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Executive Director

February 12, 2013

Caltrans District 4
Attention: Valerie Shearer
Senior Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660
Email: valerie_shearer@dot.ca.gov

Dear Ms. Shearer,

The Corte Madera Chamber would like to take this opportunity to comment on the Hwy 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Documental. We believe this project has not been designed in a context sensitive manner and is not in the best interests of the business community or residents of the Town of Corte Madera. It will have negative impacts on residents, schools, local traffic circulation and businesses. The flyovers and walls will create visual intrusions of the existing scenic landscape and is not appropriate in the context of the Highway 101 in the Twin Cities, and is not necessary to solve any of the problems which this project is supposed to address.

The Corte Madera Chamber strongly suggests that a full Environmental Impact Report be done which is required by law. The Draft Environmental Document is inadequate due to some of the following reasons:

a. The project does not increase traffic capacity on Hwy 101
b. Traffic congestion will still exist on east and west Sir Francis Drake Blvd.
c. There is no analysis of noise impacts on adjacent communities
d. There is no analysis of visual impacts on adjacent communities
e. There is no analysis on impacts to the business community during construction
f. There is no analysis of parking impacts where parking is being eliminated
g. There is no analysis of future growth in the adjacent area

We ask Cal Trans and TAM to change this project. The majority of citizens in Corte Madera and Larkspur are opposed to this project and has come to many public meetings to voice their comments. The "No Build" alternative has fewer adverse impacts than the "Build" project. We ask that you consider a less massive, less expensive, and less drastic alternative be considered. We thank you for your consideration.

Respectfully,

Julie Kritzberger

Julie Kritzberger
Executive Director

129 Corte Madera Town Center, Corte Madera, CA 94925
PHONE: 415-924-0441 Fax: 415-924-1839
Julie Kritzberger, Director

THE TOWN OF
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TOWN ENGINEER
PUBLIC WORKS
415-927-5057

RECREATION DEPARTMENT
415-927-5072

SANITARY DISTRICT NO. 2
415-927-5057

TWIN CITIES POLICE AUTHORITY
415-927-5150

February 13, 2013

Dianne Steinhauser
Executive Director
Transportation Authority of Marin
781 Lincoln Avenue, Suite 160
San Rafael, CA 94901

Malcolm Dougherty, Director
Caltrans
- Via Email -

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Re: Highway 101 – Greenbrae/Twin Cities Corridor Improvement Project ("Project")
District 4 – MRN – 101 – PM 7.2\8.9
The Southbound Portion

Dear Ms. Steinhauser, Ms. Shearer and Mr. Dougherty:

With the issuance of the Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment (IS/EA) pertinent to the Project described above, the Town Council and the public have been provided a better, yet still incomplete, picture of the Project's scope and impacts on our community. As described in the IS/EA and related planning and design documents prepared by Caltrans' engineers, the southbound portion of this Project is designed and envisioned to require utilization of Nellen Avenue for various structural and other freeway related improvements. Nellen Avenue is a Town street. Utilization of Nellen Avenue for the purposes specified in the Project's design documents would require the closing of Nellen Avenue.

Under Streets & Highways Code section 100.2, no city street may be closed, either directly or indirectly, by the construction of a freeway without the consent of the city and pursuant to a freeway agreement entered by the city. Moreover, Caltrans may not acquire a city street which is slated for closure to accommodate freeway construction unless the city council first executes an agreement transferring the street to the State for that purpose. Streets & Highways Code, section 100.21.

Section 100.2 has "been construed to afford the city a veto of street closing for construction of a freeway by the state." Only the city council can authorize an agreement to close a street for freeway purposes. "In doing so, [section 100.2] specifically preserves 'home rule' by denying the state the right to close streets for a freeway except with council consent." *Armas v. City of Oakland* (1960) 183, Cal.App.2d 137, 139; *accord, City of So. Pasadena v. Dept. of Trans.*(1995) 29 Cal.App.4th 1280, 1284 ("Section 100.2 requires Caltrans to obtain freeway agreements, that is, agreements with the affected cities, in every city in which a freeway will permanently close a street.").

Please be advised that the Town Council of the Town of Corte Madera has not consented to the closure of Nellen Avenue to allow installation of the improvements as they are currently designed for the southern route of the Project. And because of the adverse effects the southbound portion of the Project as presently designed, including the closure of Nellen Avenue, will have on the Town, its citizens and business community, the Town Council will not consent to the closure of Nellen Avenue to accommodate the Project as presently designed. However, the Town Council is willing to consider alternatives to the Project, and to work towards a cohesive solution to the design and operational deficiencies that may currently exist within the Greenbrae corridor.

Sincerely yours,

Diane Furst

Diane Furst, Mayor
Town of Corte Madera

RESOLUTION NO. 1-2013

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA DECLINING TO CONSENT TO THE CLOSURE OF NELLEN AVENUE TO ACCOMMODATE THE HIGHWAY 101 GREENBRAE/TWIN CITIES CORRIDOR IMPROVEMENT PROJECT'S SOUTHBOUND IMPROVEMENTS AND AUTHORIZE MAYOR TO EXECUTE AND DELIVER TO THE TRANSPORTATION AUTHORITY OF MARIN (TAM) AND CALTRANS A LETTER ADVISING THEM OF THE TOWN COUNCIL'S DECISION

WHEREAS, TAM and Caltrans are proposing to construct improvements to the north and southbound lanes of Highway 101 in the Greenbrae – Twin Cities areas costing approximately $145,000,000 (the "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project" or "Project");

WHEREAS, among other things, said improvements include the construction of a massive, elevated, concrete flyover along the western edge of the existing freeway that will have significant and adverse environmental and other effects on vistas, the visual aesthetics of the area, and the amount of noise impacting citizens and business persons living and working nearby;

WHEREAS, the Project proposes to effect material changes to traffic patterns and vehicular circulation in the Town of Corte Madera, including the closure of Nellen Avenue;

WHEREAS, Nellen Avenue serves a number of businesses and office buildings and its closure would create seriously adverse economic consequences for those businesses, remove parking spaces along its shoulder and force additional traffic onto Tamal Vista Blvd.;

WHEREAS, although earlier representing that they would prepare an environmental impact report to analyze the effects of the Project, TAM and Caltrans have failed to honor their assurances and have, instead, prepared an environmental document of lesser rigor, comprehensiveness and scrutiny in which they have determined the Project not to have any significant environmental effects;

WHEREAS, TAM and Caltrans have not advanced persuasive arguments or reliable data in support of their assertions that the Project is necessary or desirable; and

WHEREAS, closure of Nellen Avenue would not be in the best interests of the Town of Corte Madera, its citizens or businesses:

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA resolves as follows:

1. Based on the above facts and reasons, among others, the Town Council cannot support and will not consent to the closure of Nellen Avenue to accommodate the construction of the Project as it is presently proposed and designed.

2. The Mayor is hereby authorized and directed to communicate, in writing, this Council action to TAM and Caltrans at her earliest convenience.

* * * * * * *

I, the undersigned, hereby certify that the foregoing is a full, true and complete copy of a resolution duly passed and adopted by the Council of the Town of Corte Madera at a regular meeting thereof held on the 11th day of February, 2013, by the following vote:

Ayes, and in favor thereof, Council Members: Furst, Lappert, Cock, Ravasio

Noes, Council Members: None

Abstain, Council Members: None

Absent, Council Members: Condon

Dated: February 13, 2012

ATTEST: Beth Benz
Beth Benz, DeputyTown Clerk

Approved: Diane Furst
Diane Furst, Mayor

Approved as to form: Jeff Walter
Jeff Walter, Town Attorney

SHUTE, MIHALY
& WEINBERGER LLP

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LAUREL L. IMPETT, AICP
Urban Planner
impett@smwlaw.com

February 13, 2013

Via Federal Express and E-Mail

Valerie Shearer
Senior Environmental Planner
Caltrans, District 4
Office of Environmental Analysis
320 22nd Street, MS-8B
Oakland, CA 94612

Valerie_Shearer@dot.ca.gov

Re: Highway 101 Greenbrae/Twin Cities Corridor Improvement Project Initial Study/Environmental Assessment

Dear Ms. Shearer:

On behalf of the Marin Audubon Society ("Audubon"), we submit these comments on the "Initial Study with Negative Declaration/Environmental Assessment ("IS/EA") for the proposed Highway 101 Greenbrae/Twin Cities Corridor Improvement Project ("Project"). The Project proposes significant modifications to U.S. Highway 101 ("Hwy 101"), between Tamalpais Drive in the Town of Corte Madera, and Sir Francis Drake Boulevard in the City of Larkspur. Certain components of the Project would affect Corte Madera Creek, the Creek's tide channels, grasslands, tidal salt marsh and other wetlands. These waterways and habitats support numerous special-status wildlife species, including California clapper rail, California black rail, Salt marsh harvest mouse, Central California coast steelhead, Central California coast salmon, and North American green sturgeon.

While Audubon recognizes there may be a valid need for the proposed Project, it is deeply concerned that the Project's environmental impacts will be more significant than acknowledged in the IS/EA. In our opinion, the IS/EA misleads the

public and decision-makers by implying that these transportation improvements must come at the expense of the environment. This is simply not the case. Indeed, we are aware of other situations where Caltrans is using its highway improvements as an *opportunity* for enhanced environmental mitigation.

Similar to the proposed Project to improve the Hwy 101 corridor in Marin County, Caltrans' North Coast Corridor Project ("NCC Project") includes bridges, new ramps and auxiliary lanes along the I-5 corridor in San Diego County. *See* Interstate 5 North Coast Corridor Project, Supplemental Draft EIR/EIS, U.S. Department of Transportation and Federal Highway Administration and Caltrans, August 2012, excerpts attached as Exhibit A. Recognizing the extraordinary resources that would be impacted by the NCC Project, Caltrans' NCC Resource Enhancement Program ("REP") calls for enhancing marine and environmentally sensitive habitat areas by strategically acquiring restoration opportunities. According to Caltrans, "The REP provides the planning and implementation framework to ensure the most valuable, high quality mitigation opportunities in the North Coast Corridor are identified, secured, and prioritized for implementation in a manner that cost-effectively utilizes available mitigation funding to maximize benefits to the corridor's natural resources." *Id.* To this end, Caltrans proposes to establish an endowment to increase the capacity for long-term stewardship of San Diego's coastal resources for the foreseeable future. *Id.* Given the extraordinary resources in and around the proposed Project site, Caltrans should proactively seek enhanced mitigation opportunities to minimize the Project's extensive environmental impacts.

As discussed below, in the Marin Audubon Society letter (submitted under separate cover) and in the reports prepared by Leonard Liu, avian biologist, and Mike Podlech, aquatic ecologist, the IS/EA neither accurately identifies or analyzes the extensive direct and indirect impacts to the sensitive habitats and species that will accompany the Project. *See* Liu Report, attached as Exhibit B, and Podlech Report, attached as Exhibit C. The IS/EA relies on an artificially restricted biological study area ("BSA") that focuses only on the area of disturbance or construction footprint. The area that would be disturbed by the construction and operation of the Project is, of course, part of a larger ecological system with conservation importance for threatened and endangered species recovery. Consequently, the IS/EA understates the extent of impacts on sensitive habitats and the many species that have been reported to occur within the BSA or adjacent to the Project site in essentially identical or highly similar habitats.

Even within the BSA, the IS/EA fails to conduct the necessary presence/absence surveys for numerous sensitive species. The document fails to provide

any analysis of impacts to the many migratory birds that rely on the BSA and the larger Corte Madera Creek habitat. The IS/EA only considers impacts to the California clapper rail and the California black rail during breeding season, and fails altogether to explain how the placement of permanent structures and shading of the Creek will impact plant and animal resources.

Nor does the IS/EA disclose the Project's potential to severely impact the numerous threatened and endangered fish within and adjacent to the study area. Its treatment of impacts to fish from underwater pile driving is particularly disingenuous, asserting only that the noise from these activities may cause stress. Yet, as discussed below, Caltrans' own studies confirm that underwater pile driving has all sorts of physical effects on fish including hearing loss, reduced fitness, reduced success in locating prey, inability to communicate, physical injury and mortality.

The mitigation measures the IS/EA relies on are vague, deferred and unenforceable. For example, the Project would result in the fill of waters of the U.S. and San Francisco Bay Conservation and Development Commission ("BCDC"), yet the IS/EA lacks the evidentiary support that these impacts would be sufficiently mitigated. Nor does the document provide meaningful mitigation for the Project's direct and indirect impacts to threatened and endangered birds, fish and other sensitive species.

The IS/EA's failure to adequately analyze and mitigate the Project's impacts renders it inadequate under both the California Environmental Quality Act ("CEQA")[1] and the National Environmental Policy Act ("NEPA").[2] In the absence of an enforceable and proven plan for mitigation for the extensive significant impacts, there remains more than a fair argument that the Project will have significant environmental effects not analyzed or acknowledged in the IS/EA. For these reasons, it is our opinion that Caltrans may not approve the proposed Project without first preparing an environmental impact report ("EIR"). Only then will Caltrans have the opportunity to meaningfully consider alternatives that could avoid the project's significant impacts.

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[1] *See* Pub. Res. Code § 21000 et seq. (hereinafter "CEQA") and 14 Cal. Code Regs. § 15000 et seq. (hereinafter "Guidelines").

[2] *See* 42 U.S.C. § 4321 et seq. and 40 C.F.R. § 1500 et seq.

I. Legal Standard

It is well settled that CEQA establishes a "low threshold" for initial preparation of an EIR, especially in the face of conflicting assertions concerning the possible effects of a proposed project. *Pocket Protectors v. City of Sacramento*, 124 Cal. App. 4th 903, 928 (2005). CEQA provides that a lead agency may issue a negative declaration and avoid preparing an EIR *only* if "[t]here is no substantial evidence, in light of the whole record before the lead agency, that the Project may have a significant effect on the environment." CEQA § 21080(c)(1). An initial study must provide the factual and analytic basis for an agency's determination that no significant impact will result from the project. Guidelines § 15063(d)(3).

An agency must prepare an EIR whenever it is presented with a "fair argument" that a project may have a significant effect on the environment, even if there is also substantial evidence to indicate that the impact is not significant. *No Oil, Inc. v. City of Los Angeles*, 13 Cal. 3d 68, 75 (1974); Guidelines § 15064(f)(1). Where there are conflicting opinions regarding the significance of an impact, the agency must treat the impact as significant and prepare an EIR. Guidelines § 15064(f)(1); *Stanislaus Audubon Soc'y v. County of Stanislaus*, 33 Cal. App. 4th 144, 150-51 (1995).

Further, where the agency fails to study an entire area of environmental impacts, deficiencies in the record "enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences." *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296, 311 (1988). In marginal cases, where it is not clear whether there is substantial evidence that a project may have a significant impact and there is a disagreement among experts over the significance of the effect on the environment, the agency "shall treat the effect as significant" and prepare an EIR. Guidelines § 15064(g); *City of Carmel-By-The-Sea v. Board of Supervisors,* 183 Cal.App.3d 229, 245 (1986). Given this standard, an EIR is required for this Project.[3]

Similarly, NEPA requires federal agencies to prepare an Environmental Impact Statement ("EIS") for all "major Federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). While an environmental

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[3] Although it is our unwavering legal opinion that Caltrans must prepare an EIR for this Project, if Caltrans decides to rely on the MND, but modify the Project or adopt additional mitigation measures, Caltrans must, at the very least, recirculate the MND for further public review and comment. Guidelines § 15073.5.

assessment is an appropriate tool to determine, as an initial step, whether the Project might have any significant environmental effects (*see National Parks and Conservation Ass'n v. Babbitt*, 241 F.3d 722, 730 (9th Cir. 2001); 40 C.F.R. § 1501.3), a far more detailed EIS is required if there are "substantial questions" as to whether the project "*may* have a significant effect upon the human environment." *Foundation for North American Wild Sheep v. USDA*, 681 F.2d 1172, 1178 (9th Cir. 1982); 40 C.F.R. § 1501.4.

As discussed below and described in more detail in the attached experts' reports, there is a fair argument that the proposed Project will have potentially significant environmental impacts.

A. The IS/EA is Legally Inadequate Because it Fails to Include a Valid Description of the Project.

"An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus*, 27 Cal.App.4th 713, 730 (1994), quoting *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 193 (1977). As a result, courts have found that, even if an EIR is adequate in all other respects, the use of a "truncated project concept" violates CEQA and mandates the conclusion that the lead agency did not proceed in a manner required by law. *San Joaquin Raptor*, 27 Cal.App.4th at 730. Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable.

Here, the IS/EA omits fundamental details about the Project that are necessary to evaluate potential environmental impacts. For example, although the Project's construction process will be extensive – and this construction has the potential to impact numerous threatened, endangered and other sensitive species – the IS/EA fails to include even the most rudimentary detail about the construction activities and operations. Indeed, the document fails to include the following information about the Project's construction activities, which are expected to severely impact nearby animals:

- Scaled drawings that include the water depth in profile view and the channel width in plan view;

- The pile driving schedule for each construction phase. Estimation of the number of piles that are anticipated to be driven in a day and how many hours of pile

driving are expected in a day. This schedule should be specific to the duration of all in-water and near-shore (within 25 meters of shore) pile driving activity.

- Identification of whether impact hammer, vibratory, or other type of hammer would be used to drive piles; specify the approximate size of hammer;
- The size of piles to be driven during each phase, and any actions such as the need for splicing or welding pile sections);
- Estimation of the number of strikes per pile by pile type/size; and,
- Discussion of the duration of activities between each pile drive (e.g., does the driver need to be repositioned between each drive).

Until this information is identified, it is not possibly to evaluate Project impacts or develop appropriate mitigation.

II. The IS/EA's Description of the Project Setting is Inadequate.

CEQA requires an environmental document EIR to adequately describe the baseline conditions on the project site. Guidelines § 15125. "Without a determination and description of the existing physical conditions on the property at the start of the environmental review process, the document cannot provide a meaningful assessment of the environmental impacts of the proposed project." *Save Our Peninsula Committee v. Monterey Bd. of Supervisors* 87 Cal.App.4th 99, 119 (2001). Decision makers must be able to weigh the project's effects against "real conditions on the ground." *City of Carmel-by-the-Sea v. Board of Supervisors*, 183 Cal. App. 3d 229, 246 (1986). In the context of biological resources, where baseline conditions related to rare or elusive species can be difficult to determine, an agency has a duty to make an effort to disclose all that it reasonably can. *San Joaquin Raptor/Wildlife Rescue Ctr.*, 27 Cal.App.4th at 725 (overturning EIR that inadequately investigated the possibility of wetlands on the project site). Here, however, the IS/EA's description of the Project setting omits essential information and therefore prevents meaningful analysis of the Project's environmental impacts.

A. Inadequate Study Area

As the Liu Report explains, the IS/EA defines the BSA too narrowly and therefore does not include habitat that likely would be affected by construction activities.

For example, Shorebird Marsh is immediately adjacent to the on-and off-ramps proposed for construction at Wornum Drive. Hundreds of migratory shorebirds use Shorebird Marsh as a roost (PRBO Conservation Science, unpubl. data). The Corte Madera Marsh Ecological Reserve ("CMER" or ("Reserve") is less than 500' from the proposed Hwy 101 northbound Sir Francis Drake Drive off-ramp. The Reserve has one of the highest densities of California clapper rail ("CCR")(*Rallus longirostris obsoletus*) in the San Francisco Bay Estuary (Liu et al. 2009), and also supports California black rail (*Laterallus jamaicensis coturniculus*), and salt marsh harvest mouse (*Reithrodontomys raviventris*). *See* Liu Report and attachments. The fringe marshes and mudflats along Corte Madera Creek provide valuable dispersal and foraging habitat for CCR, linking the Reserve with upstream Piper Park and Creekside Park. Given the Project's proximity to Shorebird Marsh, the Reserve and the fringe marshes and mudflats of Corte Madera Creek, and the potential for construction of the Project to impact bird populations in these habitats, Caltrans should have included these areas within in BSA. Because the IS/EA does not acknowledge these adjacent habitats, it does not evaluate the consequences of disrupting the connectivity between wildlife populations during Project construction.

B. Plant Species

Nine special-status plant species are known to occur in the region. *Id.* at 2.4-13. *See* IS/EA Natural Environment Study ("NES")Table 3-2. Despite the area's potential to support rich botanical resources, Caltrans relies on outdated botanical surveys and concludes that no special-status plants occur within the study area. Surveys were conducted more than four years ago (2008) and with the exception of salt marsh-specific surveys, were conducted in only one year. IS/EA at 2.4-13 and NES Table 3-2. According to the California Department of Fish and Wildlife ("CDFW"), conducting surveys in one single year may result in a negative finding. *See* Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, California Natural Resources Agency, November 24, 2009 at 4, 5, attached as Exhibit D. The failure to locate a known special status plant occurrence during one field season does not constitute evidence that this plant occurrence no longer exists at this location, particularly if adverse conditions are present. As CDFW explains, surveys over a number of years may be necessary if the species is an annual plant having a persistent, long-lived seed bank and is known not to germinate every year. *Id.* Visits to the site in more than one year increase the likelihood of detection of a special status plant especially if conditions change. To further substantiate negative findings for a known occurrence, a visit to a nearby reference site may ensure that the timing of the survey was appropriate. *Id.* Because the IS/EA relies on inadequate botanical surveys, it has no basis to conclude that the Project will not result in significant impacts to sensitive plants.

C. Animal Species

The IS/EA acknowledges that 27 special-status wildlife species have the potential to occur in the BSA. IS/EA at 2.4-14. The document does not, however, include the necessary detail about these species, such as their population size, distribution or history of movement patterns. Nor did Caltrans conduct surveys for the vast majority of these species.[4] As the Liu Report explains, surveys are critical to understanding the size and distribution of each species' population, migratory periods, the species use of the habitat (e.g., foraging and breeding details), and activity levels. Sufficient information about each species, within and adjacent to the BSA, that will be potentially disturbed by the Project is a fundamental prerequisite to effectively assessing potential impacts and guiding the development of avoidance, minimization, and mitigation measures.

The following special status migratory birds have the potential to occur in the BSA: California brown pelican, Great egret (*Ardea alba*), Great blue heron (*Ardea herodias*), Northern harrier (*Circus cyaneus*), snowy egret (*Egretta thula*), whitetailed kite (*Elanus leucurus*), saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*), California black rail (*Laterallus jamaicensis coturniculus*), Alameda song sparrow (*Melospiza melodia pusillula*), San Pablo song sparrow (*Melospiza melodia samuelis*), black-crowned night heron (*Nycticorax nycticorax*), double-crested cormorant (*Phalacrocovax auritus*), and California clapper rail (*Rallus longirostris obsoletus*). IS/EA at 2-4-15. Because Caltrans conducted no surveys to determine their presence or absence, it is impossible to determine the habitat resource value of the BSA or adjacent areas.

Nor as discussed below, does the IS/EA provide sufficient information regarding the water bodies that would be affected by the Project or the sensitive fisheries that are present in these water bodies. For example, as regards Corte Madera Creek, the IS/EA fails to include critical details such as drainage width, depth, and approximate flow. As for fisheries, the IS/EA simply asserts that numerous special-status fish occur in the area, but it does not describe the historical and current fish presence, their life history traits (e.g., spawning, rearing, and migration), or the types of habitat present, particularly if there are areas where fish congregate within the water bodies.

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[4] The IS/EA's technical appendix refers to a survey for clapper rail conducted for the proposed Project and the Central Marin Ferry Connection Project.

An adequate and accurate description of the Project setting, including the information listed above, must be the basis for impact analysis and the identification of feasible mitigation measures.

III. Caltrans Must Prepare an EIR That Analyzes the Potentially Significant Effects of the Proposed Project.

An agency must prepare an EIR for a proposed project whenever substantial evidence in the administrative record supports a "fair argument" that the project may have significant impacts on the environment. Guidelines §§ 15064(a)(1), (f)(1). For the reasons discussed below, a fair argument clearly can be made that the Project will result in Project-specific and cumulative environmental impacts.

A. The IS/EA Fails to Adequately Analyze Impacts to Wetlands and Northern Coastal Salt Marsh Habitats, and These Impacts Are Likely to Be Significant.

The IS/EA concedes that the Project will have significant impacts relating to the loss of wetlands and the loss of northern coastal salt marsh habitat ("NCSM"). IS/EA at 2.4-7, 8. However, as discussed below, the document fails to adequately identify or analyze these impacts and fails to propose feasible mitigation. Consequently, the IS/EA lacks the evidentiary support to conclude that these significant impacts would be mitigated.

First, the IS/EA underestimates the Project's impacts on wetlands because it includes in the BSA only the area of ground disturbance. IS/EA at 2.4-1. Although the wetlands that will be directly disturbed by the Project are part of a larger hydrologic system, the IS/EA does not consider the Project's impacts on the integrity of the entire wetland function. Indeed the document acknowledges the hydrologic connection between wetlands within and outside the BSA (at 2.4-9, 10), but stops short of identifying or analyzing how changes to the hydrologic functions within the BSA will affect adjoining wetlands, or the animals that rely on them. Caltrans must comprehensively identify all of the habitats, including wetlands, marshes, creek and lagoons that could be potentially impacted by the proposed Project. This inventory should be presented in tabular and graphic formats.

Second, the IS/EA lacks the evidentiary support to conclude that the Project's impact on wetlands would be mitigated to a less than significant level. As discussed below, the document identifies mitigation to offset impacts to waters of the U.S. Army Corps of Engineers' ("USACE"). However, the IS/EA identifies no

mitigation for the impacts to fill as defined by BCDC. The segment of Corte Madera Creek in the BSA falls under BCDC's Bay jurisdiction, which defines fill differently than the USACE. *Id.* at 2.4-9. Under the BCDC definition of fill, the Project would impact an additional 0.31 acres (13,638 square feet) of additional permanent surface area "fill" and 0.5 acres (21,780 square feet) of additional temporary surface area "fill" placed on pilings over Corte Madera Creek; and 22,619 cubic feet of permanent displaced volume "fill" (assuming 16 inch diameter, 90 foot long piles) and 64,179 cubic feet of temporary displaced volume "fill" (assuming 24 inch diameter, 90 foot long temporary piles). *Id.* at 2.4-9. Despite this increase in BCDC fill amounts, the IS/EA only includes mitigation for USACE fill. *See* Mitigation Measure Bio-1 Restoration of Wetland Habitat at 2.4-11. In the absence of mitigation measures for the loss of wetlands as defined by BCDC, the Project's impacts to wetlands are significant.

In addition, the IS/EA defers the formulation of mitigation related to waters of the U.S. The document simply asserts that Caltrans should work with USACE, United States Fish and Wildlife Service ("USFWS") and CDFW to establish mitigation measures to offset impacts to waters of the U.S. *Id.* at 2.4-11. The IS/EA provides no detail about this measure other than calling for the restoration or creation of wetlands at a 1:1 ratio. It fails to: (1) explain why alternative designs were not considered that would avoid wetlands altogether; (2) explain how a mitigation ratio of 1:1 would adequately mitigate for the loss of wetlands, when these wetlands function as habitat for endangered and threatened species; (3) identify the location of wetlands to be restored and the specific nature of the wetland creation or restoration efforts; and (4) describe how the created or restored wetlands would replace the functions lost as a result of the proposed Project. California courts have determined that agencies cannot rely on the presumed success of mitigation measures that have not been formulated at the time of project approval, and any determination that a significant impact would be reduced below significance based on deferred analysis and mitigation is invalid. *See Sundstrom*, 202 Cal. App. 3d at 306-307; *Oro Fino Gold Mining Corporation v. County of El Dorado* 225 Cal. App. 3d 872, 885 (1990).

Third, the IS/EA acknowledges that the Project would result in indirect impacts from increased shading (at 2.4-9), but fails to actually analyze the effect that shading would have on species. Nor does the IS/EA provide any mitigation for this significant impact.

Finally, the IS/EA includes a mitigation measure calling for the reseeding or replanting of NCSM along the banks of Corte Madera Creek. *Id.* at 2.4-12. This measure would not, however, reduce impacts to salt marsh habitat to a less than significant level. Indeed, the IS/EA concedes that overall habitat quality would not return

to preconstruction conditions for a few years and "would not provide the essential habitat components necessary to support special-status species for several years after the initial disturbance." *Id.* 2.4-7. Inasmuch as NCSM is habitat for numerous sensitive species including the California clapper rail, California black rail, and the Salt marsh harvest mouse (*see* IS/EA at Figure 2-17), it is critical that the loss of this habitat be mitigated before construction begins in order to minimize negative effects and improve habitat connectivity. Moreover, such mitigation must be at a 2:1 ratio. A 1:1 ratio of wetland mitigation is not sufficient for NCSM loss that is endangered species habitat. Mitigation should be of the same habitat type, and as close as possible to the site of loss, i.e. in the lower creek near its mouth. Mitigation should include restoration of the creek bank edge to viable clapper rail habitat to allow them to move along the banks while hiding from predators.

Thus, because the IS/EA relies on vague and unenforceable mitigation measures to reduce the Project's significant impacts to wetlands and NCSM, Caltrans lacks the evidentiary basis to conclude that impacts would be mitigated to a less than significant level.

B. The IS/EA Fails to Adequately Identify or Analyze the Project's Impact on Animal Species, and These Impacts Are Likely Significant.

1. Significant, Adverse Impacts to Special-Status Birds.

As discussed above, the IS/EA acknowledges that numerous bird species have the potential to occur within the BSA. The BSA and adjacent areas provide habitat for the California clapper rail and California black rail, yet the document provides scant attention to these two species. Indeed, as the Liu Report explains, the IS/EA's discussion of impacts to these two bird species focuses solely on the breeding season.

The IS/EA also fails to disclose potential impacts to migratory birds. As discussed above, the document acknowledges that the BSA provides habitat for numerous migratory birds, but Caltrans has not conducted any surveys for these birds. Nor does the IS/EA include any discussion of these birds (e.g., their populations, whether they roost on or near the BSA, or their migratory patterns). Adequate information about *each* species that will be disturbed by the Project is a fundamental prerequisite to effectively assess potential impacts and guide the development of avoidance, minimization, and mitigation measures.

Notwithstanding the IS/EA's failure to provide this fundamental background information, the document admits that direct impacts to migratory bird habitat is anticipated due to tree trimming and removal, construction activities, the placement of permanent structures within the study area, increased shading over Corte Madera Creek, and because of impacts to NCSM. IS/EA at 2.4-16. Yet, other than an estimate of the number of trees that would be removed as a result of the Project, the IS/EA fails to actually analyze the Project's impacts on these bird species. Indeed, even as regards the loss of trees, the IS/EA does not commit to a specific number. Instead, the document asserts that "an *estimated* 254 trees *may* be impacted." *Id.* (emphasis added). We question why Caltrans cannot identify the precise number of trees that would be removed or trimmed in a manner that would adversely impact bird species, inasmuch as studies in the IS/EA technical appendix identify each tree by number. *See* Appendix B.

Nor does the IS/EA provide *any* analysis of the impacts to bird species from the placement of permanent structures within the study area or from the shading of the Creek. The document also does not evaluate the change in noise from the realigned highway and ramps. Meaningful analysis of impacts effectuates one of CEQA's fundamental purposes: to "inform the public and responsible officials of the environmental consequences of their decisions before they are made." *Laurel Heights Improvement Ass'n v. Regents of the University of California*, 6 Cal.4th 1112, 1123 (1993) (*Laurel Heights II*). To accomplish this purpose, an EIR must contain facts *and* analysis, not just an agency's bare conclusions. *Citizens of Goleta Valley v. Board of Supervisors,* 52 Cal.3d 553, 568 (1990).

The IS/EA also fails to disclose impacts relating to construction activities on the numerous sensitive bird species in and around the BSA. The effects of pile driving are discussed only in the context of California clapper rail and California black rail, and even this analysis is buried in a technical appendix. CEQA requires that the analysis be presented in the IS/EA, not a technical appendix. See *Santa Clarita Organization for Planning the Environment v. County of L.A.* 106 Cal.App.4th 715, 722 (2003) (agency's analysis must be contained in the EIR, not "scattered here and there in EIR appendices"). Decision-makers and the general public should not be forced to sift through obscure minutiae or appendices in order to ferret out the fundamental assumptions that are being used for purposes of the environmental analysis." *San Joaquin Raptor Rescue Center*, 149 Cal.App. 4th at 659; see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442 ("The data in an EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project.")

The IS/EA (and its technical appendix) fail to provide *any* analysis of construction-related noise activities –including pile driving – to the sensitive bird species other than clapper and black rail. We can find no logical explanation for this omission. Certainly elevated noise levels associated with equipment such as pile driving, concrete demolition/crushing, saws, pumps, and excavators would be expected to adversely impact all birds, not just the clapper rail and black rail. *See* Technical Appendix G for a discussion of typical noise levels associated with construction activities. As the Liu Report states, each species is differentially susceptible to noise due to their unique evolution. An EIR must be prepared to analyze the significant impacts to all sensitive bird species from the entire Project.

2. Proposed Mitigation Is Inadequate to Reduce Impacts to a Level of Insignificance.

The IS/EA's approach to mitigation for the Project's impact on sensitive bird species is legally deficient and provides no justification for its conclusion that the measures would reduce Project impacts to a less than significant level. First, the document fails to identify adequate mitigation for the loss of habitat. By the IS/EA's own admission, the Project would directly impact almost eight acres of habitat. This impact is significant, particularly as many of the Project's sensitive bird species rely on this habitat for foraging and possibly nesting and roosting. Yet, the IS/EA calls for only 1.4 acres of native trees to be replaced within the Caltrans' right-of-way. *Id.* at 2.4-18. The document never explains how this nominal tree replacement would sufficiently reduce impacts to sensitive species to a less than significant level.

Second, the IS/EA does not propose adequate mitigation for the loss of trees. The document states that the Project "may" result in the removal of 254 trees. IS/EA at Tables 2.4-4, 2.4-5 and page 2.4-16. The impacted trees include 172 trees located within the Caltrans right-of-way, while the remaining trees are located in Corte Madera, Larkspur and the County. *Id.* at 2.4-16 and 17. Yet, rather than mitigate for all 254 trees, Caltrans would replace only 1.4 acres of native trees, since, according to Caltrans, 172 potentially impacted trees are equal to roughly 1.4 acres of tree canopy crown cover. *Id.* at 2.4-18. Caltrans' proposed mitigation does not even replace trees at a 1:1 ratio. Certainly, given the importance of the habitat, the trees should be replaced at a ratio of 2:1.

Third, the IS/EA does not commit to a schedule for the replanting of trees. Since overall habitat quality would not return to preconstruction conditions for a few years, restoration efforts will not provide suitable habitat for at least several years once

implemented. Clearly, the loss of this habitat, especially coupled with prolonged construction operations, would all but ensure that birds will abandon this area. Accordingly, replacement habitat should be secured and *fully functional* prior to the commencement of construction. The EIR must include a habitat and tree replacement plan that: (1) identifies the location for replacement habitat and trees; (2) commits to a 2:1 replacement ratio; and (3) ensures that habitat is replaced with native vegetation and trees, prior to the start of Project construction. This Plan should be prepared by an independent consultant with expertise in terrestrial restoration and approved by CDFW.

Fourth, a measure calling for construction activities to occur outside migratory bird nesting season is also entirely inadequate. The IS/EA calls for avoiding shrub and tree trimming and/or removal outside the nest season which the document states occurs generally between February 1 and August 31st (hereinafter "construction avoidance period"). IS/EA at 2.4-18. The document immediately back pedals though when it asserts that if shrub and tree removal is scheduled to occur during nesting season a qualified wildlife biologist will conduct preconstruction surveys. The end result is measure that would, in no way, prevent construction activities from occurring within the nesting seasons of migratory birds. Moreover, at a minimum the construction avoidance period must be extended by two weeks; i.e., the avoidance period should be between January 15 (not January 31) and September 1 as territorial vocalizations related to breeding begin to intensify by mid-January (Liu et al. 2012).

Fifth, the IS/EA includes a measure calling for the avoidance of impact pile driving activities located within 800 feet of the Corte Madera Marsh Ecological Reserve, or any other known active California clapper rail breeding habitat during the will occur during the construction avoidance. *Id.* at 2.4-28. Once again, the document states that if pile driving must occur during this period, then full protocol-level surveys will be conducted during the breeding within the year construction activities are proposed. *Id.* at 2.4-28. Here too, the IS/EA lacks the necessary evidentiary data to support the conclusion that impacts to sensitive bird species would be reduced to insignificant levels. The measure does not even specifically identify the clapper rail breeding habitat that would purportedly be protected from impact pile driving. Rather it uses phrases such as "*any other known* active California clapper rail breeding habitat." *Id.* emphasis added. Nor does it prohibit pile driving from occurring within clapper rail habitat since it allows for the option of pre-construction surveys. In addition, the measure only places restrictions on "impact" pile driving. It does not place any restrictions on when or where "vibratory" pile driving or any other construction activity can occur. Vibratory pile driving is only slightly quieter than impact driving (96 compared to 101 decibels at 50 feet) and various other construction-related noise levels routinely exceed 80 to 90

decibels at 50 feet. Technical Appendix G at 8. Consequently, according to the IS/EA's Technical Appendix, "it can be inferred that impact driving that occurs within 800 feet of black rail or clapper rail during the breeding season would be considered an adverse effect on these birds, and may result in take." *Id.* Furthermore, because the mitigation measure is designed exclusively to address impacts to clapper rail and black rail, there is no indication it would address impacts to the remaining sensitive bird species. Protocol level surveys for clapper rail may not necessarily detect other migratory bird species.

In sum, the Project would result in significant impacts to sensitive bird species. The mitigation measures are vague and unenforceable and the IS/EA provides no evidence that they will be sufficient to reduce impacts to a less than significant level.

3. Significant, Adverse Impacts to Special-Status Fish

The CEQA Guidelines state that a Project would normally have a significant impact if it would: (a) have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species; or (b) interfere substantially with the movement of any native resident or migratory fish or wildlife species. Appendix G at IV (a), (d). Here, the Corte Madera Creek has been designated as critical habitat for several special-status fish including the Central California Coast Steelhead (federally threatened), Central California Coast Coho Salmon (federally endangered), North American Green Sturgeon (federally threatened), and Central Valley (Sacramento River Winter-Run) Chinook Salmon (federally endangered). IS/EA at 2.4-20, 21. In addition, the Corte Madera Longfin Smelt (California threatened) may be found in Corte Madera Creek. *Id.*

The IS/EA concedes that fish may be directly impacted from underwater noise created by impact pile driving. *Id.* at 2.4-23. Inasmuch as pile driving would occur within and directly adjacent to Corte Madera Creek, we concur that Caltrans has no choice but to label these impacts as significant. Yet it is Caltrans' cavalier approach to discussing these impacts that we find the most disturbing. Indeed, the IS/EA provides only the most cursory discussion of the Project's "temporary" and long term effects on fish species. The document never discloses that pile driving, for example, may lead to serious injury and even death. Such an omission is particularly disingenuous inasmuch as Caltrans has conducted extensive studies on the effects of pile driving on fish and has even prepared guidance for identifying and mitigating pile driving impacts. *See* Technical Guidance for Assessment and Mitigation of the Hydroacoustic Effects of Pile Driving on Fish ("Caltrans Guidance"), February 2009 at 1-1, attached as Exhibit E. The Caltrans Guidance explains the potential effects of pile driving on in fish:

> Exposure to low levels of sound for a relatively long period of time, or exposure to higher levels of sound for shorter periods of time, may result in auditory tissue damage (damage to the sensory hair cells of the ear) or temporary hearing loss—referred to as a "temporary threshold shift" (TTS). The level and duration of exposure that cause auditory tissue damage and TTS vary widely and can be affected by factors such as repetition rate of the sound, pressure level, frequency, duration, size and life history stage of the organism, and many other factors. Guidance at 3-3.

The Guidance further explains that indirect effects of hearing loss in fish may result in their reduced fitness, which may in turn increase the animal's vulnerability to predators and result in their inability or reduced success in locating prey, inability to communicate, or inability to sense their physical environment. In certain instances, the range of effects of pile driving include physical injury and mortality. *Id.* at 3-1, 3-3 and 4-22.

Given the severe impacts to fish that can accompany pile driving and the extraordinary fishery resources in the Corte Madera Creek, one would expect the IS/EA to provide a detailed evaluation of these impacts. Unfortunately, the IS/EA does no such thing. As the Caltrans' Guidance clearly shows, the IS/EA lacks even the most basic information to evaluate the severity and extent of the Project's impacts:

- **Environmental setting**: Identification of the drainage width, depth and approximate flow of Corte Madera creek; and the types of habitat present within the BSA, particularly if there are areas where fish could congregate. *See* Caltrans Guidance, Table 4-2: Information Needed for Evaluation of In-Water Pile Driving Effects on Listed and Other Fish Species.

- **Fish Presence:** Identification of life history stages, and habitat types; historical and current fish presence, their life history stages, and habitat type in the BSA. Indicate the listed species that could occur in the vicinity of the Project and their life history traits (e.g., spawning, rearing, and migration). Include documented migration periods and in-water work windows approved by NOAA Fisheries, USFWS, and CDFW. *Id.*

- **Detail of pile work in channel**: Provide scaled drawings that include the water depth in profile view and the channel width in plan view. Illustrate the

approximate locations of temporary and permanent piles. Indicate the location and distance of piles not driven in water to ordinary high water. Identify whether impact hammer, vibratory, or other type of hammer would be used to drive piles. Identify whether pre-drilling would be used. Specify the approximate size of hammer, if the information is available. *Id.*

- **Schedule**: Indicate the total project schedule, as well as construction phases and the pile driving schedule (discuss for all phases: what piles would be driven, when piles would be driven, the size of piles to be driven during each phase, and any actions such as the need for splicing or welding pile sections). For bioacoustic analyses, the pile driving schedule should be specific to the duration of all in-water and near-shore (within 25 meters of shore) pile driving activity. *Id.*

- **Number of strikes:** Estimate the number of strikes per pile by pile type/size (engineer's estimate). Provide a conservative estimate of the number of piles that are anticipated to be driven in a day (i.e., estimate the number on the highside) and how many hours of pile driving are expected in a day. Include a discussion of the duration of activities between each pile drive (e.g., does the driver need to be repositioned between each drive. Do pile sections need to be welded before continuing the driving?) The time between driving events can affect sound exposure level calculations. *Id.*

- **Sound Estimates**: Estimate the sound generated from each pile type/size with attenuation (if used). Sound monitoring has been conducted for numerous pile driving projects. *Id.*

- **Estimate Fishery Effects:** Estimate the habitat area of listed and other species possibly affected by pile driving-generated noise (include sound attenuation if included in the project). *Id.*

As the Caltrans Guidance makes clear, analysis of the Project's effects on fish and their habitat is not only feasible, but appears to be commonly performed in CEQA documents. *Id.* at 4-3. Absent this information and analysis, the IS/EA fails to provide the public and decision-makers with essential information about the Project. Caltrans must provide this analysis in an EIR. Equally important, a comprehensive analysis of the Project's expected effects on fishery resources is a critical first step toward identifying feasible mitigation. As discussed below, the mitigation measures identified in the IS/EA are woefully inadequate.

4. Proposed Mitigation Is Inadequate to Reduce Impacts to Special-Status Fish to a Level of Insignificance.

Notwithstanding the IS/EA's failure to adequately analyze the Project's noise impacts on fish species, the document nonetheless recognizes the need to mitigate for these significant impacts. IS/EA at 2.4-25. Yet, the proposed mitigation measures simply do not and cannot reduce to insignificance the severe impacts caused by the Project. When a lead agency relies on mitigation measures to find that project impacts will be reduced to a level of insignificance, there must be substantial evidence in the record demonstrating that the measures are feasible and will be effective. *Sacramento Old City Assn. v. City Council of Sacramento*, 229 Cal.App.3d 1011, 1027 (1991); *Kings County Farm Bureau v. City of Hanford*, 221 Cal.App.3d 692, 726-29 (1990). There is no such evidence in the record for this Project.

The IS/EA sets forth cursory and non-enforceable mitigation measures to purportedly reduce impacts to sensitive fish resources from pile driving. The measures call for pile driving activities located within Corte Madera Creek to be conducted June 15 through October 15 and only occur during daylight hours since salmon migrate and feed during dawn and dusk. *Id.* at 2.4-26. The IS/EA also calls for piles to be installed using a "vibratory" rather than an "impact" hammer *to the extent possible* and that if pile driving is required, sound attenuation devices *may* be used to reduce impacts. *Id.* at 2.4-27. There are several flaws with these measures and they therefore do not come close to providing the substantial evidence that the measures would effectively reduce impacts.

First, use of the language "to the extent feasible" and "may" provides no assurance that the measures will actually be implemented. Second, the IS/EA's technical appendix clearly asserts that the piles will be installed with an impact hammer, rather than a vibratory hammer. NES Bioacoustic Report at 11, 12. Third, restricting pile driving activities to June 15 through October 15 does nothing to protect the green sturgeon, since they occur in the Project area year round. *Id.* Fourth, even with attenuation, injury could occur to all fish species larger than 2 grams. *Id.* Finally, the Caltrans' Guidance confirms the potential ineffectiveness of the IS/EA's proposed mitigation measures, explaining that "studies on blast pressured attenuation by the USACE have indicated some, but not complete, success in reducing fish mortality using a bubble system." Caltrans' Guidance at 2-18.

The Caltrans' Guidance clearly documents the precise nature of mitigation that should have been – but was certainly not -- included in the IS/EA:

- Identify the type of attenuation anticipated to be used (e.g., bubble curtain, isolation casing, cushion block, or dewatered cofferdam). Indicate which piles these would be used for (if any). *See* Caltrans Guidance, Table 4-2: Information Needed for Evaluation of In-Water Pile Driving Effects on Listed and Other Fish Species.

- Estimate the decrease in transmitted sound pressure level from the sound attenuation device. Estimate the attenuation of sound through water to the ambient sound pressure level and to the injury threshold. *Id.*

- Identify potential mitigation for take of state-listed species. Under the California Endangered Species Act, the State requires mitigation for take of listed species. The amount of mitigation required must offset the loss of individuals due to the project, including any fish taken from fatal exposure to noise from pile driving. *Id.*

In sum, the IS/EA fails to identify the specific type of attenuation that would be used for each pile. Indeed, Caltrans fails to commit to the use of attenuation at all. The IS/EA never attempts to identify the anticipated decrease in transmitted sound pressure from the sound attenuation device. Nor does the document estimate the attenuation of sound through water to the ambient sound pressure level and to the injury threshold. Finally, the IS/EA does not identify the number of individual fish expected to be taken from fatal exposure. Consequently, the IS/EA lacks the evidentiary basis to conclude that fishery impacts would be mitigated to a less than significant level. Given the threatened and endangered species to be impacted by the proposed Project, Caltrans must impose all feasible mitigation measures. We again, direct Caltrans to its own Guidance document.

5. Significant, Adverse Impacts to Salt Marsh Harvest Mouse.

The IS/EA acknowledges that the Salt marsh harvest mouse, a federally listed endangered species, has the potential to occur within the BSA. *See* IS/EA at 2.4-22 and NES at i, v, vii. Yet, as with other threatened and endangered species, Caltrans fails to conduct any surveys for the mouse. *See* NES at 88. Instead, the IS/EA simply calls for pre-construction surveys. *Id.* As the Liu Report explains, the salt marsh on the north shore of Corte Madera Creek within and adjacent to the defined BSA, is of sufficient size to support this species. Consequently, because the IS/EA concludes the species is not likely to occur in the area, it fails to conduct any analysis of the Project's potential impacts on the mouse. *Id.* Such an approach is unlawful.

6. Significant, Adverse Impacts to Other Special Status Wildlife.

Although the IS/EA identifies two additional wildlife species that have the potential to be present in the BSA, it provides no analysis of the Project's potential impacts on these species. The first species, Trachusa gummifera, is a leaf-cutter bee. The second species, Tryonia imitator, is a California brackishwater snail. NES at 26. Both species are considered "special animals" by CDFW. *Id.* We can find no logical explanation as to why the IS/EA does not survey for, or analyze impacts to, these sensitive species.

In addition, as the Liu Report explains, the BSA and its vicinity likely provide breeding habitat for the San Pablo song sparrow, a California species of special concern. Here too, Caltrans fails to undertake any presence/absence surveys or even disclose the potential for the Project to impact the sparrow.

7. A Fair Argument Exists That The Project's Contribution to Significant Cumulative Impacts Is Considerable.

CEQA unequivocally requires lead agencies to disclose and analyze a project's "cumulative impacts," defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Guidelines § 15355. These impacts may result from a number of separate projects, and occur when "results from the incremental impact of the project [are] added to other closely related past, present, and reasonably foreseeable probable future projects," even if each project contributes only "individually minor" environmental effects. Guidelines §§ 15355(a)-(b). A lead agency must prepare an EIR if a project's possible impacts, though "individually limited," prove "cumulatively considerable." CEQA § 21083(b); Guidelines § 15064(h)(1).

Extensive case authority highlights the importance of a thorough cumulative impacts analysis. In *San Bernadino Valley Audubon Society v. Metropolitan Water District of Southern California*, 71 Cal.App.4th 382, 386, 399 (1999), for example, the court invalidated a negative declaration and required an EIR be prepared for the adoption of a habitat conservation plan and natural community conservation plan. The court specifically held that the negative declaration's "summary discussion of cumulative impacts is inadequate," and that "it is at least potentially possible that there will be incremental impacts. . . that will have a cumulative effect."

In contravention of the above authorities, the IS/EA provides only a cursory discussion of the Project's cumulative impacts. This anemic discussion is inadequate under CEQA for a number of reasons. First, although the IS/EA identifies about 20 land development and transportation projects as having potential cumulative impacts, the actual cumulative impact analysis for threatened and endangered species only analyzes the effects of two of these projects: the Central Marin Ferry Connection Multi-use Pathway Phase I Project and the Bon Air Bridge Replacement Project. *Id.* at 2.5-4. At a minimum, Caltrans must demonstrate that the incremental effects on biological resources from each of these other projects would not be cumulatively considerable. Since the document does not disclose this information, it is legally inadequate.

Second, the cumulative impact analysis focuses exclusively on threatened and endangered species, and fails to provide *any* analysis of impacts to other special-status plant and animal species. As discussed above, 9 special-status plant species and 27 special-status wildlife species have the potential to occur in the BSA. *Id.* at 2.4-7, 13, 14. Nor does the IS/EA address the cumulative loss of wetlands. The IS/EA's failure to evaluate the cumulative effects of the proposed Project and the other identified projects on all special-status species and wetlands is a fatal flaw.

Third, even the IS/EA's analysis of cumulative impacts for the threatened and endangered species is deficient because the document does not adequately evaluate whether the proposed Project's contribution is "cumulatively considerable" when viewed together with environmental changes anticipated from past, present, and probable future projects (CEQA Guidelines §§ 15064(h)(1), 15355(b).) In determining the significance of the Project's incremental contribution, the question is *not* the relative amount of the Project's contribution to the existing cumulative problem (i.e. does this Project contribute the same, less, or more than other projects), *but rather* whether the addition of the Project's impact is significant in light of the serious existing problem (i.e., is the Project's contribution to the existing environmental problem cumulatively considerable). Thus, the greater the existing environmental problem is, the lower the threshold of significance should be for considering a project's contribution to the cumulative impact. (*Communities for a Better Environment*, 103 Cal.App.4th at 120.). Caltrans can not conclude that the Project's contribution to a cumulative impact is not cumulatively considerable simply because the Project's impact would be reduced to a less than significant level. As discussed above, the IS/EA lacks the evidentiary support that the mitigation measures for the Project's impacts on the threatened and endangered species would effectively reduce Project impacts. Even if such measures were sufficient, the IS/EA must evaluate the remaining contribution after mitigation in light of other past,

present and future projects to confirm that any remaining effect is not a considerable contribution to the cumulative impact.

Because the IS/EA fails to adequately evaluate the Project's cumulative impacts and because the Project itself would significantly impact the region's rich biological resources, it is at least potentially possible that there will be incremental impacts to the many sensitive-status species in and adjacent to the BSA. In addition, the potential exists for cumulatively significant loss of wetlands. Consequently, Caltrans must prepare an EIR to examine these cumulative impacts.

IV. Conclusion

For the reasons set forth above, the Marin Audubon Society requests that Caltrans defer action on the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project until an EIR is prepared that fully complies with CEQA.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Laurel L. Impett

Laurel L. Impett, AICP, Urban Planner

Ellison Folk

Exhibit A: Interstate 5 North Coast Corridor Project, Supplemental Draft EIR/EIS, U.S. Department of Transportation and Federal Highway Administration and Caltrans, August 2012.

Exhibit B: Leonard Liu Report.

Exhibit C: Mike Podlech Report.

Exhibit D: Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, California Natural Resources Agency, November 24, 2009.

Exhibit E: Technical Guidance for Assessment and Mitigation of the Hydroacoustic Effects of Pile Driving on Fish, February 2009.

cc: Barbara Salzman, Marin Audubon Society

452979.3

Exhibit A

EXHIBIT

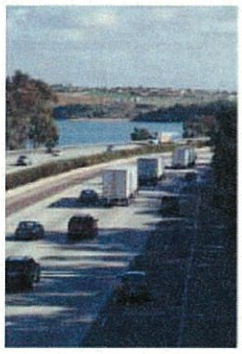
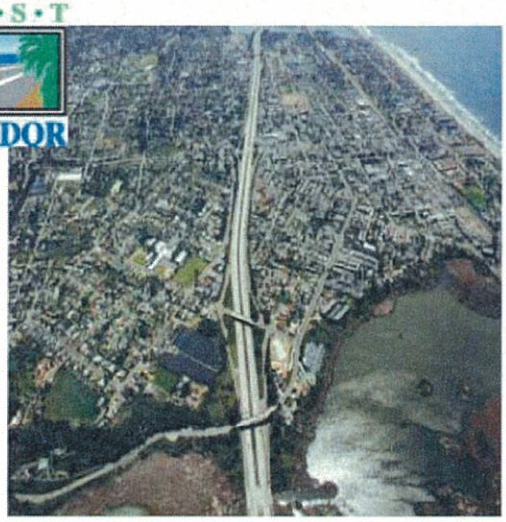
Exhibit A

Interstate 5 North Coast Corridor Project

SAN DIEGO COUNTY, CALIFORNIA
11–SD –5 – PM R28.4/R55.4
EA 235800

Supplemental Draft Environmental Impact Report/ Environmental Impact Statement

N•O•R•T•H C•O•A•S•T
INTERSTATE 5 CORRIDOR

Prepared by
U.S. Department of Transportation
Federal Highway Administration
and
State of California Department of Transportation

August 2012

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Construction of improvements to maintain or improve the existing and future traffic operations on the existing I-5 freeway in San Diego County from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton

On I-5: Post Mile (PM) to R28.4/R55.4

SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT

Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 U.S.C. 4332 (2)(C) and 49 U.S.C. 303

U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration

And

STATE OF CALIFORNIA
Department of Transportation

COOPERATING AGENCIES
U.S. Fish and Wildlife Service
U.S. Army Corps of Engineers
U.S. Coast Guard
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
U.S. Environmental Protection Agency

RESPONSIBLE AGENCIES
California Department of Fish and Game
California Coastal Commission
California Water Quality Control Board – Region 9
California Transportation Commission
County of San Diego
City of San Diego
City of Solana Beach
City of Encinitas
City of Carlsbad

8/15/12
Date of Approval

Laurie Berman
Director, District 11
California Department of Transportation

8/17/12
Date of Approval

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Abstract: This document is a Supplemental Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Interstate 5 (I-5) North Coast Corridor Project. The proposed project includes improvements to maintain or improve the existing and future traffic operations on the existing I-5 freeway from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton, extending approximately 27 miles along I-5. In July 2011, Caltrans identified the 8+4 Buffer Alternative as the Locally Preferred Alternative I-5 Express Lanes. The LPA consists of two high-occupancy vehicle (HOV)/Managed Lanes in each direction, separated by a buffer from the existing four general purpose lanes in each direction. The primary reason for preparation of this Supplemental Draft EIR/EIS is to address federal and State resource agency requests for clarification of information that focuses mainly on resources at six coastal lagoons: Los Peñasquitos, San Dieguito, San Elijo, Batiquitos, Agua Hedionda, and Buena Vista. The design of proposed bridge crossings of the lagoons have been modified to enhance lagoon function, and a number of natural and human community enhancements have been developed for inclusion in the project. Potential project benefits include maintaining or improving the existing and future traffic operations along this portion of I-5, improving the safe and efficient regional movement of people and goods, improving community connectivity, improving pedestrian and bicycle facilities, improving lagoon function, and providing compatibility with regional multi-modal improvements. Please send your comments on this document to Shay Lynn M. Harrison, California Department of Transportation at the address above, no later than October 15, 2012.

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Building Permits

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CITY OF LARKSPUR

February 14, 2013

Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
Caltrans District 4
PO Box 23660
Oakland, CA 94623-0660

Re: Highway 101 Greenbrae/Twin Cities Corridor Improvement Project; Initial Study with Proposed Mitigated Negative Declaration / Environmental Assessment.

Dear Ms. Shearer:

Thank you for the opportunity to comment on the Initial Study with Mitigated Negative Declaration / Environmental Assessment for the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project (MND). The City of Larkspur has and continues to support the efforts of Caltrans and the Transportation Authority of Marin (TAM) to improve the design of US Highway 101 through the Twin Cities/Greenbrae corridor. The City wishes to acknowledge, and extend its appreciation for, the extensive work of Caltrans and TAM staff on this project to date.

The City recognizes that in the development of a project of this nature and magnitude, scope and purpose are likely to shift. We are therefore surprised that the MND lacks an expansive narrative about the evolution of this project during its lengthy planning process. The MND does not sufficiently explain that what began as a congestion management assessment has expanded to address issues of safety. Nor does the MND help the reviewer understand the relationship of the project's initial purpose – to relieve congestion related to Sir Francis Drake Boulevard – with its now broader scope to resolve congestion and safety issues throughout the corridor. It is not surprising that speakers at recent public forums have questioned the need for the project, as the MND does not enumerate for the reviewer the totality of the project's purpose. The lack of detail limits perspective. Inclusion of a detailed project description and project history will assist the public in understanding the thought process that resulted in the recommended approach.

The City believes an appropriate and necessary way to incorporate a detailed narrative about the project would be to prepare an Environmental Impact Report (EIR), rather than a MND. Through an EIR, Caltrans and TAM can define for the public the many options that have been reviewed during the planning process for this project. These options can be evaluated as alternatives under CEQA, with accompanying narrative explaining why these alternatives are not preferred. The City would like to see the narrative for an EIR reference all options considered to date, including, if possible, early discussions about a new connection between Interstate 580 and Highway 101.

We note that the September 17, 2009 Notice of Preparation of a Draft Environmental Impact Report for this project did offer some options or alternatives. In its initial comments, Larkspur specifically supported the Northbound Option E conceptual plan identified in the preliminary feasibility studies being considered at the release of that notice. We also noted that we supported a thorough analysis of all design alternatives. Despite the potential benefits of the project to relieve congestion and/or reduce traffic hazards on Highway 101, the project clearly has potential to create significant impacts to local communities in the vicinity of the corridor. Our understanding is that there is no tiered source to support the conclusions of the MND. The City of Larkspur believes the lack of any tiered source is another compelling reason to prepare an EIR.

Although Caltrans and TAM have conducted numerous, appropriate studies for the project, and have identified some mitigation measures to reduce potential impacts to the environment, the City of Larkspur finds the proposed Mitigated Negative Declaration is not adequate for consideration of this project for the reasons outlined below.

Consideration of Further Project Alternatives

Essentially, the MND analyzes only one project, with 'Build' and 'No-Build' as the alternatives. Section 1.3.4 briefly discusses the history of public review process in the initial feasibility analysis and the development of two southbound alternatives (A and C) and two northbound alternatives (D and E) to be considered in the final environmental analysis. Although the MND provides rationale for the preparation of a modified Southbound option C and elimination of the Northbound Option D, we do not believe that the MND adequately addresses all comments made by the public and agencies and that an Environmental Impact Report is nonetheless required to fully consider the impacts of these options and provide other project alternatives to address those potential impacts. The City of Larkspur believes the report does not sufficiently justify analyzing only the 'Build' alternative.

The absence of any documentation about the alternatives reviewed during the planning process appears to have hurt the public's perception of the project. An EIR that describes alternatives and embraces discussion about these alternatives would not only be a better approach under CEQA, but would also assist Caltrans and TAM in explaining the merits of its project.

Inadequate for Public Review / Not Properly Circulated

Further undermining the confidence of the public in this process, the MND is a poor tool for helping the public to clearly understand the complexities of the project, the detailed analysis, and the mitigation measures to be implemented. For a project of this scope and extent, the document is simply inadequate in explaining the many of the sweeping conclusions of benefit and/or non-impact, which must be gleaned from the extensive technical studies, whether or not the conclusion is correct. That the technical studies are not identified in the document as technical appendices (or provided as a single document), but rather within an extensive list of other reference materials, simply adds to confusion on the part of the reader.

We also note that the Notice of Intent indicated that the Environmental Document would be available for review at www.tam.gov and http://www.gov.dot.ca.gov.dist4/envdocs.htm. Although the technical studies were provided on both CD-Rom for local agencies' review and on the TAM website, neither website included Appendix A through G of the Initial Study and the Caltrans

website did not include the technical studies. The appendices consist of include several documents that are part of the Initial Study and Mitigated Negative Declaration, including the CEQA checklist, which are important to understanding the legal standing of the document. Both the document and the public notice must be informative to the public and these publications are not. Further, in recent weeks, supporting materials and data have been presented to the public, during the comment review period. Given these circumstances, we suggest not only that environmental document be re-circulated, but that the framework of the environmental analysis as an Initial Study/Mitigated Negative Declaration be re-considered.

