marin County Unincorporated Area Bicycle and Pedestrian Master Plan 2008, attached as Exhibit "D"]</p>	8-24
2-5	2.1.2	<p>The SMART Train Alternative would provide passenger rail service along approximately 70 miles of the SMART corridor, from Cloverdale in Sonoma County to Larkspur in Marin County, with 14 rail stations, passing sidings, and a rail maintenance facility. This alternative also would include a bicycle/pedestrian pathway within or adjacent to the rail corridor.</p>	Misleading	<p>Marin County train alternatives surfaced in 1990 and lost at the ballot box that year. Again the 1997 / 1998 Measures A&B ballot measure, which had rail and included the North South Bikeway alignment, now known as the SMART Pathway, lost as well.</p> <p>The rail component of the 1997 / 1998 transportation tax proposal evolved into SMART in 2002 with the formal formation of SMART. The important point is that all transportation tax efforts since 1997 have included a bicycle <u>and</u> pedestrian pathway along the rail right-of-way, including the segment from Andersen to Second Street. The second most important point is that precisely because of the</p>	8-25

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
				<p>Proposed Action in the EA, the SMART Pathway will be eliminated through a key section, perhaps the most critical section of the Pathway in Central San Rafael (Andersen to Second Street).</p> <p>The "SMART Proposed Action Train Alternative" does NOT include a pedestrian pathway within or adjacent to the rail corridor. The Proposed Action in the EA would permanently eliminate the SMART Pathway from Andersen Drive to Second Street within or adjacent to the rail corridor. There is no alternative for the SMART Pathway within this segment.</p>
8-25 (cont)				
2-5	2.1.3	In July 2006, following certification of the Final SMART Project EIR, the SMART Train Alternative was selected as the locally preferred alternative (LPA).	False	The locally preferred alternative is the SMART rail <u>and pathway project</u> . Attached as Exhibit "A" is an excerpted version of Measure Q.
8-26				
2-5	2.1.3	A principal factor in the selection was that use of a dedicated rail ROW would result in an independent system, not reliant on the operations of US 101, and therefore would be more reliable and efficient.	Misleading	The omission of the SMART Pathway misleads the MTC and the FTA. The Locally Preferred Alternative <u>provides three modes of transportation: trains, bicycles, and walking</u> . All one needs to do is look at the SMART poster that are all along the railway and see the pictures of the train, bikes and pedestrians. Attached as Exhibit "E" is a picture of one of these billboards. This picture is part of the SMART "brand," particularly because of the SMART Pathway along the rail line from Larkspur to Cloverdale.
8-27				
2-5	2.1.3	Under the revised construction plan, the first phase or Initial Operating Segment (IOS) will provide passenger rail service from Santa Rosa on the northern end to Downtown San Rafael on the southern end, a distance of approximately 43 miles.	Misleading	This statement leaves out the SMART Pathway, which is planned for this entire Initial Operating Segment except for those being removed by SMART with this EA and removed from SMART's Strategic Plan 2014 between the Marin County Civic Center and the Cal Park Hill Tunnel pathway.
8-28				

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation	
2-6	2.1.4	In its entirety, the LPA is the construction and operation of approximately 70 miles of passenger rail service from Cloverdale in Sonoma County to Larkspur in Marin County. The construction from Santa Rosa to Downtown San Rafael began in 2012, and completion is anticipated in 2016. Extension of service from Downtown San Rafael to Larkspur is analyzed in this EA as the Proposed Action.	FALSE	This expressly omits the SMART Pathway from the Locally Preferred Alternative. This is contrary to Measure Q. The LPA includes the construction of the SMART Pathway for the entire length of the Initial Operating Segment. The " <u>Locally Preferred Alternative</u> " described in section 2.1.4 IS NOT THE <u>LOCALLY PREFERRED ALTERNATIVE</u> .	8-29
2-6	2.2	Because of the extensive screening process that went into selection of the SMART project as the LPA, together with the previous analysis that has been conducted for the various other alternatives that have been considered over the last several decades, no additional action alternatives are analyzed in this EA.	FALSE	THIS IS A BOLD FACED LIE. This statement is simply false and misleading. You will find attached as Exhibit "F" several alternatives that should absolutely be studied under any EA for the rail and SMART Pathway from the Larkspur Station to the San Rafael station.	8-30
2-6	2.2	The Proposed Action and the LPA between Downtown San Rafael and Larkspur are one and the same, and thus the Proposed Action consists solely of the extension of SMART service approximately 2 miles from Downtown San Rafael to Larkspur.	FALSE	This statement is patently false. The Proposed Action is solely a rail project and will permanently eliminate the SMART Pathway the entire length of the Proposed Action from Second Street to Andersen Avenue.	8-31
2-6	2.2	While it is possible that local funding could become available at some point in the future, it is currently unknown when and if that would occur.	FALSE	The Metropolitan Transportation Commission has provided \$ 20 million for the SMART project to use as the TIGER Grant match project, please see Exhibit "G" Since the TIGER project application failed there is money available from the MTC to build the SMART Pathway from Andersen Drive to Second Street and possibly as far north as Mission Avenue.	8-32
2-10		3 rd full paragraph.	Misleading	The project area is a critical key segment of the SMART Pathway. The Project Alternative as described would completely eliminate the SMART Path from being completed at any point in time in the future.	8-33

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation	
2-25				The options listed on 2-25 leave out an option for an at-grade rail and SMART Pathway crossing with Andersen crossing over the rail and Pathway.	8-34
2-29	2.0	The conceptual design separates bicycle and pedestrian facilities from the roadway and the railroad crossing, using signage and channelization fencing.	FALSE	The conceptual design for bicycles and pedestrians in the project area is extremely dangerous.	8-35
2-31	2.0	The tunnel was reopened and rehabilitated in 2010, to accommodate a multi-use pathway and future SMART rail service.	Misleading	The tunnel was reopened and rehabilitated in 2010, to accommodate <u>the SMART Pathway</u> and future SMART rail service. Language should read: "SMART Pathway."	8-36
2-32	2.0	Larkspur Station Full Paragraph	Description Omitted	The description of the Central Marin Ferry Connection should be included as it is the continuation of the SMART Pathway, known in the County as the North South Greenway. After crossing East Sir Francis Drake Blvd on the "North South Greenway" there is a \$19.8 million project to complete the Greenway from the Central Marin Ferry Connection coming out of the Cal Park Hill Tunnel. This is referred to as the "North South Greenway Gap Closure Project."	8-37
2-6 to 2-41	2.2	Description of Alternatives	Misleading	The description of Alternatives should have a section entitled SMART Pathway to be constructed and planned alongside the SMART rail line. This section should include a description of the Cal Park Hill Tunnel from Andersen to the Larkspur Station that is already built, a description of the Central Marin Ferry Connection over Sir Francis Drake which is being built, a description of the North South Greenway Gap Closure Project that is Funded to connect a multi-use pathway from the Central Marin Ferry Connection to the Sandra Marker Trail, (which shows the SMART right-of-way) and a description of the Sandra Marker Trail because it connects with the SMART Pathway.	8-38

Detailed Comments to
 SMART Downtown San Rafael to Larkspur Extension
 Environmental Assessment (EA)



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES				
3-1	3.0	Affected Environment and Environmental Consequences	Misleading	This entire section fails to discuss the negative environmental consequences of the failure to build the SMART Pathway as required by Measure Q and, as described in all previous plans and studies identified above. As well the failure to describe the connections that a SMART Pathway in the San Rafael to Larkspur Operating Segment EA is misleading. If the SMART Pathway were included in the Proposed Action, it would complete an extensive system of Multi-Use Pathways and connect the Larkspur Ferry Terminal with the San Rafael Transit Center as required by Measure Q.
				8-39
3.1-4	3.1	If the design concept and scope of a proposed transportation project are consistent with the project description in the applicable RTP and TIP and the assumptions in the regional emissions analysis for the RTP and TIP, then the project would conform to the SIP, and no adverse effect would occur as a result of the Proposed Action.	FALSE	The Proposed Action eliminates the SMART Pathway from Andersen to Second Street and would permanently destroy the concept of a continuous North South Greenway through Marin. The elimination of the ability to build the SMART Pathway from Andersen to Rice or Second Street would increase VMT and negatively impact air quality. It is incumbent upon SMART to demonstrate how the SMART Pathway from Andersen Drive to Rice and separately from Rice to Second Street would fit in the space available after construction of the Proposed Action double track rail line is completed, including detailed engineered drawings that illustrate alignment, placement and boundary lines. Furthermore, SMART must demonstrate how such a Pathway could be built right next to an operating rail line. Because NEPA is, among other things, a public disclosure law, it is obligatory that SMART provide its public with access to its decision making resources and environmental information.
				8-40

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation	
3.1-4	3.1	Rule on Control of Hazardous Air Pollutants from Mobile Sources	Omitted	The section omits the discussion and analysis of the reduction of pollution based pedestrian and bicycle use of the SMART Pathway, if it were not eliminated by the Proposed Action.	8-41
3.4-3	3.4.1	Vehicle Miles Traveled	Misleading	The discussion is misleading because more vehicle miles would be eliminated if the SMART Pathway was built. Rather, there would be more VMT if the Pathway is not built.	8-42
3.4-4	Table 3.4-2		Omitted	This table is missing Walking and Bicycling modes. NOTE: THIS IS VERY TELLING OF THE WHOLE DOCUMENT.	8-43
3.9-1	3.9	This section describes the land use characteristics in the vicinity of the Proposed Action area and includes an assessment of the alternatives. Specific land use effects addressed include conflicts with existing uses (i.e., changes in the organization, interaction, or intensity of uses) and consistency with future plans for the Proposed Action area. Previous analysis for land use was undertaken for the entire SMART alignment as a part of the 2005 Draft EIR, prepared as per CEQA (SMART 2005).	FALSE	This EA does not provide for an assessment of reasonable alternatives. A list of reasonable alternatives is attached as Exhibit "F" The 2005 and 2008 CEQA EIR clearances did not include SMART Pathway for Andersen to Second Street.	8-44
3.9-1	3.9	The existing rail alignment proposed for use under the Proposed Action is still in place but has been non-operational for several decades. It has remained a designated rail right-of way (ROW) for more than 120 years. The ROW remains intact and the majority of it is not occupied by other uses.	FALSE	The current right of way is used by pedestrians and cyclists primarily from the Canal District which is low income area and by school children getting to and from the schools in the area. As well, bikers use the local area as well. See the aerial photo of the area showing heavy community path usage, attached as Exhibit "H."	8-45
3.9-1	3.9	The land uses adjacent to the proposed rail alignment between the northern and southern terminus are almost entirely made up of industrial and commercial uses.	FALSE	Pedestrians and cyclists use this area extensively most particularly to access the schools and other businesses in this area.	8-46

Detailed Comments to
 SMART Downtown San Rafael to Larkspur Extension
 Environmental Assessment (EA)



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
3.9-3		The San Rafael community has considered and provided input on the safest way for buses, pedestrians, bicyclists, and automobile drivers to travel to and from residential and commercial areas, the best ways to access the SMART station and nearby services, the most appropriate crossing improvements, design guidelines to maximize amenities and passenger rail ridership potential, and strategies to sustain and improve economic vitality.	FALSE	<p>The San Rafael Downtown Station Area Plan expressly states that its Bicycle Advisory Pedestrian Committee should be working with SMART on the SMART Downtown Area Strategic Plan, Page 101 of which reads in part: "Work with SMART to determine alignment of SMART Pathway between Second Street and Andersen Drive."</p> <p>The Downtown Station Area Plan further reads: "Second Street to Andersen Drive Multiuse Pathway: <u>SMART has developed a number of concept alignments for a multi-use pathway between Second Street and Andersen Drive on or along the SMART right-of-way.</u>" This language was included in the Downtown Station Area Plan by Nadar Mansourian, San Rafael Director of Public Works.</p> <p>None of the SMART Pathway alternatives for Second Street to Andersen referred to in the San Rafael Downtown Station Area Plan have ever been shared with public or San Rafael Bicycle and Pedestrian Advisory Committee. No public hearings regarding the alignment of the SMART Pathway through the project area of the Proposed Action have been held. The statement in the EA is false and can only be mitigated by sharing with the public and the San Rafael BPAC the numerous concept alignments for the SMART Pathway from Second Street to Andersen.</p>

8-47

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
3.9-4		Construction of the Proposed Action would not conflict with establishes uses, land use goals or plans, or be incompatible with adjacent and planned uses.	FALSE	<p>The Proposed Action conflicts expressly with the legislative intent of Measure Q as well as the SMART 2009 Strategic Plan.</p> <p>The alignment of the North South Greenway is discussed in:</p> <ul style="list-style-type: none"> • Bicycle and Pedestrian Plans of: <ol style="list-style-type: none"> a. Sausalito b. Mill Valley c. Corte Madera d. Larkspur e. Novato • The 1994 North South Bikeway Study. • The Marin County Bicycle and Pedestrian Plan. <p>This statement is grossly false.</p>
3.12-1	3.12			<p>There is a complete lack of discussion of use of the right-of-way for walking and biking by the low income community of the Canal to access the area, including school children walking and riding bicycles along the project area to access Davidson Middle school. <u>The Canal community is being denied the opportunity to participate in any of the process that is going on that will remove extremely important community PATHS on or near the SMART right-of-way because of the implementation of the Proposed Action.</u> See the aerial photographs attached as Exhibit "H." See also the letter from Lindsey McKenzie attached as Exhibit "I." This impact cannot be mitigated unless the SMART Pathway is built from Andersen to Rice, and ideally Rice to Second Street. The SMART Pathway should be built at the same time as the SMART rail project for this Operating Segment.</p>

8-48

8-49

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
3.12-3	3.12.2	Based on applicable federal guidelines, the following alternatives would not have adverse and disproportionate effects on Environmental Justice communities. A disproportionate effect is defined as an effect that is predominantly borne, more severe, or of a greater magnitude in areas with environmental justice populations than in other areas.	FALSE	The environmental consequences of this project will adversely and disproportionately effect and deprive the low income area of the Canal community from access through the area of by the Proposed Action.
3.12-10		The analysis in Section 3.13, Transportation and Parking, found that, with mitigation, implementation of the Proposed Action would not create an adverse effect on regional access roadways, local access roadways, intersection operating conditions, area transit services, bicycle and pedestrian users, or parking.	FALSE	The Proposed Action would eliminate pedestrian and bicycle users that have been using the project area as a transportation corridor for decades. The mitigation implementation does not mitigate this at all. The only mitigation of the local community transportation issues is to build the SMART Pathway from Andersen to Rice, and ideally Rice to Second.
3.13-1	3.13	This section summarizes the potential traffic and transportation effects, including potential transit, bicycles, and pedestrian effects that would result from implementation of the EA alternatives.	FALSE	This statement is boldly false. This statement omits that the SMART Pathway will be completely eliminated from this section of the entire SMART project. The intention by SMART was to complete the path per CEQA from Andersen to Second Street. The SMART Phase 2 documents attached as Exhibit "J" demonstrate this intention since 2003. This shows that SMART intended to put the SMART Pathway along the ROW from Andersen to Second.
3.13-2	3.13.1	Andersen Drive is a heavily traveled, two-lane arterial, oriented generally in a northbound/southbound direction. A southbound left-turn pocket, located at the intersection of Andersen Drive and Francisco Boulevard West, serves as a feeder to a southbound US 101 on-ramp. Based on data collected in 2008, ADT on Andersen Drive is over 15,000 vehicles north of		This description of Andersen Drive is a stark contrast to the "bicycle / pedestrian pathway along the rail right-of-way" that was required by Measure Q. Andersen Drive is the expected route for pedestrians and cyclists if the Proposed Action is built. This is why the Proposed Action cannot be cleared with the EA unless the SMART Pathway is included.

8-50

8-51

8-52

8-53

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
		Francisco Boulevard West and over 24,000 vehicles south of Francisco Boulevard West.		
3.13-15	3.13	This trail will connect to and become part of the continuous north-south bicycle path that is being built in conjunction with the locally-funded SMART project, and it parallels US 101, closely following the NWP Railroad alignment.	FALSE	SMART eliminated this segment in its SMART Strategic Plan 2014.
3.13-17	3.13	Bicycle traffic in the area is low to moderate, and it is highest on the completed segment of the Class 1 bike path extending north of the Mission Avenue /Stevens Place intersection. Bike racks at the San Rafael Transit Center can accommodate 41 bicycles.		The number of bicycles at the San Rafael Transit Center always exceeds 41 bicycles. The bike racks are constantly full, and there are not enough bicycle racks at the station. The fact that the bicycle racks are constantly full should be identified as part of this EA.
3.13-17	3.13	Andersen Drive is a major bicycle commute route, featuring Class 2 bicycle facilities in both directions and a connection to already-completed portions of the Class 1 Cal Park Hill bicycle path, including the recently constructed bridge over Woodland Drive/Bellam Boulevard and the Cal Park Hill Tunnel.	FALSE	<p>Andersen Drive is not a major bicycle commute route. The reason why is stated in Section 3.13.1 on page 3.13-2:</p> <p>“Andersen Drive is a heavily traveled, two-lane arterial, oriented generally in a northbound/southbound direction. A southbound left-turn pocket, located at the intersection of Andersen Drive and Francisco Boulevard West, serves as a feeder to a southbound US 101 on-ramp. Based on data collected in 2008, ADT on Andersen Drive is over 15,000 vehicles north of Francisco Boulevard West and over 24,000 vehicles south of Francisco Boulevard West.”</p> <p>Rather, as stated above, <u>Andersen Drive is used by a limited number of cyclists</u> because of the hazards described as Andersen above.</p> <p>The description of “heavy use” for bicycles as conflicts with: “Bicycle traffic in the area is low to moderate.”</p>

8-53
(cont)

8-54

8-55

8-56

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
3.13-16	Figure 3.13-4			The map that is shown is false. The Marin County Unincorporated Area Bicycle and Pedestrian Plan 2008 incorporates the 1994 North South Bikeway Study that identifies and maps the SMART Pathway from Andersen Drive to Second Street. This is omitted in Figure 3.13-4. Further, the map fails to show the SMART Measure Q path alignment for Andersen to Second. The only reason that the San Rafael Bicycle / Pedestrian Master Plan of 2011 does not include the SMART Pathway along the SMART rail corridor from Andersen to Second Street is that the San Rafael Department of Public Works Director, Nader Mansourian, directed the San Rafael Bicycle and Pedestrian Advisory Committee not to include that segment in the plans because the path would have been on SMART property and he alleged the City did not have the authority to put the pathway on SMART's property. The committee wanted to include that in the plan but Mr. Mansourian would not allow this segment inserted into the Plan.
3.13-17	3.13	The existing bikeway network in the vicinity of the planned Larkspur Station also is limited and consists primarily of Route 20, a Class 1 facility that parallels Sir Francis Drake Boulevard on the south side from Remillard Park in the east to the US 101 interchange in the west. Additional Class 1 bikeways directly connect Route 20 with the Larkspur Ferry Terminal.	Misleading	This leaves out the description of the Central Marin Ferry Connection which is going to be completed in July 2015, plus the recently funded \$19.8 million section of the North South Greenway Gap Closure Project which will connect to the North South Greenway project through Larkspur and Corte Madera connecting to the Sandra Marker Trail which leads to Larkspur in Corte Madera which will allow people to bicycle and walk to the Larkspur train station. If the section of the SMART Pathway is completed from Andersen to Second Street, this will also allow people to bicycle and walk from the north to the Larkspur Ferry Terminal, where approximately 40 percent of the people

8-57

8-58

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation	
				who ride the ferry come from as identified in the Golden Gate Bridge districts analysis of their users from 2013.	8-58 (cont)
3.13-20	3.13.2	The Proposed Action would adhere to the guidance of the following regulatory plans/program: <ul style="list-style-type: none"> • Transportation 2035 Plan for the San Francisco Bay Area: Change in Motion (MTC 2009); • Marin County Congestion Management Program; • Marin and Sonoma County transportation plans; • City of San Rafael General Plan (2013); and • City of Larkspur General Plan (1990) 		Missing from that list is the Marin County Bicycle Pedestrian Plan, The SMART 2009 Strategic Plan and SMART Measure Q	8-59
3.13-20	3.13.2	Bicycles: Potential effects on bicycle conditions from the Proposed Action were qualitatively assessed. Pedestrians: Potential effects on pedestrian conditions from the Proposed Action were qualitatively assessed.	FALSE	Currently bicyclists can ride within the SMART right-of-way from Andersen to Second Street. Pedestrians are also able to walk from Andersen to Second Street. If you look at Google maps or Marin Maps from above you can see all of the community pathways that exist on the SMART right-of-way. These are used continuously by people to get to the surrounding areas. See Exhibit "H."	8-60
3.13.23	3.13.2	No construction or operation activities would occur, and the project corridor would remain in its current state.	FALSE	There is currently funding available from the MTC to build the pathway from Andersen to Second Street. See Exhibit "K".	8-61
3.13.24	3.13.2	The Downtown San Rafael Station Area Plan (City of San Rafael 2012) proposes the following changes to the roadway network within the vicinity of the Proposed Action: <ul style="list-style-type: none"> • Provision of a second right-turn lane from Heatherton Street to Third Street; • Conversion of sections of Tamalpais Avenue to one-way travel, to streamline traffic flow in the 		All of the discussion leaves out the language regarding the SMART Pathway between Mission and Second Street. See attached excerpts from the Downtown Station Area Plan, Exhibit "K"	8-62

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
		vicinity of the Downtown San Rafael Station site; <ul style="list-style-type: none"> Redesign of the section of Tamalpais Avenue between Third Street and Fourth Street, to serve as a passenger pick-up/drop-off zone, resulting in additional restrictions on through-traffic; and Installation of new signal controllers and upgraded signal interconnection, to allow for advanced rail preemption at several intersections in Downtown San Rafael. 		
3.13-31		The Downtown San Rafael Station Area Plan (City of San Rafael 2012) proposes various improvements to the existing bicycle network: <ul style="list-style-type: none"> Creation of a southbound Class 2 bike lane along the west side of Tamalpais Avenue, from Second Street to Fourth Street; Designation of a northbound Class 3 bike route on East Tamalpais Avenue, from Fourth Street on Mission Avenue; and Inclusion of a bicycle parking facility to be shared by the Bettini Transit Center and the SMART station. 		The descriptions leave out completely all discussions regarding the SMART Pathway from Mission to Second Street. See Exhibit "K"
3.13-31		The SMART project is not anticipated to disrupt existing bicycle facilities, interfere with planned bicycle facilities, or create inconsistencies with adopted bicycle system plans, guidelines, policies, or standards. Therefore, no adverse effect on bicycle conditions in Downtown San Rafael would occur from the Proposed Action.	FALSE	See comments above.

8-62
(cont)

8-63

8-64

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
3.13-33		The Proposed Action does not explicitly propose any changes to bikeways within the Proposed Action area. To encourage bicycle use, however, SMART proposes to provide six bicycle racks and eight bicycle lockers at the Larkspur Station. The Proposed Action is not anticipated to disrupt existing bicycle facilities, interfere with planned bicycle facilities, or create inconsistencies with adopted bicycle system plans, guidelines, policies, or standards. Therefore, no adverse effect on bicycle conditions in Larkspur would occur from the Proposed Action.	FALSE	The SMART Expenditure Plan is undermined by the Proposed Action, which would eliminate transit center access for the new Central Marin Ferry Connection crossing to the Larkspur Ferry Terminal and would preclude building the primary bicycle facility along the rail line from Andersen to Second Street as outlined in the Countywide Bicycle and Pedestrian Plan and the 1994 North South Bikeway Plan.
3.13-33		The Proposed Action does not explicitly propose any changes to pedestrian facilities in the Downtown San Rafael area. The Proposed Action is not anticipated to disrupt existing bicycle facilities, interfere with planned bicycle facilities, or create inconsistencies with adopted bicycle system plans, guidelines, policies or standards. As a result, no adverse effect on pedestrian conditions in Downtown San Rafael would occur from the Proposed Action	FALSE	The Proposed Action is inconsistent with the SMART Expenditure Plan as described in Measure Q which was passed by the voters in 2008. It interferes with significant pedestrian facilities in the project area that connect with the Cal Park Hill Tunnel path in Larkspur.
3.14-4	3.14.2			This section omits the SMART Pathway from Andersen to Second Street. The environmental consequences are unmitigable as safe and separate bicycle and pedestrian accommodation, as specified in Regional Measure Two and SMART Measure Q, would be permanently eliminated unless the SMART Pathway is included in the Proposed Action, at least from Andersen to Rice.

8-65

8-66

8-67

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
4.0 CUMULATIVE IMPACTS				
	4.1	Cumulative Projects		This omits the SMART Pathway described in the Downtown Station Area Plan for San Rafael and West Tamalpais, omits the SMART 2009 Strategic Plan, omits the Marin County Unincorporated Area Bicycle Pedestrian Plan, omits the language of Measure Q and the 2008 SMART Expenditure Plan. These omissions make the cumulative project unmitigable.
4-8	4.2	Socioeconomic and Environmental Justice		The residents of the Canal Community use the right-of-way extensively for walking and biking. Overhead maps show an extensive pedestrian network that is currently being used. These people will be disenfranchised and are not represented in the process whatsoever.
4-9	4.2.13	The transportation analysis of the Proposed Action represents a cumulative impact evaluation that incorporates other regional projects and planned transportation improvements.	Omitted	The "transportation analysis" of Proposed Action grossly omits material analysis of plans current uses studies and community desires as well as citizens who taxed themselves with Measure Q as well as the Multi-Use Pathway alongside the railroad right-of-way. The only way these omissions can be mitigated is by including the SMART Pathway with the Proposed Action.
5.0 COORDINATION AND COMMENTS				
5-1	5.1	The entire SMART project, which encompasses both the Proposed Action and the locally-funded SMART project, was reviewed under CEQA in the 2005 Draft EIR, certified in 2006. A Supplemental EIR that assessed specified changes to the SMART project was prepared and certified in 2008.	FALSE	The SMART project was to include a section of the pathway from Andersen to Second Street. You will find attached correspondence between SMART and the Marin Bike Coalition and Transportation Alternatives for Marin that demonstrate the CEQA was not done on the pathway between Andersen and Second Street as was agreed with the SMART General Manager and was being done before the current General Manager was retained.

8-68

8-69

8-70

8-71

**Detailed Comments to
SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment (EA)**



Page	Section	Environmental Assessment Language	Accuracy Level	TAM Comment and Recommendation
APPENDIX G				
		Cross-section 795 +25 Plan Appendix G Drawing SK-1007, Appendix G SK-0020	Illegal	The drawings shown in these cross sections show the West Francisco Blvd. "flip" to the West side of the rail line from Rice to Second Street. These designs are illegal under both San Rafael Complete Streets Ordinance and California Law requiring complete streets. Currently in this section pedestrians have a safe and separate path of travel. In the Appendix G drawings there are no sidewalks. Cyclists can use the side of the road. The attached alternative shows that adding the SMART Pathway can be done and would mitigate the proposed illegal drawings so that pedestrians can safely pass this area. See Exhibit "Appendix G."

8-72

Exhibit "A"

SONOMA-MARIN AREA RAIL TRANSIT DISTRICT MEASURE Q	
<p>Q MEASURE Q: To relieve traffic, fight global warming and increase transportation options, shall Sonoma-Marín Area Rail Transit District be authorized to provide two-way passenger train service every 30 minutes during weekday rush hours, weekend service, a bicycle/pedestrian pathway linking the stations, and connections to ferry/bus service, by levying a ¼-cent sales tax for 20 years, with an annual spending cap, independent audits/oversight, and all funds supporting these environmentally responsible transportation alternatives in Marin and Sonoma Counties?</p>	YES
	NO

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS
OF MEASURE Q**

The Sonoma-Marín Area Rail Transit District ("SMART") is a rail district created by the Legislature in 2003 to evaluate, plan, and implement passenger rail and associated rail transit facilities and services from Cloverdale in Sonoma County to a ferry terminal in Marin County that connects to San Francisco. The geographic area of the district includes all of Sonoma and Marin counties.

The District is authorized, with the approval of the voters, to propose a special tax to implement this service. The District has adopted an ordinance proposing a quarter-cent transactions and use tax (\$0.0025 on every \$1 spent), to be imposed on retail sales in Sonoma and Marin Counties, beginning April 1, 2009. Proceeds of the tax would provide funding for the design, construction, implementation, operation, financing, maintenance and management of the rail system and a bicycle/pedestrian pathway from Cloverdale in Sonoma County to Larkspur in Marin County. An Expenditure Plan for the tax revenues is incorporated into the proposed sales tax ordinance. The revenue from the tax can only be spent on project elements listed in the Expenditure Plan, including but not limited to:

1. Weekday and weekend passenger rail service.
- * 2. A parallel bicycle/pedestrian pathway.
3. Fourteen rail stations from Cloverdale to Larkspur (9 in Sonoma County, 5 in Marin County).
4. Rehabilitation and upgrading of the existing Northwestern Pacific Railroad (NWP) corridor from Cloverdale to Larkspur, including new passenger train passing sidings.
5. A maintenance facility in either Cloverdale or Windsor.
6. Shuttle service at selected rail stations.

The tax would be collected in the same manner as sales tax is currently collected, would begin on April 1, 2009, and would continue in effect for twenty (20) years.

The District is empowered under state law to issue bonds to fund all or part of the construction of the project, so that work can begin sooner. The bonds would be repaid over time from the tax revenue collected. The ordinance also establishes an appropriations (spending) limit for SMART. The ordinance must be approved by two-thirds of the voters voting on the question in order for the special tax to go into effect.

s/PATRICK K. FAULKNER s/STEVEN WOODSIDE
Marin County Counsel Sonoma County Counsel

SMM-1

[Emphasis Added]

**EXCERPTS OF MEASURE Q
ORDINANCE NO. 2008-01**

AN ORDINANCE OF THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT IMPOSING A RETAIL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION; ADOPTING AN EXPENDITURE PLAN; AND ESTABLISHING AN ANNUAL APPROPRIATIONS LIMIT FOR THE SONOMA-MARIN AREA RAIL TRANSIT DISTRICT.

BACKGROUND FINDINGS:

The Sonoma-Marín Area Rail Transit District (SMART) was created to provide a passenger rail system along the Northwestern Pacific Railroad within Sonoma and Marin Counties. The entire 75-mile corridor is publicly owned and can be used to provide passenger rail service. SMART will provide passenger rail service and a bicycle/pedestrian pathway to 14 rail stations in Sonoma and Marin Counties. SMART is committed to providing service with the most environmentally clean passenger rail vehicle possible.

SMART requires this measure in order to provide matching revenues to existing state and federal transportation grants, to bond for the construction of the project, and to provide funding for the on-going operation and maintenance of the project.

Section 1. TITLE. This ordinance shall be known as the Sonoma-Marín Passenger Rail Act. The Sonoma-Marín Area Rail Transit District hereinafter shall be called "District." This ordinance shall be applicable in the incorporated and unincorporated territory of the Counties of Sonoma and Marin, which shall be referred to herein as "District."

Section 2. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the effective date of this ordinance, as set forth below.

Section 3. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To provide funding for the design, construction, implementation, operation, financing, maintenance and management of a passenger rail system and a bicycle/pedestrian pathway connecting the 14 rail stations from Cloverdale to Larkspur. *

B. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 105115 of the Public Utilities Code which authorizes the District to adopt this tax ordinance which shall be operative if a two-thirds majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

* * *

***SONOMA-MARIN AREA
RAIL TRANSIT DISTRICT***

***2008 EXPENDITURE
PLAN***

July 2008

SMM-8

I. Executive Summary: SMART Expenditure Plan

The Sonoma-Marín Area Rail Transit District (SMART) proposes a 1/4-cent sales tax measure for Sonoma and Marin Counties in order to pay for the construction and operation of a passenger train system and ancillary bicycle/pedestrian pathway along the existing, publicly owned Northwestern Pacific Railroad. The SMART project will extend from Cloverdale in Sonoma County to Larkspur in Marin County. (See Figure 1) **[Emphasis Added]**

SMART's proposed 1/4-cent sales tax measure would relieve traffic, fight global warming and increase transportation options, by providing two-way passenger train service every 30 minutes during weekday rush hours, weekend service, a bicycle/pedestrian pathway linking the stations, and connections to ferry/bus service, by levying a 1/4-cent sales tax for 20 years, with an annual spending cap, independent audits/oversight, and all funds supporting these environmentally responsible transportation alternatives in Marin and Sonoma Counties.

Passage of this measure allows SMART to access other state, regional, and federal funds for the provision of passenger train service that are currently unavailable to Sonoma and Marin residents.

This measure would raise approximately \$890 million over a 20-year period or approximately \$45 million a year. The proceeds of the tax would be allocated to the design, construction, implementation, operation, financing, maintenance and management of a passenger train system and a bicycle/pedestrian pathway connecting the proposed train stations.

In 2006 SMART certified an Environmental Impact Report (EIR) analyzing the potential environmental impacts of the proposed passenger train and pathway corridor. The report's findings included:

- The train and pathway project is the environmentally superior alternative to the congested 101 freeway.
- The proposed project would reduce greenhouse gases.
- Up to 1.5 million car trips would be removed from Highway 101 annually.

- Energy use is reduced thereby reducing dependence on fossil fuels.
- The pathway provides another clean transportation option linking the train stations, along with health and recreational benefits.
- Replacement of waterway bridges and culverts with modern structures would significantly improve drainage along the train corridor and eliminate seasonal flooding.

More recently, a Supplemental EIR was prepared to evaluate:

- Potential addition of weekend passenger train service;
- Potential use of lighter-weight train vehicles;
- Potential alternative locations for the Novato South Station; and
- The cumulative impact due to a change in the level of future freight rail service operating in the SMART corridor.

See www.sonomamarintrain.org to view the environmental documents.

