

**Item 13 Meadow Way Bridge Replacement Project**

**Attachment H**

**Written Public Comments Received**

**(May 7, 2020 to noon May 29, 2020)**

**From:** The Arnolds < >

**Sent:** Wednesday, May 20, 2020 1:47 PM

**To:** Renee Goddard <rgoddard@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>

**Cc:** Garrett Toy <gtoy@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>

**Subject:** IMPORTANT: Please read before May 20 Closed Session

Dear Fairfax Town Council,

We understand you will have a closed door session today to discuss litigation risks with the Meadow Way Bridge project, thus we wanted to request your consideration and action to stand up to our local bully (F. Egger) and not succumb to his threats.

Our Meadow Way neighbors are almost unanimous, except F Egger who continues to circle back to old information and make erroneous claims to further delay this critical project.

This bridge has been studied extensively and the current project is a good design which enhances the creek environment and will allow safe egress for Meadow Way residents in an emergency. All options have been carefully considered over the past 7 years. The State of CA and regulatory agencies have agreed the design is good and since the bridge is such a high risk, grant funds are approved for the construction. This project is in the best interest of wildlife habitat and our community.

These delay tactics are increasing costs for all Fairfax residents. Delays will cost the Town either to pay for an EIR (+ \$200,000) and/or require the Town to defend its actions with the threat of lawsuit from F. Egger. These delays also put the Town at risk to lose the State construction funds plus with each additional year delay, construction costs will go up. Also, the current wooden bridge continues to require repairs to remain functional: \$90,000 to date with plans for another \$25-30,000 in the future. In fact, these costs will continue to pile up for the Town until the bridge is finally replaced.

We respectfully request you not encourage F. Egger's spiteful and disrespectful behavior toward Fairfax residents, as it will only encourage this damaging behavior to continue.

And finally, it is our understanding that the current bridge is structurally deficient putting all or lives all at risk every day.

Thank you for your support of ALL Fairfax residents,

Karen & Peter Arnold

Meadow Way, Fairfax since 1991

**From:** Heather Bennett <

**Sent:** Saturday, May 23, 2020 5:38 PM

**To:** Renee Goddard <rgoddard@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>

**Subject:** Meadow bridge

Dear Fairfax Town Council,

Please approve the current Meadow Way Bridge project as designed. Since this structurally deficient bridge must be replaced, there is absolutely no guarantee an EIR will come up with a different bridge option. However, there is a guarantee it will increase costs and cause delays.

The environmental issues were studied during the CEQA/MND studies and all possible impacts addressed and mitigated. Also, the actual construction is planned when the creek is dry, there will be no water or fish or frogs anywhere near. When completed this section of creek bed under the bridge will be vastly improved as it will include a fish habitat restoration with native plantings. Fairfax will be restoring this section of the creek environment for future generations!

I am aware the Town has incorporated public feedback into this final design through several public comment sessions over the past 6 years.

This project takes a difficult design challenge with an S turn of the creek, adding rip rap and native planting to both sides of the creek, to help slow water flow downstream. The bridge design also seems appropriately prudent; considering our high risk of future droughts and fire storms related to climate change.

I have lived on Canyon Road over 18 years, and soon enough we'll be needing an upgraded bridge and street reinforcements on Canyon Road, as the road is coming close to falling into the creek in many spots.

Both Canyon and Meadow pose significant public safety risks for the Fairfax community, and the Meadow bridge should not be delayed any further, it is a big liability for the Town!

Thank you for protecting our environmental resources and keeping our community safe by accepting the NMD and moving forward on this critical project!

Sincerely,

Heather Bennett

100 Canyon road

Heather J Bennett

mobile: 4

Council Members Renee Goddard, Stephanie Hellman, Barbara Coler, Bruce Ackerman and John Reed and Town Manager Garrett Toy,

Upon reading of the MND from the packet in the March 4<sup>th</sup> Town Council meeting I found many typos, confusing language and several errors and inconsistencies. The errors need to be corrected. Please do so. The inconsistencies need clarification. Please do so.

