

## RESOLUTION 20-\_\_

### A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX APPROVING THE PROPOSED MEADOW WAY BRIDGE REPLACEMENT PROJECT

**WHEREAS**, the Town of Fairfax is proposing to implement the 'Meadow Way Bridge Replacement Project' located over San Anselmo Creek between Cascade Drive and Meadow Way (Assessor's Parcel Numbers 003-102-18 and 003-122-41); and

**WHEREAS**, Meadow Way Bridge serves as the only egress and ingress facility for nearly two dozen homes on Meadow Way across San Anselmo Creek from Cascade Drive. The bridge is labeled as Structurally Deficient by Caltrans and the site/bridge configuration has caused historic bank erosion and bridge foundation scour at the site; and

**WHEREAS**, the Town proposes to construct a 70-foot long single-span concrete arch replacement bridge. The replacement bridge would be 21.5-feet wide to allow safe passage for both automobiles and pedestrians. The proposed replacement bridge would also include raised reflective pavement markers at proper intervals to alert the drivers and pedestrians of the two separate travel zones. The new bridge would comply with federal and state design codes and weight limits and would do away with the deficiencies of the existing bridge; and

**WHEREAS**, the proposed bridge replacement project over the San Anselmo Creek at Meadow Way is consistent with the applicable Town of Fairfax General Plan policies regarding land use, circulation, conservation, health and safety, and noise; and

**WHEREAS**, in January 2017, the Council approved the preliminary Meadow Way bridge design and authorized staff to move forward with the environmental analysis of the project which included both NEPA and CEQA; and

**WHEREAS**, in January 2018, the Council received a status report on the environmental assessment phase for the Meadow Way Bridge replacement project and approved an alternative "half retaining wall-half rip-rap" design; and

**WHEREAS**, on March 4, May 6, and June 3, 2020, the Town Council of the Town of Fairfax conducted a duly noticed public hearing to consider the project's California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed project; considered all public testimony, written and oral, presented at the said hearings; and received and considered the written information and recommendation of the staff reports for the March 4, May 6, and June 3, 2020 hearings related to the proposed project; and

**WHEREAS**, the Town, in addition to consideration of adoption of the Final IS/MND, also finds the Project exempt from CEQA under one or both of the following CEQA exemptions: State CEQA Guidelines section 15269 and State CEQA Guidelines section 15302; and

**WHEREAS**, the Project is exempt under State CEQA Guidelines section 15269, which provides that “[s]pecific actions necessary to prevent or mitigate an emergency” are statutorily exempt from CEQA as the Town has become is concerned that the Bridge’s collapse due to the scouring and undermining of the areas where the Bridge is attached to the banks, constitutes an imminent danger. As well, the substantially increased risk of wildfires and number of catastrophic wildfires in the Northern San Francisco Bay Area and Northern California in general, over the last three years due to the effects of climate change, pose an imminent danger of a wildfire destroying the Bridge and leaving residents of Meadow Way unable to escape the wildfire as well as firefighters unable to reach the homes on Meadow Way; and

**WHEREAS**, the Project is exempt under State CEQA Guidelines section 15302 for replacement of existing structures, as the Project replaces the existing Bridge.

**WHEREAS**, on June 3, 2020, the Town Council of the Town of Fairfax adopted Resolution 20- \_\_ adopting the IS/MND and MMRP and finding, in accordance with CEQA guidelines, that the IS/MND and MMRP addresses all the impacts of the proposed Meadow Way Bridge replacement project.

**WHEREAS**, on June 3, 2020 the Town Council of the Town of Fairfax adopted Resolution 20- \_\_ finding that the proposed Meadow Way Bridge replacement project is exempt from CEQA under State CEQA Guidelines sections 15269 and 15302.

**NOW, THEREFORE**, the Town Council finds and resolves the following:

1. The project’s IS/MND and MMRP were prepared and adopted in compliance with CEQA and the CEQA Guidelines, and
2. The project’s CEQA exemptions were approved in compliance with CEQA and the State CEQA Guidelines.
3. Approves the Meadow Way Bridge Replacement Project as currently proposed.

The foregoing resolution was duly introduced and adopted at a regular meeting of the Town Council of the Town of Fairfax held in said Town on the 3<sup>rd</sup> day of June 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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RENEE GODDARD, Mayor

ATTEST:

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Michele Gardner, Town Clerk