II. SMART Expenditure Plan Background

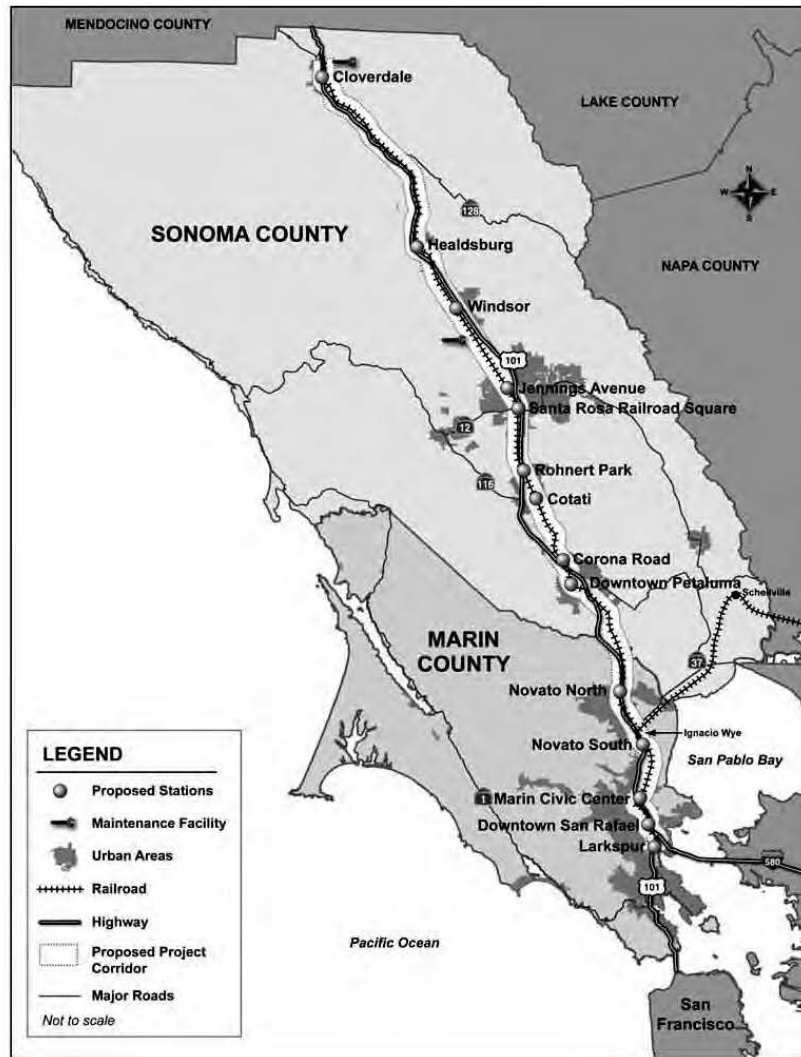
A. SMART District Role and Purpose

On January 1, 2003, the SMART District was established by the California Legislature through the enactment of AB 2224. The SMART District includes both Sonoma and Marin Counties and was created for the purpose of providing a unified and comprehensive structure for the ownership and governance of a passenger rail system within Sonoma and Marin Counties. The goal of SMART is to provide passenger train service along the existing publicly-owned railroad right-of-way.

B. Rail Corridor Ownership and Management

The primary asset of SMART is the NWP rail right-of-way and properties contained within that right-of-way along the railroad corridor extending from Healdsburg in Sonoma County to Corte Madera in Marin County. (See Figure 1). This right-of-way is a significant public asset and is to be managed for the public's use and benefit via the restoration of passenger train service and the development of a pathway linking the train stations.

Figure 1



SMM-10

SMART is managed by a General Manager, who is appointed by and reports to the SMART Board of Directors. SMART adopts an annual budget documenting all revenues and expenditures. Upon passage of this measure, SMART will prepare a Strategic Plan, under the direction of the SMART Board of Directors, and will update the plan at least every five years. The Strategic Plan will provide detailed annual revenue and cost assumptions for project implementation and operation. SMART will also prepare a five-year Short Range Transit Plan documenting service and funding assumptions. Prior to initiating train service, SMART will prepare a Start-Up Plan and an Emergency Preparedness Plan one year in advance of scheduled service. The Start-Up Plan will include implementation requirements, schedule assumptions, staffing, and maintenance and operations requirements. The Emergency Preparedness Plan will be developed in coordination with local jurisdictions and emergency responders and will address response protocols and procedures along the corridor.

A Citizens Oversight Committee will be established by the SMART Board to provide input and review on the Strategic Plan and subsequent updates. The committee will be composed of citizens from the SMART District, appointed by the Board.

C. Community Outreach

SMART's community outreach efforts have included monthly public Board meetings, public hearings, special ad hoc meetings and hundreds of presentations to community, business and special issue groups. SMART maintains an agency website with regular postings of project documents, a project hotline with phone numbers in both Sonoma and Marin counties and has provided regular email updates on the project's development to over 2,200 email recipients each year.

III. Expenditure Plan and Project Details

A. Project Description

The SMART passenger train project will upgrade the existing NWP right-of-way, to provide passenger train service from Cloverdale to Larkspur, with convenient linkages to bus, ferries, and shuttle feeder routes and direct connections to the bicycle/pedestrian pathway.

Fourteen stations are planned, nine in Sonoma County and five in Marin County. Proposed station sites include: Cloverdale, Healdsburg, Windsor, Santa Rosa (two stations), Rohnert Park, Cotati, Petaluma (two stations), Novato (two stations), Marin Civic Center, San Rafael and Larkspur.

Two-way train service is proposed at 30 minute frequencies, operating in the weekday a.m. and p.m. commute periods, along with one mid-day train. Weekend train service is also proposed with four, two-way round trips per day on Saturdays and Sundays.

B. Project Components: Capital Improvements

4. Implementing Other Needed Improvements: Two tunnels will be upgraded for train service. The CalPark Hill Tunnel, between San Rafael and Larkspur, will be funded 50% by SMART and 50% by Marin County. The CalPark Hill Tunnel will include both train and pathway improvements. The Puerto Suello Hill Tunnel, located north of San Rafael, will be upgraded for passenger rail service.

All public crossings will be upgraded along the rail line.

A new signal and dispatch system will be provided along the rail line to control train operations in accordance with state and federal operating rules and requirements.

The replacement of old railroad bridges and trestles will provide significant improvements in drainage and aid in the elimination of seasonal flooding along the corridor.

5. Providing Funding for a Bicycle/Pedestrian Pathway: SMART will provide a bicycle/pedestrian pathway along the SMART rail corridor linking the 14 train stations and on-going annual maintenance of the pathway.

6. Providing for Connecting Shuttle Services: Peak hour shuttle service is proposed for selected train stations. SMART has proposed nine shuttle routes serving selected stations during peak commute periods. Maps showing the shuttle routes are included as part of White Paper #9 and can be found on the district's website at www.sonomamarintrain.org.

7. Building a Needed Maintenance Facility: A maintenance facility will be constructed to provide rail car maintenance and storage.

8. Implementing Quiet Zones: SMART has committed to funding Quiet Zones in urban areas along the corridor, which would allow crossings to operate without train horns.

* * *

[Emphasis Added]

Exhibit “B”

PATHWAY ENVIRONMENTAL CLEARANCE HISTORY

SMART started working on Environmental Clearances for both the rail and pathway components of the SMART project in 2003. As of January 2015, most sections of the SMART Multi-Use Path have been CEQA and NEPA cleared. However, the three “Missing Link” segments, the most important pathway segments in Central Marin, are neither CEQA nor NEPA cleared.

In 2005, SMART removed six pathway segments from its CEQA EIR because including these segments in the 2005 EIR would have delayed its completion before the initiative went to ballot in 2006. At the time, SMART agreed with the Marin County Bicycle Coalition (MCBC) and Transportation Alternatives for Marin (TAM) that those six segments, which included the three “Missing Link” Central San Rafael segments, would be done next. The 2006 SMART measure lost at the ballot box.

A Supplemental EIR was completed in 2008, again just before the SMART project went to ballot. The six Marin pathway segments were again omitted from the Supplemental EIR because their inclusion allegedly would have delayed the EIR before the 2008 vote. SMART again assured the MCBC and TAM that the six Marin pathway segments would be CEQA environmentally cleared right after the November 2008 election. Measure Q, the ballot measure to fund SMART, passed in November 2008.

In 2009, SMART began the processes of environmentally clearing the final six Marin pathway segments. You will find attached as **Exhibit “A”** correspondence from SMART to the MCBC and TAM from 2009 that pertains to environmental clearance for the six Marin Segments, which included the three Central Marin “Missing Link” segments. Attached as **Exhibit “A-1”** you will find a proposed alignment for the SMART pathway from the top of the Puerto Suello Hill path through the SMART right of way to North San Pedro Road, connecting the SMART pathway to the Civic Center.

In 12 years, the three Central San Rafael “Missing Link” pathway segments still have not been environmentally cleared.

Exhibit "B"

SMART Field Trip – October 30, 2009
Marin County Phase 2 Pathway Segments
SUMMARY

Attendees: Vicki Hill – Env. Review & Permitting (SMART)
 Patrick Seidler, Bike Coalition & Bike Belong
 Bill Gamlem, SMART
 Mike Strider, HDR
 Michael Jones, Alta
 Jim Sherar (Biologist)
 Andy Peri, MBC
 Allison Thomasson, CCE
 Paul Klassen, CCE

NOTE: Pathway maps with notes are being forwarded separately.

MEETING NOTES

1. *Purpose of Meeting and Field Trip:* To review the seven Phase II pathway segments in Marin County, requested by Transportation Alternatives for Marin (TAM) and the Marin County Bicycle Coalition (MCBC) to be environmentally "cleared." The field visit will review the original Phase II alignments, observe environmental and technical constraints, and explore alternative alignments to reduce impacts/constraints. [Segments are described at end of this memo.]
2. *Status:* Phase I pathway segments have CEQA (but not NEPA) clearance per the SMART project Final EIR (2006); Phase II pathway segments have neither CEQA nor NEPA clearance. SMART has committed to doing the CEQA environmental review for the Phase II segments, but needs concept plans for alignments.
3. *History:* Originally, all Phase I and Phase II alignments were to be environmentally cleared in the original EIR. However, at some point, perhaps because of the Novato Narrows segment, the Phase II segments were removed from consideration in the original EIR. At that time SMART stated that the environmental review on the Phase II segments would be done at the next opportunity. A Supplemental EIR was required for the overall project because of changes to the project. TAM and the MCBC requested the segments of Phase II in the Supplemental EIR, but the segments were pulled due to time constraints. This current process is to complete the environmental review of these Seven Phase II Segments.
 - a. Note: TAM and the MCBC request that SMART complete any NEPA clearance for Phase II segments at the same time as SMART gets NEPA clearance for the overall project or the Phase I segments of pathway.
3. *Permits:* The permitting for the overall project (rail plus Phase I MUP [Multi-Use Path]) is now beginning. The MUP is more of an environmental clearance and permitting issue than the rail line because the rail already exists, so it is exempt from some permit requirements or can be permitted under maintenance and repair activities. The MUP involves new stream crossings (although all have the same alignment as the rail portions of the overall project)

Exhibit “B”

and limited development in wetlands, which are subject to multiple permits/approvals from USFWS, Army Corps, and CDFG.

4. *Current Project*: See Final EIR for all Phase I work. EIR based on Working Paper 5 “Design” but some revisions have been made since Working Paper 5 was first developed. A current overall project description is available on the SMART website and current Working Paper 5 drawings are on the website.
5. The MCBC and TAM are working with City of San Rafael on the planning of off and on ROW work on city streets. (Heatherton and Tamalpais are routes through downtown per San Rafael plans. John Nemeth at SMART has submitted proposals to the City of San Rafael on behalf of SMART on these downtown crossings including the MUP). SMART has submitted suggestions to the City of San Rafael for a north-south alignment through San Rafael from 2nd Street to 4th Street. The MCBC and TAM support the SMART suggestions that have been reviewed. SMART has also signaled the City of San Rafael, the MCBC, and TAM that there may be some right-of-way opportunities for a segment of the North-South Greenway from Mission to 4th Street with SMART allocating some ROW on the west side of the tracks to the North South Greenway, a separated pedestrian and bicycle path. The MCBC and TAM are very supportive of such proposals and would like to work with SMART and the City of San Rafael to complete those plans.
6. Michael Jones stated that he can get us all the needed background plans and documents. He will be the lead for pathway design, as part of the overall engineering design team.
7. “Civic Center Connector.” The City of San Rafael is revising its Master Bicycle and Pedestrian Plan. The Plan is expected to contain a Civic Center Connector in its updated Master Bicycle and Pedestrian Plan; The Civic Center Connector starts at the North South Greenway (the SMART pathway) at North San Pedro Road and Los Ranchitos. The Civic Center Connector would provide separated bicycle access (single directional Class I bicycle accommodation) and pedestrian accommodation on each side of North San Pedro Road to Civic Center Drive. The Civic Center Connector would continue on each side of Civic Center Drive to the Civic Center SMART station with single directional bike paths and sidewalks on each side of Civic Center Drive. The Civic Center Connector would provide safe and separate accommodation from North San Pedro Road at Los Ranchitos, to the Civic Center, and then continuing to the North South Greenway at the Civic Center SMART station.

FIELD NOTES

In addition to the following notes, Allison made notes on the pathway segment maps handed out at the meeting. **These maps are being sent in separate pdf files.**

During the field visit, multiple options were identified and discussed for some segments. As a result of field investigations, it was agreed that Segment 7 should be dropped for the time being. More analysis will be needed for this segment alignment, before it can be considered for CEQA clearance.

Exhibit “B”

Segment 1: There is a tidal channel on the west side of the tracks north of Andersen Drive which is problematic. Further, a west side path would cause one to two more track crossings than an east side path in this segment. The preferred alternative would be to have the MUP continue from the Cal Park Hill Tunnel Segment on the east side of the tracks across Andersen continuing north on the east side of the tracks. On the section of Segment I from Anderson Drive to the tidal inlet additional ROW (15 to 20 feet) or easements would be needed for the MUP. There is a shallow depression on the east side of the tracks with some wetland features (but not tidal). Ideally, the pathway would be placed on the east side of this depression. This alignment may require more right of way acquisition or an easement. However, the preferred land for the pathway alignment is poorly used. The preferred path location is on the back side of a fence to the Borders/Toys R Us parking lot. It is possible the landowner would desire SMART to build the MUP in this location. From the tidal inlet north, the shallow depressions with some wetland features does not exist. However, there is a car dealership parking lot along the east side that would need to be reduced in size by approximately 12 feet to provide for an east alignment of the pathway from the inlet to Rice Street. This appears to already be in the SMART ROW. SMART will review and follow up. The sliver of right-of-way would need to be acquired or a trade could be made. This was suggested by SMART and its consultants. There currently exists an apparently empty parking lot to the north of Rice Street. Ownership of this parcel should be determined. The parking lot to the north of the car dealership that might be used in such a trade is across Rice Street from the car dealership’s current parking lot. The Land Committee needs to look at both of these sections on Segment I, both south and north of the inlet on the east side of the tracks. TAM and the MCBC asked whether the tracks could be moved slightly to the west, to allow more space for the path on the east side. If such track movement were done there would still need to be acquired some ROW on east side of the tracks for the east side pathway to be built?

A new pathway bridge would be required over the tidal inlet. The remains of an old rail bridge might be used, to reduce disturbance over the channel. The rail line has to cross the same tidal inlet.

The Andersen realignment is not known yet and will be a major factor in the planning of Segment 1. TAM and the MCBC support a grade-separated crossing at Andersen. The MCBC’s and TAM’s primary desire is that the path be on the east side of the tracks and cross Andersen with the tracks to Rice Street. The preferred option from Rice Street appears to be to get to the west side of the tracks at Rice, possibly on the west side of the re-aligned West Francisco. This would allow for separation from the rail, two fewer track crossings by the MUP, and a better connection to the Mahon Creek Path (without having to cross West Francisco to get to the Mahon Creek Path from the Segment I path). An alternate option for the pathway is to have the pathway cross at Rice to the west side and turn into a Class II pathway there. (Some explanation is needed here relative to the proposed re-alignment of West Francisco.) This would avoid the pinch point with the highway on ramps. (Vickie will review.)

Since there is so much roadway realignment that SMART is working on in this Segment I, from Andersen, to Rice, to West Francisco, to Second Street, with the City of San Rafael, the County of Marin, and Caltrans, the MCBC and TAM request that all planning, environmental clearances, 100% engineering, and permits for this Segment I of the pathway be completed as part of this rail and roadway project from the Cal Park Hill project ending at Andersen all the way to Second Street. Andersen Drive will be relocated and crossed by the rail line. The north end of West

Exhibit “B”

Francisco is being completely realigned. In the scheme of things doing 100% of the pathway alignment makes sense from a practical standpoint. It would be impractical if the pathway were not included in these major planning efforts. The pathway, although critical, is of lesser design difficulty than the road realignments and the road crossings by the rail in the highly redesigned area. There is simply too much roadway and rail work being done in this Segment I not to fully integrate the path into the 100% design process. The MCBC and TAM would like to be involved in ALL stake holder meetings for the redesign of this area.

Segment 2: TAM and the MCBC stated that this segment is important for families and inexperienced riders, including children who cannot use the Class II facilities on Los Ranchitos or the Merrydale passage. As well, the Merrydale passage routes pedestrians and cyclists through a major freeway interchange at the bottom of Merrydale Avenue at North San Pedro Road. The slope from the top of Puerto Suello Hill may require a switchback(s). On the field visit there was a new idea from Paul to include a grade-separated railway crossing where the pathway would cross over the right-of-way to the west side of the rail, to avoid the steep slope at the base of the north side of Puerto Suello Hill. To get to the spot on the east side of Puerto Suello Hill at the estimated place where such an overcrossing would start, there appears to be an old road running down the north side of Puerto Suelo Hill. Further, on the west side where the path would land there is an elevated area that is flat on the western side of the tracks. There appears to be enough space in the ROW on the west side of the tracks after such a crossing, which would be approximately 10 feet-20 feet higher than the rail bed until approximately 450 feet from North San Pedro Road. The rail would have to be moved to the east in this section and retaining walls built in the last 450 feet of the section. The suggested rail line movement is shown in a map attachment to accommodate the path here. The overhead crossing alternative brings the MUP to the west side of the tracks at North San Pedro Road. This is optimal because it eliminates a MUP crossing of the tracks and puts the MUP into a nice, and newly refurbished intersection for crossing North San Pedro Road. The North South Greenway (the MUP) continues after crossing North San Pedro on the west side of the tracks. We would need a conceptual plan for this to proceed with environmental review. Is it possible to move the tracks to provide more room for the pathway?

Segment 3: Is it possible to move the segment to the west and use the edge of the new Safeway shopping center property? East side is problematic due to wetlands at the southern start and concern over right of way backing to the boundary of homes on the east side of the tracks. The Land Committee has to look at getting the easement on the Safeway side. Both alternatives, the east side and the west (Safeway) side should be explored.

Segment 4: The pathway could go under Bel Marin Keys overpass on either the east or the west side of the tracks.

West side alignment: A west side alignment might be able to be designed to avoid the pinch point at the Bel Marin Keys overpass, but this alignment would need property from Caltrans and may provide for another ROW crossing to the north. Further it would put cyclist between Highway 101 and rail line. Need to investigate this alternative. TAM and MCBC do not support the west alignment.

East Alignment: An east side path alignment could pass underneath the Bell Marin Keys Drive overpass. Note that other sections of the MUP use a similar design technique to accomplish getting the MUP through overpass areas. To facilitate the east alignment the third rail line, for

Exhibit “B”

approximately 400 feet at the north end of this segment, would need to be removed. The preferred alternative is on the east side of the tracks from Ignacio Blvd to Frosty Lane.

Segment 5: Hanna Ranch Segment. Would need retaining walls and raise pathway due to hillside. There are several suggestions to cross the pond which is just north of the hillside. Instead of going over the edge of the pond, as shown on plans, the path could be planned go around it, on private land (existing dirt road). The Land Committee would need to consult with property owner on feasibility of this. Private business park development plan (West Bay properties) for at least a portion of the property is being proposed, but there is no requirement for a pathway. Eastside easement road (utility) does not work, because of the need to have pathway on west side of the ROW. A more elegant and cost efficient way to secure this important and direct link from Hannah Ranch Road to Rowland Blvd would be to raise the pathway and use a retaining wall to get past the hillside. At Novato Creek, a bridge would be built to accommodate both rail and the pathway, with a dividing safety structure. The path would then connect with the MUP at Rowland Blvd.

Segment 6: The segment is partially off the right of way. (This seems like it is possible to be Cal Trans Land. Ownership needs to be determined.); columns on the undercrossing constrict the area available for the pathway if it were possible to move the pathway up above the wetland area to the east onto Caltrans property this might solve all these problems. If SMART wanted the MUP to connect at North Novato Station it may require a new rail crossing to access the Novato North Station.

Segment 7: There are a lot of wetlands north of the Novato North Station, so need to rethink this area.

Other Field Notes Regarding Phase I of the Project:

- The MCBC and TAM have an idea about crossing of wetland and Gallinas Creek at McGinnis Parkway – The recommendation is to make more direct connection across private property (The owner who wants to build soccer fields and other athletic areas in the area).
- Novato Narrows area – TAM and MCBC are working on alignments that avoid wetlands. **Jim Sherrar** to report on land east side of tracks, south of the County dump.
- For the entire pathway, TAM reports that the best practices TAM has seen for Multi-Use Paths in the United States are in Minneapolis which has pathways 21 feet wide to accommodate all users: 8 feet in each direction for cyclists, 5 feet for pedestrians. Pictures are included with this packet as an attachment.
- Optimal Path width and Mode Separation. Look at the new Multi-Use Pathway of Northgate, as a good example of a divided mode separated pathway (Pedestrians separated from cyclists, cyclists separated in each direction) built around the perimeter. The Northgate path is: 4 feet each way for cyclists and 4 feet for pedestrians: 12 feet overall.
- Need iterative process in design of Phase I – in tight locations, places where retaining walls needed, etc.

Exhibit “B”

NEXT STEPS:

- Need concept plans for the various Phase I segments, to proceed with SEIR. But, there are private property issues. The SMART Land Committee should investigate:
 1. Right of way acquisition or easements for the path on the east side of the tracks for Segment I from Andersen to Rice.
 2. An easement for the path on the west side of the tracks for Segment 3 next to the new Safeway.
 3. A right of way acquisition of approximately 5 feet width and 900 feet long for the northern part of Segment 4.
 4. An easement or right-of-way acquisition from Caltrans to get around the small wetland area on the east side of the underpass on Segment 6.
- Mike Jones thinks we need feasibility study of various segments and alternatives. Alta work scope includes task for developing Phase II alignments.
- To shadow the Phase II segments on the design drawings for Phase I work, need to know where Phase II segments are going to be located.

QUESTIONS:

- 1) Who will fund the 30% to 100% design of Phase II segments? The MCBC and TAM request as set forth in (a) below that TAM and the MCBC suggest the funding of such engineering as set forth below. Bill noted that Phase II design is not included in the current work scope for the designers, but that “shadowing” for Phase II is included. This means that designs for Phase I of the project, particularly with respect to rail, will factor in Phase II alignments.
The MCBC’s and TAM’s suggestions for engineering funding are as follows:
 - a. All elements of Segment I need to be designed by SMART:
 - Andersen Drive realignment
 - Underpass for rail and MUP crossing Andersen
 - East side MUP alignment from Andersen to Rice
 - Relocation of West Francisco Blvd.
 - Alignment of MUP on west side of tracks (possibly on the west side of West Francisco) starting at Rice to Second StreetSMART should provide 100% engineering, environmental clearances and all permits for Segment I.
 - b. Segments 2, 3, 4, and 6 should be “shadowed” by SMART. SMART should provide an estimate to the County and request that the County fund the 30% engineering for these sections through the Non Motorized Pilot Program, using the engineers SMART has now. These engineers are looking at all of the other relevant engineering information other than the MUP in the above segments.

Exhibit “B”

- 2) c. All elements of Segment 5 need to be done by SMART because the preferred alternative is entirely within the SMART ROW, and the biggest engineering calculation would be on a shared bridge for the MUP and the train over a pond. SMART should provide 100% engineering, environmental clearances, and all permits for Segment 5. Who will be responsible for obtaining permits for these segments? TAM and the MCBC recommend that SMART obtain the permits for all Phase II segments for continuity and economy of scale reasons.

Description of Original Phase 2 Segments

- **Segment 1:** Andersen to Irwin (Approximately MP 16.0 to 16.7) – move the pathway alignment to the east side of the tracks on the edge of the SMART right of way (ROW) to facilitate connections with other sections of the pathway. Due to the narrowness of the ROW (50 feet) and the presence of existing siding tracks along this segment, the pathway would likely be entirely off the ROW and would require an additional strip of property on the east side. NOTE: An alternative is to locate the Phase 2 pathway on the west side over a new culvert to take advantage of more available ROW. However, the tidal channel there makes this alternative very difficult from a permitting standpoint.

North of Irwin there is no room on the east side due to a Caltrans on ramp only 10 feet from center of track. Due to the complexity of the area and the currently undefined realignment of W. Francisco Blvd., the pathway north of Irwin may have to be a Class 2 within the realigned W. Francisco Blvd.

- **Segment 2:** Top of Puerto Suelo Hill to North San Pedro Road (Approximately MP 18.4 to 18.7) – move this segment to Phase 1 instead of what was assumed in the SMART FEIR for Phase 1 (Los Ranchitos Rd connecting on existing Class I pathway to Merrydale, which is an existing road). Phase 2 plans call for the pathway, as a Class I pathway, to go from the top of Puerto Suelo Hill northward along Los Ranchitos Road as it does now, but instead of turning toward Merrydale road, the pathway would wind its way on a new route that heads toward the north portal of the SMART tunnel in a series of switchbacks to descend approximately 100 feet in elevation from the top of the hill to the level of the track north of the portal on the east side of the track. Additional property is likely needed for this segment. The construction of this portion of the pathway will require retaining walls and engineering to address the steep slope.
- **Segment 3:** North Hamilton Parkway to Roblar Drive (MP 24.2 to 24.4) – rather than the proposed Class II pathway on the road outside of the ROW, move segment to the east side of the ROW for the entire section. The ROW is 50 feet wide along this segment and the railroad embankment is much higher than the surrounding adjacent land. Therefore, the pathway would probably need to be partially outside the ROW on private property. On the east side of the track, there are wetlands and other sensitive sections. South of Roblar Drive, on the east side, the pathway would pass by mobile homes located next to the SMART right of way.

Exhibit “B”

- **Segment 4:** Novato South Station to Frosty Lane (MP 24.6 to 25.3) – move to Phase 1 and study acquisition of ROW strip. Although the Novato South station will not be constructed near Bel Marin Keys Boulevard, the pathway could proceed through the station site northward. The pathway under Bel Marin Keys Boulevard would have to go up in elevation and be retained (retaining wall) to avoid the clearances of the track and abutments of the overhead structure. Where the pathway leaves the Bel Marin Keys Boulevard structure, the pathway could stay within the SMART ROW to MP 25. For the next 1500 feet, the SMART ROW may be too narrow to accommodate the pathway and additional property would need to be procured.
- **Segment 5:** Hannah Ranch Road to south end of Rowland Boulevard (MP 25.9 to MP 26.2) – Implement existing recommendation for Phase 2 pathway on the west side and new pathway bridge at MP 26.1. The width of the ROW is sufficient to accommodate the pathway from Hannah Ranch Road to the current end of Rowland Boulevard. Assuming the pathway is on the west side of the track, there could be issues with the cut in the hillside (approx. 200 feet long) and approximately 125 feet of wetland.
- **Segment 6:** Rush Creek Place to Novato North Station (MP 28.5 to 28.9) – the original proposed routing is to cross over and follow Redwood Boulevard to Atherton Avenue to the Novato North Station (west side of railway on Class II paths). The requested alternative is to remain on the east side of the ROW partially on or adjacent to the ROW (land appears to be CalTrans property). This alignment will require shoulder cuts under the Atherton Avenue and Hwy 101 overpasses on the east side of the ROW. This alignment would eliminate two ROW crossings. The ROW is only 50 feet wide, so additional property would be required. Having the pathway on the east side of the track would be a concern, as the Novato North Station is on the west side. It would require a new public crossing.
- **Segment 7:** Novato North Station to MP 30.0 – keep the pathway on the east side of the ROW through the Novato North Station between the ROW and Binford Rd until reaching the buildings at approximately MP 29.3. From there the path would be between the buildings and the ROW. The path would stay on the east side of the ROW to the alignment determined for the Novato Narrows project, which is still being planned by Caltrans. The ROW is only 50 feet wide, so additional ROW would be needed to place the pathway adjacent to it. Also, the trackbed is on an embankment and the adjacent track ditches may be a considered wetlands (with possible tidal influence).

EXHIBIT "B-1"

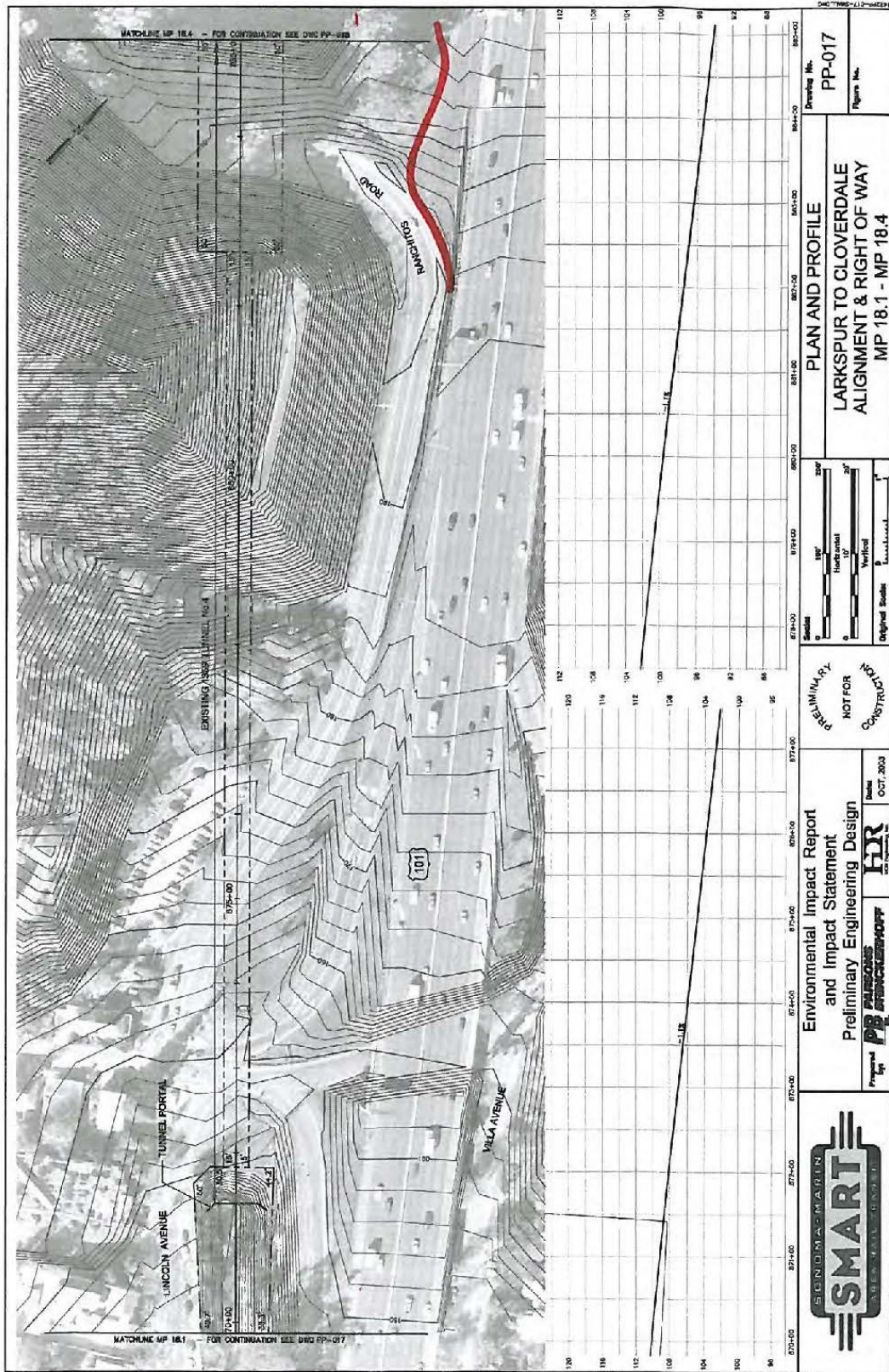


EXHIBIT "B-1"