Potential Significant Impacts Not Addressed / Analyzed:

The standard of CEQA is that if a fair argument exists that a project may cause a significant effect on the environment, the lead agency must prepare an EIR. The City of Larkspur believes that the project results in potentially significant impacts that need to be either further analyzed, acknowledged, and/or fully mitigated:

Aesthetics / Visual Resources

Larkspur strongly disagrees with the conclusion that the project will not have significant visual and aesthetic impact on the local community in the Redwood Highway area:

1. As demonstrated in the photo-simulations from the Redwood Highway vantage points, (Figures 2-10d, e, f, and g), the combination of expanded highway width, flyover structures, and reduction in existing tree stock will have visual and aesthetic impacts to the local community with the potential to substantially *degrade the existing visual character or quality of the site and its surroundings* (CEQA Checklist Item I.c.). The report characterizes visual quality rating from the Redwood Highway frontage to be low or mostly moderate/average. The principal thoroughfare for the public in this area, whether on bike, foot, or in a vehicle, is along the frontage road, adjacent to the Highway, which provides well-defined views towards Mt. Tamalpais and the surrounding hills. The combination of the built environment with these natural features provides a striking juxtaposition for everyday travelers in this area. The intrusion of high solid walls and flyover ramps will block views of Mount Tamalpais and surrounding hills to the west, as well as obscure views of greater Larkspur and Corte Madera. This will not only have the potential to impact the visual character and commercial viability of the community but will visually separate and isolate the community from greater Larkspur and Corte Madera, as discussed in more detail under *Land Use and Planning* below.

2. Also of concern is that the photo-simulations include graphic representations of plantings and trees, although no preliminary planting plan or tree replacement plan is identified. The only mitigation is that Caltrans comply with the Larkspur Heritage Tree Removal Ordinance, which may require replacement of only two heritage trees identified in that area. Larkspur remains concerned that lack of landscape area and lack of future maintenance may limit viable tree replacement options and exacerbate the visual impact of infrastructural improvements upon the local community.

We request that an EIR be prepared to thoroughly analyze the extent of tree removal and landscape replacement options, mitigations measures for future maintenance to be implemented, and include consideration of project alternatives to reduce visual obstructions and separation of the Redwood Highway community.

Land Use and Planning

The CEQA Evaluation Checklist Item X(a) asks "*Would the project physically divide an established community?*" Larkspur strongly disagrees with the conclusion that the project would result in 'No Impact' to the community in this manner. Despite the current presence on the eastern side of Highway 101, the Redwood Highway area (containing two mobile home parks, Greenbrae Boardwalk homes, industrial and commercial uses) is physically, economically, and psychologically connected to the communities of greater Corte Madera and Larkspur to the West of Highway 101. Convenient bicycle and pedestrian access across Highway 101 is currently available from both the pedestrian overcrossing and the Wornum Avenue undercrossing (with only two intersection crossings). Standing at grade, the communities are readily visible to one another across the current freeway. Larkspur believes that the project will have the affect of dividing the Redwood Highway area from greater Corte Madera and Larkspur for several reasons:

1. There are numerous businesses, 215 mobile home sites and 52 homes on the Greenbrae Boardwalk, north of the pedestrian overcrossing at Industrial Way. Elimination of the overcrossing will require bicyclist and pedestrians from these locations to proceed approximately one-half mile further south to cross Highway 101 at the Wornum interchange. Residents and businesses at the south end of Redwood Highway are already within walking distance of the existing locations and are no better served by the relocation of the bus stops. This will particularly affect alternative transit modes for teenagers attending Redwood High School. The majority of comments from the local public, representatives of the Marin County Bicycle Coalition, and public officials have expressed the position that the proposed project will simply make it more difficult, inconvenient and uncomfortable for bicyclists and pedestrians to cross Highway 101 from these locations.

2. Widening of the highway by several lanes and the addition of flyover ramps on both sides of the Wornum Avenue interchange will both physically and visually obstruct the connection between the two areas, exacerbating the isolation of the Redwood Highway area from greater Larkspur and Corte Madera.

Public Services

1. As discussed under *Transportation and Circulation* below, it appears that the project may result in reconstruction of the Wornum Drive overpass and certainly the undercrossing. Caltrans and TAM should clearly identify if during construction Wornum Drive can allow traffic control and emergency access, or if would likely be closed for periods of construction. Although the MND indicates that local police and emergency services would be notified in advance of construction activities and detours (page 2.1-2), the closure of Wornum for periods of time would have significant impacts on local traffic patterns and response times.

2. Although the MND indicates that the project goal to reduce congestion will help emergency crews reach Highway 101 destinations faster (Page 2.1-2), the project will reduce local response times to the stretch of Highway 101 from the south end of the Greenbrae interchange to the Wornum Drive overpass. The Greenbrae Fire Station #15 is currently able to access all southbound lanes of the Highway immediately south of the Greenbrae interchange. Under the proposed design, the Greenbrae Station would not

be able to access accidents until after Wornum Drive. It will be necessary for San Rafael to respond to accidents along this stretch of the corridor. The MND should clearly analyze response times for accidents within the project area.

3. The Larkspur Fire Department also reports that after the closure of the southern portion of Nellen Drive, response times from Greenbrae Station to the Redwood Highway area increased by approximately 60 seconds. As discussed below, the City of Larkspur is concerned that the routing of northbound and southbound traffic to a singular Wornum Drive interchange may increase local traffic congestion at that location and, therefore, further affect local emergency response times to the Redwood Highway area. The MND should thoroughly analyze the effect on emergency response times for local jurisdictions, particularly where the traffic congestion may increase at local roadways and intersections.

Transportation/Circulation

1. The City of Larkspur is concerned that the MND understates the potential impacts to traffic on local streets, particularly Redwood Highway and Tamal Vista Boulevard, which provides access to the Redwood Highway area. It is not clear that Wornum Drive would provide adequate storage for all vehicles that would be using the proposed interchange, increasing back-up queues onto the local roadway system. It appears that the project report presents different proposed cross-sections for Wornum Drive. The Jacobs Engineering Plan shows 3 eastbound lanes and a total street/bike lane/sidewalk width of about 70 feet. The Fehr+Peers traffic study indicates 2 eastbound lanes and a total width of about 100 feet. Under either design, it seems likely that entire overcrossing would have to be rebuilt. The project description does not appear to include this major disruptive work.

   The design of Wornum Drive has a direct affect on the operation of Redwood Highway with Wornum Drive. The proposed Highway 101 northbound off-ramp at Wornum would be located less than 100 feet west of the local street intersection.

2. A detailed queuing analysis is presented that finds the maximum left turn queues at the Wornum Drive / Redwood Boulevard intersection would exceed the available queue capacity under the Build Alternative in 2015 and 2035. It is not clear if this analysis accounts for the need to extend the northbound Wornum off-ramp signal green time in order to clear the anticipated queue that could extend onto the freeway from Wornum. More green time for the off-ramp intersection would be longer queues at Wornum / Redwood. Larkspur requests that a thorough analysis of the potential back-up from expanded green times be provided.

3. Elimination of the overcrossing will negatively impact transit users in the Redwood Highway area. North of the overcrossing at Industrial Way, there are numerous commercial and industrial businesses, 215 mobile home sites, and 52 homes on the Greenbrae Boardwalk. Although this is not discussed in the MND and technical and/or technical studies, the project will shift transit system connections almost one-half mile further south from the majority of residents and businesses in the Redwood Highway area. Accepted studies indicate that the majority of potential transit users will not walk more than one-half mile to use transit (Metropolitan Transportation Commission Resolution No. 3434; 2006 Transit-Oriented Development Policy Interim

Evaluation). We note that the project includes lane improvements at the Larkspur Landing off-ramp to accommodate an adequate multi-use path to cross Corte Madera Creek. However, the route remains equally circuitous to bus stops proposed below the Greenbrae interchange, even with the implementation of the Central Marin Ferry Connection project. As discussed below, the functionality of bus stops at these intersections has not been fully explained.

4. Supplemental presentation materials from TAM indicate that 67% of users of the pedestrian overcrossings are transit users. It has been indicated in presentations that the project will benefit transit users by reducing the distance between bus stops across Highway 101. Although we agree that the majority of the users of the overcrossing may be transit riders, the documents fail to demonstrate how the project, by moving the system connections approximately one-half mile further south, will actually improve transit access for bicyclists and pedestrians. Further, the studies do not confirm that transit users actually travel from one bus stop to another in this location and do not explain any logical need for a transit rider to switch between the northbound and southbound directions on Highway 101. Larkspur fails to see why the arrangement of the two bus stops in relation to each other should take any precedence over making the stops as accessible as possible to the adjacent neighborhoods and commercial uses. Further, focusing the crossing at the Wornum interchange will force both pedestrians and bicyclists onto numerous crosswalks at both busy intersections and on- and off-ramps. The majority of comments from the local public, representatives of the Marin Bicycle Coalition, and public officials, have expressed the position that the proposed project will simply make it <u>more difficult, inconvenient and uncomfortable</u> to get across Highway 101 from these locations.

   Larkspur acknowledges that the project will include numerous bike and pedestrian improvements and supports these measures. We further understand that the project is complex and there are no easy solutions to addressing all the project goals and needs. However, the proposed document does not adequately explore the negative impacts of eliminating the pedestrian overcrossing and routing all bike and pedestrian travel through the proposed Wornum interchange.

5. In our response to the NOP in 2009, the City of Larkspur questioned whether the bus stops proposed underneath the Highway 101 / Sir Francis Drake Boulevard interchange would feasibly be accessible to pedestrians and disabled persons in wheelchairs. The document fails to address these concerns. Although Larkspur has adopted a Complete Streets policy and supports the development of transit infrastructure to serve local residents and users, we are concerned that the functionality and purpose of these stops have not been adequately analyzed:

   - Located within a built interchange of on- and off-ramps and an arterial thoroughfare, the locations lack comfort and convenience to attract transit riders.
   - There is no apparent access from the west side of Highway 101 or the south of Corte Madera Creek without following an egregiously circuitous route using the future Central Marin Ferry Connection overpass.
   - From the Larkspur Landing area, the only community within ½ mile walking distance, the access under Highway 101 is obstructed by a high retaining wall and

embankment that abuts the travel lanes on Sir Francis Drake Boulevard. It is unclear in the project description whether this condition is recognized and whether it is intended that the several feet of retained earth be removed and the path of travel be removed from adjacency to the vehicle lane, or whether it is intended that the path of travel cross over existing grade levels below the Highway.

- The northbound on-ramp and southbound off-ramp are located on unusually steep grades for such infrastructure. The document does not identify the grade at these ramps, whether the bus stops at these locations can function at ADA accessibility standards, or whether the Golden Gate Bridge and Highway Transportation District has agreed to the design acceptability of these stops within the interchange. **Note:** The discussion on 'Transit Condition' on page 2.2-42 confuses this issue by indicating both that there *'are regional bus stops located along Sir Francis Drake Boulevard'* and *'there are no regional bus stops at Sir Francis Drake Boulevard'* in the same paragraph. It is unclear if this simply an error or a discrepancy between locations along the Boulevard or a lack of routes.

Larkspur requests that the project analysis clearly analyze the feasibility and functionality of these improvements, particularly as these are part of system-wide improvements that justify removal of existing pedestrian overcrossing.

6. The discussion on parking (pages 2.2-42 thru 2.2-44) indicates that in the frontages along the north extent of the project (Figure 2-8) up to 58 out of 180 parking spaces would be lost. Many of these parking spaces serve commuters and to a lesser degree local businesses and residents. The report seems to conclude that loss of parking is 'insubstantial' due to this surplus of parking. The report assumes that the local commercial and office uses have adequate parking to absorb this loss of parking without providing any survey data to support this conclusion. Be advised that the Cost Plus shopping center is currently under-parked, and most industrial uses in the area do not have adequate parking to absorb the loss of street parking to the north.

   Regardless of the supply of 'surplus parking', Larkspur is concerned that the project understates the impact to available commuter parking in the project area. Figure 2-8 demonstrates that the project will result in the loss of 132 parking spaces within walking distance to bus stops and the overpass. The project would provide approximately 65 spaces near the relocated bus stops at the Wornum Drive Interchange. There is no other street parking in or near this area, nor is there an availability of excess parking on commercial and office sites (unless the Department of Motor Vehicles becomes a park and ride lot). As the 17 parking spaces proposed on Redwood Highway are more than a one-half mile from proposed bus stops, the project would effectively reduce commuter parking serving these bus stops by 67 spaces. While loss of parking is, in itself, no longer considered a potential significant impact under CEQA, the imposition of such loss could impact exacerbate existing non-conforming conditions and reduce the economic viability of commercial uses in the area (economic and land use impacts). Additional traffic is generated by commuters, customers, and residents circling the area in search of parking spaces. Moreover, the loss of commuter parking may discourage use of transit, contrary to the Complete Street policy recently adopted by the City of Larkspur, per the guidelines of the Metropolitan Transportation Commission.

7. Numerous parking spaces serving businesses located along the Redwood Highway frontage will be lost either through private property acquisition and/or infrastructure

improvements. Although the study indicates that the project will only temporarily affect 11 parking spaces at Cost Plus Plaza, it appears that the project will alter frontage circulation and parking for the several businesses north of Industrial Way. From the small-scale graphic provided (Figure D-2), it is impossible to discern the impact of the project upon these properties. As discussed above, the reduction in parking and/or convenient access can have economic, land use, and parking impacts on commercial and residential uses in the community. Larkspur requests that a more detailed description and graphic depiction of the impact to parking and circulation patterns for these properties be provided, particularly in light of the loss of street parking that would occur along the frontage roads.

Hydrology/Water Quality

The northern reaches of the project in and around the Redwood Highway area are located within the FEMA Zone AE special flood hazard zone. The Highway and surrounding residential and commercial uses are subject to flood during combination high tide / storm events and flood conditions are likely to become more frequent in coming decades due to sea level rise. Despite the extensive scope of the project, there is no proposal to address flooding on this segment of the Highway in any manner, and indeed actually proposes expanding infrastructure within Zone AE. Larkspur is concerned that the study understates the impact of flooding on the surrounding community, particularly from expansion of impervious surfaces into the Redwood Highway area to the east of the Highway. The study indicates that the flooding in the area is due primarily to tidal action and that the expanded surface area of the Highway would equal only 0.03% of the flow of Corte Madera Creek. Despite this being a seemingly small percentage relative to the flow of the creek, it is unclear how that relates to the potential affect on the immediately adjacent communities. It is often the combination of storm water and tidal action that contribute to flood events. As part of our SMART Station Area Plan process, the City of Larkspur is currently analyzing infrastructure challenges in this area and will be developing mitigation and adaptation strategies to address sea level rise. The proposed mitigations in the MND refer to future identification of strategies to address potential flood impacts, but provide no clear or objective standards by which to implement those strategies. A detailed drainage analysis and hydrology study must be provided to assure that adequate infrastructure is installed to avoid exacerbation of flood conditions in adjacent neighborhoods. An analysis of hardened protection should be considered to supplement future flood control measures within the surrounding built environment.

Conclusion

In conclusion, Goal 1 of the Circulation Element of the Larkspur General Plan states: *Regard the Quality of Life in Larkspur as more important than mobility of traffic.* The goal narrative goes on to state: *While almost any traffic problem can be solved, some solutions create conditions detrimental to other important aspects of the quality of life.* Larkspur supports the efforts of Caltrans and TAM to reduce congestion and improve safety on this section of highway, which certainly needs improvement. However, we also believe that the project requires the greater analysis and scrutiny of an EIR in order to consider all viable alternatives to address both perceived and real impacts to local communities while achieving the project goals.

As the initial purpose of this project was to improve connectivity from Highway 101 to I580 and the Richmond-San Rafael Bridge, we encourage TAM and Caltrans to continue to study project alternatives that achieve that initial goal.

Thank you for the opportunity to comment on the Initial Study with Mitigated Negative Declaration and Environmental Assessment for the Greenbrae/Twin Cities Corridor Improvement Project. Should you have questions regarding land use issues within the City of Larkspur, please contact me at (415) 927-6713. For traffic/circulation questions, please contact our Public Works Director/City Engineer, Mary Grace Houlihan at (415) 927-5017. We look forward working in conjunction with TAM on developing a sub-committee comprised of local officials to review these issues and develop alternative solutions to reduce impacts to the local communities.

Sincerely,

Neal Toft
Director of Planning & Building

C: Dan Schwarz, City Manager
Mary Grace Houlihan, Public Works Director / City Engineer
Bill Whitney, TAM Project Manager
David Bracken, Town of Corte Madera

MARIN MUNICIPAL
WATER DISTRICT

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February 8, 2013

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

RE: Comments on the Adequacy of the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project Initial Study/Environmental Assessment

Dear Ms. Shearer:

The Marin Municipal Water District (MMWD) has reviewed the Draft Initial Study/Environmental Assessment (IS/EA) for the proposed Highway 101 Greenbrae/Twin Cities Corridor Improvement Project (project) and appreciates the opportunity to submit the following comments, which are focused on the document's adequacy under provisions of the California Environmental Quality Act (CEQA) as it pertains to MMWD facilities and properties. Our understanding of the project was enhanced thanks to presentations to our staff and Board of Directors by Bill Whitney and the Transportation Authority of Marin project team.

Project Description

MMWD's administrative offices are located at 220 Nellen Avenue, Corte Madera. The Draft IS/EA makes no textual reference to the elimination of Nellen Avenue. Figure 1-2 schematically illustrates the proposed project and labels project area features and facilities that would be added, modified, and eliminated with project implementation, such as the Highway 101 pedestrian overcrossing. Figure 1-2 does not label the existing Nellen Avenue nor indicate that it would be eliminated with project implementation.

The only point of public access to MMWD's administrative offices is from the Nellen Avenue side of the building, and Nellen Avenue now serves as the principal point of vehicular, bicycle, and pedestrian access to the building for non-employees, including customers, visitors, vendors, contractors, and small-parcel deliveries. The Draft IS/EA does not mention this fact or the site revisions that would be required to provide an alternative safe access route for these groups from the Tamal Vista Boulevard side of our site.

Implementation of the project could result in the elimination of one or more parking spaces within the District's Nellen Avenue frontage parking lot due to project right-of-way acquisition, a fact not described in the Draft IS/EA.

The omission of a clear and concise statement regarding the elimination of Nellen Avenue as part of the project description and the corresponding absence of an adequate analysis of impacts associated with that elimination represents a significant deficiency of the IS/EA. Absence of a specific statement concerning the elimination of Nellen Avenue precludes a

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thorough understanding of all of the project's elements, and as such, clouds the ability of the general public, other public agencies, and decision-makers to make a fully informed decision regarding the proposed project.

Secondary Project impacts

Elimination of Nellen Avenue would produce a series of secondary environmental impacts for MMWD's site, none of which are addressed in the Draft IS/EA:

On-Site Circulation

Today, the principal path of access to the District's administrative offices for our customers, visitors, vendors, contractors, and small-parcel deliveries is from Nellen Avenue. Elimination of Nellen Avenue would require that all customers, visitors, vendors, contractors, and small-parcel deliveries to MMWD's administrative offices enter and exit the site from Tamal Vista Boulevard. This would represent a significant increase in traffic through the site as well as additional turning movements at the two Tamal Vista Boulevard driveways. None of these facts were disclosed in the Draft IS/EA nor analyzed as part of the technical studies prepared to support the Draft IS/EA.

The vehicular path from the Tamal Vista Boulevard side of the site to the Nellen Avenue frontage is via a 19-foot wide drive aisle that has impaired vertical clearance (roof overhang) and which was originally intended for one-way traffic flow. Project implementation would require that the drive aisle be widened to a minimum pavement section of 20-feet to allow for the safe movement of two-way traffic. Removal of the existing vertical impairment is not practical, so the widened drive aisle would need to be shifted away from the building. Widening the drive aisle would require the removal of mature vegetation, including several mature trees and would also require elimination of up to 9 on-site parking spaces along the western end of the drive aisle. None of these facts were disclosed in the Draft IS/EA nor analyzed as part of the technical studies prepared to support the Draft IS/EA.

Emergency Access

Emergency fire and medical services currently access the MMWD site from both Nellen Avenue and Tamal Vista Boulevard. Elimination of Nellen Avenue would require on-site modifications to accommodate emergency service access to the Nellen Avenue side of the site, including but not limited to:

- Widening the drive aisle on the north side of the building
- Widening the turning radius at the intersection of the north-side drive aisle and the Nellen Avenue frontage parking lot drive aisle.
- Replacing a gate at the secured District parking area on the south side of the building with a gate that can be operated by the fire department to allow through movement of emergency vehicles.
- Widening the turning radius at the intersection of the south-side secured parking area and the Nellen Avenue frontage parking lot.

Elimination of Nellen Avenue could slow emergency response times to the Nellen Avenue frontage due to the need for service providers to traverse a potentially congested parking lot and drive aisle from the site's Tamal Vista Boulevard frontage due to the elimination of Nellen Avenue.

Review of the Draft IS/EA and its supporting documents revealed no analysis of project impacts on the delivery of emergency fire and medical services to MMWD's administrative offices.

Public Safety

The Twin Cities Police Authority is now able to provide surveillance of the District's Nellen Avenue frontage from Nellen Avenue. Elimination of Nellen Avenue with project implementation would effectively eliminate the opportunity for surveillance along the site's eastern exposure, raising the potential for vandalism and other criminal acts.

Review of the Draft IS/EA and its supporting documents revealed no analysis of project impacts on the delivery of public safety services to MMWD's administrative offices.

The District's review of the Draft IS/EA from the perspective of an impacted property owner concluded that the document does not comply with the California Environmental Quality Act from the perspective of providing a clear, concise, and accurate description of the whole of the project, and does not address all primary and secondary impacts that would occur as a result of project implementation. The District looks forward to the opportunity to review a legally adequate and complete environmental document prior to action on the proposed project. Please contact me at (415) 945-1586 or via email at danderson@marinwater.org should you have any questions regarding our comments.

Sincerely,

Dain Anderson
Environmental Services Coordinator

cc: Board of Directors
Krishna Kumar, General Manager

DEPARTMENT OF PUBLIC WORKS

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Transportation & Traffic Operations

Waste Management

February 14, 2013

Caltrans District 4
Attn: Valerie Shearer
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P.O. Box 23660
Oakland, CA 94623-0660
Valerie_Shearer@dot.ca.gov

Re: Initial Study (with proposed negative declaration)/Environmental Assessment for the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project

Dear Ms. Shearer:

The Marin County Department of Public Works (DPW) has completed the review of the subject IS/EA and provides the following comments below:

Traffic:

- Although one of the project objectives is to reduce congestion on local roads, congestion is forecasted to increase and traffic operations impacted at the Sir Francis Drake Boulevard / Eliseo Drive intersection. In Table 2.2-19, the Sir Francis Drake Boulevard/Eliseo Drive intersection is forecast to operate at LOS F during the AM. Although it is noted that on page 2.2-47 that the provision of a third eastbound lane and/or westbound travel lane from US 101 to Eliseo could reduce congestion at this intersection, this improvement or other alternatives were not considered and evaluated as part of the project. Additional studies to evaluate the potential improvement's feasibility and identify any potential environmental impacts should be provided.

- Page 2.2-31, under Existing Conditions/Existing Facilities, Sir Francis Drake Blvd., and the study notes the Larkspur Ferry Terminal as a major generator of Commuter Traffic but omits Marin Catholic High School, Bacich Elementary School, College of Marin, Marin general Hospital and the Bon Air Market as major commuter traffic contributors for the corridor.

Flood Control:

- **2.3.1.3 Environmental Consequences Build Alternative, Floodplain Encroachment and Risk of the Action-** The IS/EA should explain in greater detail how the encroachments into the floodplain only represent a transverse encroachment and why these impacts will not pose significant risks

- **2.3.2.4 Avoidance Minimization, and/or Mitigation Measures-** The IS/EA should address whether increases in velocity and volume of downstream flow will have an impact on the Greenbrae Boardwalk development structures.

- **2.4.2.3 Environmental Consequences, Direct Impacts-** The IS/EA should address what the impacts might be to upstream and downstream elevations in Corte Madera Creek if the effects of high tides and heavy rain events are compounded with the effects of the 715 square feet of blocked channel flow.

- While it is noted that construction in the channel from October 15 through June 15 is to be avoided, the possibility of such work is should not be ruled out by the study.

- **2.3.2.4 Avoidance Minimization, and/or Mitigation Measures-** The IS/EA should discuss the possible impacts to upstream and downstream water surface elevations if Corte Madera Creek waters are diverted during the rainy season.

- **Pier Placement-** Will placement of the new permanent piers reduce the travel way for vessels traveling along Corte Madera Creek? If this is being impacted, what will the width and for travel be reduced to? The County of Marin conducts dredging operations in Corte Madera Creek and must be able to pass barges between piers under this section of roadway to conduct work. Will these new piers also cause any new hazard to blocking debris?

Land development:

- **2.2.1.3 Parks and Recreational facilities-** More detail is needed on how the new Class I Bike and Pedestrian trail that is proposed in Lucky Drive will impact driveway access and on-street parking.

Please contact either Bob Goralka at (415) 473-3076 or myself at (415) 473-4398 should you have any questions or require further clarification.

Very truly yours,

Richard Simonitch
Associate Civil Engineer

C: Eric Steger
Berenice Davidson
Rachel Warner, CDA

February 12, 2013

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

GOLDEN GATE BRIDGE
HIGHWAY & TRANSPORTATION DISTRICT

Re: **U.S. Highway 101 Greenbrae/Twin Cities Corridor Improvement Project - Initial Study (with Proposed Mitigated Negative Declaration)/Environmental Assessment (MARIN COUNTY, CALIFORNIA - DISTRICT 4 – MRN – 101 – PM 7.2/8.9 - EA 1A6600)**

Dear Valerie Shearer:

Golden Gate Bridge. Highway and Transportation District (District) has reviewed the Initial Study/Environmental Assessment (IS/EA) for the above-referenced project (Project) and offers the following comments.

- District staff is fully supportive of this Project and the stated goals by the California Department of Transportation (Caltrans) and the Transportation Authority of Marin (TAM) to: "reduce traffic congestion within the Greenbrae/Twin Cities Corridor by alleviating the short merging, diverging, and weaving areas along US 101" (pages 1-9).
- Make "alternative modes (i.e. buses, bicycles, and pedestrians) more attractive and efficient in order to reduce traffic volumes in the Greenbrae/Twin Cities Corridor" (pages 1-9).
- Enhance Larkspur Ferry Terminal (LFT) non-motorized access.
- Address linkage deficiencies across both east and west sides of US 101 (pages 1-12).

District supports the strategy to accomplish the above-stated goals along the Greenbrae/Twin Cities Corridor by modifying, realigning, adding, and/or removing US 101 on- and off-ramps; constructing auxiliary lanes and collector-distributor roadways; and constructing new transit, bicycle, and pedestrian facilities. It is noted that the project will also upgrade traffic signals at local intersections (pages 1-9).

District specifically supports the Build Alternative which calls for the following bus transit improvements (pages 1-18):

Replacing the bus stop at the existing SB US 101/Lucky Drive/Fifer Avenue off-ramp with the following new bus stops:

- one at the SB US 101/Sir Francis Drake Boulevard off-ramp terminus
- one on the west side of the realigned Fifer Avenue on-ramp before connecting with the new SB US 101/Sir Francis Drake Boulevard on-ramp extension
- relocating the bus stop from the existing NB US 101/Industrial Way ramp system to the proposed NB US 101/Wornum Drive off-ramp;
- constructing a new regional bus stop at the NB US 101/Sir Francis Drake Boulevard on-ramp

As the IS/EA indicates, there are no current regional bus stops in the vicinity of Sir Francis Drake Boulevard and US 101 that allow transfers from Golden Gate Transit regional service to Marin Transit local service (page 2.2-42) and the LFT. Although the existing bus stops at US 101/Lucky Drive (Fifer Avenue/Industrial Way) provide connectivity to the adjoining areas, they do not provide adequate connectivity to the LFT.

This project will create four new bus stops at grade level of this interchange, which will facilitate transfers between regional and local bus services (thereby increasing the attractiveness of these services as an alternative mode of transportation) and enhance transit connectivity with the LFT.

District also supports the transit access enhancement which will construct a 65-space surface park and ride lot on the northeast corner of the US 101/Wornum Drive interchange. Although the net commuter parking spot gain will be 0, District supports the continuation of the availability of commuter parking to increase access to regional bus transit service for those communities not directly served by Golden Gate Transit (pages 1-19).

Improvements to pedestrian and bicycle pathways adjacent to LFT are supported by the District as they provide an environmental benefit as well as alleviate parking demand to access the LFT. Pedestrian and bicycle pathway improvements also increase connectivity for those wishing to access regional bus service by non-motorized means (pages 1-19).

District also supports enhancing connections to existing and planned pedestrian and bicycle facilities to the north, in particular the future Central Marin Ferry Connection Multi-Use Pathway which will now be better connected to southern facilities across Sir Francis Drake Boulevard and across Corte Madera Creek (pages 2.2-43).

Thank you for providing the District the opportunity to provide comments on this Project. Please contact our Associate Planner, Josh Widmann, at 415-257-4490 if you have any questions concerning these comments.

Very truly yours,

Ronald Downing
Director of Planning

C: Denis Mulligan, General Manager
Bill Whitney, TAM
Maurice Palumbo, Principal Planner
Joshua Widmann, Associate Planner
Amy Van Doren, Marin Transit

Name Katie Delsol
Address 85 Lakeside Drive
City Corte Madera, CA 94925
Date 2/7/13
Email kdelsol@sbcglobal.net

Send to:
Caltrans District 4
Attention: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-88
P.O. Box 23660
Oakland, CA 94623-0660

Email: Valerie_shearer@dot.ca.gov

Dear Ms. Shearer:.

These comments apply to the Highway 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Document. **Please acknowledge receipt of this comment letter to confirm that it is included in the public comment process.**

The project will result in the following significant environmental impacts, which cannot be mitigated. The Negative Declaration is not appropriate. A full Environmental Impact Report (EIR) is required by law and must be done.

1. Flyovers and walls will create substantial visual intrusions on the existing scenic townscape, and not only from most parts of Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will also become a dominant landscape feature when looking down from the top of · Mount Tamalpais, Marin's premier view spot, as the project area sits directly below East Peak.

2. Flyovers will create significant noise that will be detrimental to residents of the area, both nearby and in the surrounding hillside neighborhoods.

3. Local traffic will be adversely impacted, which will limit local mobility, especially on northbound Tamal Vista between Wornum and Fifer, and as drivers seek alternative routes and spill over onto local streets.

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5. Additional pavement will exacerbate existing flooding problems.

6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use.

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9. Vehicular safety improvement is not demonstrated, and the existing project area has a below-average collision rate, as illustrated in Table 13 of the Traffic Operations Report.

10. This project does not adequately comply with Complete Streets concepts, which require transportation projects to serve all users, including cyclists, pedestrians and transit users.

11. There is no evidence that either Golden Gate Transit or Marin Transit will provide bus routes to serve transit riders at the four new bus stops in the Greenbrae Interchange.

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15. There is inadequate analysis of noise impacts on the adjacent communities.

16. There is insufficient information about impacts to the community during the project construction period, which will include numerous and prolonged detours as well as pile-driving through at least 75 to 90 feet of bay mud.

17. There is insufficient analysis of impacts in or near Corte Madera Creek, including impacts on sensitive habitat, wildlife, and water quality.

18. There is inadequate analysis of population and traffic projections, which are outdated and inconsistent, especially in regard to recent growth forecasts issued by the State Department of Finance.

19. There is inadequate analysis of future growth in the adjacent area.

20. There is inadequate analysis of compliance with significant components of the Town of Corte Madera General Plan, the City of Larkspur General Plan and the Marin Countywide Plan.

21. There are not sufficient project alternatives for consideration in the OED.

Caltrans needs to change this project.

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23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

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27. Local traffic needs a safe left turn option out of the Trader Joe/Cost Plus Plaza.

28. Congestion on East and West Sir Francis Drake Boulevard must be addressed, particularly as three eastbound lanes leading to Highway 580 and the Richmond-San Rafael Bridge shrink down to one lane, which is what causes the backup each weekday afternoon on Highway 101.

Signature Katie Delsol

TAM
rtation Authority of Marin

Caltrans

COMMENT CARD

Please submit comments today or mail by February 14, 2013 to:

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

o learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

ne: David Hyams Phone: 415 924 8828
ress: Corte Madera E-mail: djhyams@ATT.net

nments: I am writing to oppose
e proposed Greenbrae-Highway
1 freeway project. My reason
opposition is the massive
posed structure erected on the
th side of the highway.
It is unbelievably ugly
a reminiscent of the Hayes Valley
d Embarcadero structures now happily
ne from San Francisco.

Please use the reverse side or attach any additional pages

TAM
Transportation Authority of Marin

Caltrans

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Office of Environmental Analysis, MS-8B
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Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: Brian Durwood
Phone: 889 4111
Address: 254 Cecilia Way
Tiburon CA
94920
E-mail: bdurwood@comcast.net

Comments:

Dear Ms Shearer

I am against the Caltrans/TAM $143m proposal for new construction along 101 between Green Brae & Corte Madera.

I oppose it both on fiscal reasons and environmental reasons.

Thank you for registering my opinion

Please let me know if I should be writing to anyone else

Brian Durwood

Please use the reverse side or attach any additional pages

TAM Transportation Authority of Marin

Caltrans

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Oakland, CA 94623-0660
Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: Thomas Guelig Phone: 313 506 0429

Address: 11 Rich St. Sp. 137 E-mail: momtom@ml1.net

Comments:

This project is flawed from the initial assumptions. It address a multitude of special interests, property owners, the bicycle collation,and high speed commuters among others. Not the residents of the area in question.

As you well know this is a challenging area, with Corte Madera Creek and other natural obstacles. The area in question is restricted by the creek, other sensitive areas and current development. In this plan all constituents, but local residents, are granted every item on the wish list.

I have lived in this area 8 years and have used all of the walkways, roads and paths that this plan hopes to improve. I have noticed the larger abutments supporting bridges, overpasses and merge lanes. I though, the planners were very smart to allow for

Please use the reverse side or attach any additional pages

future expansion. What happened to those plans?

EB Sir f. Drake to SB 101 extra lanes on existing structure

NB 101 to EB SFD extra lane on existing structure

To point out a couple, all structures are capable of expansion without disturbing sensitive areas. The addition of 24' of multi use pathways forces the freeway to elevate off the ground into more overpasses and Millions more to the cost.

Before I was forced to retire, I commuted to the city. I used the pedestrian overpass every day, now you have seen fit to remove and NOT replace it.

This boondoggle is more about more and bigger. We don't want this abomination and its inflated price tag.

Better signage would go a long way. Segregate incoming and exiting traffic also.

No ground has been broken, the wastefulness can be resolved. Accomendations can be found. This is not it.

Please go back to the drawing board.

Repecticfully

Thos McDuling

Feb 6, 2013

PS look at the address to send this document.

Your title is unimportant.

Jean.

Marjorie E. Shank
1-31-13

To Caltrans Re 101 Greenbrae

This is a totally waste of $ + time. The money should be used to pave local roads. We don't need or want your mismanagement.

Get a brain!

Sincerely

M E Shank

337 Lowell Ave
MV, CA 94941

1-10-13

Caltrans District 4
Attn: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Dear Ms. Shearer,

I have reviewed Caltrans' video animations of the proposed "modernization" of Highway 101 interchanges between Larkspur/Greenbrae and Corte Madera and find them quite alarming.

As you know, currently no environmental impact report is planned for this massive highway redo sponsored by your agency in partnership with Transportation Authority of Marin. But *why*?

Certainly small town neighborhoods in both Larkspur and Corte Madera would be impacted, most negatively, by both the height and scale of this proposed $150 million overhaul. Who in their right mind wants to live "underneath a freeway"? Yet your agency, it seems, is bent on putting many Marinites in the looming shadow of one.

Upbeat soundtrack and pictorial excellence notwithstanding, these animations (Youtube: Greenbrae Corridor Improvement Project) featuring visually sweeping off-ramps and on-ramps have the look and feel of Los Angeles. Only lacking is the cityscape, nestled by the soaring ribbons of highway concrete.

Most out of scale and character is the giant flying Wornum Drive off-ramp heading south on 101. The profile looks like Brontosaurus resurrected---on fat pylon legs, no less!

Yes, I drained my expresso cup imbibing the slick, futuristic vision. But at the same time I wonder if this kind of urban highway design is really a good fit for environmentally conscious Marin where the future probably will see small town residents intent on lessening their dependence on the automobile.

Couldn't $150 million be better spent on projects less grandiose---like the obviously decaying lesser roads in Marin's infrastructure?

Sincerely,

Peter Hensel

Peter Hensel
138 Willow Ave.
Corte Madera, CA 94925

Name Michael Ker

Address 173 Birch Ave

City Corte Madera, CA 94925

Date 2-8-13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here _____

Name RINOA KER

Address 173 BIRCH AVE

City CORTE MADERA, CA 94925

Date 5-9-13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

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Sign here Linda Kerr

Cheryl Longinotti, PhD
8 Tamal Vista Blvd
Corte Madera, CA 94925

Caltrans District 4
Valerie Shearer, senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660
valerie_shearer@dot.ca.gov

February 12, 2013

Dear Ms. Shearer:

These comments apply to the **Highway 101 Greenbrae Corridor Improvement Draft Environmental Document.** Please acknowledge receipt via cslonginotti@comcast.net to confirm that it is included in the public record.

I am certified by the League of American Bicyclists to teach bicycle handling and road safety skills (LCI #2334). The League, founded in 1880, offers the only nationwide bicycling instructor certification program. I confine my comments to bicycle and pedestrian issues.

Based on assumptions without documentation or evidence, the Draft Environmental Document (DED) makes multiple assertions as to the absence of environmental effects.

1. The DED asserts that community cohesion will be improved through the installation of bicycle and ADA-complaint pedestrian improvements.

2. The DED asserts that proposed pedestrian and bicycle facilities will enhance the connectivity of the bicycle and pedestrian network in the area.

3. The DED asserts that removal of the existing pedestrian over-crossing at Nellen Avenue in combination with the proposed pedestrian and bicycle facilities will provide improved access to transit and recreational areas and regional trails.

4. The DED declares the realignment of the Bay Trail minimal or de minimis.

5. The DED considers the Build Alternative's pedestrian facilities a benefit to disadvantaged residents and communities.

All of the above assertions are based on the presumption that the reconfigured Wornum-101-Redwood Hwy junction will provide objectively and subjectively safe and convenient passage for those on foot and on bikes and that such persons will utilize this route. No data are given to support this presumption although multi-modal level of

service instruments are available. Moreover, numerous members of the community, including the Marin County Bicycle Coalition, have stated that the reconfigured Wornum junction would be unacceptably dangerous, and the design includes features which are known to decrease level of service and increase risk for those on foot or on a bicycle.

The DED does not adequately address other specific environmental impacts.
6. The DED does not adequately address the project's impact on local traffic. The 2014 opening of a new elementary school in bayside Corte Madera and the addition of school students living at the 195-205 Tamal Vista development will increase crossings of 101 to get to and from school.

7. The DED does not address the impact of trees and shrubs not in the CalTrans right-of-way but causing damage and maintenance issues for project facilities. Specifically, roots on the south-side of Wornum have damaged the existing path surface and made it unridable. How will the project minimize future maintenance costs while maintaining the integrity of the site?

8. The DED asserts consistency with local Plans but selectively refers to their provisions. Principle themes articulated in Corte Madera's 2008 General Plan are: "*Identity* Corte Madera is committed to maintaining and enhancing its identity as a small community in a cosmopolitan setting" and "*Community-Building* The General Plan provides an opportunity to enhance the 'livability' of the community and to improve physical connectivity between the east and west sides of Town." Circulation goals and policies are even more explicit:
"GOAL CIR-2: A circulation system that safely and effectively links the east and west sides of Corte Madera."
"POLICY CIR-2.1: Prioritize options for improving bicycle and pedestrian access across Highway 101."

The elevated concrete structures and massive retaining walls will create adverse impacts on community character, and the redesign of Wornum-101-Redwood Hwy will directly impair connectivity between east and west sides of Corte Madera.

9. Relative to existing conditions, this project degrades bicycle and pedestrian travel through the Wornum, and as such, it does does not meet FHWA regulations for "full consideration to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects" (23 CFR 652).

10. This project should not be built unless and until it includes a safe and separated bicycle and pedestrian crossing of 101, preferably at Wornum, where Marin County Bicycle Routes 5, 16 and 17 meet.

Cheryl Longinotti

Cheryl Longinotti, PhD

Name Arlene F.

Address (omitted for privacy)

City Larkspur, CA

Date 2/11/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here _____

Name Stephen Whiteomb

Address 66 Heather Way

City Larkspur, CA 94939

Date 2/10/2013

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Name James G Moore

Address 352 Old Quarry Rd. N

City Larkspur, CA. 94939

Date 2-10-13

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Name Margaret Harshbarger

Address 181 Summit Drive

City Corte Madera CA 94925

Date 2/6/13

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P.O. Box 23660
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Name Virginia Novak

Address 25 Karl Ave.

City San Anselmo

Date 2/6/13

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Address 213 Corte Madera Ave
City Corte Madera, Ca
Date 2/11/13

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Sign here Heather Grover

Name Paul Sievert

Address 39 Mohawk

City Corte Madera

Date 2-11-13

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Sign here Ron Sant

Name James Sievert

Address 213 Corte Madera Ave

City Corte Madera

Date 2.11.13

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FRI 345- Christina

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Name Danyele Perkins

Address 115 Edison Ave

City Corte Madera, CA 94925

Date 2/9/13

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1. Flyovers and walls will create substantial visual intrusions on the existing scenic townscape, and not only from most parts of Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will also become a dominant landscape feature when looking down from the top of Mount Tamalpais, Marin's premier view spot, as the project area sits directly below East Peak.

2. Flyovers will create significant noise that will be detrimental to residents of the area, both nearby and in the surrounding hillside neighborhoods.

3. Local traffic will be adversely impacted, which will limit local mobility, especially on northbound Tamal Vista between Wornum and Fifer, and as drivers seek alternative routes and spill over onto local streets.

4. Bicycle and pedestrian routes will be more dangerous than the existing routes, as the Wornum Interchange will require crossing many new ramp lanes and four signalized intersections close together on Wornum Drive. I walked from Fennybirds over fed bridge to fed walkway to Wornum to my car 5 days a week. I'm 70 & more fed walkway

5. Additional pavement will exacerbate existing flooding problems.

6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use. I take bus 5 daily M-F. and Penny Lane - I could not do this if you go ahead with your plan

This project does not meet the stated goals and the Draft Environmental Document is inadequate due to the following:

7. The project does not increase traffic capacity on Highway 101.

8. Traffic congestion in the area will not decrease, as severe congestion will still exist on both East and West Sir Francis Drake Boulevard.

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10. This project does not adequately comply with Complete Streets concepts, which require transportation projects to serve all users, including cyclists, pedestrians and transit users.

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Caltrans needs to change this project.

22. Public opposition to the "Build" project is significant.

23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

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Sign here _____

TAM
Transportation Authority of Marin

Caltrans

COMMENT CARD

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Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: Jean Rieke Phone:

Address: 345 Elm Ave. E-mail:
Larkspur, CA 94939

Comments: Highway 101 Greenbrae / Twin Cities Corridor Project

Please see attached comments.

Thank you for helping to set a different standard / balance for how we steward our environment. The entire Bay Area is a beautiful place, but much of this beauty along our highways and their bordering communities (East Bay 80, 880, 580; 101 south of S.S.; 101 Petaluma / Santa Rosa corridor) has been lost because of lack of vision and restraint in design and execution.

Please use the reverse side or attach any additional pages.

Please help us save some of the remaining beauty along the Bay Area's highways. Jean Rieke

I'm Jean Rieke, and I have lived in the Bay Area since 1972 and the Corte Madera/ Larkspur area since 1982.

Comments:

Congestion:

Some of the underlying causes of the congestion that has been created for the Greenbrae/SFD/101 interchange and SFD itself are because of the lack of past, current, and future planning on the part of TAM, the County, and our local Cities.

When the 101/580 interchange was redone, it did not provide for traffic exiting North 101 onto 580 East or 580 West onto South 101. Although we could end-up with undesirable structures at that interchange, it is a more wide-open, industrial/commercial, not as visually sensitive arena as the Greenbrae/SFD/101 interchange. We should resolve some of our congestion problems by using this more appropriate interchange for this traffic instead of using SFD for these purposes.

Further, it does not help traffic congestion to have our local Cities approve high density building, such as the Winn-Cup and Larkspur Sanitary Plant developments, in the very area where they believe traffic congestion is creating problems.

Our congestion mainly happens in commute hours, 5 days a week. Such congestion still occurs throughout Marin and around the Bay Area on our hugely expensive, highly engineered highways that have destroyed much of the natural and human-scaled beauty and ambience of their surrounding communities and the Bay Area. At a savings of 2" – 8" commute time per car as reported by TAM on 2/5/13 at the Twin Cities Council Meeting, it would seem the $143 million and quality-of-life costs of this project are enormously disproportionate.

Safety:

Besides the inaccurate/misleading statistics regarding safety issues, it should continue to be noted that, at the annual 150 accidents reported in the proposed project area, there are – at 170,000 cars in that corridor daily – 62,050,000 cars annually that navigate this area, all but 150 of them safely. Further, there are weave-patterned on/off ramps everywhere, and drivers have to be allowed to be responsible to handle these areas with the same care and competency they must have to drive anywhere. Helping at reasonable costs with respectful solutions are one thing; using erroneous safety data, fear, handholding, and enormously damaging solutions are another.

Other Issues:

The visual beauty of Ross Valley to the west of 101 is not only blocked by the columns, roadbed, height of the Fly Thru for those people residing/working on the east side of 101, but also for drivers both south and north bound on 101 in that area.

The noise from both the construction and existence of the Fly-Thru will be totally unacceptable. I live on a hillside close to downtown Larkspur and already experience traffic noise at different times that is at a roar.

The removal of most of the trees and landscaping in this area will further create an overly concreted/hardscaped/urbanized appearance.

The proposed project-mitigation of placing walking/biking paths along a huge highway, the Fly Thru, widened City intersections, and more heavily traveled City streets, provides very little that is aesthetically appealing, health supportive, or truly safe.

The "sky is falling" rationale for this project, the not uncommon use of fear regarding safety issues, time constraints on the availability of funds, the amount of money already spent, and the inaccurate and/or misleading information provided are tiresome and lead to a lack of respect for and trust in our elected leaders. Whether it's TAM, County supervisors, or local officials, I would ask that you keep to a higher vision for this beautiful place where we all live and which you have the duty to help protect, preserve, and enhance. Please make choices that will set a standard for how to solve some practical problems while being fiscally frugal and while keeping the very best of what Marin has to offer.

Name Jenny and Steve Markovich
Address 6 Cheyenne Way
City Corte Madera, CA
Date 2-11-13
Email jdinnebier@gmail.com

Send to:
Caltrans District 4
Attention: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-88
P.O. Box 23660
Oakland, CA 94623-0660

Email: Valerie_shearer@dot.ca.gov

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Signature Jenny Markovich

Jenny + Steve Markovich

Name VIRGINIA T. MOORE

Address 352 OLD QUARRY RD.

City LARKSPUR, CA 94939

Date 2-12-13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here Virginia T. Moore

TAM
Transportation Authority of Marin

Caltrans

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P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: ROBERT BUNDY Phone: 415) 924-8186
Address: 89 GOLDEN WIND PASS E-mail: bundyworld@comcast.net
CORTE MADERA 94925

Comments:

THE LOSS OF THE PEDESTRIAN / BIKE OVERPASS WILL RESULT IN DECREASED WALKING AND BIKING BECAUSE THE NEW PEDESTRIAN / BIKE UNDERCROSSING AT WORNUM CARRIES TOO MUCH AUTOMOBILE TRAFFIC AND CREATES TOO MANY CROSSWALKS FOR PEDESTRIANS AND CYCLIST TO FEEL COMFORTABLE CROSSING.

THE SCALE OF THE PROPOSED

Please use the reverse side or attach any additional pages

PROJECT DECREASES THE WALKABILITY AND CYCLABILITY OF OUR COMMUNITY PUTTING CITIZENS IN CARS IF THEY HAVE THE OPTION. THOSE THAT HAVE NO OPTION WILL BE AT GREATER RISK WHEN FORCED TO WALK OR CYCLE IN AN ENVIRONMENT THAT FEELS UNSAFE.

I RECOMMEND ONLY ALLOWING MOTORIST WHO ARE SOUTHBOUND ON 101 TO EXIT AT MADERA AND ALLOW MOTORIST GOING SOUTH ON SIR FRANCIS DRAKE TO EXIT AT LUCKY DRIVE. MOTORIST ON 101 COULD EXIT AT SIR FRANCES DRAKE AND PROCEED TO THE SIR FRANCIS DRAKE ENTRANCE FOR 101 IN ORDER TO EXIT AT LUCKY.

Transportation Authority of Marin

Caltrans

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Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

Name: Charles HARRIS Phone: 492-1455

Address: 34 Woodoaks Dr. San Rafael 94903 E-mail: mondizzi@gmail.com

Comments:

I strongly urge Caltrans and TAM to maintain or rebuild the pedestrian/bicycle crossing over Hwy 101. Demolition of this structure would force bicyclists and pedestrians to use Wornum Drive, which would significantly increase risk of injury or death due to the narrowness of the underpass and the increase in auto traffic. All across the nation cities, counties and states are realizing that alternative modes of transportation will bring great benefits, and that the key to increased use of bikes and walking is an appropriate safe infrastructure. Eliminating this crossover is a big step backward in a county and state that claim to be progressive.

Please use the reverse side or attach any additional pages

Name Mary Connolly
Address 51 Chickasaw Court
City Corte Madera, CA 94925
Date February 13, 2013
Email mcconnolly@lbl.gov

Caltrans District 4
Attention: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-88
P.O. Box 23660
Oakland, CA 94623-0660

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1. **Flyovers and 7 proposed soundwalls will create substantial massive visual intrusions** on the existing scenic townscape, including but not limited to Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will become a dominant landscape feature when looking down from the top of Mount Tamalpais, Marin's premier view spot, as the project area sits directly below East Peak.

2. **Flyovers will create significant noise that will be detrimental to residents of the area**, including residents of the Greenbrae Marina and Boardwalk, the Golden Gate and Marin Travel Trailer Parks, residents in hill areas of unincorporated Greenbrae above Sir Francis Drake Blvd., Madera Village Suites and the Best Western Hotel. Seven proposed sound barriers will do little to dampen noise, and will instead amplify and funnel noise into nearby and surrounding hillside neighborhoods.

3. **Local traffic will continue to be adversely impacted, in particular during several years of construction,** which will limit local mobility, especially on northbound Tamal Vista between Wornum and Fifer, and as drivers seek alternative routes and spillover onto local streets. Traffic already backs up Northbound on Tamal Vista for several hours each day during the Holiday shopping season from November to January, and at other times.

4. **Bicycle and pedestrian routes will be more dangerous than the existing routes**, as the Wornum Interchange will require crossing busy new ramp lanes and up to four signalized intersections close together on Wornum Drive.

5. Additional pavement will exacerbate existing flooding problems.

6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use.

This project does not meet the stated goals of increased safety and reduced traffic congestion. The Draft Environmental Document is inadequate due to the following:

7. **The project does not increase traffic capacity on Highway 101, and only reduces commute time by 1 min/20sec in the Southbound 101 direction and from 6-8 minutes in the Northbound 101 direction by the year 2035.** This savings is hardly worth the $143 million price tag.

8. **The proposed project does not increase traffic capacity on East and Westbound Sir Francis Drake**, thus severe traffic congestion will continue to exist in both directions on this main thoroughfare.

9. **Vehicular safety improvement is not demonstrated and traffic collision data in the document is inaccurate** as it includes 150+ collisions with San Francisco addresses and 2 fatalities caused by medical conditions, not road conditions. The existing project area already has a below-average collision rate, as illustrated in Table 13 of the Traffic Operations Report.

Mary C. Connolly
2-13-2013

10. **This project does not adequately comply with "Complete Streets" concepts**, which require transportation projects to serve all users, including cyclists, pedestrians and transit users.

11. **There is no evidence that either Golden Gate Transit or Marin Transit will provide bus routes** to serve transit riders at the four new bus stops in the Greenbrae Interchange.

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15. **There is inadequate analysis of noise impacts** on the adjacent communities.

16. **There is insufficient information about impacts to the community during the project construction** period, which will include numerous and prolonged detours as well as installation of 273 piles (90 ft. long) through 75+ feet of bay mud.

17. **There is insufficient analysis of impacts in or near Corte Madera Creek**, including impacts on sensitive habitat, wildlife, and water quality.

18. **There is inadequate analysis of population and traffic projections**, which are outdated and inconsistent, especially in regard to recent growth forecasts issued by the State Department of Finance.

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23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

24. Less massive, less expensive and less drastic **alternatives need to be considered**.

25. The **project does not address existing flooding** and future sea level rise.

26. **The proposed Wornum Interchange will create potentially dangerous conditions for pedestrians and bicyclists, many of them school-age children**, and disabled persons who use it to travel between the West and East side of the Twin Cities and surrounding areas.

27. Local traffic needs a safe left turn option out of the Trader Joe/Cost Plus Plaza.

28. **Congestion on East and West Sir Francis Drake Boulevard must be addressed**, particularly as three eastbound lanes leading to Highway 580 and the Richmond-San Rafael Bridge shrink down to one lane, which is what causes the backup each weekday afternoon on Highway 101.

Signature Mary C. Connolly Date 2-13-2013

TAM
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Caltrans

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Name: ANNE ZUCCHI Phone: (415) 924-9352

Address: 596 RIVIERA CIRCLE E-mail: azucchiz@gmail.com
LARKSPUR 94939

Comments:

The attached form letter summarizes my concerns also. Your willingness to work with local communities is commendable

In addition, reference item 24:

1) AN INTERCHANGE OPTION, suggested in the attached letter to the Independent Journal editor from a Larkspur resident, works and seems to be an economical, safe alternative to "weaving."

2) Current signage ⬆ at the Lucky Drive merge onto 101 doesn't adequately address the situation. Drivers in the far right lane, especially those unfamiliar to the area, need to be informed in advance of this merge situation.

Please use the reverse side or attach any additional pages

TRAFFIC

An interchange option

Rather than the hugely expensive proposed overpass that would allow southbound Highway 101 drivers to exit onto Wornum Drive, why not do the following?

▶ 1. Have southbound Highway 101 drivers who want to go to downtown Larkspur and Redwood High School exit at the Sir Francis Drake Boulevard exit. As they come to the bottom of the ramp, they would bear to the left, and stop in the right-hand lane at the traffic light at Sir Francis Drake.

▶ 2. Instead of turning left as most cars do now (to head to the ferry terminal), these drivers would turn right and get on the existing overpass over Corte Madera Creek.

▶ 3. After going over the creek, these drivers would exit onto Fifer Avenue, without having to fight cars exiting Highway 101.

This would save a tremendous amount of money and provide a faster and safer route to downtown Larkspur and Redwood High School. There is a simple video of what this would look like from the driver's standpoint on YouTube. Click on http://www.youtube.com/watch?v=wbIQA3v1o-k

Noah Kennedy, LARKSPUR

Name Anne Zucchi
Address 596 Riviera Cir
City Larkspur, CA 94939

Date 2/11/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
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Sign here Anne Gucelio

Name MICHAEL SAPUPPO

Address 19 CHICKASAW COURT

City CORTE MADERA, CA 94925

Date 2/5/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here _____

Name Janice Underwood
Address 405 Corte Madera Ave
City Corte Madera CA 94925
Date Feb 6 2013

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Sign here Janice Underwood

Holmes, James

February 8, 2013

Ms. Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
Caltrans District 4
P.0. Box 23660
Oakland, CA 94623-0660

Subject: Highway 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Document

Dear Ms. Shearer:

Please consider the points below, in your process of gathering public comment on the proposed project. Due to the large number of commenters at the January public information hearing and February Larkspur-Corte Madera joint Council meeting, these comments were not provided there, but please consider them as if they were.

Initially, the project sponsors' efforts over many years to weigh alternatives and communicate with the community, and the recent offer to increase communication via the proposed advisory committee and otherwise, are much appreciated.

Incidentally, the present process and the community's response evoke a degree of *deja vu,* because they hark back to the "freeway revolt" of the 1960s and '70s in Marin and elsewhere. Residents then battled freeway-expansion, for better or worse. The proposed project seems to be starting the battle anew.

1. Perhaps a full EIR may not be needed, because the benefits, burdens and impacts of the project appear reasonably apparant. However, I urge adoption of more procedural elements of an EIR into the process and documents, including the same level of detail about mitigations that would be in an EIR, and specific responses to comments or groups of comments on the same subject. More verification of supporting safety-statistics also appears warranted.

2. Issues with the existing pedestrian overcrossing aside, a key problem with the project is that it reduces connectivity with the Redwood Highway area, because it provides only one bike-pedestrian connection (at Wornum), in place of the present two. Moreover, the current crossover is close to two key cross-roads in the Redwood Highway area, making it especially convenient, unlike the the proposed Wornum - only connection.

3. The proposal would also likely increase substantially the walking distance to transit, and thus the inconvennience of using it. In response to a question from Larkspur Councilmember Marsh about walking distances to bus-stops, project staff stated that the distance between stops would be the same or less than at present. But transit-users do not usually walk from bus stop to bus stop; they go from bus stop to destination, then reverse the process to get home. Placing the only pedestrian-bike connection at the far end of the project, rather than having one in the middle (as it is now) will surely increase bus stop-to-destination distances for most users. For example, walking to a

Wornum-area bus stop from Industrial Way where I have my car repaired would be impractical for a morning commute.

4. The project as proposed would excerbate a situation that the Larkspur General Plan recognizes as a concern for Larkspur: "community separators," including freeways and Corte Madera Creek. The Redwood Highway area is already separated from Larkspur (and Corte Madera) by the freeway. A large new structure would result in a community separator 'on steroids,' exacerbated by having only a single connection.

5. Under-freeway pathways, such as the proposed Wornum pedestrian-bike path, can be scary and potentially dangerous after dark, as demonstrated in nearby areas where such paths have been locations for crime. This too argues for retaining an alternative access.

6. If the sponsors decide to proceed with the concept of a massive elevated structure, please invite local architects and other design professionals to suggest ways to improve the aesthetics; and adopt those suggestions if possible (with appropriate public recognition for the contributors). Perhaps a freeway can offer an architectural statement. For example, while Doyle Drive is no longer functional, its vaguely art deco concrete supports, which echo the details of the bridge-towers, are relatively attractive, though hardly seen. The 101 Project is not the place for standard design. One possibility: consider darkening the exterior concrete somewhat, to make the structure look less like a 'white whale' beached in the landscape.

7. Lastly, my general observation from attending the two meetings is that while on the one hand the project is well-intended and studied, and solves some problems; on the other hand it creates new problems, does not address others, is very controversial, and very costly. A 2:4 pro-to-con ratio is not too good, and suggests the wisdom of extensive re-thinking. Much as we try to create solutions, some things in this "veil of tears" or "estate of misery" are not readily remediable, and our first objective should be to "do no harm"

Thank you for considering these comments.

Sincerely,

James W. Holmes
217 Madrone Ave.
Larkspur, CA 94939-1912

cc: Larkspur City Counsel
Supervisor Rice
(415)538-4422

Name Steven Underwood

Address 328 Dubois St.

City San Rafael, Ca 94901

Date 2/5/13

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Sign here _____

Name Pamela Bryan

Address 92 Cedar Ave

City Larkspur, CA

Date 2-7-13

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Office of Environmental Analysis, MS-8B
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Sign here James Bryan

Transportation Authority of Marin

Caltrans

COMMENT CARD

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Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

Name: Catherine Prosser

Phone: 415-924-4329

Address: 469 Chamar Dr
Corte Madera
CA 94925

E-mail:

Comments:

I am against what has been presented to us for many reasons -
I ask you to please vote NO and not approve any part of it -

thank you.

Catherine (Katy) Prosser

Please use the reverse side or attach any additional pages

Name Cyndy Doherty
Address 3 Mohave Ct
City Corte Madera
Date 2/7/13
Email Cyndy567@comcast.net

Send to:
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Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: MAI BILLAUD
Phone: 415-927-3151/860-183
Address: 11, Rich Street
GREENBRAE - CA 94904
E-mail: MAIB@ix.netcom.com

Comments:

SEE ATTACHED

Thank you

Please use the reverse side or attach any additional pages

Mai Billaud

From: "Mai Billaud" <maib@ix.netcom.com>
To: <valerie_shearer@dot.ca.gov>
Sent: Friday, February 08, 2013 9:42 AM
Subject: Highway 101 Greenbrae/Twin Cities Corridor Improvement Project COMMENTS

Hello,

I use the Lucky Drive overcrossing everyday from the Greenbrae side into Larkspur and back. And I am not the only one. I see young people going to school at Redwood High and Hall Middle School using that crossing. It is safe to cross there and takes them directly to where they need to go without suffering the congested traffic on the frontage road by the relatively new Trader Joe's. I see people who live and/or work on the unincorporated side of Greenbrae using that crossing. More people tend to come from Larkspur to the area now to shop at Trader Joe's for one, Cost Plus as well, and they walk or walk their bike to cross the overpass, as well as come in motorized wheelchairs.