In error

Page 43 last paragraph Trees

"Tree Protection Ordinance in 1973, the Town of Fairfax approved Ordinance No. 387 for trees. The purpose of the ordinance is to preserve the wide variety of local native trees and to protect the benefits they provide the citizens. Chapter 8.36.020 of the Town Code defines "altering" and "tree". A Tree Permit is required for removal or significant trimming of any tree, which has a circumference of 24 inches or more measured 24 inches above the ground. In effect, this is a little less than an eight inch diameter tree trunk."

This is in error. The Tree Ordinance states that all circumference measurements be taken from Breast Height which is defined as 4 ½ feet above the lowest grade at the base of the tree. All Diameter measurements must be taken at Breast Height as well. 4/12 feet, not 24 inches. Tree is defined as having a diameter of four inches, not eight and a circumference of 12 inches or more, not 24.

The same error repeats on page 49 e) and on page 72 Trees.

Next -

Page 79 Mitigation Measure NOISE 1

Mitigation Measure NOISE-1 In order to comply with Policy N-3.1.4, the Town of Fairfax has developed a list of Standard Controls. The project shall comply with the following measures: • Limit construction to the hours of 8:00 a.m. to 5:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on Saturdays, with no noise-generating construction on Sundays or Holidays.

Page 87 Mitigation Measure TRANS-1

Mitigation Measure TRANS-1 The Town shall require that no work or traffic control be allowed before 8:00 a.m. weekdays and 9:00 a.m. Saturdays and Sundays. No work shall be allowed after 5:00 p.m., unless otherwise noted. At least one week prior to the commencement of work, the Town shall require the contractor to provide project information signs to notify drivers of the upcoming project and potential delays. **Is work allowed on Sundays or isn't it?**

Page 89 Mitigation Measure TRANS-1

Mitigation Measure TRANS-1 The Town shall require that no work or traffic control be allowed before 8:00 a.m. weekdays and 9:00 a.m. Saturdays and Sundays. No work shall be allowed after 5:00 p.m., unless otherwise noted. At least one week prior to the commencement of work, the Town shall require the contractor to provide project information signs to notify drivers of the upcoming project and potential delays. **Same question**

Regarding Northern Spotted Owl Nesting Season - page 45 Mitigation Measure Bio 2

If protocol-level surveys determine that NSO are not nesting or not nesting within the potential acoustic impact zone during the year of the surveys, project work may commence June 1. June 1 is the earliest date nonnesting status can be confirmed. • If project work begins in the non-nesting season and is to

continue into the nesting season, project work will cease January 31 and will not recommence until protocollevel surveys as described above determine the nesting status of the survey area.

According to the Audubon Society the earliest date non-nesting status can be confirmed is July 31 and according to the Audubon Society there are nests in close proximity to the project. Therefore work should not commence until August 1rst.

Thank you.

Deborah Benson  
· Cascade Drive

From: Matthew Erwin ·  
Sent: Wednesday, May 20, 2020 7:21 PM  
To: Michele Gardner <mgardner@townoffairfax.org>  
Subject: Approve Meadow Way Bridge Now

5/20/2020

Dear Fairfax Town Council,

I am very much in favor of having you approve the Meadow Way Bridge Replacement Project immediately.

Please do not add unnecessary additional environmental review that will jeopardize the safety of the Meadow Way residents and increase tax payer costs. With over 6 years of background study and research, the time is now to get this done. All impacts from the replacement will be minimized with the current plan. The environmental consultants outlined each sensitive environmental aspect and addressed it in their report.

Delaying now will significantly increase the cost of this project to the town and taxpayers along with creating potential future liability if there is a fire with negative consequences for the 24 Meadow Way homes reliant on this bridge for safe egress.

Thank you for your consideration and your action,

Matthew Erwin

Buena Vista Ave  
Fairfax

**From:** James & Heather Fair

**Sent:** Thursday, May 21, 2020 5:32 PM

**To:** Michele Gardner <mgardner@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>

**Subject:** meadow way bridge

Hello All~~

I am writing in support of replacing the bridge ASAP. No further delays will ease the significant burden on those involved.

The current bridge is un-acceptable and needs to be replaced. It is all but impossible to replace a bridge without some disruption to wildlife and people, but at some point you have to proceed with a project and accept a small disruption in wildlife.