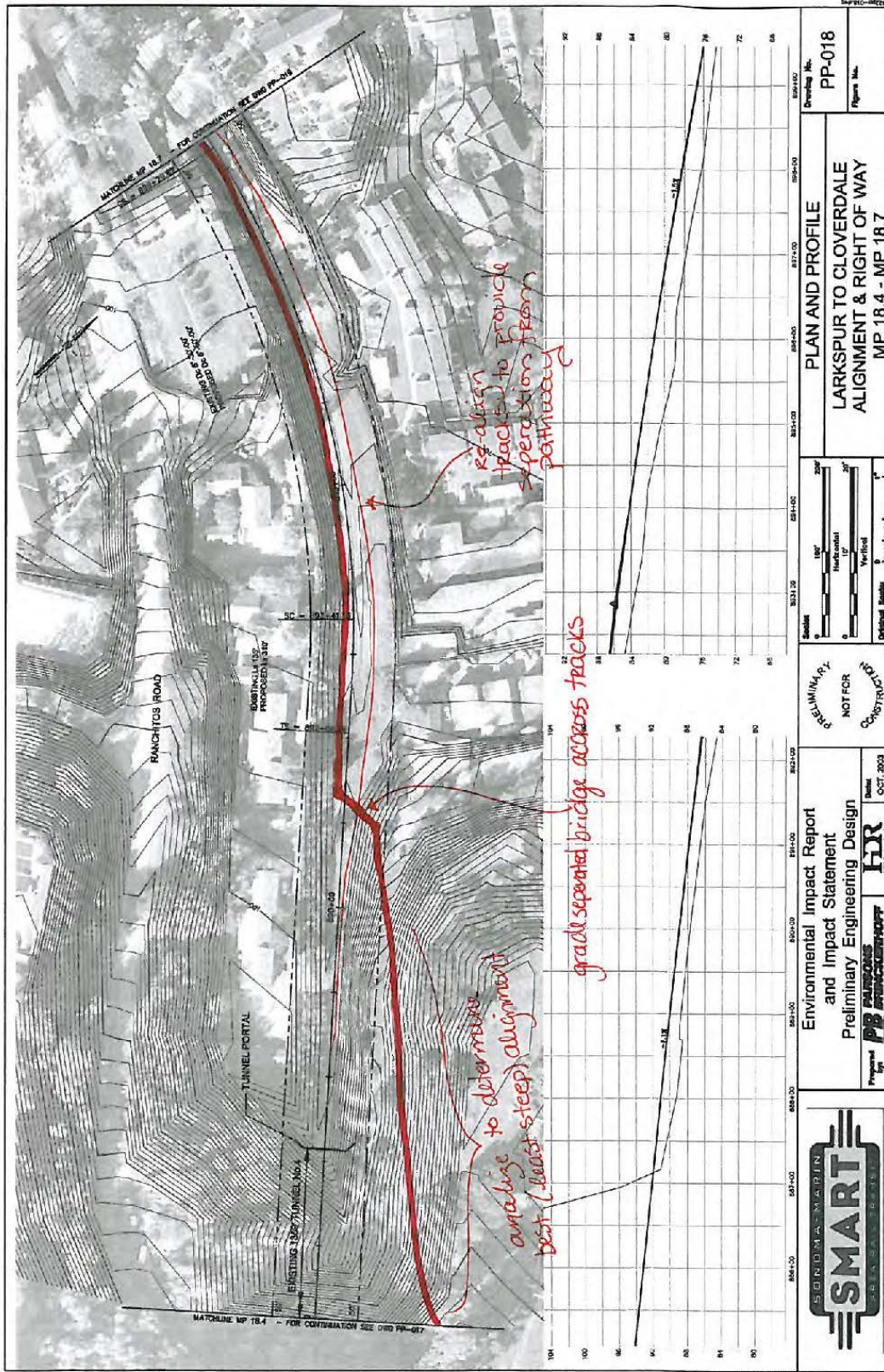


EXHIBIT "B-1"

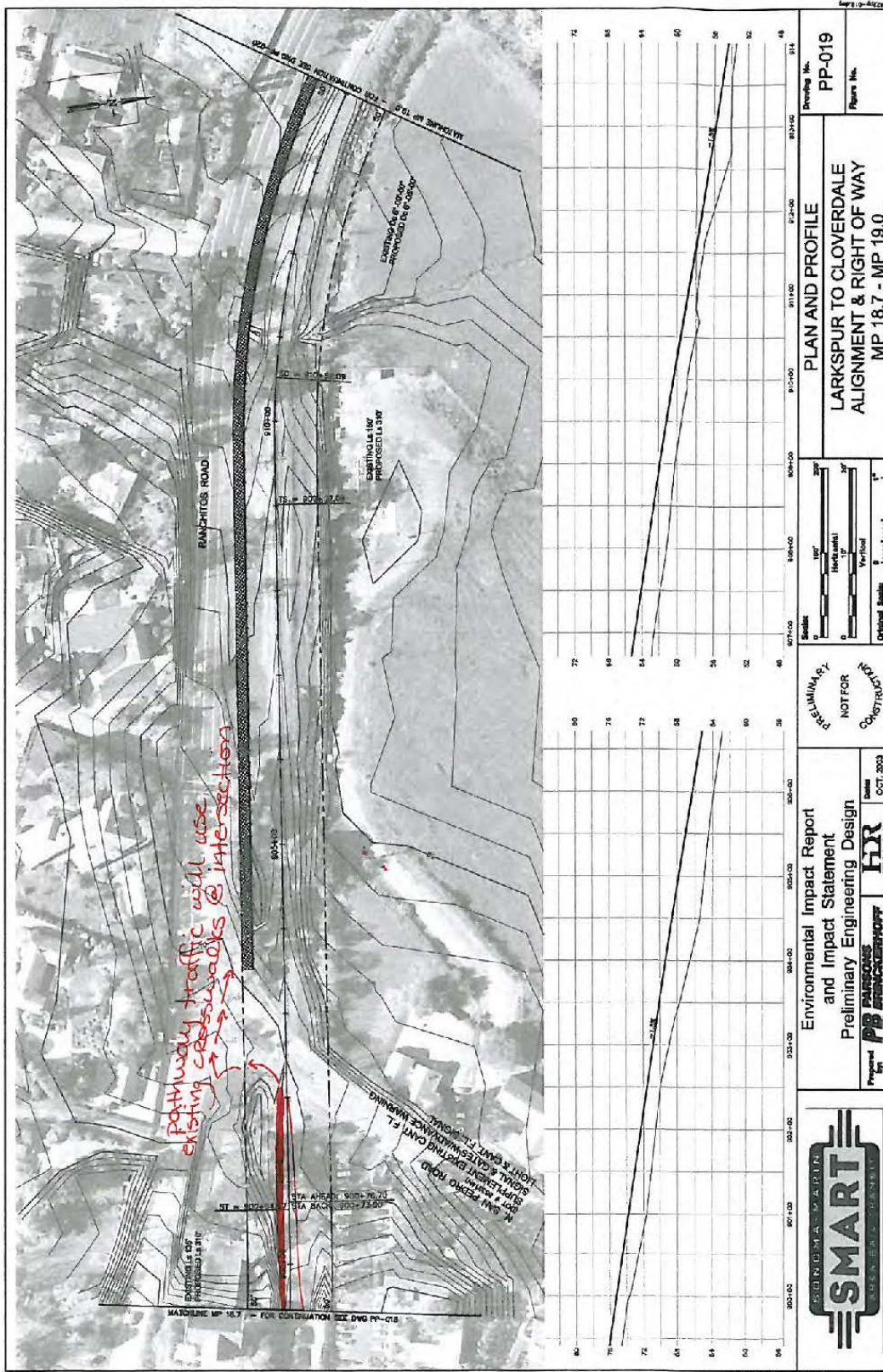


EXHIBIT "B-1"

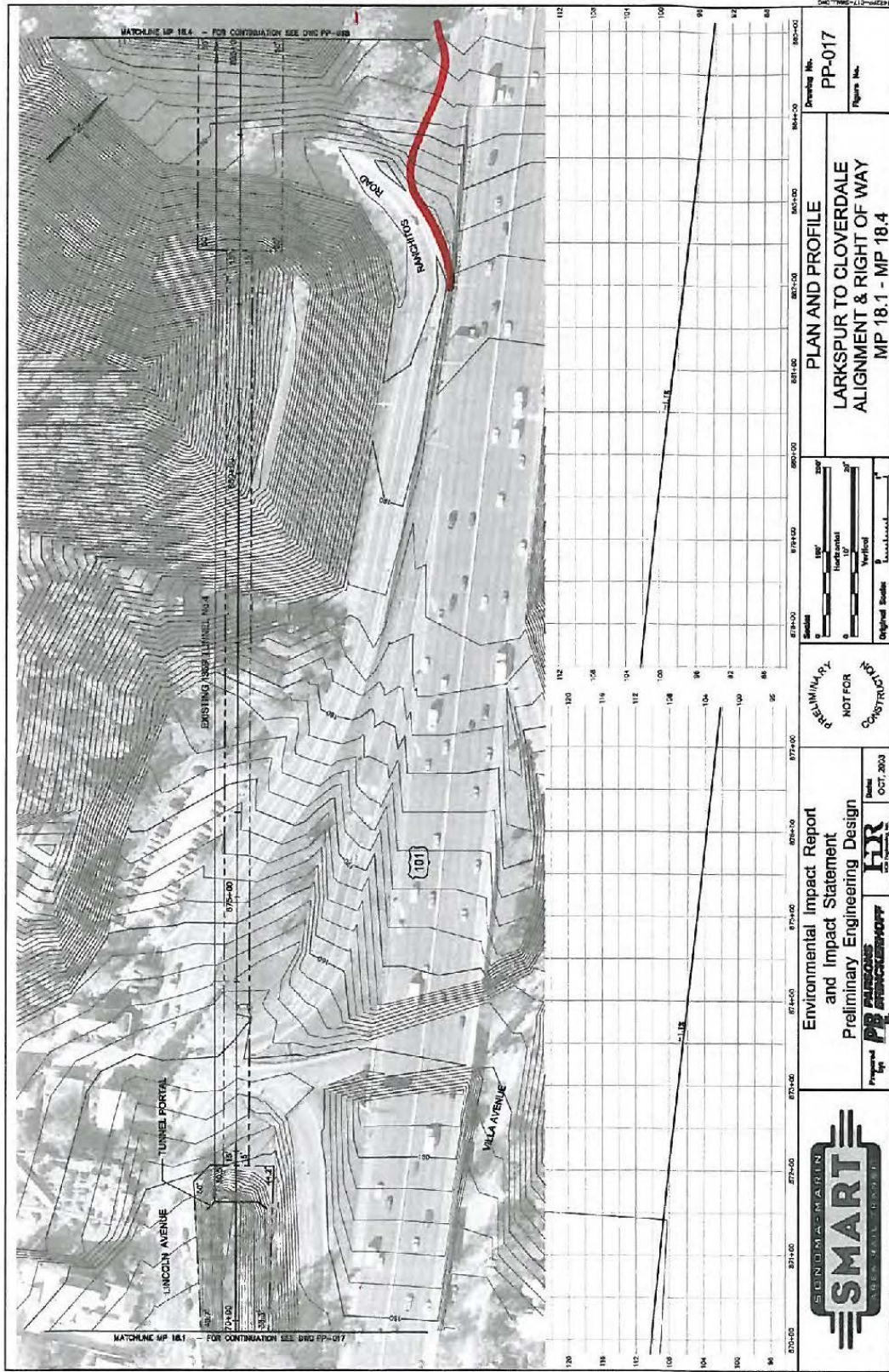


EXHIBIT "B-1"

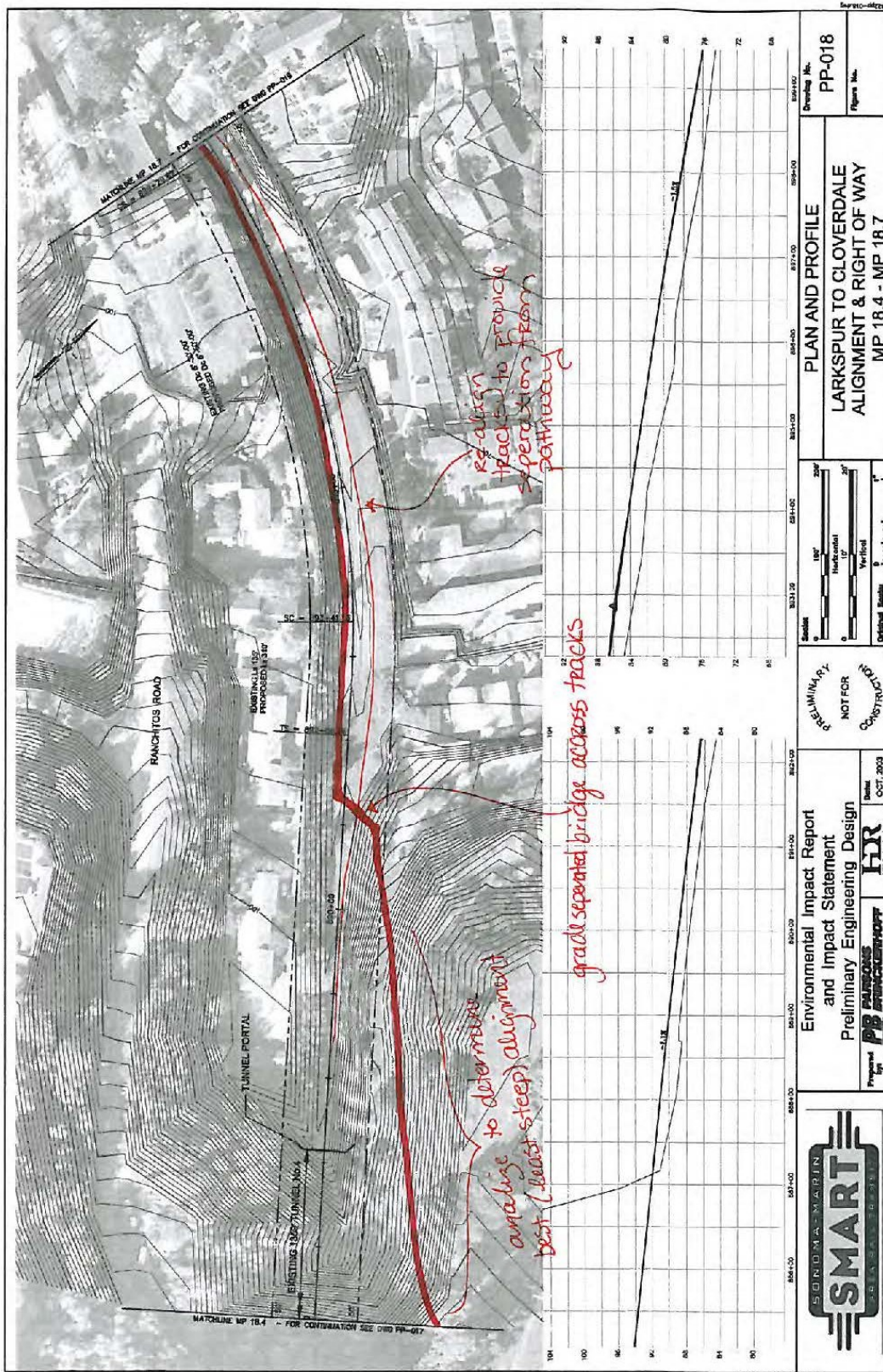


EXHIBIT "B-1"

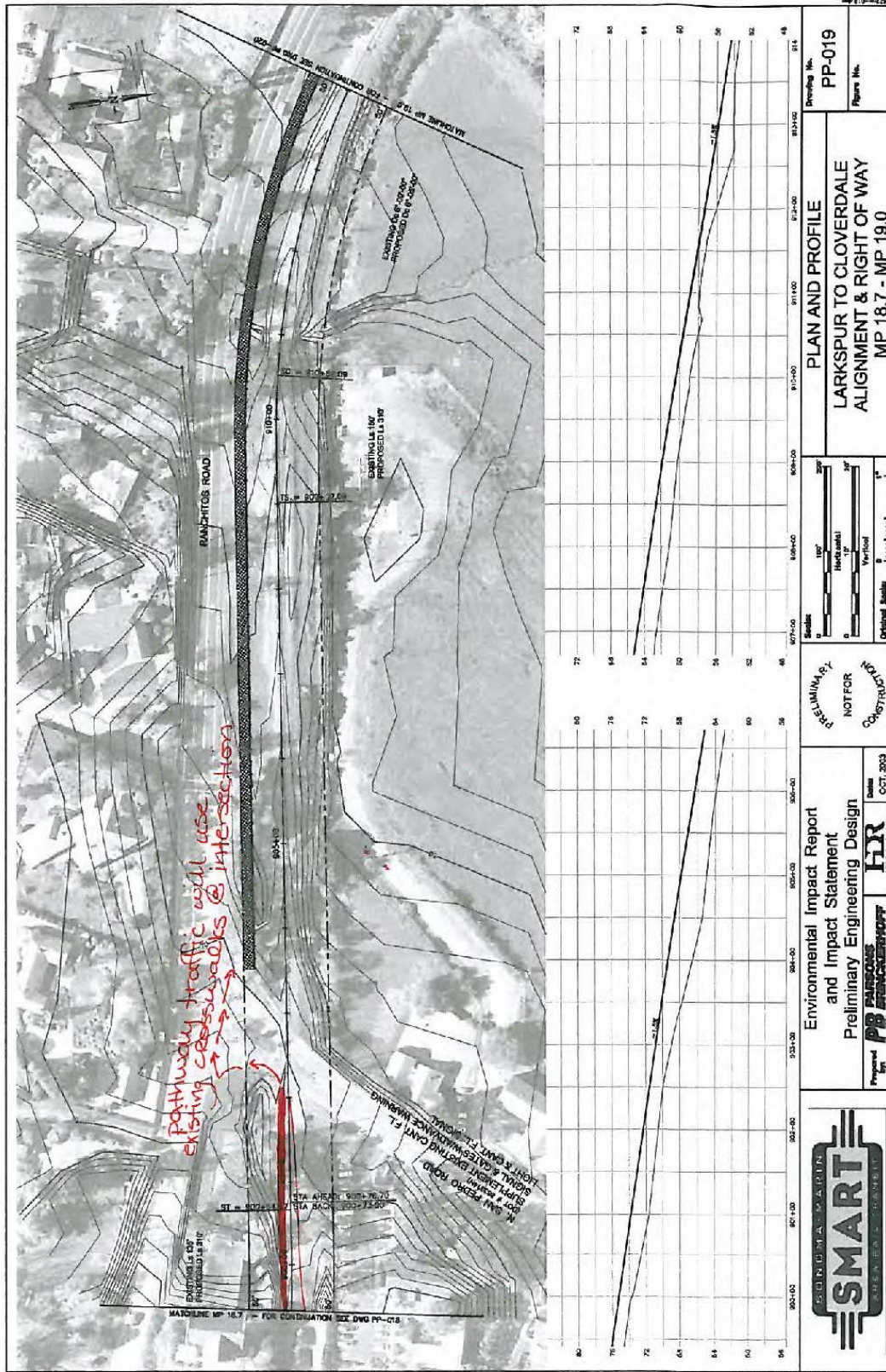
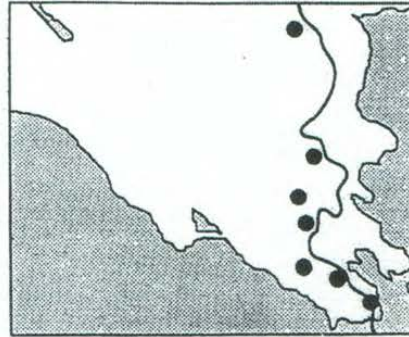


EXHIBIT "C"

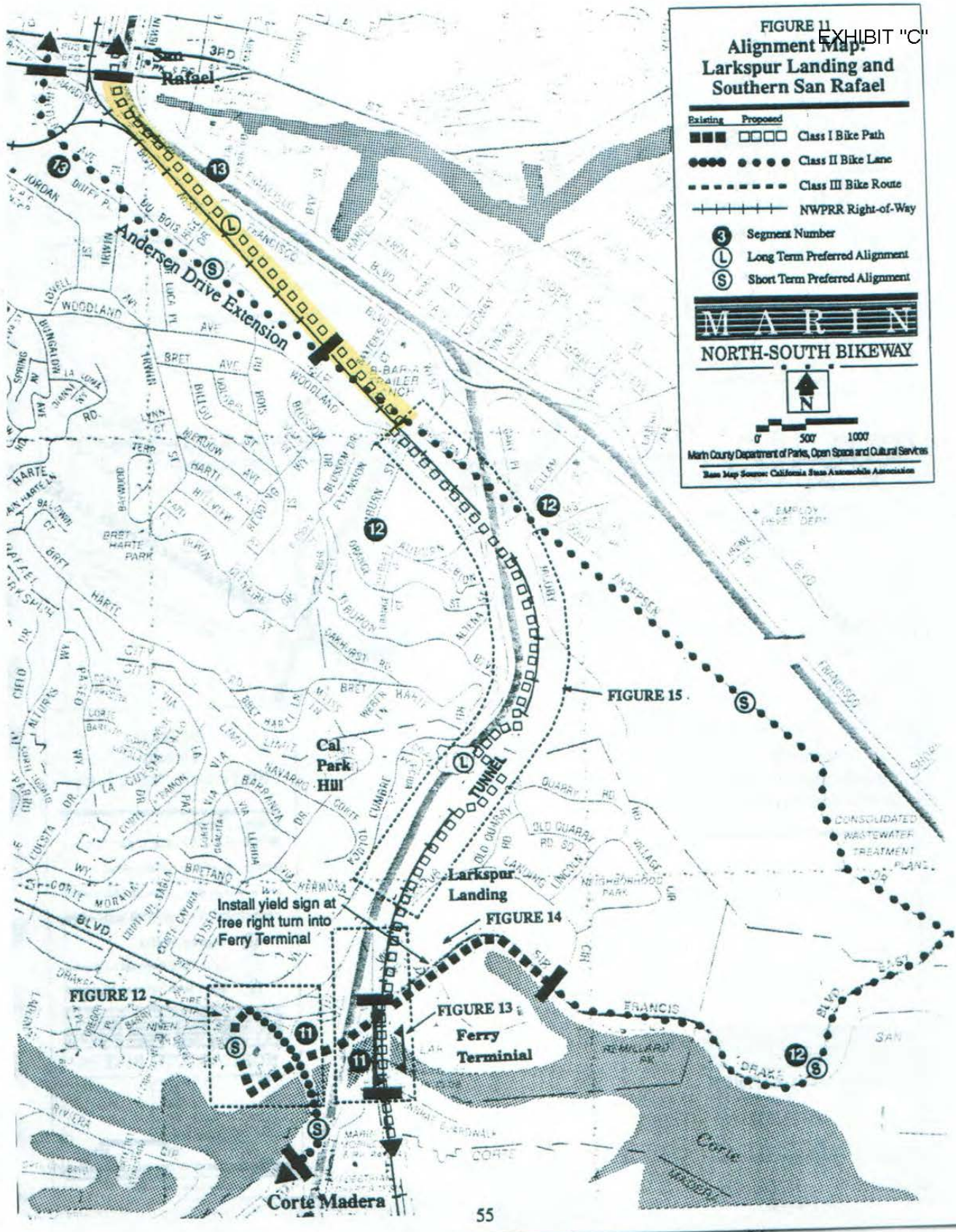
**MARIN COUNTY
NORTH-SOUTH
BIKEWAY
FEASIBILITY STUDY**



Marin County
Department of Parks,
Open Space and Cultural Services

November 1994

BRADY AND ASSOCIATES, INC. PLANNERS AND LANDSCAPE ARCHITECTS



B. Long-Term Alignment

Location: Southern San Rafael
From: Intersection of Andersen Drive with the North West Pacific Railroad Right-of-Way
To: Intersection of the Northwest Pacific Railroad Right-of-Way and Second Street
Alignment Map: Figure 11

The Bikeway would continue in the NWPRR right-of-way, on the east side of the tracks, north of Andersen Drive Extension and into downtown San Rafael. The NWPRR right-of-way under control of GGBHTD has a width of 50 feet in this area, which should be sufficient to accommodate rail transit and a bike path, but coordinated construction will require waiting until the transit plans are set.

The Bikeway would cross Second Street and enter Downtown San Rafael on the east side of the NWPRR right-of-way tracks.

Recommendations:

- a. Work with County Public Works staff and the NWPRR Right-of-Way Task Force to ensure that a Class I bike path is included in the proposed demonstration project to construct a busway in the right-of-way from Larkspur Landing to Downtown San Rafael.

Costs:

Segment No. 13 -- Long-Term Alignment
Total Length 3,500 L.F.

Item No.	Description	Estimated Quantity	Unit	Unit Cost	Total Cost
1	Asphalt Concrete Pavement (0.2')	42,750	S.F.	\$1.50	\$64,125
2	Traffic/Bike Lane Stripe	3,500	L.F.	\$0.80	\$2,800
3	Pavement Markings	14	EA.	\$50.00	\$700
4	Ramps/Bollards	7	EA.	\$1,000.00	\$7,000
5	Bridge	1	L.S.	\$70,000.00	\$70,000
6	Fencing	3,800	L.F.	\$20.00	\$76,000
Sub-Total					\$220,625
15% Design Cost					33,094
20% Contingency					44,125
Total Cost					\$297,844

March 2008

Marin County Unincorporated Area Bicycle and Pedestrian Master Plan



Adopted by the Marin County Board of Supervisors
March 25, 2008

Prepared for:
Marin County Department of Public Works

Prepared by:
Alta Planning + Design

Introduction

County Bicycle Plan in 1975: the North-South Greenway, North-South Bikeway, and East-West Bikeway.

North-South Greenway

The legacy of the old Northwestern Pacific Railroad in Marin along with the natural geography of the county makes the creation of a North-South Greenway a logical primary spine. The North-South Greenway starts at the Golden Gate Bridge and connects Sausalito, Mill Valley, Corte Madera, Larkspur, San Rafael, Novato, and Sonoma County, generally following the old NWP alignment.

The recommendations from the 1994 North-South Bikeway Plan are incorporated into this Plan, which recommends implementing the North-South Bikeway (Greenway) in a series of discrete segments that best match funding sources. This strategy is intended to recognize the high cost of the bikeway as well as its enormous potential and to build the route as funding permits.

From Central San Rafael north, the final alignment is dependent on the future rail service plans developed by the Sonoma Marin Area Rail Transit (SMART) agency. Proposed facilities along the NWP from Larkspur Landing north through Novato are consistent with the SMART 2006 Final Environmental Impact Report. North of Novato the Greenway is planned to follow Highway 101 and be incorporated into the Marin-Sonoma Narrows project.

North-South Bikeway

Recognizing that the SMART right of way and future North-South Greenway alignment north of Puerto Suello Hill travels primarily east of Highway 101 through less-developed areas while the area west of Highway 101 is where many businesses and residential neighborhoods are located, a parallel route to the North-South Greenway is identified. Beginning at Puerto Suello Hill summit, this route travels north along roadways and Class I pathways through Terra Linda, Marinwood, and Novato. Much of the North-South Bikeway has been constructed, with remaining gaps funded through the NTPP.

East-West Bikeway

The East-West Bikeway was first identified in the Cross Marin Trail proposal in the 1970s. Similar to the North-South Bikeway, this bikeway would generally follow the alignment of the old NWP right-of-way from Point Reyes Station through Samuel P. Taylor State Park, Lagunitas, San Geronimo, Woodacre, Fairfax, and San Anselmo. In downtown San Anselmo, one branch of the bikeway would continue down into Ross Valley through Ross, Kentfield, and Greenbrae to Larkspur Landing and finally to San Quentin. The other branch would continue easterly into San Rafael. Between Larkspur and Lagunitas the right-of-way has been used for roadways or has been sold off and developed, necessitating consideration of alternate alignments through these communities. The final alignment is dependent on numerous factors including acquisition of property, environmental approval, condition, cost

Goals, Objectives, and Policy Actions

Marin County Unincorporated Areas Bicycle and Pedestrian Master Plan (2001)

The plan, which is the subject of the current update, was completed for the Marin County Department of Public Works. The plan outlines improvements to the unincorporated areas of the County of Marin and includes routes of countywide and regional significance, as well as highlighting key improvements from the incorporated communities of Marin.

Marin County Bicycle and Pedestrian Master Plan (2000)

The Marin County Congestion Management Agency (CMA) commissioned and received a bicycle and pedestrian master plan to embrace both incorporated and unincorporated jurisdictions within the county. Key recommendations of this plan included a North-South Bikeway, an East-West Bikeway, potential use of abandoned railroad tunnels and rights-of-way, and locating vital infrastructure improvements to promote and encourage increased bicycle and pedestrian activity.

Local Bicycle and Pedestrian Master Plans

The following jurisdictions have adopted bicycle or bicycle/pedestrian master plans which are being updated concurrently with the County unincorporated areas plan. As described above, throughout the County Unincorporated areas planning process, special consideration has been given to locations where countywide and regional facilities cross jurisdictional boundaries in order to coordinate improvements among multiple jurisdictions.

Community	Year of Most Recent Plan Adoption
Sausalito	1999
Tiburon	2001
Corte Madera	2001
Fairfax	2001
San Anselmo	2001
San Rafael	2002
Mill Valley	2003
Larkspur	2007
Novato	2007
Ross	No Plan
Belvedere	No Plan

Marin County North-South Bikeway Feasibility Study (1994)

The purpose of the Marin County North-South Bikeway Feasibility Study was to identify and develop a safe and efficient north-south bikeway from the Golden Gate Bridge to the Sonoma County line, generally following the old Northwestern Pacific Railroad right-of-way, for commuters. The Study was never officially adopted. The Plan’s recommendations included development of a long-term alignment along the Northwest Pacific Railroad right-of-way through much of the county. Although SMART did not exist at the time, the Study did recognize the difficulties in this alignment due to the intended use of the right-of-way for transit in addition

Goals, Objectives, and Policy Actions

to cost, rebuilding of tunnels, and private site development. Thus it also recommended a short-term alignment that runs mostly along existing streets and paths, with improvements in signing, striping, and pavement. Further discussions of the North-South Bikeway are contained in later chapters of this plan.

Marin County Bicycle Plan (1975)

In 1975, Marin County's Board of Supervisors adopted a document entitled "A Bikeway Policy for Marin County," which emphasized the need for safe accommodation for bicycling in all public streets and roads. The policies called for the County to design new road construction and repair projects to safely accommodate bicycles, integrate bicycle planning into transportation planning and construction, provide recreational bikeways, develop uniform standards for bikeway design, support bicycle safety education, and rules.

The 1975 Plan called for the delineation of over 400 miles of bike routes, the provision of bicycle parking at locations with an apparent demand for such facilities, a bicycle educational and safety program be initiated in all elementary schools, and the introduction of a bicycle registration program to help recover stolen bicycles. The total cost of the Plan was estimated at \$3.5 million.

2.3 Local Bikeways and Plans

Marin County's unincorporated communities include Black Point, Bolinas, Dillon Beach, Forest Knolls, Greenbrae, Inverness, Kentfield, Lagunitas, Lucas Valley, Marin City, Marinwood, Marshall, Muir Beach, Nicasio, Olema, Pt. Reyes Station, San Geronimo, Santa Venetia, Sleepy Hollow, Stinson Beach, Strawberry, Almonte/Homestead/Tamalpais Valley, Tomales, and Woodacre. Each of these communities is primarily residential, some having local design review boards and/or homeowner's associations. Bikeways and walkways in these communities that have been identified for this Plan are under the purview of the County of Marin.

Since adoption of the 2001 plan, planning for local walkways and bikeways has been accomplished in several unincorporated areas in Marin, including Tamalpais Valley, Bolinas, Marinwood and the Pt. Reyes-Inverness communities. These plans identify detailed, specific bicycle and pedestrian improvements for further consideration as to the community's desires. These plans are incorporated by reference into this Plan once adopted by the Board of Supervisors. Elements from those plans are included in Chapter 5.0.

2.4 Regional Bicycle and Pedestrian Plans
Regional Bicycle Plan (2001, Metropolitan Transportation Commission)

The Metropolitan Transportation Commission's 2001 Regional Bicycle Plan is a component of the 2001 Regional Transportation Plan for the San Francisco Bay Area, which establishes the



EXHIBIT "E"



Exhibit "F"

1. No Action
2. Build a double track rail line only. This is the Proposed Action in the SMART December 2014 Environmental Assessment. This Proposed Action would eliminate the SMART MUP from Andersen to Second Street. This eliminates the SMART Pathway connection from San Rafael Transit Center to Larkspur Transit Center. This would be the only gap in the planned North South Greenway from Sausalito to Novato, 26 miles.
3. Build only the SMART Pathway from Andersen to Second Street. No train alternative. This would fulfill Measure Q requirements to connect the SMART Pathway from the San Rafael Transit Center to the ferry system at Larkspur Landing. The Cal Park Hill Tunnel path is complete from Larkspur to San Rafael. The Central Marin Ferry Project from the Cal Park Hill Tunnel Path to the south side of Sir Francis Drake will be completed in July 2015. The MTC has funded a North South Greenway Gap Closure Project from the Central Marin Ferry Connection to the Sandra Marker Trail in Corte Madera. Building the Andersen to Second Street MUP would complete the North South Greenway from Redwood Avenue in Corte Madera to the San Rafael Transit Center and to the top of Puerto Suello Hill, close to the Civic Center. Under SMART'S 2005 EIR, these sections of the SMART Pathway would have approximately two times the number of users than the rail. The SMART Pathway Alternative would not preclude future construction of a rail line from San Rafael to Larkspur.

4. Build the Proposed Action AND the SMART Pathway from Andersen to Rice. There should be two sub-alternatives studied with this alternative:
 - a. One with the SMART Pathway on the West side of the double track rail from Andersen to Rice.
 - b. One with the SMART Pathway on the East side of the double track rail from Andersen to Rice.
5. Build the Proposed Action AND the SMART Pathway from Andersen to Second Street. This Alternative would include both sub alternatives (a) and (b), above. Building the SMART Pathway from Anderson to Second Street would mitigate ALL impacts outlined in TAM's comments to the Environmental Assessment.
6. A Proposed Action with double track rail from the north side of the Cal Park Hill Tunnel to Andersen, single track rail from Andersen to Second Street AND the SMART Pathway on the east side of the single track rail from Andersen to Rice and on the west side of the single track rail from Rice to Second Street.