It would be very unfortunate to remove this overpass. It seems to me that a demographics study should be done to realize how much it is used. The one that was done supposedly last year was done in February, the rainiest month of the year in Marin. The proposal currently given which removes the overpass and adds a 12-foot unnecessary bike lane complete with freeway exhaust guarantees us to see a lot more accidents, and more congestion.

Creating a 33-foot flyover would serve more the interest of developers rather than that of the residents of Marin, blocking the view of Mount Tamalpais, " L A sizing the freeway", yet not addressing the congestion issue as it should. We came to live in Marin for the small town feeling, for its beauty, if we wanted mega freeways, we would move to L A.

I urge TAM to continue reconsidering the issue and look at other alternatives such as "Plan S" by Scott Stokes of San Rafael . His plan does not just only keep the overpass, it is not unsightly, addresses the traffic issue without costing $143 million for the construction project.

Thank you for your consideration

Mai Billaud
Greenbrae
415-860-1832

P.S. By the way, I don't see any plans to widen Sir Francis Drake which is a 2-lane road between Kentfield and San Anselmo and gets congested every single day. Bigger congestion issues are yet at the 101/580 interchange.

* WHAT ABOUT THE IMPACT ON THE CORTE MADERA CREEK ECOSYSTEMS AND THE NEARBY NATURAL MARSH 2/8/2013
2?

Daphne Markham
33 Via La Brisa
Larkspur, CA 94939
(415) 945-9693 ; dd@frenchholidayrental.com

CalTrans District 4 Senior Environmental Planner Valerie Shearer
Office of Environmental Analysis, MS8-B
P.O. Box 23660
Oakland, CA 94623-0660

January 30, 2013

Re: Opposition to Proposed Highway 101 Freeway Greenbrae Corridor Improvement Project

After reviewing the Transportation Authority of Marin (TAM) Environmental Review and attending the public meeting on Tuesday January 29, 2013 I would like to register my opposition to the proposed project. I acknowledge the sincere and detailed effort on the part of staff, but the project is unacceptable. My concerns with the inadequate environmental review and report include:

1. Construction impact on wildlife including river otters and bird life.
2. Minimization of the negative impact on the cherished views of Mount Tamalpais
3. The additional range of the noise of the 27 to 33 foot fly over—the current freeway noise is blocked by buildings. Also no depictions or of the potential seven sound barriers were given.
4. In the verbal report, flood mitigation was brushed aside as not being in the scope of the project.
5. Construction Impact: No detail of the duration of the construction project was given. No detail of the construction noise, traffic impacts, detours were given.
6. Wornum bike/pedestrian path: I agree with speakers who objected to the removal of the existing pedestrian overpass and voiced concerns about the proposed Wornum alternative.
7. The recently approved WinCup residential project did not seem to be included in the analysis.
8. The accident rate for this interchange is lower than the state average. Suggestions for minor possible improvements were not addressed in this report.
9. This project would further divide the community.
10. This project would significantly have a negative impact on the existing character of the vicinity changing it from a small town feeling to a highly urbanized one contrary to regional and local objectives in local and regional planning documents.
11. This project would physically degrade existing recreational opportunities by making Corte Madera boating, biking and walking less attractive with the removal of the pedestrian walkway and installation of the dominating high flyover where none exists now.

Daphne Markham

Daphne Markham

CC: TAM Project Manager Bill Whitney (415) 226-0823; bwhitney@tam.ca.gov

Transportation Authority of Marin

Caltrans

COMMENT CARD

Please submit comments today or mail by February 14, 2013 to:

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Name: Daphne Mulcham
Phone: (415) 945 9693
Address: 33 Via La Busa
Corte Madera CA 94939
E-mail: DD@FrenchHolidayRental.com

Comments:

See attached opposition letter

Please use the reverse side or attach any additional pages

Name Judith D. & Robert K. Creasey
Address 400 Sausalito St.
City Corte Madera, CA 94925
Date 2/5/2013

SEND TO:

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6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use.

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Sign here

Name Osvaldo + Lea Dellangelica
Address 55 Chickasaw Ct
City Corte Madera, CA 94925
Date Feb. 8-2013
Email ——

Send to:
Caltrans District 4
Attention: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-88
P.O. Box 23660
Oakland, CA 94623-0660

Email: Valerie_shearer@dot.ca.gov

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Signature Leonell Angelica

Name KAREN LAFFEY

Address 99 ELM AVE.

City LARKSPUR 94939

Date 2/5/13

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Sign here Karen Laffey

Name Donald Walker

Address 99 Elm Ave.

City Larkspur, CA 94939

Date 2.9.2013

SEND TO:

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Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

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TAM
Transportation Authority of Marin

Caltrans

COMMENT CARD

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Name: Sandra Bud Phone: 927-1171
Address: 240 Magnolia E-mail: Sandra@Sandrabird.com

Comments:

We need a simpler, more people friendly solution to the Tiburon & Lucky on ramps. Needs to be in scale with the surrounding. We are in a parkland natural area. The cost of the project & the scope of the project is way out of proportion to the problem that needs to be solved.

Please use the reverse side or attach any additional pages

Name Sandra Bud

Address 240 Magnolia

City Larkspur Ca 94939

Date 2/07/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
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Sign here Sandra Bird

Name JOAN LEE

Address 184 BIRCH AVE

City CORTE MADERA, CA 94925

Date 02/10/2013

SEND TO:

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Attention: Valerie Shearer,
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23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

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28. Congestion on East and West Sir Francis Drake Boulevard must be addressed, particularly as three eastbound lanes leading to Highway 580 and the Richmond-San Rafael Bridge shrink down to one lane, which is what causes the backup each weekday afternoon on Highway 101.

Sign here Joan Lee

Name Barbara Solomon

Address 169 Willow Ave

City Corte Madera CA 94925

Date 2/6/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use.

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8. Traffic congestion in the area will not decrease, as severe congestion will still exist on both East and West Sir Francis Drake Boulevard.

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Sign here _____

Caltrans District 4
Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Jana Haehl
499 Corte Madera Avenue
Corte Madera CA 94925

February 8, 2013

Dear Ms. Shearer:

These comments apply to the **Highway 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Document**. Please acknowledge receipt of this comment letter to confirm that it is included in the public comment process.

I am a former Mayor of Corte Madera, a founding director of the Corte Madera Community Foundation, a former Chair of Marin LAFCO, and a retired Special Assistant on the staff of Senator Barbara Boxer, as well as a fifty-year resident of Corte Madera and currently active in several local civic organizations.

The project will result in significant environmental impacts, which cannot be mitigated. The Draft Environmental Document (DED) is not appropriate. A full Environmental Impact Report (EIR) is required by law and must be done. The DED has the following significant deficiencies:

1. The DED is inadequate. The DED lacks any significant analysis of compliance with the Town of Corte Madera General Plan, the City of Larkspur General Plan and the Marin Countywide Plan. For example, the Corte Madera General Plan places a high value on maintaining small-town character, which will be adversely impacted by the massive, highly urban concrete structures in this project. The project will destroy the community cohesiveness that has been achieved by decades of effort to bring the two sides of town together as one community. This adverse impact cannot be mitigated.

2. The Corte Madera General Plan specifically states:
"Corte Madera has some of the most beautiful and captivating views of any Bay Area community. With a backdrop of Mount Tamalpais to the west, with San Francisco Bay in the foreground to the east, and with its rolling hills and natural ecological systems at various points in-between, view preservation is a very important community amenity."
This project is incompatible with view preservation and maintaining the scenic character of the community. The DED ignores the project's adverse impact on scenic vistas from both the motorists' perspective and the residents' perspective, which cannot be mitigated.

3. The proposed flyovers and retaining walls will create substantial visual intrusions on the existing scenic townscape that will be visible from most parts of Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will also become a dominant landscape feature when seen from the many walking and cycling paths and trails on the hillsides and baylands, as well as from homes whose value is related to the sweeping scenic vistas they currently have. Public comment at recent hearings is virtually unanimous in condemning this adverse impact, which cannot be mitigated.

4. The elevated concrete structures proposed will create significant noise that will be detrimental to residents of the area, within surrounding flatlands as well as in hillside neighborhoods. Sound measurements listed in the DED do not represent the effect of noise bounce-back from high retaining walls or reverberating from the flyover, where vehicles will be accelerating.

5. Local traffic will be adversely impacted, which will limit local mobility, especially on northbound Tamal Vista between Wornum and Fifer, as well as when drivers seek alternative routes and spill over onto local streets. Assumptions about reduced traffic on Tamal Vista, as described in the DED, are not based on any locally relevant evidence.

6. Bicycle and pedestrian routes will be more dangerous than the existing routes, as the Wornum Interchange will require crossing many new ramp lanes and four signalized intersections close together on Wornum Drive. Pedestrians and bicyclists who use Wornum Drive now to cross from one side of the freeway to the other are unanimous in their beliefs that making this the only crossing will be excessively dangerous for children going to school, for the elderly and handicapped, and for bicyclists of all ages.

7. There is inadequate analysis of impacts related to eliminating the existing Nellen Avenue, which serves as the street frontage and access to several longtime businesses. By dismissing the significance of this adverse impact on these properties and proposing inadequate and impractical mitigation, the DED is deficient.

8. Additional pavement surfaces being created by this project will exacerbate existing flooding problems, and the Fifer area is already three feet below the current FEMA elevation designated for 100-year-floods, which occur every few years. No mitigation is proposed.

9. Virtually no mention is made of the noise impacts produced by pile-driving 240 piles that are 90 feet long and 18 inches to 24 inches in diameter into Corte Madera Creek. During the earlier rebuilding of the Greenbrae Interchange, thuds from pile-driving were heard all over the Lower Ross Valley. Inadequate mitigation is proposed.

10. There is insufficient analysis of the project's impacts in or near Corte Madera Creek, including impacts on sensitive habitat, wildlife, and water quality. Construction activities during the nesting season for endangered species will have impacts that are inadequately evaluated.

This project does not meet its stated goals and the Draft Environmental Document is inadequate due to the following:

11. The project does not increase traffic capacity on Highway 101. Benefits in LOS during commute hours are insignificant, as estimated SB time saved is just 1 minute and 20 seconds.

12. Traffic congestion in the area during the two-hour commute period each weekday morning and evening will not decrease, as severe congestion will still exist on both East and West Sir Francis Drake Boulevard, neither of which are addressed in this project or in the DED.

13. Presently, there are unused ramp meters on the entrance from SFD to northbound 101. It is unclear whether there are any on the southbound entrance or on the other interchanges in the project area. The sole purpose of metering lights is to reduce freeway congestion by reducing the flow of traffic onto the freeway. The inevitable effect of using metering lights on the SFD on-ramps (both north and south) would be to increase congestion on Sir Francis Drake. If metering lights are to be added (as indicated in the DED), then it must be assumed that they will, at some point, be used, and their effect should be studied now.

14. Vehicular safety improvement is not demonstrated, as the existing project area has a below-average collision rate, as illustrated in Table 13 of the Traffic Operations Report, and supported by other documentation.

15. This project fails to comply with Complete Streets concepts, which require transportation projects to serve all users, including cyclists, pedestrians and transit users.

16. There is no evidence presented in the DED that either Golden Gate Transit or Marin Transit will provide bus routes to serve transit riders at the four new bus stops in the Greenbrae Interchange area.

17. There is inadequate analysis in the DED of parking impacts in areas where street-front

parking is being eliminated, and there is no parking or safe drop-area available at several of the new bus stops.

18. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use, and will require all transit users to walk unreasonably lengthy distances.

19. There is insufficient information in the DED about impacts to the community during the project construction period, which will include numerous and prolonged detours that are confusing to motorists, bicyclists, and pedestrians, and disruptive to the community.

20. The DED contains outdated and exaggerated population and traffic projections that are inconsistent with growth forecasts recently issued by the State Department of Finance.

21. The DED also contains outdated and inaccurate descriptions of current and future development projects in the adjacent communities.

Caltrans needs to change this project.

22. The high level of public opposition to the project expressed at public hearings and in the local media confirms that it would have significant impacts and that it would not meet the needs of expectations of the public. The $143 million cost is often referred to as killing a gnat with sledgehammer.

23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

24. Additional project alternatives that are less massive, less expensive, and less drastic should be considered. Several such alternatives have been suggested by members of the public but have not been acknowledged by the project sponsor (TAM) or the lead agency (Caltrans).

25. Existing safety issues are not serious enough to justify spending $143,000,000 to improve them, and multiple new safety issues will be created by this project.

26. The proposed bicycle routes in the project will diminish the chance to complete the North-South Greenway on the former railroad right-of-way east of Industrial Drive.

The project does not address flooding and future sea level rise, notwithstanding the fact that under current conditions the area already experiences flooding several times a year.

28. Although the Transportation Authority of Marin has publicly indicated that it has $49,000,000 in funding from Regional Measure 2, it appears that Caltrans does not have any funds currently available for this project and will have to either borrow against anticipated gas tax funding or stop work on the project periodically until additional funding is generated. The scope of the project should be reduced to fit currently available funding. Otherwise, adverse impacts on the community will be prolonged and disruptive.

29. The proposed Wornum Interchange will create potentially dangerous conditions for bicyclists and pedestrians, as well as for disabled persons who must use it as the only place to cross from one side of the freeway to the other when the existing pedestrian-bicycle overpass is removed at the beginning of project construction.

30. Congestion on East and West Sir Francis Drake Boulevard must be addressed, particularly as three eastbound lanes leading to Highway 580 and the Richmond-San Rafael Bridge shrink down to one lane, which is what actually causes the backup each weekday afternoon on Highway 101. This problem has been completely ignored in the Build project.

Name ONN S. LEE

Address 169 BIRCH AVE

City CORTE MADERA, CA 94925

Date 02/10/2013

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

Dear Ms. Shearer:

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2. Flyovers will create significant noise that will be detrimental to residents of the area, both nearby and in the surrounding hillside neighborhoods.

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This project does not meet the stated goals and the Draft Environmental Document is inadequate due to the following:

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8. Traffic congestion in the area will not decrease, as severe congestion will still exist on both East and West Sir Francis Drake Boulevard.
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16. There is insufficient information about impacts to the community during the project construction period, which will include numerous and prolonged detours as well as pile-driving through at least 75 to 90 feet of bay mud.

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Caltrans needs to change this project.

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Sign here Ann L. Lee

LAW OFFICE
DOUGLAS P. FERGUSON
300 Drakes Landing Road, Suite 171
Greenbrae, California 94904
Tel: (415) 461-9022; Fax: 415-461-9025
email: doug.ferguson@sbcglobal.net

February 7, 2013

Caltrans District 4
Attn. Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623

Re: Highway 101 Greenbrae "Flyover" Project

Good People:

While I also endorse the other points made in the more lengthy comments letter attached to this personal message from me, I wish as well to draw the particular attention of CALTRANS to an excellent 8-minute video – available on the Internet – that appears to confirms the lack of necessity for this project as proposed. The video illustrates graphically how the purported "flyover" benefits can be achieved for a slim fraction of that project's cost, and with significantly fewer adverse environmental impacts. The video, produced by Noah Kennedy, can be viewed online at "***Alternate Proposal for Greenbrae Interchange on 101***". It certainly appears that Caltrans owes the public an explanation as to why this intelligent alternative isn't being pursued.

Yours very truly,

Douglas P. Ferguson

Douglas P. Ferguson

DOUGLAS P. FERGUSON
300 DRAKES LANDING RD. STE. 171
GREENBRAE, CA 94904

February 7, 2013

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

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1. Flyovers and walls will create substantial visual intrusions on the existing scenic townscape, and not only from most parts of Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will also become a dominant landscape feature when looking down from the top of Mount Tamalpais, Marin's premier view spot, as the project area sits directly below East Peak.

2. Flyovers will create significant noise that will be detrimental to residents of the area, both nearby and in the surrounding hillside neighborhoods.

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4. Bicycle and pedestrian routes will be more dangerous than the existing routes, as the Wornum Interchange will require crossing many new ramp lanes and four signalized intersections close together on Wornum Drive.

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Sign here _____

Name

Address

City

Date 2-7-2013

Phyllis Galanis
215 Prince Royal Dr
Corte Madera, CA 94925-2032

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here _____

Name Mr Staberfeldt

Address 71 Corte del Bayo

City Larkspur CA

Date 2-6-13 94939

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here M Staberfeldt

property owner - taxpayer

Twin Cities Emergency Preparedness Team

Larkspur Volunteer Fire Dept trained

Name Dave Stabenfeldt

Address 71 Corte del Bayo

City Larkspur

Date 2-6-13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here DJ Stabenfeldt

Larkspur Volunteer Fire Dpt property owner tax payer

Name Jack Haberfeldt

Address 71 Corte del Bayo

City Larkspur

Date 2-6-13

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Sign here Jack Stakenfeldt
Student

Name Karen Nygren

Address 22 Paseo Mirasol

City Tiburon, CA 94920

Date Feb 8, 2013

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here _____

Name Jean Rieke

Address 345 Elm Avenue

City Larkspur, CA 94939

Date 2/5/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here _____

Transportation Authority of Marin

Caltrans

COMMENT CARD

Please submit comments today or mail by February 14, 2013 to:

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: Jean Rieke Phone:

Address: 345 Elm Avenue Lackspur, CA 94939 E-mail:

Comments: Highway 101 Greenbrae/Twin Cities Corridor Project

Following are additional comments to the attached letter for numbers:

1. Also, the removal of an overwhelming number of trees and other landscaping along the corridor will further create an overly concreted/landscaped/urbanized appearance and ambience.

2. We already have significant noise from the current freeway at different periods/Our homes located on a hillside close to downtown Lackspur.

Please use the reverse side or attach any additional pages

4. The proposed project mitigation of placing walking/biking paths along a huge highway, along the Fly Thru w/ its height, columns, walls, along widened city intersections and more heavily traveled city streets, provides very little that is aesthetically appealing, health supportive, or truly safe.

8. It was stated by TAM at the Twin Cities Council's Meeting on 2/5/13 that this project's design will reduce driver's commute time by 2"-8". At a $143 million price tag and all the other quality-of-life detriments to the project, its costs/benefits are incredibly disproportionate.

9. Some of the safety data has been shown to be inaccurate and/or misleading. Further, if it is accurate that there's an annual average of 120 accidents in this corridor and that 170,000 cars use it on a daily basis, that's 62,050,000 cars a year passing through this area, with obviously an extremely high percentage of these drivers negotiating the weave pattern safely.

29. The rationale for this project is extremely flawed, and its solutions to alledged problems are extremely damaging.

Jean Fiske
2/5/13

Name

Address

City

Date 2/6/2013

Ms. Karla K. LaPlante
90 Sandpiper Cir.
Corte Madera, CA 94925

SEND TO:

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Sign here _____

Name Conrad G. Williams

Address 2130 Redwood Hwy D-14

City Greenbrae CA 94904

Date 2·6·13

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Sign here Donald G. Williams

Name S KARP

Address 115 MADRONE AV.

City LARKSPUR 94939

Date FEB. 10, 2013

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
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Office of Environmental Analysis, MS-8B
P.O. Box 23660
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Caltrans needs to change this project.

22. Public opposition to the "Build" project is significant.

23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

24. Less massive, less expensive and less drastic alternatives need to be considered.

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27. Local traffic needs a safe left turn option out of the Trader Joe/Cost Plus Plaza.

28. Congestion on East and West Sir Francis Drake Boulevard must be addressed, particularly as three eastbound lanes leading to Highway 580 and the Richmond-San Rafael Bridge shrink down to one lane, which is what causes the backup each weekday afternoon on Highway 101.

Sign here _____

Name JOANIE LEVINSOHN

Address 76 Corte ORIENTAL

City Greenbrae 94904

Date Feb. 9, 2013

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

Dear Ms. Shearer:

These comments apply to the Highway 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Document. Please acknowledge receipt of this comment letter to confirm that it is included in the public comment process.

The project will result in the following significant environmental impacts, which cannot be mitigated. The Negative Declaration is not appropriate. A full Environmental Impact Report (EIR) is required by law and must be done.

1. Flyovers and walls will create substantial visual intrusions on the existing scenic townscape, and not only from most parts of Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will also become a dominant landscape feature when looking down from the top of Mount Tamalpais, Marin's premier view spot, as the project area sits directly below East Peak.

2. Flyovers will create significant noise that will be detrimental to residents of the area, both nearby and in the surrounding hillside neighborhoods.

3. Local traffic will be adversely impacted, which will limit local mobility, especially on northbound Tamal Vista between Wornum and Fifer, and as drivers seek alternative routes and spill over onto local streets. where we live.

4. Bicycle and pedestrian routes will be more dangerous than the existing routes, as the Wornum Interchange will require crossing many new ramp lanes and four signalized intersections close together on Wornum Drive.

5. Additional pavement will exacerbate existing flooding problems.

6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use.

This project does not meet the stated goals and the Draft Environmental Document is inadequate due to the following:

7. The project does not increase traffic capacity on Highway 101. Congestion will increase

8. Traffic congestion in the area will not decrease, as severe congestion will still exist on both East and West Sir Francis Drake Boulevard.

9. Vehicular safety improvement is not demonstrated, and the existing project area has a below-average collision rate, as illustrated in Table 13 of the Traffic Operations Report.

10. This project does not adequately comply with Complete Streets concepts, which require transportation projects to serve all users, including cyclists, pedestrians and transit users.

The overpass is a monstrosity it doesn't meet any of the needs of the Greenbrae/Corte Madera corridor. It is shameful.

11. There is no evidence that either Golden Gate Transit or Marin Transit will provide bus routes to serve transit riders at the four new bus stops in the Greenbrae Interchange.

12. There is inadequate analysis of parking impacts in areas where street-front parking is being eliminated, and there is no parking or safe drop-area at several bus stops.

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Sign here Joanne Lewoseha

In addition, shame on Mr. Haynes and Mr. Parisi for their erroneous data. How can TAM and their consultants be trusted when they are submitting inaccurate data?!

Spring Kraeger
111 Edison Avenue
Corte Madera, CA 94925
February 13, 2013

Caltrans District 4
Attn: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Dear Ms. Shearer,

A full EIR of the the Highway 101 Greenbrae/Twin Cities Corridor needs to be done in order to address alternatives. The project as proposed is unacceptable.

1. Removing and not replacing the Pedestrian/bicycle is unacceptable. The proposed bicycle and pedestrian routes will be dangerous. It is not acceptable to expect children to cross at off ramps from the highway even if the intersections are light-controlled.

2. The proposed changes will increase the traffic on local streets.

3. The proposed changes are massive and inappropriate for the area.

4. The proposed changes don't address the flood problem that occurs during high tide and rain.... thus further changes to the Greenbrae interchange will be needed to address these problems.

5. Traffic congestion will not be relieved; there will still be severe congestion on both East and West Sir Francis Drake Blvd.

Yours truly,

Spring Kraeger

Spring Kraeger

TAM
Transportation Authority of Marin

Caltrans

COMMENT CARD

Please submit comments today or mail by February 14, 2013 to:

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: STEVE CARDELLINI Phone: 415-924-0294

Address: 22 COUNCIL CREST DR. CORTE MADERA E-mail: CARDELLINIS@SBCGLOBAL.NE

Comments:

PLEASE SEE ATTACHED PAGE.

Please use the reverse side or attach any additional pages

Dear Valerie Shearer

I believe, as do a great many residents of Corte Madera, Larkspur and Greenbrae, that the size of this proposed project is way out of scale with the need. We do have awkward merges on both sides of Highway 101, at Industrial and at Sir Francis Drake Blvd. But, I don't think we have the life-threatening conditions that Cal Trans would have us believe exist. The visual impact alone of this proposed project makes it immediately unacceptable.

I support lower cost, much lower visual impact solutions that would help smooth out the merges. For example the proposal presented by Noah Kennedy at http://www.youtube.com/watch?v=wbIQA3v1o-k. I think this solution, along with the widening of the overpass over Corte Madera Creek (ideally to **3** lanes), would be an excellent solution that would cost much, much less than the flyover and not destroy the beauty of the area.

Once the current proposal has been discarded, and gentler alternatives are being considered, I have suggestions for the northbound 101 traffic from Redwood Highway that I hope to present.

The alternative solutions that we, the residents, are suggesting may not be quite as effective at eliminating all the weaving of traffic. In that regard the Cal Trans proposal probably rates 9 or 10 on a scale of 1 to 10. Our proposals may only be 7s or 8s. But when it comes to expense, some of our solutions are 10s, and the Cal Trans solution is a 1 or 2. Most importantly, when it comes to preserving the beauty of the area, we have proposals that are 10s and the Cal Trans proposal is clearly a -10.

Please listen to us.

Thank you,
Steve Cardellini

Name Nancy A DeMatteo

Address 75 Redwood Ave

City Corte Madera CA. 94925

Date 2/8/13

SEND TO:

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

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Sign here Nancy A DeMatteo

TAM
Transportation Authority of Marin

Caltrans

COMMENT CARD

Please submit comments today or mail by February 14, 2013 to:

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

Name: RON ROSANO

Phone: 415.601.0888

Address: 30 ELISEO DR. GREENBRAE CA

E-mail: RON@ROSANO.COM

Comments:

SEE ATTACHED.

Please use the reverse side or attach any additional pages

Ron Rosano
30 Eliseo Dr.
Greenbrae CA 94904

RE: Greenbrae/Twin Cities Corridor Improvement Project

Dear CalTrans:

The Greenbrae/Twin Corridor Improvement Project is HORRIBLE and would be diasastrous for the community.

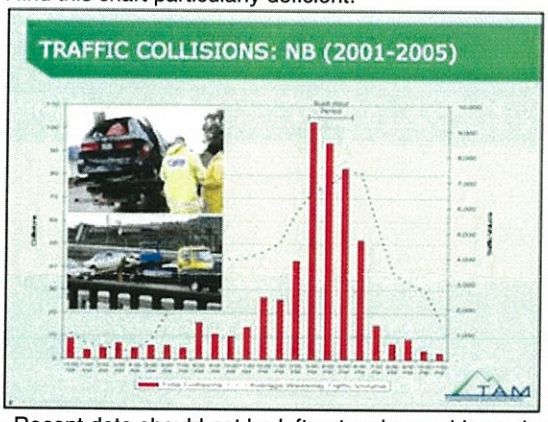
The scale far exceeds what is welcome or necessary, and goes against strongly-held beliefs of the majority of Marin citizens that embrace low growth and open space.

Like pretty much every person I spoke with about the proposal,
- I oppose eliminating the overhead pedestrian bridge
- I think having bikers and pedestrian cross additional lanes of traffic at freeway exits is dangerous
- I suspect that widening 101and adding and adjusting feeder roads will encourage more Highway 80 users to drive through Marin, leaving us with the same congestion or worse
- I'm strongly against how the project divides our community
- The proposal used flawed data to draw wrong conclusions
- A full EIR should be done.

Concrete murals don't replace views of hills or marshes. San Francisco tore down freeways and rejuvenated somewhat undesirable locations into vibrant neighborhoods. Highway 101 in San Rafael has recently been widened; if you widen 101 at Sir Francis Drake Blvd., then would the choke point just move farther south to Tamalpais Drive? And if you widened that, would it then be at East Blithedale?

Additionally, in the area between Via La Cumbre in Greenbrae and Sir Francis Drake Boulevard, the flyover depicts a beautiful tree-filled slope, where a sound barrier wall could be installed! If there are seven sound barriers that could possibly be included, they should be in the documents showing what the final result will look like. It's highly deceptive to leave those walls out.

I find this chart particularly deficient:



- Recent data should not be left out - why would you depend on data from over seven years ago?
- No author or data source is mentioned.
- Eastbound data is left out.
- Apparently, collision data for weekends is included, but weekend traffic volume is excluded - it's not a fully accurate representation of the conditions.
- Low resolution images block part of the data, look unprofessional, and are used to influence conclusions.
- The chart would only really be meaningful if data from similar locations was compared - is this a typical result, or is this better or worse than other places?
- The traffic volume data should be plotted on an axis that it peaks at 8,000, not 10,000 - it's misleading to have the axis for one data set be very close to the maximum data value, and the other axis to be around 25% more that the maximum data value.

Please eliminate the flyover, reduce the scale, and redesign the project!

I do appreciate improved bikeways and pedestrian paths; thank you for those.

Furthermore, please consider my Ideas about congestion management:

I'm not a traffic engineer, but I notice that when 101 northbound traffic slows to 0-15 MPH around Corte Madera at evening commute times, there is a noticable bunching up and speeding up that makes congestion worse. If drivers could travel at a constant speed, no matter how slow, the stop-and-go could be lessened, and help greatly with traffic flow.

An internet search for "how bunching up causes traffic congestion", shows much information on the idea. Perhaps we could use technology related to the CalTrans billboard system that gives up-to-the-minute travel times for destinations.

If Google can put a self-driving car on the roads, we should be able to get even a test system in place that gives drivers optimal MPH guidance. I think drivers would embrace a technology that included something like highway-side indicators that say "congestion level 4, 20 MPH suggested for optimal flow". Along with publication and driver education, much of the stopped traffic could be eliminated.

I urge you to come up with a new-technology solution that helps eliminate "shockwave" traffic jams like you see here: http://www.geeknewscentral.com/2012/04/27/a-system-to-prevent-traffic-jams/

In the interests of lowering our carbon footprint and embracing a walkable, bikeable community, and in the spirit of Dr. Martin Griffin, the conservation movement and all of the Marin residents that support low growth and open space, there is no question that this project should be re-designed.

Lastly, I hope CalTrans and TAM will accept conditions that are somewhat less than typical CalTrans standards, and realize that if designs are required to be at 100% of standards, then those results could be far from what the public wants to see.

Sincerely,

Ron Rosano

Ron Rosano

TAM
Transportation Authority of Marin

Caltrans

COMMENT CARD

Please submit comments today or mail by February 14, 2013 to:

Caltrans District 4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Email: valerie_shearer@dot.ca.gov

To learn more about the project and to view the Environmental Document, visit www.tam.ca.gov or http://www.dot.ca.gov/dist4/envdocs.htm

LAW OFFICES OF
DAVID C. MACPHERSON
145 CORTE MADERA TOWN CENTER, #656
CORTE MADERA, CALIFORNIA 94925-1215

TELEPHONE (415) 924-1235 / FACSIMILE (415) 927-0678 / E-MAIL DCMLAW@PACBELL.NET

My name is David Macpherson. I have lived in Corte Madera for twenty years. I serve on the Bicycle Pedestrian Advisory Committee (BPAC) to the Town of Corte Madera. I am married and have a 6-year old daughter.

My comments are limited to the negative impact on bicycle and pedestrian facilities, *viz.*, those connecting the west side of Highway 101 to the bays side.

My family and all the bicyclists and pedestrians that I know are extremely pleased with the improved facilities on the north and south of Highway 101 in the project scope. Our concerns are:

1. **Wornum Drive.** Pedestrians and bicyclists, particularly children, face too many conflicts with speeding motor vehicles that cross Tamal Vista and the two new proposed intersections at Redwood Highway. No amount of striping or flashing crosswalk lights will properly mitigate the danger inherent in the current design. I would prefer a design that has a path drop under Tama Vista and then drop under Redwood Highway. I envision relatively short ped/bike tunnels with the transit path under the freeway portion being at ground level.

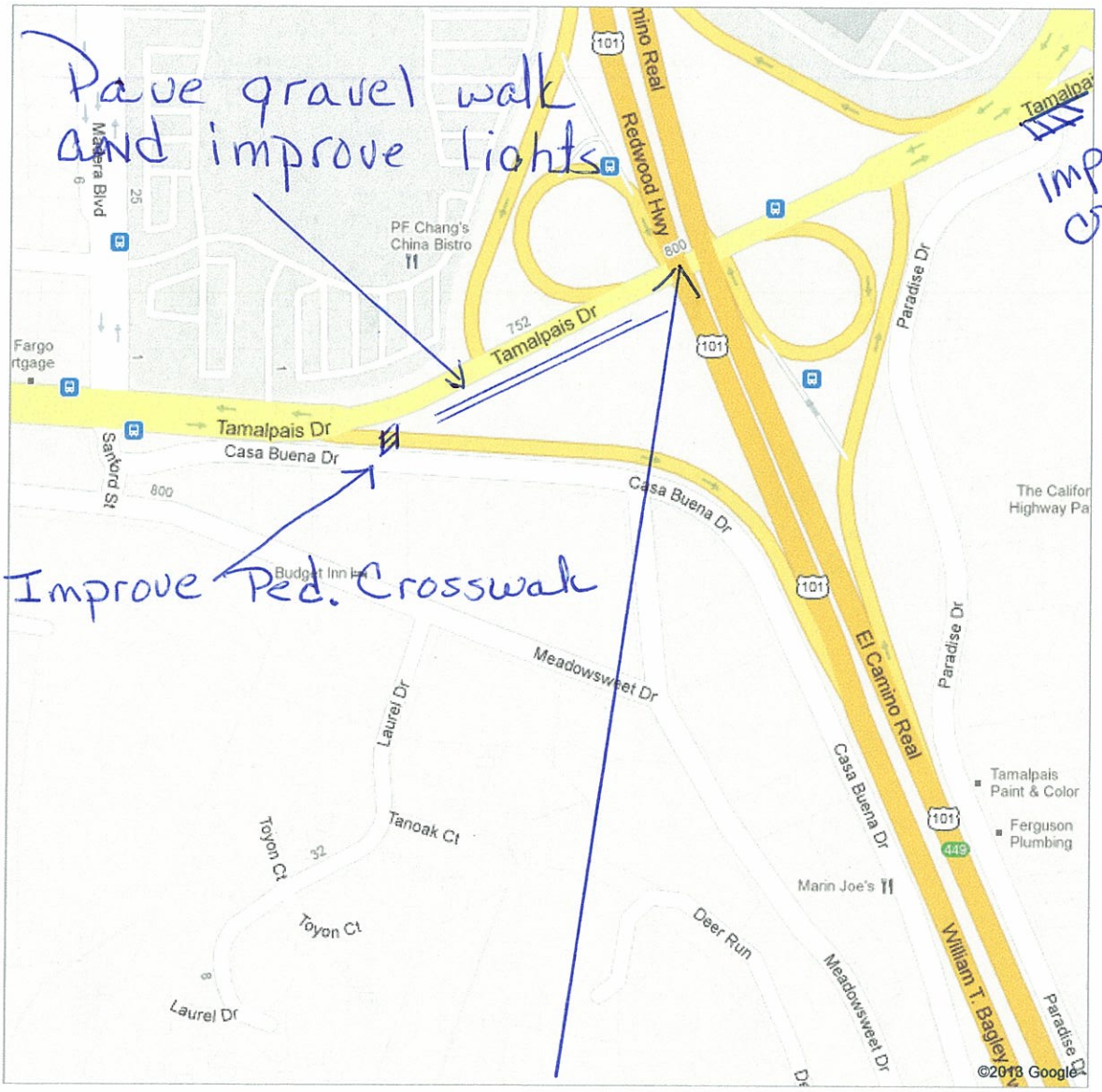
2. **Demolition of Pedestrian Walkway.** This facility needs to be replaced if demolishment cannot be avoided.

3. **Tamalpais Drive / Paradise Freeway Overpass.** Pedestrian and bicycle east/west transit of this facility is within the project scope but no improvements appear to be considered. My suggestion that we include wider the bicycle paths as they cross over the freeway; improve the crosswalk where pedestrians are crossing in front of cars entering the freeway heading south; improve the crosswalk where pedestrians are crossing in front of cars exiting the freeway northbound and then turning towards Tamalpais west or Paradise going east; pave the walkway on the south side of the Tamalpais overcrossing that leads to the pedestrian circular ramp; and, improve the lighting and signage for pedestrians using this facility.

Google

Address **Tamalpais Dr**
Corte Madera, CA 94925

Get Google Maps on your phone
Text the word "GMAPS" to 466453



Also widen the bike ~~lanes~~ paths that cross over 101 adjacent to motor vehicle lanes

From:
Loretta Taylor
34 Chickasaw Court
Corte Madera, CA 94925
February 13, 2013

To:
Caltrans District 4
Attention: Valerie Shearer
Senior Environmental Planner
Office of Environmental Analysis, MS-88
P.O. Box 23660
Oakland, CA 94623-0660

Dear Ms. Shearer:

Please acknowledge receipt of this comment letter to confirm that it is included in the public comment process.
These comments apply to the Highway 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Document.

The project will result in the following significant environmental impacts, which cannot be mitigated. The Negative Declaration is not appropriate. **A FULL ENVIRONMENTAL IMPACT REPORT (EIR) IS REQUIRED BY LAW AND MUST BE DONE.**

1. **Flyovers and 7 proposed soundwalls will create substantial massive visual intrusions** on the existing scenic townscape, including but not limited to Corte Madera, Larkspur, and Greenbrae. The massive concrete structures will become a dominant landscape feature when looking down from the top of Mount Tamalpais, Marin's premier view spot, as the project area sits directly below East Peak.

2. **Flyovers will create significant noise that will be detrimental to residents of the area**, including residents of the Greenbrae Marina and Boardwalk, the Golden Gate and Marin Travel Trailer Parks, residents in hill areas of unincorporated Greenbrae above Sir Francis Drake Blvd., Madera Village Suites and the Best Western Hotel. Seven proposed sound barriers will do little to dampen noise, and will instead amplify and funnel noise into nearby and surrounding hillside neighborhoods.

3. **Local traffic will continue to be adversely impacted, in particular during several years of construction**, which will limit local mobility, especially on northbound Tamal Vista between Wornum and Fifer, and as drivers seek alternative routes and spillover onto local streets. Traffic already backs up Northbound on Tamal Vista for several hours each day during the Holiday shopping season from November to January, and at other times.

4. **Bicycle and pedestrian routes will be more dangerous than the existing routes**, as the Wornum Interchange will require crossing busy new ramp lanes and up to four signalized intersections close together on Wornum Drive.

5. Additional pavement will exacerbate existing flooding problems.

6. Relocation of bus stops will result in a path of travel that will be difficult for the disabled to use.

This project does not meet the stated goals of increased safety and reduced traffic congestion. The Draft Environmental Document is inadequate due to the following:

7. **The project does not increase traffic capacity on Highway 101, and only reduces commute time by 1 min/20sec in the Southbound 101 direction and from 6-8 minutes in the Northbound 101 direction by the year 2035.** This savings is hardly worth the $143 million price tag.

8. **The proposed project does not increase traffic capacity on East and Westbound Sir Francis Drake**, thus severe traffic congestion will continue to exist in both directions on this main thoroughfare.

9. **Vehicular safety improvement is not demonstrated and traffic collision data in the document is inaccurate** as it includes 150+ collisions with San Francisco addresses and 2 fatalities caused by medical conditions, not road conditions. The existing project area already has a below-average collision rate, as illustrated in Table 13 of the Traffic Operations Report.

10. **This project does not adequately comply with "Complete Streets" concepts**, which require transportation projects to serve all users, including cyclists, pedestrians and transit users.

11. **There is no evidence that either Golden Gate Transit or Marin Transit will provide bus routes** to serve transit riders at the four new bus stops in the Greenbrae Interchange.

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14. **There is inadequate analysis of visual impacts on the adjacent communities**

15. **There is inadequate analysis of noise impacts** on the adjacent communities.

16. **There is insufficient information about impacts to the community during the project construction** period, which will include numerous and prolonged detours as well as installation of 273 piles (90 ft. long) through 75+ feet of bay mud.

17. **There is insufficient analysis of impacts in or near Corte Madera Creek**, including impacts on sensitive habitat, wildlife, and water quality.

18. **There is inadequate analysis of population and traffic projections**, which are outdated and inconsistent, especially in regard to recent growth forecasts issued by the State Department of Finance.

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21. **There are not sufficient project alternatives for consideration** in the OED.

Cal Trans needs to change this project:

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23. The "No Build" alternative has fewer adverse impacts than the "Build" project.

24. Less massive, less expensive and less drastic **alternatives need to be considered.**

25. The **project does not address existing flooding** and future sea level rise.

26. **The proposed Wornum Interchange will create potentially dangerous conditions for pedestrians and bicyclists, many of them school-age children**, and disabled persons who use it to travel between the West and East side of the Twin Cities and surrounding areas.

27. *Local traffic needs a safe left turn option out of the Trader Joe/Cost Plus Plaza.*

28. **Congestion on East and West Sir Francis Drake Boulevard must be addressed**, particularly as three eastbound lanes leading to Highway 580 and the Richmond-San Rafael Bridge shrink down to one lane, which is what causes the backup each weekday afternoon on Highway 101.

Signature Loretta Jane Taylor

2/25/13

Greenbrae Public Comment Log - Caltrans Environmental Analysis

Date rec. by CT Env.	*Commenter*	*Email or Letter*	*Attachment: Yes/No*
12/17/12	Lila Hilliard	E	N
12/21/12	Teri Peterson	E	N
1/7/13	Marin County Bike Coalition	E	petition on facebook
1/8/13	Ron Rosano	E	N
1/8/13	Nancy Ley	E	N
1/13/13	Daniel Kalb	E	weblink to map
1/14/13	Michael Futterman	E	N
1/15/13	SF Regional Water Board	E	letter
1/15/13	Brendan Thompson	E	pdf comment card
1/16/13	Severinghaus & Jarocki	E	N
1/17/13	Jean Severinghaus	E	N
1/22/13	Daniel Kalb	E	N
1/23/13	Liza Woziak	E	pdf comment card
1/23/13	Lila Hilliard	E	N
1/23/13	Martha Jarocki	E	pdf comment card
1/23/13	Inka Benton	E	TAM website submission
1/24/13	Peggy Snyder	E	N
1/25/13	Robert Flatland	E	TAM website submission
1/28/13	Pam Maclean	E	N
1/28/13	David Melone	E	N
1/28/13	George & Lois Davison	E	N
1/28/13	Tom Murphy	E	N
1/28/13	Susan Kirsch	E	N
1/29/13	Nick Javaras	E	N

1/29/13	Keith Angerman	E	N
1/29/13	Melann Mushnet	E	pdf comment card
1/29/13	Joan Vaughan	E	N
1/30/13	Daphne Markham	E	pdf letter
1/30/13	Pat Tobin	E	N
1/30/13	Brecker & Darling	E	Word letter
2/1/13	Paul & Marjorie Taylor	E	N
2/1/13	Jan Carr	E	N
2/1/13	Joanne Shaw	E	N
2/2/13	Betsy McGee	E	N
2/2/13	Dr. & Mrs. Akashi	E	N
2/2/13	Leif Christiansen	E	youtube link
2/3/13	Marilyn Rich	E	N
2/3/13	Zack Macdonald	E	N
2/3/13	Marla & Peter Orth	E	N
2/4/13	Gloria Gallo	E	N
2/4/13	Brian Durwood	E	N
2/4/13	Jill Knott	E	N
2/4/13	Info Bluebird House	E	N
2/4/13	Peter Chase	E	Comment letter
2/4/13	Mary Hope McQuiston	E	N
2/4/13	Rosine Reynolds	E	N
2/4/13	Roger & Dorothy Erickson	E	N
2/4/13	Lila Hilliard	E	N
2/4/13	Alicia Pflueger	E	N

2/4/13	Heather McCorkindale	E	N
2/5/13	Darla Jan Holst	E	N
2/5/13	Tom Miller	E	N
2/5/13	Molly Maloney	E	N
2/5/13	Sita Khufu	E	N
2/5/13	Kerry Keefe	E	N
2/6/13	Tom Dugan	E	N
2/6/13	Barbara Becker	E	N
2/6/13	Barbara McEntyre	E	TAM website submission
2/6/13	Carolyn Svenson	E	N
2/6/13	Lucy Marquart	E	N
2/6/13	Clyde Marquart	E	N
2/6/13	Jeanne Asdourian	E	N
2/6/13	Kaley Cloney	E	N
2/6/13	David Moore	E	N
2/6/13	Robert Huntsberry	E	aerial mapping photo
2/6/13	Reshma Lensing	E	N
2/6/13	Ruth Hadley	E	N
2/7/13	Phyllis Galanis	E	N
2/7/13	Brian Cooley	E	N
2/7/13	Sharon Staley	E	N
2/7/13	Jacquie Phelan	E	N
2/8/13	Mai Billaud	E	N
2/8/13	Dain Anderson	E	Marin Water District letter
2/8/13	Jana & Jeff Zanatto	E	N

2/8/13	Dyanna Taylor	E	N
2/10/13	John Quigley	E	N
2/10/13	Mary Jameson	E	N
2/10/13	David Zeff	E	N
2/10/13	Patricia Keaney	E	N
2/10/13	Vivian Terry	E	TAM website submission
2/11/13	Claudia Harden	E	N
2/11/13	Linda Jackson	E	N
2/11/13	David Macpherson	E	comment card
2/11/13	Jill Templeton	E	Word letter
2/11/13	Patricia Stoliar	E	N
2/11/13	Pamela MacLean	E	N
2/11/13	Bob Silvestri	E	N
2/11/13	Kathleen Schaefer	E	N
2/11/13	Jana Haehl	E	pdf letter
2/12/13	Victoria Newton	E	pdf letter
2/12/13	Paul Smith	E	pdf letter
2/12/13	Cheryl Longinotti	E	pdf letter
2/12/13	Rosine Reynolds	E	N
2/12/13	Holly Makar	E	pdf comment card
2/12/13	Judith Saffran	E	N
2/12/13	Jill Sellers	E	N
2/12/13	Carol Williams	E	N
2/12/13	Beth Zamichow	E	N
2/12/13	Scott Stokes	E	aerial mapping &two letters

2/12/13	Susan Russell	E	N
2/13/13	Thomas Jackovics	E	N
2/13/13	Sherrie Vigneron	E	N
2/13/13	Ben Thumond	E	pdf letter
2/13/13	Maureen Gaffney	E	pdf SF Bay Trail letter
2/13/13	Barbara Kristoff	E	N
2/13/13	Tyler John son	E	pdf letter
2/13/13	Juanito Maravilla	E	pdf Marin Audubon letter
2/13/13	Jane Levinsohn	E	N
2/13/13	Brian & Mariko Dunne	E	N
2/13/13	Patricia Weott	E	N
2/13/13	Mary Connolly	E	pdf letter
2/13/13	Peter Mueller	E	N
2/13/13	Martha Jarocki	E	pdf G.I.C. letter
2/13/13	Susan Stompe	E	pdf Marin C.L. letter
2/13/13	Ruth & Bill Pratt	E	N
2/13/13	Dorothy Bender	E	N
2/13/13	Christie Fraser	E	N
2/13/13	Jennifer Lawler	E	N
2/13/13	Katie Delsol	E	N
2/13/13	Megan Harvey	E	N
2/13/13	Sebastian Rouas	E	N
2/13/13	Rachel Gould	E	N
2/13/13	Tricia Lacy	E	Google doc. Letter
2/13/13	Nick & Judy Kerry	E	N

2/13/13	Molly Gilardi	E	N
2/13/13	Lisa Edson	E	N
2/13/13	Jane Hook	E	N
2/13/13	Tania & Jon Binder	E	N
2/13/13	Kay Karchevski	E	N
2/13/13	Ron Rosano	E	pdf comment card
2/13/13	Phil Gioia	E	Word letter
2/14/13	O. Dixon	E	aerial map & weblink
2/14/13	Jennifer Harrison	E	N
2/14/13	Paula Kirlin	E	pdf Tamal Vista letter
2/14/13	Neal Toft	E	pdf Larkspur letter
2/14/13	Stephanie Bishop	E	weblink
2/14/13	An dy Peri	E	pdf MCBC letter
2/14/13	Richard Simonitch	E	pdf MDPW letter
2/14/13	Jean Severinghaus	E	N
2/14/13	Kevin McPeek	E	N
2/14/13	Karl Spurzem	E	N
2/14/13	Dan Bell	E	pdf Corte Madera letter
2/14/13	David Schonbrunn	E	pdf TRANSDEF letter
2/14/13	Brenda Gondak	E	N
2/14/13	Julie Kritzberger	E	Word C.M.C.C. letter
2/14/13	Anne Petersen	E	pdf Kentfield letter
2/14/13	Amy Van Doren	E	pdf Marin Transit letter
2/14/13	Stan Hoffman	E	N
2/14/13	Sandra Guldman	E	pdf Friends C.M.C.W. letter

2/14/13	Diane Furst	E	Word Martin Griffin letter
2/14/13	Crystal Larios	E	pdf's letter & Save Greenway
2/14/13	Robin Miller	E	N
2/14/13	Erin Carrera	E	N
2/14/13	Juan Acevedo	E	N
2/14/13	Mike Flaherty	E	N
2/14/13	Mary Beth McClure	E	N

Letters Received via Post

Postmark	Commenter	Notes
1/7/13	Wertz Family	handwritten note to TAM
1/24/13	Valerie Pitts	Letter to TAM
1/28/13	Brian Durwood	
1/30/13	Robert Bundy	
1/30/13	Karl Hittleman	letter to TAM
2/1/13	Daphne Markham	
2/1/13	Marjorie Shank	
2/2/13	Nancy DeMattei	
2/6/13	Conrad Williams	
2/6/13	Karla LaPlante	
2/6/13	Janice Underwood	
2/6/13	Steven Underwood	
2/6/13	Michael Sapuppo	
2/7/13	Jack Stabenfeldt	
2/7/13	Phyllis Galanis	

2/7/13	Douglas Ferguson
2/7/13	Katie Delsol
2/7/13	Michael & Rinda Ker (2)
2/7/13	Thomas Guelig
2/8/13	Marin Municipal Water District
2/8/13	Jean Rieke
2/8/13	Judith & Robert Creasy
2/8/13	Mr. Osvaldo Dellangelica
2/8/13	Ms. Mai Billaud
2/8/13	Cindy Doherty
2/8/13	Catherine Prosser
2/8/13	Mr. James Bryan
2/8/13	Karen Nygren
2/9/13	Sandra Bird
2/9/13	Karen Laffey
2/9/13	James Holmes
2/10/13	Peter Hensel
2/11/13	Joanie Levinseh
2/11/13	Ms. Jane Haehl
2/11/13	Onn S. Lee
2/11/13	Barbara Solomon
2/11/13	Ms. Joan Lee
2/11/13	Ms. Suzanne Karp
2/11/13	Marin Audubon Society
2/12/13	Mrs. Virginia Moore

2/12/13	Jenny and Steve Markovich
2/12/13	Golden Gate Bridge District
2/12/13	Jean Rieke
2/12/13	James, Paul & Heather Sievert, Margaret Harshbarger & Virginia Novak (5)
2/12/13	Mr. James Moore
2/12/13	Stephen Whitcomb & Arlene F. (2)
2/12/13	Cheryl Longinotti
2/12/13	Mr. David Hyams
2/12/13	Scott Hochstrasser of Keegin Harrison Law for Jackoics Enterprises
2/12/13	Cindy M. Winter
2/12/13	Cindy M. Winter
2/13/13	Loretta Taylor
2/13/13	Ms. Anne Zucchi
2/13/13	Mary Connolly
2/13/13	Mr. Charles Harris
2/13/13	Mr. & Mrs. Cardellini
2/13/13	Spring Kraeger
2/14/13	Transportation Alternatives for Marin (FedEx)
2/14/13	Corte Madera Chamber of Commerce
2/14/13	City of Larkspur
2/14/13	Laurel Impett of SMWLAW (FedEx)
2/14/13	David Macpherson
2/14/13	Town of Corte Madera
2/14/13	Danyele Perrine
2/14/13	Ron Rosano & Susan Morrow
~~2/14/13~~	~~Mary Beth McClure~~
~~2/14/13~~	~~Mike Flaherty~~
~~2/14/13~~	~~Juan / Megan Acevedo~~
~~2/14/13~~	~~Erin / Omo~~
~~2/14/13~~	~~Crystal Lar~~
~~2/14/13~~	~~Robin Mulber~~

2/15/13	Marin Department of Public Works
2/15/13	Tamsen Plume attorney for 195-105 Tamal Vista Blvd. LLC (FedEx)
2/15/13	Marin Conservation League
2/15/13	Katherine Herman (piggy back Robin Moller 2/14)

Ms. Valerie Shearer
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Caltrans District 4
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Oakland, CA 94623-0660

MARIN CONSERVATION LEAGUE
Protecting Marin Since 1934

February 13, 2013

Via US Mail and E-mail

Re: "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project"
District 4 – MRN – 101 – PM 7.2/8.9
EA 1A6600

Dear Ms. Shearer:

From its inception almost 80 years ago the Marin Conservation League has been actively involved in land use and transportation issues affecting the County. We believe that MCL's efforts have had an important role in creating and maintaining Marin's special character as a place to live and visit. For the past several years MCL has been following and participating in the proposals developed by the Transportation Authority of Marin for addressing traffic issues along highway 101 in the corridor between Sir Francis Drake Blvd. in Greenbrae and Tamalpais Drive in Corte Madera. Many of our members live in this area and are personally familiar with the problems and issues with this stretch of highway 101.

We oppose the proposed "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project," for the reasons stated in the attached letter to TAM, and ask Caltrans to abandon it. In addition, we believe that it is disingenuous and illegal for Caltrans to pretend the project will not have *any* substantial environmental impact and bypass the preparation of an Environmental Impact Report under CEQA, and an Environmental Impact Statement under NEPA. If Caltrans does not abandon the project, then it should comply with CEQA and NEPA and prepare an EIR/EIS. Finally, we have reviewed the "Environmental Document" that was released by Caltrans in December 2012 and believe it is seriously flawed because it fails to consider or analyze significant environmental impacts of the proposed project. A complete environmental assessment of the project should be done before it is approved.

CEQA and NEPA Require the preparation of an EIR/EIS for this massive project

CEQA and NEPA require preparation of an EIR/EIS for any project that will have any substantial impact on the environment. We believe that it is unlawful for Caltrans to pretend that this massive project will not have any significant impact and issue a "negative declaration." If Caltrans does not abandon the project, then we demand that it end its charade and comply with the law. Some of the substantial, unmitigated environmental impacts of the project that

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require preparation of an EIR/EIS include:

The construction impacts of the project will be substantial: This project will entail multiple substantial environmental impacts during the lengthy construction phase, including traffic impacts, noise impacts and air and water quality impacts, including greenhouse gas emissions. The "Environmental Document" contains almost no discussion or analysis of these construction impacts.

Construction Related Traffic Impacts – Sir Francis Drake Blvd. ("SFD") operates at capacity during much of the day, and is highly susceptible to unacceptable traffic congestion. The recent temporary closure of Doherty Drive in Larkspur, although it lies across the creek from SFD, caused a substantial increase in SFD congestion, as well as increased congestion on Bon Air Road, and Magnolia Avenue in Larkspur. Although Caltrans has not disclosed its construction plans, it appears certain that the complicated rerouting of traffic will entail road/lane closures and detours that will create a huge traffic mess in the area. The "Environmental Document" acknowledges that there will be "traffic delays due to construction" (page 2.6-11), but does not describe or analyze the nature, timing or severity of the delays. Moreover, road closures, detours and the like will cause driver confusion and result in accidents. Traffic delays will also result in increased release of air pollutants by vehicles stuck in the snarl of traffic. These impacts will be substantial and cannot be mitigated.

Construction Related Noise Impacts – The "Environmental Document" admits the obvious fact that there will be construction-related noise impacts from the project, but makes no effort to describe or analyze them. It is evident that the noise impacts from a project of this magnitude will be substantial no matter what mitigation measures are taken. The project contemplates significant pile driving activity and use of heavy construction equipment and related activities. The document further makes the apparently inconsistent statements: (1) "It is anticipated that construction activities may intermittently dominate the noise environment in the immediate area of construction," (page 2.3-55), and (2) "Construction noise will be short-term, intermittent, and overshadowed by local traffic noise" (page 2.3-56). While neither of these statements is particularly informative, one seems to suggest that construction noise will "dominate" while the other suggests it will be "overshadowed" by traffic noise. Which statement is correct?

In any case, the extensive pile driving activity is certain to be extremely noisy, disruptive and unpleasant.[1] Construction noise also has the potential for disrupting wildlife in Corte Madera Creek and in Corte Madera marsh.

From the little information provided in the "Environmental Document," it appears that construction noise impacts will exceed those described in the Caltrans "Traffic Noise

1 Table 2.3-13 lists noise levels from a variety of "construction equipment that are commonly used on roadway construction projects," without identifying any specific equipment that will be used during the construction phase. "Vibratory" and "Impact" pile drivers are the noisiest items on the list, producing more noise than "blasting."

Analysis Protocol" issued in May 2011. Specifically, that document prescribes maximum noise levels for projects around Activity Category B Land Uses (*i.e.*, residential areas such as those surrounding the project).

While Caltrans' construction plans are not described, it is anticipated that it will attempt to mitigate the traffic impacts of project construction by doing as much work as possible at night. But such an approach would only increase noise disturbances in the surrounding residential neighborhoods.

Construction Related Air Quality Impacts – Virtually all of the heavy construction equipment used to build a project of this nature runs on diesel fuel. It is evident that a project of this magnitude will consume a very substantial amount of fuel and release a large volume of air pollutants into the atmosphere. These pollutants will include diesel fume particulates associated with respiratory diseases and other adverse health effects, and greenhouse gases. There is no way to mitigate the substantial air quality impacts of project construction, and the "Environmental Document," while acknowledging that there will be "short term degradation of air quality" due to construction, makes no effort to quantify the amount of substantial air pollution that will be generated during the construction phase.

<u>The visual impacts of the project will be substantial</u>: This massive project, with its "flyover" structure that will be visible for miles around, will be an eyesore. The surrounding area is dominated by residential neighborhoods, office complexes, marshes and parklands. For example, the view from the heavily-used pathway on the north side of Corte Madera Creek will be substantially impacted by the project, as will the views from the offices and residences along the creek. Likewise, sitting directly below Mt. Tamalpais, this massive freeway project will become a dominant landscape feature from the top of East Peak, one of Marin's most important scenic vistas, as well as many other popular trails and vista points, including, for example, Ring Mountain, many trails on the North and East flanks of Mt. Tamalpais, and as far away as Pine Mountain. These visual impacts are substantial and cannot be mitigated. The project is simply out of character with Marin.

<u>The pedestrian/bicycle routing impacts of the project will be substantial</u>: The project contemplates the elimination of the existing, heavily-used pedestrian/bicycle overpass just south of Corte Madera Creek. This important overpass is presently the primary route for many people crossing the freeway. Elimination of this structure will require pedestrians and bicyclists, many of whom are children travelling to and from school, to go out of their way and cross the freeway at Wornum Drive. However, the plan to make Wornum a major freeway interchange/ access route will make this area extremely busy handling traffic entering and exiting 101. Routing all pedestrians/bicycles crossing the freeway into this busy traffic area presents a clear safety hazard. Instead of crossing over the freeway using a safe overpass at a convenient location, many people, including school children, will have to go out of their way to cross multiple lanes of heavy traffic. It can be anticipated that pedestrian/bicycle accidents will occur, and that some parents will opt to drive their children to school instead of putting them at risk. These impacts are substantial and cannot be mitigated.

CEQA and NEPA require Caltrans to consider alternatives in an EIR/EIS

A fundamental requirement of CEQA and NEPA is that environmental impacts of alternatives to a project must be considered *together with* the preferred alternative. The "Environmental Document" prepared by Caltrans does not do this. Instead, we have been told, that a number of alternatives were considered in the past and were eliminated from consideration. We believe that this approach is illegal under CEQA and NEPA, which require decision makers to have a complete environmental review of all alternatives presented in a single document so that their relative environmental impacts can be compared side-by-side. The goals, constraints and baseline data used at different stages of this lengthy project have changed, such that analysis of an alternative presented years ago appears to be outdated.

MCL believes that less intrusive alternatives should be considered side-by-side with the Caltrans proposal in a single EIR/EIS. While MCL cannot endorse any alternative until its environmental impacts have been studied, it appears that alternatives that simply add auxiliary lanes between Sir Francis Drake Blvd. and Tamalpais Dr. on one or both sides of the freeway could ease congestion and would improve safety by providing longer paths for merging onto and off the freeway. Likewise, preventing traffic from exiting southbound 101 at Lucky Drive (Fifer) could improve safety. We believe that any alternatives considered should provide for improvements to bicycle and pedestrian routes in the area, and specifically should retain or replace the existing highway overcrossing.

Specific comments on the "Environmental Document"

Caltrans and TAM contend that the "Environmental Document" that they rely on to issue a "negative declaration" is equivalent to an EIR/EIS. As noted above MCL believes that a complete EIR/EIS, including an environmental analysis of alternatives, is required. Nonetheless, MCL offers the following comments on the "Environmental Document," which we believe is seriously flawed. MCL observes that much of the discussion in the document is generic in nature and not directed to the specifics of the project. Likewise, the document refers to future studies, mitigations, etc. that will be implemented. We believe that CEQA requires a single document present the foreseeable impacts of the project without deferring studies to the future.

<u>The Environmental Document uses out of date and erroneous growth projections</u>

Much of the baseline data on growth used in the "Environmental Document" is out of date. For example, the population growth assumptions do not account for the latest "Plan Bay Area" projections for Marin County. Likewise, the document does not take into account the Larkspur SMART Station Area planning effort that is underway, nor the major expansion of Marin General Hospital. All of these important developments were known prior to the release of the document and should be considered.

The traffic data used in the environmental document shows that there is not a safety problem sufficient to justify the enormous expense of the project

The principal justification for this enormously expensive project is to improve safety. Yet the accident data presented in the Environmental Document suggests that accident rates in the project area are at or below statewide averages. Specifically, Table 1-1 describes the accident rates at the key highway 101 on and off ramps that will be affected by the proposed project. This table is the *only* traffic data that is used in Chapter 1 of the Environmental Document used to justify the need for the project. Yet Table 1-1 shows that accident rates at three of the four locations presented on the table are *below* state averages. The fourth location is shown to be somewhat higher than statewide averages, but the data ignores the recent addition of traffic pylons at this location, which will reduce the accident rate there.