Exhibit "G"


Metropolitan Transportation Commission
Programming and Allocations Committee

February 12, 2014

Agenda Item 3a

**US 101 Greenbrae Interchange
Proposed Funding Redirection**

Recommendations	RM2 Funds
Sonoma-Marin Area Rail Transit (SMART) <ul style="list-style-type: none"> • <u>Fund elements in preparation for SMART Larkspur Extension, to include:</u> <ul style="list-style-type: none"> • Andersen Drive Rail Crossing • San Rafael Bettini Transit Center access improvements and potential future relocation • <u>Multi-purpose bike/pedestrian pathway</u> 	\$20 million



Requires public hearing

May 14, 2014


Agenda Item 3a.i

Amendments to Regional Measure 2 Capital Projects

MTC Resolution No. 3801, Revised

**US 101 Greenbrae Interchange
Proposed Funding Redirection – SMART**

Recommendations	RM2 Funds
<ul style="list-style-type: none"> • <u>Staff to work with SMART to advance rail extension</u> • TIGER grant application endorsed by MTC 	\$20 million
<ul style="list-style-type: none"> • Alternatively, <u>could fund elements in preparation for SMART Larkspur Extension:</u> <ul style="list-style-type: none"> • San Rafael Bettini Transit Center access improvements and potential future relocation • <u>Multi-purpose bike/pedestrian pathway</u> 	

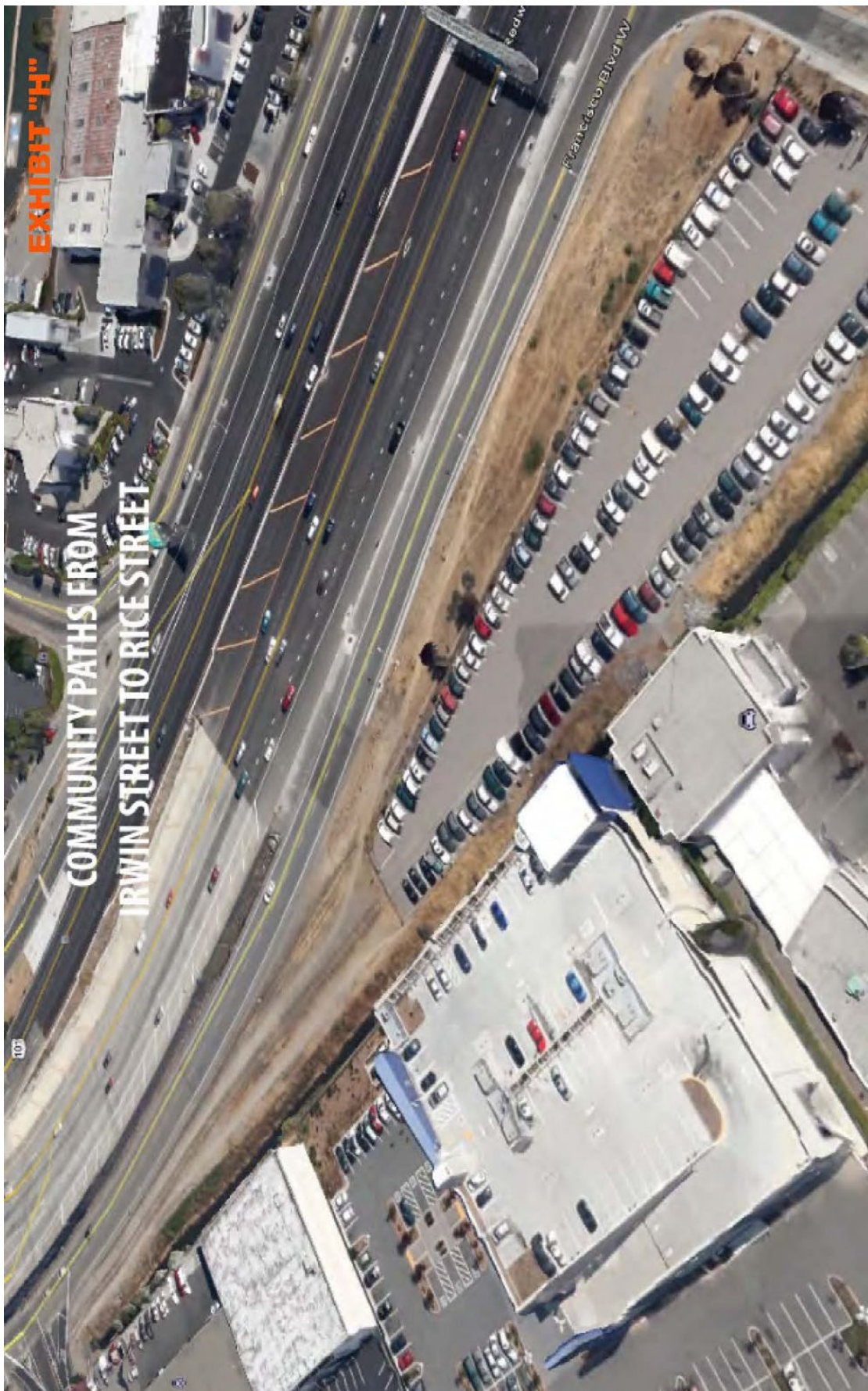




Downtown San Rafael to Larkspur Extension
Addendum to the EA



Downtown San Rafael to Larkspur Extension
Addendum to the EA



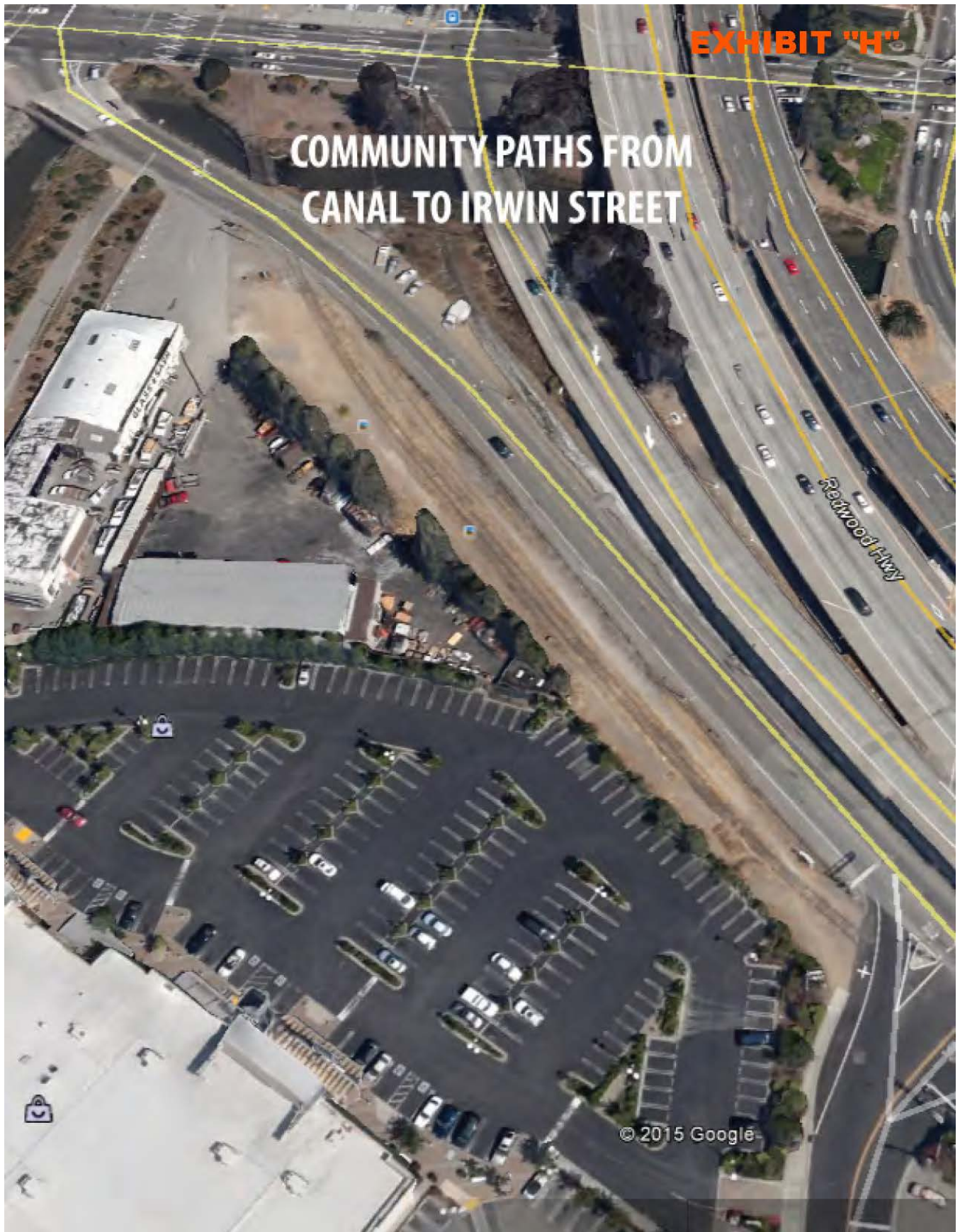


EXHIBIT "I"

January 22, 2015

Mr. Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

VIA Email: hshamsapour@sonomamarintrain.org

RE: Draft SMART Downtown San Rafael to Larkspur Extension Environmental Assessment

Dear Mr. Shamaspour,

My name is Lindsay McKenzie. I am a member of San Rafael BPAC, Safe Routes to School, San Rafael City Task force, and I am the mom of two kids in the San Rafael school district. I represent the San Rafael schools that will be affected by SMART putting in a rail line from the San Rafael Station to the Larkspur Station.

There are 7 public schools with approximately 3,600 students residing within a 4 mile radius feeding into these schools who would be directly impacted by the rail project proposed in SMART's Environmental Assessment. For example, Davidson Middle School, in the heart of San Rafael's industrial district, has a population of 1,110 students. Principal Bob Marcucci has indicated that the number of students at Davidson will increase in the near future. The School District data shows that 52% live in and around the Canal district and the only current safe and separate route to Davidson is in the SMART right of way from Andersen Drive to Second Street, Rice and Irwin. A considerable number also live parallel to the SMART right of way, along Lincoln Avenue.

I have provided you with a map plotting the locations of a sample of 975 of these students. The schools in discussion are: elementary schools, Coleman, Bahia Vista and Laurel Dell, Sun Valley and Glenwood. These then feed into Davidson Middle School then on to San Rafael High. As you can see, at some point in almost every San Rafael student's education, they must cross through downtown San Rafael as the placement of the various schools forces them to do so. These numbers do not even include the private schools within San Rafael who also use the SMART right of way to walk and ride to school.

Based on the number of students residing in the radius around the SMART Pathway, and given my past 8 years of voluntary involvement with Safe Routes to School as Team Lead for both Coleman Elementary and Davidson Middle School. I know for A FACT that the implementation of a COMPLETE Multi Use Path would result in a material increase in the number of Green Trips that kids would take to various San Rafael City Schools. When in 2010 the SMART Pathway was constructed parallel to

EXHIBIT "I"

Lincoln, I personally worked with 5 other families on our hill (Puerto Suello) and we daily biked to school with 8-10 kids as a result of the new path where previously we all drove.

I have worked diligently with Safe Routes to School over the years to create immediate safe approaches, reduce the number of cars and encourage families to use alternatives such as biking, walking and carpooling to both Davidson and Coleman with great success. But, better infrastructure must be provided to attract families to safely do this on a routine basis. If SMART builds the SMART Pathway with the proposed rail extension from Downtown San Rafael to Larkspur, this would be the safe and separate path that we need.

Please also take into consideration that many of the families specifically in the Canal district are low income, Hispanic, many do not have a driver's license and therefore are very reliant on bicycles as transportation. It is not just the children who would benefit in this instance. Many of the parents of these children do not speak English. So, I am their voice.

I have also owned a bicycle shop in Marin for the past 11 years and have seen the increase in desire to "get out of the car." The introduction of electric bicycles in North America recently stands to mirror that of the more progressive European countries who have designed their city structures around the bicycle. The electric bicycle opens up whole new segment of commuters who previously shied away from the bike.

It is imperative that the SMART Pathway be included in Proposed Action described in the SMART Downtown San Rafael to Larkspur Extension Environmental Assessment. If it is not, the community will lose an extremely valuable resource when the train is put in. Putting only the train in would eliminate the vital pathway that is such a key community resource. If the Pathway is built with the train, even more people will use this current community non-motorized route.

I speak for the hundreds of families who would rethink our morning and afternoon commutes with our children.

"I believe that many students would choose to walk to school rather than get on a school bus or district transit if there were a safe and more direct route."

Davidson Principal Bob Marcucci on the omission of the SMART Pathway from the Proposed Action in the Environmental Assessment, Jan. 20, 2014

Thank you for your time and consideration.

Lindsay McKenzie
BPAC, Safe Routes to School
415.847.2414
Lindsay@3ringcycles.com

Lindsay EXHIBIT "I"

DMS Coleman Addresses only

Imported at Tue Jan 20 13:18:10 PST 2015 from DMS Coleman Addresses only.xlsx.
Edited at 1:34 PM

Share

File Edit Tools Help

Rows 1

Cards 1

Map of Home address...

Map 2

Filter

No filters applied

Saved

975 rows

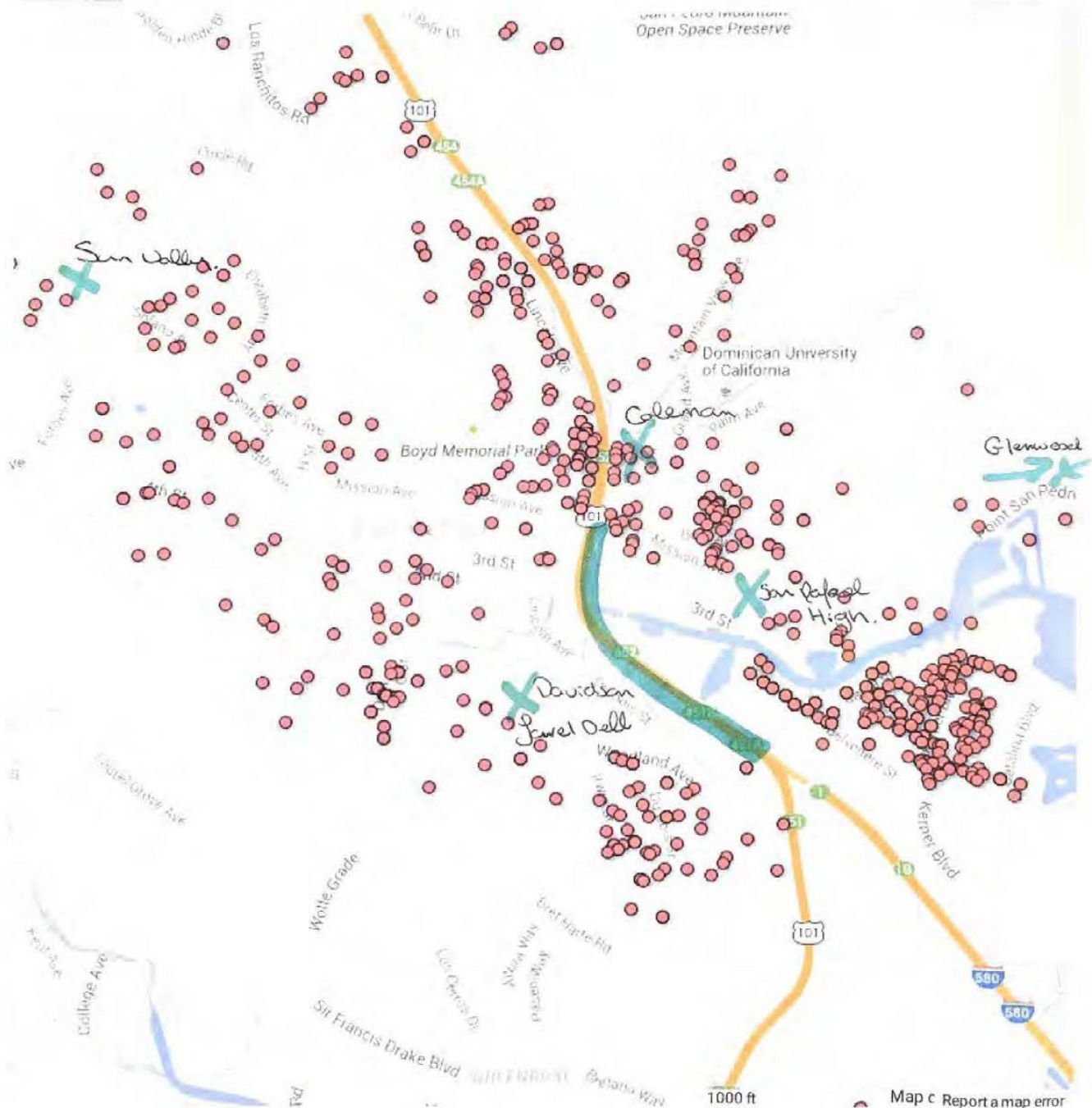
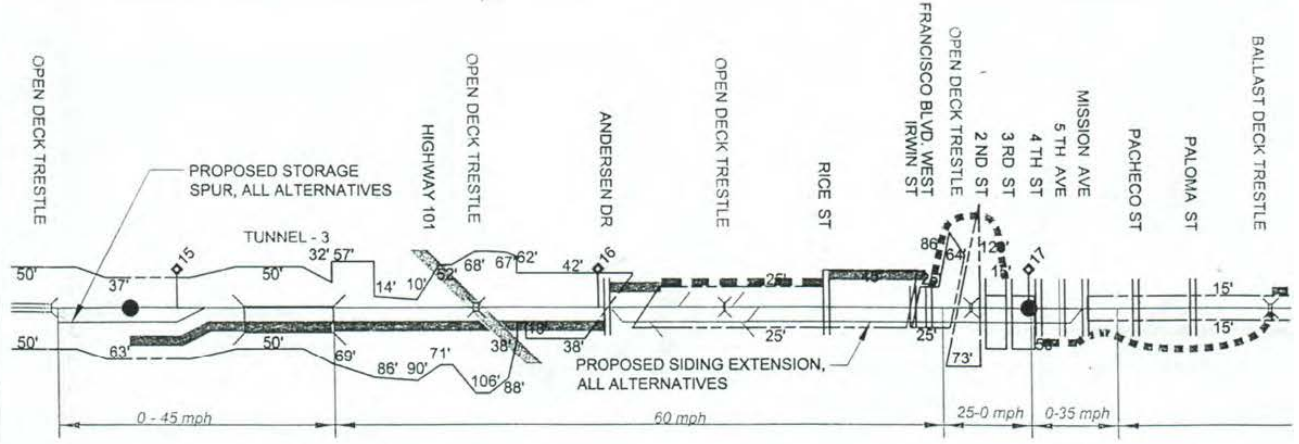
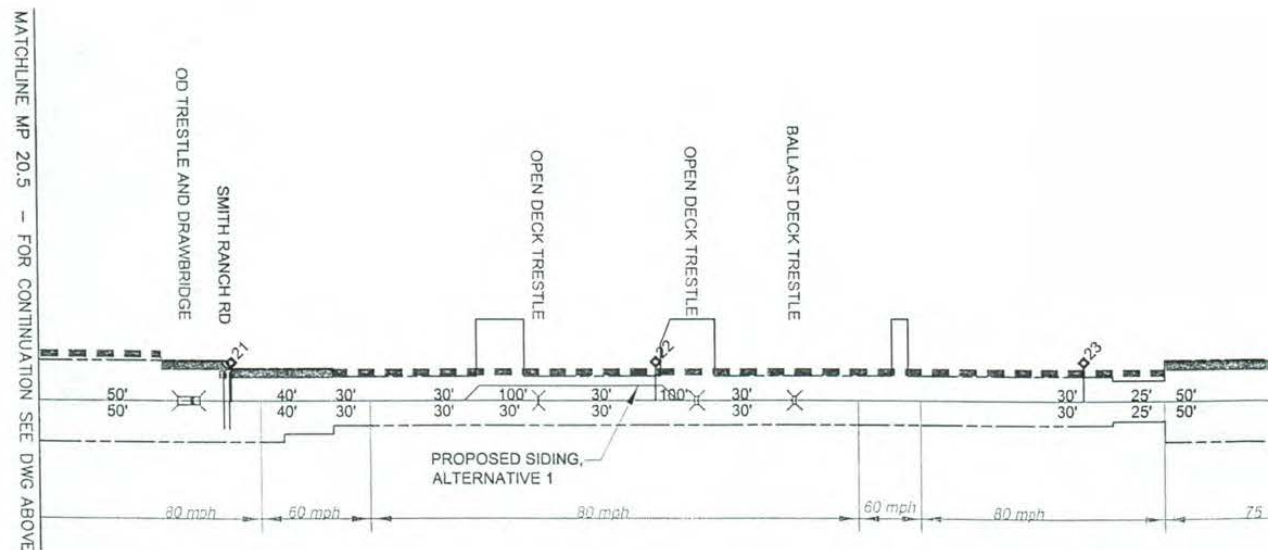


EXHIBIT "J"



LARKSPUR (GREENBRAE)

SAN RAFAEL



MATCHLINE MP 20.5 - FOR CONTINUATION SEE DWG ABOVE

\\CAM-8002\PROJECTS\11422\001\PLANS\DWG\11422B-301.DWG
 09-09-03 PALERNO 092855

- LEGEND:
- ◆ 1/8" MILE POST
 - STATIONS
 - 80 mph MAXIMUM ALLOWABLE PASSENGER TRAIN SPEED
 - 49 mph MAXIMUM ALLOWABLE FREIGHT TRAIN SPEED
 - EXISTING TRACK CENTERLINE
 - PROPOSED PASSENGER TRACK CENTERLINE
 - PROPOSED FREIGHT TRACK CENTERLINE

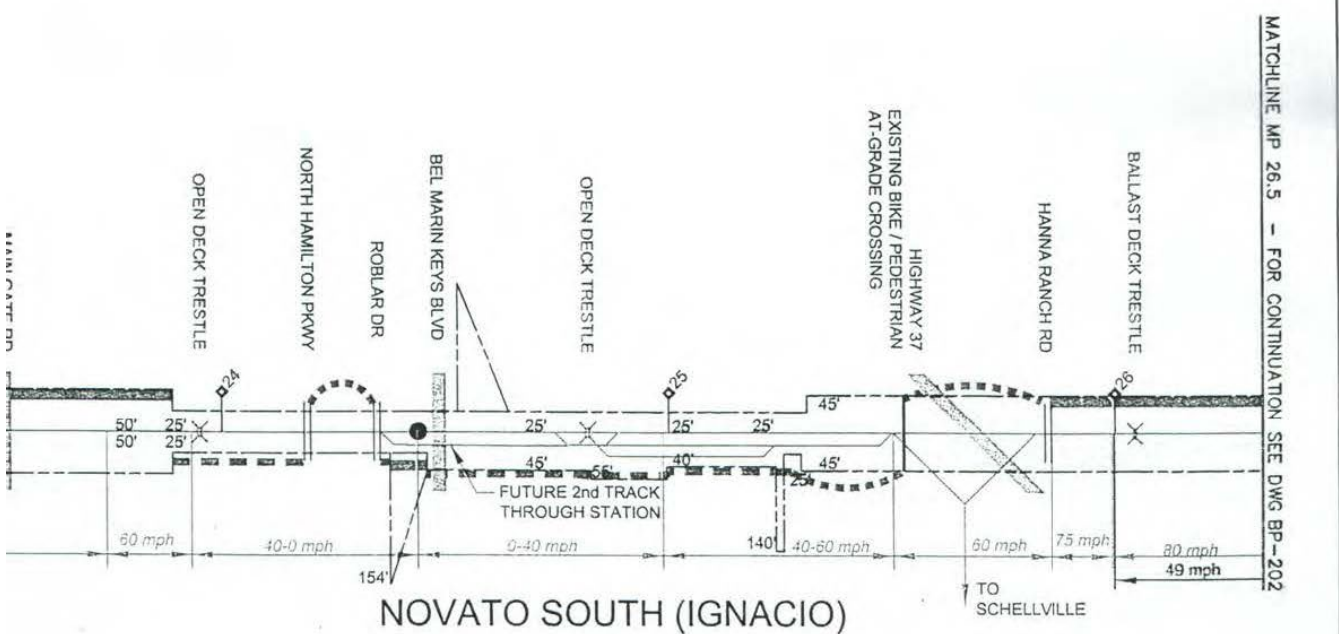
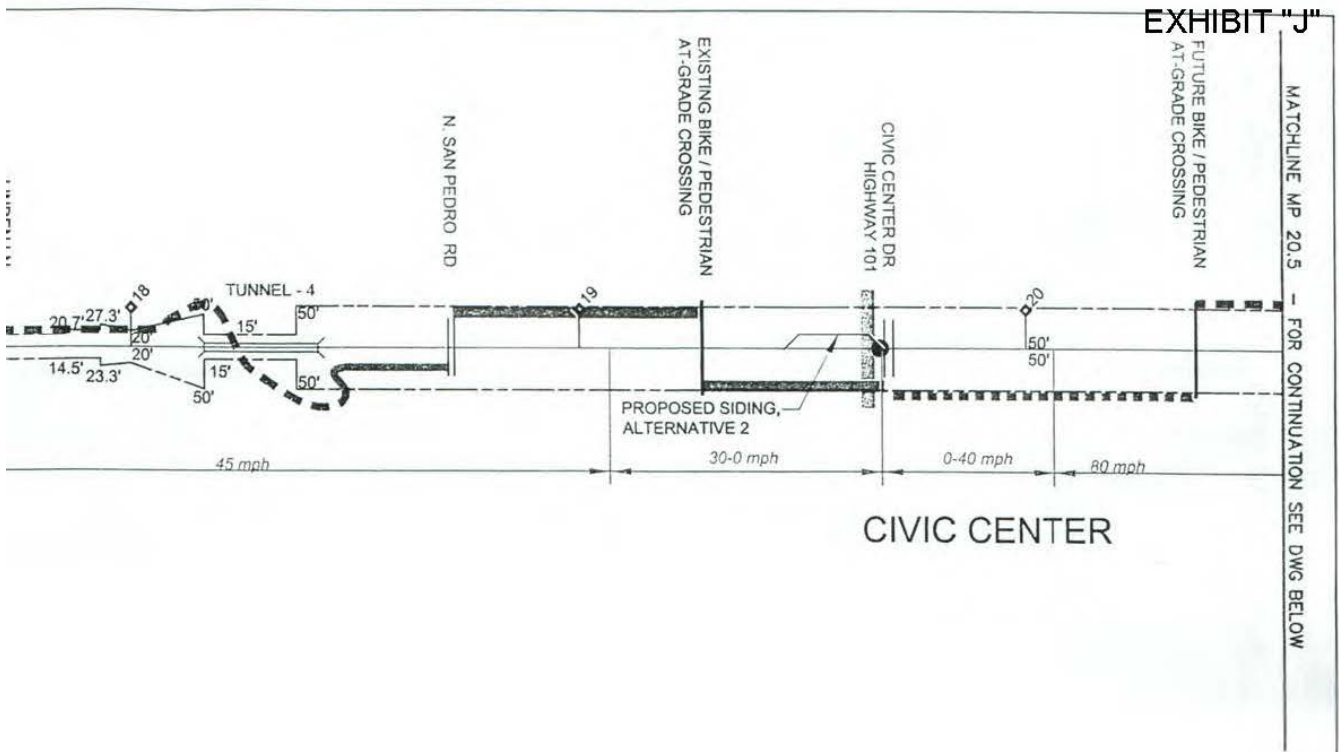


Environmental Impact Report
 and Impact Statement
 Preliminary Engineering Design

Prepared by: **PB PARSONS BRINCKERHOFF**

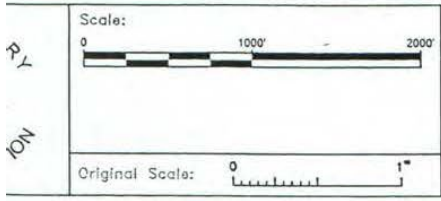
Date: 09/09/2003

PRELIM
 NOT
 CONST



- RIGHT OF WAY
- ROADWAY OVER CROSSING
- ROADWAY AT GRADE CROSSING

- BIKE / PEDESTRIAN PATH ON RR ROW
- BIKE / PEDESTRIAN PATH PARTIALLY ON OR ADJACENT TO RR ROW
- BIKE / PEDESTRIAN PATH ADJACENT TO BUT NOT ON RR ROW



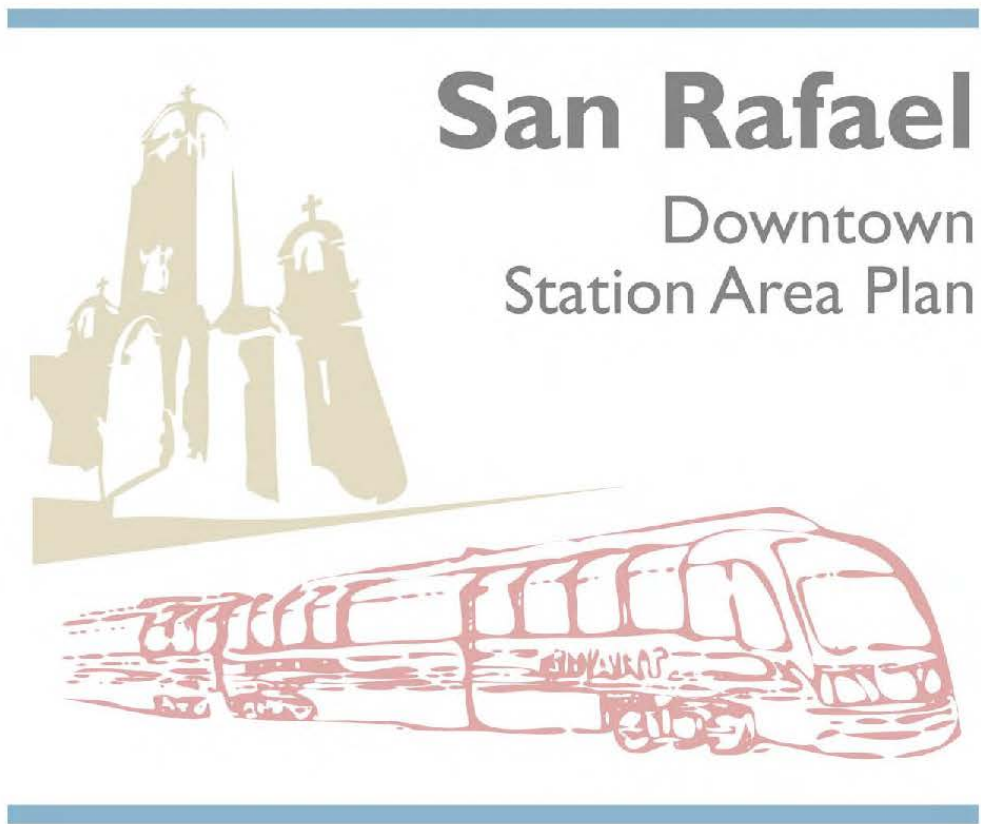
BIKE / PED. PATH ALTERNATIVES

PHASE 2 - LONG TERM

RIGHT-OF-WAY AND SPEED CHART

SMART CORRIDOR

Drawing No.	BP-201
Figure No.	



San Rafael

Downtown Station Area Plan

Approved Final Draft

June 4, 2012

This project is funded in part through the Metropolitan Transportation Commission's Station Area Planning Program. The preparation of this report has been financed in part by grants from the U.S. Department of Transportation. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

VI. Station Access and Connectivity

EXHIBIT "K"

The objective of the station access strategy is to ensure safe and convenient connections to both the SMART station and the Bettini transit center for all users, including: those walking, arriving by bicycle, arriving by train or bus, carpooling, or driving alone and parking.

Page 84

* * *

2. Tamalpais Avenue "Complete Street" Concepts

The major station access improvement explored in this plan is to reconstruct Tamalpais Avenue to serve as a "Complete Street" that would serve all travel modes. In this concept, Tamalpais Avenue could be converted to one-way northbound travel between Second and Fourth Streets and one-way southbound travel between Fourth Street and Mission Avenue.

The conversion of Tamalpais Avenue to one-way travel, which would require more detailed analysis, would support several elements of the station access, pedestrian/bicycle, and open space elements of the plan:

- **Station Access:** Currently, the segment of Tamalpais Avenue from Second to Fourth Streets has relatively low traffic volumes. These volumes are anticipated to decrease further with the construction of the median on Fourth Street that will prevent left-turns to and from Tamalpais Avenue. The elimination of left-turns at Fourth Street, combined with the one-way northbound traffic flow, will make Tamalpais Avenue less attractive as a cut-through route. This will allow this section of Tamalpais Avenue to serve as the "front door" to the San Rafael Transit Center and support passenger loading activities.

* * *

- **Local Connectivity:** Tamalpais Avenue would serve as the primary north-south pedestrian and bicycle connection between the SMART station and the Puerto Suello Path and Transit Center Connector, Fourth Street, and the Mahon Creek Path.

TAM NOTE: WEST TAMALPAIS IS THE ROUTE OF THE SMART MUP, AKA NORTH SOUTH GREENWAY, NOT THE HEATHERTON

- **Bicycle/Pedestrian:** From Second to Fourth Street, the removal of the southbound travel lane and the parking spaces along the west curb will provide additional right-of-way. This extra right-of-way could be utilized to make multi-modal improvements along these two blocks of Tamalpais.

* * *

- **Open Space:** Currently, the segment of Tamalpais Avenue from Fourth Street to Mission Avenue is very lightly traveled. The proposed median at Fourth Street will also prevent left turns to and from Tamalpais Avenue, which will further decrease traffic volumes along this segment of Tamalpais Avenue. Converting this segment to one-way southbound should have little effect on traffic flow within the Plan Area. One option could be the conversion to one-way travel to free up the right-of-way from the former northbound lane. This stretch of Tamalpais could become a landscaped multi-use pathway. Tamalpais Avenue southbound

Page 90

and East Tamalpais northbound between Fourth Street and Mission Avenue will work as a one-way couplet in this area.

Figure VI-4 shows one alternative landscape treatment for this section of West Tamalpais and Tamalpais Avenues between Fourth Street and Mission Avenue, which would require further study and coordination with SMART's ongoing track design work. In conjunction with the proposed conversion of West Tamalpais Avenue to one-way southbound travel, narrowing the pavement of West Tamalpais and eliminating on-street parking on the eastern curb, leaving a pull-out fire staging area near the center of the block, would free up space for landscaping and other uses. Widening the sidewalk on the western curb would improve the pedestrian environment. Other features such as distinctive sidewalk paving, a separated multi-use pathway, stormwater management features such as planters, bulb-outs at crosswalks, and permeable paving in parking areas, as illustrated in Figure VI-5, could also be considered during the design phase. Other possible configurations include a separated multi-use pathway, or northbound and southbound Class II bicycle lanes.

TAM NOTE:
THE DESIGN
PHASE IS NOW!



Page 91

4. Recommended Bicycle Improvements

The following bicycle improvements are recommended for the Study Area in order to enable convenient and safe bicycle access to the SMART rail transit (see Figure VI-10).

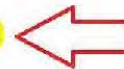
The recommended bicycle improvements include the following:

- On Tamalpais Avenue from Second Street to Mission Avenue, options include the designation of Class III routes, a bi-directional separated multi-use pathway, or a Class II northbound and a Class II southbound bike lane.

- Explore additional options for making West Tamalpais Avenue and Tamalpais Avenue between Mission Avenue and Second Street more inviting for bicyclists. The City's Bicycle and Pedestrian Advisory Committee and City staff could investigate the feasibility of various design solutions, such as creating a streetside multi-use path or barrier-separated cycle track. The landscape treatment of this bikeway should be integrated with the proposed landscape treatment of the SMART right-of-way and East and West Tamalpais Avenues.

TAM NOTE:
THE SAN RAFAEL
BPAC SHOULD BE
WORKING ON THIS
NOW.

- Work with SMART to determine alignment of SMART multi-use pathway between Second Street and Andersen Drive.



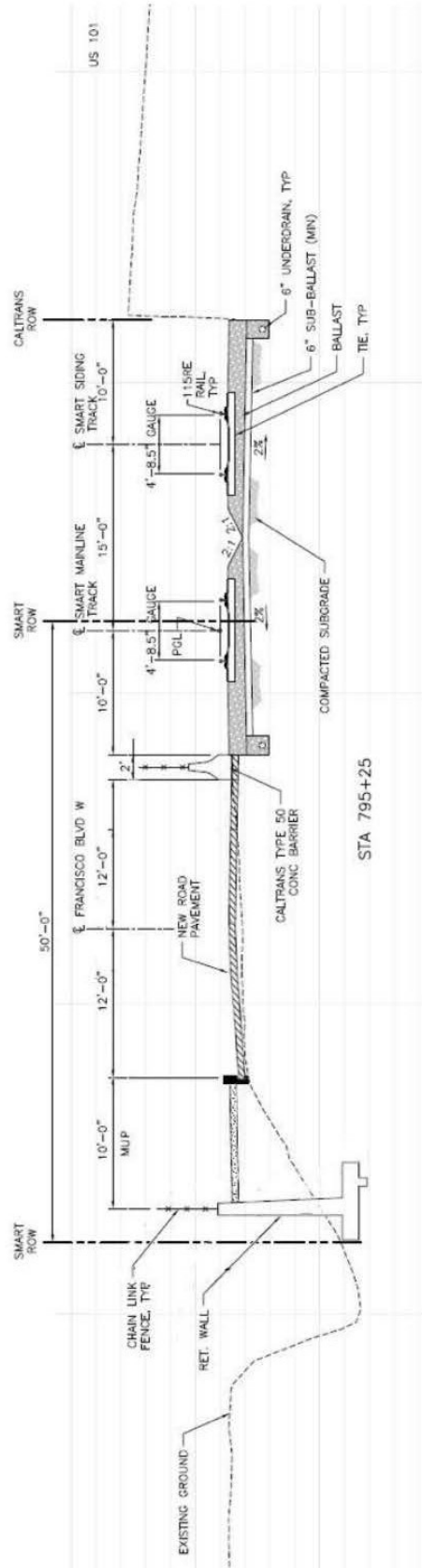
**TAM NOTE:
THE DECEMBER 2014 SMART ENVIRONMENTAL ASSESSMENT PROJECT
PROPOSES TO ELIMINATE THE SMART MUP FROM ANDERSEN TO SECOND
STREET.**

- Second Street to Andersen Drive Multiuse Pathway:** SMART has developed a number of concept alignments for a multi-use pathway between Second Street and Andersen Drive on or along the SMART right-of-way. While this segment is not currently being designed as part of SMART's Initial Operating Segments (IOS-1 and IOS-2), it will become relevant when SMART extends service from downtown San Rafael to Larkspur.

**TAM NOTE: SMART SHOULD SHARE WITH THE SAN RAFAEL BPAC ALL OF
THE CONCEPT ALIGNMENTS FOR A MULTI-USE PATHWAY BETWEEN
SECOND STREET AND ANDERSEN DRIVE.**



**SECOND STREET TO RICE STREET
WEST FRANCISCO BLVD "FLIP"
TWO-WAY ALTERNATIVE WITH SMART MUP**



and East Tamalpais northbound between Fourth Street and Mission Avenue will work as a one-way couplet in this area.

Figure VI-4 shows one alternative landscape treatment for this section of West Tamalpais and Tamalpais Avenues between Fourth Street and Mission Avenue, which would require further study and coordination with SMART's ongoing track design work. In conjunction with the proposed conversion of West Tamalpais Avenue to one-way southbound travel, narrowing the pavement of West Tamalpais and eliminating on-street parking on the eastern curb, leaving a pull-out fire staging area near the center of the block, would free up space for landscaping and other uses. Widening the sidewalk on the western curb would improve the pedestrian environment. Other features such as distinctive sidewalk paving, a separated multi-use pathway, stormwater management features such as planters, bulb-outs at crosswalks, and permeable paving in parking areas, as illustrated in Figure VI-5, could also be considered during the design phase. Other possible configurations include a separated multi-use pathway, or northbound and southbound Class II bicycle lanes.

TAM NOTE:
THE DESIGN
PHASE IS NOW!



Page 91

4. Recommended Bicycle Improvements

The following bicycle improvements are recommended for the Study Area in order to enable convenient and safe bicycle access to the SMART rail transit (see Figure VI-10).

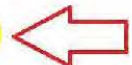
The recommended bicycle improvements include the following:

- On Tamalpais Avenue from Second Street to Mission Avenue, options include the designation of Class III routes, a bi-directional separated multi-use pathway, or a Class II northbound and a Class II southbound bike lane.

- Explore additional options for making West Tamalpais Avenue and Tamalpais Avenue between Mission Avenue and Second Street more inviting for bicyclists. The City's Bicycle and Pedestrian Advisory Committee and City staff could investigate the feasibility of various design solutions, such as creating a streetside multi-use path or barrier-separated cycle track. The landscape treatment of this bikeway should be integrated with the proposed landscape treatment of the SMART right-of-way and East and West Tamalpais Avenues.

TAM NOTE:
THE SAN RAFAEL
BPAC SHOULD BE
WORKING ON THIS
NOW.

- Work with SMART to determine alignment of SMART multi-use pathway between Second Street and Andersen Drive.



**TAM NOTE:
THE DECEMBER 2014 SMART ENVIRONMENTAL ASSESSMENT PROJECT
PROPOSES TO ELIMINATE THE SMART MUP FROM ANDERSEN TO SECOND
STREET.**

- Second Street to Andersen Drive Multiuse Pathway:** SMART has developed a number of concept alignments for a multi-use pathway between Second Street and Andersen Drive on or along the SMART right-of-way. While this segment is not currently being designed as part of SMART's Initial Operating Segments (IOS-1 and IOS-2), it will become relevant when SMART extends service from downtown San Rafael to Larkspur.

**TAM NOTE: SMART SHOULD SHARE WITH THE SAN RAFAEL BPAC ALL OF
THE CONCEPT ALIGNMENTS FOR A MULTI-USE PATHWAY BETWEEN
SECOND STREET AND ANDERSEN DRIVE.**

Transportation Alternatives for Marin

Response to Comment 8-1

The Code of Federal Regulations at 23 CFR 771.119 contains FTA’s guidelines concerning the process by which applicant-sponsored EAs are prepared. This EA has been prepared in accordance with FTA’s NEPA regulations at 23 CFR 771.119 and per 23 CFR 771. Per 23 USC 139(c)(3), a project sponsor as a joint lead agency is defined as “Any project sponsor that is a State or local governmental entity receiving funds under this title or chapter 53 of title 49 for the project shall serve as a joint lead agency with the Department for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 and may prepare any such environmental document required in support of any action or approval by the Secretary if the Federal lead agency furnishes guidance in such preparation and independently evaluates such document and the document is approved and adopted by the Secretary prior to the Secretary taking any subsequent action or making any approval based on such document, whether or not the Secretary’s action or approval results in Federal funding.” Pursuant to this guidance, SMART as the project sponsor served as a co-lead with FTA, and FTA has no requirement under NEPA to prepare separate NEPA documentation.

With respect to the Metropolitan Transportation Commission’s (MTC) role with the project, please see the response to comment 8-3.

Response to Comment 8-2

This comment concerns two separate but related issues: 1) SMART’s obligation under Measure Q to provide pathway facilities along the entire SMART alignment; and 2) a requirement that SMART provide a pathway parallel to the SMART right-of-way (ROW). Each of these issues is responded to below.

SMART’s Pathway Obligations Under Measure Q

The SMART pathway has historically been divided into two phases: 1) the recommended initial project (Phase 1); and 2) “Future” pathway project elements (Phase 2). In 2003, the SMART Bicycle/Pedestrian Advisory Committee (BPAC) divided the pathway into 64 segments. Of the 64 segments, 21 were considered potential “Future” phase segments due to cost, technical complexity or ROW issues. “Future” phase segments include those from North San Pedro Road through San Rafael to Andersen Drive. The BPAC’s recommendations were incorporated into Section 2.5.2 of SMART’s 2006 Environmental Impact Report (EIR) (available for download on SMART’s website), where it is stated:

The proposed project would consist of approximately 54 miles of a Class I pathway located on the rail right-of-way and 17 miles of Class II pathway improvements [between Cloverdale and Larkspur]. In locations where the existing rail right-of-way is not of sufficient width to accommodate a pathway or in environmentally sensitive areas, Class II pathways would be implemented outside the right-of-way on existing streets, providing links between the Class I portions of the pathway. These proposed Class I and II improvements represent Phase I of a two phase concept proposed by the BPAC. Phase 2, which is not part of the proposed project, [emphasis added] would require implementation and funding by either the local cities and towns or the counties. Construction of Phase 2 would require acquisition of additional right-of-way and further environmental review if and when a project sponsor is established.

The pathway segment between North San Pedro Road and Andersen Drive was identified as a Phase 2 segment in the EIR. This segment includes the entirety of the pathway segment between Downtown San Rafael and Andersen Drive. As stated above from the EIR, Phase 2 segments are not a part of the Measure Q-funded SMART project. Not including a pathway as part of the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more agencies at a later time.

Parallel Pathway Requirement

Measure Q and its accompanying Expenditure Plan as passed by the voters in 2008 contained no reference to a “parallel” bicycle and pedestrian pathway. Section III.B.5 of the Expenditure Plan required “SMART to fund and provide a bicycle-pedestrian pathway along the SMART rail corridor linking the 14 train stations...” The only reference to a “parallel” pathway is in the Marin and Sonoma County Counsel’s impartial voter guide analysis. That analysis was prepared independently from SMART and is not a part of the ordinance approved by the voters.

Physical constraints along segments of the SMART project corridor make a pathway parallel to SMART rail along the entire corridor infeasible. In many areas, there is not sufficient ROW to accommodate both facilities side-by-side. In other areas, environmental constraints such as wetlands and other features constrain the placement of a pathway within the SMART ROW. Many of these more challenging segments were classified as Phase 2 or “future” segments, as described previously.

These non-parallel pathway segments has been identified throughout the history of the pathway planning process, most notably in the 2006 EIR for the SMART project, where the pathway was presented as consisting of a mix of off-street and on-street segments, both within and outside of the SMART ROW. Appendix E of the EIR contains schematics of the pathway showing extensive portions of pathway outside of the ROW, including the entirety of the segment between Downtown San Rafael and Andersen Drive. Figure 2.5-9 of the EIR shows the SMART project corridor from southern Novato to Larkspur, and substantial portions of pathway are shown outside the ROW on surface streets, including the entire pathway segment between Downtown San Rafael and Andersen Drive. Page 2-24 of the EIR provided a narrative description of the pathway route between Downtown San Rafael and Larkspur. That description is provided verbatim below, with certain location clarifications added in brackets:

From the [Downtown] San Rafael Station, the proposed bicycle/pedestrian pathway would follow Tamalpais Avenue to 2nd Street/Francisco Boulevard where it would connect with the existing pathway along San Rafael Creek [the Mahon Creek Path] to Andersen Drive. The pathway would follow Andersen Drive until it reconnects with the railroad right-of-way at MP 15.9 [south of the Andersen Drive crossing]. From here the bicycle/pedestrian pathway would be built within the railroad right-of-way, through Tunnel #3 [the Cal Park Tunnel], to the Larkspur Ferry Station on the west side of the tracks.

Based on this and other available public information, a parallel pathway along the SMART ROW between Downtown San Rafael and Andersen Drive was not identified in SMART’s 2006 EIR.

Response to Comment 8-3

MTC Resolution 3801, adopted on May 28, 2014, reallocated \$20 million of RM2 funds to SMART for use with the Larkspur extension. The resolution, as adopted, stated the following: “For the \$20 million recommended for the SMART project (reallocated from the Greenbrae Interchange project), staff will continue to work with SMART and other local agencies within Marin County to identify the scope for the near term SMART

improvements that will help advance the rail extension to Larkspur.” See MTC Resolution 3801, page 3. Funding for a pathway was not directly specified.

Response to Comment 8-4

For the purposes of the federal action under consideration in the EA (i.e., the extension of passenger rail service from Downtown San Rafael to Larkspur), the Proposed Action is the “SMART project.” The explanation for the exclusion of the bicycle/pedestrian pathway from the Proposed Action is described in responses to comments 8-2 and 8-3.

Response to Comment 8-5

Please see the response to comment 8-2 concerning Phase 2 pathway segments. These segments were not included as part of the project that was evaluated in the 2006 EIR because it was known that these segments presented ROW or environmental constraints that would make construction of a pathway along those segments particularly challenging or even infeasible. The segment between Downtown San Rafael and Andersen Drive was included as a Phase 2 segment due to the lack of sufficient ROW and environmental constraints. Of particular concern was a “pinch-point” along the alignment in the vicinity of Irwin Street and West Francisco Boulevard where there is not sufficient width available to accommodate the SMART tracks, West Francisco Boulevard, and a pathway without encroaching into and filling an environmentally sensitive tidal channel that parallels the ROW.

In early 2013, SMART was approached by the Marin County Bicycle Coalition (MCBC) and asked to revisit the possibility of accommodating a pathway along the segment as part of the Proposed Action. SMART agreed to study the issue further, with the understanding that if any delay in the rail extension project would occur as a result of including a pathway, then the pathway would be withdrawn from further consideration at this time.

As part of its understanding with MCBC to study the pathway issue further, SMART hired an engineer to study the Downtown San Rafael to Andersen Drive segment and to determine whether a pathway could be included in conjunction with the rail project’s construction. The investigation determined that the lack of sufficient width at Irwin Street and West Francisco Boulevard would require filling approximately 300 feet of the aforementioned tidal channel. During a field meeting at the site in April 2014, the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife each indicated that they would not issue a permit to fill the channel because a practicable alternative to impacting the channel was available. The practicable alternative was the provision of a pathway on adjoining surface streets, identical to the route presented in the SMART EIR, which would completely avoid impacts to wetlands.

Based on the response from the regulatory agencies, SMART determined that including a pathway with the rail extension project would substantially delay approval of the project, and would thus jeopardize SMART’s ability to access \$20 million in Regional Measure 2 funds that had been reallocated to SMART for the rail extension to Larkspur. The process of negotiating with the regulatory agencies and acquiring acceptable wetlands mitigation properties would likely take an extended period of time, possibly even years, as has been the case with similar projects. Because such a delay would jeopardize approval of the project and result in the subsequent loss of RM2 funds, SMART decided to not include the pathway segment as part of the Proposed Action.

Not including a pathway as part of the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more agencies at a later time. During SMART’s

investigation of the issue, construction of an adjacent pathway was determined to be feasible, and construction of the rail extension prior to the pathway would not preclude construction of the latter. It would take some time, however, to obtain the required regulatory approvals, and suitable mitigation properties would need to be identified, negotiated with the agencies, and purchased. SMART is agreeable to assisting and working with local agencies to seek outside funds to design and construct a pathway in the future. In the interim, while the Proposed Action moves forward, SMART will work with the City of San Rafael and others to design the rail extension in such a manner as to not preclude the future construction of a pathway within the segment.

Response to Comment 8-6

Please see the responses to comments 8-2 and 8-5.

Response to Comment 8-7

The Proposed Action presented in the EA is its own project with independent utility from other transportation projects in the area. Likewise, the provision of a pathway between Downtown San Rafael and Andersen Drive, should a project sponsor be identified and such a project be advanced, would also be a project with its own independent utility and its own planning process. The EA in Section 2.1 provides a description of the range of alternatives evaluated and the rationale for selecting the two presented in the EA. The possibility of augmenting or expanding the build alternative to include the pathway was considered as described in response to comment 8-5 and, for reasons explained in that response, was not carried forward. Because the pathway has independent utility and would not be precluded by the Proposed Action, it need not be included among the alternatives studied in the EA.

Response to Comment 8-8

Please see the responses to comments 8-5 and 8-7.

Response to Comment 8-9

Please see the response to comment 8-5. The Proposed Action is not in conflict with any locally adopted plans since it would not preclude the City, the County, or some other entity from constructing a pathway in the future.

Response to Comment 8-10

Persons utilizing the inactive SMART corridor for pedestrian use or any other use not specifically authorized by SMART are in trespass and have no existing rights to utilize the corridor for those purposes. SMART is not required to accommodate or to provide a substitute for any unauthorized uses that may be occurring within its ROW. Further, the presence of a dirt pathway does not confirm the presence of environmental justice populations. The EA evaluated the potential for disproportionate impacts on environmental justice populations in this area in Section 3.12, Socioeconomics and Environmental Justice, of the EA. No disproportionate impacts were identified.

Assuming that the comment is specifically referring to the SMART ROW between the existing West Francisco Boulevard crossing and the Andersen Drive crossing, there are substitute pedestrian routes available that provide safe and legal passage for pedestrians in the area. Both Andersen Drive and DuBois Street are equipped with sidewalks that are available for pedestrian use, as is Irwin Street, Rice Drive, and Lincoln Avenue. The Mahon

Creek Pathway is also available for pedestrian use between Andersen Drive and West Francisco Boulevard. West Francisco Boulevard is also equipped with sidewalks between Rice Drive and Andersen Drive. These safe and legal facilities are already available for use by pedestrians in the area and would remain available following construction of the Proposed Action.

Response to Comment 8-11

Please see the response to comment 8-10.

Response to Comment 8-12

Please see the response to comment 8-10.

Response to Comment 8-13

Please see the response to comment 8-10.

Response to Comment 8-14

Please see the response to comment 8-8. The Proposed Action presented in the EA is its own project with independent utility from other transportation projects in the area. Likewise, the provision of a pathway between Downtown San Rafael and Andersen Drive, should a project sponsor be identified and such a project be advanced, would also be a project with its own independent utility and its own planning process. A project sponsor for the pathway segment has not been identified, and no commitments to design and fund such a project are currently underway. Therefore, a pathway is not a reasonably foreseeable action, and any attempt to evaluate the effects of such a project would be speculative.

Response to Comment 8-15

Please see the responses to comments 8-4 and 8-5.

Response to Comment 8-16

Please see the response to comment 8-2.

Response to Comment 8-17

Please see the response to comment 8-2.

Response to Comment 8-18

The pathway southwards from Andersen Drive through the Cal Park Hill Tunnel to Larkspur was designated in the 2006 EIR as a Phase 1 pathway segment, and was identified early on for construction within the SMART ROW. The segment between Andersen Drive and Downtown San Rafael, on the other hand, was identified as a Phase 2 segment that was specifically excluded from the SMART project. With respect to a requirement that a “parallel” pathway be provided along the entire SMART rail alignment, please see the response to comment 8-2.

Response to Comment 8-19

23 CFR 771.119 contains FTA's guidelines that describe the process by which EAs are to be circulated. All applicable requirements were followed during circulation of the EA. Public awareness, review, and engagement for the Proposed Action extends beyond the public review period for the EA. Chapter 5 of the EA describes the long history of community outreach, including the efforts undertaken as part of the 2005 Draft EIR and the 2008 Supplemental EIR certification process. SMART has and continues to maintain a website (<http://main.sonomamarintrain.org/>) that informs the public of construction activities, ongoing planning efforts, and other project-related activities. Further, notices of the EA's availability and its distribution to local libraries were efforts to inform the public and make the document accessible. The text in the Summary accurately describes the public review and FTA decision-making processes.

In addition to the NEPA process, SMART has been active in seeking public input in the planning and design process. In 2010, SMART organized a series of community workshops to gather public input on the design of its rail stations. For the first round, 10 meetings were held in February 2010, in ten different communities, including Larkspur and San Rafael. A second round of workshops was held in April 2010, and also included San Rafael and Larkspur. In February, 2011 SMART held an additional five public workshops, including one in San Rafael. These meetings were noticed through emails, press releases, and website postings.

Response to Comment 8-20

Please see the response to comment 8-5.

Response to Comment 8-21

Please see the response to comment 8-4.

Response to Comment 8-22

Please see the response to comment 8-2.

Response to Comment 8-23

Please see the response to comment 8-9.

Response to Comment 8-24

Please see the response to comment 8-9.

Response to Comment 8-25

Please see the response to comment 8-9.

Response to Comment 8-26

Please see the response to comment 8-2.

Response to Comment 8-27

Please see the responses to comments 8-2 and 8-3.

Response to Comment 8-28

Please see the response to comment 8-2.

Response to Comment 8-29

Please see the response to comment 8-2.

Response to Comment 8-30

Please see the responses to comment 8-5 and comment 8-7.

Response to Comment 8-31

Please see the response to comment 8-5.

Response to Comment 8-32

Please see the response to comment 8-3.

Response to Comment 8-33

Please see the response to comment 8-8.

Response to Comment 8-34

The conceptual Andersen Drive crossing presented as Figure 2-5 in the EA was designed to accommodate a future pathway, should a project sponsor be identified to advance such a project.

Response to Comment 8-35

The California Public Utilities Commission (CPUC) has sole authority to determine whether the conceptual Andersen Drive crossing meets applicable safety requirements. The crossing has been designed to accommodate both pedestrians and cyclists. Separate bicycle and pedestrian crossing gates and signals are provided, and the crossings would be constructed to cross the tracks at 90 degree angles.

Response to Comment 8-36

Please see the response to comment 8-18.

Response to Comment 8-37

The Central Marin Ferry Connection had just started construction as the EA was being prepared. The additional information identified in the comment is included in the corrections and additions portion of this Addendum.

Response to Comment 8-38

Please see the response to comment 8-5.

Response to Comment 8-39

Please see the response to comment 8-14.

Response to Comment 8-40

Please see the response to comment 8-5.

Response to Comment 8-41

Please see the response to comment 8-8.

Response to Comment 8-42

Please see the response to comment 8-14.

Response to Comment 8-43

The two paragraphs preceding the table describe “energy” as direct energy consumption brought about by the use of fuels to operate passenger vehicles, transit buses, and passenger rail vehicles. Pedestrian and bicycling modes do not utilize these types of fuels for their operation, so they are therefore not included in the table.

Response to Comment 8-44

Please see the responses to comments 8-2 and 8-5. In addition, Chapter 2 provides an overview to the long history of transportation planning for the Proposed Action, which included examination of alternative modes, technologies, and project limits. These efforts, which started in the early 1980s, culminated with the Proposed Action, and provided the rationale and justification for the elimination of other alternatives. The EA on page 2-6 explains that because of this long history and process of screening alternatives, no additional action alternatives are analyzed in the EA.

Response to Comment 8-45

Please see the response to comment 8-10.

Response to Comment 8-46

Please see the response to comment 8-10.

Response to Comment 8-47

The recommendations in the Downtown San Rafael Station Area Plan concerning pathway improvements do not specify any particular alignment for a pathway between Second Street and Andersen Drive. The recommendation on page 101 of the plan only states that the City should work with SMART to determine the alignment of such a

pathway. Implementation of the Proposed Action would not preclude the City, the County, or some other entity from constructing a pathway in the future.

Response to Comment 8-48

Please see the responses to comments 8-2 and 8-9.

Response to Comment 8-49

Please see the responses to comments 8-10 and 8-19.

Response to Comment 8-50

Please see the response to comment 8-10.

Response to Comment 8-51

Please see the response to comment 8-10.

Response to Comment 8-52

Please see the response to comment 8-5.

The schematics included as Exhibit J with TAM's comments predate the BPAC's recommendation to move the Downtown San Rafael to Andersen Drive pathway segment to Phase 2 status (see the response to comment 8-2), meaning that the segment would not be constructed by SMART and would not be located within or adjacent to the SMART ROW. The schematic that was circulated in the 2006 EIR (please see Appendix E of the EIR, available for download on the SMART website) was dated May 2004 and took into account the BPAC's recommendations and showed the segment outside of the SMART ROW and on surface streets. The schematics included as Exhibit J to TAM's comments have been superseded by other schematics and renderings that were circulated during the EIR's public review process.

Response to Comment 8-53

Please see the responses to comments 8-2 and 8-4.

Response to Comment 8-54

The additional information identified in the comment is noted in the corrections and additions portion of this Addendum.

Response to Comment 8-55

Comment noted.

Response to Comment 8-56

Andersen Drive is a designated Class II facility that receives use as it ties into the Cal Park Path and also serves as the most direct route from Downtown San Rafael to the existing Cal Park Path. Weekday peak-hour bicycle counts conducted by Marin County in 2012 reported 66 bicyclists per hour along southbound Andersen Drive in the vicinity of Bellam Boulevard (see Marin County Nonmotorized Transportation Pilot Program Bicycle and Pedestrian Counts 2013 Update, Table B-3). Of the 24 bicycle count locations utilized for the County’s study, the Andersen Drive/Bellam Boulevard location ranked fifth in the number of bicycles counted, which demonstrates that a considerable amount of bicycle traffic does currently occur along Andersen Drive.

Response to Comment 8-57

Figure 3.13-4 is titled “Bicycle Network – Existing Conditions.” It shows the network as it currently exists, and does not include any future network components that may or may not be planned. A pathway along the SMART ROW between Andersen Drive and Second Street is not shown because such a facility is not currently present.

Response to Comment 8-58

The Central Marin Ferry Connection had just started construction as the EA was being prepared. This additional information is noted in the corrections and additions portion of this Addendum.

The Proposed Action will not preclude bicyclists from travelling to the Larkspur Ferry Terminal from the north. Bicyclists will continue to be able to access the ferry terminal area from the north using a combination of existing Class II facilities (Andersen Drive) and Class I facilities (Cal Park Tunnel and Path) as they do currently. This routing would be identical to that presented in SMART’s 2006 EIR and the City of San Rafael’s 2011 Bicycle and Pedestrian Master Plan.

Response to Comment 8-59

Comment noted. Please see the response to comment 8-9.

Response to Comment 8-60

Please see the response to comment 8-10.

Response to Comment 8-61

Please see the response to comment 8-3.

Response to Comment 8-62

Comment noted.

Response to Comment 8-63

Comment noted.

Response to Comment 8-64

Comment noted.

Response to Comment 8-65

Please see the responses to comments 8-8 and 8-52.

Response to Comment 8-66

Please see the responses to comments 8-2 and 8-58.

Response to Comment 8-67

Please see the response to comment 8-8.

Response to Comment 8-68

Please see the responses to comments 8-2, 8-8, and 8-9.

Response to Comment 8-69

Please see the response to comment 8-10.

Response to Comment 8-70

Please see the responses to comments 8-2, 8-8, and 8-9.

Response to Comment 8-71

Please see the response to comment 8-2.

Response to Comment 8-72

The West Francisco Boulevard “flip” will undergo final design in consultation with the City of San Rafael, and will be designed in accordance with applicable City design requirements. With respect to the City’s Complete Streets requirements, the directive is not an absolute mandate requiring multi-modal facilities for all projects. The directive recognizes “that there will be situations where it will not be possible or feasible to incorporate all such facilities into a project” (City of San Rafael Complete Streets Directive, February 24, 2011). Based on the space constraints that are present at the West Francisco Boulevard/Irwin Street “pinch-point” (see the response to comment 8-5), it will be at the City’s discretion to determine if the improvement would qualify for a Complete Streets waiver.

January 21, 2015

Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Re: Comments on SMART’s “Downtown San Rafael to Larkspur Extension Environmental Assessment”

(Note: all page references refer to the pdf file downloaded from SMART’s website.)

1. On page 35, the DEIS, states, “Construction of the Proposed Action would provide an important regional transit connection to the existing Larkspur Ferry Terminal.”
 - The draft never defines what it means by “important.”
 - The draft misrepresents the connectivity to the “ferry terminal.” This is not a connection to the ferry terminal. It is a connection on the other side of a major arterial roadway (Sir Francis Drake) that is – for a healthy person—at least a 6-7 minute walk to the ferry terminal. It will be a totally undesirable connection in bad weather. It is sufficiently long that it is not clear what safety issues may arise.
 - SMART has not evaluated nor disclosed any of these known issues in the DEIS, despite multiple debates prior to 2008 on the long distance between the southern terminus and the Larkspur Ferry Terminal.
 - The ridership forecast of 231 riders per day in 2035 provided in the document (Table 3.13-18) is indicative of how unimportant this connection is. This ridership projection is roughly consistent with the ridership projection in SMART’s EIR (2006).
 - If this location were “important” as claimed in the document for an area that is this highly traveled and congested, one would think that the ridership potential in 20 years would be far higher than forecast. The models don’t generate higher ridership because, correctly, the distance is perceived as inconvenient for a transfer.
2. The draft states that it is basing any information regarding impacts on traffic volumes on Hwy 101 based on the segment North San Pedro (northern San Rafael) to Sir Francis Drake. The DEIS states (p. 238)

For study intersections and station access roadways in Larkspur, including the study freeway segment (**US 101 between North San Pedro Drive and Sir Francis Drake Boulevard**), ...” [emphasis added]

- As everyone knows, there are two very highly congested segments on Hwy 101: Southbound 101 from Rowland to North San Pedro in the morning peak; Northbound 101 south of Sir Francis Drake.

9-1

9-2

- In today’s Marin Independent Journal, it reports, “The northbound commute from 3:30 to 7:10 p.m. on Highway 101 from Marin City to north of Tamalpais Drive has been ranked as 15th worst in the Bay Area. Drivers in that pocket lose 2,040 hours a day in traffic, according to Metropolitan Transportation Commission figures.”
- On Jan 14, 2015, the IJ reported, “The highway between Rowland Boulevard and North San Pedro in San Rafael is one of the slowest commutes in the Bay Area.”
- Small amounts of additional traffic in this corridor given the level of congestion can have significant impacts on congestion on segments of Hwy 101 excluded from the analysis.
- Congestion contributes to air pollution and global warming gases.
- The DEIS did not evaluate these impacts because the DEIS excluded the key segments of the freeway where these impacts would be experienced.
- The statement of LOS D for Hwy 101 on p. 238 misrepresents the congestion in the area, because it is focusing on a segment (North San Pedro to Sir Francisco Drake) that is currently less congested than Hwy segments directly north and south of the section evaluated.

9-3

3. Information on existing conditions at selected intersections in San Rafael is inconsistent with traffic conditions reported in San Rafael documents. EIS Table 3.13-5 has different LOS ratings for selected intersections than Table 2 in the document “City of San Rafael - Andersen Drive - Report on Analysis of Alternatives to Accommodate Rail Service.” For example,

9-4

- Table 3.13-5 reports “Lincoln/Second” as having an LOS rating of “B” in weekday mornings.
- Table 2 of the City of San Rafael reports this as LOS “D”
- Assessments of air pollution and other delays, therefore, are inaccurate and biased downward.

4. SMART claims it will provide shuttles. On page 262-63, the EIS states:

SMART would contract out connecting shuttle services at the Downtown San Rafael Station and the planned Larkspur Station to provide timed connections with rail service in the southbound direction during the weekday AM peak period and in the northbound direction during the weekday PM peak period.

9-5

- In December the SMART Board passed a strategic plan that includes no funding of shuttles in Marin County.
- In addition, SMART staff has been holding meetings with transit agencies and local employers in Marin County. At those meetings it has announced that it has no funding for shuttles in Marin County.

- SMART Boardmember Madeline Kellner stated in public at a recent SMART Board meeting (May 2014, about 1.37 into videofile), that “We don’t have money for shuttles.”

9-5
(cont)

5. The DEIS states (p. 255)

“all study intersections currently operate at acceptable conditions (LOS D or better) during the weekday AM and PM peak hours. Field observations of existing traffic conditions in Larkspur indicated that some concentrated congestion exists near freeway access points along Sir Francis Drake Boulevard.”

- PM peak, eastbound on Sir Francis Drake (east of Hwy 101) is a known bottleneck, highly congested, with traffic backed up onto Hwy 101 northbound south of the Sir Francis Drake Blvd exit.
- Today’s IJ reports of Assemblyman’s Levine bill to reduce the time it would take to open a third lane on the Richmond-San Rafael Bridge in order to address the congestion that is backing up on to a segment of Hwy 101 that was not evaluated by the DEIS.

The Richmond-San Rafael Bridge is one of the worst bottlenecks in the North Bay evening commute,” Levine said. “This bridge was built and designed almost 60 years ago to have three lanes in each direction. Restoring the third eastbound lane will relieve a great deal of congestion. There is no doubt that the lane is needed and it is prudent to do the design work immediately to speed up the process.

- Similar to comment #2 above, the analyses of congestion in this area significantly understate the known and observable congestion in the area in the afternoon and evening commute peak hours.
- SMART has segmented its analysis by excluding the impacts on congestion on Hwy 101 northbound south of Sir Francis Drake and by doing so has potentially materially understated the air pollution and global warming impacts associated with this project.