Although not used to justify the need for the project, additional traffic safety data is presented in Table 2.2-15. This table presents accident data at 24 locations in the project area. Only one of the 24 locations has a total collision rate above statewide average. (This is the same location identified in Table 1-1 and, as described above, the configuration of this location has been changed to improve safety conditions there.) Although there were no traffic fatalities recorded anywhere in the project area, three additional locations (out of 24) show "Fatality + Injury" collision rates that are very slightly above state averages.

Table 2.2-15 notes that 226 accidents occurred in the project area on the freeway itself. In comparison, 127 are associated with the remaining 22 locations, the largest number of these occurring at the Tamalpais off-ramps, which would not be changed if the project were to be built. The data simply does not show the existence of a safety problem. [2]

Because the collision data in the Environmental Document does not show a safety problem, TAM has recently been relying on different accident data at public hearings on the project. However, TAM has conceded in a recent newspaper article that its "new" data contains inaccuracies and uses a different project area than the Environmental Document. As far as MCL is aware, TAM has not released it new collision data in a form similar to what is presented in Tables 1-1 and 2.2-15, and so it is difficult to assess, from the new data, whether the project will address a safety problem.[2]

The Environmental Document fails to adequately address traffic impacts on local streets

The proposed project entails substantial rerouting of local traffic and will have substantial impacts on local streets, including, Sir Francis Drake Blvd., Wornum Drive, Tamal

2 An MCL Board Member involved with the preparation of these comments recently contacted you for guidance as to which collision data would be the basis for Caltrans' decision on the project, and whether to comment on the old or the new data. You responded: "You should review the document that was officially circulated." A copy of this e-mail exchange is attached. The clear implication of your reply is that Caltrans will limit its review to the document that "was officially circulated." We certainly hope that you did not intentionally suggest that we limit our comments to information that Caltrans knows to be inaccurate or that it does not intend to rely on.

Vista Blvd., and Fifer Ave. The traffic impacts on local streets are only superficially discussed,

and it appears that the impacts will be negative. These impacts need to be fully analyzed and described in greater detail. For example, Table 2.2-23 shows that the project will have a substantial negative impact on the Sir Francis Drake – Eliseo Drive intersection, exacerbating the existing heavily congested conditions along this stretch of Sir Francis Drake. Likewise, the table shows that the project will negatively impact traffic conditions at the Sir Francis Drake/ Ferry Terminal intersection, and at Wornum Drive. As noted below, the implementation of the metering lights that will be installed as part of the project will increase congestion on local streets. This has not been discussed or analyzed.

Other traffic impacts are also not adequately analyzed. For example, TAM has said that the closure of the southbound 101 Lucky Drive exit will result in travelers to the area now served by the exit to get off the freeway at Sir Francis Drake Blvd., and then back onto to access road from Sir Francis Drake to the southbound freeway (which will provide access to Lucky/ Fifer). However, the Sir Francis Drake – Highway 101 interchanges are currently overloaded with traffic during peak periods, and directing more traffic into this area could result in added congestion, delays and back-ups. Minor changes to the timing of the traffic signals along this stretch of Sir Francis Drake could have major impacts on the flow of traffic in the area. This should be analyzed and discussed.

At public meetings TAM representatives have stated that they have fully modeled local traffic impacts and have tried to assure the public that the project will improve local traffic flow. Given TAM's relentless advocacy for this project, we must take these assurances with a grain of salt. Where is the data to support the conclusions? We question the value of a project which worsens local street traffic in favor of minor improvements to freeway traffic flow. MCL believes that the discussion of local traffic effects in the Environmental Document is flawed.

<u>The Environmental Document fails to address the implementation of metering lights</u>

The Environmental Document states that the new on ramp from Sir Francis Drake Blvd. onto southbound 101 will have new "ramp metering equipment installed." We must assume the only reason for incurring the expense of installing new ramp metering equipment is because it will be used at some point during the project life. Currently, as described in the Environmental Document, traffic entering southbound 101 from Sir Francis Drake backs up and causes significant congestion on both east and westbound SFD. It appears that metering this traffic will only exacerbate that congestion. We believe it is important that Caltrans analyze and describe the effects of metering light implementation on SFD and other local street traffic.

<u>The Environmental Document fails to address construction impacts</u>

As noted above, the "Environmental Document" fails to discuss any specific construction impacts of the project. It admits that there will be traffic, air pollution, and noise pollution impacts, but makes no effort to analyze or quantify them. How much noise? When? How much

traffic congestion will be associated with construction? What detour routes will be used? How much particulate matter will be emitted into the air during construction? How much green house gas emissions will be associated with construction, both from construction equipment and from cars stuck in construction-related congestion? None of these basic questions are answered. In addition, the Environmental Document states that the project "will require extensive excavation and earth moving construction activities, which could result in substantial erosion or the loss of top soil." No analysis of this environmental impact is provided. Finally, the discussion of biological impacts of the project ignores construction impacts or treats them generically and superficially.

The Environmental Document's discussion of visual impacts is inadequate

As noted above, the proposed project will have substantial visual impacts on a large region that cannot be mitigated. The analysis of the visual impacts of the project in the Environmental Document is superficial, starting with the erroneous contention that the "visual study area can be characterized as a highly urbanized environment." In normal usage, "highly urbanized" refers to the center of a major metropolitan area. The combined population of Larkspur and Corte Madera is less than 22,000 people, and much of the area adjacent to the project is low density residential (one or two story buildings), marsh lands and creekside lands. Characterizing this area as "highly urbanized" reflects either that the author is unfamiliar with the area, or that the author is deliberately mischaracterizing the situation.

The Environmental Document limits consideration of visual impacts to 7 viewpoints, all of which are immediately adjacent to the freeway. No mention is made of the fact that the massive project will be visible over a very large area that abounds with public trails and vista points. For example, the project will be highly visible from the top of Mt. Tamalpais (as well as many of the trails on the north and east flanks of the mountain), from the top of Ring Mountain (as well as the trails on the north side of the Ring Mtn.), from the Corte Madera Marsh, from Remillard Park, Niven Park, the pedestrian/bike pathway along the north side of Corte Madera Creek (bicycle route 20). The project will even be visible from the Pine Mountain Trail in Fairfax. There is no discussion of the visual impacts of the sound walls that will block views and serve to wall off one side of the freeway from the other.

The Environmental Document fails to address the impacts of eliminating the pedestrian/bicycle freeway overcrossing

As noted above, elimination of the existing highway 101 pedestrian/bicycle overcrossing will have a substantial, unmitigated impact for the reasons described. The Environmental Document fails to address or analyze this major change in pedestrian and bicycle routing. For example, rather than allowing their children to cross heavily used freeway access routes at Wornum Drive, many parents will, instead, drive their children to school. This is not discussed. Likewise, there is no discussion of expected accident rates at these crossing. Finally, there is no discussion of the traffic impacts of the lengthy light cycles required to provide adequate

pedestrian crossing time.

The Environmental Document relies on outdated and erroneous land use assumptions

Section 1.3.2 of the Environmental Document list the "Land Use Assumptions" employed in the document. This list, which is used to project traffic data, is incomplete and out of date. For example, it refers to the "Twin Cities Police Authority" building completed more than a year ago, as being a "future land development project." (This is reiterated in Table 2.2-1.) More importantly, the Environmental Document fails to consider the latest population and employment growth projections from Plan Bay Area, the Larkspur Station Area Plan, and the major expansion of Marin General Hospital.

Likewise, the discussion of "Cumulative Impacts" of the project is based on the same out-of-date land use assumptions and should be updated.

The Environmental Document fails to address "community character and cohesion"

In a brief two-paragraph discussion, the Environmental Document asserts that the project will have no negative effects on "community character and cohesion." MCL believes this discussion is superficial and wrong. Community access between the east and west sides of the freeway will be significantly impacted by the massive project, which will act as a wall between the two sides. Visual connection will be lost. Crossing at Wornum will become an ordeal.

Moreover, MCL believes that the overall massive scale of the project is simply out of character with values and aspirations of Marin residents. The attempt by the Environmental Document to gloss over these concerns demonstrates that the author is out of touch with the opinions of local residents and the policies of Larkspur and Corte Madera General Plans that make priorities of the quality of life and retaining a small town atmosphere.

The Environmental Document fails to adequately address the consistency of the project with the master plans of Corte Madera and Larkspur

Tables 2.2-3 and 2.2-4 purport to show that the project is fully compatible with the General Plans of Corte Madera and Larkspur, respectively. However, rather than presenting an unbiased analysis, it is evident that the author "cherry-picked" selected elements of those plans to advocate in favor of the project. For example, elsewhere the Environmental Document notes that Corte Madera's General Plan "includes a policy to recognize Redwood Highway and Tamalpais Drive as scenic corridors." In addition, the Environmental Document elsewhere notes that a policy of Corte Madera's General Plan is to: "Upgrade the scenic quality of Fifer Ave/Tamal Vista Blvd. area." Neither of these policies is addressed in Table 2.2-3, nor are they addressed in the discussion of visual impacts of the project.

The Environmental Document Fails to Adequately Address Noise Impacts

The analysis of noise impacts of the project is based on the assumption that multiple "sound walls" (noise barriers) will be used. Based on this assumption Caltrans concludes that noise impacts will be within acceptable limits. However, at recent public meetings TAM representative have announced that sound walls have been eliminated from the project. Thus, the discussion of noise impacts in the Environmental Document, and the conclusions are incorrect and should be redone based on the new design. Moreover, the discussion is limited to impacts in the area immediately adjacent to the freeway, and fails to assess the wider area that will be affected. Traffic noise from the new "flyover" will propagate unimpeded over a much further distance than ground level traffic noise. No mention is made of this impact.

The Environmental Document incorrectly characterizes Corte Madera Creek as "Highly Urbanized"

In discussing the biological impacts of the project, the Environmental Document states: "Corte Madera Creek is a highly urbanized and developed creek." Again, this characterization suggests either that the author is unfamiliar with the area, or that the author is biased. The area in question is a relatively natural suburban setting. Much of the creek east of the freeway is surrounded by marshlands. To the west, the north side of Corte Madera Creek is park land with a very popular pedestrian/bicycle trail. Numerous ducks and shorebirds populate the creek in the project vicinity. Dismissing this area as "highly urbanized" is incorrect and the discussion of biological impacts needs to be updated to accurately reflect the character of the area.

We appreciate the opportunity to comment on the Environmental Document, and thank you in advance for your anticipated careful consideration of our concerns.

Very truly yours,

Susan Stompe

Susan Stompe
President

Attachments (2):
- MCL Letter to TAM Commissioners
- E-mail exchange with Valerie Shearer

Attachment 1

Board of Commissioners
Transportation Authority of Marin
781 Lincoln Ave., Suite 160
San Rafael, CA 94901

MARIN CONSERVATION LEAGUE
Protecting Marin Since 1934

February 13, 2013

Via US Mail and E-mail

Re: "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project"
District 4 – MRN – 101 – PM 7.2/8.9
EA 1A6600

Dear Commissioners:

From its inception almost 80 years ago the Marin Conservation League has been actively involved in land use and transportation issues affecting the County. We believe that MCL's efforts have had an important role in creating and maintaining Marin's special character as a place to live and visit. For the past several years MCL has been following and participating in the proposals developed by the Transportation Authority of Marin for addressing traffic issues along highway 101 in the corridor between Sir Francis Drake Blvd. in Greenbrae and Tamalpais Drive in Corte Madera. Many of our members live in this area and are personally familiar with the problems and issues with this stretch of highway 101. After reviewing the publicly available information, we oppose the proposed "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project" as currently planned.

Global Warming

Marin will be significantly impacted by sea-level rise due to global warming over the next few decades. In addition, one well-documented effect of global warming has been to produce storms of greater intensity and severity. We believe that it is essential that all levels of government begin planning to deal with sea level rise and with more frequent and serious storm events. Any new long term investment in transportation infrastructure should proactively address these issues.

The Highway 101 corridor between Sir Francis Drake and Tamalpais is located in the Corte Madera Creek floodplain, and the project includes areas that are *currently* subject to periodic flooding due to tides and storms. Over time, the existing flooding issues will only get worse, and a project that does not address sea level rise and flooding is seriously flawed.

Moreover, this stretch of freeway is a critical link in Marin's transportation system, and closure of the road or its access points due to flooding could be devastating. Emergency vehicles rely on these routes. There is no realistic alternative route across Corte Madera Creek. MCL believes that the first priority of any new highway projects in the county should be to prepare for sea level rise.

PHONE: 415.485.6257
FAX: 415.485.6259
EMAIL: mcl@marinconservationleague.org
WEB: marinconservationleague.org
ADDRESS: 175 N. Redwood Dr., Ste. 135
San Rafael, CA 94903-1977

The Massive Scale of the Project Is Out of Character For Marin

The project appears to be one of the largest freeway projects undertaken in Marin in many decades. It would impose a huge mass of concrete as large as anything ever seen in Marin in order to create a complex web of new traffic routes. At Wornum Drive, for example, the project would almost triple the width of the existing freeway and its access points. An unsightly "flyover" structure would be visible for miles around. The project would act as a huge barrier between the east and west sides of 101.

This area of Marin is presently dominated by marsh lands and residential property. Despite the comment in the "Environmental Document" it is not anything close to be a "highly urbanized" area. Parks and other public spaces along the Bay and along Corte Madera Creek are found on both the east and west sides of the freeway, highlighted by views of Mt. Tamalpais. Since its inception, MCL has fought on behalf of maintaining the natural character of Marin. We believe that this project, with its enormous mass of new concrete roadways, is simply out of character with the values and aspirations of Marin's residents. It is inappropriate for Marin.

The High Cost of the Project Appears To Be Out of Proportion To The Benefits

Sir Francis Drake Blvd. ("SFD") is one of Marin's most important, heavily used and congested roads. A very large volume of SFD traffic from both east and west of highway 101 enters the freeway at this key intersection, and is one cause of SFD congestion. From careful review of the publicly available data, we believe that the project is likely to do little if anything to improve traffic congestion on SFD. Likewise, we believe that the available statistics for accident rates and travel times in the relevant portion of highway 101 show that these problems are not sufficiently serious to justify the very high dollar and environmental costs of the project. It is using a sledge hammer to kill a flea.

There are other major projects planned for the immediate vicinity that have the potential for exacerbating the already serious congestion of SFD. The City of Larkspur is developing a SMART "Station Area Plan" that has the potential for dramatically increasing SFD traffic in areas immediately adjacent to 101. Likewise, the plan for a major expansion of the Marin General Hospital will appreciably add to congestion on SFD. Neither of these major projects is discussed in the Caltrans documentation and so it appears that their impacts have not been considered.

The Project Would Have Substantial Negative Impact on Pedestrian and Bicycle Routing

While MCL favors some of the pedestrian and bicycle route improvements incorporated into the project, we believe that the elimination of the existing highway 101 overcrossing and the routing of pedestrian and bicycle traffic to Wornum is troublesome. We note that these changes have generated substantial complaints from bicycle advocacy groups

and from residents in the area. This is not merely a matter of convenience; we believe that requiring bicyclists and pedestrians to cross multiple lanes of Wornum traffic getting onto and off the freeway presents a serious safety issue.

CEQA and NEPA Require the Preparation of An EIR/EIS

CEQA and NEPA require preparation of an EIR/EIS for any project that will have a substantial impact on the environment. We believe that it is disingenuous and illegal to pretend the project will have not have *any* substantial environmental impact and bypass the preparation of an Environmental Impact Report under CEQA, and an Environmental Impact Statement under NEPA. The construction, noise, and visual impacts alone are substantial and require an EIR/EIS. Accordingly, we oppose proceeding with this project without fully complying with CEQA and NEPA.

Accordingly, we urge TAM to reject the project as currently proposed. Thank you for your consideration.

Very truly yours,

Susan Stompe

Susan Stompe
President

cc: California Department of Transportation

Subject: Re: Ques" ons Regarding Administra" ve Record for Greenbrae Interchange Project
From: Valerie Shearer <valerie.shearer@dot.ca.gov>
Date: 2/13/2013 9:40 AM
To: <dschnapf@comcast.net>
CC: <BWhitney@tam.ca.gov>, <DSteinhauser@tam.ca.gov>

Dear Mr. Schnapf:

Thank you for your commitment to promo" ng the best possible decision-making for the proposed project. I don't know of any parts of the public review document that are inaccurate or out-of-date, but you are welcome to comment on anything you heard at the public mee" ng as well. In general, when the public comment period closes on public review environmental document, we at Caltrans look at the en" re body of comments and start planning how to incorporate new informa" on, new ideas, and new analysis in the ?nal environmental document.

Sincerely,
Valerie Shearer
Caltrans District 4 O? ce of Environmental Analysis

David Schnapf <dschnapf@comcast.net>

David Schnapf
<dschnapf@comcast.net>

02/08/2013 12:21 PM

Please respond to
<dschnapf@comcast.net>

To
Valerie Shearer <valerie.shearer@dot.ca.gov>

cc
<DSteinhauser@tam.ca.gov>, <BWhitney@tam.ca.gov>

Subject
Re: Ques" ons Regarding Administra" ve Record for Greenbrae Interchange Project

Dear Ms. Shearer -

Thank you for your response. I have every intention of reviewing and commenting on the "environmental document" that has been circulated, but I am just trying to ascertain what parts of that document are presently known to be inaccurate or otherwise have been superseded by additional new or different information.

Pardon me for my continued confusion, but will Caltrans base its decision on the accident statistics in the "environmental document" or will it be based on the much different statistics that TAM has been relying on in recent public meetings to urge approval of the project? This issue goes to the very heart of the project, and I need to know which statistics will be relied on by the Caltrans decision-makers so that I can provide meaningful input. I hope that Caltrans does not view its "environmental

review" as being something that is done separately from the decision-making process.

I ask that my e-mail to you and your response be made part of the of"icial administrative record.

Very truly yours,

David Schnapf
Attorney at law

On 2/ 8/ 2013 11:39 AM, Valerie Shearer wrote:

Dear Mr. Schnapf:

You should review the document that was officially circulated. Caltrans will consider all comments before finalizing the environmental process. Every time we circulate an environmental document for public comment, we are open to learning new information and using it in forming conclusions. We hope that you will choose to provide comments at this stage on the environmental review document.

Sincerely,
Valerie Shearer
Caltrans District 4 O? ce of Environmental Analysis

David Schnapf <dschnapf@comcast.net>

David Schnapf	To	<Valerie_Shearer@dot.ca.gov>
<dschnapf@comcast.net>	cc	<DSteinhauser@tam.ca.gov>, <BWhitney@tam.ca.gov>
02/07/2013 11:29 AM	Subject	Ques" ons Regarding Administra" ve Record for Greenbrae Interchange Project

Please respond to
<dschnapf@comcast.net>

Valerie Shearer, Senior Environmental Planner
Caltrans District 4
Oakland, CA

Re: Marin Highway 101 Project - MRN - 101 - PM 7.2/8.9, EA 1A6600

Dear Ms. Shearer:

I am in the process of preparing comments on the "Initial Study" for the proposed "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project." At recent meetings the public has been informed by representatives of the Transportation Authority of Marin that Caltrans is no longer relying on the traffic collision data set forth in that document because that data supposedly does not accurately portray safety conditions. Instead, we have been told that Caltrans will base its decision on traffic collision data that is not contained in the document. In addition, we have been told that the discussion of "sound walls" in the document is not correct because Caltrans has decided that there will be any sound walls.

This leaves me in a quandary regarding as to how I should prepare my comments. Shall I base my comments on what is stated in the document that was circulated to the public, or are there any

officials corrections to the document that I should, instead, look to? As you know, judicial review of any Caltrans action on the project is limited to the administrative record, and so it is important for me to understand what the record contains and which parts of the record are considered accurate by Caltrans.

Apart from the discussion of traffic collisions and sound walls, are there any other aspects of the "Initial Study" that are outdated or
inaccurate. I do not want to waste time addressing comments to any portions of the document that Caltrans knows to be wrong or that it will
ignore. Will Caltrans rely on documents/materials that have not been available to the public at any time during the comment period? Again, I think the official administrative record needs to be very clear on this.

Finally, as to the new traffic collision data that supersedes what is stated in the Initial Study, has Caltrans prepared supplemental tables
to replace Tables 1-1 and 2.2-15 so that the public can assess the details of where collision problems may exist? If so when will the new
tables be circulated to the public and will the comment period be extended?

Very truly yours,

David Schnapf
Attorney at Law

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2013.0.2897 / Virus Database: 2639/6074 - Release Date: 02/01/13

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2013.0.2897 / Virus Database: 2639/ 6074 - Release Date: 02/ 01/ 13
Internal Virus Database is out of date.

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2013.0.2897 / Virus Database: 2639/ 6074 - Release Date: 02/ 01/ 13
Internal Virus Database is out of date.

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2013.0.2899 / Virus Database: 2639/6101 - Release Date: 02/13/13

Attachments:

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Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P. O. Box 23660
Oakland CA 94623-0660

February 12, 2013

Submitted via e-mail: Valerie_Shearer@dot.ca.gov

FROM: Cindy M. Winter, cinhiver@yahoo.com
336 Bon Air Center, PMB 108
Greenbrae CA 94904-3017
(Resident of Greenbrae)

IN RE: EA 1A6600. Highway 101 Greenbrae/Twin Cities Corridor Improvement Draft Environmental Document.

Dear Ms. Shearer:

Please find below my comments on the Draft Environmental Document (DED) for the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project sponsored by the Transportation Authority of Marin (TAM) with Caltrans as the lead agency.

Kindly acknowledge receipt of this comment letter to confirm that it is included in the public comment process. I am also sending a hard copy of this letter by UPS today.

This project will result in significant environmental impacts, which cannot be mitigated. The Draft Environmental Document (DED) is not appropriate. A full Environmental Impact Report (EIR) is required by law and must be prepared.

****

The DED has the following significant deficiencies:

ITEM ONE:

1.1 Introduction (page 1-7)

The third sentence of the first paragraph is inaccurate. See e-mail correspondence with Dan Schwarz, Larkspur City Manager, attached hereto as "Exhibit A."

ITEM TWO:

2.1 Community Character and Cohesion (page 2.1-2)

A. "No new physical or perceptual barriers will be created. A barrier is "A material object or set of objects that separates, keeps apart, demarcates..." Webster's Third New International Dictionary, unabridged.

A physical barrier exists now, consisting of 12 lanes of freeway. That a POC also exists indicates that when it was built, the freeway was considered a barrier that must be crossed -- and at its mid-point.

If the POC is removed, a barrier that did not exist before will be created. Widening the freeway will make the barrier that much worse.

Pedestrians, cyclists, and the disabled will be expected to take long and even dangerous detours around the far ends of the GCIP barrier. This planned inconvenient multi-use route does not mitigate the new barrier; rather, it creates a new barrier in itself.

B. "Perceptual barriers": The word *perceptual* is awkward. (Please consult your dictionary.) Assuming *perceived* was the word intended, what is a widened freeway without a POC and with a fly-over? If that is not a barrier to be perceived, I don't know what is.

C. "Community cohesion": Widening the already vast expanse of concrete, with its never-ending streams of fast-moving vehicles, will exacerbate what is already a regrettably tenuous community cohesion between East and West Larkspur.

D. While "small amounts" of private property may indeed be taken, *small* is not necessarily a synonym for *trivial*. A small piece of land may yet be a critical portion of a parcel, even if it is used only for, say, a driveway or parking. The taking of a small piece of land may cause a major adverse impact on rents or business profits. Listing the square footage to be acquired (Table 2.2-6) is a simplistic way of analyzing the burdens on adjoining property owners.

E. The bike/ped/ADA improvements, which are described as providing "a net benefit," on balance provide the opposite, a net loss to connectivity and a hindrance to non-motorized transportation, which is essential for environmental health. Pathways over both sides of Corte Madera Creek, a POC, and a multi-use path along the south side of Wornum already exist. Granted, these features are substandard, in mediocre condition, but they can be used without inordinate fears for one's safety. The plans to demolish the POC and turn Wornum and Redwood Highway into

dangerous and scary bicycle/pedestrian routes, are too high a price to pay for two new paths over the creek.

Without GCIP, (1) the present non-ADA-compliant POC could be improved to ADA standards; (2) new paths over the creek could be constructed; and (3) the existing path along the south side of Wornum could be resurfaced – all for a very small sum compared to the projected cost of widening the freeway.

ITEM THREE:

2.2.1.2 Consistency with State, Regional, and Local Plans and Programs Bicycle and Pedestrian Master Plans (pages 2.2-3 through 2.2-5)

The Build Alternative is **NOT** consistent with the Marin Countywide Plan, the Town of Corte Madera General Plan, and the City of Larkspur General Plan, or any of them. More specifically, the inconsistencies include but are not limited to:

Marin Countywide Plan: Refer to Table 2.2-2.

The first goal of "Less Traffic Congestion" listed under "Countywide Goals" will not provide "additional transportation choices" for pedestrians and bicyclists because one choice that is important now and critical for the future, the POC, will have been removed.

Policy TR-2.1: The bicycle and pedestrian network is rendered, on balance, less "safe and friendly" and less "adequate." The POC is removed, and Wornum Drive and Redwood Highway are reconfigured into routes that are disagreeable and dangerous. See also Subparagraph E under Item Two above.

Town of Corte Madera General Plan: Refer to Table 2.2-3.

Policy RCS-2.5: The removal of the POC, with the expectation that Wornum Drive and Redwood Highway, as reconfigured, will prove a satisfactory substitute, will instead discourage walking and cycling, and encourage more driving.

Policy CIR-1.1: No "safe and convenient linkage" is provided for non-motorized users who wish to cross 101 between Fifer Avenue and Industrial Way. The linkages at Wornum Drive and Redwood Highway are unsafe and inconvenient.

Policy CIR-1.6: ADA adequacy and availability are not assisted by the Wornum Drive/Redwood Highway routing. Instead, the current POC could be modified, without undue trouble and expense, to provide ADA access.

Policy CIR-2.1: The removal of the POC does not prioritize options for improving bicycle and pedestrian access across 101, but rather makes such access worse by destroying a safe and convenient link.

Policy CIR-3.1: The removal of the POC does not increase, but rather decreases the Town's network of bicycle and pedestrian paths for access to neighborhoods, commercial centers, schools, parks and other key activity centers.

Policy CIR-3.3: The only opportunities that have been explored call for the removal of a perfectly adequate (with ADA improvements) POC and substitution therefor of a dangerous route along Wornum Drive and Redwood Highway.

Policy CIR-3.5: Removal of the POC does not emphasize use of pedestrian pathways, but rather discourages walking by forcing pedestrians to use Wornum Drive and Redwood Highway, with their high volumes of speeding traffic and numerous intersections, several of which cross on-ramps and off-ramps.

City of Larkspur General Plan: Refer to Table 2.2-4.

Policy a: Removal of the POC will result in a less comprehensive and less coordinated paths system.

Policy f: Except for widening the existing paths over the creek, at the far end of the project, this freeway improvement does NOT include a protected crossing for pedestrians and bicycles, in fact it removes one.

Goal 6: Except for widening the existing paths over the creek, at the far end of the project, this freeway improvement does NOT include paths that encourage broad public use.

****

If civic leaders and planners mean what they say, that they truly wish to effect mode shift, then in that event appropriate infrastructure must be designed, funded and built for that purpose, rather than contorted and crammed into the interstices of a freeway project.

There will always be a small cohort of intrepid young males and a few young females who cycle undaunted by even the heaviest traffic; referred to as the "strong and fearless," their numbers are estimated at less than 1% of the total population of an area (including cyclists and non-cyclists). The goal of mode-shift is not directed toward them, nor even toward the "enthused and confident" cyclists who represent about 7% of total population and who ride on quiet streets.

Rather, if mode shift is to occur, it must be directed to the "interested but concerned" 60% of total population, the non-cyclists who are favorably inclined toward biking, but for their justified fears of the dangers posed by motor vehicle traffic. (One-third of the population will always be "no how, no way.") Geller, Roger,

Bicycle Coordinator, Portland Office of Transportation, *"Four Types of Cyclists,"* undated.

Many studies document that traffic danger is a deterrent to cycling, especially for women, the elderly, and children. See *Bicycling and Walking in the United States,* 2010, Washington, DC: Alliance for Biking and Walking; *Bicycling and Walking in the United States: 2012 Benchmarking Report,* Washington, DC: Alliance for Biking and Walking, http://www.peoplepoweredmovement.org/benchmarking; *Traffic Safety Statistics,* 2010, Paris, International Transport Forum and OECD; McClintock, Hugh, ed., *Planning for Cycling: Principles, Practice, and Solutions for Urban Planners,* 2002, Cambridge: Woodhead Publishing Ltd.; as cited on page 17 in Pucher, John and Buehler, Ralph, *City Cycling,* 2012, The MIT Press, Cambridge, Massachusetts. See also Pucher and Buehler, Chapters 10 and 11. See also Handy, Susan L., *The Davis Bicycle Studies: Why do I bicycle but my neighbor doesn't?* 2011, Access #39.

That both the planned Wornum underpass and the planned multi-use infrastructure along Redwood Highway present dangers, real and perceived, can be assured by the outcry of the many cyclists and walkers who have made public comments. This is not the place to discuss the technical details of their criticisms, or mine. The crux of the matter is that howsoever "safe" the Caltrans and TAM engineers may consider the Build Alternative "improvements," the perception of the people who will be forced to use them must be determinative.

"For a bicycling network to attract the widest possible segment of the population, its most fundamental attribute should be low-stress connectivity, that is, providing routes between people's origins and destinations that do not require cyclists to use links that exceed their tolerance for traffic stress, and that do not involve an undue level of detour." Abstract, *"Low-Stress Bicycling and Network Connectivity,"* Mineta Transportation Institute, Report No. CA-MTI-12-1005, May 2012. "Having to cross a freeway can serve as a barrier to bicycling, physically and or psychologically, beyond whatever effect it has on distance." Emond, Catherine R. and Handy, Susan L., *"Factors associated with bicycling to high school: insights from Davis, CA,"* Journal of Transport Geography 20 (2012) 71-79.

The sole means to ensure that two-thirds of the local population (the 60% plus the 7%) will use mode-shift requires construction of a POC that is by definition separated from traffic, and is designed by its geometry and accessories to be used safely. This POC must also be conveniently located, and aesthetic in design (every salesperson knows the value of an attractive package). The Central Marin Ferry Connector Project design sets a good example.

PLEASE NOTE: The above comments are not intended to exclude pedestrians and the disabled. On the contrary. I've focused on cyclists because I am one, and to simplify the writing. The importance of a POC for walkers follows next.

ITEM FOUR:

Why a POC is critical for Larkspur Landing

The City of Larkspur is actively planning to create a "transportation hub" at Larkspur Landing. There's the ferry, and the Airporter, and SMART will arrive in time. Initial concepts all include significant higher-density construction of residences, offices, and shops. If well designed, Larkspur Landing could become a good producer of tax revenue and a model of planning for all of Northern California.

However, if the Larkspur Landing concept is to succeed, it can occur only with extensive multi-modality. The geographic constraints are such that if all the new residents, workers and shoppers try to drive, the gridlock will be such that few people in this transportation hub will be able to transport themselves anywhere.

The Central Marin Ferry Connector Project will be a safe, convenient, and beautiful first step toward multi-modality within Larkspur Landing. However, it is also critical that walkers and cyclists who live and work outside the Landing be persuaded to leave their cars and home and walk and cycle into it.

A number of higher-density developments are being constructed or planned to the west of the GCIP project, and those residents will want to cross the freeway to the Landing, and residents there will want to cross to Fifer, or Tamal Vista and the Sandra Marker Trail, etc. The new library which Larkspur is to construct on Doherty Drive will be a pleasant destination. I live in Greenbrae (which is part of Larkspur), and I see many, many walkers on local pathways. A large proportion of them are older people. When they are provided pleasant places to walk, they take full advantage of them.

A large portion of those who live immediately west of the freeway, and who want to use the ferry or SMART, won't cycle to Larkspur Landing, because they'll want to look nice when they get where they're going. Instead, they will walk. But they won't want to walk through Wornum and along Redwood Highway, because the route will be disagreeable at best, dangerous at worst, and it's out of the way. They won't want to walk north of the creek, because that route is just too darn long to be practical. Like all other kinds of commuters, walkers need a short and easy distance between two points. If they can't find it, they'll drive. That's why a POC must be built from Industrial to Fifer.

ITEM FIVE:

Why a POC is critical for SMART

On page 2.2-58 of the DED, Footnote 14 advises that during the 2006 traffic analysis, SMART was omitted because it had not then been approved by voters. The footnote

further states that a more recent analysis indicates that SMART will have little impact on reducing traffic congestion within the GCIP area. However, the footnote does not mention any estimates of changes in bicycle traffic.

A new POC would complete an integral part of the long-planned North-South Greenway. It seems highly likely that on weekends numerous cyclists from San Francisco and southern Marin County will set out for Larkspur Landing, to catch the train north, and on nearing the station, the most natural route as part of the Greenway would take them over a well-sited and well-designed POC. At the same time, weekend cyclists from Sonoma will arrive by train to explore Marin, and many of them will head further south.

To help SMART attain good ridership levels, it is critical that cyclists have the most direct and most pleasant route possible to take them to and from the station. If too many of them use the Wornum underpass, because there is no POC, not only will they endanger themselves, they will also effect frequent changes in traffic signaling which in turn would interfere with the free flow of traffic.

ITEM SIX:

Regulatory Setting (Section 2.2.5.1, page 2.2-27)

> **2.2.5.1 Regulatory Setting**
> Caltrans, as assigned by FHWA, directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (see 23 CFR 652). It further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

As discussed above, the current GCIP design does not provide for the "safe accommodation of pedestrians and bicyclists." Nor does the design provide for "the special needs of the elderly and the disabled." Pedestrian and bicycle traffic are inherently different from motor vehicle traffic, thus conflicts do and will arise. The elderly and disabled (and children) require special protection. Assuming 23 CFR 652 is to be followed, then "every effort must be made." (Note that "must" is mandatory, not optional.) The only possible solution is a well-designed POC.

ITEM SEVEN:

Transit and Parking

Bus stop at SB US 101/Lucky Drive/Fifer Avenue (page 1-18):

It is unrealistic to expect that all transit users will walk or cycle to transit stops. On the west side of 101, many potential bus riders live west of Magnolia Avenue, in the hills; most of these commuters will need to drive to the bus stop.

The GCIP plan eliminates 100 parking spaces along Nellen Avenue (See Figure 2-8). At present these spaces are heavily used by bus commuters. The approximately 20 spaces on Lucky Drive and 20 more spaces on Nellen require an inconveniently long walk to the bus stop, and in any event many are often taken by local residents and persons doing business in the neighborhood.

The parking lots of local businesses may come to be used for bus parking, interfering with the needs of business suppliers and patrons. In addition, I see no "drop-off" zone on plans. If the parking lots of nearby businesses serve as de facto parking and drop-off sites, this design flaw may constitute unlawful interference with business advantage.

If transit is to be well used, it must be easy to access.

Bus stop at NB US 101/Wornum Drive (page 1-18):

For more years than I care to count, I commuted by bus from Greenbrae into San Francisco and back again. In the process, I learned the psychology of bus riders. In my view, the Wornum bus stop arrangement is extremely ill-advised.

Think of the rider who comes late to the Park n Ride. There will be many such. He looks across the street: "Oh God there's my bus!" And off he dashes straight for it, ignoring crosswalks and stoplights, dodging traffic, waving it to a screeching halt. Stupid? Yes. And it will happen often.

At the end of the day, bone-tired from the daily grind, commuters who leave the bus at Wornum will dislike having to cross dangerous intersections and walk through bike/ped "tunnels" (the sheltered multi-use paths) and especially when it is dark.

I can discern no feasible "drop-off" (turn-around) routes for this bus stop.

If transit is to be well used, it must be safe, convenient, and psychologically reassuring. It must attract riders, not dissuade them. The bus stop plans for Fifer Avenue and Wornum fail the test.

Existing bus stops at Fifer Avenue and Industrial Way (ADA):

Section 1.3.1.2 seems to imply that these transit stops are non-ADA compliant, but that is not entirely true.

The Fifer bus stop is partially ADA-compliant, and could be made nicely compliant with the addition of a curb cut-out at the curved dead end of Nellen Avenue near the used-car lot; disabled parking spaces could be painted on the road surface there. The walkways could use repaving.

The Industrial Way bus stop is fully ADA-compliant, though these walkways, too, could be repaved.

ITEM EIGHT:

Existing and Future Land Use (pages 2.2-1 to 2.2-3)

Table 2.2-1 lists four "future" residential development projects in the vicinity of GCIP. Since this table was compiled, two of the projects have begun construction.

This list, however, provides only a partial picture. Additional projects are either under construction or in the active planning process or being discussed. See Exhibit "B" attached hereto.

The legal principle of "constructive notice" presumes that reasonable people will take note of what is reasonably there to be noticed. In the present case, a simple perusal of formal public records was not adequate.

For a number of years there have been on-going news reports and public meetings concerning efforts to decrease traffic congestion, not only to make Marin County a more pleasant place to live and work, but also to do our part to mitigate climate change pursuant to AB 32 and SB 375. TAM has been involved in one of these efforts, the Central Marin Ferry Connector Project which will provide walkers and cyclists and the disabled, of all ages and abilities, with safe access to the SMART station. Given the rising ferment about higher-density, Caltrans and TAM, and their agents and employees, had a duty to look around, take notice, and investigate.

Higher-density means that more people will be living in the GCIP area or nearby. That means more people will be desirous of crossing 101 by using a POC. And that is why the Fehr & Peers survey "Memorandum" fails. It is merely a snapshot in time, as of March 2012. Regarding future needs for a POC, it is irrelevant.

ITEM NINE:

The future

SB 375 seeks to persuade planners to emphasize reduced automobile travel and to substitute non-motorized transportation and transit-oriented development. The GCIP area would seem a logical place to start.

Pursuant to the philosophy of SB 375, the GCIP plans should put transit first, with walkers, cyclists and the disabled accommodated on safe, separated (i.e. stress-free) pathways, including a POC across the approximate mid-point of the redesign. Motor traffic, with all its environmentally adverse effects, must take whatever space is left over. But Caltrans plans the opposite.

Relatively small expenditures on active transportation can allow key roadways "to operate the same for automobiles today as they did 20 years ago, despite a 12% increased demand for mobility." Geller, Roger, Bicycle Coordinator, City of Portland, "Build It and They Will Come," Executive Summary, 2011; two pages of graphs from this article are attached as Exhibit "C."

Adding more lanes doesn't turn out to reduce traffic. It increases traffic. This phenomenon is called "induced demand." The reverse is also true: fewer roads ultimately tend to produce less traffic. We see traffic problems today and ask how to ease them. But it's better to start thinking about what kind of streets and neighborhoods we want, what kind of bay front we should have, and how mass transit and walking and cycling could change things. First things first. (Adapted from Michael Kimmelman's article, *"Does a City Need more Highways?"* in the New York Times of 9-27-12 at page C1.)

The GCIP plans had their genesis in 1999, when community attitudes were different from those of today. Back then, freeway construction was still a kind of conditioned reflex. The current plans appear based on that older mindset. Our former civic leaders meant only the best, but times have evolved. Maybe that's why so many of us are have so much trouble with the project.

One hundred years ago, Marin County was essentially an open frontier, relatively undeveloped. Now, in Central Marin, nearly all buildable sites are in use, and we are enclosed by hills and by bay waters which are inexorably rising and taking back the land. We have reached the limits of our old "frontier. "

Aren't we wasting our energies trying to push out the boundaries of a freeway – when the attempt is futile? Why are we ignoring the sobering map of sea level rise (Figure 2-22) and proposing to lay down complicated and expensive new concrete structures that will be under water in a relatively few years?

To what extent are we obliged to undertake a futile project in order to ensure as safe the inherently hazardous activity of freeway driving? Haven't motorists a responsibility, too? Isn't reasonable safety an adequate standard?

Why we allow a futile project to elevate the needs of through motorists about the rights of local residents to the peaceful enjoyment of their community?

Instead of insisting that the daily routines of all who live and work along the freeway be further constricted by the implacable imperatives of freeway traffic, wouldn't it be preferable to substitute non-motorized transportation for the "free flow" of polluting vehicles?

See the reference to Geller, *"Build It and They Will Come,"* above, and Exhibit C taken therefrom. See also Caltrans' discussion of **operational emissions**, pages 2.6-7 and 2.6-8, and Table 2.6-1. Essentially, Caltrans cannot reliably deduce operational emissions for the Build and No-Build alternatives, although No-Build appears marginally more favorable.

Geller does it better.

We need to create a wholly new transportation paradigm. I support the No-Build alternative, perhaps with a few modest improvements (including an ADA-compliant POC) that will carry us through until we can decide how best to cope with our changing world.

Respectfully submitted,

Cindy M. Winter

Cindy M. Winter
cinhiver@yahoo.com

Ms. Cindy Winter
336 Bon Air Ctr. Pmb 108
Greenbrae, CA 94904

RE: Question about "incorporation of Greenbrae"

Hide Details

FROM: Dan Schwarz

Thursday, February 7, 2013 2:04 PM

TO: cindy winter

The unincorporated portion of Greenbrae is not along the freeway or Lucky Drive, so that is a mistake.

Dan

From: cindy winter [mailto:cinhiver@yahoo.com]
Sent: Thursday, February 07, 2013 12:52 PM
To: Dan Schwarz
Subject: Question about "incorporation of Greenbrae"

Dear Dan,

I've been reading the CalTrans EIR about the proposed 101 redesign, and on Page 1.1 of the Introduction, it states as set forth below. Does this make sense? I thought Greenbrae had been incorporated into the City of Larkspur. I live in Greenbrae, but vote for Larkspur City Council.

I'd like to include this point in my response to the EIR, which is due next Thursday. Thank you, Cindy Winter

This segment of US 101 also includes **an unincorporated area of Marin County known as Greenbrae** that straddles both sides of the highway near Lucky Drive.

Reply to Dan Schwarz

Send

EXHIBIT "A"

January 22, 2013

New developments under way/planned/discussed for GCIP area:

*MND 1. MacFarlane Partners, 185 new units + mixed use, old Wincup site, Wornum and Tamal Vista.

*MND 2. Rose Lane (also known as Rose Garden), Doherty Drive, Larkspur, 85+6 = 91 new units, The New Home Company.

3. Larkspur Library, Doherty Drive. Many amenities and activities are being planned. The new library will be so close to East Larkspur (as the crow flies) that it would seem a shame if patrons couldn't walk safely to it on a nice day.

4. Fifer Avenue: A large property owner is reported to be considering redevelopment similar to the MacFarlane project.

*MND 2 only 5. Higher-density development is under serious and on-going discussion for Larkspur Landing, in connection with SMART station planning. The GCIP freeway Mitigated Negative Declaration lists Drake's Way -- 24 residential units, and Drake's Cove -- 126 residential units + hotel and mixed use. See page 1-21 of the MND. However, since this portion of the MND was prepared, the Larkspur Landing discussions have expanded to include a number of additional sites and other changes.

6. Higher-density development has been suggested for Bon Air Shopping Center.

7. Higher-density development has been suggested for Drakes Landing.

8. College of Marin is under reconstruction, to attract more students.

9. SMART train station and Central Marin Ferry Connector Project.

10. Alto Tunnel will open some day; geography, population, and evolving attitudes make it inevitable.

Many drivers attracted to Nos. 11, 12 and 13 would probably use Tamalpais Drive, but some (an unknown number) would be attracted in the direction of Trader Joe's and Wornum:

11. Larkspur-Corte Madera School District, new elementary school, San Clemente Drive.

Continued...

*See MND, page 1-21.

12. The Village: Nordstrom's is under renovation, and the shopping center parking will be renovated to accommodate more vehicles more easily.

13. Madera Vista Apartments, off Paradise Drive in Corte Madera, 126 vacant units, to be renovated (building permit has been issued).

AND FINALLY:

14. What would traffic be like were San Quentin moved from Marin?

Prepared by Cindy Winter
cinhiver@yahoo.com
(Resident of Greenbrae)

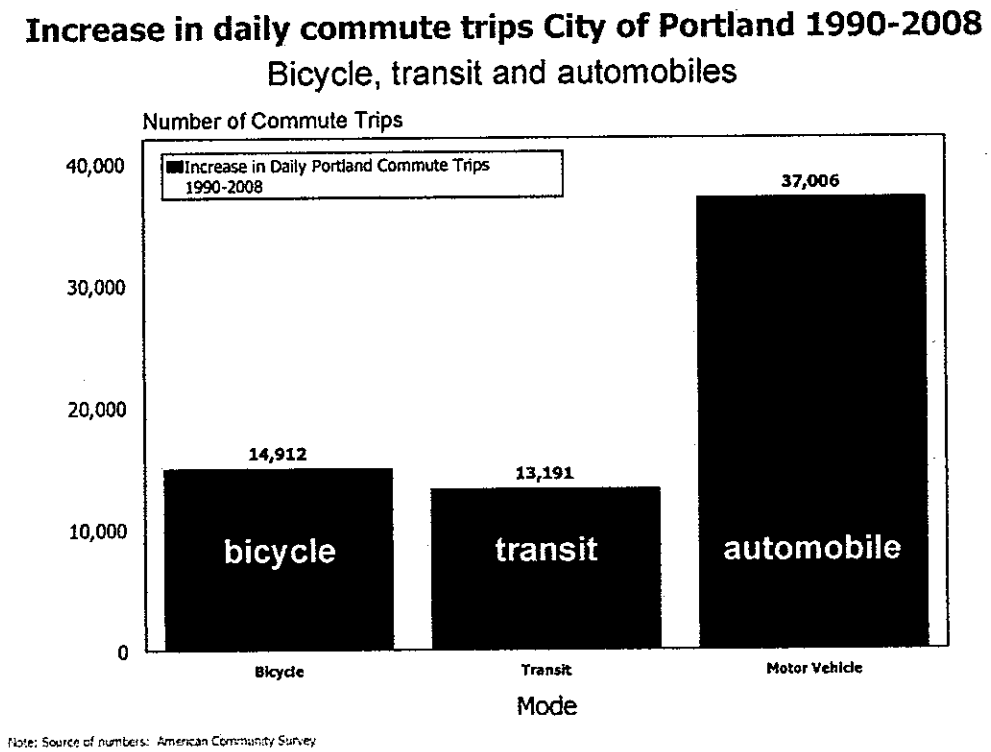

Figure 11. Change in daily commute trips by mode 1990-2008

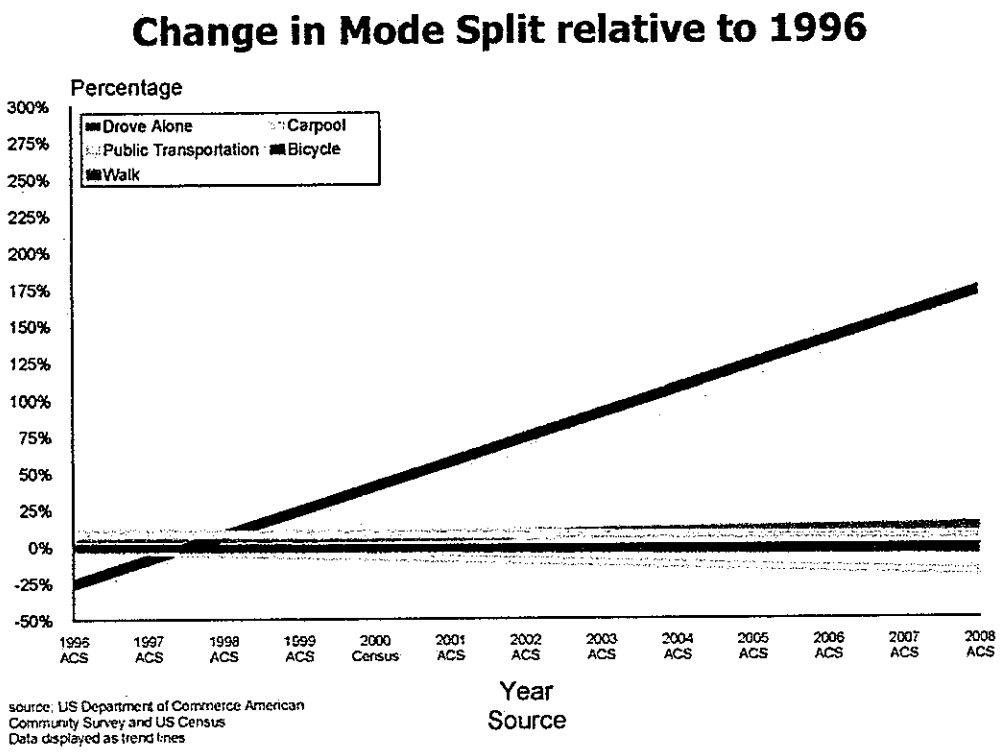

Figure 12. Change in mode split relative to 1996 (Trend Line)

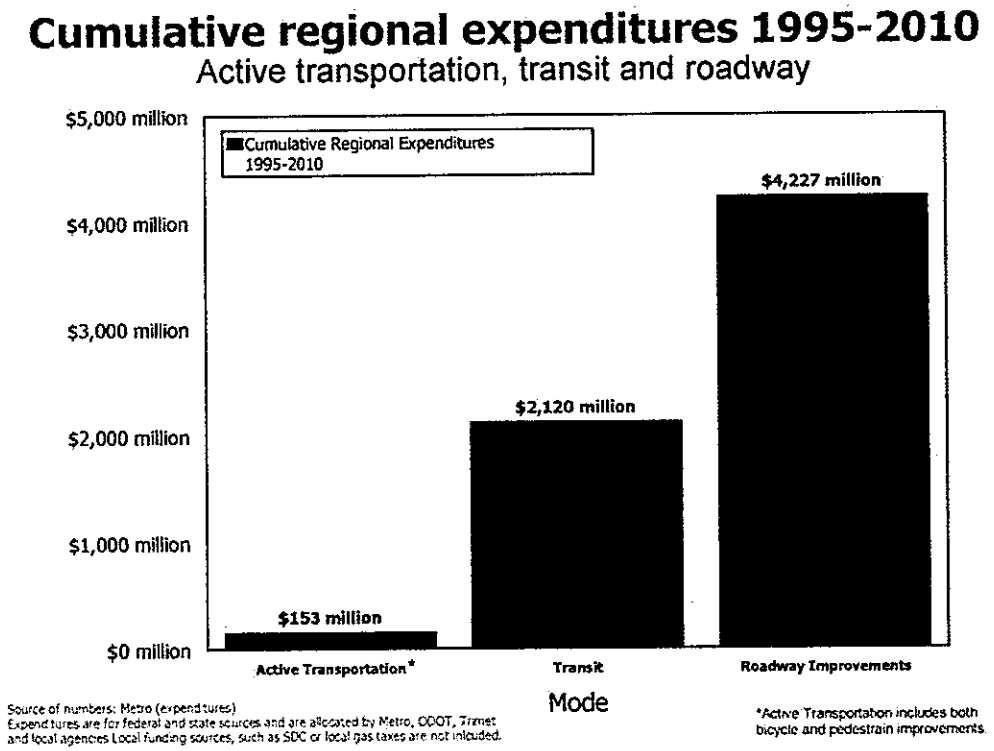

Figure 13. Cumulative regional capitol expenditures in transportation 1995-2010

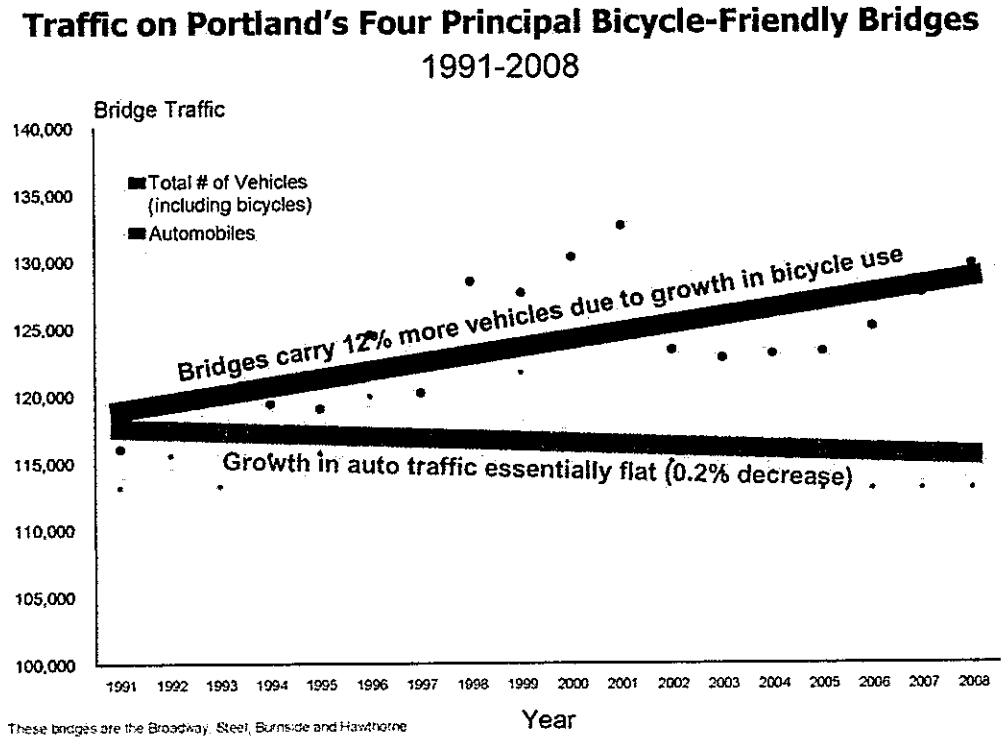

Figure 14. Increased demand for mobility largely met by bicycles on four principal Portland bridges

ATTORNEYS AT LAW
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February 12, 2013

Sent via email: valerie_shearer@dot.ca.gov
and U.S. Mail

Caltrans District 4
Office of Environmental Analysis, MS-8B
PO Box 23660
Oakland, CA 94623-0660

Attention: Valerie Shearer
Senior Environmental Planner

Re: Highway 101 Greenbrae/Twin Cities Corridor Improvements
Draft Environmental Document

Dear Ms. Shearer:

We represent Jackovics Enterprises Inc. and the Jackovics' family (collectively "Jackovics"), with regard to the above-referenced project. Attached is a letter from land use consultant Scott Hochstrasser of IPA, Inc. providing, on behalf of Jackovics, formal written comments on the Draft Environmental Document ("DED").

We have carefully reviewed the DED and, on behalf of Jackovics, conclude that the current draft mitigated negative declaration fails to comply with the most basic and fundamental provisions and purposes of the California Environmental Quality Act ("CEQA") in that: (1) it fails to recognize and understates the significant environmental impacts of the project, including but not limited to those related to traffic circulation on local surface streets; and, (2) it incorporates and relies upon significantly flawed technical analysis. The catastrophically flawed traffic safety analysis alone effectively precludes the public from meaningfully commenting on the true impacts of the project, thereby rendering the DED non-

compliant with CEQA. Further, given the inability to properly disclose and analyze the obvious significant potential impacts of the project in the current draft mitigated negative declaration, CEQA requires preparation and circulation of a full environmental impact report ("EIR:).

More specifically regarding the traffic safety analysis:

1. The traffic analysis references 10 years of data in order to overstate adverse traffic conditions relative to those reflected in the three-year, 2007-2009, data, as the three year data does not appear to support a conclusion of increasing traffic safety hazard.

2. It appears that the project study area was inexplicably increased to mile marker 7 to 9 in order to again overstate the traffic congestion and accident data, as compared with the mile marker 7.2 to 8.9 project area referenced in the DED. Interestingly, the only two fatal accidents occurred outside the true DED project area but within the expanded area analyzed and, even though both accidents were caused by matters unrelated to traffic conditions, they were incorporated into the study to improperly overstate traffic safety conditions.

3. It appears that the traffic accident analysis also included a substantial number of accidents that occurred outside of the true project study area and, in fact, outside of Marin County, again overstating the actual traffic safety conditions in the project area.

The above are but a few examples of the flawed traffic analysis which reflects either consultant and staff negligence in performance and inclusion of the studies, or an intentional effort to distort the traffic data to support a "need" for a large, unpopular and expensive project otherwise unsupported by the actual facts. The DED clearly and improperly overstates project traffic conditions while failing to properly analyze other significant potential impacts, such as local surface street traffic circulation, thereby rendering the entire current process non-compliant with CEQA. The current DED and review process fails to comply with the most fundamental notice provisions and purposes of CEQA and precludes the public from providing meaningful comment.

We respectfully request that the DED be returned to the drawing board for further study and analysis to allow the public to meaningfully comment on an environmental document that meets the requirements of CEQA. A draft mitigated

negative declaration is insufficient to properly analyze and disclose the project's significant potential impacts and to allow for consideration of potentially environmentally superior alternatives. Simply put, the project warrants a full EIR, including an analysis of project alternatives to give the public the meaningful opportunity to have input consistent with the fundamental purposes of CEQA. Failure to perform a full project EIR will undoubtedly result in protracted CEQA litigation.

Respectfully,

Paul C. Smith

PCS/slm
Enclosure

Cc: Jackovics Enterprises Inc.
IPA, Inc.

IPA, Inc

Scott L. Hochstrasser

E-Mail slh1ipa@aol.com
42 Glen Drive, Suite B * Fairfax, CA 94930 USA * Tele (415)459-6224 * Fax 459-5810

VIA EMAIL and U.S. POSTAL SERVICE February 11, 2013

c/o Paul C. Smith, Legal Counsel for Jackovics Family
Keegin Harrison | Schoppert Smith & Karner LLP
1000 Fourth Street, Suite 600
San Rafael, CA 94901
www.keeginharrison.com

For Delivery To:

Caltrans District #4
Attention: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660
VIA EMAIL: Valerie_Shearer@dot.ca.gov

RE: JACKOVICS FAMILY COMMENTS
NOTICE OF INTENT TO ADOPT A DRAFT INITIAL STUDY WITH PROPOSED MITIGATED NEGATIVE DECLARATION AND DRAFT ENVIRONMENTAL ASSESSMEMNT FOR THE HIGHWAY 101 GREENBRAE/TWIN CITIES CORRIDOR IMPROVEMENT PROJECT (MARIN COUNTY, TOWN OF CORTE MADERA AND CITY OF LARKSPUR)

Dear Ms. Shearer;

Thank you for the opportunity to review and comment on the above noted environmental documents. The Jackovics' Family, clients of mine, haves spent over 15 years assembling private properties adjacent to and in the immediate vicinity of the Caltrans 101 Greenbrae freeway right of way including the following:

A. #101 Nellen Avenue – APN 024-042-01 – Site Area 30,000 sq ft
B. #110 Nellen Avenue – APN 024-041-12 – Site Area 35,680 sq ft
C. #150 Nellen Avenue – APN 024-041-16 – Site Area 22,500 sq ft
D. #10 Fifer Avenue – APN 024-042-02 – Site Area 44,866 sq ft
E. #200 Nellen Avenue – APN 024-011-57 – Site Area 26,500 sq ft
F. #2 Fifer Avenue – APN o24-041-15 – Site Area 48, 210 sq ft

PLEASE SEE ATTACHED - EXHIBIT A "PROPERTY INFORMATION"

In total the family owns and controls six (6) major properties with a total of over 4.77acres of

developed land. The client's properties include a mix of land uses including offices, commercial gym and retail. Over the past several years various members of the family have participated in several workshops and meetings wherein the Greenbrae 101 interchange project has been discussed. They have provided both oral and written comments on several alternative plans and have continued to have major concerns about alternative designs.

In short summary, the project would include roadway modifications, realignment, additions and removals of on-off ramps, existing pedestrian overcrossing and construction of auxiliary lanes, transit and bicycle lanes that would have potentially significant adverse environmental impacts on existing and future land use of the client's property. Additionally, the need for the improvements and the benefits claimed seem dubious at best, given factual inconsistencies and inaccuracies presented in the traffic impact analysis prepared by the consultants at Circlepoint.

Therefore, based on the following reasons, we contend that the project environmental document is completely inadequate because it misleads the public about the traffic safety issues and circulation needs for the project and the benefits of the project development. Secondly, we contend that the environmental documents are legally inadequate to properly address the potential significant adverse environmental impacts that will result from the development to the selected project alternative and no analysis of a less environmentally damaging project has been provided. Finally, the proposed mitigations are not consistent with standards specified in the California Environmental Quality Act Guidelines Section 15307 Mitigation, some impacts cannot be reduced to "less than significant "and a project Environmental Impact Report is required under CEQA law.

I. HUMAN ENVIRONMENT

Section (2.2.1.1) Issues with No Adverse Impact

Comment: Adverse Impacts will result on existing and future land uses that were not studied.

On Page 2.1-2 "Community Impacts" section notes that the project will involve private properties. Figures, maps and plans in the document show that significant temporary and potentially permanent additional easements and/or new right of way will be required to construct the project. The right of way easements and takes will occur on Jackovics' Family properties. *See Attached Exhibit B "Development Potential"*. Currently the existing Jackovics' Family properties are zoned with a .34 Floor Area Ratio (FAR). Recently the Town of Corte Madera has approved development with FAR up to 1.56 to allow for market rate and affordable housing needed to meet Bay Area regional "fair share" requirements. The Jackovic's Family properties combined could support as much as 200,000 sq ft of housing and retail.