9-6

Sincerely,



Michael R. Arnold, Ph.D.
Novato, CA
and
Lecturer, Dept. of Economics
University of California,
Berkeley, CA

Mike Arnold***Response to Comment 9-1***

As stated in Section 1.2.1 of the EA, the Proposed Action will provide a connection between SMART passenger rail and the Larkspur Ferry Terminal. The ferry terminal provides ferry service from Larkspur to Downtown San Francisco, where access exists to the Bay Area Rapid Transit (BART) system, San Francisco Municipal Railway (MUNI), Caltrain, Alameda-Contra Costa Transit system, Golden Gate Transit system, Amtrak, Greyhound Bus service, and area airports. By providing a fixed-guideway connection near the Larkspur ferry terminal, SMART riders will gain access to the greater Bay Area transit network. This constitutes an important connection to the regional, state, and national transit network.

Response to Comment 9-2

As stated on page 2-10 of the EA, the distance between the proposed Larkspur SMART Station and the Larkspur Ferry Terminal is approximately 1,700 feet. A determination of whether the distance is sufficiently long to deter foot travel between the station and the terminal varies from person to person. For instance, under current conditions, many ferry passengers, on a daily basis, walk to the ferry from the ferry overflow parking provided at the Marin Airporter location, immediately adjacent to the proposed SMART Larkspur Station. The distance to the ferry terminal does not deter these ferry passengers from parking and walking to the ferry, indicating that SMART rail passengers could be expected to do the same. In addition, the Central Marin Ferry Connection project, currently under construction and scheduled for completion in late 2015, will provide an additional non-motorized overpass crossing of Sir Francis Drake Boulevard connecting the SMART station and the ferry terminal.

Response to Comment 9-3

The EA provides projections for both 2040 Baseline (without the project) and 2040 Baseline Plus Proposed Action (with the project) conditions on US 101 in Table 3.13-12. The table includes level of service (LOS) projections and volume-to-capacity (v/c) ratios for both northbound and southbound US 101. As shown in the table, the LOS projections and v/c ratios are identical for projected 2040 conditions, both with and without the project. This is largely a function of the negligible contribution to area traffic that the Proposed Action is expected to provide.

Response to Comment 9-4

Comment noted. The LOS provided in the EA for the intersection of Lincoln Avenue and Second Street was a typographical error and is corrected in the corrections and additions portion of this Addendum. As noted on page 3.13-28 of the EA, the Proposed Action is anticipated to result in a negligible increase in traffic volumes in Downtown San Rafael. Therefore, intersection operations under 2040 Baseline Plus Proposed Action Conditions would be similar to intersection operations under 2040 Baseline Conditions (i.e., without the Proposed Action). Because the intersections in Downtown San Rafael are projected to deteriorate to unacceptable levels even without the Proposed Action and would not change appreciably with it, no adverse effects on intersection operations resulting from the Proposed Action would occur. Accordingly, no additional “air pollution and other delays” in Downtown San Rafael would occur as a result of the Proposed Action.

Response to Comment 9-5

Shuttle services are not proposed for the SMART Larkspur extension project. This information is included in the corrections and additions portion of this Addendum.

Response to Comment 9-6

Please see the response to comment 9-3.

Comment #10

From: [Carl Sanders](#)
To: [Hamid Shamsapour](#)
Subject: SMART Bike Path through San Rafael
Date: Wednesday, January 14, 2015 8:47:49 PM

Hello SMART:

Please save the multi-use SMART bike path through San Rafael. This is what was promised when voters approved the SMART project sales tax. Do not short change or back off on this commitment.

Downtown San Rafael is an extremely busy with traffic and dangerous for cyclists on the road. The function of a thru commute route along the SMART corridor is compromised if this connector is not maintained through San Rafael.

Thanks,

C.R. Sanders

10-1

Comment #11

From: [Jeff Weidner](#)
To: [Hamid Shamsapour](#)
Subject: Bike path through San Rafael
Date: Wednesday, January 14, 2015 3:49:45 PM

Please ensure that the bike path through San Rafael will be uninterrupted and follow the train right-of-way all the way to the Cal Park Tunnel. This is an important route.

11-1

--
/JeffW
jrw1967@gmail.com
415-793-7100

Comment #12

From: [John Martin](#)
To: [Hamid Shamsapour](#)
Subject: Please save the bike smart path
Date: Wednesday, January 14, 2015 3:30:13 PM
Attachments: [A658DFD8-6A9D-45BA-8E9B-21B339AF0803f131.png](#)
[B112F4CF-3A86-41FA-947F-D76E6267F89Df131.png](#)
[312BB87D-E274-420A-9630-721F6E941387f131.png](#)

Hamid,
I was informed that the plan to create smart path for multiple users is at risk. I'd be at the meeting on the 20th to express my support for the smart path, but I'm traveling. Marin should be a model for bikes, the more you guys make it safe for bikes to travel, the more folks we get off the roads, the more of us who will be healthy, and the less we'll need cars and public transit. Please do what it takes to save our path.
Thank you,
John

12-1

John Martin | Chief Operating Officer
415-516-6586 | john@allseated.com
AllSeated.com
381 Park Ave. South
Suite 1214
New York, NY 10016



Comment #13

From: [Laurie A. Berliner](#)
To: [Hamid Shamsapour](#)
Subject: Opposition to elimination of SMART path through San Rafael
Date: Wednesday, January 14, 2015 3:37:32 PM

Hamid Shamsapour

I am writing to oppose the elimination of multiuse paths in recent amendments to SMART strategic plan, specifically, extensions from N. San Pedro Road to Anderson Drive, San Rafael as well as the San Rafael to Larkspur pathway. I am a life long Marin County resident, property owner/tax payer, voter and avid bicycle rider and dog walker. I am also a supporter of Marin County Bicycle Coalition. These routes proposed for elimination are critical bike-ped pathways in areas that are heavily used by cars and therefore dangerous to cyclists and pedestrians. When I voted for the SMART train I did so because the proposal specifically included pathways in these areas. I am especially incensed that the pathway to the Larkspur Ferry would be eliminated. In my view any amendment to the strategic plan is inconsistent with the "will of the people" who funded this measure and the key goal of the measure to provide environmentally responsible transportation alternatives. Please reverse direction immediately!

13-1

Please include this comment in your Environmental Assessment.

Thank you.

/Laurie Berliner
75 Hillside Drive
Fairfax, CA 94930
(415) 717-9624

Comment #14

From: [Mark Norstad](#)
To: [Hamid Shamsapour](#)
Subject: San Rafael SMART bicycle path
Date: Wednesday, January 14, 2015 3:23:40 PM

Dear Mr. Hamsapour,

Please keep in mind that the vote (measure Q) to approve SMART includes a bicycle path/right of way.

The San Rafael SMART Pathway is a vital part of Marin's North-South Greenway.

It's critical that the two most important transit centers in Marin be linked.

It's vital that this pathway be built and that actions not be taken to permanently eliminate it.

Regards,

Mark Norstad
26 Alta Way
Corte Madera, CA 94925
415 927 2067

14-1

Comment #15

From: [Pletcher, Mark](#)
To: [Hamid Shamsapour](#)
Subject: FW: San Rafael SMART Path at Risk! Your Support Needed at Tues., Jan 20, SR Council Mtg!
Date: Wednesday, January 14, 2015 10:58:23 PM

I was really surprised to hear that the SMART Path is threatened. Please preserve it! My whole family bikes regularly around San Rafael, and we will be sorely disappointed if it gets cancelled!

15-1

From: Tracey Hessel [mailto:tracey1107@gmail.com]
Sent: Wednesday, January 14, 2015 9:11 PM
To: Pletcher, Mark; Dick Cameron
Subject: Fwd: San Rafael SMART Path at Risk! Your Support Needed at Tues., Jan 20, SR Council Mtg!

not sure if you get these, but thought you biking commuters might be interested. thanks, dick,
for hosting tonight! tracey

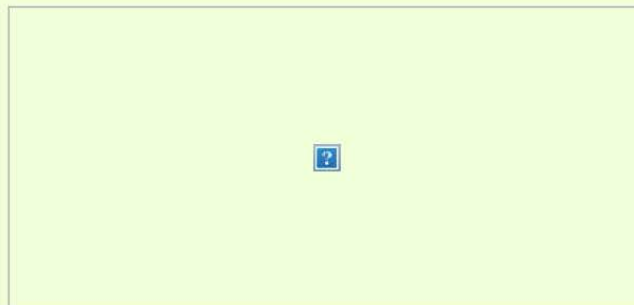
----- Forwarded message -----

From: **Marin County Bicycle Coalition** <alisha@marinbike.org>
Date: Wed, Jan 14, 2015 at 2:43 PM
Subject: San Rafael SMART Path at Risk! Your Support Needed at Tues., Jan 20, SR Council Mtg!
To: tracey1107@gmail.com

Having trouble viewing this email? [Click here](#)

Help Save the SMART Path in San Rafael!
Your Voice Needed at San Rafael Council Meeting!
Next Tuesday, Jan. 20, 7PM

URGENT!
The future of the SMART Multi-use Pathway (North-South Greenway) through San Rafael is at immediate risk!



San Rafael City Council Meeting
Tuesday, Jan. 20th, 7:00 PM
San Rafael City Hall, Council Chambers
1400 Fifth Avenue San Rafael

WE NEED YOUR VOICE at next Tuesday's, Jan. 20, San Rafael City Council meeting to urge the City Council to help save the SMART multi-use pathway through San Rafael!

In December, SMART released two important documents, both of which propose to eliminate the SMART Pathway through San Rafael! We need your help to urge the San Rafael City Council and the SMART Board to take all actions necessary to save this critical, and arguably *most important*, link in Marin's North-South Greenway!

Of these documents, the [SMART 2014 Strategic Plan](#) completely eliminates the SMART Pathway from Downtown San Rafael to the Cal Park Tunnel!

Furthermore, the [Downtown San Rafael to Larkspur Extension Environmental Assessment](#) does not include the SMART pathway between Second Street and Andersen Drive! To top it off, the rail project as proposed, could actually PRECLUDE future construction of the pathway that connects Marin's two most important transit centers!

Visit marinbike.org/SMART/SaveThePath to find out more about the importance of these two documents.

HERE'S HOW YOU CAN HELP:

1. Attend the Tues., Jan 20, San Rafael City Council meeting and urge the Council to prioritize construction of the SMART Multi-use Pathway through San Rafael by insisting that SMART:
 - Amend the 2014 Strategic Plan to include the SMART Multi-use Pathway from North San Pedro Road to Andersen Drive among the Future Project Elements.
 - Amend the San Rafael to Larkspur Extension Environmental Assessment to include the multi-use pathway along the railroad right-of-way from Second Street to Andersen, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and Multi-use Pathway.
2. Provide written comments on the [Downtown San Rafael to Larkspur Extension Environmental Assessment \(EA\)](#). Let the SMART Board know that:

- The San Rafael SMART Pathway is a vital part of Marin's North-South Greenway.
- It's critical that the two most important transit centers in Marin be linked.
- It's vital that this pathway be built and that actions not be taken to permanently eliminate it.

Information on how to submit comments and additional talking points can be found at marinbike.org/SMART/SaveThePath. **Comments on the EA must be received by Thurs., Jan 22.**

3. **Speak up! Let your elected officials know that you are outraged that the SMART Multi-use Pathway through San Rafael is at risk.** Let them know what a tremendous community asset the pathway will be and how vital it is to complete the connection to the Cal Park Pathway and to connect our most important transit centers. Contact information for locally elected officials can be found at marinbike.org/SMART/SaveThePath.

Please RSVP to Alisha@marinbike.org if you can make the Tues., Jan 20, meeting. Once made available, a meeting agenda can be found [here](#).

Thank you!

[Forward email](#)



This email was sent to tracey1107@gmail.com by alisha@marinbike.org | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).



Marin County Bicycle Coalition | P.O.Box 1115 | Fairfax | CA | 94978

Comment #16

From: [Strauss, Peter](#)
To: [Hamid Shamsapour](#)
Subject: Smart Transit includes bikes, I hope SMART does too!
Date: Wednesday, January 14, 2015 3:34:53 PM

Hi Hamid Shamsapour,

I am shocked to hear that the SMART Multi-use pathway through San Rafael has been dropped from SMART's strategic plans. This is devastating news.

I am a resident of Marin County and was born and raised here. I support the development and evolution of our county, but when it does not include the sensible development of bike paths, it is not a progressive development / evolution, but a regressive one. Having spent time in cities like New York, San Francisco and Minneapolis, which have and are developing bike networks, I believe that bike transportation combined with strong bus, train and light rail systems is the future of transportation.

The current bike connection from Larkspur to San Rafael to Novato is dangerous and convoluted. By including the path in the SMART project, SMART can greatly improve the county. It also provides a service to those who live in San Rafael, but will not need to travel on the train.

I hope that SMART comes to the realization that bikes on dedicated Multi-use pathways are an asset to the overall transit system and work with other forms of transportation to provide a system which serves all users and in multiple ways. Without them the system will be outdated the day it opens.

Smart transit includes bikes, I hope SMART does too!

Thank you for your time.

Best,
Peter Strauss

720.308.7651
Marin County CA.

Peter Strauss
Project Designer
HANDEL ARCHITECTS LLP
735 Market St, 2nd fl. San Francisco, CA 94103
t. 415.495.5588 ext.5749 | d. 415 655 5749 | www.handelarchitects.com

16-1

Comment #17

From: [Robert Schuchardt](#)
To: [Hamid Shamsapour](#)
Subject: Save SMART Path
Date: Wednesday, January 14, 2015 3:18:47 PM

Please act to save SMART Path for the following reasons:

* Completion of the sections of the SMART Pathway (North-South Greenway) through San Rafael would:

- Connect Marin's two most important and heavily used transit centers, the San Rafael Transit Center and the Larkspur Transit Center.
- Result in a completely safe and separated from traffic multi-use pathway from southern Corte Madera (right in front of the Alto Tunnel) to the Marin Civic Center, and eventually, all the way to Novato.
- Provide for a safe path of travel to Downtown San Rafael and the San Rafael Transit Center for eastern San Rafael and Canal residents, where currently access is very dangerous, requires several street crossings, and involves navigating high volumes of vehicle traffic.
- Close the bike/ped gap to our most populated city center and the N-S Greenway to the north. Tens of million of dollars were spent on the Cal Park Tunnel and the now under construction Central Marin Ferry Connection!
- Provide those living and working in Marin a safe, affordable, environmentally friendly, and healthy alternative to commuting by car.
- Allow people to ride from Larkspur, Greenbrae, Corte Madera, and San Rafael to the Marin Civic Center, perhaps the biggest automobile traffic generator in Marin County.
- Connect the Ross Valley and San Rafael with the Golden Gate Ferry in Larkspur.

17-1

Thank you.

Robert G. Schuchardt

Comment #18

From: [Jeff Brown](#)
To: [Hamid Shamsapour](#)
Subject: SAVE THE BIKE PATH!
Date: Thursday, January 15, 2015 10:19:19 AM

Dear Hamid,

I recently read that the proposed bike/pedestrian pathway along the SMART line through downtown San Rafael to Andersen Drive is at risk of being eliminated from the list of pathway segments. This simply CANNOT happen!!

The SMART bike/ped pathway is an integral part of the North-South Greenway and a major selling point for many citizens in not only voting for but publicly approving the SMART project. As a connector between the San Rafael transit center and the Larkspur Ferry terminal, it is ESSENTIAL that the 2 most important transit hubs in Marin County be linked not only by rail but by a safe & organized public pathway. Building this section of pathway would also close the gap between San Rafael and the N/S Greenway as well as many of the communities in western Marin such as San Anselmo and Fairfax.

From everything that I've read in the Marin IJ and on the MCBC & SMART websites, the funding and planning for the bike/ped pathway is already in place, so it absolutely makes NO sense why the path would be taken out.

IT IS VITAL that the bike/ped pathway be built along side the SMART line and that actions not be taken to permanently eliminate it!!!

Thank you for your time.

Sincerely,

Jeff Brown
Graphic Designer & Principal

Downtown Design
415.717.9411 / jeff@dntndesign.com / www.dntndesign.com

18-1

Comment #19

From: [Kent Strauss](#)
To: [Hamid Shamsapour](#)
Subject: The SMART Path Through San Rafael is Critical
Date: Thursday, January 15, 2015 7:42:17 AM

Dear Mr. Shamsapour,

Please accept these written comments on the [Downtown San Rafael to Larkspur Extension Environmental Assessment \(EA\)](#).

I believe Marin should develop sensible pathways for bike transportation. While it is true I am personally invested in the idea as a avid cyclist and bike commuter, I also believe the broader community benefits from bike paths. These paths make cycling safer and allow for easier navigation for everyone, getting more people on bikes for recreation and commuting. They can also alleviate traffic and reduce emissions by providing a safe and easy alternative to driving.

The completion of the sections of a bike pathway through San Rafael would connect two of Marin's most heavily used traffic centers in San Rafael and Larkspur. And because the pathway is completely separate from vehicle traffic, it would be much safer than the current bike route, which has several unsafe street crossing in the Canal area of San Rafael. Most importantly, it will provide a safe, affordable and environmentally friendly alternative to commuting by car.

Sincerely,

Kent Strauss

19-1

Comment #20

From: [Robin Smith](#)
To: [Hamid Shamsapour](#)
Subject: SMART Multi use Pathway
Date: Thursday, January 15, 2015 11:09:13 AM

I support the **SMART Multi-use Pathway (North-South Greenway) through San Rafael**

Completion of the sections of the SMART Pathway (North-South Greenway) through San Rafael would:

- Connect Marin's two most important and heavily used transit centers, the San Rafael Transit Center and the Larkspur Transit Center.
- Result in a completely safe and separated from traffic multi-use pathway from southern Corte Madera (right in front of the Alto Tunnel) to the Marin Civic Center, and eventually, all the way to Novato.
- Provide for a safe path of travel to Downtown San Rafael and the San Rafael Transit Center for eastern San Rafael and Canal residents, where currently access is very dangerous, requires several street crossings, and involves navigating high volumes of vehicle traffic.
- Close the bike/ped gap to our most populated city center and the N-S Greenway to the north. Tens of million of dollars were spent on the Cal Park Tunnel and the now under construction Central Marin Ferry Connection!
- Provide those living and working in Marin a safe, affordable, environmentally friendly, and healthy alternative to commuting by car.
- Allow people to ride from Larkspur, Greenbrae, Corte Madera, and San Rafael to the Marin Civic Center, perhaps the biggest automobile traffic generator in Marin County.
- Connect the Ross Valley and San Rafael with the Golden Gate Ferry in Larkspur.

Robin Smith

77 Cypress Dr.
Fairfax, CA 94930

20-1

Comment #21

From: [Kinsey, Steven](#)
To: [Hamid Shamsapour](#)
Cc: [Arnold, Judy](#); [Sears, Kathrin](#); smoultonpeters@comcast.net; "mkellner@novato.org"; [Farhad Mansourian](#)
Subject: SMART Multi-Use path language in the 2014 Strategic Plan
Date: Thursday, January 15, 2015 5:26:14 PM

Hamid,

Happy New Year. I am writing to you during Farhad's absence related to his recent surgery and associated convalescence. I have received a number of constituent communications expressing concern that SMART plans to eliminate several segments of Class I multi-use facilities from its program in Marin County. I also heard Public Comments stating the same concern at the TAM Executive Committee Meeting last Monday.

I would strongly disapprove of eliminating any segment of the planned facility from SMART's program if that is truly being proposed. However, I also find it hard to believe that such a modification is actually being considered. So, I am writing to you to seek a clarification of what SMART's strategic Plan is recommending as it relates to our Greenway in Marin County.

If the language of the 2014 Strategic Plan *postpones* implementation due to limited resources currently available, I understand that. However, it makes no sense to force bikes and pedestrians off of a designated Class I facility and onto surface streets in the future.

I'd appreciate any clarification you can provide as to what SMART staff have proposed as well as an indication of when a final decision on this matter is likely.

Sincerely,

Steve Kinsey

Email Disclaimer: <http://www.marincounty.org/main/disclaimers>

21-1

Comment #22

From: [Andrew + Cheri](#)
 To: [Hamid Shamsapour](#)
 Subject: SMART bike/pedestrian pathway
 Date: Tuesday, January 20, 2015 10:30:35 AM

Dear Mr Shamsapour,

Thank you for taking the time to read this email. My wife and I bike commute daily from Mill Valley to San Rafael. We appreciate the tunnel that already exists between Larkspur and San Rafael. Prior to this tunnel being in place my wife struck by car and her bike destroyed when she was making a legal turn across lanes of traffic to get to the bike path along Sir Francis Drake.

I recently saw changes to the SMART pathway that endanger or eliminate the bike path connect the Larkspur Ferry Terminal to Downtown San Rafael and from the Transit Center up to Civic Center. I do not see how this makes any sense. This bond measure as voted upon included the multi-use pathway. I know as I voted for it both times.

This pathway would increase the safety for both pedestrians and cyclists along a dangerous and busy streets- Anderson Ave, Bellum, and E. Francisco Blvd. Too often I have been passed by reckless and unobservant drivers on these streets. Several times I have had drives almost run me over at intersections along Anderson Avenue. They simply don't look next to them at the bike lane before then cut into it to make right turns.

Here are major concerns about the current adjusted proposals:

- Connect Marin's two most important and heavily used transit centers, the San Rafael Transit Center and the Larkspur Transit Center.
- Result in a completely safe and separated from traffic multi-use pathway from southern Corte Madera (right in front of the Alto Tunnel) to the Marin Civic Center, and eventually, all the way to Novato.
- Provide for a safe path of travel to Downtown San Rafael and the San Rafael Transit Center for eastern San Rafael and Canal residents, where currently access is very dangerous, requires several street crossings, and involves navigating high volumes of vehicle traffic.
- Close the bike/ped gap to our most populated city center and the N-S Greenway to the north. Tens of million of dollars were spent on the Cal Park Tunnel and the now under construction Central Marin Ferry Connection!
- Provide those living and working in Marin a safe, affordable, environmentally friendly, and healthy alternative to commuting by car.
- Allow people to ride from Larkspur, Greenbrae, Corte Madera, and San Rafael to the Marin Civic Center, perhaps the biggest automobile traffic generator in Marin County.

22-1

- Connect the Ross Valley and San Rafael with the Golden Gate Ferry in Larkspur.

Thank you for your time.

Respectfully,
Dr Andrew Lie
Veterinarian and bike commuter.

**22-1
(cont)**

Comment #23

From: [Jana Zanetto](#)
To: [Hamid Shamsapour](#)
Subject: Keep the SMART SanRafael multi-use path!
Date: Saturday, January 17, 2015 12:49:44 PM

338 Prospect Drive
San Rafael, CA 94901-1225
January 16, 2015

Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Dear Mr. Shamsapour:

From public documents submitted by SMART, it is clear that SMART is considering reneging on a San Rafael portion of the plan passed by Marin voters to construct a multi-use path along the SMART corridor. Released on Dec. 19, 2014, the Downtown San Rafael to Larkspur Extension Environmental Assessment (EA) assesses the potential environmental impacts of extending the SMART project from San Rafael to Larkspur; however, the proposed project does not include the path! Furthermore, the rail project as proposed, could in fact preclude future construction of the path!

The SMART project as conceived and passed by voters and always has been a train and pathway project. The current EA presents only two alternatives: the "No Project Alternative" and the "Preferred Alternative." In order to simplify and streamline environmental review, SMART has completely removed the pathway from the Preferred Alternative. Worse yet, the Preferred Alternative as designed will almost certainly preclude the pathway from ever being built in the future. Marin and Sonoma voters voted for a train and pathway project to Larkspur. SMART needs to provide a reasonable range of project alternatives that include the pathway that was voted for!

These sections of path are critical to those who, like myself, cycle frequently from north of downtown San Rafael to the Larkspur/Corte Madera area south of the Cal-

23-1

Park tunnel.

As a senior (64 years of age) cyclist, I have been greatly anticipating the safety that the proposed multi-use path will provide from downtown San Rafael southward to and through the Cal Park tunnel to the ferry and to Corte Madera I will be teaching in SF starting next month, and such a route would be an easy way for me to use bike and ferry to access downtown San Francisco. Equally importantly, the plan to ultimately extend the multi-use path to Novato has been an important part of this project for me. I often visit friends in Novato and shop at Costco and other locales there and will really welcome a safe and less hilly route for bike travel.

**23-1
(cont)**

I urge that the 2014 Strategic Plan be amended to include the SMART Multi-use Pathway from North San Pedro Road to Andersen Drive among the Future Project Elements. I further urge that the San Rafael to Larkspur Extension Environmental Assessment be amended to include the multi-use pathway along the railroad right-of-way from Second Street to Andersen, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and multi-use Pathway.

Sincerely,

Jana Zanetto

Comment #24

From: [Jeff Zanetto](#)
To: [Hamid Shamsapour](#)
Subject: Support for the SMART multi-use path in San Rafael
Date: Saturday, January 17, 2015 12:52:16 PM

338 Prospect Drive
San Rafael, CA 94901-1225
January 15, 2015

Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Dear Mr. Shamsapour:

Public documents submitted by SMART make it clear that SMART is considering dropping a San Rafael portion of the plan passed by Marin voters to construct a multi-use path along the SMART corridor. Released on Dec. 19, 2014, the Downtown San Rafael to Larkspur Extension Environmental Assessment (EA) assesses the potential environmental impacts of extending the SMART project from San Rafael to Larkspur; however, the proposed project does not include the path! Furthermore, the rail project as proposed, could in fact preclude future construction of the path!

The SMART project as conceived and passed by voters and always has been a train and pathway project. The current EA presents only two alternatives: the "No Project Alternative" and the "Preferred Alternative." In order to simplify and streamline environmental review, SMART has completely removed the pathway from the Preferred Alternative. Worse yet, the Preferred Alternative as designed will almost certainly preclude the pathway from ever being built in the future. Marin and Sonoma voters voted for a train and pathway project to Larkspur. SMART needs to provide a reasonable range of project alternatives that include the pathway that was voted for!

These sections of path are critical to those who, like myself, cycle frequently from

24-1

north of downtown San Rafael to the Larkspur/Corte Madera area south of the Cal-Park tunnel.

As a senior (64 years of age) cyclist, I have been greatly anticipating the safety that the proposed multi-use path will provide from downtown San Rafael southward to and through the Cal Park tunnel to the ferry and to Corte Madera I will be teaching in SF starting next month, and such a route would be an easy way for me to use bike and ferry to access downtown San Francisco. Equally importantly, the plan to ultimately extend the multi-use path to Novato has been an important part of this project for me. I often visit friends in Novato and shop at Costco and other locales there and will really welcome a safe and less hilly route for bike travel.

**24-1
(cont)**

I urge that the 2014 Strategic Plan be amended to include the SMART Multi-use Pathway from North San Pedro Road to Andersen Drive among the Future Project Elements. I further urge that the San Rafael to Larkspur Extension Environmental Assessment be amended to include the multi-use pathway along the railroad right-of-way from Second Street to Andersen, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and multi-use Pathway.

Sincerely,

Jeff Zanetto

Comment #25

1204 Enos Ave.
 Sebastopol, Ca 95472
 January 17, 2015

SMART Board of Directors
 5401 Old Redwood Highway, Suite 200
 Petaluma, CA 94954

Dear Directors,

I have recently learned from the Marin Bicycle Coalition that the Environmental Assessment of the Downtown San Rafael to Larkspur Extension does not include the SMART bike path. The SMART Path Through San Rafael is Critical and is part of the SMART bike path that was promised to voters in order to gain their approval of the sales tax that funds SMART. Inclusion of this link in the Environmental Assessment is critical to the timely completion of this project.

The completion of the sections of the SMART Pathway through San Rafael is critical for several reasons:

- It connects Marin's two most important and heavily used transit centers, the San Rafael Transit Center and the Larkspur Transit Center.
- It provides a safe and separated from traffic multi-use pathway from southern Corte Madera (by the Alto Tunnel) to the Marin Civic Center, and eventually, all the way to Novato.
- It provides for a safe bicycle/pedestrian path to downtown San Rafael and the San Rafael Transit Center for eastern San Rafael and Canal residents, where currently access is very dangerous, requires several street crossings, and involves navigating high volumes of vehicle traffic. In order to get people out of their cars and reduce traffic it is necessary to build bike and pedestrian pathways that get people where they need to go, especially to SMART rail.
- It closes the bike/pedestrian gap in Marin's most populated city center and the N-S Greenway to the north. Tens of million of dollars were spent on the Cal Park Tunnel and the now under construction Central Marin Ferry Connection !
- Provide those living and working in Marin a safe, affordable, environmentally friendly, and healthy alternative to commuting by car.

25-1

These issues are important to all of us in California and is why we in Sonoma (and Marin) voted this sales tax for construction. The fully connected bicycle paths are critical to maximizing the use of the SMART infrastructure and is why citizens of these counties and the preservation of our environment.

Thank you for your attention,

Dr. John W. Cruz

Comment #26

From: [Charles Harris](#)
To: [Hamid Shamsapour](#)
Cc: [Alisha Cloughlin](#)
Subject: SMART Multi-use Pathway (North-South Greenway) through San Rafael
Date: Monday, January 19, 2015 1:38:52 PM

I urge the San Rafael City Council to prioritize construction of the SMART Multi-use Pathway through San Rafael by insisting that SMART:

- Amend the 2014 Strategic Plan to include the SMART Multi-use Pathway from North San Pedro Road to Andersen Drive among the Future Project Elements.
- Amend the San Rafael to Larkspur Extension Environmental Assessment to include the multi-use pathway along the railroad right-of-way from Second Street to Andersen, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and Multi-use Pathway.

The San Rafael SMART Pathway is a vital part of Marin's North-South Greenway. There is currently no safe way for cyclists to cross central San Rafael from the end of the Puerto Suelo hill path at Mission to the approach to the Cal Park Tunnel at Andersen and Francisco West. Even the Class II cycle lanes on Andersen Drive are dangerous, given the high volume of traffic, much of it consisting of large trucks and buses often traveling in excess of the speed limit. Linking the two most important transit centers in Marin is critical to the safety of cyclists, and making cycling safe is the only way to increase the number of cyclists and reduce the number of cars on the roads. Consequently, building this pathway is vital. SMART and the City should not take actions that would permanently eliminate it.

26-1

Sincerely,

Charles B. Harris
34 Woodoaks Drive
San Rafael 94903

Comment #27

From: [Christian Franklin](#)
To: [Hamid Shamsapour](#)
Subject: Measure Q and the proposed omission of the bike / pedi path
Date: Monday, January 19, 2015 10:58:13 AM

Hamid,

I just read that the SMART project proposes eliminating the bike path. I voted for Measure Q because of its inclusion of rail and bike / pedestrian pathways and corridors. Further I have supported SMART in its goals however this news is extremely discouraging.

As a bicycle commuter, I believe eliminating the path is wrong on many different fronts and am registering my protest. Please consider the needs of bicyclists and pedestrians and don't make enemies of them.

Best Regards,

Christian Franklin, Managing Partner

Tamalpais Group, Inc.
1210 5th Avenue · San Rafael, CA · 94901
office 415.526.4504 · mobile 415.531.4100
christian.franklin@tamgroup.com · www.tamgroup.com



27-1

Comment #28

From: [Gil Dowd](#)
To: [Hamid Shamsapour](#)
Subject: SAVE THE SMART PATH IN SAN RAFAEL
Date: Monday, January 19, 2015 2:41:57 PM

- The San Rafael SMART Pathway is a vital part of Marin's North-South Greenway.
- It's critical that the two most important transit centers in Marin be linked.
- It's vital that this pathway be built and that actions not be taken to permanently eliminate it.

28-1



MERIDIAN MANAGEMENT GROUP

GIL DOWD

Vice-President
(415) 434-9700 x207
(415) 782-3833 fax
1145 Bush Street
San Francisco, CA 94109
gdowd@mmgprop.com

Comment #29

From: [Kenneth Pledger](#)
To: [Hamid Shamsapour](#)
Subject: Support for SMART Rail Path
Date: Monday, January 19, 2015 11:11:37 AM

Hello. I'm a San Rafael resident and I wish to express my support for the path that would connect downtown San Rafael with the Cal Park Tunnel and Larkspur. I understand that this has been removed from the current plan and that is concerning. I would like to see that connector provided so that those of us who live here and commute here can use that path for recreation and transportation.

29-1

Thank you for hearing my concern.

Kenneth Pledger
26 Convent Ct
San Rafael CA 94901

Comment #30

From: [Raoul Wertz](#)
To: [Hamid Shamsapour](#)
Subject: SMART: Multiuse pathway through San Rafael
Date: Monday, January 19, 2015 11:09:23 AM

January 19, 2015

Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

Submitted via email: hshamsapour@sonomamarintrain.org

Dear Mr. Shamsapour,

I'm writing to encourage the San Rafael City Council to support non-motorized transportation along the SMART corridor through San Rafael.

Creation of pedestrian- and bicyclist-friendly accommodations along the SMART path are an important aspect of the SMART program, and is critical link in Marin's North-South Greenway.

From my recollections of the 2008 Measure Q language and communications to the voting public, pedestrian and bicycle facilities were promoted as a feature of SMART. Please make these features a reality, especially because the Cal Park tunnel and multiuse path receives so much use and has helped mode-shift some local transportation away from cars to walking and bicycling.

My review of the Measure Q language indicates this statement, "A bicycle/pedestrian pathway along the SMART rail corridor...from Larkspur to Cloverdale."

Please:

- Amend the 2014 Strategic Plan to include the SMART Multi-use Pathway from North San Pedro Road to Andersen Drive among the Future Project Elements.
- Amend the San Rafael to Larkspur Extension Environmental Assessment to include the multi-use pathway along the railroad right-of-way from Second Street to Andersen, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and Multi-use Pathway.

Thank you for your consideration.

(signed)

Raoul Wertz
21 Skyline Terrace
Mill Valley CA 94941

30-1

Comment #31

From: [Cameron Stewart](#)
 To: [Hamid Shamsapour](#)
 Cc: [Alisha Cloughlin](#)
 Subject: San Rafael Multi Use Path
 Date: Tuesday, January 20, 2015 10:30:35 AM

Hi Hamid - I was disappointed to learn that SMART is advocating (let alone considering) to eliminate the multi-use bike/pedestrian path! Plainly said, eliminating the path through one of the densest population centers is not acceptable.