With the proposed project roadway "fly over" and other project elements the site development potential would be reduced to approximately 155,000 sq ft because building area would be reduced and parking on grade would be lost forcing structured parking. The project Initial Study is inadequate because it failed to study potential significant adverse environmental impacts on the Jackovics' Family property including the loss of private land, the loss of the value and potential uses of the remaining Jackovics' Family property. The potential loss of future affordable and market rate housing

development was not studied.

Section 2.2.1.2 Regional Plans

Comment: The proposed project alternative is inconsistent with regional and state plans.

The proposed project could potentially result in a loss of 45,000 sq ft of mixed used development including market rate and affordable housing on the Jackovics' Family property. This loss is inconsistent with California goals and ABAG goals for regional housing growth in Southern Marin County.

Section 2.2.3.1 Relocations and Real Property Acquisitions

Comment: The project will result in relocations and real property acquisitions and there is no mitigation pursuant to CEQA Section 15370.

Section 2.2.3.1 lists property acquisitions for building the alternative including four (4) of the Jackovics Family properties for a total of approximately 14,160 sq ft. (properties 13, 14, 15 and 16 on Table 2.2-6). The study indicates that no significant adverse impacts to the established commercial uses on the subject properties will ultimately result because the final construction will restore access driveways and ingress and egress to existing on-site parking. The study goes on to say parking will be restored in the area yet the plans include removal of existing on-street parking now available on Nellen Avenue (See Document Figure 2.8). The avoidance, minimization and/or mitigation measures provided in the environmental document are non-specific, lack detail and put off details required by CEQA Section 15370 Mitigation. There is no detailed explanation of how the temporary and permanent property "Takes" will be limited and/or what action would specifically be taken to limit the degree or magnitude of the action and its implementation. There is no detailed plan for rectifying the impact, repairing, rehabilitating, or restoring the impacted environment, namely the Jackovics' Family properties. The study lacks details for eliminating the impact over time by preservation or maintenance operations during the life of the action. Finally, there is no discussion of compensation for the impact by replacing or providing substitute land resources. The study fails to address the "take" impacts and the proposed mitigations do not meet the basic standards of CEQA.

Section 2.2.5 Traffic and Transportation

Comment: The project has a potential to result in significant adverse environmental impacts on regional and local traffic that were not studied.

Regional Traffic Issues: This section of the project Initial Study along with the technical traffic studies referenced makes a detailed analysis of the roadway circulation and safety issues that exist now. However, the mile post designations for study areas are internally inconsistent in the CEQA document. What is the study area? The document uses ten years of traffic collision data, San Francisco collision records and the study area is in Marin County, Greenbrae at the HWY 101 interchange. Why is San Francisco collision data used for a Marin County Greenbrae HWY 101 interchange project analysis? The record shows vehicle fatalities information resulting from medical conditions, not vehicle traffic safety, but the CEQA analysts make claims for roadway safety improvements because

inadequate roadways result in fatal collisions. How roadway safety improvements can propose lower fatal vehicle collision rates where the collisions primarily result from medical conditions of drivers?

Finally, the record is replete with evidence that is not relevant to the study area and raises more questions than it answers. The report does not support the conclusions for the project need. Moreover, there is no clear evidence to show that the planned improvements in fact will improve traffic circulation and safety in the area. The data errors, skewing of data, use of data totally irrelevant to the study area results in misleading the public, not informing the public as CEQA guidelines require. The data errors and inconsistencies cloud the "project description" in the CEQA document and distort the reasons presented for why the project alternative was selected and what in fact the purpose, intent, goals and objectives for the project are. The "project description", purpose, goals, intent and objectives need to be re-written. The study area needs to be redefined. The traffic data must be refined to the study area and the errors corrected. At the very least with these changes an entirely new environmental document is needed and a complete re-circulation of the corrected document is required by the CEQA guidelines. Technically a project Environmental Impact is required under CEQA guidelines.

Local Roadway Impacts Ignored: Secondly, the project alternative plan view is "101 highway centric". The environmental document ignores the potential adverse environmental impacts of the interchange improvements on the local roadway, safety, circulation and parking. The study fails to study impacts on local businesses in the area especially the Jackovics' property. Please See Attached Exhibit C "Highway 101 Access Diagrams" and Exhibit D "Sir Francis Drake Blvd Access Diagrams". Exhibit C shows that the existing site conditions allows for 7 driveway access points to Jackovics' Family properties allowing visitors to local businesses convenient access to each of the individual properties. With the proposed "fly-over" two way vehicle access to existing parking would be eliminated at two existing developed properties fronting on Nellen Avenue. In addition to adding inconvenience for local visitors to access on-site parking for existing business, emergency service access and circulation would be adversely impacted. Limiting site access to 3 driveways for 7 businesses has a potential adverse environmental impact that has not been studied. The driveway closures could potentially block emergency service vehicle access and circulation resulting in longer response times for emergency services and inadequate access to buildings for fire protection.

By eliminating the existing Fifer Ave exit south bound HWY 101 travel distance will increase approximately .5 miles. Page 2.2-3.1 of the Initial Study notes that 14,000 vehicles a day enter the Fifer Avenue intersection. Clearly some significant portion of these vehicle trips will be adding .5 mile to their travel distance and the Initial Study failed to account for the additional vehicle miles traveled (VMT) and the potential impacts associated with additional VMT including vehicle circulation, parking congestion and air pollution. Exhibit D shows that the existing site conditions allow for 6 driveway entrances from Sir Francis Drake Blvd, Southbound. With the proposed "fly-over" access from Sir Francis Drake Blvd, Southbound is reduced to three driveway entrances.

The plan would eliminate two way ingress and egress to existing parking at two developed properties on Nellen Ave. There are 58 parking spots that would be lost because 23 are deficient based on a total of 180 existing parking spaces and a need of 145 parking spaces.

The loss of parking will result in public commuter use of private on-site parking restricted for local businesses. There is no impact analysis or mitigation for this impact.

Finally, there is no analysis of impacts that will result on emergency service vehicle access with reduced driveways for private properties. Reduced access points and parking congestion resulting from the loss of 23 on-street parking spaces will result in reduced emergency service vehicle access to existing buildings and established business. No mitigation for this impact has been identified.

In summary the plan to reduce driveways to existing on-site parking on the Jackovics' Family property could potentially adversely impact local traffic circulation and result in parking congestion in the business community. Additionally, the driveway changes will have adverse impacts on emergency service vehicle access to existing established businesses. The planned driveway closures will result in local drivers increasing vehicle miles traveled resulting in additional vehicle circulation, parking congestion and air pollution. Finally, the project Initial Study and proposed Mitigated Negative Declaration are inadequate because none of these potential impacts have been studied.

Section 2.2.6 Visual/Aesthetics

Comment: The project plans are inconsistent with County of Marin, City of Larkspur and Town of Corte Madera General Plans and regulations because the project will have significant adverse environmental impacts on views and aesthetics that will not and cannot be mitigated to "less than significant".

The environmental consultants on page 2.2-61 claim that the study area is a "highly urbanized area". Although it is true that the west side of HWY 101 is build up with back office and retail buildings serving a well developed suburban area; the Town of Corte Madera and City of Larkspur, it is not exactly a highly urbanized area. Moreover, the east side of HWY 101 includes a significant "Park and Open Space" shown on Fig 2-1 of the document. On page 2.2-64 the consultants claim that the View #LF Lucky Drive and Fifer Avenue, overall visual quality is low. The Jackovics' Family properties view today is slightly affected by the existing HWY 101 structure. *(Please See Attached Exhibit F – View Diagram)* This diagram illustrates that the view areas now enjoyed by the existing buildings over the HWY structure are moderate because the structure is 0-5 feet in height. However, with the proposed project "fly-over", depending on the overall height of the structure, the views are potentially adversely affected. The current proposal includes areas of the "fly-over" with an overall height of 48 ft from the existing road grade. As Exhibit F shows the proposed "fly-over" will have an extremely negative effect on the Jackovics' Family properties located on Nellen Avenue. The proposed project will adversely impact views that exist and will constrain views with future development in the future.

Table 2.2-24 lists the Jackovics' properties with an overall visual rating of "low" in three areas: Vividness, Intactness and Unity. The analysis fails to include a cumulative impact analysis of the proposed "fly-over" at various heights. Moreover, there is no evidence to support the consultant's conclusions that overall visual quality is low. The analysis fails to show that the "fly-over" at 48 ft in height will result in a significant adverse environmental impact obstructing views and constraining future development opportunities for views of the park and open space lands on the east side of HWY 101. The visual impact analysis is flawed because it makes false assumptions and conclusions about the baseline environment being "highly urbanized area". It fails to demonstrate openly and inform the public and the property owners about what changes in views can be expected on a cumulative basis. If

the "fly-over" is 48 ft high it has the potential to result in a significant adverse visual impact on the Jackovics' Family properties that has not been disclosed. The project environmental document fails to include any project alternatives that could lower the "fly-over" height and thereby minimize the potential adverse visual impacts.

II. PHYSICAL ENVIRONMENT

Section 2.3.6 Air Quality

Comment: The project will have significant cumulative adverse environmental impacts on air quality that have not been studied and there is no mitigation proposed.

Page 2.3-41 bottom paragraph claims that the proposed project would alleviate traffic congestion, increase overall efficiency and lower vehicle miles traveled. However, there is no evidence to support this claim. In fact, it is anticipated that driveway closures planned for local streets would actually increase VMT by local visitors trying to access existing established businesses. *(See Attached Exhibit C)*. The driveway reductions planned for local surface streets will increase traffic congestion and parking congestion because local business visitors will circulate around the neighborhood looking for access to existing on-site parking. The fact is the project could potentially increase vehicle miles traveled on local streets (Fifer Avenue where 14,000 vehicles a day enter the intersection) thereby increasing daily emissions. The project Initial Study focuses on the Highway 101 (HWY 101) improvements to circulation but ignores the potential impact of the HWY 101 improvements on local street circulation and parking at existing local businesses. The project plan is designed to serve the HWY 101 users at the cost of the users of local streets and the established local businesses. The analysis fails to take in to consideration the potential adverse air quality impacts potentially resulting from additional VMT by locals trying to access existing established businesses and their on-site parking.

Section 2.3.7 Noise

Comment: The project will have significant cumulative adverse environmental impacts on noise that have not been studied and there is no mitigation proposed.

Table 2.3-10 located on page 2.3-50 of the project study fails to list the six (6) Jackovics Family properties as "Noise Sensitive Receivers in the Study Area". The subject properties are clearly noise sensitive receivers. Three of the properties are located directly adjacent to the west side of HWY 101 right of way. *Please See Attached Exhibit E "Traffic Noise Diagrams"*. This diagram illustrates the existing site noise conditions establishing the CEQA baseline. The drawing on the left shows the extent to which the existing traffic noise impacts the existing established land uses. The drawing on the right shows the potential noise impacts on the Jackovics' Family properties with the proposed "fly-over". Clearly by elevating the roadway as planned the noise source is much more efficient at projecting sound into the distance similar to an elevated air raid siren. The drawing shows conclusively that the elevated roadway is significantly louder, at least twice the noise energy or 50% louder than the existing ground level roadway. The project Initial Study is inadequate and fails to address the potential significant adverse noise impacts the "fly-over" design will have on the Jackovics' Family properties.

III. CUMULATIVE

Section 2.5 Cumulative Impacts

Comment: Potential significant cumulative adverse environmental impacts cannot be mitigated and pursuant to CEQA Guidelines a project Environmental Impact Report (EIR) is required.

Page 2.5-1 of the document lists potential planned land use developments. The list completely ignores the potential for redevelopment of the Jackovics' Family properties. The analysis fails to look at the potential changes in land use and future development potential and possible build out of the Jackovics' properties. The planned roadway improvements result in property take, driveway reconfigurations, impact to emergency service access and likely adverse impacts to existing established business on the Jackovics' properties. The roadway improvement plans have the potential to accelerate growth and redevelopment of the properties as the owners struggle to maintain their properties vital to existing and future business interests. The subject properties are sensitive noise receptors yet no study has been conducted to include them. The properties will experience potential significant adverse visual impacts that cannot be mitigated to a level of "less than significant" with the proposed project. The properties will be adversely affected by traffic congestion on local streets resulting from the HWY 101 improvement project. Existing on-site parking facilities and driveways will need to be reconfigured and the Initial Study does not include adequate mitigations pursuant to CEQA guidelines. The cumulative analysis fails to take into consideration the potential additional VMT on local streets and the additional resulting emissions.

IV. SUMMARY AND CONCLUSIONS

Comment: The project Initial Study is inadequate, the project will result in potential significant adverse environmental impacts that have not been studied. Impacts that have been studied have significant adverse impacts that lack mitigation measures that meet CEQA standards and will not mitigate project impacts to "less than significant". A project EIR is required to review alternative projects to further minimize impacts to "less than significant".

The project Initial Study failed to provide a complete and open disclosure of the potential significant adverse environmental impacts that will result if the proposed project is constructed. The study "project description" is inadequate and presents erroneous information that miss informs the public about the need for the project. The study lacks a comprehensive analysis of "land use" impacts resulting on immediately adjacent properties, over 4.77 acres of land, owned by the Jackovics' Family.

The consultants approach is narrow, focused on a "HWY Centric" analysis that has internal inconsistencies even in the traffic study area defined. The study ignores the potential significant secondary impacts of the HWY 101 improvements on adjacent local streets. The study lacks a comprehensive review of property right of way takes, driveway closures and adverse impacts on traffic circulation on local streets. The study lacks impact analysis of the loss of 23 on-street parking used mostly by commuters. The study lacks any analysis potential impacts of local driveway closures on emergency service vehicle access to existing mixed commercial and retail uses.

mostly by commuters. The study lacks any analysis potential impacts of local driveway closures on emergency service vehicle access to existing mixed commercial and retail uses.

The analysis makes gross assumptions and conclusions of the project impacts that lack supporting evidence or that rely on evidence that is not relevant to the study area. The document avoidance, minimization and/or mitigation measures that are non-specific, lack detail and put off details required by CEQA Section 15370 Mitigation. For example, there is no detailed explanation of how the temporary and permanent property "takes" will be limited and/or what action would specifically be taken to limit the degree or magnitude of the action and its implementation.

There is no detailed plan for rectifying the impact, repairing, rehabilitating, or restoring the impacted environment, namely the Jackovics' Family properties. There are not details for eliminating the impacts of the project resulting over time by preservation or maintenance operations during the life of the action. Finally, there is no discussion of compensation for the impact by replacing or providing substitute land resources. The study fails to address the "take" impacts and the proposed mitigations do not meet the basic standards of CEQA.

The study proposes visual impact mitigations that do not mitigate the visual effects of the project because the visual impacts cannot be mitigated to a level of insignificance. However, this is not fully disclosed to the public in the document because the consultant's baseline assumptions are in error. The document shows that the visual impacts are significant and unavoidable given the proposed project.

Finally, and most importantly a project EIR is required to provide full, complete and accurate disclosure of the need for the project, the purpose, intent, goals and objectives of the project. Additional impact analysis is needed and a comprehensive presentation of "alternatives" that reduce impacts to "less than significant" is required to comply with the purpose and intent of the CEQA rules and guidelines. Proposed mitigations that meet CEQA Section 15370 are required to comply with CEQA rules. Any new environmental review document that is created to respond to the critical issues raised above will require re-circulation and it is requested that the re-circulation period be a minimum of 60 days.

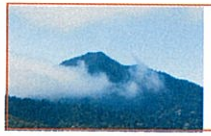
Thank you for the opportunity to comment on this document. Please do not hesitate to contact me if there are questions.

Sincerely,

Scott L. Hochstrasser, President

CC: TAM Board
Town of Corte Madera Council
City of Larkspur

Attachments
Exhibit A "Property Information"
Exhibit B "Development Potential"
Exhibit C "Highway 101 Access Diagrams"
Exhibit D "Sir Francis Drake Blvd Access Diagrams"
Exhibit E "Traffic Noise Diagram"
Exhibit F "View Diagrams"



GREENBRAE / TWIN CITIES CORRIDOR PROJECT

DESIGN ANALYSIS: ADVERSE IMPACTS TO ADJACENT PROPERTIES

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JACKOVICS FAMILY PROPERTIES

CORTE MADERA, CA
JULY 23, 2012

INTRODUCTION

This analysis illustrates the impacts of the proposed Transportation Authority of Marin (TAM) and Cal Trans proposed Highway 101 Greenbrae/Twin Cities Corridor Improvement Project on nearby properties on the West side of Highway 101. The study focuses on five properties held by the Jackovics family on the Western side of Highway 101 adjacent to, abutting, and lying between Nellen and Fifer Avenues. The properties are referenced here as property A, B, C, D, and E. The report graphically illustrates the impacts to the site's access, future development potential, and future value of the Jackovics' holdings in the study area caused by the proposed Improvement Project if it were completed.

The components of the Greenbrae/Twin Cities Corridor Improvement Project affecting the five properties are a proposed off-ramp fly-over, elimination of the Highway exit at Nellen Avenue, and elimination of automotive access off the Nellen Avenue frontage.

The impacts of the proposed changes include reduced access from Sir Francis Drake Blvd., increased length of travel distance, increased travel time, increased congestion on Lucky Drive, diminished view sheds, and significant noise intrusion to the study area. Other negative impacts not specifically illustrated in this analysis include: landlocked properties, relocated utility easements on private property, shading of properties adjacent to the fly-over, setbacks and right-of-way encumbrances dramatically reducing the buildable area.

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BAY AREA SITE PLAN

1 SITE VICINITY

2 MOUNT TAMALPAIS

3 RICHMOND - SAN RAFAEL BRIDGE

4 SAN FRANCISCO BAY

5 ANGEL ISLAND

VICINITY SITE PLAN

1 CORTE MADERA CREEK

2 VIEW TO MOUNT TAMALPAIS

SITE INFORMATION

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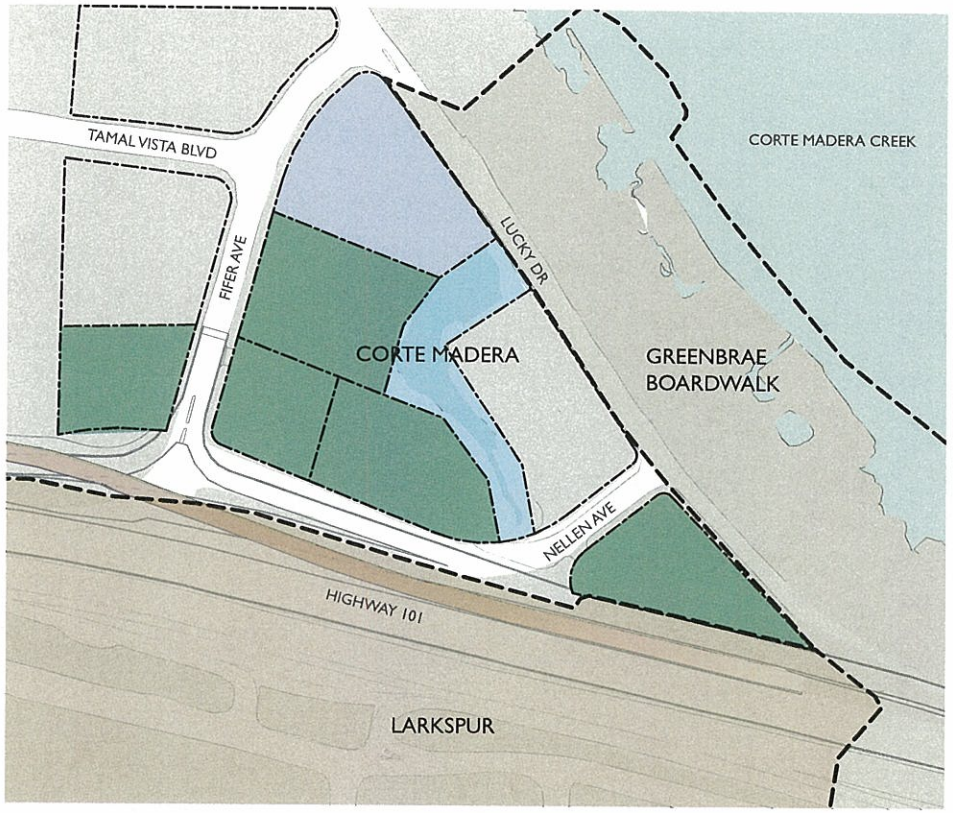
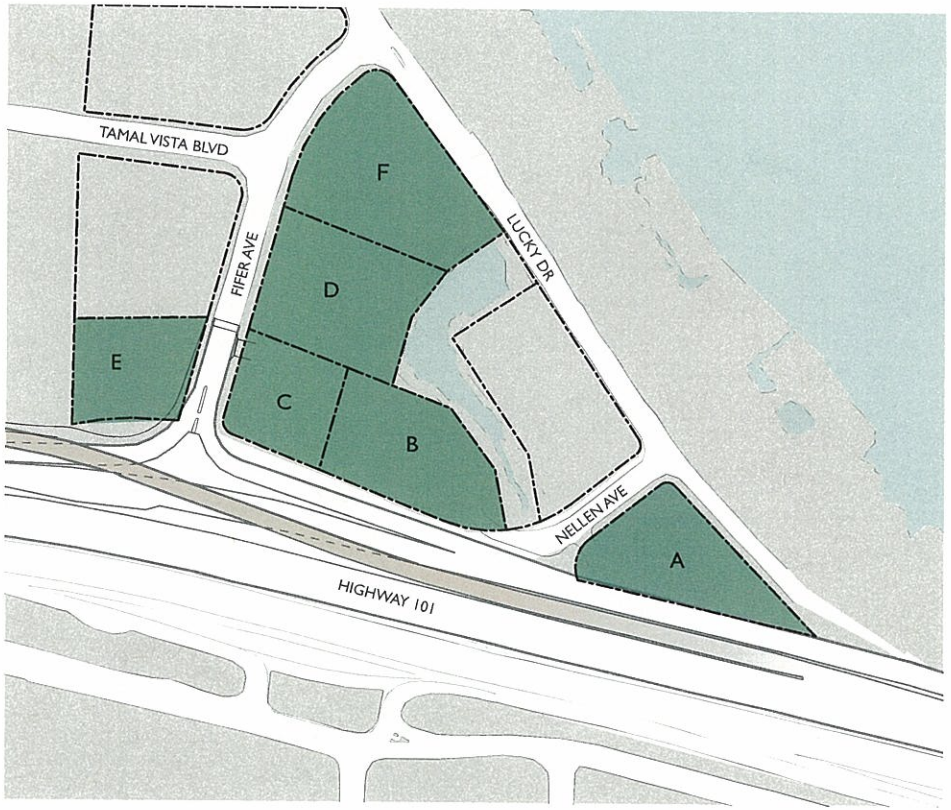
JACKOVICS FAMILY PROPERTIES

NOT TO SCALE N

CORTE MADERA, CA
JULY 23, 2012





JURISDICTION / ZONING PLAN

- ZONE BRNH - BAYLANDS RISK ZONE AND NATURAL HABITAT
- ZONE FC - FLOOD CONTROL & DRAINAGE FACILITIES DISTRICT
- ZONE C3 - HIGHWAY COMMERCIAL DISTRICT / MUC GENERAL PLAN
- DISTRICT BOUNDARY
- PARCEL BOUNDARY

PARCEL PLAN

	A	B	C	D	E	F
SITE AREA	30000 sq ft	35680 sq ft	22500 sq ft	44866 sq ft	26500 sq ft	48210 sq ft
APN	024-042-01	024-041-12	024-041-16	024-041-02	024-011-57	024-041-15
ADDRESS	101 NELLEN AVE	110 NELLEN AVE	150 NELLEN AVE	10 FIFER AVE	200 NELLEN AVE	2 FIFER AVE

TOTAL ACREAGE OF ENTIRE PARCEL COLLECTION: 4.77 ACRES

EXHIBIT A "PROPERTY INFORMATION"

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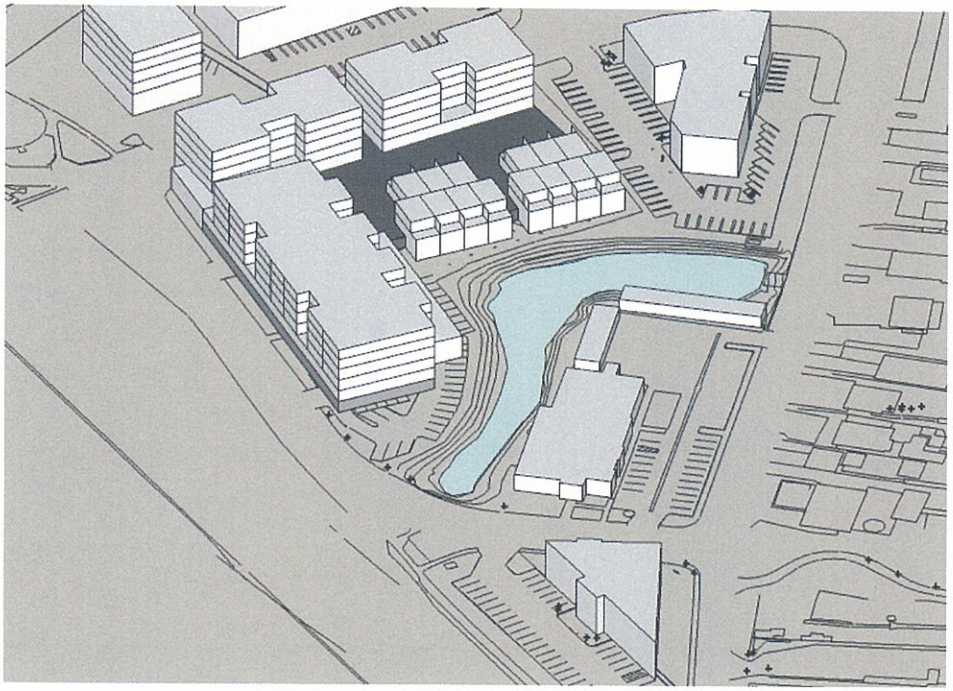
JACKOVICS FAMILY PROPERTIES

SCALE: 1"= 160'-0"

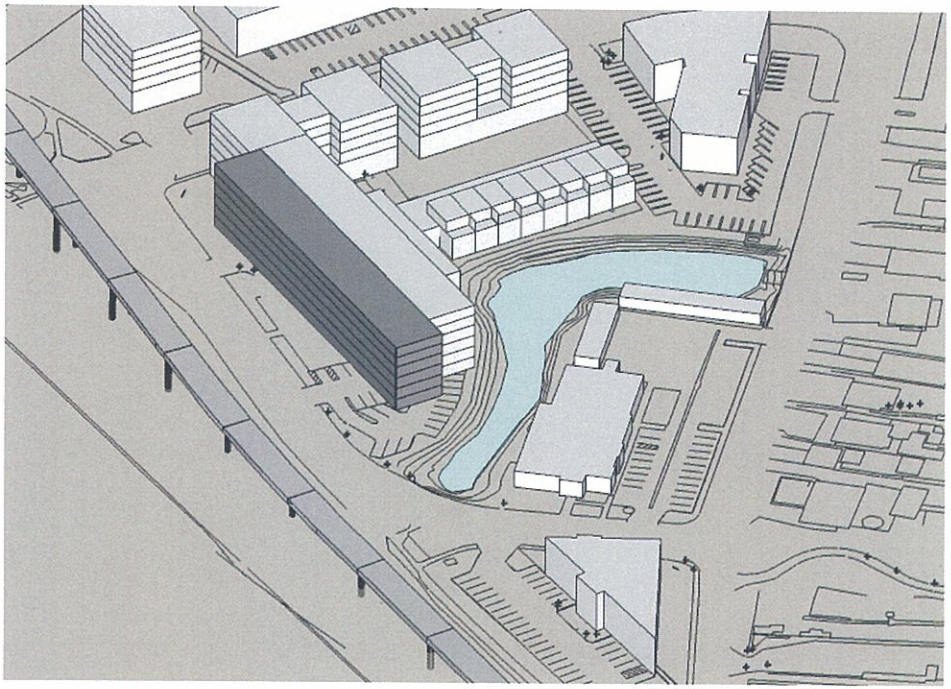
N

CORTE MADERA, CA
JULY 23, 2012



EXISTING SITE

PARKING STRUCTURE **SITE CONDITIONS ALLOW 195,000 SQ FT OF DEVELOPMENT.**



SITE WITH PROPOSED FLY-OVER

PARKING STRUCTURE **SITE CONDITIONS ALLOW 155,000 SQ FT OF DEVELOPMENT.**

Currently the existing site(s) are zoned with a .34 floor area ratio (FAR). Nearby properties have recently been approved with a FAR of 1.56. We have used test floor area ratios (FAR) of 2.0 and 1.5 as well as a building program that includes retail, health & fitness services, and housing. These parcels as they exist currently could support as much as 200,000 square feet (sq. ft.) of housing and retail. Using a 1.5 FAR sites (A,B,C, and D) could support approximately 150,000 sq. ft. of retail and housing development. As tested the existing sites could support approximately 195,000 sqft. of development. With the addition of the fly-over, the site would support a reduced 155,000 sq. ft. development.

The massing studies do not reflect actual proposed designs but were developed to illustrate the program on site and test the impacts to the potential development on the properties as they currently exist as compared to the impacts of proposed Highway 101 Greenbrae/Twin Cities Corridor Improvement Project. The housing component assumes a mix of townhouse type units and one and two bedroom units. The retail component is non-specific but is assumed to be neighborhood serving businesses such as market, drycleaner, fitness center, and other retail.

The Existing Site massing study uses a podium approach. A podium approach uses parking at grade with building and green space above as a sensible and economic approach to parking and flood control. It results in a highly efficient and cost effective solution allowing greater density due to vehicle access, light, and views at the properties.

On the Site with Fly-over similar massing is applied, but with structured parking. Although structured parking is significantly more expensive, it is employed in this study as the views to the East are severely compromised and therefore not suitable for housing. Additionally, it is used to shield the properties from the inherent noise intrusion of the fly-over. This approach results in less building area because the structured parking replaces what would have been housing and eliminates the opportunity for parking on grade.

EXHIBIT B "DEVELOPMENT POTENTIAL"

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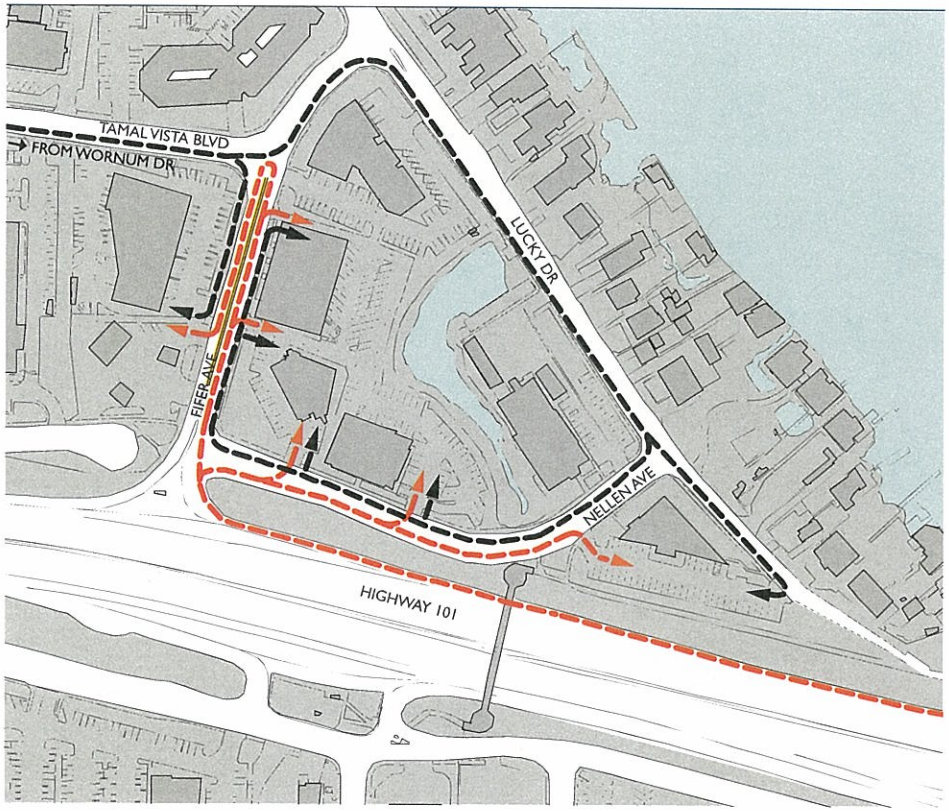
JACKOVICS FAMILY PROPERTIES

NOT TO SCALE

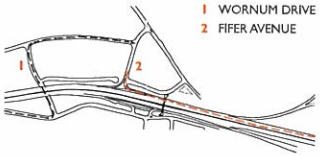
CORTE MADERA, CA
JULY 23, 2012



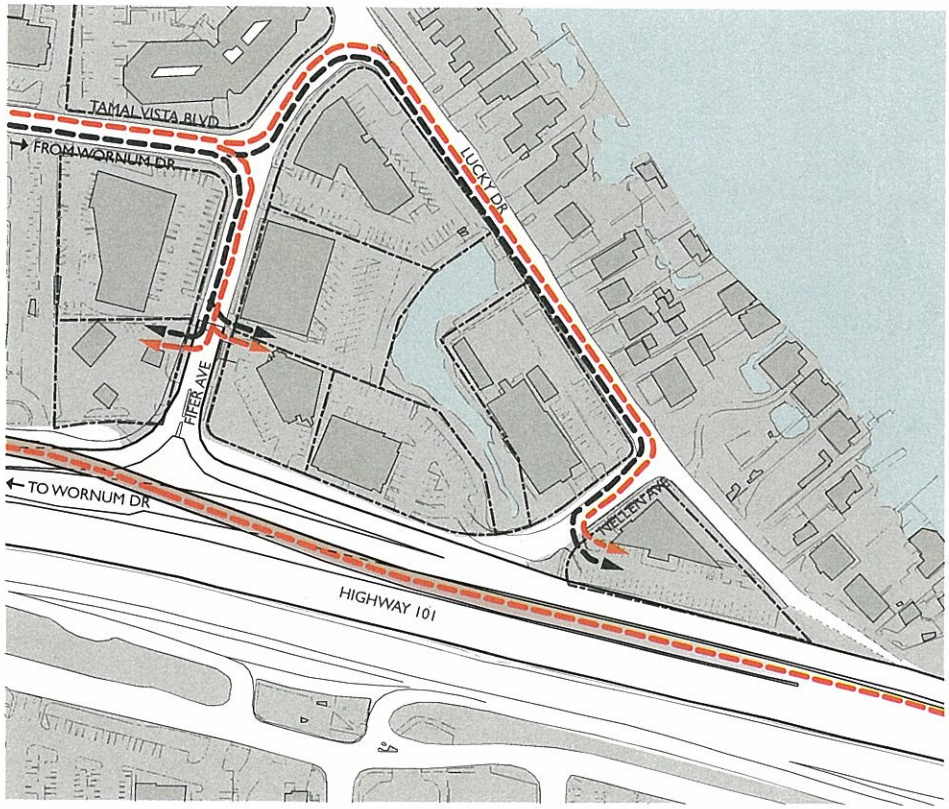
EXISTING SITE

ACCESS FROM SOUTHBOUND HIGHWAY 101

ACCESS FROM NORTHBOUND HIGHWAY 101



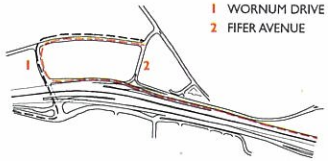
SITE IS ACCESSIBLE FROM 7 DRIVE ENTRANCES.



SITE WITH PROPOSED FLY-OVER

ACCESS FROM SOUTHBOUND HIGHWAY 101

ACCESS FROM NORTHBOUND HIGHWAY 101



SITE IS ACCESSIBLE FROM 3 DRIVE ENTRANCES.

TRAVEL DISTANCE TO SITE FROM SOUTHBOUND HWY 101 INCREASED APPROXIMATELY .5 MILES DUE TO ELIMINATION OF FIFER AVE EXIT.

EXHIBIT C "HIGHWAY 101 ACCESS DIAGRAMS"

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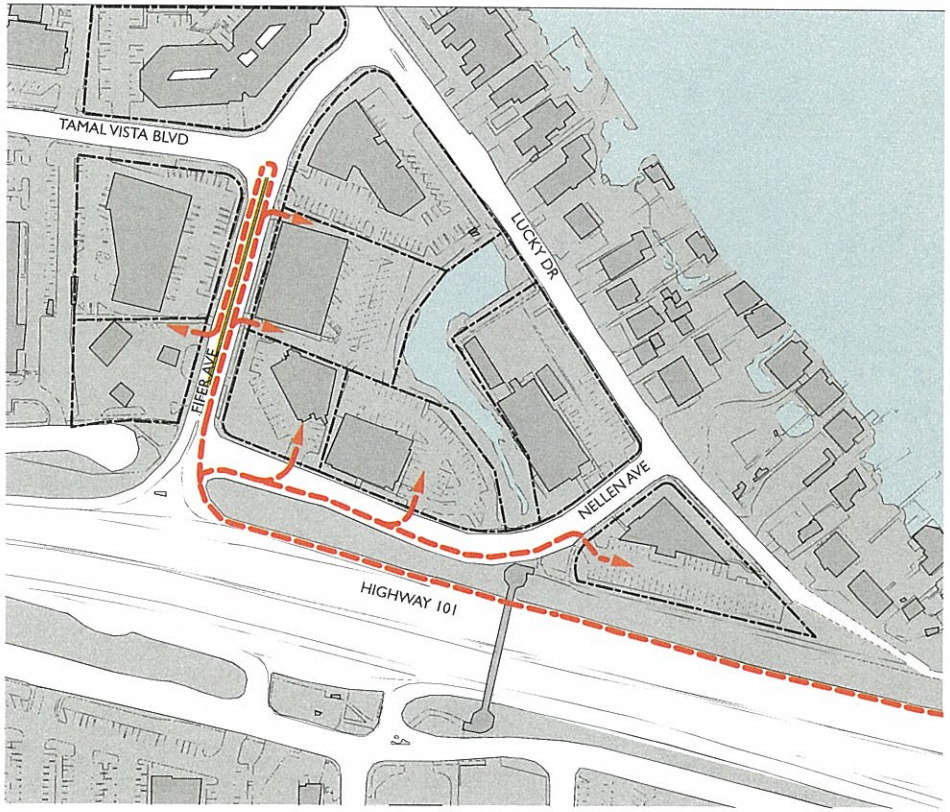
JACKOVICS FAMILY PROPERTIES

SCALE: 1"= 160'-0"

N

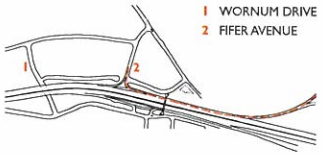
CORTE MADERA, CA
JULY 23, 2012

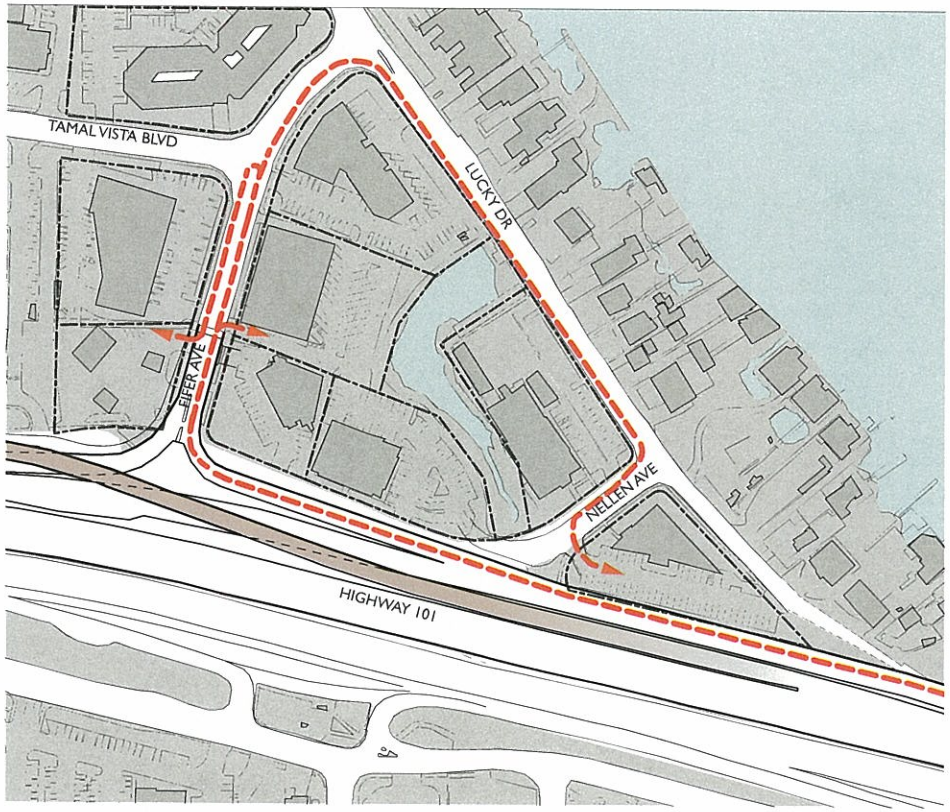


EXISTING SITE

ACCESS FROM SIR FRANCIS DRAKE BLVD, SOUTHBOUND

SITE IS ACCESSIBLE FROM 6 DRIVE ENTRANCES.





SITE WITH PROPOSED FLY-OVER

ACCESS FROM SIR FRANCIS DRAKE BLVD, SOUTHBOUND

SITE IS ACCESSIBLE FROM 3 DRIVE ENTRANCES.

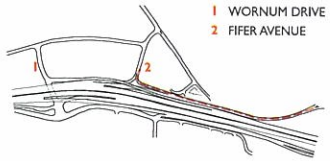


EXHIBIT D "SIR FRANCIS DRAKE BLVD ACCESS DIAGRAMS"

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JACKOVICS FAMILY PROPERTIES

SCALE: 1"= 160'-0"

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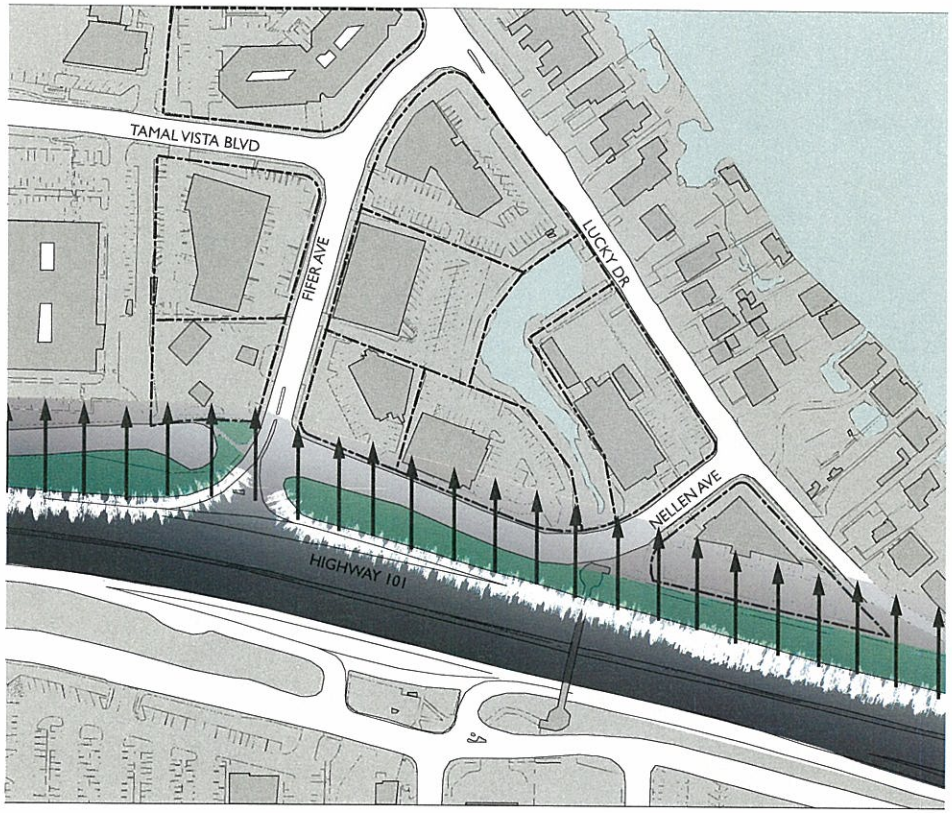
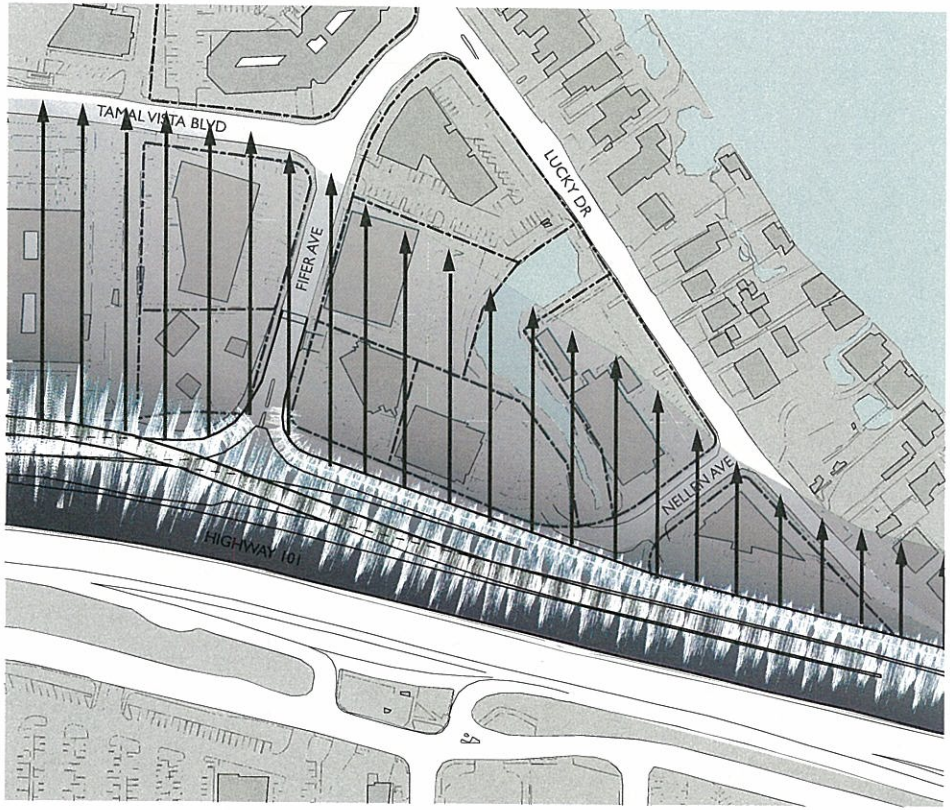
CORTE MADERA, CA
JULY 23, 2012



EXISTING SITE

TRAFFIC NOISE

LANDSCAPE SOUND BARRIER



SITE WITH PROPOSED FLY-OVER

TRAFFIC NOISE

"By elevating the roadway, the noise source is much more efficient at projecting sound into the distance - like an air raid siren... The results show conclusively that an elevated roadway is 3db louder than a ground level roadway. This is twice the noise energy and 50 percent louder than the ground level roadway.... [Gound level] impacts are both less evere, and easier to mitigate..."

Fix290 Noise Report prepared by Mesa Engineering; analysis of Hwy 290/71 Interchange in Oak Hill, TX

EXHIBIT E "TRAFFIC NOISE DIAGRAMS"

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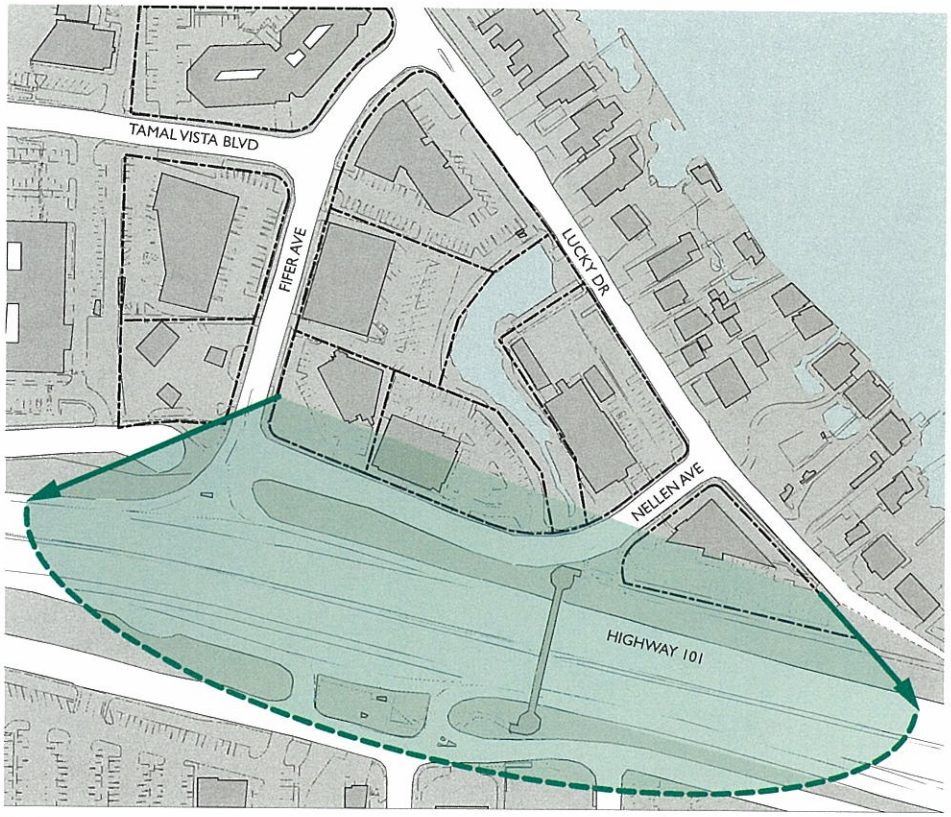
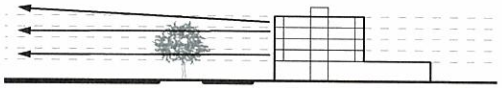
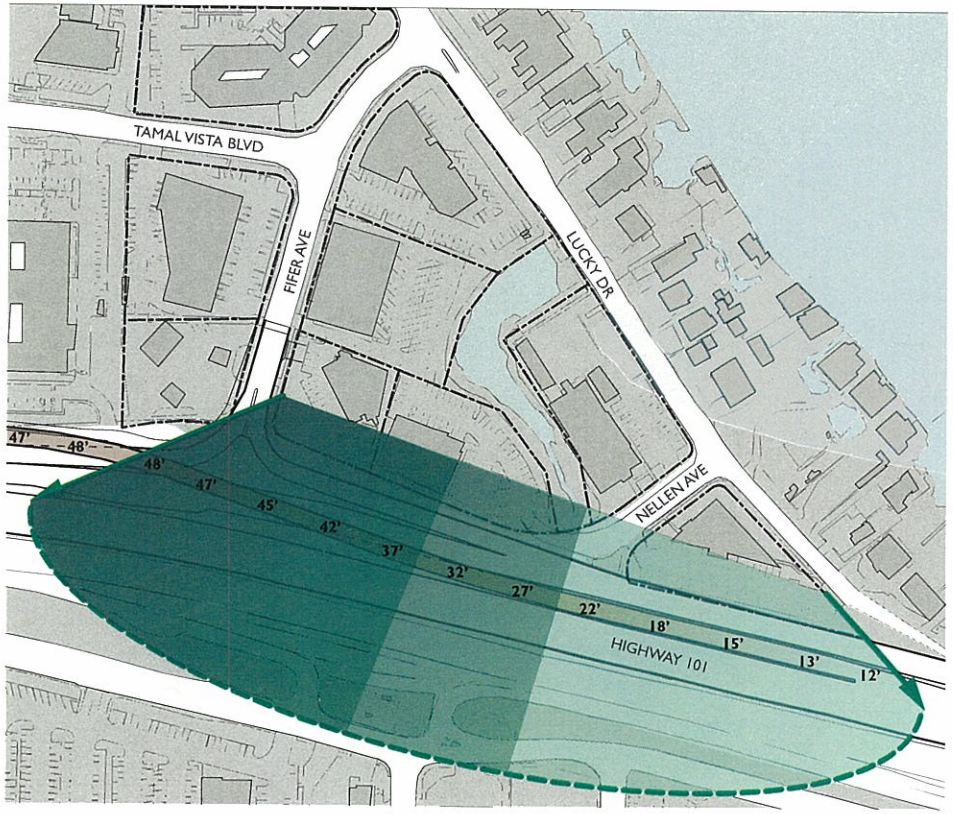
JULY 23, 2012



EXISTING SITE

VIEW SLIGHTLY AFFECTED
(HWY STRUCTURE 0 - 5' IN HEIGHT)





SITE WITH PROPOSED FLY-OVER

VIEW MODERATELY AFFECTED
(FLY-OVER STRUCTURE 10' - 25' IN HEIGHT)

VIEW SEVERELY AFFECTED
(FLY-OVER STRUCTURE 25' - 35' IN HEIGHT)

VIEW EXTREMELY AFFECTED
(FLY-OVER STRUCTURE 35' - 48' IN HEIGHT)

XX' HEIGHT OF PROPOSED FLY-OVER
HEIGHTS TAKEN FROM TOP OF CONCRETE BARRIER

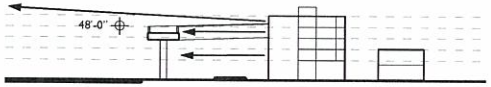


EXHIBIT F "VIEW DIAGRAMS"

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JACKOVICS FAMILY PROPERTIES

SCALE: 1"= 160'-0"

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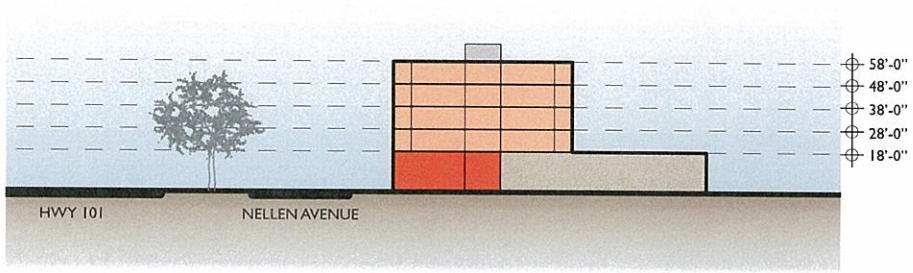
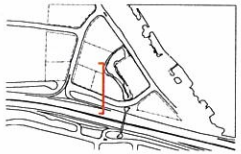
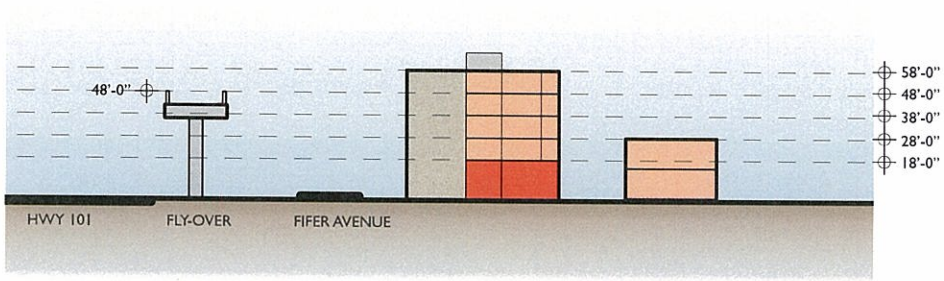
CORTE MADERA, CA
JULY 23, 2012



EXISTING SITE

PARKING
RESIDENCES
RETAIL





SITE WITH PROPOSED FLY-OVER

PARKING
RESIDENCES
RETAIL

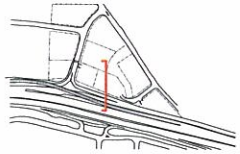


EXHIBIT G "DEVELOPMENT POTENTIAL SECTION DIAGRAMS"

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JACKOVICS FAMILY PROPERTIES

SCALE: 1"= 50'-0"

CORTE MADERA, CA
JULY 23, 2012

Holland & Knight

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Tamsen Plume
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tamsen.plume@hklaw.com

February 14, 2013

Via E-mail (valerie_shearer@dot.ca.gov)

Valerie Shearer, Senior Environmental Planner
Caltrans District 4
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

Re: Comments on Highway 101 Greenbrae/Twin Cities Corridor Improvement Project (GCIP) Initial Study (With Proposed Mitigated Negative Declaration)/Environmental Assessment, December 2012 (MND)

Dear Ms. Shearer:

This letter transmits comments on behalf of our client, 195-205 Tamal Vista Boulevard LLC, the owner of the 195-205 Tamal Vista Boulevard project in Corte Madera (Project), regarding the GCIP MND/EA. The MND does not adequately study the environmental impacts of the GCIP as required by the California Environmental Quality Act (CEQA). For the reasons described below, as well as the issues raised by other commenters, the California Department of Transportation (Caltrans), as lead agency under CEQA, in cooperation with the Transportation Authority of Marin (TAM), must prepare a full Environmental Impact Report (EIR) analyzing the potentially significant impacts of the GCIP, including noise and visual and aesthetics impacts to our Project, as well as mitigation measures to reduce those impacts and a reasonable range of project alternatives.

1. CEQA Requires Caltrans to Prepare an EIR to Study the Potentially Significant Environmental Effects of the GCIP.

Caltrans proposes to rely on an MND to approve the GCIP. An MND is only appropriate under CEQA where potentially significant effects of a project have been identified, but revisions in the project plans or mitigation measures would avoid or mitigate the effects to a point where *clearly* no significant effect on the environment would occur, and there is no substantial evidence that the project, as revised, may have a significant effect on the environment. (Cal. Pub. Res. Code § 21064.5; CEQA Guidelines §§ 15063(b)(2) & 15070)

The GCIP is a major regional transportation project with an estimated construction cost of approximately $143,700,000 that proposes improvements including: the modification, realignment, addition, and/or removal of US 101 on- and off-ramps; construction of new auxiliary lanes and collector-distributor roadways; construction of retaining walls and/or concrete barriers where there are grade differences between roadways; construction of new transit, bicycle, and pedestrian facilities; and traffic signal coordination at ten roadway intersections. (MND, p. 1-14). Our Project will be particularly impacted by the proposed new southbound US 101/Wornum Drive off-ramp adjacent to our site.

Caltrans and TAM have consistently represented to the public for years that an EIR would be prepared to study the impacts of the GCIP. Caltrans issued a Notice of Preparation for the GCIP on September 19, 2009.[1] TAM and Caltrans held a public open house and Scoping Meeting on September 29, 2009, and the meeting notice stated that an EA/EIR will be prepared for the GCIP.[2] At the November 19, 2009 TAM Board Meeting, Bill Whitney announced the beginning of the EIR process for the GCIP. The November 19, 2009 TAM Staff Report stated that on September 17, 2009, Caltrans released the Notice of Preparation of a *Draft EIR* for the GCIP.[3]

Our client and other community members who will be impacted by the GCIP have been anticipating that Caltrans and TAM would prepare an EIR to inform the public about the potential significant environmental impacts of the GCIP. We have been looking forward to the opportunity to review and comment on the draft EIR, in accordance with CEQA's requirements for public participation.

The MND is simply inadequate under CEQA because it improperly omits analysis of certain environmental impacts and includes technically flawed and incorrect information. Furthermore, for reasons outlined below and in the Town of Corte Madera's comment letter dated February 14, 2013(Corte Madera Letter), the proposed GCIP improvements will have significant environmental effects under CEQA. It is improper for Caltrans and TAM to rely on an MND to approve the GCIP. Caltrans, as lead agency, must prepare an EIR analyzing the potentially significant environmental impacts of the GCIP. (Cal. Pub. Res. Code § 21061; CEQA Guidelines §§ 15063(b)(1) & 15064(a)(1)).

2. <u>CEQA Requires Caltrans to Study a Reasonable Range of Alternatives in the EIR</u>.

Because an EIR is required, Caltrans must also analyze a range of feasible, reasonable alternatives that could avoid or substantially lessen the GCIP's significant environmental effects. (Cal. Pub. Res. Code § 21002; CEQA Guidelines § 15126.6). The MND analyzes only two alternatives: the Build Alternative (MND § 1.3.1.1) and the No-Build Alternative (MND § 1.3.1.2). These two alternatives do not constitute a reasonable range of alternatives as required by CEQA. It is irrelevant that Caltrans and TAM studied various improvement options in order to select the Build Alternative. Caltrans is required to analyze a range of project alternatives *in the EIR*. We concur with the Corte Madera Letter's

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[1] See www.ceqanet.ca.gov/DocDescription.asp?DocPK=636053 (last visited February 13, 2013).
[2] See www.tam.ca.gov/Modules/ShowDocument.aspx?documentid=2366 (last visited February 13, 2013). Informational materials for the September 29, 2009 meeting indicated that the environmental review process would include preparation of an EA/EIR. See www.tam.ca.gov/Modules/ShowDocument.aspx?documentid=2456 (last visited February 13, 2013).
[3] See www.tam.ca.gov/Modules/ShowDocument.aspx?documentid=2917 and www.tam.ca.gov/Modules/ShowDocument.aspx?documentid=2919 (last visited February 13, 2013).

comment that the failure to disclose or analyze the type of collisions justifying construction of the proposed southbound Wornum Drive off-ramp calls into question the issue of the purpose of the proposed project and whether an alternative thereto could equally serve the stated project objectives.