The voters of Marin & Sonoma have been repeatedly mis-lead by SMART's promise of rail service from Larkspur to Cloverdale and now SMART is delivering a fraction of what was promised. However, given the overly optimistic tax revenue projections I understood the need to truncate the line in the face of financial realities. However, eliminating (and preventing the path in the future!) the path in San Rafael goes beyond what is acceptable; SMART failed to pass several times until SMART wized up and included the multiuse path.

I live in northern San Rafael and bike commute 4-5 times per week to the Larkspur ferry, so I am speaking from personal experience when I say this path is an absolute necessity. The segment from the southern end of the Lincoln Hill bike path to the Cal Park Tunnel is absolutely the most dangerous part of my commute. What is so egregious about eliminating the path is that hundreds of school children currently walk this route to school every day along a dirt path on the rail right of way along with young adults and likely low income residents who use this dirt path to walk to the San Rafael transit center. Not to mention that this segment of pathway will someday deliver future SMART customers to the train station.

This is a critical section of the SMART Pathway (North-South Greenway) through San Rafael that would likely be one of the most heavily used areas of the SMART pathway. It is vital because it:

1. Connect Marin's two most important and heavily used transit centers, the San Rafael Transit Center and the Larkspur Transit Center.
2. Results in a safe and separated from traffic multi-use pathway from southern Corte Madera (right in front of the Alto Tunnel) to the Marin Civic Center, and eventually, all the way to Novato.
3. Provides for a safe path of travel to downtown San Rafael and the San Rafael Transit Center for eastern San Rafael and Canal residents, where currently access is very dangerous, requires several street crossings, and involves navigating high volumes of vehicle traffic.
4. Provides for a safe path of travel to the San Rafael Creek Path and onto Davidson Middle School, Laurel Dell School and Albert Park.
5. Closes the bike/ped gap to our most populated city center and the N-S Greenway to the north. Tens of million of dollars were spent on the Cal Park Tunnel and the now under construction Central Marin Ferry Connection! Eliminating the Central San Rafael section would create a massive & dangerous gap that will deter use up and down the length of the North-South Pathway.
6. Provide those living and working in Marin a safe, affordable, environmentally friendly, and healthy alternative to commuting by car.
7. Allow people to ride from Larkspur, Greenbrae, Corte Madera, and San Rafael to the Marin Civic Center, perhaps the biggest automobile traffic generator in Marin County.
8. Connect the Ross Valley and San Rafael with the Golden Gate Ferry in Larkspur.
9. Connect future rail users (customers!) with the Central San Rafael SMART station.
10. Eliminating this section of pathway will further damage/erode voters already low perception of SMART making it much harder to place funding on the ballot in the future

31-1

Please don't make the myopic decision to eliminate this critical section of pathway. The pathway is an essential component of Measure Q and SMART.

**31-1
(cont)**

Thank you,
Cameron Stewart
103 Gable Ct.
San Rafael, CA 94903

Comment #32

From: [Dennis Codlin](#)
To: [Hamid Shamsapour](#)
Cc: [Jaquelin Pearson](#)
Subject: Downtown San Rafael to Larkspur Extension EA
Date: Tuesday, January 20, 2015 10:40:21 AM
Attachments: [m_logo.png](#)
[nih.png](#)

32-1

I am a cyclist living in Santa Venetia and am familiar with the dangerous congestion conditions which currently exist in trying to ride from San Rafael to Larkspur. The majority of deaths and injuries to cyclists in general are the result of collisions with automobiles and trucks. The majority of these are the vehicle hitting the cyclist from behind, which occurs in shared roadway space. Separate bike paths eliminate this danger. In addition, in the study set forth below, there has been a significant increase in bicycle fatalities. While the head note to the article recites lack of helmets, the body of the article makes clear that increases in commuting by bicycle are responsible for the increase because the number of cyclists on the road has increased. San Rafael to Larkspur and back is a perfect example of both the increase in commuters and along this corridor to get to the Ferry Terminal and back. I strongly urge the inclusion of the separated bike path in this project.

Dennis Codlin
 San Rafael, CA

MedlinePlus Trusted Health Information for You A service of the U.S. National Library of Medicine
National Institutes of Health

[Home](#) [About MedlinePlus](#) [Site Map](#) [FAQs](#) [Contact Us](#)

Search MedlinePlus

Health Topics
Drugs & Supplements
Videos & Cool Tools
ESPAÑOL

U.S. Bicyclist Deaths on the Rise, Study Finds

Two-thirds of riders who died weren't wearing helmets, report notes

Friday, January 2, 2015

FRIDAY, Jan. 2, 2015 (HealthDay News) -- The number of bicyclist fatalities in the United States is increasing, particularly among adults in major cities, a recent study shows.

After decreasing from 1975 to 2010, the number of bicyclists killed annually increased by 16 percent from 2010 to 2012. More than 700 bicyclists died on U.S. roads in 2012, according to the Governors Highway Safety Association.

The study also reported that the percentage of these deaths that occur in densely populated urban areas has risen from 50 percent in 1975 to 69 percent in 2012.

"We've seen a gradual trend over time where more adults are bicycling in cities, so we need cities to develop ways for cyclists and motorists to share the road," said report author Allan Williams, former chief scientist at the Insurance Institute for Highway Safety.

But, the report also pointed out that many of the deaths were potentially preventable. Two-thirds of the deaths occurred in people who weren't wearing a helmet, the researchers found. And, in 2012, almost 30 percent of the deaths were in people who had a blood alcohol content level above the legal driving limit of 0.08 percent, according to the study.

One of the biggest shifts in cycling deaths was the average age of the victims. Eighty-four percent of bicycle deaths were in adults in 2012. That compares to just 21 percent in 1975, according to the study. Overall, adult males accounted for 74 percent of the bicyclists killed in 2012, the researchers reported.

The new research also found that states with high populations and multiple cities accounted for the majority of bicycle fatalities. Between 2010 and 2012, California, Florida, New York and Texas had nearly half of the country's total bicyclist fatalities.

Part of the explanation for the increasing number of bicycle deaths is that more people are bicycling to and from work, the report suggested. Nearly 300,000 more people biked to work in 2008 to 2012 than in 2000, according to U.S. Census data.

"There has been a national movement to get people out walking and biking because it has major benefits for their health, and for the environment," said Jacob Nelson, director of traffic safety advocacy and research with the Automobile Association of America.

"While it is important to encourage more people to walk and bike, we need to think about how we manage a growing number of vulnerable road users," Nelson said. "Policy makers who are vocal advocates for walking and biking need to also be vocal advocates for creating safe environments for bicyclists -- and I'm not sure that always happens."

Some cities have developed more bike lanes and changed traffic patterns to accommodate the increasing number of bicyclists on their roads, according to the report. These methods may create a barrier between motor vehicles and cyclists, making the roads a safer place for cyclists.

Another important step in reducing bicycle fatalities is the consistent use of a helmet. Wearing a properly fitted helmet significantly reduces the chances of having a serious head injury, according to Williams. But, nearly half of American adults never wear a helmet while riding a bicycle, according to background information from the report.

"It's unfortunate that there is no adult law requiring helmets," said Williams, who noted in the report that 21 states have helmet laws for minors. "The best we can

Related MedlinePlus Pages

[Motor Vehicle Safety](#)

[Sports Safety](#)

do is to take an educational approach by telling people that helmets can protect people from traumatic head injuries, and that many fatal accidents involve injuries to the head," Williams said.

About one-fourth of crashes happen in darkness, so wearing reflective clothing or attaching a light to the bicycle can help motorists notice cyclists, Williams advised. And, as with driving a motor vehicle, don't drink alcohol before cycling, the researchers cautioned.

"Bicyclists must remember that they have to follow the same rules as motor vehicles," Williams said.

The report was published recently by the Governors Highway Safety Association.

SOURCES: Allan Williams, Ph.D., author, *Spotlight on Safety: Bicyclist Safety*, Governors Highway Safety Association; Jacob Nelson, director of traffic safety advocacy and research, Automobile Association of America; *Spotlight on Safety: Bicyclist Safety*, Governors Highway Safety Association

HealthDay

Copyright (c) 2015 [HealthDay](#). All rights reserved.

More Health News on:

[Motor Vehicle Safety](#)

[Sports Safety](#)

[Recent Health News](#)

[Mobile version](#)

[Get email updates](#)

[Subscribe to RSS](#)

[Follow us on Twitter](#)

[Disclaimers](#) [Copyright](#) [Privacy](#) [Accessibility](#) [Quality Guidelines](#) [Viewers & Players](#)

[U.S. National Library of Medicine](#) 8600 Rockville Pike, Bethesda, MD 20894 [U.S. Department of Health and Human Services](#) [National Institutes of Health](#)

Page last updated on 5 January 2015

Comment #33

From: [Gloria Snyder](#)
To: [Hamid Shamsapour](#)
Subject: Re:bike path
Date: Tuesday, January 20, 2015 4:27:28 PM

Please get are due with opening of the continuation of the bike path thru San Rafael. I can't make the meeting tonight to show my support. Thank you.

33-1

Sent from my iPad

Comment #34

From: [Mary Sackett](#)
To: [Hamid Shamsapour](#)
Subject: Downtown San Rafael to Larkspur Extension EA
Date: Tuesday, January 20, 2015 1:34:37 PM

Dear Mr. Shamsapour:

I am writing to encourage you to include the bicycle path through San Rafael, removal of this vital portion of the bicycle path would be a travesty. Complete of the SMART Pathway (North-South Greenway) through San Rafael would:

--

- I want to ride my bike from Northern San Rafael to down town San Rafael, but there is not a safe way to do so with my family. I want to ride my back to the Marin Civic Center for work, but it currently involves intersections without bike lanes or controls. If I could safely ride my family to down town San Rafael, we would spend money shopping and eating on 4th Street. Trips that we otherwise do not make.
- Provide for a safe path of travel to Downtwon San Rafael and the San Rafael Transit Center for eastern San Rafael and Canal residents, where currently access is very dangerous, requires several street crossings, and involves navigating high volumes of vehicle traffic.
- Close the bike/ped gap to our most populated city center and the N-S Greenway to the north. Tens of million of dollars were spent on the Cal Park Tunnel and the now under construction Central Marin Ferry Connection. Why would we remove a connection to this resource that has been invested in, and is being used.

34-1

Thank you for your time in reviewing and considering this comment. I hope that the San Rafael to Larkspur connection will be put back into the plan, from here going forward.

Sincerely,
Mary Sackett
San Rafael, CA
415 328 4020

Comment #35

From: [mike.schulist](#)
To: [Hamid.Shamsapour](#)
Subject: Why The SMART Bike Path is Critical
Date: Tuesday, January 20, 2015 6:31:42 AM

Hello Hamid,

I am a science teacher at Miller Creek Middle School, where I also have worked with the Safe Routes To Schools group for over ten years to increase the number of students who bike and walk to school. We have made great progress (from less than 30% to over 40%) over the years. I am excited about the SMART multi-use pathway, as it helps to forward our goals to get more students to walk and bike and less of them to drive. While the pathway would not provide a direct route to our school, it would allow safe travel on bike throughout Marin and Sonoma counties. It would be another way to make Marin a national leader in promoting biking and green transportation. I have been excited about the SMART path since voting for it a few years ago, and I hope that moves forward and becomes a reality. Thank you for advocating for the path and keeping the momentum moving forward for more "smart" transportation in Marin!

35-1

-Mike Schulist

Comment #36

From: [Rebecca Heitz](#)
To: [Hamid Shamsapour](#)
Subject: Smart
Date: Tuesday, January 20, 2015 4:27:41 PM

Hi,

I urge the Council to prioritize construction of the SMART Multi-Use Pathway in San Rafael and insist that SMART:

1.
 - Amend the 2014 Strategic Plan to include the SMART Multi-use Pathway from North San Pedro Road to Andersen Drive among the Future Project Elements.
 - Amend the San Rafael to Larkspur Extension Environmental Assessment to include the multi-use pathway along the railroad right-of-way from Second Street to Andersen, as per the 2008 Measure Q vote by Marin and Sonoma residents that funded the SMART Train and Multi-use Pathway.

36-1

Thank you,

Rebecca Heitz and David Lown

Comment #37

From: [Robin Furner](#)
To: [Hamid Shamsapour](#)
Subject: Downtown S.R. to Larkspur Extension E.A.
Date: Tuesday, January 20, 2015 9:03:33 PM

Dear Hamid,

I am writing to add comments to the San Rafael to Larkspur Extension Environmental Assessment.

I also want to advocate for the San Rafael portion of the SMART pathway, which is a vital part of Marin County's North-South Greenway. I currently commute to work on my bike between Corte Madera and Terra Linda. It can be difficult to get from Anderson Dr. to the Lincoln hill pathway entrance at Mission St, especially at night.

I strongly believe that the SMART pathway will ensure greater safety for cyclists and will help more people to feel comfortable using their bikes for transportation.

It is critical that the San Rafael transit center be linked with the Larkspur transit center. I strongly oppose any action that would be detrimental to a vibrant, safe and fully connected North-South Greenway.

As a long-time Marin resident, I have noticed that the 101 commute has become significantly worse over the years and I expect that to continue. I expect that more people will want to use the SMART train and/or bike in the future. The great thing about the bike path being so close to the SMART route is that cyclists who would normally prefer to ride 10-20 miles to their destination, can easily hop on the train if they get a flat or if it starts to rain or becomes too cold or windy.

I was especially struck by the power of a good bike route through downtown San Rafael during recent 101 South back ups due to flooding near Marin City. It just so happened that I drove my car the day of the worst flooding that caused 2-3 hour traffic delays. I drove because I had to attend multiple offsite meetings that day. Due to the traffic, I actually would have been able to travel between meetings much, much faster via bike than car. Since there are many low-lying marsh areas near 101 in Marin and given that sea levels are expected to rise over coming decades, it makes good sense to invest in good bike infrastructure now. I expect that flooding in Marin will have an increasingly negative impact on transportation flow in Marin in coming decades. Just make sure to factor in sea level rise so that the San Rafael path doesn't get flooded like the Sausalito pathway does...

Thanks for all the hard work you are doing to improve transportation in our county! I am very thankful that the SMART train and associated bike path are becoming a reality.

Thanks,
Robin Furner

37-1

Comment #38

From: [SFY](#)
To: [Hamid.Shamsapour](#)
Subject: SAVE SMART TRAIN RAILS THRU SAN RAFAEL
Date: Tuesday, January 20, 2015 1:42:49 PM

Dear Mr Shamsapour:

Will keep this short -- we cannot afford to bury/dig up/eliminate this rail right away.

The money might not be here right now to connect San Rafael with Larkspur via the Cal Park Tunnel, but it will be at some point in the future.

Too much has already been invested in this infrastructure. I personally bike the Cal Park Tunnel regularly from Larkspur to San Rafael via Andersen Drive after it ends and would like to see a train close the circuit for those who do not ride bikes.

Thanks for listening.

sincerely,
shem
yee

38-1

Comment #39

From: [Ben Mack](#)
To: [Hamid Shamsapour](#)
Subject: Downtown San Rafael to Larkspur Extension Environmental Assessment
Date: Wednesday, January 21, 2015 10:41:22 AM

Hello Hamid,

-
- I'm a resident of San Rafael, living with my wife and 2 kids at 43 Shannon Lane. I'm a recreational cyclist that sometimes uses my bike to commute to the Ferry, take my kids to day care in Corte Madera, and just generally bike around to run errands. I also own two cars and really enjoy driving around! I'm not normally politically active but I really feel passionately about creating bike infrastructure in Marin County as I feel that it really makes our town better for bikes and cars, and the people in it. The bike-ability of Marin is THE reason that we decided to live here, as opposed to out by the beach in the City or in the East Bay.
- I have been reading about the SMART Pathway and wanted to urge you of the following:
 -
 - The San Rafael SMART Pathway is a vital part of Marin's North-South Greenway.
 -
 - It's critical that the two most important transit centers in Marin be linked. Travel gaps are a really big deal for bikes. If I have to ride with my kids for two blocks on "scarry" sections, I just won't ride. Lots of people feel this way.
 - It is really important that this pathway be built
 -
 - It is even more important that actions not be taken that will eliminate or seriously impede the ability of this to be built in the future.

39-1

Respectfully,

Ben Mack

-
-
-
-
-
-
-

Comment #40

From: lipinski@sbccglobal.net
To: Hamid.Shamsapour
Subject: DOWNTOWN SAN RAFAEL TO LARKSPUR EXTENSION ENVIRONMENTAL ASSESSMENT
Date: Wednesday, January 21, 2015 3:21:39 PM

Dear Hamid,

The document does not include completion of the bicycle pathway through parts of San Rafael as outlined for the voters when I voted on the SMART project. I live by the Marin Civic Center and I ride my bicycle through the area to various meetings, appointments, to shop and for pleasure several times a week. I find the most dangerous part of the trip to be the parts left out in this environmental report. Drivers of cars in this area in particular seem to be preoccupied with their cell phones, either talking or texting. Several times I have been riding by the businesses on Du Bois Street to get from 2nd street to Anderson and drivers have turned left right in front of me. I have been very fortunate not to experience a collision. Surely the driver of the car is much safer than I am on my bicycle. I am delighted to know that the original plan is to have a bike path separate from traffic through that area.

I have a number of friends who refuse to ride their bikes because of these unsafe conditions. These are folks who are otherwise capable of riding their bicycle. They will probably not entertain the idea of leaving their car at home until they do feel safe. Please so not eliminate the bike path from the plans. The best possible outcome will be a completed bike path with minimal bike/car interactions. I think many car drivers would agree.

Kindest Regards,

Douglas Lipinski
8 Cushing Avenue
San Rafael, CA 94903

415-785-4319

40-1

Comment #41

From: [Jeff JORGENSEN](#)
To: [Hamid Shamspour](#)
Subject: Downtown San Rafael to Larkspur Extension Environmental Assessment (EA)
Date: Wednesday, January 21, 2015 1:13:40 PM

Dear Mr. Shamspour,

I am of the understanding that the proposed SMART multi-use pathway through San Rafael is at risk, being considered for elimination from this project. This consideration is in direct conflict with the voted upon ballot measure that specifically indicated the pathway would be included as part of that project. To modify the project to eliminate the pathway is in my opinion a legal violation against the terms of that ballot measure. Please let me know that you have received this note and that you too are in support of the pathway project as a tremendous community asset. Marin county is above most in the nation in having a population base interested in protecting the environment and the health and safety of its' citizens. This is one factor why the pathway was included and approved to complete the connection to the Cal Park Pathway, to connect our most important transit centers, and the Marin Civic center.

41-1

Regards, Jeff Jorgensen

Jeff Jorgensen
Home address:
69 Medway Road
San Anselmo, California 94960
443.454.2275 cell

logo



Jeff JORGENSEN

Commercial Product Specialist

Jeanneau America | 105 Eastern Avenue, Suite 202 | Annapolis MD, 21403

☎: 410.280.9400 | 443.454.2275 (cell) | 📠: 410.280.9401 | ✉: jeff@jeanneau.com

From: [Jean](#)
To: [Hamid Shamsapour](#)
Cc: [Alisha Cloughlin](#)
Subject: Comments on SMART bike/ped path for Jan 22, 2015 deadline
Date: Thursday, January 22, 2015 5:03:42 PM

Dear Hamid and SMART,

Please add my comments for today's Jan 22nd 2015 deadline: please add these three bike/ped pathway segments now back to the Downtown San Rafael to Larkspur Extension Environmental Assessment (December 2014)

1. Connecting the path at the top of Puerto Suello Hill to the Marin Civic Center;
2. West Tamalpais from Mission Avenue to Second Street; and
3. Second Street to Andersen Drive.

The immediate connectors within a half mile of the downtown station are, in my view, the most important of these three for SMART to champion and do the environmental review on, as access to this station will be extremely limited by car. Rolling out the red carpet for safe, comfortable, protected, separated bike and per pathways within half mile north and south of the new station will make all the difference in the world to the non-lycra-biking working people who will use the train to get from Sonoma county and the north to their jobs in San Rafael and south to Larkspur, Corte Madera, Ross Valley, and to the ferry to San Francisco.

Having a protected-from-cars pathway from the Mission pathway entrance on Tamalpais thru to Cal Park Tunnel is too big a job for the city of San Rafael and must be taken on by SMART to ensure maximum access to the station and maximum ridership. Please work to ensure that environmental review for pathways here DESIGNED BY SMART, ALONGSIDE THE SMART ROW are included now in this Environmental Assessment. Any less will be disastrous for SMART's success.

SMART should also work with the city of San Rafael to provide safe, secure, manned, locked caged, roofed overnight parking for at a minimum 100 workers to leave their bikes at the SMART station in downtown San Rafael. People will need to know without a shadow of a doubt that their bike is waiting for them there in San Rafael to ride to work in the morning. Lockers take far too much space and bikes left in racks at the Transit Center in San Rafael are frequently cannibalized in the daytime and overnight: racks are a waste of space there. We need enclosed secure parking for bikes there.

Federal money is available for station bike parking and for pathways to 3 miles from the station since bikes can easily go 3 miles in twenty minutes. SMART needs to do the present planning and environmental review NOW to provide the leadership to make the train-bike linkage work. SMART has the expertise to provide this leadership.

Finally: WE ALL VOTED FOR THE PATH WITH THE TRAIN. Its the right thing to do.

Best wishes,

Jean Severinghaus

117 Greenbrae Boardwalk

Greenbrae, CA 94904

42-1

Comment #43

Mr. Hamid Shamsapour
Sonoma-Marín Area Rail Transit (SMART) District
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954

VIA Email: hshamsapour@sonomamarintrain.org

**RE: Draft SMART Downtown San Rafael to Larkspur Extension
Environmental Assessment**

Dear Mr. Shamaspour,

My name is Lindsay McKenzie. I am a member of San Rafael BPAC, Safe Routes to School, San Rafael City Task force, and I am the mom of two kids in the San Rafael school district. I represent the San Rafael schools that will be affected by SMART putting in a rail line from the San Rafael Station to the Larkspur Station.

There are 7 public schools with approximately 3,600 students residing within a 4 mile radius feeding into these schools who would be directly impacted by the rail project proposed in SMART's Environmental Assessment. For example, Davidson Middle School, in the heart of San Rafael's industrial district, has a population of 1,110 students. Principal Bob Marcucci has indicated that the number of students at Davidson will increase in the near future. The School District data shows that 52% live in and around the Canal district and the only current safe and separate route to Davidson is in the SMART right of way from Andersen Drive to Second Street, Rice and Irwin. A considerable number also live parallel to the SMART right of way, along Lincoln Avenue.

43-1

I have provided you with a map plotting the locations of a sample of 975 of these students. The schools in discussion are: elementary schools, Coleman, Bahia Vista and Laurel Dell, Sun Valley and Glenwood. These then feed into Davidson Middle School then on to San Rafael High. As you can see, at some point in almost every San Rafael student's education, they must cross through downtown San Rafael as the

placement of the various schools forces them to do so. These numbers do not even include the private schools within San Rafael who also use the SMART right of way to walk and ride to school.

Based on the number of students residing in the radius around the SMART Pathway, and given my past 8 years of voluntary involvement with Safe Routes to School as Team Lead for both Coleman Elementary and Davidson Middle School. I know for A FACT that the implementation of a COMPLETE Multi Use Path would result in a material increase in the number of Green Trips that kids would take to various San Rafael City Schools. When in 2010 the SMART Pathway was constructed parallel to Lincoln, I personally worked with 5 other families on our hill (Puerto Suello) and we daily biked to school with 8-10 kids as a result of the new path where previously we all drove.

I have worked diligently with Safe Routes to School over the years to create immediate safe approaches, reduce the number of cars and encourage families to use alternatives such as biking, walking and carpooling to both Davidson and Coleman with great success. But, better infrastructure must be provided to attract families to safely do this on a routine basis. If SMART builds the SMART Pathway with the proposed rail extension from Downtown San Rafael to Larkspur, this would be the safe and separate path that we need.

Please also take into consideration that many of the families specifically in the Canal district are low income, Hispanic, many do not have a driver's license and therefore are very reliant on bicycles as transportation. It is not just the children who would benefit in this instance. Many of the parents of these children do not speak English. So, I am their voice.

I have also owned a bicycle shop in Marin for the past 11 years and have seen the increase in desire to "get out of the car." The introduction of electric bicycles in North America recently stands to mirror that of the more progressive European countries who have designed their city

**43-1
(cont)**

structures around the bicycle. The electric bicycle opens up whole new segment of commuters who previously shied away from the bike.

It is imperative that the SMART Pathway be included in Proposed Action described in the SMART Downtown San Rafael to Larkspur Extension Environmental Assessment. If it is not, the community will lose an extremely valuable resource when the train is put in. Putting only the train in would eliminate the vital pathway that is such a key community resource. If the Pathway is built with the train, even more people will use this current community non-motorized route.

I speak for the hundreds of families who would rethink our morning and afternoon commutes with our children.

"I believe that many students would choose to walk to school rather than get on a school bus or district transit if there were a safe and more direct route."

Davidson Principal Bob Marcucci on the omission of the SMART Pathway from the Proposed Action in the Environmental Assessment, Jan. 20, 2014

Thank you for your time and consideration.

Lindsay McKenzie
BPAC, Safe Routes to School, San Rafael Resident
415.847.2414
Lindsay@3ringcycles.com

43-1
(cont)

Lindsay McKenzie

Share

DMS Coleman Addresses only

Imported at Tue Jan 20 13:18:10 PST 2015 from DMS Coleman Addresses only.xlsx.
Edited at 1:34 PM

File Edit Tools Help

Rows 1

Cards 1

Map of Home address...

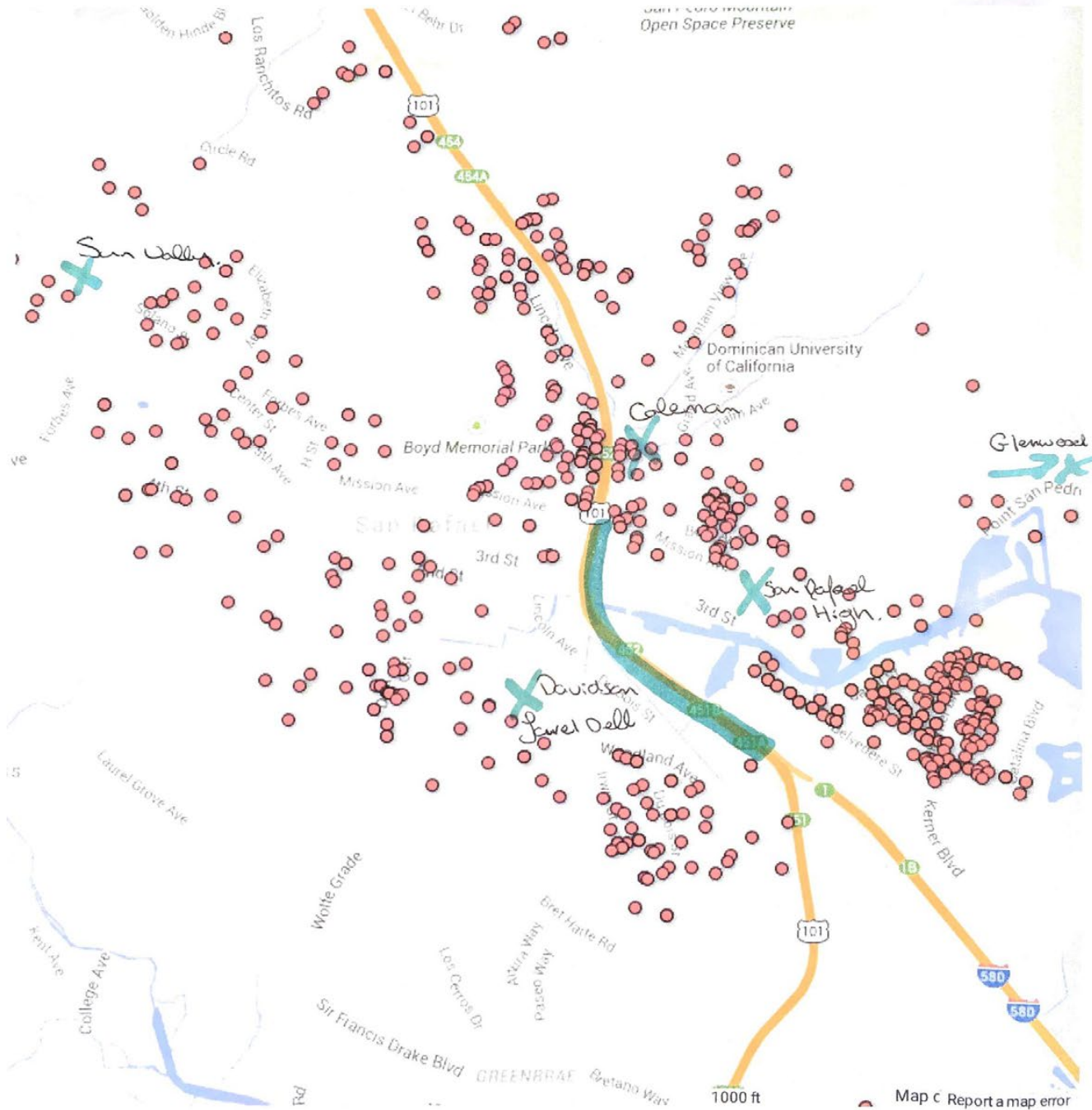
Map 2

Filter

No filters applied

Saved

975 rows



Comment #44

From: [Mike](#)
To: [Hamid Shamsapour](#)
Subject: Smart train route bike path.
Date: Saturday, January 24, 2015 10:12:40 AM

Hello. I'm a San Anselmo resident and Owner of local San Rafael business eTrac Inc and I wish to express my support for the path that would connect downtown San Rafael with the Cal Park Tunnel and Larkspur. I understand that this has been removed from the current plan and that is concerning. I would like to see that connector provided so that those of us who live here and commute here can use that path for recreation and transportation.

44-1

Thank you for hearing my concern,

Mike Mueller

Comment #45

From: [Steve's Yahoo Mail](#)
To: [Hamid Shamsapour](#)
Subject: Smart Rail Path
Date: Monday, January 26, 2015 1:16:45 PM

Good afternoon Mr. Shamsapour,

I am a lifelong San Rafael resident and am writing to express my support for the Smart Rail Path that would connect downtown with the Cal Park Tunnel and Larkspur. I just learned that it had been removed from the current plan, as I believe that this will be a critical future artery for commuter (I take the ferry daily) and recreational transportation. With congestion becoming an ever more severe issue in the North Bay, I really do not feel like we can defer these types of improvements.

45-1

In general, thank you for your help in keeping these plans on track.

William Held
114 Convent Court
San Rafael, CA 94901

Comment #46

From: [Ruth K Nash](#)
To: [Hamid Shamsapour](#)
Subject: SMART pathway from downtown San Rafael to Larkspur Extension Environmental Assessment
Date: Thursday, February 05, 2015 5:04:48 PM

Dear Mr. Shamsapour:

Thank you for personally calling us last week after my phone call to you on what I thought was the last day for public input regarding the pathway from downtown San Rafael to Larkspur. you kindly said the final date was extended to today, a date I can only admit I've postponed until now because of travel plans---we're in Los Angeles. Following is a copy of the e-mail I tried, unsuccessfully, to send to you because I had an improper address.

Thank you for considering our input.

Sincerely, Ruth Nash

We were unable to attend last Tuesday's open meeting and have not yet heard if any decisions were made regarding changes to the EA. We also were under the impression that today was the last day to give you our opinion on this assessment of the pathway from downtown San Rafael to Larkspur.

If that is the case, we want an amendment to the above EA to include the multi-use pathway in San Rafael connecting all parts down to Larkspur. When we voted for Measure Q, it was with the understanding that a multi-use pathway would be right there along with the SMART trains for the whole length of the rail line. We are living in Larkspur almost fifty years and are avid members of the Larkspur Walkers. We were thrilled when the Cal Park tunnel opened up and have walked it many times since then.

We believe that a complete North-South Greenway would be a most important route for foot traffic and for bicycles not only for recreational use but also for work-related transportation, all in a safer and healthier environment than we now have in San Rafael. We walkers do go all over the county every month, and we see the value of not having to share our meanderings with cars and motorcycles.

Thank you for considering our point of view.

Sincerely,

Ruth and Steve Nash (= Ruth K. Nash and D. Steven Nash)
28 Bayo Vista Ave.
Larkspur, CA 94939-1006
415-461-3665

Sent from my iPad

46-1

Master Response to Comment Numbers 10 through 46

Thirty-seven emails were received from individual members of the public concerning their desire for a non-motorized pathway segment within the SMART right-of-way (ROW) between Downtown San Rafael and Andersen Drive. The emails were largely identical in format and/or content and covered similar issues.

This master response is provided to address each of the concerns raised in the 37 individual emails. Topical headings are provided for each of the principal issues raised in the comments. For each issue, the general comment is summarized and then a response is provided.

Pathway Elimination

Comment: SMART has eliminated the pathway segment between Downtown San Rafael and Andersen Drive.

Response: At the request of pathway supporters, SMART agreed to investigate the possibility of accommodating a pathway along the segment as part of the Proposed Action. A number of constraints were identified during the investigation, however, that prompted SMART to not include a pathway as part of the current Proposed Action. This exclusion from the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more other agencies at a later time. See the responses below for further clarification concerning these issues.

SMART's Pathway Obligations Under Measure Q

Comment: SMART is obligated to provide Measure Q-funded pathway facilities along the entire SMART alignment, including the segment between Downtown San Rafael and Andersen Drive.

Response: The SMART pathway has historically been divided into two phases: 1) the recommended initial project (Phase 1); and 2) "Future" pathway project elements (Phase 2). In 2003, the SMART Bicycle/Pedestrian Advisory Committee (BPAC) divided the pathway into 64 segments. Of the 64 segments, 21 were considered potential "Future" phase segments due to cost, technical complexity or ROW issues. "Future" phase segments include those from North San Pedro Road through San Rafael to Andersen Drive. The BPAC's recommendations were incorporated into Section 2.5.2 of SMART's 2006 Environmental Impact Report (EIR) (available for download on SMART's website), where it is stated:

The proposed project would consist of approximately 54 miles of a Class I pathway located on the rail right-of-way and 17 miles of Class II pathway improvements [between Cloverdale and Larkspur]. In locations where the existing rail right-of-way is not of sufficient width to accommodate a pathway or in environmentally sensitive areas, Class II pathways would be implemented outside the right-of-way on existing streets, providing links between the Class I portions of the pathway. These proposed Class I and II improvements represent Phase I of a two phase concept proposed by the BPAC. Phase 2, which is not part of the proposed project, [emphasis added] would require implementation and funding by either the local cities and towns or the counties. Construction of Phase 2 would require acquisition of additional right-of-way and further environmental review if and when a project sponsor is established.

The pathway segment between North San Pedro Road and Andersen Drive was identified as a Phase 2 segment in the EIR. This segment includes the entirety of the pathway segment between Downtown San Rafael and Andersen

Drive. As stated above from the EIR, Phase 2 segments are not a part of the Measure Q-funded SMART project. Not including a pathway as part of the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more agencies at a later time.

Parallel Pathway Requirement

Comment: Under Measure Q, SMART must provide a pathway *parallel* to the SMART right-of-way (ROW) between Downtown San Rafael and Andersen Drive.

Response: Measure Q and its accompanying Expenditure Plan as passed by the voters in 2008 contained no reference to a “parallel” bicycle and pedestrian pathway. Section III.B.5 of the Expenditure Plan required “SMART to fund and provide a bicycle-pedestrian pathway along the SMART rail corridor linking the 14 train stations...” The only reference to a “parallel” pathway is in the Marin and Sonoma County Counsel’s impartial voter guide analysis. That analysis was prepared independently from SMART and is not a part of the ordinance approved by the voters.

Physical constraints along segments of the SMART project corridor make a pathway parallel to SMART rail along the entire corridor infeasible. In many areas, there is not sufficient ROW to accommodate both facilities side-by-side. In other areas, environmental constraints such as wetlands and other features constrain the placement of a pathway within the SMART ROW. Many of these more challenging segments were classified as Phase 2 or “future” segments, as described previously.

These non-parallel pathway segments have been identified throughout the history of the pathway planning process, most notably in the 2006 EIR for the SMART project, where the pathway was presented as consisting of a mix of off-street and on-street segments, both within and outside of the SMART ROW. Appendix E of the EIR contains schematics of the pathway showing extensive portions of pathway outside of the ROW, including the entirety of the segment between Downtown San Rafael and Andersen Drive. Figure 2.5-9 of the EIR shows the SMART project corridor from southern Novato to Larkspur, and substantial portions of pathway are shown outside the ROW on surface streets, including the entire pathway segment between Downtown San Rafael and Andersen Drive. Page 2-24 of the EIR provided a narrative description of the pathway route between Downtown San Rafael and Larkspur. That description is provided verbatim below, with certain location clarifications added in brackets:

From the [Downtown] San Rafael Station, the proposed bicycle/pedestrian pathway would follow Tamalpais Avenue to 2nd Street/Francisco Boulevard where it would connect with the existing pathway along San Rafael Creek [the Mahon Creek Path] to Andersen Drive. The pathway would follow Andersen Drive until it reconnects with the railroad right-of-way at MP 15.9 [south of the Andersen Drive crossing]. From here the bicycle/pedestrian pathway would be built within the railroad right-of-way, through Tunnel #3 [the Cal Park Tunnel], to the Larkspur Ferry Station on the west side of the tracks.

Based on this and other available public information, a parallel pathway along the SMART ROW between Downtown San Rafael and Andersen Drive was not identified in SMART’s 2006 EIR.

Comment: SMART must include a pathway as part of the Proposed Action. Not doing so would forever preclude the possibility of constructing such a pathway in the future.

Response: Phase 2 pathway segments were not included as part of the SMART project that was evaluated in the 2006 EIR, because it was known that these segments presented ROW or environmental constraints that would make construction of a pathway along those segments particularly challenging or even infeasible. The segment between Downtown San Rafael and Andersen Drive was included as a Phase 2 segment due to the lack of sufficient ROW and environmental constraints. Of particular concern was a “pinch-point” along the alignment in the vicinity of Irwin Street and West Francisco Boulevard where there is not sufficient width available to accommodate the SMART tracks, West Francisco Boulevard, and a pathway without encroaching into and filling an environmentally sensitive tidal channel that parallels the ROW.

In early 2013, SMART was approached by the Marin County Bicycle Coalition (MCBC) and asked to revisit the possibility of accommodating a pathway along the segment as part of the Proposed Action. SMART agreed to study the issue further, with the understanding that if any delay in the rail extension project would occur as a result of including a pathway, then the pathway would be withdrawn from further consideration at this time.

As part of its understanding with MCBC to study the pathway issue further, SMART hired an engineer to study the Downtown San Rafael to Andersen Drive segment and to determine whether a pathway could be included in conjunction with the rail project’s construction. The investigation determined that the lack of sufficient width at Irwin Street and West Francisco Boulevard would require filling approximately 300 feet of the aforementioned tidal channel. During a field meeting at the site in April 2014, the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife each indicated that they would not issue a permit to fill the channel because a practicable alternative to impacting the channel was available. The practicable alternative was the provision of a pathway on adjoining surface streets, identical to the route presented in the SMART EIR, which would completely avoid impacts to wetlands.

Based on the response from the regulatory agencies, SMART determined that including a pathway with the rail extension project would substantially delay approval of the project, and would thus jeopardize SMART’s ability to access \$20 million in Regional Measure 2 (RM2) funds that had been reallocated to SMART for the rail extension to Larkspur. The process of negotiating with the regulatory agencies and acquiring acceptable wetlands mitigation properties would likely take an extended period of time, possibly even years, as has been the case with similar projects. Because such a delay would jeopardize approval of the project and result in the subsequent loss of RM2 funds, SMART decided to not include the pathway segment as part of the Proposed Action. Not including a pathway as part of the Proposed Action would not eliminate the possibility of a pathway being proposed and constructed along the segment by one or more agencies at a later time. During SMART’s investigation of the issue, construction of an adjacent pathway was determined to be feasible, and construction of the rail extension prior to the pathway would not preclude construction of the latter. It would take some time, however, to obtain the required regulatory approvals, and suitable mitigation properties would need to be identified, negotiated with the agencies, and purchased. SMART is agreeable to assisting and working with local agencies to seek outside funds to design and construct a pathway in the future. In the interim, while the Proposed Action moves forward, SMART will work with the City of San Rafael and others to design the rail extension in such a manner as to not preclude the future construction of a pathway within the segment.

3.0 CORRECTIONS AND ADDITIONS TO THE ENVIRONMENTAL ASSESSMENT

This chapter provides corrections or clarifications of text in the EA. None of the corrections and additions constitutes significant new information or substantial changes to the Project or to the analysis in the EA, and would not result in new significant impacts or an increase in the severity of any impact already identified in the EA. Corrections and additions to the EA are presented below in underline for new text insertions or ~~strikeout~~ for text deletions.

Summary

- Paragraph two on page S-2 has been amended to document the transfer of ownership of the former Northwestern Pacific Railroad (NWP) right-of-way (ROW) from the Golden Gate Bridge Highway and Transportation District (GGBHTD) to SMART:

As with the locally-funded SMART project, the Proposed Action would use the existing Northwestern Pacific (NWP) Railroad rail corridor, which ~~has been acquired by SMART~~ was acquired by the Golden Gate Bridge Highway and Transportation District (GGBHTD) and the Marin County Transit District (Marin Transit) and transferred to SMART in 2006. The NWP Railroad historically provided freight and limited passenger rail service from Marin County to points northward. The stretch of the rail corridor proposed for use under the Proposed Action still is in place, but it has been non-operational for several decades. The right-of-way (ROW) remains intact and thus would require only limited improvements to be converted from its existing condition as an inactive freight railway to use as an active passenger railway. Acquisition of additional ROW would not be required to construct and operate the extension.

- A new paragraph has been added between paragraphs four and five on page S-2 to document the likely reconfiguration of portions of the Bettini Transit Center to accommodate SMART passenger rail service:

Bettini Transit Center Modifications. The SMART ROW passes through the western portion of the Bettini Transit Center. The transit center is operated by GGBHTD, which is responsible for management of the site and the site’s tenants. Some reconfiguration of the facility would be required as SMART rail service is introduced in the area. SMART has an established Memorandum of Understanding (MOU) with the GGBHTD concerning future use of the facility. The MOU anticipated that “redesign, relocation, construction and/or reconstruction of existing or new improvements” would be needed as part of the SMART project’s development. SMART would work with the GGBHTD and its tenants at the transit center per the conditions of the MOU to design and implement an effective design that would minimize disruption to the facility during construction and operation of SMART service.

Chapter 1 Introduction/Purpose and Need

- The second paragraph of page 1-2 has been amended to note the distance between the Proposed Action rail terminus and the Larkspur Ferry Terminal:

The construction from Santa Rosa to Downtown San Rafael began in 2012, and completion is anticipated in 2016. SMART is now looking to begin development and construction of the remaining phases, beginning with the Proposed Action that is evaluated in this EA. Construction of the Proposed Action would provide an

important regional transit connection to the existing Larkspur Ferry Terminal, which is located approximately 1,700 feet (or approximately one-third mile) from the Proposed Action's rail terminus. The ferry terminal provides ferry service from Larkspur to Downtown San Francisco, where access exists to the Bay Area Rapid Transit (BART) system, San Francisco Municipal Railway (MUNI), Caltrain, Alameda-Contra Costa Transit system, Golden Gate Transit system, Amtrak, and Greyhound Bus service. By providing a SMART connection at the Larkspur ferry terminal, SMART riders will gain access to the entire Bay Area transit network.

- The final paragraph of page 1-2 has been amended to note the distance between the Proposed Action rail terminus and the Larkspur Ferry Terminal:

The Proposed Action would extend the locally-funded SMART passenger rail project from Downtown San Rafael to Larkspur. The proposed rail ~~termini-terminus~~ in Larkspur lies adjacent to approximately 1,700 feet (or approximately one-third mile) from the Larkspur Ferry Terminal, which provides direct ferry service from Larkspur to Downtown San Francisco. The improved transit connection between Downtown San Rafael and Larkspur would improve local and regional travel and, by extension, improve mobility on the congested north-to-south US 101 corridor in Sonoma County, Marin County, and San Francisco.

Chapter 2 Alternatives

- A new paragraph has been added between paragraphs three and four on page 2-1 to acknowledge the 2005 Memorandum of Understanding (MOU) between the GGBHTD and SMART concerning the conveyance of the former NWP railroad ROW from the GGBHTD to SMART:

The ROW was acquired by the Golden Gate Bridge Highway and Transportation District (GGBHTD) and the Marin County Transit District (Marin Transit) when freight service was abandoned. The ROW was acquired specifically to preserve the property for future public transit use. Through a 2005 Memorandum of Understanding (MOU), the ROW was transferred to SMART in 2006. The MOU spelled out agreements between the signatory parties that would be applicable if SMART passenger rail service were implemented.

- The second paragraph on page 2-3 has been modified to reflect current Federal Railroad Administration (FRA) regulations concerning operation of light rail transit (LRT) on the same tracks as heavy freight rail:

Light rail transit (LRT) initially was considered as a viable option to operate within the existing NWP corridor, and operational plans for LRT were developed and evaluated during early stages of initial planning efforts. LRT service ultimately was determined to be infeasible because of the high cost of implementation. In addition, because freight service was proposed to be reintroduced to segments of the NWP Railroad corridor and to be operated on the same line as the passenger rail, LRT was determined to be incompatible with heavy rail operations. Federal Railroad Administration (FRA) regulations generally prohibit light rail from operating on the same line as freight without temporal separation, ~~which would render passenger service infeasible~~ though conditional waivers have been approved in some areas.

- A new subsection has been added after the second paragraph on page 2-24 to document the likely reconfiguration of portions of the Bettini Transit Center to accommodate SMART passenger rail service:

San Rafael Transit Center Modifications

The SMART ROW passes through the western portion of the Bettini Transit Center. The transit center is operated by the GGBHTD, which is responsible for management of the site and the site’s tenants. Some reconfiguration of the transit center would be required as SMART rail service is introduced in the area, and some of those modifications could affect operations at the facility.

SMART has an established MOU with the GGBHTD concerning future use of the facility. The MOU anticipated that “redesign, relocation, construction and/or reconstruction of existing or new improvements” would be needed as part of the SMART project’s development. The MOU sets out the processes by which the required improvements would be carried out, and also specifies that SMART and GGBHTD would “work cooperatively to maximize federal, state, and local funding opportunities to pay for construction of the improvements.” Much of the details concerning the likely modifications at the transit center would be developed during the design and engineering phase of the Proposed Action, which has yet to begin. During that phases, SMART would work with the GGBHTD and its tenants at the facility per the conditions of the MOU to design and implement an effective design that would minimize disruption to the transit center during construction and operation of SMART service.

- Paragraph two on page 2-29 has been revised to correct an error in the number of proposed southbound lanes on Andersen Drive between Bellam Boulevard and West Francisco Boulevard:

West Francisco Boulevard would be restriped from one to two lanes between Andersen and southbound US 101, and southbound Andersen Drive would be widened and striped to provide ~~two~~ three lanes between Bellam Boulevard and West Francisco Boulevard. These additional lanes would provide emergency storage so that vehicles could proceed forward and clear the railroad crossing and adjacent intersection.

Section 3.13 Traffic and Transportation

- Table 3.13-5 has been revised to correct an error in the existing Level of Service (LOS) conditions at the Lincoln Avenue and Second Street intersection:

Table 3.13-5: Intersection Level of Service—Existing Conditions (Downtown San Rafael)

Intersection	Control Type	Existing Conditions			
		Weekday AM Peak Hour		Weekday PM Peak Hour	
		LOS	Delay ¹	LOS	Delay ¹
1 Lincoln/Third	Signal	C	21.9	B	13.2
2 Lincoln/Second	Signal	B D	17.8	B	15.9
3 Tamalpais/Third	Signal	A	6.5	A	8.5
4 Tamalpais/Second/Francisco West	Signal	A	9.4	B	13.4
5 Hetherton/Third	Signal	B	17.7	C	26.7
6 Hetherton/Second/US 101 SB On-Ramp	Signal	D	45.0	D	41.3
7 Irwin/Third	Signal	B	19.2	C	24.5
8 Irwin/Second/US 101 NB Off-Ramp	Signal	B	17.5	D	48.7

Note:

¹ Delay presented in seconds per vehicle.

Source: AECOM 2014

- Table 3.13-7 on page 3.13-9 has been revised as shown below to correct a minor error in the inputted volumes for the Existing Conditions intersection analysis for three study intersections. The resultant Level of Service (LOS) values remain unchanged:

Table 3.13-7: Intersection Level of Service—Existing Conditions (Larkspur)

Intersection	Control Type	Existing Conditions			
		Weekday AM Peak Hour		Weekday PM Peak Hour	
		LOS	Delay ¹	LOS	Delay ¹
9 Sir Francis Drake/US 101 SB Ramps	Signal	B	49.419.9	B	13.6
10 Sir Francis Drake/US 101 NB Ramps	Signal	B	18.8	D	35.5
11 Sir Francis Drake/Larkspur Landing (W)	Signal	C	20.5	D	35.539.2
12 Sir Francis Drake/Larkspur Landing (E)	Signal	A	8.1	B	43.611.9

Note:

¹ Delay presented in seconds per vehicle.

Source: AECOM 2014

- Table 3.13-10 on page 3.13-12 and Table 3.13-11 on page 3.13-15 have both been updated to provide a comprehensive listing of bus service routes servicing the Bettini Transit Center and the Larkspur Landing area, respectively:

Table 3.13-10: Existing Transit Service in the Proposed Action Area

Route	Approximate Headways (minutes)				
	Weekday			Weekend/ Holiday ¹	
	AM Peak	Midday	PM Peak		
Golden Gate Transit (operated as Marin Transit routes)					
<i>Marin County Local Routes</i>					
17	Marin City – Mill Valley – Strawberry – San Rafael ²	30	60	30	60
22	Sausalito – Marin City – Strawberry – San Anselmo – San Rafael ³	30	60	30	60
23	Manor – Fairfax – San Anselmo – San Rafael ⁴	60	60	60	60
29	Manor – San Anselmo – College of Marin – Marin General Hospital – Larkspur Landing – San Rafael	30	60	30-60	60
35	Canal – San Rafael ⁵	5-15	30	10-20	30
36	Marin City – Canal – San Rafael	30		30	
45	San Rafael – Marin Civic Center – Northgate Mall – Kaiser Hospital ⁶	30	30	30	60
49	San Rafael – Marin Civic Center – Kaiser Hospital – Hamilton – Novato – San Marin ⁷	60	60	60	60
68	<u>San Rafael – San Anselmo – Pt. Reyes Station – Inverness</u>	<u>60</u>	<u>60</u>	<u>60</u>	<u>120</u>
71	Marin City – San Rafael - Novato ⁸	30	60	60	
228	<u>San Rafael – Larkspur Landing – San Anselmo – Fairfax Manor</u>				<u>60</u>

Table 3.13-10: Existing Transit Service in the Proposed Action Area

Route		Approximate Headways (minutes)			
		Weekday			Weekend/ Holiday ¹
		AM Peak	Midday	PM Peak	
<i>Basic Bus Routes</i>					
40	San Rafael – San Quentin – El Cerrito del Norte Bay Area Rapid Transit BART Station	60		60	30-60
42	San Rafael – San Quentin – Richmond BART Station – El Cerrito del Norte BART Station	60	60	60	
770	San Francisco – Marin City – San Rafael – Novato	30-60	60	30-60	60
80	San Francisco – Marin City – San Rafael – Novato – Petaluma – Cotati – Rohnert Park – Santa Rosa ⁹				60
101 101X	San Francisco – San Rafael – Novato – Petaluma – Cotati – Rohnert Park – Santa Rosa ¹⁰	60	60	60	60
<i>Commute Bus Routes</i>					
27	San Francisco – San Rafael – San Anselmo	15-30		30	
44	San Francisco – San Rafael – Lucas Valley – Marinwood	60		60	
<i>Supplemental School Service</i>					
114	San Rafael – Strawberry Village – Marin City – Redwood High School	Irregular schedule⁺⁺			
125	Lagunitas – Sir Francis Drake HS – San Anselmo Hub	Irregular schedule			
126	San Rafael – San Anselmo – Sleepy Hollow	Irregular schedule ¹²			
145	Terra Linda HS – Northgate – Marin Civic Center – San Rafael	Irregular schedule			
Marin Transit					
<i>Marin County Local Shuttle Routes</i>					
233	San Rafael – Santa Venetia	60	60	60	60
257	San Rafael – Smith Ranch Road	60	60	60	
259	San Rafael – Marinwood	60	60	60	
Sonoma County Transit					
38	San Rafael – Schellville – Temelec – Sonoma – El Verano – Boyes Hot Springs – Agua Caliente – Glen Ellen – Kenwood	Irregular schedule ¹³			
Marin Airporter					
	San Rafael – San Francisco International Airport	60	60	60	60
Sonoma County Airport Express					
	Sonoma County Airport – Santa Rosa – Rohnert Park – Petaluma – San Rafael – Oakland International Airport	120	120	120	120
Notes:					
¹ Some Golden Gate Transit trips only operate on Saturdays.					

Table 3.13-10: Existing Transit Service in the Proposed Action Area

Route	Approximate Headways (minutes)			
	Weekday			Weekend/ Holiday ¹
	AM Peak	Midday	PM Peak	
² Some trips on weekdays and most trips on weekends are interlined with Route 19 (Marin City – Tiburon). On weekdays, some supplemental school service (not serving the San Rafael Transit Center) also is provided. On Saturdays, some late night trips do not serve the San Rafael Transit Center.				
³ Early morning southbound runs on weekdays continue to San Francisco as Route 18 via Larkspur and Corte Madera.				
⁴ On weekdays, some supplemental school service (not serving the San Rafael Transit Center) also is provided. On weekends, most trips only operate between Manor (Sir Francis Drake Boulevard/Olema Road) and the San Anselmo Hub (Sir Francis Drake Boulevard/Center Boulevard).				
⁵ On weekdays, some northbound trips continue to Mill Valley as Route 17 or to Terra Linda as Route 45.				
⁶ Route 45 terminates at Las Gallinas Avenue/Nova Albion Way, while Route 45K continues further to the Kaiser Permanente San Rafael Medical Center. Some southbound trips on weekdays and weekends continue to Canal as Route 35.				
⁷ On weekdays, this route operates on Route 49 between San Marin and the San Rafael Transit Center. On weekends, it operates on Route 49K, between San Marin and the San Rafael Transit Center via the Kaiser Permanente San Rafael Medical Center.				
⁸ The route is operated primarily as a supplementary service for Route 70 and Route 80 between Novato and Marin City, with irregular schedules in the northbound direction during the AM and PM peak hours on weekdays and in both directions on weekends.				
⁹ Limited service is provided on weekdays during the early morning and late evening.				
¹⁰ Headways are for Route 101. Route 101X provides supplementary express service on weekdays on an irregular schedule (two southbound trips and one northbound trip).				
¹¹ The route operates only one roundtrip a day, southbound in the morning and northbound in the evening.				
¹² The route operates on irregular headways, with two morning trips from the San Rafael Transit Center to San Anselmo and Sleepy Hollow and two to four early afternoon trips from San Anselmo and Sleepy Hollow to the San Rafael Transit Center.				
¹³ The route operates on irregular headways, with seven roundtrips Monday through Saturday and four roundtrips Sunday.				
¹⁴ The route operates only one roundtrip a day, southbound in the morning and northbound in the evening.				
Sources: GGBHTD 2013; Marin Transit 2013; Sonoma County Transit 2013; Marin Airporter 2013; Sonoma County Airport Express 2013				

Table 3.13-11: Transit Service in Larkspur

Route	Approximate Headways (minutes)				
	Weekday			Weekend/ Holiday	
	AM Peak	Midday	PM Peak		
Golden Gate Transit					
<i>Marin County Local Routes</i>					
29	Manor – San Anselmo – College of Marin – Marin General Hospital – Larkspur Landing – San Rafael	30	60	30-60	60
<u>228</u>	<u>San Rafael – Larkspur Landing – San Anselmo – Fairfax Manor</u>				<u>60</u>
<i>Commute Bus Routes</i>					
24	San Francisco – Greenbrae – College of Marin – Kentfield – Ross – San Anselmo – Fairfax – Manor ¹	<u>15-20</u>		<u>15-30</u>	
<u>25</u>	<u>Fairfax Manor – Larkspur Ferry Terminal (The Wave)</u>	<u>20-30</u>		<u>30</u>	

Table 3.13-11: Transit Service in Larkspur

Route	Approximate Headways (minutes)			
	Weekday			Weekend/ Holiday
	AM Peak	Midday	PM Peak	
37 <u>Smith Ranch Road – Larkspur Ferry Terminal (The Wave)</u>	30		30	
97 Larkspur – San Francisco ²	<u>Irregular schedule</u>			
<i>Ferry</i>				
Larkspur – San Francisco	Irregular schedule ³			
Marin Airporter				
San Rafael – San Francisco International Airport	60	60	60	60

Notes:

- ¹ Only one trip (early morning, southbound direction) serves the Larkspur Ferry Terminal.
 - ² Route 97 only has one regularly-scheduled trip (early morning, southbound), although unscheduled trips are occasionally provided to serve overflow demand exceeding ferry capacity during the weekday AM peak.
 - ³ Schedule is irregular, consisting of 18 southbound trips and 19 northbound trips on weekdays and four roundtrips on weekends.
- Sources: GGBHTD 2013; Marin Airporter 2013

- The fifth paragraph on page 3.13-14 has been amended to reflect additional regional transit services that utilize the Bettini Transit Center:

In addition to Golden Gate Transit, **Marin Transit** also provides its own local transit services out of the San Rafael Transit Center, including three local shuttle routes and one West Marin Stagecoach route. **Sonoma County Transit** operates one regional bus service out of the San Rafael Transit Center, connecting communities in eastern Sonoma County along the Sonoma Highway (State Route 12). Two private transit operators (**Marin Airporter** and **Sonoma County Airport Express**) provide express coach service to and from San Francisco International Airport and Oakland International Airport. Other services that utilize the transit center include Golden Gate Transit regional bus service to Contra Costa County (i.e., to the Del Norte BART and Richmond Amtrak stations), intercity bus services provided by Greyhound, and local taxi services.

- The sixth paragraph on page 3.13-14 has been amended to correct the distance between the Proposed Action rail terminus at Larkspur Landing and the Larkspur Ferry Terminal:

The planned Larkspur Station site is on the east side of US 101 adjacent to Larkspur Landing, approximately ~~4,100~~ 1,700 feet from the Larkspur Ferry Terminal. Current transit service in the area consists primarily of Golden Gate Transit bus and ferry services, in addition to Marin Airporter service to and from San Francisco International Airport. These services are summarized in Table 3.13-11.

- The first paragraph on page 3.13-15 has been amended to reflect that the indicated pathway segment is no longer planned as part of the locally-funded SMART pathway project:

~~A Class 1 shared pedestrian/bicycle trail (Route 5) connects Downtown San Rafael (Mission Avenue/Stevens Place intersection) at the northern edge of Downtown San Rafael with Merrydale Road near Pilgrim Way in Santa Venetia, close to the US 101/North San Pedro Road interchange. This trail will connect to and become part of the continuous north-south bicycle path that is being built in conjunction with the locally-funded SMART project, and it parallels US 101, closely following the NWP Railroad alignment. Another A short~~

segment of Class 1 bicycle facility, the Mahon Creek path, is provided along the northern bank of San Rafael Creek, connecting the Tamalpais Avenue/Second Street/Francisco Boulevard West and Lindaro Street/Andersen Drive intersections.

- The third and fourth paragraphs on page 3.13-19 have been amended to provide additional detail concerning parking capacity in the Downtown San Rafael area:

Downtown San Rafael on-street parking primarily consists of metered and/or time-limited parallel parking. Four park-and-ride lots, maintained and operated by Caltrans, are located underneath the US 101 viaduct in the vicinity of the Downtown San Rafael Station site and the Bettini Transit Center. A number of these spaces are reserved for exclusive use by adjacent private businesses and are thus not available to transit passengers.

Combined, the four park-and-ride lots provide 197 parking spaces (plus 16 bicycle lockers) for all-day use ~~by transit passengers~~. Occupancy surveys conducted on August 26, 2010 indicated that the lots are well-used throughout the day, approaching close to 100 percent occupancy during the midday.

- The last paragraph on page 3.13-30 has been modified to indicate that shuttle services are not proposed for the Project:

The analysis of 2040 Baseline Conditions assumes the completion and operation of the locally-funded SMART project from Santa Rosa to San Rafael. ~~SMART would contract out connecting shuttle services at the Downtown San Rafael Station and the planned Larkspur Station to provide timed connections with rail service in the southbound direction during the weekday AM peak period and in the northbound direction during the weekday PM peak period. Two shuttle routes operating in one-way loops would be provided at the Downtown San Rafael Station, serving Downtown San Rafael and the commercial strips along Francisco Boulevard East and Francisco Boulevard West, while one shuttle route would be provided out of the planned Larkspur Station, serving four major activity centers—the Larkspur Landing shopping center, San Quentin Prison/Marin County Mart and nearby offices, Marin General Hospital, and the College of Marin.~~

- The first paragraph on page 3.13-31 has been modified to more clearly document the likely reconfiguration of portions of the Bettini Transit Center to accommodate SMART passenger rail service:

The Downtown San Rafael Station Area Plan (City of San Rafael 2012) includes near-term improvement recommendations for the Bettini Transit Center, such as reconstruction of Platform D to provide additional bus right-of-way and the provision of additional passenger loading zones to accommodate taxis and kiss-and-ride activity. ~~These recommendations consist of physical improvements to the Bettini Transit Center and are not anticipated to materially affect existing transit operations or ridership. The transit center facility is operated by the GGBHTD, which is responsible for management of the site and the site’s tenants. Some reconfiguration of the transit center would be required as SMART rail service is introduced in the area, and some of those modifications could affect operations at the transit center.~~

SMART has an established MOU with the GGBHTD concerning future use of the facility. The MOU anticipated that “redesign, relocation, construction and/or reconstruction of existing or new improvements” would be needed as part of the SMART project’s development. The MOU sets out the processes by which the required improvements would be carried out, and also specifies that SMART and GGBHTD would “work cooperatively to maximize federal, state, and local funding opportunities to pay for construction of the improvements.” Much of the details concerning the likely modifications at the transit center would be

developed during the design and engineering phase of the Proposed Action, which has yet to begin. During that phases, SMART would work with the GGBHTD and its tenants at the transit center per the conditions of the MOU to design and implement an effective design that would minimize disruption to the facility during construction and operation of SMART service.

- The second paragraph on page 3.13-31 has been modified to indicate that shuttle services are not proposed for the Project:

Ridership projections with the Proposed Action for horizon year 2035 are summarized in Table 3.13-18. As shown in this table, although SMART ridership is expected to increase in 2035 with the Proposed Action, the Proposed Action would not result in material changes to ridership on other bus routes in the vicinity of the Proposed Action area. ~~In addition, SMART would provide shuttles as part of the Proposed Action, primarily serving SMART patrons at the “work” end of their trips. These shuttles would be likely to minimize any effects on local bus service as a result of passengers transferring between bus and rail.~~

- The third paragraph on page 3.13-31 has been modified to reflect existing passenger capacity onboard the Golden Gate Ferry:

In addition, although GGBHTD and SMART would coordinate schedules for rail and ferry services at Larkspur, the Proposed Action is not expected to result in a material change in ferry ridership, as indicated in Table 3.13-18. During discussions with Golden Gate Transit planning staff, Golden Gate Transit also indicated that sufficient capacity exists on most ferry trips to accommodate any projected ridership increase as a result of the Proposed Action, though there is some overcrowding currently on the weekday morning commute trips from Larkspur to San Francisco and weekday evening trips from San Francisco to Larkspur. There is surplus passenger capacity for all other existing weekday and weekend ferry trips. Based on these considerations, no significant effect on transit conditions would occur from the Proposed Action.

- Table 3.13-18 on page 3.13-32 has been amended to indicate that the ridership numbers provided in the table represent the number of riders per day:

Table 3.13-18: Forecasted Transit Ridership (2035 plus Proposed Action)

Route	Direction	Forecasted Ridership per Day						
		2035 without Proposed Action			2035 with Proposed Action			
		Peak	Off-Peak	Total	Peak	Off-Peak	Total	
Bus Services								
<i>Marin County Local Routes</i>								
29	Manor – San Anselmo – College of Marin – Marin General Hospital – Larkspur Landing – San Rafael	SB	449	553	1,002	372	553	925
<i>Subtotal</i>			449	553	1,002	372	553	925
<i>Basic Bus Routes</i>								
70	San Francisco – Marin City – San Rafael – Novato	NB	109	35	144	121	35	156
		SB	400	1,173	1,573	400	1,173	1,573
80	San Francisco – Marin City – San Rafael – Novato – Petaluma – Cotati – Rohnert Park – Santa Rosa	NB	1,091	573	1,664	1,065	573	1,638
		SB	2,455	1,065	3,520	2,454	1,065	3,519
<i>Subtotal</i>			4,055	2,846	6,901	4,040	2,846	6,886
<i>Commute Bus Routes</i>								
27	San Francisco – San Rafael – San Anselmo	SB	218		218	218		218
44	San Francisco – San Rafael – Lucas Valley – Marinwood	SB	146		146	146		146
<i>Subtotal</i>			364		364	364		364
Ferry Services								
Larkspur Ferry			12,667	79	12,746	12,673	79	12,752
<i>Subtotal</i>			12,667	79	12,746	12,673	79	12,752
Rail Services								
SMART (Operating Segment)		NB	2,946		2,946	2,989		2,989
		SB	2,272		2,272	2,460		2,460
<i>Subtotal</i>			5,218		5,218	5,449		5,449
Total			22,753	3,478	26,231	22,898	3,478	26,297

Source: MTC 2009

- The third paragraph on page 3.13-33 has been modified to document the future connection of the proposed SMART Larkspur Station with the Larkspur Ferry Terminal via the Central Marin Ferry Connection project: The Proposed Action does not explicitly propose any changes to bikeways within the Proposed Action area. The soon-to-be-completed Central Marin Ferry Connection project (under construction by others) is expected to provide a safe and effective means of connection over Sir Francis Drake Boulevard between the proposed SMART Larkspur Station and the Larkspur Ferry Terminal. To encourage bicycle use, ~~however,~~ SMART proposes to provide six bicycle racks and eight bicycle lockers at the Larkspur Station. The Proposed Action

is not anticipated to disrupt existing bicycle facilities, interfere with planned bicycle facilities, or create inconsistencies with adopted bicycle system plans, guidelines, policies, or standards. Therefore, no adverse effect on bicycle conditions in Larkspur would occur from the Proposed Action.

- The first paragraph on page 3.13-34 has been modified to document the future connection of the proposed SMART Larkspur Station with the Larkspur Ferry Terminal via the Central Marin Ferry Connection project:
The Proposed Action does not explicitly propose any changes to pedestrian facilities. The soon-to-be-completed Central Marin Ferry Connection project (under construction by others) is expected to provide a safe and effective means of connection over Sir Francis Drake Boulevard between the proposed SMART Larkspur Station and the Larkspur Ferry Terminal. The project is not anticipated to disrupt existing pedestrian facilities, interfere with planned pedestrian facilities, or create inconsistencies with adopted pedestrian system plans, guidelines, policies or standards. Therefore, no adverse effect on pedestrian conditions in Larkspur would occur from the Proposed Action.

This page intentionally left blank.