3. The MND Does Not Adequately Analyze Traffic, Pedestrian, and Bicycle Impacts on the Project.

We concur with the Corte Madera Letter's comment that there are several potentially adverse impacts of the GCIP that have not been analyzed in the MND, including circulation impacts to properties located along Nellen Avenue and bicycle and pedestrian facilities. We note that our Project includes an access point via a driveway on Nellen Avenue. The MND does not analyze circulation impacts on our Project or related traffic impacts to nearby streets and intersections that could occur due to closure of Nellen Avenue. The transportation analysis should be revised to include this analysis, and to identify mitigation measures that reduce any adverse circulation and traffic impacts that could result from closure of Nellen Avenue.

Furthermore, we are concerned about the impacts of removal of the Nellen Avenue pedestrian/bicycle overcrossing for the reasons noted in the Corte Madera Letter. We concur with the Corte Madera Letter's comment that re-routing of existing pedestrian and bicycle facilities which results in a more than one-half mile detour and which cuts off direct access between neighborhoods will adversely impact the connectivity and pedestrian network in the area. These adverse impacts must be analyzed and appropriate design revisions or mitigation measures must be incorporated into the GCIP and included in the EIR.

4. The MND Noise Analysis is Inadequate under CEQA.

The MND improperly excludes analysis of noise impacts on our Project, and contains other significant gaps in information and analysis that must be addressed.

A. The Project is Not Speculative and Must Be Analyzed under CEQA.

The MND incorrectly states that no building permits have been issued for our Project, and concludes that "evaluating the potential project-related noise impacts on the WinCup development would be speculative at this time." (MND, pp. 2.3-50 & 51). This conclusion is factually incorrect. Our Project received demolition permits in December 2012 and construction building permits in February 2013.

In addition, and more importantly, under CEQA, the issuance of building permits is not the applicable standard for determining whether impacts must be analyzed. Courts have declined to require speculative impacts analysis under CEQA where the environmental consequences of a plan or project were unspecified and uncertain. However, environmental analysis under CEQA is *not* premature where a future use is clear and is therefore reasonably foreseeable. The future use of the Project site has been clear for several years. Specifically, our Project was originally contemplated in the Corte Madera General Plan adopted in April 2009. Our site was then identified as a high-priority housing site in the Town's updated Housing Element, adopted in April 2011. Our Project has received all discretionary approvals from the Town of Corte Madera, including re-zoning of the site into the Mixed-Use Gateway

District in April 2011, and design review approval in February 2012. We have been proceeding diligently toward construction and completion of our project. We received demolition permits in December 2012, the former WinCup buildings on our site have been demolished, and the site is being prepared for construction. Construction building permits were issued in February 2013, and we anticipate beginning construction later this month. Therefore, under CEQA, Caltrans cannot avoid analyzing noise impacts on our Project by claiming that evaluation of GCIP noise impacts is speculative.

Moreover, as part of our design review process, we retained an acoustics consultant to analyze the noise impacts of our Project under both existing and cumulative conditions, and to identify preliminary measures to reduce interior and exterior noise levels to meet state and local requirements. The findings of this analysis are documented in the Environmental Evaluation considered by the Town of Corte Madera prior to granting our design review approval in February 2012 (EE)[4] and in the noise report attached thereto as Appendix B. We have incorporated our consultant's recommended measures into our project design. Similarly, Caltrans must now analyze the noise impacts of the GCIP under both existing and cumulative conditions, including impacts on our Project, and must incorporate design features and/or mitigation measures to reduce noise impacts.

B. The MND Noise Analysis is Inadequate.

The MND noise analysis is based on the Caltrans Noise Study Report dated June 2011 (with October 2012 addendum)(NSR). Our acoustical consultant, Charles M. Salter Associates Inc., reviewed the MND and NSR to determine the sufficiency of the noise analysis, with a focus on whether noise impacts on our Project are adequately addressed. The findings of this review are reported in a letter report dated February 14, 2013 (Salter Report)(See Attachment A).

For the reasons stated in the Salter Report, Caltrans must further analyze noise impacts, and consider the potential mitigation measures that could reduce these impacts and should re-circulate the analysis for public review and comment as part of the EIR.

5. The MND Visual/Aesthetics Section is Fundamentally Flawed.

The MND visual/aesthetics section is fundamentally flawed, as discussed below. (We also note that the MND is internally inconsistent because it omits analysis of noise impacts on our Project, but includes analysis of visual and aesthetics impacts on our Project.)

A. The MND Visual/Aesthetics Incorrectly Describes the Project.

Most notably, the MND incorrectly describes the Project for purposes of aesthetics impacts analysis. The MND states: "The height of these buildings is estimated to be between 35 and 55 feet tall. The first and second floors of the development will be for commercial and parking level uses; there are no

[4] The EE was prepared in order to determine whether the program EIR adopted for the 2009 Town of Corte Madera General Plan, including the project-level analysis of Alternative 3 - Gateway Development Alternative in Section 6.5 of the draft General Plan EIR, covers the environmental effects of the Project. The EE concluded that the 2009 General Plan program EIR adequately assesses the environmental effects of the Project. (EE, pp. 1- 2). A copy of the EE is on file with the Town of Corte Madera.

residential uses in the first and second floors. Residential apartment units will be located on the third, fourth, and fifth floors." (MND, p. 2.2-67). This description is inaccurate in three specific ways.

First, the Project will include residential uses on all floors. The MND incorrectly states that there are no residential uses in the first and second floors. Accordingly, the MND fails to analyze aesthetics impacts for residential uses on the first and second floors, which will be most impacted by the construction of the southbound Wornum Drive off-ramp adjacent to the Project Site.

Second, the Project will include buildings with one to four stories, but none of the buildings will include a fifth floor. The MND incorrectly states that residential apartment units will be located on fifth floors. The MND asserts that "all of the views from the fourth and fifth level will be preserved" with the construction of the GCIP, and concludes that there will be little to no change in the visual quality of residents' views toward the Shorebird Marsh/Corte Madera Ecological Reserve and San Francisco Bay to the east. The MND's conclusion that the GCIP is not anticipated to degrade the quality of the visual resources available to the viewers from the Project is based on an erroneous assumption.

Third, the Project is located within the Town of Corte Madera's MUGD Zoning District, which allows a maximum building height of 38 feet along street frontages and 48 feet on inner portions of the lot.[5] The MND incorrectly states that the height of buildings is estimated to be between 35 and 55 feet tall. Because zoning requirements impose a height limitation of 38 or 48 feet, no building within the Project could exceed 48 feet in height. The incorrect assumption regarding building height underestimates the potentially significant aesthetics impacts of the GCIP on residents of our Project.

Because the MND included major errors in its description of the Project, resulting in incorrect assumptions about the location and height of residential uses in the Project that would be impacted by the GCIP, Caltrans cannot rely on the MND's incorrect analysis to support a conclusion that the GCIP would not result in significant aesthetics impacts. The aesthetics analysis must be corrected and re-circulated for public review and comment as part of the EIR.

B. The MND Fails to Acknowledge the Project's Aesthetic Benefits and Underestimates the GCIP's Visual/Aesthetics Impacts.

The MND describes the existing overall visual quality in the vicinity of our Project site as "moderate/average" (Table 2.2-24) and incorrectly states that "[i]n the future, minor changes to the Lucky and Fifer District visual environment will occur with the construction of the 195-205 Tamal Vista residences project." (MND, p. 2.2-67). In fact, our Project will greatly enhance the visual environment of the surrounding area, as recognized in the EE. The EE expressly recognized that our Project would positively contribute to the Town's architecture and have a positive aesthetic impact, as illustrated in the photosimulations attached hereto as Attachment B (attached to EE as Exhibit D). For example, our Project incorporates site planning and architecture techniques intended to reduce the perception of visible bulk and building mass. The Project preserves mature trees along Tamal Vista Boulevard and Wornum Drive, effectively buffering the proposed buildings along these frontages. Proposed new perimeter landscaping softens the Project's edges and provides an aesthetic benefit to our Project site and

[5] See Corte Madera Zoning Code § 18.18.1040 (Mixed-Use Gateway Overlay District Development Standards).

surrounding areas. Our Project site provides views of Mount Tamalpais, and buildings are situated to optimize those views while maintaining view corridors through and into the site for visual connectivity from the outside. The Project incorporates several focal points, and the signature building at the corner of Tamal Vista Boulevard and Wornum Drive is designed to provide a gateway to the larger community. (EE, p. 16). Together, these aspects of the Project provide a clear aesthetic benefit compared to the single-story, tilt-up industrial buildings and limited perimeter landscaping that they are replacing.

By failing to recognize that construction of our Project will provide aesthetic benefits, the MND underestimates the severity of visual/aesthetics impacts that will result from construction of the Wornum drive off-ramp immediately adjacent to our Project. Therefore, the aesthetics impacts of the GCIP could potentially be more severe than analyzed in the MND. We concur with similar comments on MND Section 2.2.6 submitted by Jackovics Enterprises Inc., dated February 12, 2013. The aesthetics analysis must be revised to incorporate correct assumptions about the existing visual quality baseline and visual changes that will result from construction of our Project and it must be recirculated for public review and comment as part of the EIR.

C. The MND Does Not Include Detail Sufficient to Assess Aesthetic/Visual Impacts of the Proposed GCIP Design.

The MND concludes that the GCIP is not anticipated to degrade the quality of visual resources available to viewers from our Project. (MND, p. 2.2-67). However, this conclusion is unsupported because the MND does not include detail regarding the design of the proposed GCIP and Wornum off-ramp that is sufficient to evaluate aesthetics impacts on our Project or other viewer groups in our area. For example, MND Figure 1-2 illustrates the proposed GCIP improvements using a figure expressly acknowledged as "not to scale". (MND, pp. 1-14 & 1-15). In a letter to the Town of Corte Madera and City of Larkspur Councilmembers dated February 1, 2013, TAM provided additional information regarding view blockage and aesthetic characteristics contained in the MND. TAM's letter includes Figure 5, depicting the height of existing streets and freeways, proposed GCIP improvements, and our Project. However, Figure 5 does not provide any context for analysis of visual impacts associated with the construction of GCIP improvements. For example, the MND states that the proposed southbound Wornum off-ramp will be elevated approximately five feet above US 101, but will quickly drop in elevation approaching the intersection with Wornum Drive. (MND, p. 2.2-67). Figure 5 shows the SB Wornum Off-ramp with an elevation of 42 feet, but it is not clear whether this elevation is before or after the off-ramp drops in elevation near Wornum Drive.

Without more specific information about the proposed Wornum off-ramp design, the MND lacks the basic, essential information necessary to assess visual and aesthetic impacts to residential uses at various locations and heights within our Project and the surrounding area. As such, there is insufficient evidence to support the MND conclusion that the GCIP is not anticipated to degrade the quality of the visual resources available to viewers from our Project. Caltrans must supplement the GCIP project description in the EIR.

Conclusion

For the reasons outlined above, Caltrans must undertake further analysis of the issues noted above, and prepare an EIR that adequately analyzes potentially significant impacts of the GCIP, identifies mitigation measures to reduce those impacts, and considers a reasonable range of project alternatives.

Sincerely,

Tamsen Plume
Holland & Knight, LLP
Attorneys for 195-205 Tamal Vista Boulevard LLC

cc: Dianne Steinhauser, Executive Director, TAM
Alice Fredericks, Chair, and TAM Board of Commissioners
Diane Furst, Mayor, Town of Corte Madera, and Town Council
Dan Hillmer, Mayor, City of Larkspur, and City Council
David Bracken, Town Manager, Town of Corte Madera
Dan Bell, Planning Director, Town of Corte Madera
Veronica Nebb, Town Attorney, Town of Corte Madera
Bill Whitney, Principal Project Manager, TAM

Attachments

A. **Charles M. Salter Associates Inc. Highway 101 Greenbrae/Twin Cities Corridor (GTCC) Project - Acoustical Analysis of Impacts on 195-205 Tamal Vista Boulevard, dated February 14, 2013.**

B. **195-205 Tamal Vista Boulevard Design Review Before and After Photosimulation.**

Attachment A

Charles M. Salter Associates Inc.
Highway 101 Greenbrae/Twin Cities Corridor (GTCC) Project
Acoustical Analysis of Impacts on 195-205 Tamal Vista Boulevard
February 14, 2013

Charles M. Salter
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14 February 2013

195-205 Tamal Vista Boulevard LLC
c/o MacFarlane Partners
Attn: Britt Wenzler
201 Spear Street, 14th Floor
San Francisco, CA 94105

Subject: **Highway 101 Greenbrae/Twin Cities Corridor (GTCC) Project – Acoustical Analysis of Impacts on 195-205 Tamal Vista Boulevard**
CSA Project: 13-0058

Dear Britt:

As requested, we reviewed public documents related to the GTCC project. The purpose of our review was to determine the sufficiency of the noise analysis included in environmental documents, with a focus on whether noise impacts on the 195-205 Tamal Vista Boulevard project are adequately addressed.

EXECUTIVE SUMMARY

- TAM's noise study only performed four non-concurrent short-term and one long-term acoustical measurement for the entire corridor under study. No measurements were conducted at the site of 195-205 Tamal Vista Boulevard. We question the adequacy of this measurement program to fully capture the character of the noise environment, particularly on the west side of Highway 101 at Wornum Drive
- The Transportation Authority of Marin (TAM) noise study report (NSR) did not study the site of 195-205 Tamal Vista Boulevard (formerly the WinCup factory)
- The TAM NSR did not evaluate effects from maximum noise levels that would occur when trucks or other vehicles decelerate (e.g., downshifting, air brakes) while taking the southbound Wornum Drive off-ramp
- TAM should study noise impacts on the 195-205 Tamal Vista Boulevard residences related to traffic noise, including traffic and vehicle deceleration on the Wornum Drive off-ramp, and should evaluate any mitigation measures would reduce those impacts
- Noise from certain potential highway construction activities at the nearby future residences at 195-205 Tamal Vista Boulevard are predicted to be significantly louder than local traffic noise levels; TAM should analyze whether any mitigation measures would reduce those impacts
- Further analysis and consideration of mitigation measures should be undertaken as outlined in our Recommendations

PROPOSED GTCC PROJECT

The Transportation Authority of Marin (TAM) proposes to renovate several segments of Highway 101 between Corte Madera Creek on the north and Tamalpais Drive on the south. The segment of the project that could potentially affect the 195-205 Tamal Vista Boulevard multifamily residential/mixed-use project is the proposed new off-ramp from southbound Highway 101 onto Wornum Drive. This arterial roadway comprises the southern property line of 195-205 Tamal Vista Boulevard. The exit ramp would cross over Nellen Avenue, located between 195-205 Tamal Vista Boulevard and Highway 101. Portions of the ramp would be elevated above Highway 101 and Nellen Avenue, and be near the

elevation of the 195-205 Tamal Vista Boulevard project[1]. The new exit would be used by approximately 740 cars per hour during peak times in the morning[2].

REVIEW OF PROJECT DOCUMENTS

We reviewed the following GTCC documents:

- Noise Study Report (NSR) Document dated June 2011 (04-MRN-101-7.2/8.9)
- Letter to Town of Corte Madera and City of Larkspur from TAM dated 1 February 2013 regarding visual impacts
- Excerpts from the TAM Environmental Document regarding visual impacts and scenic resources
- Charles M. Salter Associates EIR review letter for Town of Corte Madera General Plan dated 3 November 2011
- Charles M. Salter Associates environmental noise study for 195-205 Tamal Vista Boulevard dated 3 November 2011

ANALYSIS OF PROPOSED GTCC PROJECT NOISE

1. 2011 On-Site Acoustical Measurements

Charles M. Salter Associates conducted acoustical measurements at the 195-205 Tamal Vista Boulevard in September 2011. The measurements quantified site noise levels. This data was used to determine design features, such as window STC[3] ratings, necessary to meet State Code and Town General Plan requirements for interior and exterior noise.

The day-night average (DNL[4]) noise level at the site facing Highway 101 at the 195-205 Tamal Vista Boulevard project setback was DNL 73 dB. 1 dB was added to the measured level to account for future traffic growth (for a total of DNL 74 dB), consistent with the Town of Corte Madera's General Plan.

2. Review of GTCC Project Traffic Noise Measurements

TAM's Noise Study Report (NSR) summarized acoustical measurements conducted at five locations between Corte Madera Creek and Tamalpais Drive in 2009 and 2010. Four measurements in 2009 were non-concurrent and short-term (1 hour or less). There was also one 24-hour measurement conducted in 2010 to determine overall traffic patterns. Locations were selected by TAM to be near sensitive receivers. The NSR noted 120 sensitive receiving properties, designated R1 to R120 from north to south.

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[1] Letter from TAM to City of Larkspur and Town of Corte Madera, dated 1 February 2013.

[2] Highway 101 Greenbrae/Twin Cities Corridor Improvement Project Noise Study Report, June 2011 (amended October 2012), Page 47.

[3] Sound Transmission Class (STC) — A single-figure rating standardized by ASTM and used to rate the sound insulation properties of building partitions. The STC rating is derived from laboratory measurements of a particular building element and as such is representative of the maximum sound insulation.

[4] Day-Night Average Sound Level (DNL) – A descriptor established by the U.S. Environmental Protection Agency to describe the average day-night level with a penalty applied to noise occurring during the nighttime hours (10 pm - 7 am) to account for the increased sensitivity of people during sleeping hours.

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No measurements were conducted at the site of 195-205 Tamal Vista Boulevard. Based on the number, timing, and locations of the short-term and long-term measurements, we question the adequacy of the noise measurement program as it relates to the number of potential receivers.

Although it is true that acoustical measurements do not need to be conducted at all 120 sensitive receivers to accurately predict noise potential impacts, nonetheless there was a large gap in the measurement locations on the west side of Highway 101 which included the 195-205 Tamal Vista Boulevard site. If 195-205 Tamal Vista Boulevard had been included as a sensitive receiver, the site would be one of the largest (if not the largest) within the studied corridor.

Additionally, Table 2.3-12 in the TAM Environmental Document suggests that existing and no-build alternative (2035) noise levels are predicted to be equal. However, NSR Appendix A (Traffic Data) includes tables showing AM and PM peak hour traffic volumes for mainline freeway segments and ramps, and it appears that in many cases, there is a difference between existing and no-build alternative traffic volumes. The NSR and TAM Environmental Document do not explain why it is assumed that existing and no-build alternative noise levels are predicted to be equal even where traffic volumes are different.

TAM Measured Traffic Noise Data

TAM's Location M2 (page 25 of the NSR) is shown to be the closest to the site of 195-205 Tamal Vista Boulevard, albeit on the other side of the freeway (northbound). TAM's Location M3 is south of the project site on the west side of the highway.

Short-term measured data showed that the hourly Leq noise level during afternoon commute (assumed to be peak hour) at location M2 was 73 dBA[5]. Our acoustical measurement data from 2011 showed similar peak hourly Leq[6] levels at the 195-205 Tamal Vista Boulevard setback along Highway 101 and Nellen Avenue. Measured levels are higher than the NSR's Noise Abatement Criteria (NAC) from Caltrans, described in NSR Chapter 4. The NSR applies Caltrans' "Category B" criterion of 67 dBA hourly Leq at residential exterior spaces due to project noise.

3. Analysis of GTCC Wornum Drive SB Off-Ramp Noise Impacts

Traffic Noise from Southbound Wornum Drive Off-Ramp

Analysis of traffic noise impacts on the 195-205 Tamal Vista Boulevard residences associated with the proposed Wornum Drive SB Off-Ramp were not included in the NSR. According to the NSR, the new off-ramp would be used by approximately 740 cars per hour during peak AM times.

[5] dBA – A-Weighted sound pressure level (or noise level) represents the noisiness or loudness of a sound by weighting the amplitudes of various acoustical frequencies to correspond more closely with human hearing. A 10-dB (decibel) increase in noise level is perceived to be a doubling of loudness. A-Weighting is specified by the U.S. EPA, OSHA, Caltrans, and others for use in noise measurements.

[6] L_{eq}--The equivalent steady-state A-weighted sound level that, in a stated period of time, would contain the same acoustic energy as the time-varying sound level during the same period.

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Vehicle Deceleration from Southbound Wornum Drive Off-Ramp

Analysis of maximum noise from decelerating vehicles on the exit ramps was not included in the NSR. There would be noise emissions from downshifting traffic decelerating on the southbound off-ramp as it slopes downwards to meet Wornum Drive. Maximum impulsive noise levels from truck air brakes, downshifting, or other deceleration phenomena are 10 dBA (or more) louder than typical vehicle noise[7]. Under most circumstances vehicle noise decreases as the vehicles' speed decreases. These potential effects on nearby receivers (e.g., the potential for sleep disturbance in nearby residences) were not studied by the NSR.

4. GTCC Construction Noise Analysis

Chapter 8 (page 42) of the NSR provided an overview of potential project construction equipment, with associated noise levels at 50' from the source (in dBA). Levels range from 55 dBA for a pickup truck to 95 dBA for pile driving.

The Study states that the proposed southbound Wornum off-ramp construction will comply with applicable local, state, and Federal regulations for construction hours and noise control. The Town of Corte Madera's construction noise requirements stipulate limited hours of operation for construction, between 7:00am and 5:00pm on weekdays and 10:00am to 5:00pm on the weekends. There is no Town quantitative requirement for construction noise or equipment.

The Study also includes requirements for Caltrans' contractor to implement "appropriate" noise control measures, including local barriers, special locations for stationary equipment, turning off idling equipment, scheduling activities for daytime hours, and notification of nearby residents.

The closest setback of 195-205 Tamal Vista Boulevard residences project site is approximately 150' west of the centerline of the proposed off-ramp. This would be perceived as a halving of loudness. However, depending on the type and location of construction activity, levels from the louder equipment (e.g., pile driving) would be up to 85 dBA at the nearest receiver. Given the proximity of the 195-205 Tamal Vista Boulevard site to construction activities associated with the proposed Wornum Drive off-ramp, we recommend that TAM further analyze construction noise impacts on the residences, and that additional mitigation measures that could reduce those impacts be considered by TAM.

RECOMMENDATIONS

1. The TAM NSR should be amended to include additional noise measurement data for the segment of Highway 101 adjacent to 195-205 Tamal Vista Boulevard. Because the hourly noise level is higher than the Caltrans Category B criterion, we would recommend that TAM undertake further analysis to determine whether this impact is significant under CEQA, and that mitigation measures to reduce those impacts be considered.

2. The TAM NSR should be amended to include predicted noise impacts from the southbound Wornum Drive exit, including traffic and vehicle deceleration noise impacts. Assessments should be made as to the feasibility of a noise barrier along the exit facing west or other means to reduce noise emissions from decelerating vehicles coming down from the ramp as they approach Wornum

[7] Chapter 3 of the NSR describes human response to change in noise levels. A 10-dB change in noise would be considered to be twice as loud.

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Drive, in addition to other mitigation measures that would reduce these noise impacts. We recommend that TAM undertake further analysis to identify these noise impacts, and that TAM consider mitigation measures that could reduce those impacts.

3. The TAM NSR and Environmental Document should be revised to include an explanation of why it is assumed that the "existing" and "2035 no build alternative" noise conditions are predicted to be equal throughout the study area, in light of the differences in AM and PM peak hour traffic volumes on mainline freeway segments and ramps for existing and no-build alternative scenarios[8].

4. Because the hourly noise level is higher than the Caltrans Category B criterion stated in the NSR, we recommend that TAM undertake further analysis to determine whether traffic noise impacts are significant under CEQA, and that TAM consider mitigation measures that could reduce those impacts.

5. Because the 195-205 Tamal Vista Boulevard project site would be immediately adjacent to the Wornum Drive off-ramp construction site, TAM should further analyze construction noise impacts on these residences and consider any additional mitigation measures that could reduce such impacts. The authority having jurisdiction should implement a construction noise monitoring program for the Wornum Drive off-ramp and potentially other segments to be built near residences. Noise monitoring is often used to log construction activity noise and compare it to local ambient conditions or other criteria as adopted by a jurisdiction. Events that exceed criteria are identified by the monitoring equipment and the contractor is notified of the exceedances.

6. Caltrans should investigate the efficacy of "quiet" pavement technologies for the SB Wornum Drive off-ramp. Such pavements have been shown in studies around the world to be capable of reducing tire-road noise by 3 dBA or more, which is considered to be a "significant" change in roadway noise. Caltrans' May 2011 Traffic Noise Analysis Protocol[9] states that they are actively evaluating quiet pavement technologies.

7. Based on the outcome of the further analysis recommended in this report, TAM should determine whether any other mitigation measures would reduce noise impacts associated with construction and operation of the GTCC.

* * *

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[8] Highway 101 Greenbrae/Twin Cities Corridor Improvement Project Noise Study Report, June 2011 (amended October 2012), Page 47.

[9] http://www.dot.ca.gov/hq/env/noise/pub/ca_tnap_may2011.pdf.

This concludes our current comments on the subject project. Please call with any questions.

Sincerely,

CHARLES M. SALTER ASSOCIATES

Ethan Salter, PE, LEED AP
Principal Consultant

cc: Paula Kirlin
Holland & Knight
Email: paula.kirlin@hklaw.com

ES/CMS/es
2013_02_14 Hwy 101 GTCC Project Acoustical Noise Review Letter

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Attachment B

195-205 Tamal Vista Boulevard Design Review
Before and After Photosimulation

VIEW FROM WORNUM DRIVE:
BEFORE

195-201 Tamal Vista

Corte Madera, CA

MAJOR DESIGN REVIEW

2010-101
August 31, 2011

MacFarlane Partners | KGM | Ross Luthin | BKF | The Guzzardo Partnership Inc. | TCA tca-arch.com

VIEW FROM WORNUM DRIVE:
AFTER

195-201 Tamal Vista

Corte Madera, CA

MAJOR DESIGN REVIEW

2010-101
August 31, 2011

MacFarlane Partners | KGM | Ross Luthin | BKF | The Guzzardo Partnership Inc. | TCA tca-arch.com

Caltrans District 4
Attention: Valerie Shearer,
Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P. O. Box 23660
Oakland CA 94623-0660

February 12, 2013

Submitted via e-mail: Valerie_Shearer@dot.ca.gov

FROM: Cindy M. Winter, cinhiver@yahoo.com
336 Bon Air Center, PMB 108
Greenbrae CA 94904-3017
(Resident of Greenbrae)

IN RE: EA 1A6600. Highway 101 Greenbrae/Twin Cities Corridor Improvement Draft Environmental Document.

Dear Ms. Shearer:

Please find below my comments on the Draft Environmental Document (DED) for the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project sponsored by the Transportation Authority of Marin (TAM) with Caltrans as the lead agency.

Kindly acknowledge receipt of this comment letter to confirm that it is included in the public comment process. I am also sending a hard copy of this letter by UPS today.

This project will result in significant environmental impacts, which cannot be mitigated. The Draft Environmental Document (DED) is not appropriate. A full Environmental Impact Report (EIR) is required by law and must be prepared.

* * * * * * *

The DED has the following significant deficiencies:

ITEM ONE:

1.1 Introduction (page 1-7)

The third sentence of the first paragraph is inaccurate. See e-mail correspondence with Dan Schwarz, Larkspur City Manager, attached hereto as "Exhibit A."

ITEM TWO:

2.1 Community Character and Cohesion (page 2.1-2)

A. "No new physical or perceptual barriers will be created. A barrier is "A material object or set of objects that separates, keeps apart, demarcates..." Webster's Third New International Dictionary, unabridged.

A physical barrier exists now, consisting of 12 lanes of freeway. That a POC also exists indicates that when it was built, the freeway was considered a barrier that must be crossed -- and at its mid-point.

If the POC is removed, a barrier that did not exist before will be created. Widening the freeway will make the barrier that much worse.

Pedestrians, cyclists, and the disabled will be expected to take long and even dangerous detours around the far ends of the GCIP barrier. This planned inconvenient multi-use route does not mitigate the new barrier; rather, it creates a new barrier in itself.

B. "Perceptual barriers": The word *perceptual* is awkward. (Please consult your dictionary.) Assuming *perceived* was the word intended, what is a widened freeway without a POC and with a fly-over? If that is not a barrier to be perceived, I don't know what is.

C. "Community cohesion": Widening the already vast expanse of concrete, with its never-ending streams of fast-moving vehicles, will exacerbate what is already a regrettably tenuous community cohesion between East and West Larkspur.

D. While "small amounts" of private property may indeed be taken, *small* is not necessarily a synonym for *trivial*. A small piece of land may yet be a critical portion of a parcel, even if it is used only for, say, a driveway or parking. The taking of a small piece of land may cause a major adverse impact on rents or business profits. Listing the square footage to be acquired (Table 2.2-6) is a simplistic way of analyzing the burdens on adjoining property owners.

E. The bike/ped/ADA improvements, which are described as providing "a net benefit," on balance provide the opposite, a net loss to connectivity and a hindrance to non-motorized transportation, which is essential for environmental health. Pathways over both sides of Corte Madera Creek, a POC, and a multi-use path along the south side of Wornum already exist. Granted, these features are substandard, in mediocre condition, but they can be used without inordinate fears for one's safety. The plans to demolish the POC and turn Wornum and Redwood Highway into

dangerous and scary bicycle/pedestrian routes, are too high a price to pay for two new paths over the creek.

Without GCIP, (1) the present non-ADA-compliant POC could be improved to ADA standards; (2) new paths over the creek could be constructed; and (3) the existing path along the south side of Wornum could be resurfaced – all for a very small sum compared to the projected cost of widening the freeway.

ITEM THREE:

2.2.1.2 Consistency with State, Regional, and Local Plans and Programs Bicycle and Pedestrian Master Plans (pages 2.2-3 through 2.2-5)

The Build Alternative is **NOT** consistent with the Marin Countywide Plan, the Town of Corte Madera General Plan, and the City of Larkspur General Plan, or any of them. More specifically, the inconsistencies include but are not limited to:

Marin Countywide Plan: Refer to Table 2.2-2.

The first goal of "Less Traffic Congestion" listed under "Countywide Goals" will not provide "additional transportation choices" for pedestrians and bicyclists because one choice that is important now and critical for the future, the POC, will have been removed.

Policy TR-2.1: The bicycle and pedestrian network is rendered, on balance, less "safe and friendly" and less "adequate." The POC is removed, and Wornum Drive and Redwood Highway are reconfigured into routes that are disagreeable and dangerous. See also Subparagraph E under Item Two above.

Town of Corte Madera General Plan: Refer to Table 2.2-3.

Policy RCS-2.5: The removal of the POC, with the expectation that Wornum Drive and Redwood Highway, as reconfigured, will prove a satisfactory substitute, will instead discourage walking and cycling, and encourage more driving.

Policy CIR-1.1: No "safe and convenient linkage" is provided for non-motorized users who wish to cross 101 between Fifer Avenue and Industrial Way. The linkages at Wornum Drive and Redwood Highway are unsafe and inconvenient.

Policy CIR-1.6: ADA adequacy and availability are not assisted by the Wornum Drive/Redwood Highway routing. Instead, the current POC could be modified, without undue trouble and expense, to provide ADA access.

Policy CIR-2.1: The removal of the POC does not prioritize options for improving bicycle and pedestrian access across 101, but rather makes such access worse by destroying a safe and convenient link.

Policy CIR-3.1: The removal of the POC does not increase, but rather decreases the Town's network of bicycle and pedestrian paths for access to neighborhoods, commercial centers, schools, parks and other key activity centers.

Policy CIR-3.3: The only opportunities that have been explored call for the removal of a perfectly adequate (with ADA improvements) POC and substitution therefor of a dangerous route along Wornum Drive and Redwood Highway.

Policy CIR-3.5: Removal of the POC does not emphasize use of pedestrian pathways, but rather discourages walking by forcing pedestrians to use Wornum Drive and Redwood Highway, with their high volumes of speeding traffic and numerous intersections, several of which cross on-ramps and off-ramps.

City of Larkspur General Plan: Refer to Table 2.2-4.

Policy a: Removal of the POC will result in a less comprehensive and less coordinated paths system.

Policy f: Except for widening the existing paths over the creek, at the far end of the project, this freeway improvement does NOT include a protected crossing for pedestrians and bicycles, in fact it removes one.

Goal 6: Except for widening the existing paths over the creek, at the far end of the project, this freeway improvement does NOT include paths that encourage broad public use.

* * * * * * *

If civic leaders and planners mean what they say, that they truly wish to effect mode shift, then in that event appropriate infrastructure must be designed, funded and built for that purpose, rather than contorted and crammed into the interstices of a freeway project.

There will always be a small cohort of intrepid young males and a few young females who cycle undaunted by even the heaviest traffic; referred to as the "strong and fearless," their numbers are estimated at less than 1% of the total population of an area (including cyclists and non-cyclists). The goal of mode-shift is not directed toward them, nor even toward the "enthused and confident" cyclists who represent about 7% of total population and who ride on quiet streets.

Rather, if mode shift is to occur, it must be directed to the "interested but concerned" 60% of total population, the non-cyclists who are favorably inclined toward biking, but for their justified fears of the dangers posed by motor vehicle traffic. (One-third of the population will always be "no how, no way.") Geller, Roger,

Bicycle Coordinator, Portland Office of Transportation, *"Four Types of Cyclists,"* undated.

Many studies document that traffic danger is a deterrent to cycling, especially for women, the elderly, and children. See *Bicycling and Walking in the United States,* 2010, Washington, DC: Alliance for Biking and Walking; *Bicycling and Walking in the United States: 2012 Benchmarking Report,* Washington, DC: Alliance for Biking and Walking, http://www.peoplepoweredmovement.org/benchmarking; *Traffic Safety Statistics,* 2010, Paris, International Transport Forum and OECD; McClintock, Hugh, ed., *Planning for Cycling: Principles, Practice, and Solutions for Urban Planners,* 2002, Cambridge: Woodhead Publishing Ltd.; as cited on page 17 in Pucher, John and Buehler, Ralph, *City Cycling,* 2012, The MIT Press, Cambridge, Massachusetts. See also Pucher and Buehler, Chapters 10 and 11. See also Handy, Susan L., *The Davis Bicycle Studies: Why do I bicycle but my neighbor doesn't?* 2011, Access #39.

That both the planned Wornum underpass and the planned multi-use infrastructure along Redwood Highway present dangers, real and perceived, can be assured by the outcry of the many cyclists and walkers who have made public comments. This is not the place to discuss the technical details of their criticisms, or mine. The crux of the matter is that howsoever "safe" the Caltrans and TAM engineers may consider the Build Alternative "improvements," the perception of the people who will be forced to use them must be determinative.

"For a bicycling network to attract the widest possible segment of the population, its most fundamental attribute should be low-stress connectivity, that is, providing routes between people's origins and destinations that do not require cyclists to use links that exceed their tolerance for traffic stress, and that do not involve an undue level of detour." Abstract, *"Low-Stress Bicycling and Network Connectivity,"* Mineta Transportation Institute, Report No. CA-MTI-12-1005, May 2012. "Having to cross a freeway can serve as a barrier to bicycling, physically and or psychologically, beyond whatever effect it has on distance." Emond, Catherine R. and Handy, Susan L., *"Factors associated with bicycling to high school: insights from Davis, CA,"* Journal of Transport Geography 20 (2012) 71-79.

The sole means to ensure that two-thirds of the local population (the 60% plus the 7%) will use mode-shift requires construction of a POC that is by definition separated from traffic, and is designed by its geometry and accessories to be used safely. This POC must also be conveniently located, and aesthetic in design (every salesperson knows the value of an attractive package). The Central Marin Ferry Connector Project design sets a good example.

PLEASE NOTE: The above comments are not intended to exclude pedestrians and the disabled. On the contrary. I've focused on cyclists because I am one, and to simplify the writing. The importance of a POC for walkers follows next.

ITEM FOUR:

Why a POC is critical for Larkspur Landing

The City of Larkspur is actively planning to create a "transportation hub" at Larkspur Landing. There's the ferry, and the Airporter, and SMART will arrive in time. Initial concepts all include significant higher-density construction of residences, offices, and shops. If well designed, Larkspur Landing could become a good producer of tax revenue and a model of planning for all of Northern California.

However, if the Larkspur Landing concept is to succeed, it can occur only with extensive multi-modality. The geographic constraints are such that if all the new residents, workers and shoppers try to drive, the gridlock will be such that few people in this transportation hub will be able to transport themselves anywhere.

The Central Marin Ferry Connector Project will be a safe, convenient, and beautiful first step toward multi-modality within Larkspur Landing. However, it is also critical that walkers and cyclists who live and work outside the Landing be persuaded to leave their cars and home and walk and cycle into it.

A number of higher-density developments are being constructed or planned to the west of the GCIP project, and those residents will want to cross the freeway to the Landing, and residents there will want to cross to Fifer, or Tamal Vista and the Sandra Marker Trail, etc. The new library which Larkspur is to construct on Doherty Drive will be a pleasant destination. I live in Greenbrae (which is part of Larkspur), and I see many, many walkers on local pathways. A large proportion of them are older people. When they are provided pleasant places to walk, they take full advantage of them.

A large portion of those who live immediately west of the freeway, and who want to use the ferry or SMART, won't cycle to Larkspur Landing, because they'll want to look nice when they get where they're going. Instead, they will walk. But they won't want to walk through Wornum and along Redwood Highway, because the route will be disagreeable at best, dangerous at worst, and it's out of the way. They won't want to walk north of the creek, because that route is just too darn long to be practical. Like all other kinds of commuters, walkers need a short and easy distance between two points. If they can't find it, they'll drive. That's why a POC must be built from Industrial to Fifer.

ITEM FIVE:

Why a POC is critical for SMART

On page 2.2-58 of the DED, Footnote 14 advises that during the 2006 traffic analysis, SMART was omitted because it had not then been approved by voters. The footnote

further states that a more recent analysis indicates that SMART will have little impact on reducing traffic congestion within the GCIP area. However, the footnote does not mention any estimates of changes in bicycle traffic.

A new POC would complete an integral part of the long-planned North-South Greenway. It seems highly likely that on weekends numerous cyclists from San Francisco and southern Marin County will set out for Larkspur Landing, to catch the train north, and on nearing the station, the most natural route as part of the Greenway would take them over a well-sited and well-designed POC. At the same time, weekend cyclists from Sonoma will arrive by train to explore Marin, and many of them will head further south.

To help SMART attain good ridership levels, it is critical that cyclists have the most direct and most pleasant route possible to take them to and from the station. If too many of them use the Wornum underpass, because there is no POC, not only will they endanger themselves, they will also effect frequent changes in traffic signaling which in turn would interfere with the free flow of traffic.

ITEM SIX:

Regulatory Setting (Section 2.2.5.1, page 2.2-27)

> **2.2.5.1 Regulatory Setting**
> Caltrans, as assigned by FHWA, directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (see 23 CFR 652). It further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

As discussed above, the current GCIP design does not provide for the "safe accommodation of pedestrians and bicyclists." Nor does the design provide for "the special needs of the elderly and the disabled." Pedestrian and bicycle traffic are inherently different from motor vehicle traffic, thus conflicts do and will arise. The elderly and disabled (and children) require special protection. Assuming 23 CFR 652 is to be followed, then "every effort must be made." (Note that "must" is mandatory, not optional.) The only possible solution is a well-designed POC.

ITEM SEVEN:

Transit and Parking

Bus stop at SB US 101/Lucky Drive/Fifer Avenue (page 1-18):

It is unrealistic to expect that all transit users will walk or cycle to transit stops. On the west side of 101, many potential bus riders live west of Magnolia Avenue, in the hills; most of these commuters will need to drive to the bus stop.

The GCIP plan eliminates 100 parking spaces along Nellen Avenue (See Figure 2-8). At present these spaces are heavily used by bus commuters. The approximately 20 spaces on Lucky Drive and 20 more spaces on Nellen require an inconveniently long walk to the bus stop, and in any event many are often taken by local residents and persons doing business in the neighborhood.

The parking lots of local businesses may come to be used for bus parking, interfering with the needs of business suppliers and patrons. In addition, I see no "drop-off" zone on plans. If the parking lots of nearby businesses serve as de facto parking and drop-off sites, this design flaw may constitute unlawful interference with business advantage.

If transit is to be well used, it must be easy to access.

Bus stop at NB US 101/Wornum Drive (page 1-18):

For more years than I care to count, I commuted by bus from Greenbrae into San Francisco and back again. In the process, I learned the psychology of bus riders. In my view, the Wornum bus stop arrangement is extremely ill-advised.

Think of the rider who comes late to the Park n Ride. There will be many such. He looks across the street: "Oh God there's my bus!" And off he dashes straight for it, ignoring crosswalks and stoplights, dodging traffic, waving it to a screeching halt. Stupid? Yes. And it will happen often.

At the end of the day, bone-tired from the daily grind, commuters who leave the bus at Wornum will dislike having to cross dangerous intersections and walk through bike/ped "tunnels" (the sheltered multi-use paths) and especially when it is dark.

I can discern no feasible "drop-off" (turn-around) routes for this bus stop.

If transit is to be well used, it must be safe, convenient, and psychologically reassuring. It must attract riders, not dissuade them. The bus stop plans for Fifer Avenue and Wornum fail the test.

Existing bus stops at Fifer Avenue and Industrial Way (ADA):

Section 1.3.1.2 seems to imply that these transit stops are non-ADA compliant, but that is not entirely true.

The Fifer bus stop is partially ADA-compliant, and could be made nicely compliant with the addition of a curb cut-out at the curved dead end of Nellen Avenue near the used-car lot; disabled parking spaces could be painted on the road surface there. The walkways could use repaving.

The Industrial Way bus stop is fully ADA-compliant, though these walkways, too, could be repaved.

ITEM EIGHT:

Existing and Future Land Use (pages 2.2-1 to 2.2-3)

Table 2.2-1 lists four "future" residential development projects in the vicinity of GCIP. Since this table was compiled, two of the projects have begun construction.

This list, however, provides only a partial picture. Additional projects are either under construction or in the active planning process or being discussed. See Exhibit "B" attached hereto.

The legal principle of "constructive notice" presumes that reasonable people will take note of what is reasonably there to be noticed. In the present case, a simple perusal of formal public records was not adequate.

For a number of years there have been on-going news reports and public meetings concerning efforts to decrease traffic congestion, not only to make Marin County a more pleasant place to live and work, but also to do our part to mitigate climate change pursuant to AB 32 and SB 375. TAM has been involved in one of these efforts, the Central Marin Ferry Connector Project which will provide walkers and cyclists and the disabled, of all ages and abilities, with safe access to the SMART station. Given the rising ferment about higher-density, Caltrans and TAM, and their agents and employees, had a duty to look around, take notice, and investigate.

Higher-density means that more people will be living in the GCIP area or nearby. That means more people will be desirous of crossing 101 by using a POC. And that is why the Fehr & Peers survey "Memorandum" fails. It is merely a snapshot in time, as of March 2012. Regarding future needs for a POC, it is irrelevant.

ITEM NINE:

The future

SB 375 seeks to persuade planners to emphasize reduced automobile travel and to substitute non-motorized transportation and transit-oriented development. The GCIP area would seem a logical place to start.

Pursuant to the philosophy of SB 375, the GCIP plans should put transit first, with walkers, cyclists and the disabled accommodated on safe, separated (i.e. stress-free) pathways, including a POC across the approximate mid-point of the redesign. Motor traffic, with all its environmentally adverse effects, must take whatever space is left over. But Caltrans plans the opposite.

Relatively small expenditures on active transportation can allow key roadways "to operate the same for automobiles today as they did 20 years ago, despite a 12% increased demand for mobility." Geller, Roger, Bicycle Coordinator, City of Portland, "Build It and They Will Come," Executive Summary, 2011; two pages of graphs from this article are attached as Exhibit "C."

Adding more lanes doesn't turn out to reduce traffic. It increases traffic. This phenomenon is called "induced demand." The reverse is also true: fewer roads ultimately tend to produce less traffic. We see traffic problems today and ask how to ease them. But it's better to start thinking about what kind of streets and neighborhoods we want, what kind of bay front we should have, and how mass transit and walking and cycling could change things. First things first. (Adapted from Michael Kimmelman's article, *"Does a City Need more Highways?"* in the New York Times of 9-27-12 at page C1.)

The GCIP plans had their genesis in 1999, when community attitudes were different from those of today. Back then, freeway construction was still a kind of conditioned reflex. The current plans appear based on that older mindset. Our former civic leaders meant only the best, but times have evolved. Maybe that's why so many of us are have so much trouble with the project.

One hundred years ago, Marin County was essentially an open frontier, relatively undeveloped. Now, in Central Marin, nearly all buildable sites are in use, and we are enclosed by hills and by bay waters which are inexorably rising and taking back the land. We have reached the limits of our old "frontier. "

Aren't we wasting our energies trying to push out the boundaries of a freeway – when the attempt is futile? Why are we ignoring the sobering map of sea level rise (Figure 2-22) and proposing to lay down complicated and expensive new concrete structures that will be under water in a relatively few years?

To what extent are we obliged to undertake a futile project in order to ensure as safe the inherently hazardous activity of freeway driving? Haven't motorists a responsibility, too? Isn't reasonable safety an adequate standard?

Why we allow a futile project to elevate the needs of through motorists about the rights of local residents to the peaceful enjoyment of their community?

Instead of insisting that the daily routines of all who live and work along the freeway be further constricted by the implacable imperatives of freeway traffic, wouldn't it be preferable to substitute non-motorized transportation for the "free flow" of polluting vehicles?

See the reference to Geller, *"Build It and They Will Come,"* above, and Exhibit C taken therefrom. See also Caltrans' discussion of **operational emissions**, pages 2.6-7 and 2.6-8, and Table 2.6-1. Essentially, Caltrans cannot reliably deduce operational emissions for the Build and No-Build alternatives, although No-Build appears marginally more favorable.

Geller does it better.

We need to create a wholly new transportation paradigm. I support the No-Build alternative, perhaps with a few modest improvements (including an ADA-compliant POC) that will carry us through until we can decide how best to cope with our changing world.

Respectfully submitted,

Cindy M. Winter

Cindy M. Winter
cinhiver@yahoo.com

Ms. Cindy Winter
336 Bon Air Ctr. Pmb 108
Greenbrae, CA 94904

RE: Question about "incorporation of Greenbrae"

Hide Details

FROM: Dan Schwarz

Thursday, February 7, 2013 2:04 PM

TO: cindy winter

The unincorporated portion of Greenbrae is not along the freeway or Lucky Drive, so that is a mistake.

Dan

From: cindy winter [mailto:cinhiver@yahoo.com]
Sent: Thursday, February 07, 2013 12:52 PM
To: Dan Schwarz
Subject: Question about "incorporation of Greenbrae"

Dear Dan,

I've been reading the CalTrans EIR about the proposed 101 redesign, and on Page 1.1 of the Introduction, it states as set forth below. Does this make sense? I thought Greenbrae had been incorporated into the City of Larkspur. I live in Greenbrae, but vote for Larkspur City Council.

I'd like to include this point in my response to the EIR, which is due next Thursday. Thank you, Cindy Winter

This segment of US 101 also includes **an unincorporated area of Marin County known as Greenbrae** that straddles both sides of the highway near Lucky Drive.

Reply to Dan Schwarz

Send

EXHIBIT "A"

January 22, 2013

New developments under way/planned/discussed for GCIP area:

*MND 1. MacFarlane Partners, 185 new units + mixed use, old Wincup site, Wornum and Tamal Vista.

*MND 2. Rose Lane (also known as Rose Garden), Doherty Drive, Larkspur, 85+6 = 91 new units, The New Home Company.

3. Larkspur Library, Doherty Drive. Many amenities and activities are being planned. The new library will be so close to East Larkspur (as the crow flies) that it would seem a shame if patrons couldn't walk safely to it on a nice day.

4. Fifer Avenue: A large property owner is reported to be considering redevelopment similar to the MacFarlane project.

*MND 2 only 5. Higher-density development is under serious and on-going discussion for Larkspur Landing, in connection with SMART station planning. The GCIP freeway Mitigated Negative Declaration lists Drake's Way -- 24 residential units, and Drake's Cove -- 126 residential units + hotel and mixed use. See page 1-21 of the MND. However, since this portion of the MND was prepared, the Larkspur Landing discussions have expanded to include a number of additional sites and other changes.

6. Higher-density development has been suggested for Bon Air Shopping Center.

7. Higher-density development has been suggested for Drakes Landing.

8. College of Marin is under reconstruction, to attract more students.

9. SMART train station and Central Marin Ferry Connector Project.

10. Alto Tunnel will open some day; geography, population, and evolving attitudes make it inevitable.

Many drivers attracted to Nos. 11, 12 and 13 would probably use Tamalpais Drive, but some (an unknown number) would be attracted in the direction of Trader Joe's and Wornum:

11. Larkspur-Corte Madera School District, new elementary school, San Clemente Drive.

Continued...

*See MND, page 1-21.

12. The Village: Nordstrom's is under renovation, and the shopping center parking will be renovated to accommodate more vehicles more easily.

13. Madera Vista Apartments, off Paradise Drive in Corte Madera, 126 vacant units, to be renovated (building permit has been issued).

AND FINALLY:

14. What would traffic be like were San Quentin moved from Marin?

Prepared by Cindy Winter
cinhiver@yahoo.com
(Resident of Greenbrae)

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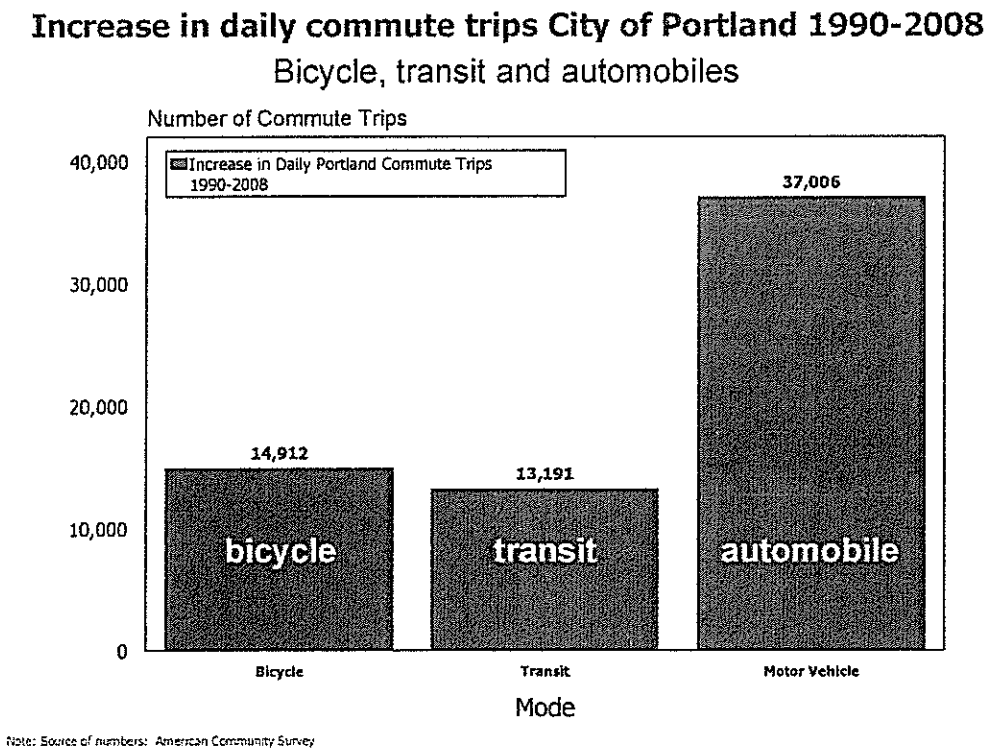

Figure 11. Change in daily commute trips by mode 1990-2008

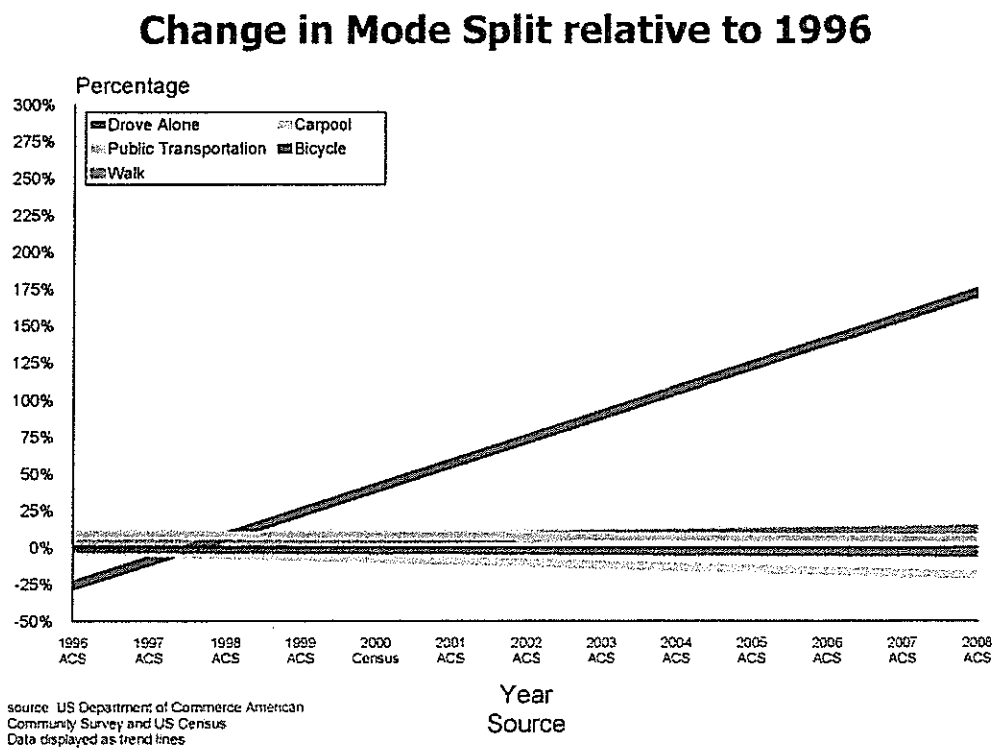

Figure 12. Change in mode split relative to 1996 (Trend Line)

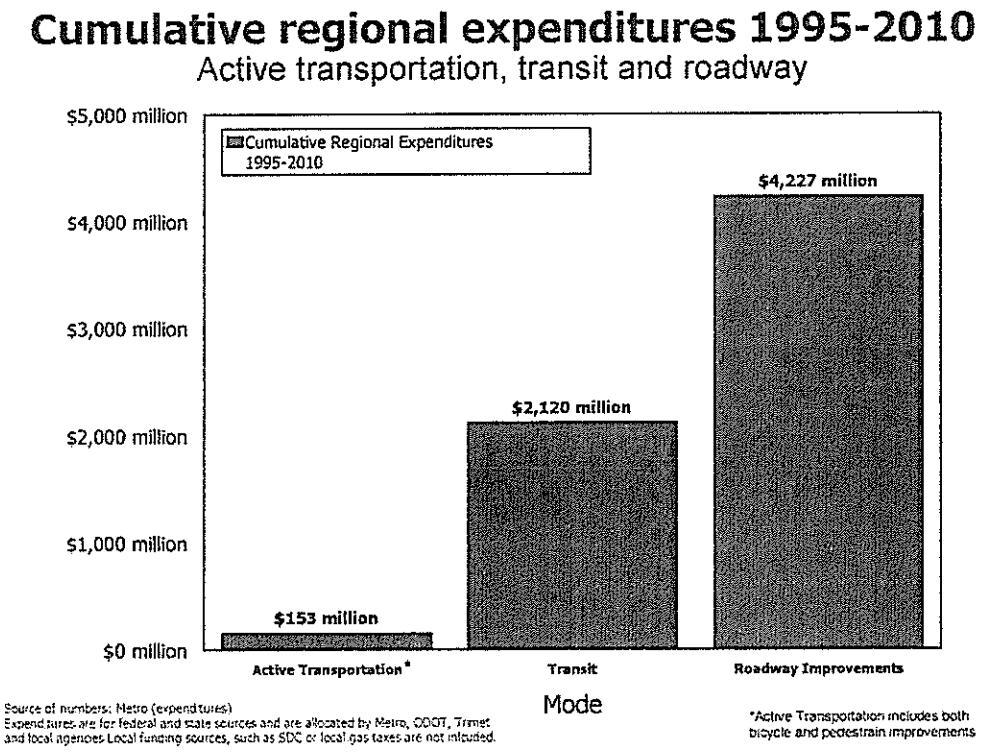

Figure 13. Cumulative regional capitol expenditures in transportation 1995-2010

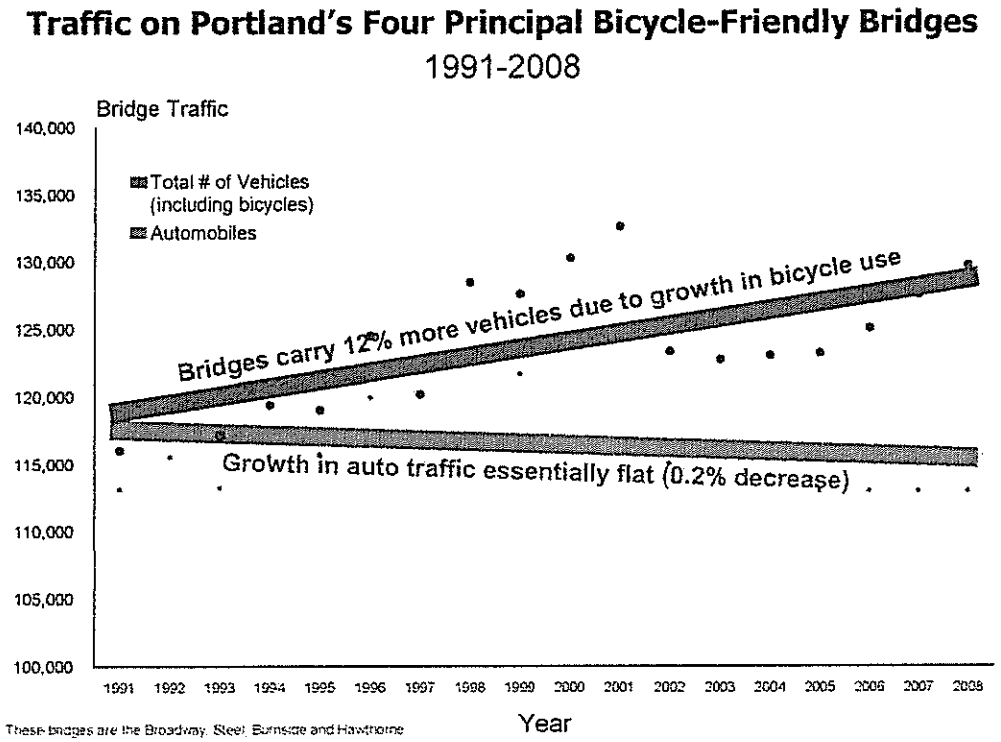

Figure 14. Increased demand for mobility largely met by bicycles on four principal Portland bridges

TAM TRANSPORTATION ALTERNATIVES FOR MARIN

February 14, 2013

Caltrans District 4
Attn: Valerie Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

VIA E-MAIL: valerie_shearer.dot.ca.gov

RE: COMMENTS ON THE INITIAL STUDY/ENVIRONMENTAL ASSESSMENT (IS/EA) FOR THE HIGHWAY 101 GREENBRAE/TWIN CITIES CORRIDOR IMPROVEMENT PROJECT.

Dear Caltrans District 4:

These comments are provided by Transportation Alternatives for Marin ("TAM"). TAM is a 501(c)(3) non-profit corporation whose mission is to promote pedestrian and bicycle transportation. TAM's mission is advanced through working with the cities, the County, and the institutions of Marin County to make Marin a model community for pedestrian and bicycle transportation, and demonstrating that investment in integrated bicycle and pedestrian infrastructure, combined with education, can promote well being and build a healthy and happy community. TAM works closely with Marin County Bicycle Coalition ("MCBC"), although TAM's comments are submitted independently of the MCBC's comments.

Please find enclosed a copy of a document entitled: "Save the North South Greenway." This document recommends the North South Greenway be completed from the Cal Park Hill Tunnel to the Sandra Marker Trail on the preferred alignments already adopted by Larkspur, Corte Madera, the County, and the Bay Trail as part of the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project. The document "Save the North South Greenway" is included with the submission of this letter and all its contents should be taken into consideration as part of TAM's IS/EA comments.

The North South Greenway was originally envisioned in the 1974 County Bicycle Plan. The detailed alignment was first identified in the 1994 North South Bikeway Study conducted by the County. Since 1994 Sausalito, Mill Valley, Corte Madera, Larkspur, San Rafael, and Novato, as well as the County of Marin, have all included the North South Greenway in their respective Bicycle and Pedestrian Plans. In particular, both Corte Madera and Larkspur identify the North South Greenway as the primary bicycle pedestrian alignment through their cities, forming critical parts of the most important bicycle route in the County.

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

In 2004, the City of Larkspur completed a study called the Central Marin Ferry Connection Project, which identified the preferred alignment of the North South Greenway from the north side of East of Sir Francis Drake Boulevard to Redwood Highway. The Central Marin Ferry Connection alignment follows the railroad right-of-way across East Sir Francis Drake Boulevard, across Corte Madera Creek, on the railroad right-of-way behind the Cost Plus Shopping Center, past the trailer park to Redwood Highway. Phase I of the Central Marin Ferry Connection, which will connect the Cal Park Hill Tunnel over East Sir Francis Drake Blvd to the north side of Corte Madera Creek, starts construction in 2013.

The most critical connection of the North South Greenway relative to the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project is at Wornum Drive. Originally Wornum Drive was the North Pacific Railroad right-of-way. In approximately 1995 Wornum Drive was built as a road in the railroad right-of-way. Highway 101 overpasses Wornum Drive because it was a railroad right-of-way when Highway 101 was built. The 1994 North South Bikeway Plan and the Larkspur and Corte Madera Pedestrian and Bicycle Plans identify the Wornum underpass as the passage from the east side of Highway 101 to the west side of Highway 101, connecting east Corte Madera and Larkspur to west Corte Madera and Larkspur. Wornum Drive is literally 50% in Larkspur (the east side) and 50% in Corte Madera (the west side). When the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project is built the North South Greenway, in particular the connection at Wornum Drive, should be considered the top priority for safe and separate pedestrian and bicycle accommodation from the east side of Redwood Highway to the Sandra Marker Trail.

Unfortunately the IS/EA does not refer to the Larkspur, Corte Madera, or County Pedestrian and Bicycle Plans, the Central Marin Ferry Connection Project Study, nor the North South Greenway alignment, or its importance as the key north south pedestrian and bicycle route in Marin County. Further, the IS/EA does not reference or include the Central Marin Ferry Connection Project in the project boundaries even though this is the premier automobile-alternative route in Marin, Corte Madera and Larkspur. This is a gross oversight in the IS/EA. While there are substantial pedestrian and bicycle improvements in the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project, the elimination of the North South Greenway is arbitrary and improper. The lack of reference, in particular to plans that have existed since 1974, must be corrected. All of the freeway improvements being done will have an impact on pedestrians and bicycles in the area. The local Larkspur and Corte Madera residents have testified in public and have passed resolutions stating that the undercrossing at Wornum Drive is a critical undercrossing and that the North South Greenway should be included in the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project.

TAM respectfully requests that the North South Greenway, from the north side of Corte Madera Creek to the Sandra Marker Trail, be included in the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project improvement area. Preliminary engineering has already been completed on the North South Greenway crossing of Corte Madera Creek from the south side of East Sir Francis Drake Boulevard parallel to the railroad right-of-way, connecting to the railroad right-of-way south of Corte Madera Creek staying on the railroad right-of-way all the way to Redwood Highway. This was done by the Transportation Authority of Marin. The materials in the attached document "Save the North South Greenway" show that the North South Greenway could complete a separate and safe pedestrian and bicycle passage from Redwood Highway to the Sandra Marker Trail.

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Also included in the attachment is information from San Rafael, California, Boulder, Colorado and the Netherlands, including engineering contact from Boulder, Colorado about road underpasses. The underpass of the North South Greenway on the top of Puerto Suello Hill in San Rafael is the best local example of infrastructure that could be used to connect the North South Greenway from Redwood Highway to the Sandra Marker Trail with no roadway crossings. (The Puerto Suello underpass turned the most dangerous North South Greenway undercrossing into the safest at an optimal expense. Bill Whitney from the Transportation Authority of Marin was involved in the Puerto Suello Hill underpass and understands the technical information and background of the underpass on the Puerto Suello Hill.) The Puerto Suello Hill underpass is longer than both of the underpasses at Redwood Highway or Tamal Vista, both identified in the attached materials as necessary to connect the North South Greenway from the Redwood Highway to the Sandra Marker Trail.

TAM strongly recommends that the environmental clearances be obtained, engineering be completed and the cost estimates for alternatives be developed to complete the North South Greenway from the south side of East Sir Francis Drake Boulevard (Phase I of the Central Marin Ferry Connection) to Redwood Highway (Phase II of the Central Marin Ferry Connection Project) and from there under Redwood Highway, under any proposed northbound 101 off-ramp at Wornum, back to grade level at Wornum Drive, under the 101 underpass and then under Tamal Vista Boulevard connecting to the Sandra Marker Trail. These improvements are the most sought after and beneficial community improvements in the entire Highway 101 Greenbrae/Twin Cities Corridor Improvement Project. These improvements would connect the communities of East Corte Madera with West Corte Madera, enabling school children to safely commute from East Corte Madera to Redwood High School, and further facilitate access from east Corte Madera to College of Marin. Additionally, grammar and middle school children who live in East Corte Madera or Larkspur could use this walking and cycling access to get to school safely.

Finally, the Bay Trail alignment also runs along the same passage of Phase II of the Central Marin Ferry Connection from the south side of East Sir Francis Drake Boulevard to approximately Redwood Highway. (The Bay Trail heads south slightly short of Redwood Highway and continues to east Corte Madera along the old railroad right-of-way.)

All of the recommendations for alignment have been included in Bicycle and Pedestrian Plans for almost 40 years. The IS/EA should contain these projects as preferred alternatives, environmental clearances should be obtained for the North South Greenway, preliminary engineering should be done, and these alternatives should be brought forth to the public as recommendations to complete the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project.

If you have any questions regarding these materials please do not hesitate to contact us.

Respectfully submitted,

Patrick M. Seidler
President

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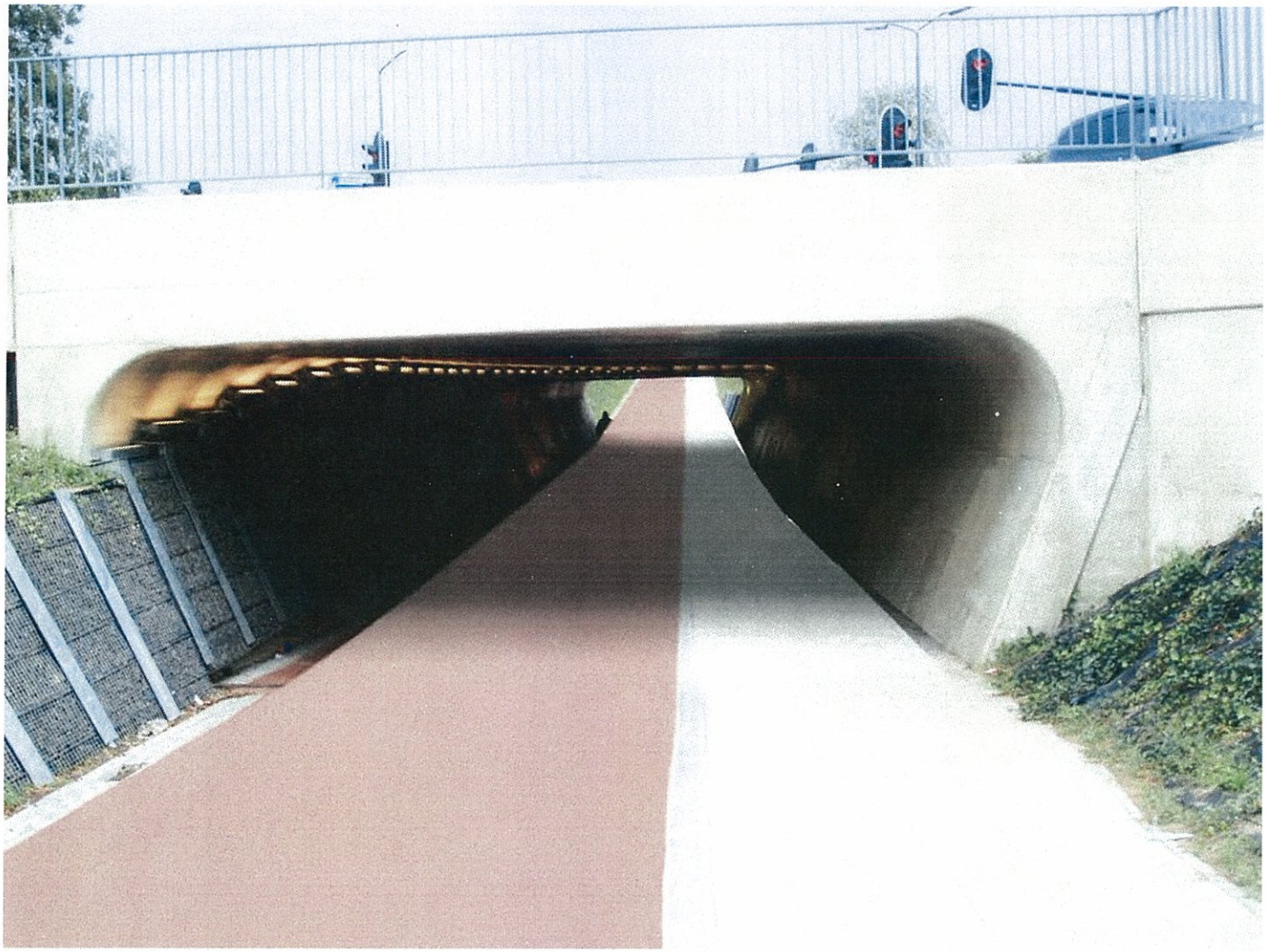
SAVE THE NORTH SOUTH GREENWAY



Connecting the Cal Park Hill Tunnel to the Sandra Marker Trail
Safely and Separately
As Part Of
The Highway 101 Greenbrae/Twin Cities Corridor Improvement Project

TAM
TRANSPORTATION ALTERNATIVES FOR MARIN

North South Greenway

- The single most important component of the Greenbrae/Twin Cities Corridor Improvement Project is to preserve and build the North South Greenway from the Cal Park Hill Tunnel to the Sandra Marker Trail.
- The most important North South Greenway crossing of Highway 101 in Marin County is from Redwood Highway to the Sandra Marker Trail under 101 alongside Wornum Drive.
- The greatest risk to a continuous routing of the North South Greenway in Marin County is at Wornum Drive.
- The most dangerous section of the North South Greenway for pedestrians and cyclists, after all improvements that are currently funded are built, is the section from Redwood Highway to Tamal Vista.
- The Solution to preserve the North South Greenway from Cal Park Hill Tunnel to Sandra Marker Trail is simple: Build safe and separate pedestrian and bicycle accommodation for this entire section and include this entire project in the Greenbrae/Twin Cities Corridor Improvement Project.

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The North South Greenway

A. Historical Background of the North South Greenway

The vision for Marin's North South Bicycle Route has existed since the 1970's, at which time most operations of the North West Pacific Railroad ("NWPRR") had ceased, and the County had acquired the southern portion of the NWPRR right-of-way and converted it to a multi-use path between Sausalito and Mill Valley. The initial concept was set out in Marin's first bicycle plan: "1974 Bicycle Plan for Marin," in which nine primary routes were designated in the seven page document. Route 1, the "Redwood Route," described a North South Bikeway that would be "the longest arterial bike route [in the County]" running the entire length of Marin from the Sonoma County border to the Golden Gate Bridge. While parts of the Bikeway were not on the old railroad rights-of-way alignments, the old railroad rights-of-way served as the primary location and nexus point for the Redwood Route.

In 1994 the Marin County Parks, Open Space and Cultural Services commissioned the Marin County North South Bikeway Feasibility Study with funding from a Federal Grant to determine an alignment of Marin's North South Bikeway. The 1994 North South Bikeway Study was the first comprehensive, detailed plan that identified a North South alignment, which primarily followed the abandoned railroad rights-of-way from Sausalito to Novato. The North Pacific Coast Railroad started in Sausalito, went through Mill Valley and Corte Madera, then from Larkspur through the Ross Valley to Fairfax, on to Woodacre and towards Point Reyes Station. After 1884 a spur was added where the North Pacific Railroad approaches Larkspur, which connected the North Pacific Coast Railroad tracks from Larkspur to the San Francisco and North Pacific rail line, built to connect the railroad from Tiburon through San Rafael to Petaluma. Today the Sandra Marker Trail is located on the connection section between the historic North Pacific Railroad and the San Francisco and North Pacific Railroad.

The North South alignment designated in the 1994 North South Bikeway Study followed the North Pacific Coast Railroad from Sausalito through the Alto Tunnel in Mill Valley/Corte Madera to Larkspur. The 1974 Marin County Bike Plan and the 1994 North South Bikeway Study both primarily followed the North Pacific Coast Railroad route from Larkspur to northern Novato. After the County of Marin accepted the results and recommendations of the 1994 North South Bikeway Study, the North South Bikeway became increasingly referenced in City Bicycle and Pedestrian Plans, including Plans from Sausalito, Corte Madera, Larkspur, San Rafael, Novato, the Marin Countywide Plan, and parts of the Bay Trail. Starting approximately 2000, Marin's City and County Plans, articles and reference materials began referring to the North South Bikeway alignment as the "North South Greenway."

B. Recent Developments in the North South Greenway and Short Term Plans

Sausalito received funding through the Non-motorized Transportation Pilot Program ("NTPP") and completed plans to extend the North South Greenway from the Sausalito Ferry Terminal to Gate 6 Road, where it meets the Sausalito – Mill Valley Bike Path, the southernmost currently built portion of the North South Greenway. NTPP funding is financing the Alto Tunnel study regarding engineering and land ownership issues to determine the practicality of opening the Alto Tunnel. The North South Greenway, if it ever goes through Alto Tunnel, would emerge on the Corte Madera side near Grove Avenue, where the Greenway heads north across Tamalpais Avenue, continuing behind LCM School and towards downtown Larkspur. The City of Larkspur repaved the railroad right-of-way to build the Sandra Marker Trail from Tamalpais Avenue to the edge of Tamal Vista Avenue in Corte Madera. There is a bike path on Wornum Drive that goes under Highway 101. The 1994 North South Greenway identified a route parallel to the railroad right-of-way behind Cost Plus, the trailer park and then over the Corte Madera Creek. After crossing the Corte Madera Creek, the North South Greenway would connect to the Sir Francis Drake overcrossing, which starts construction in 2013, through the now reopened Cal Park Hill Tunnel, which connects to Andersen Drive.

Sonoma Marin Area Rail Transit ("SMART") was passed for funding in 2008. SMART is currently considering alignment alternatives that locate the North South Greenway parallel to the SMART railroad tracks from Anderson Drive to Second Street in San Rafael. In 2013, the City of San Rafael will build improved bicycle access in the heavily populated and dense commercialized area from Second Street to Mission Street, connecting to the Puerto Suello Path. The Puerto Suello Path, located on the west side of 101 from Mission all the way to the top of Puerto Suello Hill, was completed in 2010 as part of the Highway 101 HOV Gap Closure Project. SMART is now designing and will build most of the remainder of the North South Greenway from the top of Puerto Suello Hill to Novato's northern City limits. As well, SMART has provisions for planning and building the North South Greenway from the Petaluma River all the way to Cloverdale. When completed, the entire length of the North South Greenway from the Golden Gate Bridge to Cloverdale would be approximately 91 miles and would create a path parallel to Highway 101 with minimal roadway interruption.

C. The Highway 101 Greenbrae/Twin Cities Corridor Improvement Project must mitigate the impacts to the North South Greenway

The alternatives being studied by the Transportation Authority of Marin, in particular the northbound off-ramps being added at Wornum Drive, the increased traffic on Redwood Highway and the increased traffic through Wornum Drive, the Greenbrae/Twin Cities Corridor Improvement Project has the responsibility to mitigate the increased traffic that will break up CRITICAL SECTIONS of the North South Greenway, primarily from Corte Madera Creek to the Sandra Marker Trail. THIS IS THE ALIGNMENT OF THE NORTH SOUTH GREENWAY, AS WELL AS PORTIONS OF THE BAY

TRAIL. (Note: Wornum Underpass was the original train route and Hwy 101 was built to overpass the railroad.)

D. Sections of the North South Greenway that are relevant to the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project
[See Exhibits on the following pages]

1. The Central Marin Ferry Connection Project [Exhibit D-1(A) and D-1(B)]
2. Redwood Highway to Sandra Marker Trail [Exhibit D-2(A) and D-2(B)]

The sections of the North South Greenway that are pertinent to the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project are, for the most part, contained in the Central Marin Ferry Connection Project. Additionally, the most important Highway 101 crossing for the North South Greenway is connecting the south end of the Central Marin Ferry Connection Project to the Wornum Avenue Path and then connecting to the Sandra Marker Trail at Tamal Vista Blvd.

1. Central Marin Ferry Connector Project

This Larkspur and Bay Trail co-funded Study carried forward one of the top priority North-South Bikeway projects from the 2001 County Bicycle Plan, a proposal to connect the communities of Corte Madera and Larkspur over Corte Madera Creek, which would complete a key segment of the Bay Trail and provide improved bicycle and pedestrian access to the Larkspur Ferry Terminal. The Central Marin Ferry Connection project was identified to plan a connection through or around the U.S. 101 Interchange, and across Sir Francis Drake Boulevard. The project site is notorious as the most heavily congested location in Marin County. It is the confluence of all multimodal routes, including pedestrian and bicycle paths, bus connector services, automobile, truck, ferry and airport commuter transportation services, all of which radiate across the Bay Area, extending the reach of non-motorized travelers. In 2002, the City of Larkspur began planning work on the Central Marin Ferry Connection project in partnership with local and regional agencies. Competitive source funding was obtained for design and environmental work. The report established a preferred alignment for the Central Marin Ferry Connection project that essentially follows the old Northwestern Pacific Railroad right-of-way between Wornum Drive in Corte Madera, across Corte Madera Creek, and across East Sir Francis Drake Boulevard on a new high-level bridge connecting to the Cal Park Tunnel Pathway.

The preferred alignment for the Central Marin Ferry Connection Project recommended by the Technical Advisory Committee (TAC) followed the old Northwestern Pacific Railroad right-of-way between Wornum Drive in Corte Madera across Corte Madera Creek and onto Sir Francis Drake Blvd. on a new high level

bridge to Larkspur Landing. The TAC concluded that this option provided the safest, most functional, direct and enjoyable route for pedestrians and cyclists.

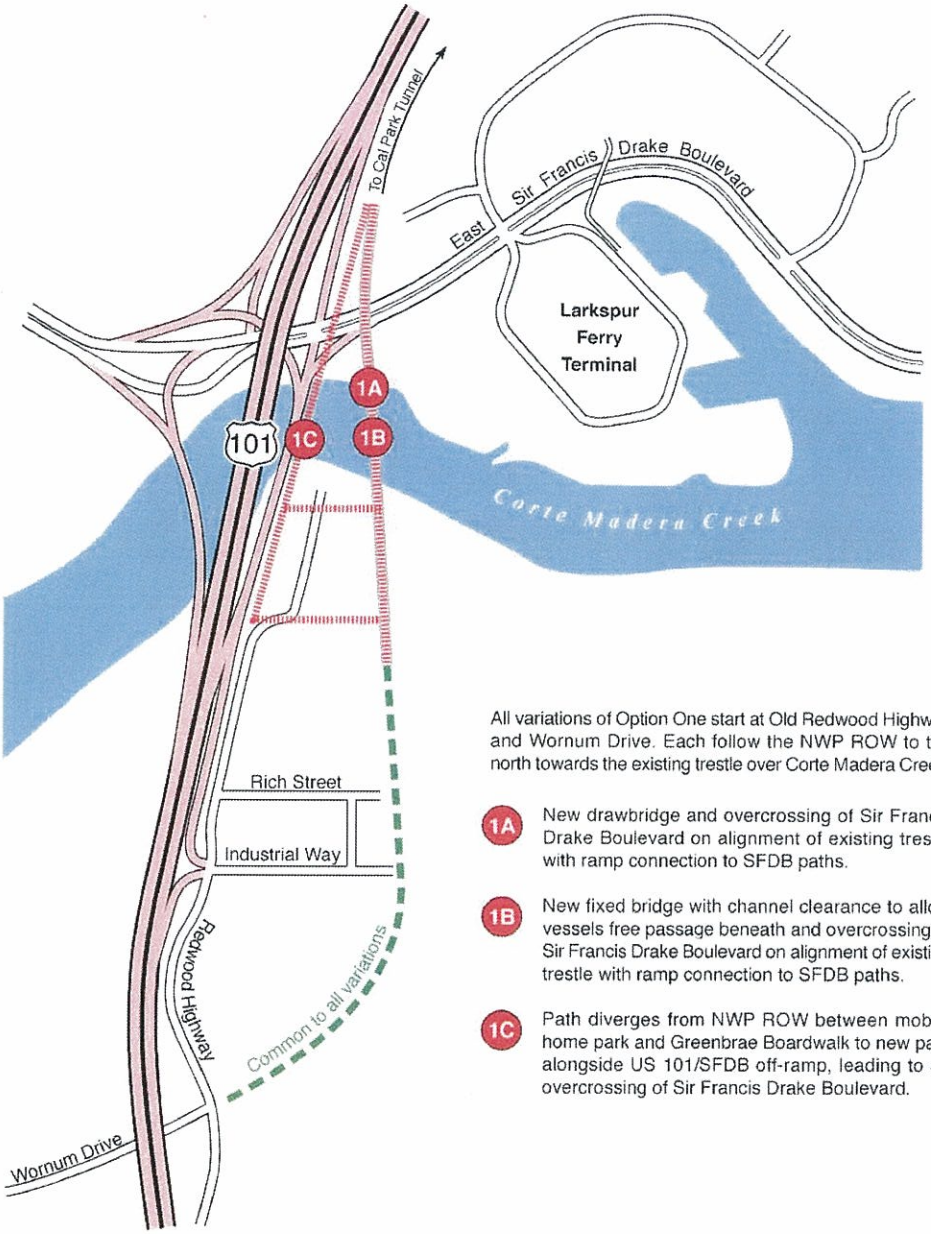
After Marin received the Non-Motorized Transportation Pilot Program funding in 2005, the Transportation Authority of Marin reestablished an order of priority for the Central Marin Ferry Project and split the Ferry Connection Project into two segments:

- Phase I: A crossing over Sir Francis Drake Blvd. from the (then soon to be opened) Cal Park Hill Tunnel landing on the South side of Sir Francis Drake and connecting the Cal Park Hill Tunnel path to the bicycle paths on the south side of Sir Francis Drake. The Transportation Authority of Marin will begin building Phase I of the Central Marin Ferry Connection in 2013.
- Phase II: Crossing of Corte Madera Creek from the south side of Sir Francis Drake connecting to the old railroad right-of-way behind the mobile home park, Cost Plus and then connecting to Redwood Highway at Wornum Drive. Preliminary engineering was done on the Phase II crossing of Corte Madera Creek and continuing on the Railroad right-of-way behind the mobile home park and Cost Plus to Redwood Highway, but was abandoned in 2009 by the Transportation Authority of Marin board.

The Greenbrae Interchange Project has been going on for approximately a decade. To date, the Phase II portion of the Central Marin Ferry Connection project has not been included in the Greenbrae/Twin Cities Corridor Improvement Project. However, the Central Marin Ferry Connection Project Phase II preferred option provides the optimal multi-modal safe and separate connections for cyclists and pedestrians to get through a highly dangerous area from Cal Park Hill to the Redwood Highway.

FINAL

CENTRAL MARIN FERRY CONNECTION PROJECT



All variations of Option One start at Old Redwood Highway and Wornum Drive. Each follow the NWP ROW to the north towards the existing trestle over Corte Madera Creek.

1A New drawbridge and overcrossing of Sir Francis Drake Boulevard on alignment of existing trestle with ramp connection to SFDB paths.

1B New fixed bridge with channel clearance to allow vessels free passage beneath and overcrossing of Sir Francis Drake Boulevard on alignment of existing trestle with ramp connection to SFDB paths.

1C Path diverges from NWP ROW between mobile home park and Greenbrae Boardwalk to new path alongside US 101/SFDB off-ramp, leading to an overcrossing of Sir Francis Drake Boulevard.

Larkspur Trestle Bike Path Option I

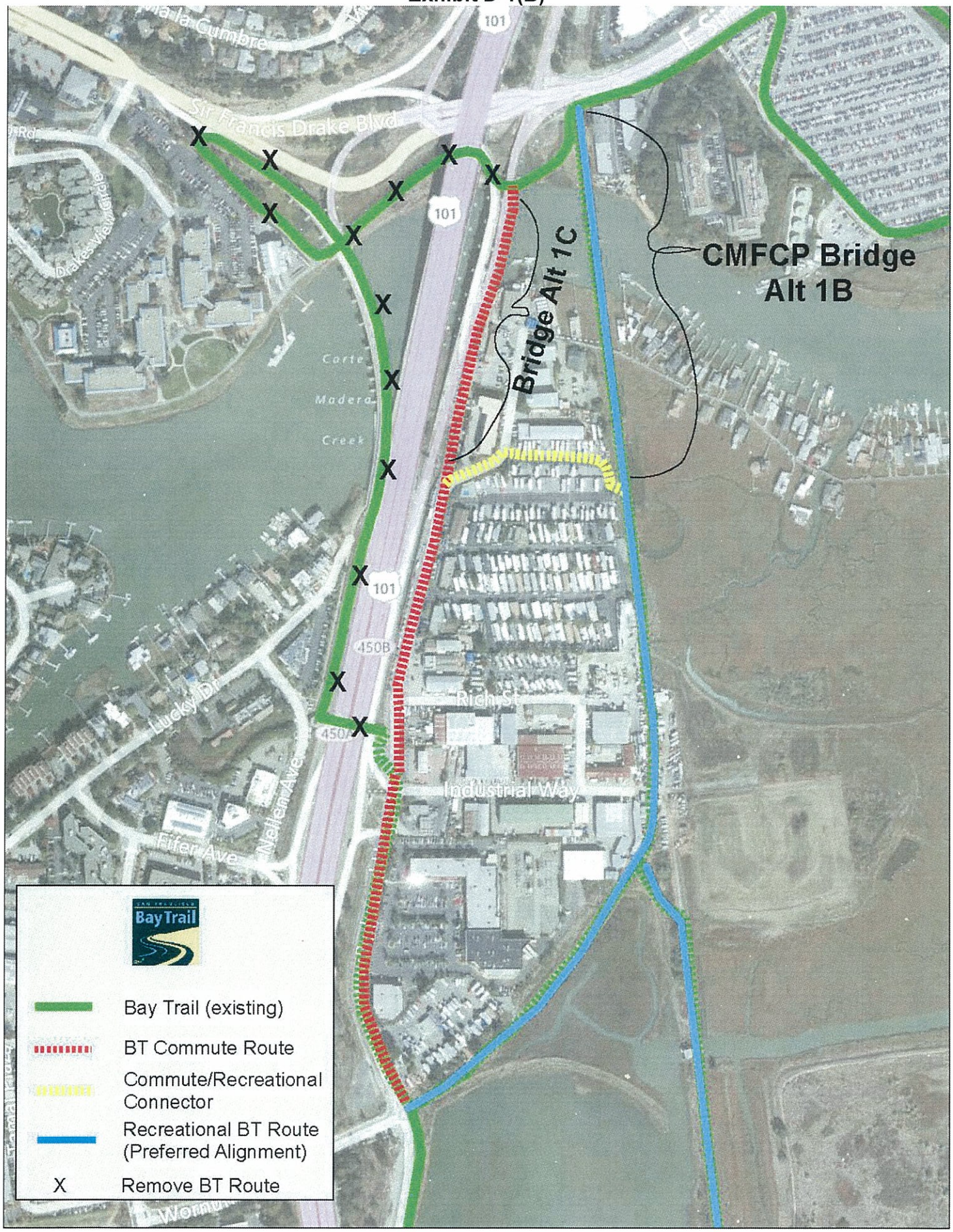
10/02

Prepared For
City of Larkspur

Prepared By
Alta Planning + Design, Inc.

April 2004

Exhibit D-1(B)


Via La Cumbre
Sir Francis Drake Blvd
101
Drakes View Drive
Carte
Madera
Creek
Bridge Alt 1C
CMFCP Bridge
Alt 1B
450B
Lucky Dr
Nellen Ave
Rich St
Industrial Way
Bay Trail
Bay Trail (existing)
BT Commute Route
Commute/Recreational Connector
Recreational BT Route (Preferred Alignment)
X Remove BT Route

2. **Connecting the North South Greenway from Redwood Highway to the Sandra Marker Trail [Exhibits on the following pages]**

   The most critical connection of the North South Greenway relative to the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project is at Wornum Drive. Originally Wornum Drive was the North Pacific Railroad right-of-way. In approximately 1995 Wornum Drive was built as a road in the railroad right-of-way. Highway 101 overpasses Wornum Drive because it was a railroad right-of-way when Highway 101 was built. The 1994 North South Bikeway Plan and the Larkspur and Corte Madera Pedestrian and Bicycle Plans identify the Wornum underpass as the passage from the east side of Highway 101 to the west side of Highway 101, connecting east Corte Madera and Larkspur to west Corte Madera and Larkspur. Wornum Drive is literally 50% in Larkspur (the east side) and 50% in Corte Madera (the west side). When the Highway 101 Greenbrae/Twin Cities Corridor Improvement Project is built the North South Greenway, in particular the connection at Wornum Drive, should be considered the top priority for safe and separate pedestrian and bicycle accommodation from the east side of Redwood Highway to the Sandra Marker Trail.

   a. See Exhibit D-2(A) and D-2(B)

E. **Safely and Cost Effectively Completing the North South Greenway from Redwood Highway to the Sandra Marker Trail: Underpasses of Redwood Highway, possible northbound off-ramps to Wornum, and Tamal Vista Boulevard.**

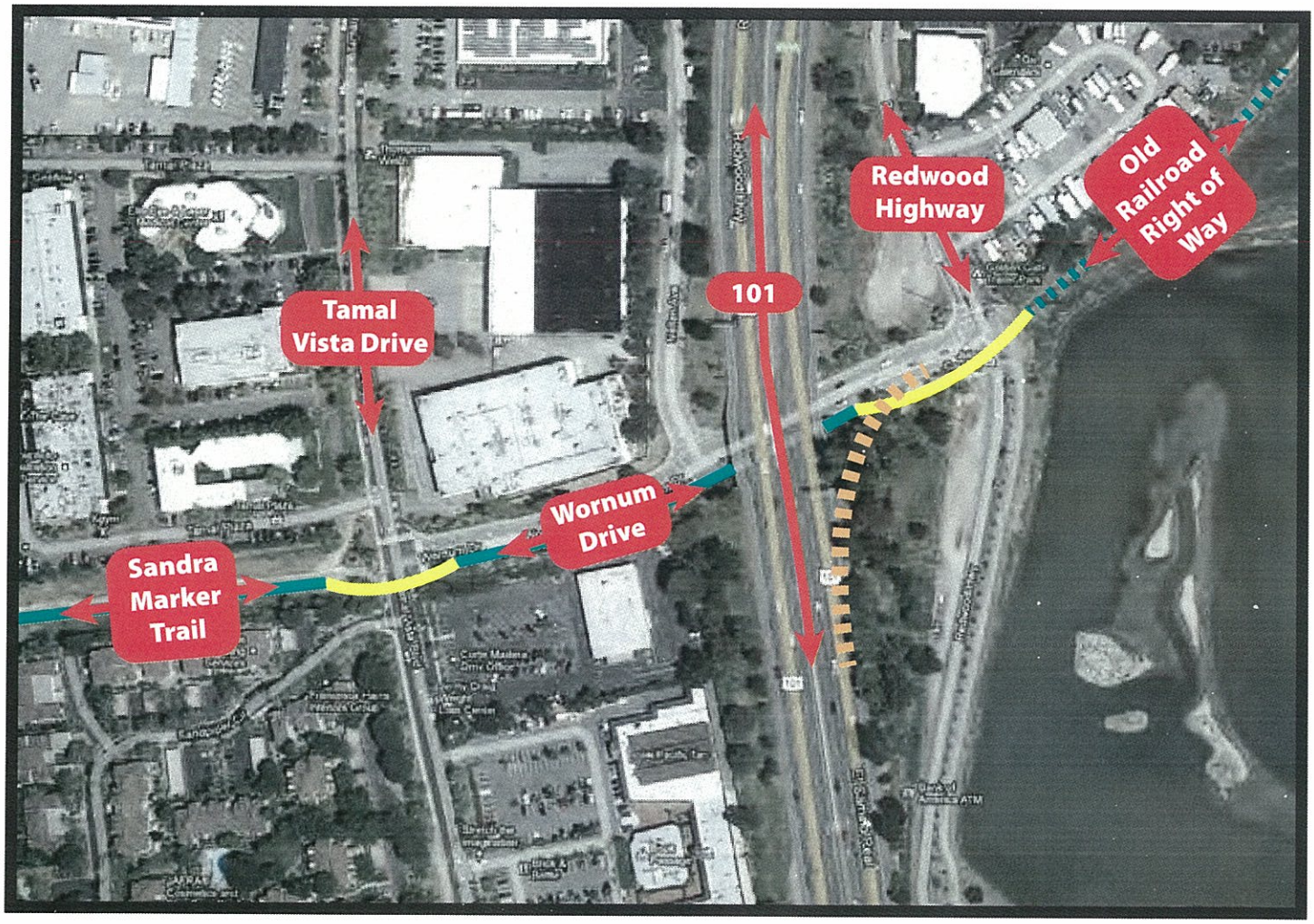
Transportation Alternatives for Marin recommends that Transportation Authority of Marin use underpasses under Redwood Highway and the new freeway off-ramp (if it is built) and underneath Tamal Vista Boulevard as part of the Greenbrae Interchange Project. Please see the document attached titled "#35-Grade-Separated Crossing Treatment" from the City of Boulder Colorado. This document gives a thorough background on crossings, including crossings under water tables. Additionally, it includes information from the City of Boulder as to why bicyclists prefer underpasses (because there is less altitude gain). <u>Cities and Counties prefer underpasses because they can be built for a fraction of the cost of overpasses</u>.

With underpasses connecting the North South Greenway under Redwood Highway, under the new proposed northbound off-ramp as well as under Tamal Vista Boulevard, a safe and separate accommodation for school children, recreational cyclists and neighbors would facilitate travel from one side of Corte Madera to the other, connecting critical portions of our communities without endangering our citizens with automobile collisions.

- Undercrossings of roads for pedestrians and cyclists are the most cost effective.
- Undercrossings of roads for pedestrians and cyclists are the safest.
- Undercrossings of roads for pedestrians and cyclists are the most desired by pedestrians and cyclists.

Exhibit D-2 (A)

CONNECTING THE NORTH SOUTH GREENWAY FROM REDWOOD HIGHWAY TO THE SANDRA MARKER TRAIL



Existing North South Greenway

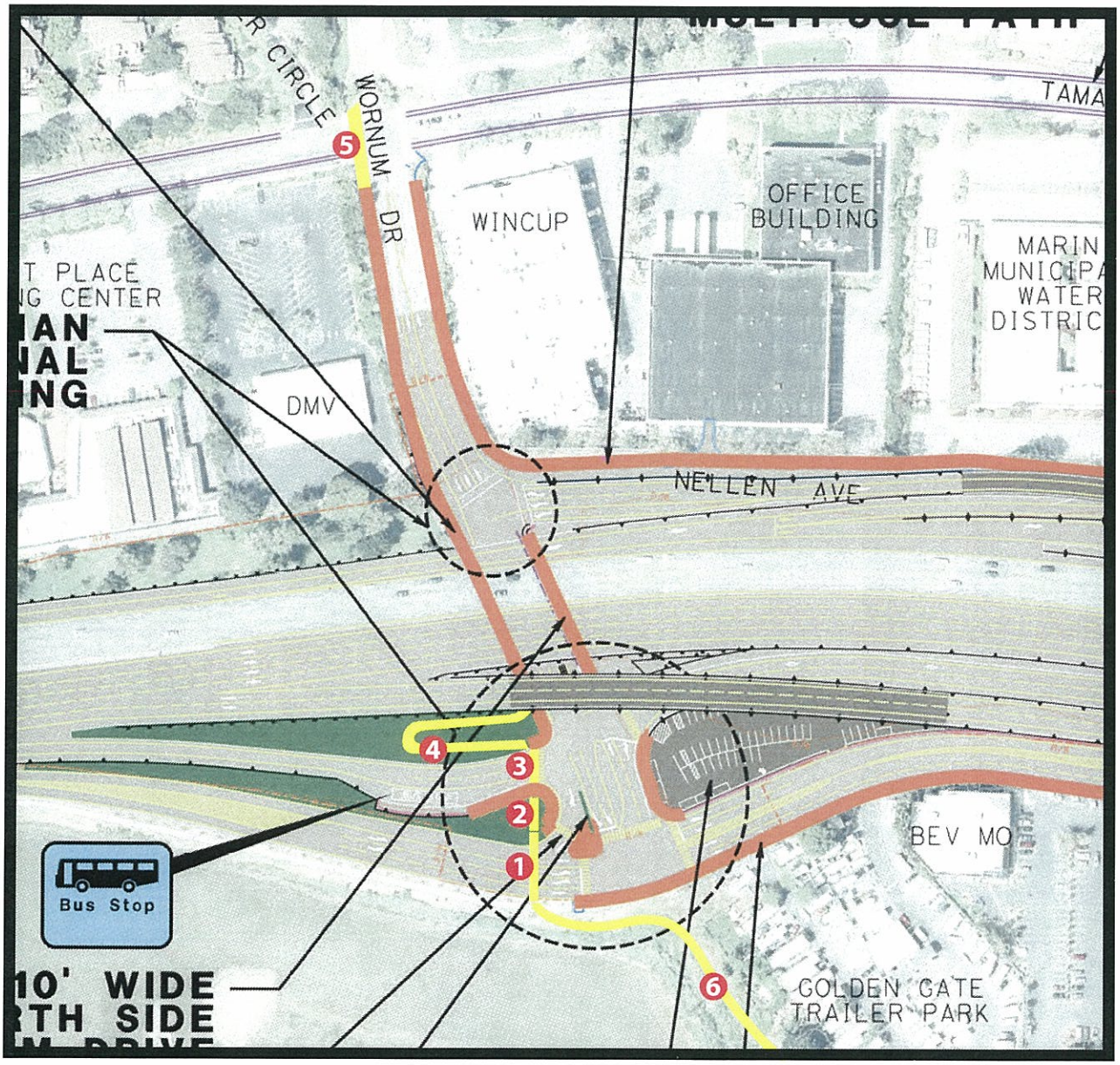
North South Greenway Underpass

Proposed Off-ramp

Future North South Greenway

Exhibit D-2 (B)

Connecting the North South Greenway from Redwood Highway to the Sandra Marker Trail.



1. Redwood Highway Underpass 60'
2. Skylight space between Redwood Highway and Off-ramp 40'-50'
3. Northbound Wornum Off-ramp Underpass 45'
4. Ramp leading to Wornum Bike Path at Grade on Wornum Drive
5. Proposed Tamal Vista Underpass 80'
6. Phase II Central Marin Ferry Connection

F. Examples of Underpasses [See Exhibits on the following pages]

1. Puerto Suello Hill Underpass Pictures: Exhibit F-1(A) and F-1(B)
2. Boulder, Colorado Underpass Picture: Exhibit F-2
3. Tilburg, Netherlands Underpass Picture: Exhibit F-3

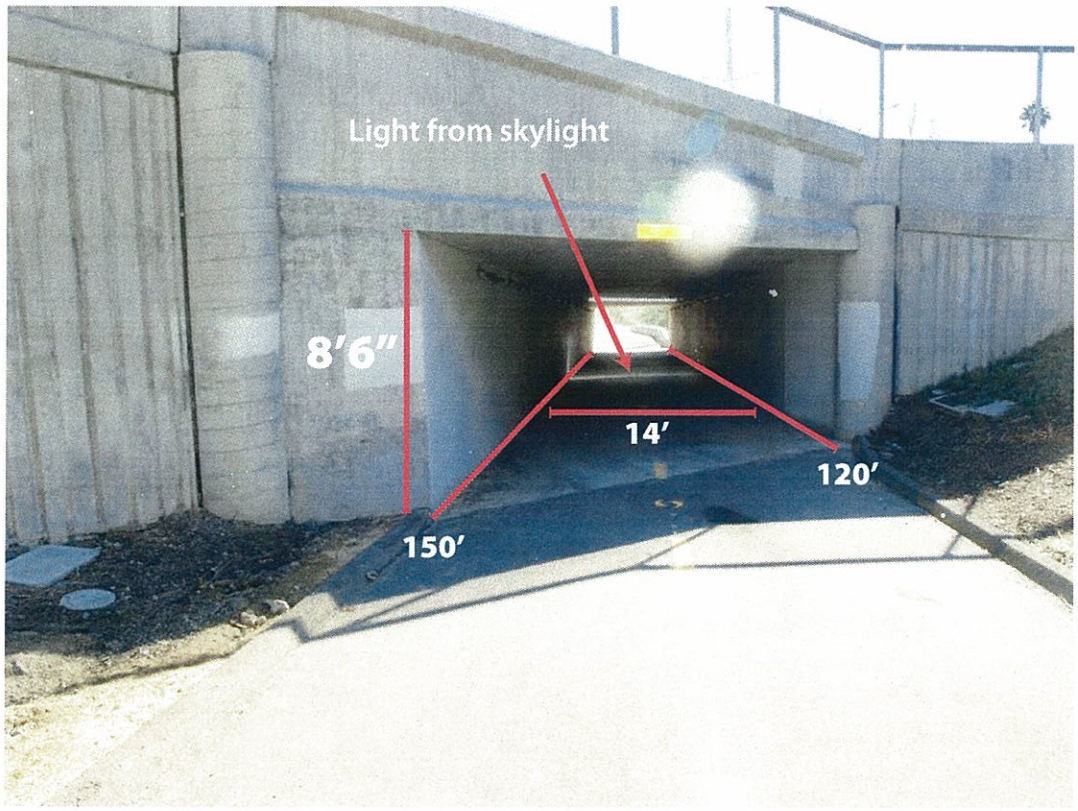
Puerto Suello Hill Underpass

Puerto Suello Hill Path North Entrance Underpass of Lincoln Ave Southbound On-Ramps and Off-Ramps.

Puerto Suello Hill Path South Entrance Underpass of Lincoln Ave Southbound On-Ramps and Off-Ramps.

Puerto Suello Hill Underpass

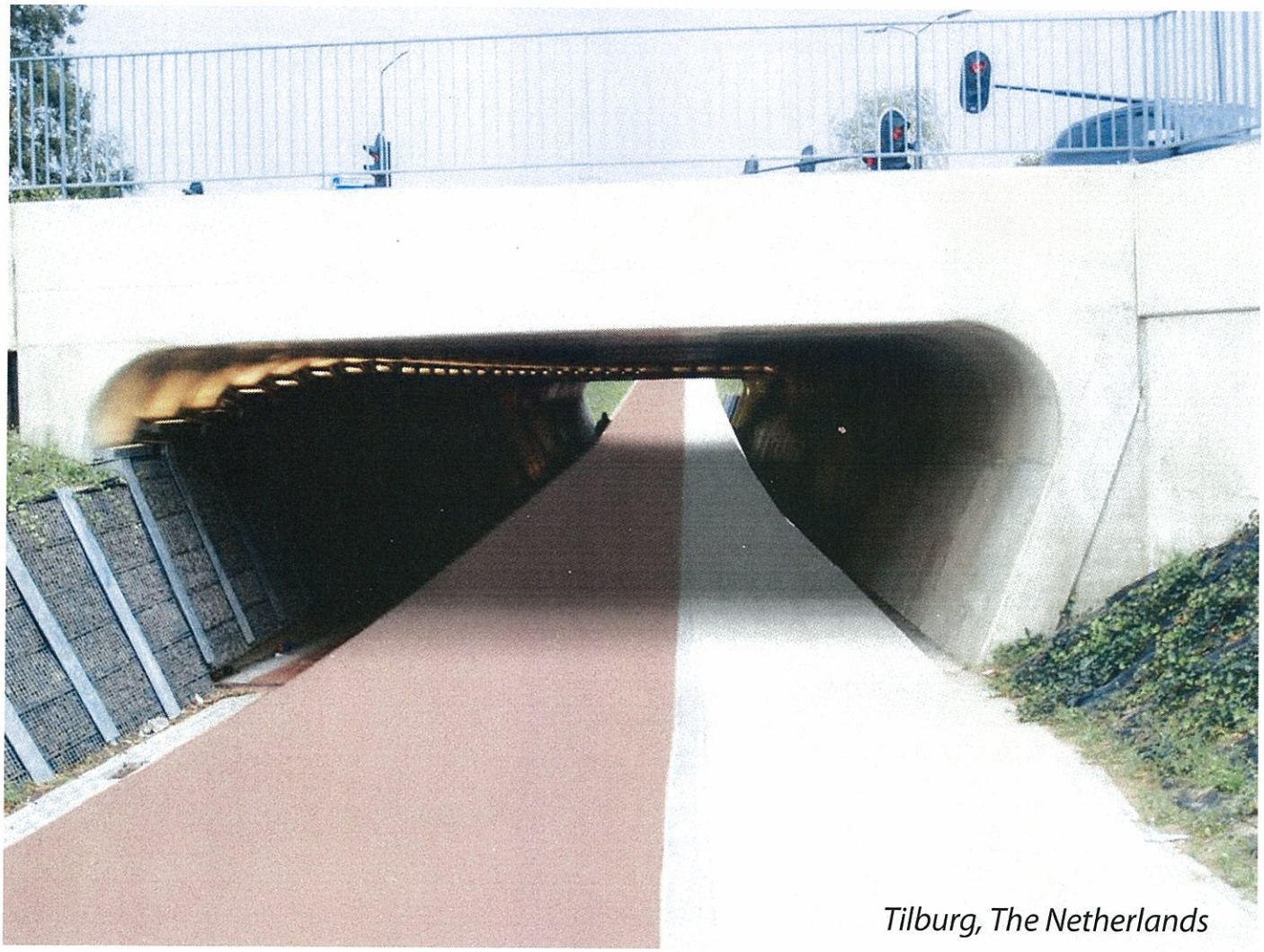
Puerto Suello Hill Path South Entrance Underpass of Lincoln Ave Southbound On-Ramps and Off-Ramps.



Dimensions of Puerto Suello Hill Underpass, View from North Entrance of Lincoln Ave Southbound On-Ramps and Off-Ramps.

Exhibit F-2

Boulder, Colorado
Bike Underpass



Tilburg, The Netherlands

This trapezoidal structure is considered a best practice for an underpass in the Netherlands.

G. #35- Grade Separated Crossing Treatment from Boulder, Colorado

Please see the attached "#35-Grade Separated Crossing Treatment for Boulder, Colorado" to understand why cities, counties, cyclists and pedestrians prefer underpasses to safely connect pedestrian and bicycle routes.

H. Central Marin Ferry Connection Project Final Report April 2004

Please see the attached complete Final Report from April 2004 for the Central Marin Ferry Connection Project.

I. Ockham's Razor: "The simplest explanation tends to be the right one."

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William of Ockham (c. 1285-1349)

Completing the North South Greenway from the Cal Park Hill Tunnel to the Sandra Marker Trail would be the optimal transportation improvement in the Greenbrae/Twin Cities Corridor Improvement Project.

- A continuous, safe and separate accommodation for pedestrians and bicycles from Andersen Drive in San Rafael to Tamalpais Drive in Corte Madera will be created through connecting the Cal Park Hill Tunnel over Sir Francis Drake then crossing Corte Madera Creek, continuing on the railroad right-of-way south of Corte Madera Creek to Redwood Highway and to the Sandra Marker Trail.

- Connecting Cal Park Hill Tunnel to the Sandra Marker Trail will:

  - ✧ Provide the greatest increase in safety to the most vulnerable transportation groups: Pedestrians and Cyclists.

  - ✧ Be the safest accommodation to pedestrians and cyclists in the Greenbrae/Twin Cities Corridor Improvement Project.

  - ✧ Increase mobility in the Greenbrae/Twin Cities Corridor Improvement Project area of influence.

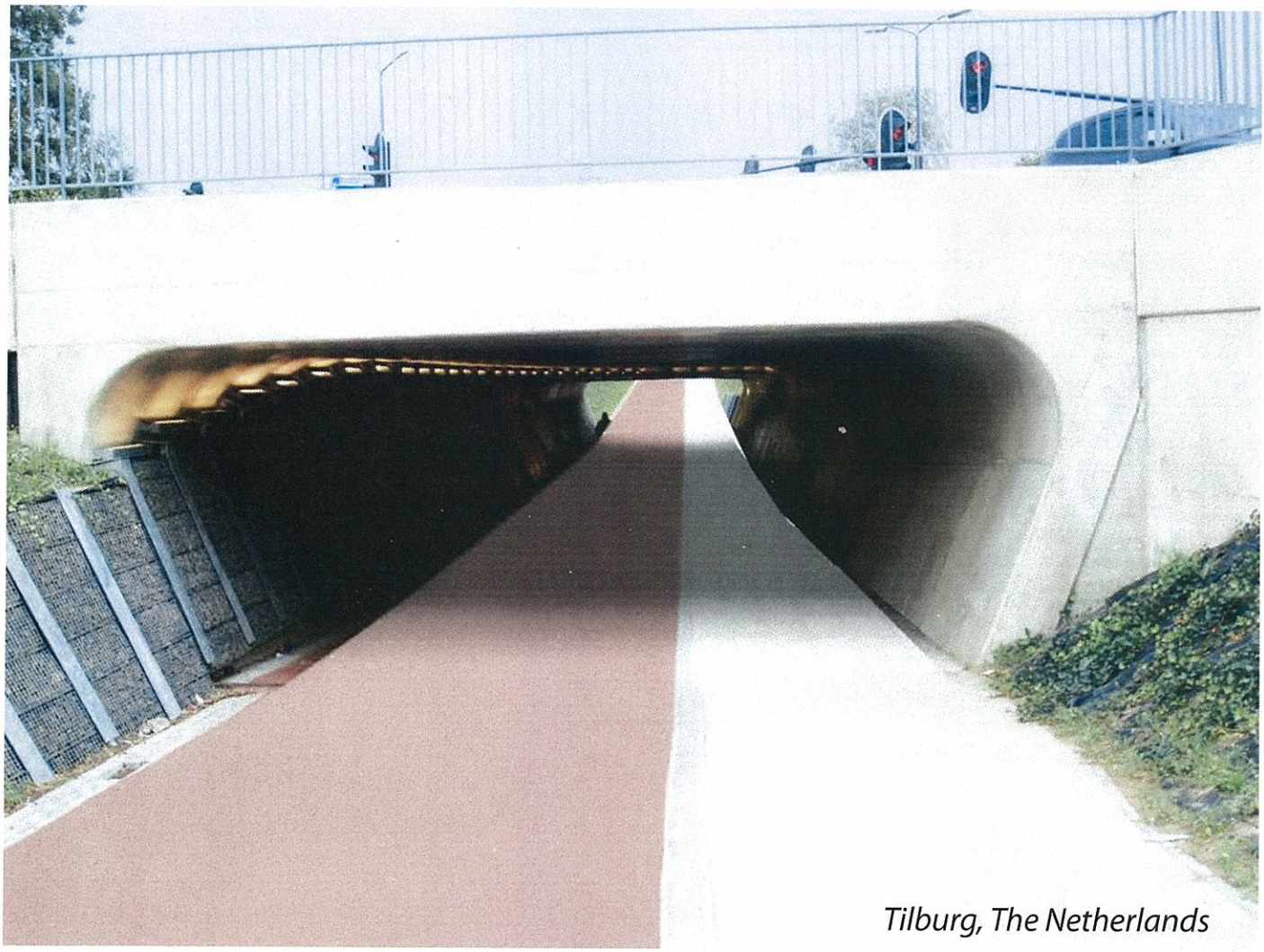
  - ✧ Create the best opportunity to decrease congestion by:

    - Facilitating alternative access to the Larkspur Ferry from San Rafael, Larkspur, Corte Madera and the Ross Valley

    - Connecting East Corte Madera to West Corte Madera and Larkspur

    - Enabling safe access to schools from East Corte Madera to West Corte Madera and Larkspur, including Redwood High School and College of Marin

    - Connecting Larkspur and Corte Madera to the Downtown San Rafael Transit Center



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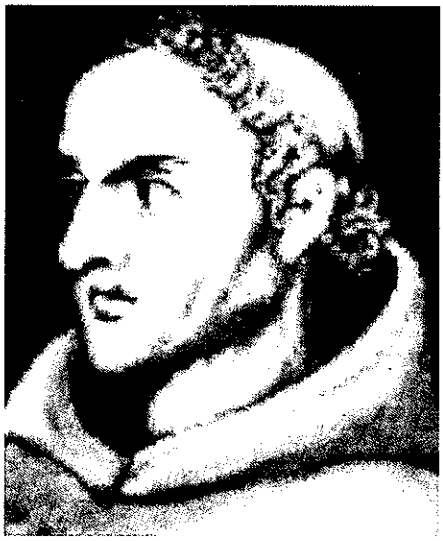

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  - ✧ Increase mobility in the Greenbrae/Twin Cities Corridor Improvement Project area of influence.

  - ✧ Create the best opportunity to decrease congestion by:

    - Facilitating alternative access to the Larkspur Ferry from San Rafael, Larkspur, Corte Madera and the Ross Valley

    - Connecting East Corte Madera to West Corte Madera and Larkspur

    - Enabling safe access to schools from East Corte Madera to West Corte Madera and Larkspur, including Redwood High School and College of Marin

    - Connecting Larkspur and Corte Madera to the Downtown San Rafael Transit Center

#35 – Grade-Separated Crossing Treatments

BOULDER, COLORADO

Cris Jones, Transportation Planner, Boulder, CO
Contributions by Bill Cowern (Traffic Operations Engineer), Annie Noble (Greenways Coordinator) Marni Ratzel (Bike and Pedestrian Planner) and Randall Rutsch (Senior Transportation Planner).

Background

For over a century, Boulderites have been getting around by bicycle. The city did not, however, emphasize bicyclists and pedestrians in the design of transportation facilities until the 1980s. The 1989 Transportation Master Plan (TMP) brought with it some major changes in how the city viewed transportation. Transportation's emphasis was moved away from primarily focusing on the automobile, and shifted toward a balanced view of transportation that fully included options like walking, biking, and taking the bus.

Since 1989, the city has seen many changes in transportation facilities, particularly for bicyclists. The planned network of primary and secondary bicycle corridors is largely complete, minus a few key connections that remain to be built. A network of continuous paths along Boulder Creek and its tributaries is 70 percent built. Today, Boulder's bike and pedestrian facilities are among the best in the country.

The city recognizes the importance of providing a variety of transportation options that allow citizens to travel safely and efficiently. All of Boulder's transportation facilities include several elements that have been embraced by the community. Bike and pedestrian underpasses have been such a success that they are now used throughout the city. In explaining how the city has come to provide over 55 underpasses, it is important to consider the history leading to their construction.

In 1910, Frederick Law Olmsted, Jr. warned the city of Boulder of the dangers of allowing development to encroach upon the floodplain of Boulder Creek. He recommended against the construction of a deep, artificial flood channel to facilitate development in the floodplain. Instead he suggested that Boulder Creek be allowed to remain in a small shallow channel for the ordinary stages of the stream, while including a much broader floodplain as a channel during larger storms. Recognizing the need to dedicate this floodplain land to a useful purpose, he suggested creating a space for public use.

In 1969, a moderate flood affected the city of Boulder. The following decade marked the city's first serious flood control efforts. Initial investigations focused on traditional flood mitigation techniques, such as hard-lining stream channels and using concrete structural facilities to channelize stream flow. These plans, however, conflicted with the city's commitment to improve both quality of life and the urban environment, and evoked considerable public opposition.

With the goal of maintaining and enhancing the aesthetic and environmental integrity of Boulder Creek and its tributaries, the city decided to pursue alternative solutions to flood control. In 1978, the city adopted a "non-containment" policy for Boulder Creek as part of the Boulder Valley Comprehensive Plan. This policy promoted ongoing city efforts to protect public safety by restricting development within the floodplain of Boulder Creek and its tributaries.

In 1984, the city adopted the Boulder Creek Corridor Plan that recommended development of a continuous path along the entire length of Boulder Creek. This corridor would serve both as a flood hazard mitigation measure and as a continuous urban park for recreational and transportation use. It would also serve to restore and enhance wetlands along with fish and wildlife habitats.

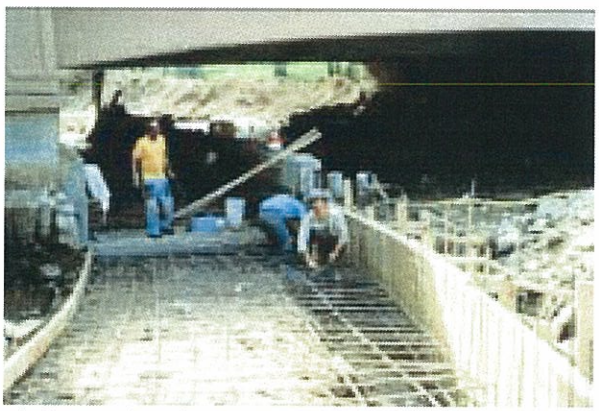


Figure 1. Construction of the Boulder Creek Path underpass at Broadway.

Figure 2. The completed Boulder Creek Path underpass at Broadway.

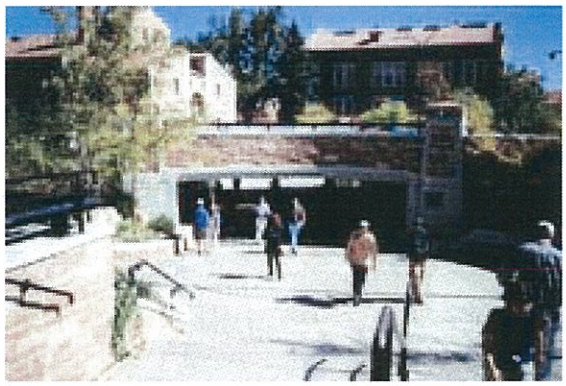


Figure 3. Pedestrian underpass at College and Broadway.

The construction of a continuous shared-use facility required separated grade crossings at each intersection throughout the corridor. Existing creek underpasses were converted to include shared-use path underpasses through fairly simple modifications. Upon its completion, the Boulder Creek Path was instantly popular and quickly became a much loved community amenity (figures 1 and 2).

The public acclaim of the Boulder Creek project led to an increase in public discussion about the desirability of extending and continuing the concept of the Boulder Creek project along Boulder Creek's tributaries within the city. As a result, the city designated over 32.2 km (20 mi) of stream corridors along six tributaries of Boulder Creek for inclusion in the Greenways Program.

Countermeasures

Today, the city of Boulder is home to more than 55 underpasses built to serve bicyclists and pedestrians. While most new underpass projects are driven by the transportation department, underpasses often have benefits beyond transportation. New underpasses along Boulder's greenways have increased flood carrying capacity and improved the natural environmental systems along Boulder Creek and its tributaries.

Although most underpasses have been built as a part of Boulder's greenway system, a number of underpasses have been constructed at locations not along a waterway. These underpasses serve to eliminate pedestrian barriers and increase safety at dangerous intersections. The College and Broadway underpass, for instance, was designed with the sole purpose of increasing pedestrian safety.

Before construction of the College and Broadway underpass, thousands of students a day were forced to cross Broadway (U.S. Highway 92) at grade, in order to get between campus and the University Hill commercial district. Students often crossed (midblock) and would stand in the median before crossing entirely. Unlike most of the underpasses within the city, the Broadway and College underpass required a lengthy public process before construction. This was largely because of concerns from the merchants in the Hill commercial district. Merchants worried that an unattractive or poorly designed underpass would be perceived as unsafe and discourage pedestrian traffic to their businesses. The city went through an extensive design process, including obtaining public input, and creating photo simulations of the proposed design to gain community acceptance (see figure 3).

Evaluation and Results

The success and support of Boulder's underpasses is measured by several elements benefiting the community. These include increasing the safety and convenience of bicycle and pedestrian travel, promoting their use, and in the case of the Greenways system, providing a continuous grade-separated system appropriate for users who are not

comfortable using the on-street system. The city currently employs several methods to assess the value of its underpasses relative to its transportation goals. These methods include automated pedestrian and bike counts and periodic surveys used to calculate bicycle and pedestrian mode share.

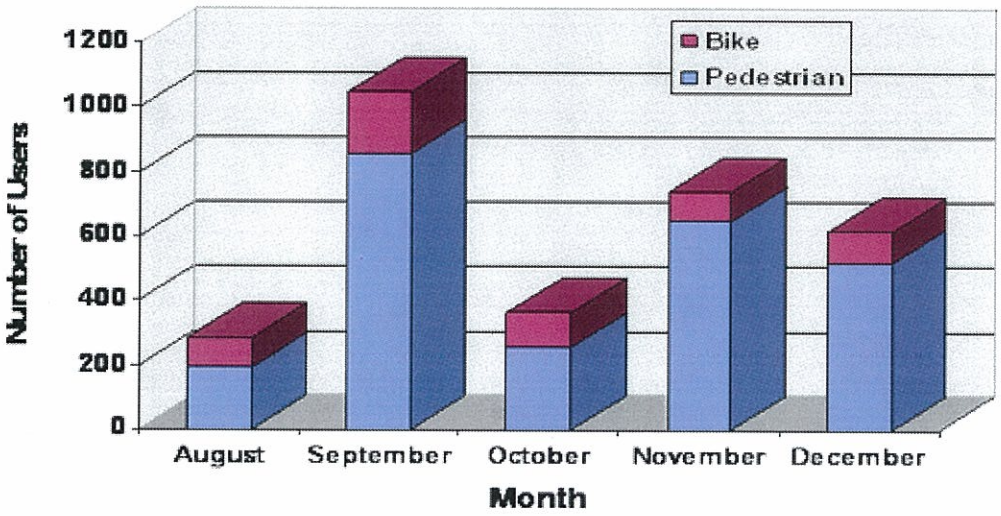
In addition to routine evaluation methods, the city updates its Transportation Master Plan (TMP) approximately every six to seven years in order to ensure the city is working toward the current needs of the community. The 1989 TMP created a vision of a grade-separated system along Boulder's greenways. This vision was refined in the 1996 TMP update with its recognition of different types of users from the novice to the experienced commuter and goal of providing facilities for all types of users. Underpass construction continues to be strongly supported by Boulder citizens and evaluation of TMP policies will determine the extent of future construction.

The planning and design efforts resulted in an award-winning project widely hailed as a complete success. Today, the College and Broadway underpass allows thousands of bicyclists, pedestrians, and motor vehicles to travel freely and safely through the intersection every day.

As mentioned above, several methods are employed to evaluate underpass use and benefit. User counts are performed at several locations throughout the city including the Broadway and College underpass. Although counts are not available for dates prior to construction, current counts indicate a high number of users. If the underpass did not exist, current users would be forced to cross Broadway at grade (figure 4). Counts at Broadway and College are taken once a month from 4:45pm to 5:30pm.

In addition to performing manual counts, the city operates several automated bike counters along several shared-use pathways. These counters monitor use 24 hours a day, 365 days a year. Counts have revealed fairly stable use of about 600 to 800 cyclists per day year-round, excluding days of extreme cold, precipitation, and high winds.

Figure 4: College and Broadway Fall 2002 Users



Conclusions and Recommendations

As the city of Boulder continues to move toward completing its greenway corridors, it is important to consider the factors that have lead to the city's success (for other communities interested in building a similar system). As mentioned above, much of the success of the greenways system and its underpasses can be attributed to a community that views such a system as beneficial. It also is important to remember that the system has not been built entirely on city dollars. About 50 percent of funding has come from federal resources.

Costs and Funding

The cost of constructing a grade-separated transportation system is a discouraging factor for many communities. It often is purported that high sales tax revenues have afforded the city's desire to construct such an extensive multi-modal transportation system. In actuality, Boulder's sales tax revenues are average among cities of similar size. It is the community's vision of responsible growth and commitment to a multi-modal network that has driven transportation efforts in the city. In addition to commitment, the rapid and extensive construction of underpasses throughout the city has depended on funding leverage. Many underpass projects have received federal funding based on flood mitigation elements. Please see the table listing of some recent underpass projects and their funding sources.

Table 3

Greenway	Project	Description/Goals	Funding
South Boulder Creek	Central to Stazio	Trail construction including low water crossing and railroad underpass.	$67,000 (Lottery) $70,000 (Flood Control)
Bear Creek	Baseline to US 36 though CU property	One underpass and trail connections to CU Main campus, Apache Trail and Williams Village.	$8,700 (Transportation) $58,000 (Flood Control) (FAUS)
		1992	
Wonderland Creek	Broadway Underpass	Flood capacity increase, channel restoration, riparian vegetation restoration, wetland and pond creation.	$45,000 (Transportation)
Wonderland Creek	Valmont Underpass	Flood capacity increase, trail underpass.	$30,000 (Transportation) $45,000 (Flood Control) (FAUS)
South Boulder Creek	Stazio to Arapahoe	Paved trail construction, railroad underpass, wetland creation.	$57,000 (Lottery) $6,000 (Transportation) $55,000 (Flood Control)
		1993	
Bear Canyon Creek	Mohawk to Gilpin	Riparian habitat widening and restoration, wetland creation, landscaping and two underpasses, trail construction.	$28,000 (Lottery) $55,000 (Transportation) $84,000 (Flood Control)
South Boulder Creek	Arapahoe Underpass	Trail underpass.	$93,000 (Lottery) $55,000 (Transportation) $45,000 (Flood Control)
South Boulder Creek	EBCC Pedestrian Bridge	New trail bridge and soft-surface trail approaches.	$18,000 (Lottery) $2,000 (Flood Control)
		1994	
Bear Canyon Creek	Martin to Moorhead	Food improvements, two underpasses, trail connections.	$148,000 (Lottery) $335,000 (Transportation) $599,000 (Flood Control)
		1995	
Fourmile	Broadway Underpass	Trail underpass and flood capacity improvements.	$4,000 (Lottery) $75,500 (Transportation) $10,000 (Flood Control)

Goose Creek	Trail Connection at 30th Street	Trail through new 30th Street underpass to Mapleton.	$9,000 (Transportation) $1,000 (Flood Control)
Bear Creek	Mohawk Underpass	Trail underpass and flood capacity improvements.	$93,000 (Transportation) $75,000 (Flood Control) $200,000 (Urban Drainage)
		1997	
South Boulder Creek	Baseline to EBCC	Underpass, habitat restoration and trail connection.	$61,000 (Transportation) $82,000 (Lottery) $52,000 (Flood Control)
Bear Creek	Gilpin Underpass	Flood control, pedestrian and bicycle underpass.	$6,500 (Lottery) $63,000 (Flood Control) $211,000 (Transportation) $97,000 (Urban Drainage)

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- Smith, Phyllis. *History of Transportation in Boulder*. City of Boulder: 1989.

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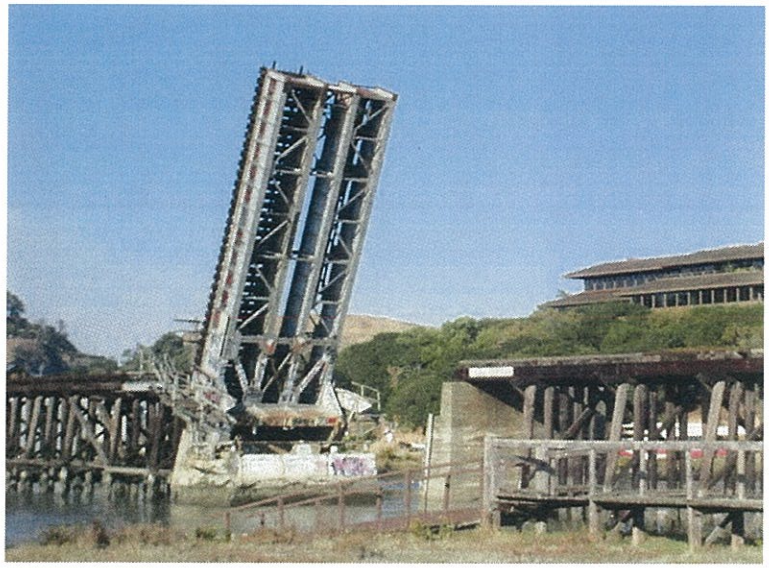
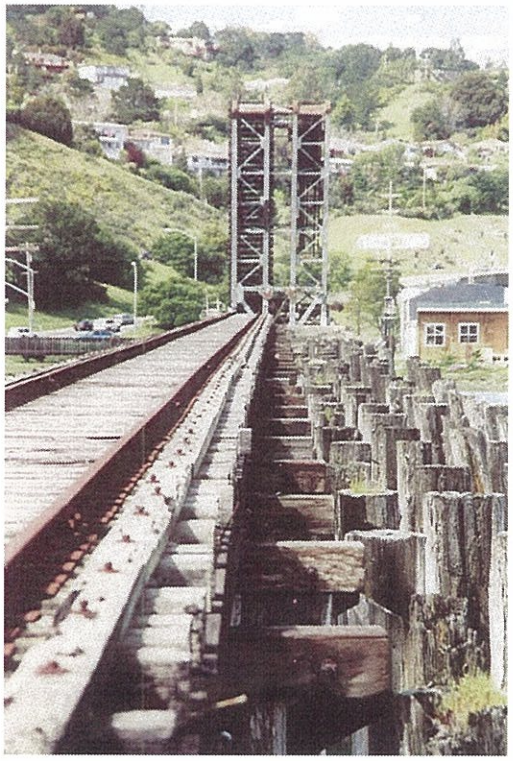
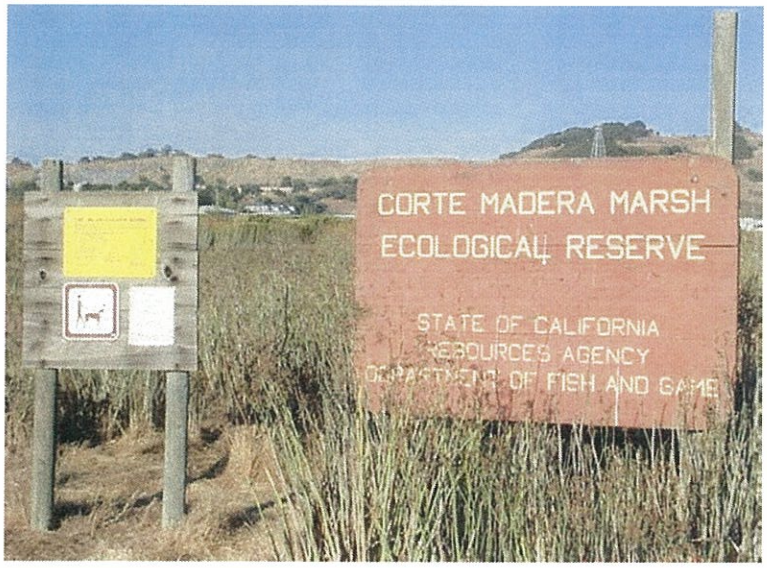
FINAL

CENTRAL MARIN FERRY CONNECTION PROJECT







Prepared For
City of Larkspur

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Alta Planning + Design, Inc.

April 2004

ACKNOWLEDGEMENTS

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FUNDING

Funding for this study was provided by the Association of Bay Area Governments' Bay Trail Grant Program the Metropolitan Transportation Commission's Transportation for Livable Communities (TLC) Planning Grant Program.

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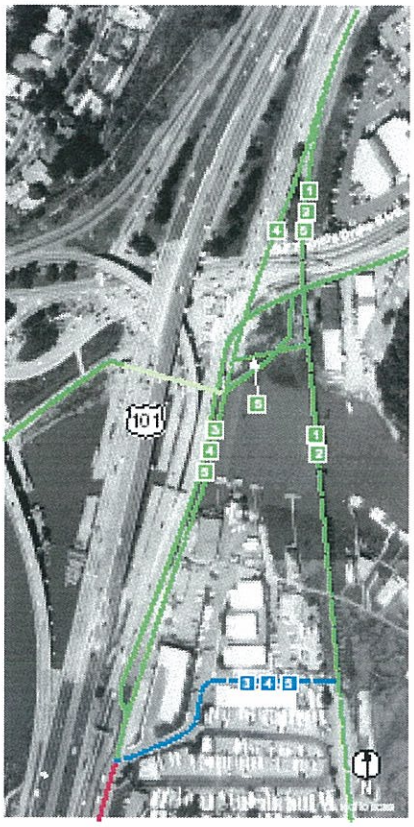
EXECUTIVE SUMMARY

The Central Marin Ferry Connection (CMFC) project was first identified in the Marin County Bicycle and Pedestrian Master Plan (2000) as one of the top 25 most important projects in Marin County for a number of reasons:

1. It is at the crossroads of almost all trips between central and southern Marin County.
2. It serves the Larkspur Ferry Terminal, a major destination and one that is easily accessible by walking or bicycling from many residential areas.
3. The current situation is inadequate to encourage more bicycling and walking within the corridor.
4. It connects numerous school, shopping, recreation, and commuter routes and existing bikeway segments.

This project is located on the east side of U.S. 101 between the East Sir Francis Drake Boulevard (ESFD) corridor on the north and the communities of Larkspur and Corte Madera on the south. This corridor provides access to many important destinations including the Larkspur Landing Shopping Center, Bon Air Shopping Center, Marin Central Plaza, Drakes Landing, Larkspur Ferry Terminal, and the residential communities at Greenbrae Boardwalk, Marin RV Park, Golden Gate Trailer Park, and the apartments at Larkspur Landing. In addition, this project connects to existing trail systems along Corte Madera Creek, the trails along Paradise Drive in Corte Madera, and the trail system in Larkspur and Corte Madera within the abandoned Northwestern Pacific Railroad corridor.



The five options for the CMFC project as illustrated in the 2000 Marin County Bicycle and Pedestrian Master Plan.

Currently, the U.S. 101 Corte Madera Creek overcrossing does provide bicycle and pedestrian access over the creek, but this connection consists of a narrow sidewalk on the east side that places users very close to high-speed traffic and a narrow separated pathway on west side of the highway that requires bicyclists to dismount. The purpose of the Central Marin Ferry Connection Feasibility Study is to determine a more user-friendly alignment.

In early 2002, the City of Larkspur received a Bay Trail Planning Grant to initiate research into this project. Alta Planning + Design was hired to review the five corridor

alignment options mentioned in the Marin County Bicycle and Pedestrian Master Plan, develop and eliminate others as relevant, and to recommend a preferred alignment. This study and accompanying preliminary design documents are the result of that planning grant.

PROJECT ALTERNATIVES

Two major alternatives were developed, each with three sub-options. The primary alignments were defined as either (1) a multi-use path along the NWP right-of-way, or (2) a Class 1 multi-use path along Redwood Highway.

ALTERNATIVE ONE - Locate a multi-use path on the NWP right-of-way starting at Wornum Drive.

Sub-Option 1A - *NWP/Drawbridge*

- The multi-use path follows the NWP right-of-way from Wornum/Redwood Highway northward across a rehabilitated trestle and drawbridge, connecting to the south side of East Sir Francis Drake Boulevard (ESFD) on a new ramp.
- A new drawbridge would be installed at Corte Madera Creek.
- The pathway could continue across ESFD on a new bridge as part of a future connection to Cal Park Tunnel and/or Larkspur Landing.
- The multi-use path would fall entirely within the NWP right-of-way.

Sub-Option 1B - *NWP/Ramped Bridge*

- This option is similar to Sub-Option 1A but rather than using the existing trestle and drawbridge across Corte Madera Creek, the existing trestle and drawbridge would be removed and a new fixed bridge constructed within the NWP right-of-way. The bridge would provide sufficient clearance to meet Coast Guard requirements and utilize the existing concrete abutments.

Sub-Option 1C - *NWP/Off-ramp*

- The multi-use path follows the NWP right-of-way from Wornum/Redwood Highway up to a new east-west easement to be purchased from the property owner. The easement would take the pathway to the frontage road, and connect to the new U.S. 101 bridge and pathway as described below under Alternative 2. This is a hybrid option between Alternatives 1 and 2, taking advantage of the NWP right-of-way while avoiding the problems with the trestle and drawbridge. A new ramp connects the off-ramp path with the existing at-grade SFDB paths.
- On the north side of Corte Madera Creek, the path could cross over ESFD on a new bridge that meets the NWP right-of-way on the north side of the road. Although this crossing is within the scope of the CMFC project, it would most likely be constructed as part of a future connection to the Cal Park Tunnel or Larkspur Landing.

ALTERNATIVE TWO - Locate a Class1 multi-use path along the west side of Redwood Highway from Wornum Drive northward.

Sub-Option 2A - *Redwood Highway/Off-ramp*

- A 10- to 12-foot wide Class 1 multi-use path would be installed along the west side of Redwood Highway from Wornum Drive to the existing pathway location leading onto the Corte Madera Creek U.S. 101 bridge.
- The Class 1 path would lead directly to a new bridge structure on the U.S. 101 ESFD off-ramp bent caps. A new ramp would connect the off-ramp path to the existing at-grade ESFD paths.
- On the north side of Corte Madera Creek, the path could cross over ESFD on a new bridge that meets the NWP right-of-way on the north side of the road. This would likely be constructed as part of a future connection to the Cal Park Tunnel or Larkspur Landing.

Sub-Option 2B - *Redwood Highway/Off-ramp/Trestle*

- This is essentially the same as Sub-Option 2A, except that a new wooden trestle would link to the existing historic trestle rather than constructing a new bridge directly from the new U.S. 101 off-ramp bridge. This elevated structure could be constructed directly over the existing boardwalk in this area. From that point the path could continue over ESFD on a new bridge to be constructed if and when the Cal Park Tunnel project moves forward or a connection to Larkspur Landing is sought.

Sub-Option 2C - *Redwood Highway/Off-ramp/No SFDB Crossing*

- This is essentially the same option as 2A and 2B except that rather than a new bridge over ESFD, users are simply directed along the south side of ESFD to the existing signals and crosswalks at Larkspur Landing Circle.

The ability to construct a project in phases can be an important element because it may allow for agency location of funds over time, rather than all at once. The three phases of all options include the southern section along the NWP right-of-way between Corte Madera Creek and Wornum Drive (Phase 1), crossing Corte Madera Creek to East Sir Francis Drake Boulevard (Phase 2), and crossing East Sir Francis Drake Boulevard to connect to Larkspur Landing and the future Cal Park Tunnel bikeway (Phase 3).

EVALUATION

A decision matrix with clearly described criteria and scoring was used to evaluate each project alternative. The evaluation criteria were based on the overall project goals and were weighted to reflect the relative importance of each category. This criterion was then used to evaluate each of the alternative alignments. The criteria used for the CMFC alternatives was as follows:

- Vehicle Conflicts / User Safety
- Functionality / Access
- Usage
- Cost
- Compatibility with Plans
- Potential Implementation Problems
- Ease of Implementation
- Public Support
- Privacy / Security
- North-South Bikeway
- Right-of-Way
- Environmental / Wetland Impacts
- Cultural Resources
- Noise / Health
- Aesthetics / Visual Impacts

Alternative 1B scored the highest due to the complete separation from motor vehicle traffic, functionality, directness, maximum usage potential, aesthetics, and public support. Alternative 1A also scored well because of the same characteristics as 1B, but implementation complications prevented it from outscoring 1B. Alternatives 2A, 2B, and 2C scored lowest due to the combination of a less-than-desirable environment to walk or bicycle (due to the proximity to U.S. 101), and/or the cost.

The Technical Advisory Committee reviewed and discussed the results of this screening process with the result that three preferred alignments (1A, 1B, and 1C) were identified for more in-depth analysis. Alternative 1A was determined to have several significant problems. This includes inherent problems with operating a drawbridge and the condition of the drawbridge itself. Due to these and other problems, Alternative 1A was dropped from consideration.

Alternatives 1B and 1C more closely meet the goals and objectives of the Technical Advisory Committee (TAC). Alternative 1B scores the highest based on the criteria discussed previously and is a preferred option of the TAC, but there are six major obstacles that need to be overcome:

1. Finding an agency willing to take on the construction, operation, and maintenance of a new high-level bridge
2. Compatibility with future SMART plans
3. Controversy surrounding loss of trestle and drawbridge
4. Environmental impacts to the wetlands during construction
5. Visual impacts from a high level bridge
6. Easement acquisition through the Marin RV Park

Alternative 1C contains many of the advantages of Alternatives 1A and 1B, but is not as direct as either of those options. Safety issues would be minimal since a single traffic conflict would occur at the un-signalized crossing of Redwood Highway on its northern section where low traffic volumes exist. The Class 1 path in the NWP right-of-way and the new bent cap structure could be completed with minimal environmental impact. However, potential fatal flaws for this

alignment include potential conflicts with future Corte Madera Creek U.S. 101 widening, the need for Caltrans approvals, and the need to acquire the easement through the mobile home park.

TAC RECOMMENDATION

After reviewing the materials developed in this feasibility study, the Technical Advisory Committee unanimously recommended the following at their February 4, 2004, meeting:

- The preferred alignment for the Central Marin Ferry Connection project is Alternative 1B, which essentially follows the old Northwestern Pacific Railroad right-of-way between Wornum Drive in Corte Madera, across Corte Madera Creek, and on to East Sir Frances Drake Boulevard on a new high-level bridge to Larkspur Landing. The TAC concluded that this option provides the most functional, direct, and enjoyable route for pedestrians and bicyclists. Potential problems with the high-level bridge include maintenance costs and environmental impacts, which have not been analyzed yet, although BCDC has given it preliminary approval.
- Should a high level bridge not be feasible for maintenance or environmental impact reasons, Alternative 1C would be the preferred alignment. This route follows the Northwestern Pacific Railroad right-of-way from the south, crosses over the U.S. 101 northbound Sir Frances Drake off-ramp via a new easement on the north edge of a mobile home park, and crosses Corte Madera Creek on the bent caps of the highway structure.
- The TAC also recommends that the lead agency status of the MOU partners be changed from the City of Larkspur to the Marin County Congestion Management Agency, subject to discussions between those agencies.

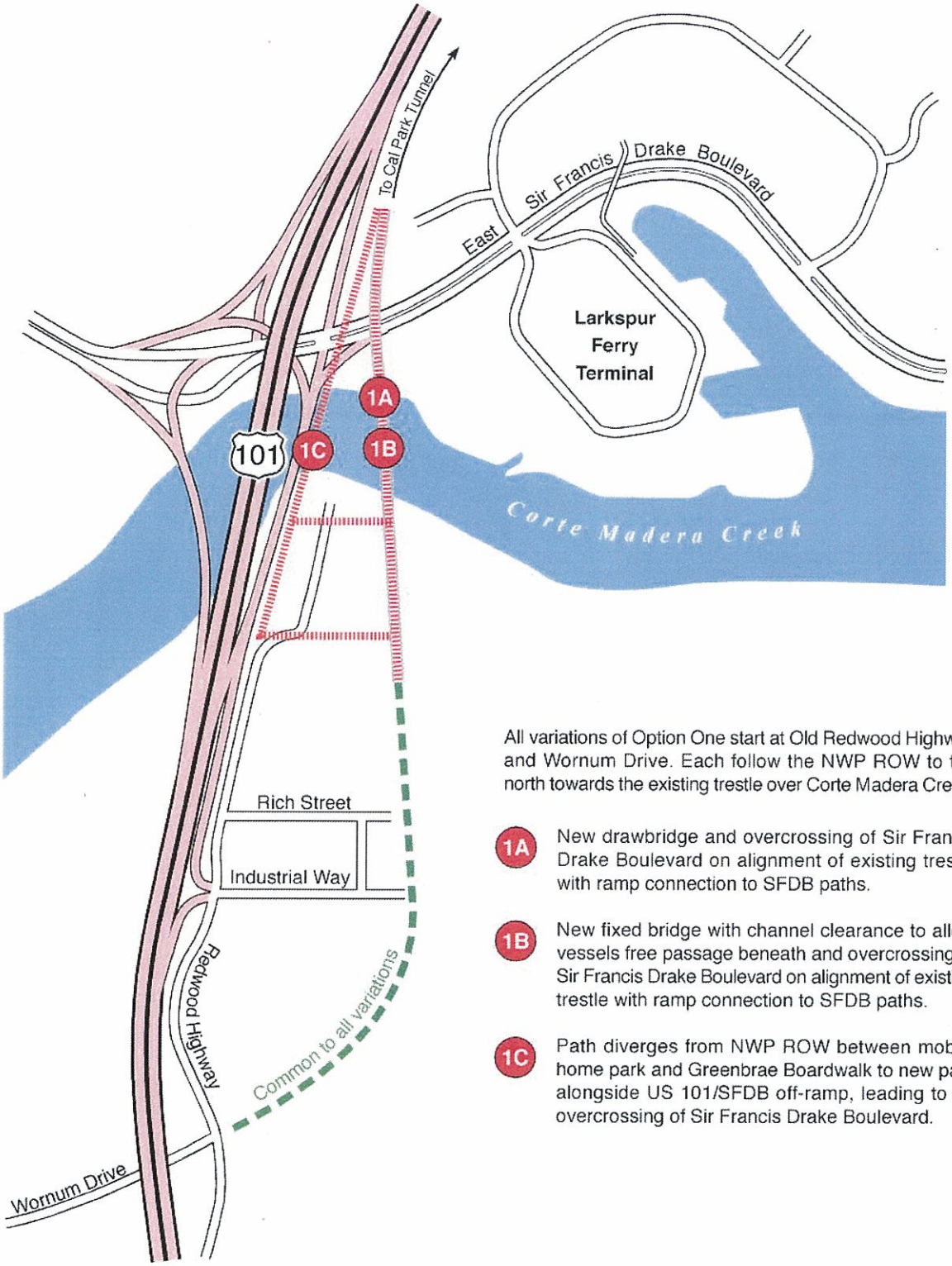
Based on the analysis in this report and input from the four participating agencies and the TAC, the following recommendations are made:

1. **Proceed with Phase I.** Continue planning, design, and implementation of the Phase I segment of the project, which is a new Class I pathway on the NWP right-of-way from Wornum/Redwood Highway to the Marin RV Park, and from that point to a new easement on the perimeter of the RV Park to Redwood Highway. This effort includes obtaining a new easement on the perimeter of the Marin RV Park, and possibly modifying or removing some existing tenants on the NWP right-of-way at the end of Industrial Way to allow for a pathway. This would provide a new Bay Trail segment, and enhance access to the existing sidewalk on the U.S. 101 Corte Madera Creek overcrossing.
2. **Seek Policy Guidance.** The decision to proceed with Alternative 1B is a policy decision among the four member agencies participating on this project. Staff from each of the agencies should provide their recommendations in a Staff Report, supported by the TAC recommendations. Each of the alternatives has significantly different costs, advantages,

and disadvantages. Policy guidance is required as to the feasibility and desirability to take on new maintenance responsibilities for a major new structure over Corte Madera Creek.

3. **Identify an Implementation Agency.** The funding application and MOU for the project states that Marin County will take the lead in implementing this project. The MOU states: "The City of Larkspur will request that the Marin County Congestion Management Agency consider assuming responsibility for subsequent projects to complete the work initiated by this grant, as the Congestion Management Agency generally coordinates multi-jurisdictional projects." The partners on this project need to resolve the issue of who will lead the implementation phase.

4. **Proceed with Planning and Design.** Continue working with Caltrans and other agencies in the development of plans and designs for Alternative 1B. Work with the four partner agencies to ensure good connectivity southward into Corte Madera, and northward linking to the Cal Park Tunnel project.



All variations of Option One start at Old Redwood Highway and Wornum Drive. Each follow the NWP ROW to the north towards the existing trestle over Corte Madera Creek.

1A New drawbridge and overcrossing of Sir Francis Drake Boulevard on alignment of existing trestle with ramp connection to SFDB paths.

1B New fixed bridge with channel clearance to allow vessels free passage beneath and overcrossing of Sir Francis Drake Boulevard on alignment of existing trestle with ramp connection to SFDB paths.

1C Path diverges from NWP ROW between mobile home park and Greenbrae Boardwalk to new path alongside US 101/SFDB off-ramp, leading to an overcrossing of Sir Francis Drake Boulevard.

Larkspur Trestle Bike Path Option I

10/02

Marin Audubon Society

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

February 10, 2013

Caltrans District 4
Attention: Valeiri Shearer, Senior Environmental Planner
Office of Environmental Analysis, MS-8B
P.O. Box 23660
Oakland, CA 94623-0660

RE: **Comments on Highway 101/Twin Cities Corridor Improvement Project Initial Study with proposed Negative Declaration**

Dear Ms Shearer:

The Marin Audubon Society appreciates your consideration of our comments on the Draft Initial Study/Negative Declaration (IS) for the Greenbrae Interchange Project. We find these proposed environmental documents to be deficient in many respects and inadequate to meet requirements of CEQA. Should TAM and Caltrans decide to proceed with this project inspire of its many adverse impacts and the significant public opposition, an Environmental Impact Report must be prepared.

This massive project does not qualify for a Negative Declaration for many reasons, including:

- Biological and physical impacts are not defined and evaluated accurately, and the proposed mitigation measures fail to reduce many of the impacts that are identified to a less-than-significant level.
- A complete response to comments is needed to address relevant and potentially impacting comments from agencies and the public, which is only required for an EIR. For example, we have learned that ABAG has raised issues about directing the bay trail over to and along the railroad right-of-way which would have significant adverse impacts that are not addressed.
- A thorough Cumulative Impact Analysis is needed. The analysis in the current document is insufficient, incomplete and unacceptable for this huge project.
- A comprehensive Alternatives Analysis is necessary. Currently only the proposed project and no–project alternatives analyzed. This basically robs the public of the ability to comment in a manner that could reduce project impacts and is particularly egregious in view of the many other options that were presented at the January 29 public meeting.

For all of the above reasons, EIR musts be prepared if this project or any similar project continues to be pursued. The project would transform the area into a "highly urbanized area" by erecting massive concrete flyover structures, constructing widened interchanges, bikeways and new adjacent roads, which would induce growth in surrounding neighborhoods, and exacerbate flooding problems. Further, the need for the project to improve safety is questionable. Accident figures in the document do not support the claim that the safety record is poor. There appears to be no public support. In view of all of this, the most beneficial approach appears to be to drop the project. However, if the proponents decide to pursue the project, an EIR must be prepared and it must address the following:

PROJECT DESCRIPTION

The project description needs clarification and more detail. The description and figures are not sufficient to enable reviewers to understand the project and identify its potential impacts. Most of the figures are cartoons. Figures are needed that include the project overlayed on an existing conditions map. This is the only way reviewers can see the potential impacts that would be created by this complicated project.

The height of the flyovers should be clearly defined. It was obvious from comments at the January 29, 2013 public hearing that the information on the height of the structures that will cross over roads on the north and south directions is not presented clearly.

The IS should identify exactly how much existing natural surface lands will be covered with concrete. The estimate should include direct and suspended fill such as for flyways over the Creek.

Bike Routes/Trails

The bikeway (Bay Trail) description is unclear as to how the connection would be made between the Central Marin Ferry Connector path and the south side of the Creek. Figures 2-3 and 2-4 are vague and confusing because there are merely schematic drawings with no topography, just a few titles in general locations, and no boundaries or specific locations.

Although there are several references to the bike path crossing the creek, (page 2.2-43) none are actually clear what is planned. The Central Marin Ferry Path environmental document did not address how the two trails would connect either. That was left for future review. That review time is now.

The IS states "TAM is currently in the planning stages of the Central Marin Ferry Connection project which will improve the current pedestrian and bicycle connections ...will also connect to the pedestrian and bicycle pathways proposed under that Built Alternative." There also are several footnote references to the Ferry Connection Path also but no description of the connection. Actually, we understood the Central Marin

Ferry Connector path has already been planned, environmental review completed, and the project approved. There should be an accurate and current description of the status.

The reviewer needs existing conditions to be shown and adequately described to understand what is proposed for its entire length. Figures should be provided that show proposed trail locations overlayed on an aerial of the lands underneath, including the creek, its banks and nearby habitats.

A description of how the public would be able to cross over Corte Madera Creek; and connect with the Central Marin Ferry Connection path, and thorough review of the potential environmental impacts. The creek should be shown, not just a tiny reference on a blank space, as should existing roads and marshes. The description only says "This new multi-use path will cross Corte Madera Creek and connect with the existing Class 1 Bike path on the south side of the Creek."

Concerning the alignment further south, the Bay Trail discussion page 2-4 Figure 2-4 shows a schematic of the Bay trail crossing proceeding along Nellen and then crossing Highway 101 to Redwood Highway. Because no existing topography is shown, it is not clear where the trail would actually be located. The trail should not be routed along the former railroad right-of-way that is adjacent to the tidal marsh. In that location, the adverse environmental impacts would be enormous. That is not the alignment approved in the original Bay Trail Plan, and there has been no environmental review for a change in that location.

We have recently heard that ABAG is advocating extending the Bay Trail over to the North-South former RR Wight of Way. The potential environmental impacts of such an action are enormous. An EIR is needed to ensure full disclosure and response addressing environmental impacts of the ABAG comments.

Page 2.2-5 Parks and Ecological Preserve
Throughout the document the Corte Madera Ecological Reserve is incorrectly referred to at a Preserve. An Ecological Reserve is the most restrictive of the California Department of Fish and Wildlife (formerly Fish and Game) designations with the most protective management. Reserves are usually established to protect a significant resource, in this case the endangered California Clapper Rail and historic tidal marsh.

The Reserve is also incorrectly and repeatedly linked with Shorebird Marsh. Although both are used by many birds and are adjacent to each other, they are in different ownerships and operated under management regimes. Shorebird Marsh is owned by the Town of Corte Madera and operated primarily as a flood basin for runoff from most of the Town. It is not Clapper Rail habitat.

GROWTH INDUCING

On page 2.2-17 and other places in the IS the project area is inaccurately described as "highly urbanized." If that is the case – then what would you call downtown Oakland, San Francisco, Chicago, and New York City? This is a self serving description. It is the project that will contribute to significant urbanization and change the community into a "highly urbanized area."

The discussion states that the project would not increase capacity; the improved accessibility would support the existing urbanized development and support projected and planned developments, and the area is mostly built out. We disagree.

The project would induce growth. Adding lanes on the interchanges and wider interchanges at Industrial Way and other locations would open up the adjacent areas for more intense growth. This needs to be addressed. Currently the "Study Area" consists of low key and low rise development, particularly on the east. Industrial uses and trailer courts would be viewed for redevelopment with larger, upscale and more lucrative developments.

The attached map needs to be included and it should be expanded to include the project boundaries for its entire length, from the north shore of Corte Madera Creek south to Tamalpais Drive. This will allow the reviewers to see how the existing conditions, both built and natural conditions would change with the project.

BIOLOGICAL ENVOIRONMENT

The project would cause further adverse impacts to an already impacted creek. Each impact, although interpreted as small, would result in significant individual and cumulative impacts that would not be mitigated by the proposed measures.

On page 2.4-1 a Biological Study Area (BSA) is defined too narrowly. It only includes the area of "ground disturbance." This enables potential adverse impacts to be ignored or minimized. The discussion and analysis must address the importance of the disturbed area as part of the larger creek habitat for endangered, threatened and migratory and species. The IS discusses the impacts and mitigations in isolation, therefore the analyses are incomplete.

Furthermore, why is the biological study area for purposes of identifying impacts defined narrowly in this analysis while in the cumulative impact analysis another similar study area – the resource study area - is described broadly to cover all of creek. This approach seems designed to minimize both individual and cumulative impacts. The study area for both biological evaluation and cumulative impact analysis should cover the same areas and should extend from the Ecological Reserve upstream to the concrete channel.

The discussion of the habitats is largely boilerplate. Information about the habitats on Corte Madera Creek needs to be provided. Only two remnant marshes are identified and the discussion minimizes their importance be describing that they are manipulated or hydrologically altered by tide gates. The marsh on west side has a levee with tide gate. The marsh on east is tidal.

Corte Madera Creek was once lined with extensive tidal marsh system that undoubtedly supported a very large population of California Clapper Rail. Now all we are left with are pockets of marsh (including Creekside Park and Piper Park), the Corte Madera Ecological Reserve which still supports a large population of clapper rails and fringes of tidal marsh an the creek bank next to development that are important movement corridors for Rails, allowing them to move between these marshes.

This broader discussion must be included and a figure should show the creek bank and any fringe tidal vegetation- important for clapper rail movement. Figure 2-17 of tidal marshes does not show there are fringes of marsh vegetation along creek edge – in fact it is difficult to even determine where the creek flows on most figures. This narrow picture cuts off areas of tidal marsh that are downstream and that are essential to understanding the creek as habitat and the value of this site as part of the broader overall habitat of the Creek, particularly for endangered species.

Wetlands and Other Waters
The Wetlands and Other Waters discussion dismisses the importance of these tidal marsh habitats by describing them as being the result of man-made manipulation. While that may or may not be true, it has little relevance to their value as habitat. That is true of all or most of the tidal marshes in the Bay and the State? Are we expected to dismiss them all?

Instead, it should be recognized that these are remnants of historic marshland. As such continue to have value as habitat, for flood buffer. The "manipulation" was the building of everything around them.

Page 2.4-7 There should be a figure showing the wetlands and waters of the US identified on table 2.4.2 and showing all those wetland and other water areas that would be filled or otherwise directly impacted by the project. The figure should include all areas of creekbank and fringe marsh that existing along the creek in the vicinity of the project. It or another figure should show what fringe marsh areas would be impacted by construction of the project and long term use (i.e. shading and direct loss)

How much of the creek bank would be filled permanently or otherwise, lost temporarily, denuted of vegetation.

The discussion in the first paragraph of page 2.4-9 identifies additional fill under BCDC's jurisdiction. The total acreage of fill using their criteria should be addressed.

Clapper Rail
The California Clapper rail discussion cites a "2007 survey confirmed the presence of the California Clapper Rail in the preserve." Actually, many surveys dating back to the early 1980's up to the present have confirmed the presence of a sizable clapper rail population at the Corte Madera Ecological Reserve. The IS should also describe that the shoreline of CM Creek is dispersal habitat for Clapper Rails to marshes upstream, such as (Creekside Park marsh) down to the Ecological Reserve and perhaps marshes in other locations. There are also many recent studies by the Invasive Spartina Project, PRBO, Marin Audubon's Christmas Bird Count that confirm the presence of a large population of Clapper Rails at the Ecological Reserve as well as at the other marshes along the tidal range of the Creek.

Salt Marsh Harvest Mouse (SMHM)
2.4-29 The discussion should address where pickleweed would need to be removed. Have there been any surveys for SMHM prior to construction? If not, why is Caltrans/TAM not required to do surveys? What impact would removal of picklweed to benefit the SMHM have on Clapper Rails or other the species that depend on it for nesting, forage or cover?

Wildlife Corridor
This discussion (2.44-4) is misleading and inadequate – the presence of "undisturbed natural community" is not relevant to whether an area functions as a corridor or most other kinds of habitats for that matter.

The creek and its banks are indeed breeding and dispersal habitat to migratory pathways for many species in the region. As discussed above. It is an important pathway for endangered California clapper rails to move between habitat along the creek and perhaps to other locations. This needs further discussion. The rails move along the creek banks to other up and downstream along the creek.

Edgewater Lagoon (currently called Corte Madera Inn Lagoon)
This lagoon/wetland habitat is a remnant of once extensive marsh system that was largely filled to develop the flatland development in Corte Madera and Larkspur. It is shown as "Barrier 7" (whatever that means) on Figure 2-16b. There needs to be a discussion of the habitat/resource value of this pond and an analysis of impacts. It is well used by wildlife – this year's Christmas Bird County found 15 roosting black crowned night herons- they have been seen other years and apparently is a stable colony. Merganzers, other ducks and shore birds are also seen. The lagoon is also a ponding basin for runoff and rainwater. Highway 101 are already very close to this lagoon. There currently is a drainage channel between the lagoon and the freeway, which apparently would be filled to build the new access road, and a public path adjacent to the pond.

The discussion should report how much closer the roadways would it come to the lagoon; what vegetation would be removed, and address how noise and visual impacts for species using the lagoon would change and impact the wildlife and people that use this area.

How would the project impact the draingeway, water quality and users of the Lagoon, both people and wildlife users? The impacts of losing this open drainage, habitat, water quality and flood control impacts, must be addressed and the acreage of area lot should be added to the other waters that would be lost.

Support Pilings
It is hard to believe that the placement of 45 steel piles would result in the filling of only .02 acres (715 sq. ft.) of the creek. What are the construction activities that "may" permanently impact (p2.40-8 first para.) the south shore of the creek? The impacts of the pile driving on Clapper Rails should be evaluated, in addition to fish

The placement of structures in water bodies cause a change in the movement of water that results in adverse changes in the flow of water. Water may be slowed allowing sediments to drop out or may speed up resulting in erosion. Discuss the potential impacts of either erosion or sedimentation of the ccreek bottom as a result of placement of the many new pilings in the creek.

Shading
The discussion states that shading "may" result from widening of Sir Francis Drake Boulevard. Additional shading .02 acres is estimated. It is unclear whether shading calculations from widening both the on-off ramps and bike path. What specific activities would cause the shading? What impacts to the creek habitats and species that use those habitats would result from additional shading of the creek waters?

Coffer Dams
Dams would be used. In order to evaluate the impacts of these dams, we need to know where they would be, how they would be constructed, how large an area would be used and how long they would be in place?

Page 2.4-14-16 Migratory Birds
Many migratory waterfowl and diving bird species use the waters of the creek. Within the project's footprint and in the vicinity of the project waterbirds could be directly or indirectly impacted. If the project is constructed in winter or spring there would be adverse impacts to the migratory shorebirds and waterfowl that use the creek. This needs to be addressed.

Resident Bird Species
There is no discussion of impacts to resident native species. Of particular concern is colonial nesting and roosting species, specifically the Black Crowned Night Heron roost.

Fish Habitat Page 2.4-25
The discussion at 2.4.5.4 dismisses impacts as "not likely to adversely affect critical habitat or essential fish habitat associated with Corte Madera Creek. " Potential adverse impacts to fish include permanent loss of aquatic habitat, increased noise, water quality degradation, and loss of cover. An EIR should address these potential impacts.

Herbicides
Why would herbicides need to be used at all? Where is their use proposed and for what purpose? Identify alternatives other than using herbicides.

2.4-31 Invasive Plant Species
Detricchia or stinkwort, wild radish and eucalyptus should be added to the list of priority noxious/invasive plants.

Mitigation Measures
Mitigations are discussed in Appendix A. Many are standard measures that would be required of any project by regulatory agencies. They do not address the specific impacts to the unique habitat of Corte Madera Creek and, therefore, are not adequate.

Mitigation BIO-1 Restoration of Wetland Habitat Biology
First of all it is not clear that wetland impacts cannot be avoided. Avoidance should be first mitigation considered and this should be discussed.

A 1:1 ratio of wetland mitigation to wetland loss is not sufficient for endangered species habitat. Mitigation in such significant habitats should be at least 2:1, if not greater. There is no mitigation bank for tidal wetlands that are endangered species habitat and even if there were, it should not be used for a project in this sensitive habitat. Mitigation should be of the same habitat type, and as close as possible to the site of loss, i.e. in the lower creek near its mouth

Putting the discussion about mitigation off for the agencies to decide at some future time does not allow the public the ability to evaluate the adequacy of the mitigation and its potential for success. Unless proposed mitigation is identified and discussed, the effectiveness in compensating for the impacts cannot be sufficiently evaluated. This approach circumvents the purpose of CEQA.

Mitigation should include restoration of the creek bank edge to viable clapper rail habitat to allow them to move along the banks while hiding from predators.

Mitigation BIO-2 Replant/reseed Revegetate Temporarily Affected areas
Where would this revegetation occur? Where is it in relationship to the site of loss? What is the vegetation that would be lost and that planted? One of the suggested plants is a fresh species not suitable for growing here.

BIO-7 Minimize disturbance from construction access.
In order to assess the effectiveness of this mitigation, the locations the construction access would disturb must be identified. What is the necessary construction access route along the creek and how would that access impact other wetlands, such as drainageways.

BIO-9 Pile Driving Avoidance Timeline
What period of time would be necessary to avoid both Clapper Rail and fish impacts? How long would it take to install the 45 support pilings? How far does sound carry and is sound magnified under water?

How long would it take to install the 45 support pilings? How far do sounds carry under water and are they magnified with pile driving? What does the rainy season have to do with pile driving? Work windows for Clapper Rails and fish are different and overlap. September appears to be the only month when no impacts would occur. How much time would be needed to do the work along the creek? Evaluate whether scheduling could be worked out so that it would to occur only in September along the creek edge.

BIO- 10 Fish Pile Driving Attenuation Requirements
The discussion states "If pile driving is required, sound attenuation devices may be used to reduce impacts to fish species." How can the effectiveness of this kind of mitigation be certain? Why would there be any question that the piles need to be driven - they are an essential component of the project? If the piles are driven, why would there be any question at all that sound attenuation devices would be used? The primary question is how effective would these devices be? That is not even asked. Which of the possible attenuation devices would be most effective and, therefore, recommended. Proposed mitigation of bioacoustic monitoring (page 3-5) will not "prevent' impacts to fish. Action needs to be takento stop or modify the sound from the pile driving when the monitoring determines the noise is causing adverse impacts.

BIO-14 Clapper Rail Impact Pile Driving Avoidance Timeline
Pile driving impacts on Clapper Rails should not just be a concern for nesting Clapper Rails. The concern should be for Clapper Rails at all times of the year. We strongly object to allowing pile driving during Clapper Rail nesting season.

Tree Loss
An estimated 254 trees "may" be impacted by construction of the project. Why can't the number of trees be calculated and presented in the environmental document. Figures 2-11a, b, and c show numbered trees in the project area. The project proponents appear to have overlayed the project on the existing conditions to have produced these maps, so why can't the number of trees that would be a impacted be calculated and provided. The number, species and location of trees that would have to be removed to construct the project should be discussed. Also, discuss and show trees that would not necessarily be removed but that would likely not survive due to damage or close development.

Trees indeed provide habitat for migratory and resident birds. They also moderate climate, absorb pollutants and are aesthetic/visual pleasing. Therefore, there should be mitigation for the loss of all trees, even if they are not "prime habitat" and are along roadways.

The discussion seems to be trying to justify not planting replacement trees by explaining that there are a large amount of suitable tree habitat in close proximity to the BSA," If there is a "large amount of suitable tree habitat in close proximity to the BSA" then there should be no problem planting replacement trees in these areas. Where is this area anyway?

Native trees should be replaced at a ratio of 2:1 with native trees of the same species. Non-native trees should be replaced with native species. Locations for replacement plantings should be identified in the EIR.

Trees that provide known resource value, such as those near the Edgewater Lagoon, must be protected. The suggested tree mitigation is insufficient. The proposed numbers, location and species to mitigate the impacts to the habitat and species that depend on it should be revised and fully disc used and presented.

A landscape replanting plan should be developed and presented in an EIR for evaluation as discussed on page 2.4-22.

2.3 Hydrology and Floodplain

The IS describes the project as being located in a special Flood Hazard Area. Since it is all located on historic tidal marsh that is not surprising. The discussion is incorrect, however, in stating that the Shorebird Marsh is part of the Ecological Reserve (t his is the only place where the name of the Reserve is correct). The Reserve marsh is tidal; the Shorebird Marsh is operated for flood control and is managed with pumps and tide gates.

The discussion on page 2.7 states that the project will result in increased impervious surfaces of 8.35 acres, fill 18 acres of wetlands and then minimizes the importance of this increase, ignoring the statement that even small increments can be significant impact."

There should be a figure showing and a discussion of the locations where these new impervious surfaces would be placed and other associated impacts of the increased impervious surfaces. The discussion focuses on additional runoff – even if additional runoff appears small it would be a cumulative increase that should be evaluated.

Also of concern is that there is currently no discussion of water quality impacts of the project. The project would apparently fill and underground a currently open channel vegetated with wetland plants along the west side of Highway 101. Channels would likely be undergrounded along the east as well. Open vegetated channels improve water

quality by allowing pollutants to drop out, be absorbed by plants and into the atmosphere. The loss of these open channels would undoubtedly decrease the quality of runoff entering wetland ponding basins and the bay. What is the length of open channel that would be lost? How would or could this impact be mitigated? What measures are included in the project to address degradation of water quality?

It is unclear how the above hydrology and water quality impacts would be mitigated. 2.3.1.4 states that "floodplain values would be mitigated with re-vegetation, stormwater treatment or other requirements designated by the relevant permits." This description is too vague. Where would the revegetation take place? How would it be relevant to the impact? What are the stormwater treatment methods that would be used? How does the public know what permits would require and how to evaluate whether their requirements would adequately mitigate floodplain values and water quality?

Another vague and unspecified mitigation is the explanation on page 2-3-15 that a temporary diversion of the creek waterflow may require a permit but that the contract documents must address this in the BMP. The public deserves a more complete explanation of measures that would avoid or mitigate for these impacts.

Page 2.5-1 CUMULATIVE IMPACT DISCUSSION

Past, present and reasonably future actions that are not considered in the Cumulative Impact analysis 2.5 include:

- Substantial loss of tidal marsh/endangered species habitat along Corte Madera Creek due to filling and development of tidal marshes and the continued erosion of tidal marsh by ferry wakes
- Station Area Plan for the Larkspur Landing/Greenbrae area
- Projects in Richmond and nearby communities. There is a high volume of traffic that comes into Marin from the East Bay across the Richmond Bridge and Sir Francis Drake Blvd. In fact, some have opined that this is the main reason for this project. Yet there is no consideration of any developments in that area.
- Marin General Hospital Expansion

The discussion at 2.5.1.1 concludes that the project would only have net impacts to noise, endangered species, and visual resources. We disagree. Cumulative biological conditions are not addressed and those that are, are not addressed adequately.

Noise - The cumulative noise levels are discussed and exceeded the NAC threshold for people. The "final noise abatement decision" is put off to some future time in the "final environmental document." The public would not have an opportunity to know what this decision and to comment on its adequacy unless there is an EIR.

Endangered Species - This discussion (page 2.5.1.3) mentions "the resource study area" with regard to cumulative impacts includes all of Corte Madera Creek and adjacent marshes. Yet the discussion only addressed endangered and threatened species. Also, why are there two different study areas? Why was the Resource Study area boundaries not used in the biological section (see Biological Study Area mentioned on page 2.4-1?

There would be significant cumulative impacts on Corte Madera Creek itself, its remnant wetlands and water habitats. The creek is already significantly impacted. There has been extensive development on former tidal marsh. This project would add to those significant conditions by filling even more. As noted on page 2.5-1, even though impacts may be small they may be cumulatively significant.)

According to the text, Caltrans has proposed a "number of reasonable and prudent measures." These appear to be complying with a Section 7 consultation that has not yet been issued.

The discussion 2.5-4 reports mitigations for other projects (Multi-use pathway and Bon Air Bridges) and cannot be considered mitigation for this Interchange project. These projects are not yet constructed, so it cannot even be claimed that they are successful. The Creekside Park area is mitigated out. There needs to be new mitigation for this project that would create new wetlands to compensate for those lost for this project in the vicinity of the project, not upstream.

The EIR should fully address compliance with policies in the Countywide Plan regarding mitigation for loss of wetlands which include such requirements that the mitigation be located close to the site of loss and be of the same wetland type.

Furthermore, several of the proposed mitigation measures could have adverse consequences on other biological resources that are not addressed. For example, removing vegetation for harvest mice would remove habitat for other species. Therefore, it is essential to know where this would occur and how much would be removed and when? Bioaccustic monitoring for fish is claimed to "prevent impacts to fish. Monitoring does not prevent impacts. There needs to be subsequent action taken to reduce or avoid the impacts that monitoring identifies.

Finally, the concluding statement "no cumulative impacts are anticipated to occur to any of the threatened and endangered species in the study area" because the habitat is marginal and the mitigation will restore higher quality habitat upstream, is incorrect. It is unclear whether this is taking credit for upstream mitigations for the bridge andFerry Connection projects, or if this project is proposing upstream mitigations. Neither is acceptable. Furthermore, whether this project would impact habitat that is "marginal" has no relevance. There is no standard to evaluate habitat for mitigation and it is endangered species habitat. Even if it were marginal does not mean, as this discussion is implying,

that minimal mitigation is needed. It means that extra attention must be paid to not lose or degrade it further, but to enhance and restore habitat.

Page 2.6-1 CLIMATE CHANGE/ FLOODING PAGE 2.6-16
The discussion at 2.6 is superficial, inadequate, and fails to adequately address climate change.

Figure 2-22 map shows the entire project area as vulnerable to sea level rise, and the document reports that the "project site will be subject to sea level rise in both years 2050…with a 16 inch sea level rise inundating most of the site." Yet there is no meaningful discussion of adaptation to sea level rise.

Flooding conditions occur regularly at Lucky Drive now when there are high tides. Apparently the project would do nothing to prevent continuation of flooding under these circumstances. The conditions would remain unchanged and would increase as sea level rise. Further, the project would exacerbate these conditions by placing significant amounts of new concrete in the form of roads, walls, flyovers and pilings to an area that is underplayed with deep bay mud. The history of the Lucky Drive north bound interchange area is that the more weight that was placed on bay mud as attempts were made to raise flooded area by placing fill, the more it sinks. The weight of the new material would caused further subsidence and consequently increase flooding, likely inundating an even larger area.

The IS reports that State agencies are directed to consider a range of sea level rise scenarios for 2050 and 2100…and "to the extent feasible, reduce expected risks and increase resiliency to sea level rise" There is no evidence that Caltrans has done this.

The document suggests that since sea level rise will further increase flooding the most appropriate approach …is the development of proactive strategies…." Of the strategies suggested the only one that would improve existing conditions would be elevating the roadway which was rejected as too expensive; to raise the profile by 20 feet would be an additional $86 million and to fix the flooding would most likely require complete reconstruction of the interchange at additional costs that would make it infeasible. So, the IS does nothing. This is unacceptable.

ALTERNATIVES ANALUYSIS

An EIR is needed in order for the public to have the benefit of a meaningful Alternative Analysis that addresses more than a build and non-build alternative. The current document only addresses these two alternatives and dismisses others without analysis. These analyses are inadequate.

The Alternatives Analysis should address one or more environmentally superior alternatives. One or more reduced project alternatives that eliminates and reduces

impacts to biological resources, including endangered and migratory species, addresses flooding from climate change, reduces noise, visual, water quality impacts and one retains the area as a suburban community, should be prepared.

There were numerous less environmentally damaging alternatives identified by members of the community at the January 29 public hearing that should be evaluated in an Alternatives Analysis.

The public has a right to have adequate alternatives and an adequate environmental document such a massive project. It is imperative that an EIR be prepared for this project.

Thank you for considering our comments.

Sincerely,

Barbara Salzman, co chair
Conservation Committee

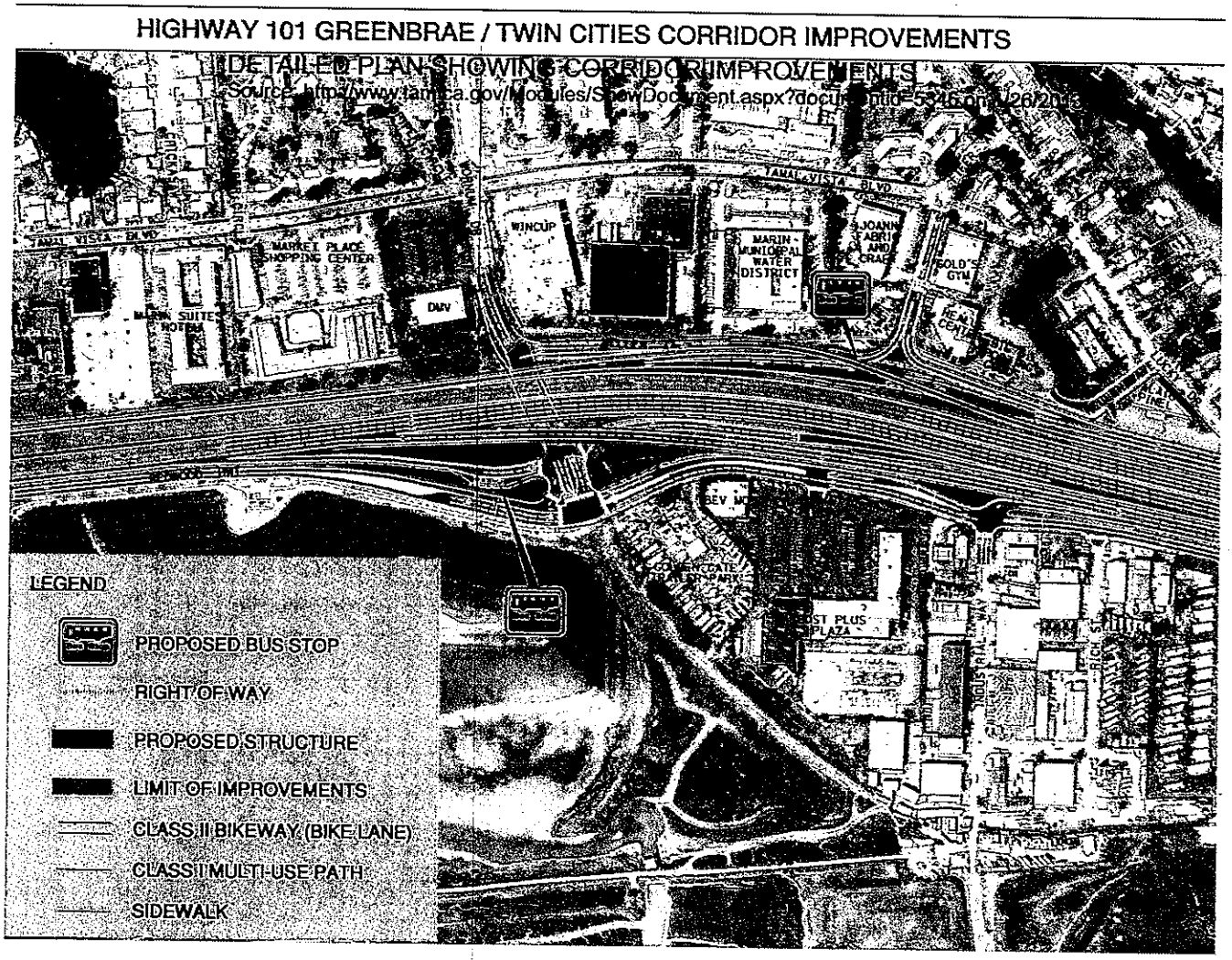
Subject: Fwd: Map of Greenbrae Interchange Project from Madera to Lucky Drive
From: Karen Nygren <knygren@aol.com>
Date: Sun, 27 Jan 2013 16:04:19 -0800
To: Barbara Salzman <bsalzman@att.net>

Sent from my iPad

Begin forwarded message:

From: John Nygren <jnygren@gmail.com>
Date: January 27, 2013, 10:28:36 AM PST
To: Karen Nygren <KNygren@aol.com>
Subject: Map of Greenbrae Interchange Project from Madera to Lucky Drive
Reply-To: jnygren@gmail.com

The attached map shows the proposed Greenbrae Interchange project cropped to just the area from Madera to Lucky Drive.



Robert A. Johnston
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January 30, 2013

Valerie Shearer, Sr. Environmental Planner
Office of Environmental Analysis, MS-8B
Caltrans District 4
P.O. Box 23660
Oakland, CA 94623-0660

Dear Ms. Shearer:

I would like to comment on the Hwy 101 Greenbrae/Twin Cities Corridor Improvements Draft Environmental Document. Please acknowledge receipt of this comment letter, so I know that it gets into the file. Thank you.

I read the Draft Environmental Document and the Traffic Operations Report, and the Project Study Report. I have driven all of the roadways in the project area.

This project is likely to result in one or more unmitigated significant adverse environmental impacts, and so an EIR must be done. The burden of proof is on the Lead Agency for this issue, at this stage in the legal process. Also, the Purpose and Needs Statement is inaccurate. First, I will outline my qualifications, and then I will address these two problems. Last, I will outline missing alternatives, that a judge would probably consider reasonable.

My Qualifications

I have been a Professor at UC Davis since 1971, in the Department of Environmental Science and Policy. I taught environmental impact assessment, land use law, land use planning, and urban modeling. I retired in 2005 and am Emeritus now, but continue to do research. Since 1985, I have been engaged in research in transportation planning and modeling. I published over 100 papers and book chapters, including over 20 papers on transporation modeling and over 10 on other transportation subjects. In the late 1980s and early 90s I was on the Caltrans Advisory Committee for the State Transportation Plan. In the mid-2000s, I was on the National Academy of Sciences committee on regional travel modeling practice in the U.S. Recently, I was on the California Transportation Commission task force to review the Regional Transportation Plan Guidelines. I was a member of the Transportion Research Board committee on transportation and land development in the 1990s and early 2000s. In the early 2000s I was on a UC Davis team that recommended urban growth models to the four largest Metropolitan Planning Organizations in California and to Caltrans headquarters. The model that we selected is being implemented by three of these MPOs.

Previous to my work on transportation modeling, I was involved in developing methods for better impact assessment under CEQA and NEPA. I was a co-author of an early 14-hour TV course on CEQA legal issues and methods in the mid-70s that was taken by thousands of students at about a dozen UC and CSU campuses, for credit. I also wrote several articles and book chapters on methods of social and

economic impact assessment. In the mid-70s I was an expert in the NEPA appelate case, Davis v. Coleman, focusing on growth-inducing impacts. I was involved in a few other NEPA cases, such as Natural Resources Defense Council v. California Department of Transportation in 1996 on the accuracy of future traffic projections, and Sierra Club v. US DOT and Illinois DOT in 1997, holding that alternatives were too narrow and growth-inducing impacts were ignored. In the 1990s I worked with USEPA staff on defining induced travel and induced land development. Our findings later were adopted as practice by USDOT.

To summarize, I have considerable experience in transportation planning, traffic modeling, and environmental impact assessment, both as a practitioner and a theoretician.

Unmitigated Significant Adverse Environmental Impacts

The flyover ramps will create significantly more noise, which cannot be mitigated to insignificant levels. Soundwalls reflect noise back across a roadway, and so do not reduce sound levels much. Walls mostly spread sound across larger spaces, which can reduce the highest sound levels, but exposes more people to objectionable levels of noise.

The flyover ramps will create a substantial visual intrusion in the corridor alongside this freeway segment. Recreators walking within a mile, shoppers driving and walking nearby, and workers and residents will all experience these large urban-style structures. Again, this impact cannot be mitigated with landscaping. Such large structures are typically found in large cities, not in small towns as found in this corridor.

There will be substantial increases in traffic on some local streets, such as Wornum and Tamal Vista. This will lead to greater local noise impacts and reduced safety. The noise impacts may not be mitigable. Congestion during construction is likely to be quite severe, with attendant psychological and economic costs to travelers in the area.

Inaccurate Purpose and Needs Statement

The project is intended to increase safety and yet the demonstration of safety data in Table 1-1 is quite weak. The sample sizes are too small, due to using only selected ramp data and short time periods. The differences cannot be statistically significant, due to the small samples of historical data. Even the given data show a mixed set of outcomes.

The project is also intended to reduce traffic congestion, but does not increase the capacity of travel lanes in the corridor. It also does not add lanes to the two Southbound (SB) on-ramps at Sir Francis Drake, and so the severe congestion on this surface road, in both directions, will not be reduced substantially. The growth projections for this area seem to omit a huge residential project recently approved near Larkspur Landing.

Narrow Alternatives

The obvious alternative is to improve the interchange at Sir Francis Drake Blvd. This is the area with the worst congestion. Also, on the mainline, longer auxiliary lanes in both directions could reduce weaving and increase capacity. It appears that one or two such alternatives were eliminated in earlier project phases, but the details are hard to make out in the documents on the web. That is one problem with doing a DED and refering to previous documents. It frustrates the main purpose of CEQA and NEPA,

which is citizen access to information. Having one conclusive study, with all data in one document is a much better approach.

Sincerely,

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Robert A. Johnston
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