I believe in the resilience of the wildlife in the Cascade Canyon area.

Please move quickly to replace this bridge.

Warmly,

James Fair  
Resident for 11 years at  
Canyon Road.

Dear Fairfax Town Council,

Please approve the construction of the Meadow Way Bridge per the current design.

I am concerned for the safety of our friends and neighbors that live on Meadow Way. It is the only way in and out of their neighborhood for about 30 families. If there is a wildfire it is their only means of egress. If the existing bridge fails there will be about 30 families stranded with no way to get to their homes and no feasible way for the fire department and paramedics to protect them.

I am concerned that the bridge could burn in a wildfire leaving many people stranded on Meadow Way, unable to escape resulting in the death of our friends and neighbors. The new concrete bridge will be much safer in a fire for egress and to allow access for the fire department to protect the properties on Meadow Way.

I am concerned for the financial wellbeing of our friends and neighbors. The existing bridge is decreasing their property values and will continue to do so until the new bridge is completed. Hopefully they are still able to get Homeowners Insurance.

I am concerned that delaying the project will unnecessarily add to the design and construction costs that will be borne by the Town of Fairfax and all of us that live in Fairfax.

The bridge was identified as a compromised structure in danger of failure many years ago. Since then there has been a lot of discussion, effort, time and expense invested in a design that over 90% of the people on Meadow Way want to build and are ready to go forward with. Many professionals have worked on the current design and have considered the environment, construction methods, cost, longevity, maintenance, and appearance, and almost everyone is satisfied this is the way to proceed.

Please approve the current design that works for almost everyone in our town and over 90% of the people that are the most affected, the people living on Meadow Way.

Thank you for considering my concerns for our neighbors and friends.

Joe Floyd  
Pine Dr.  
Fairfax, Ca.  
94930



May 20, 2020

Dear Fairfax Town Council,

Please approve the current Meadow Way Bridge project as designed. I like that concrete will minimize repairs and maintenance in the future both for the cost and the disruption to wildlife. Please don't jeopardize the funds coming from other sources and put the complete financial burden on the rest of us Fairfaxians.

I have visited Meadow Way often as I have friends who live on this street. I am extremely concerned for their safety and all my Fairfax Meadow Way neighbors as this bridge is their only egress in an emergency. This significant public safety risk for the Fairfax community should not be delayed any further as it is a big liability for the Town.

Thank you for the work you do for our town by protecting our environmental resources and keeping our community safe. Please accept the NMD and move forward on this critical project!

Thank you for your consideration,

Jackie Floyd

Pine Drive

Fairfax



May 26, 2020

Garrett Toy, Town Manager  
Town of Fairfax  
[gtoy@townoffairfax.org](mailto:gtoy@townoffairfax.org)

RE: Meadow Way Bridge Initial Study and  
Mitigated Negative Declaration

Dear Mr. Toy,

Friends of Corte Madera Creek Watershed supports the Town of Fairfax's certification of the Initial Study and Mitigated Negative Declaration prepared for the replacement of the Meadow Way Bridge. Our recommendation comes after review of the CEQA document and our familiarity with the site. We do not think that an Environmental Impact Report is necessary, nor would it be a good use of the Town's limited resources

The bridge, more than 60 years old, is built on a curve in San Anselmo Creek. There is severe erosion of the bank and several of the supports for the bridge, located in the creek bed, are soaked in creosote. It is too narrow to safely carry the pedestrian and vehicle traffic. Simply put, the bridge should be replaced for the safety of the neighbors who use it and the health of the creek and the fish and wildlife that depend on it.

With the wisdom of hindsight, the bridge should never have been sited on the curve. However, the design is appropriate for the site and addresses the bank failures and severe erosion around the present bridge. The new bridge will be wide enough to safely carry traffic and the single-span leaves the creek bed unobstructed, a very big improvement over the existing bridge. The natural creek bed restored by the project with deeply buried riprap for stability, a low flow channel flanked by low mounds and pools, and native vegetation will provide better habitat, especially for steelhead trout.

The mitigation measures included in the Negative Declaration are appropriate. We support construction taking place after nesting season if protocol level surveys find nesting Northern Spotted Owl.

Sincerely,

Sandra Goldman  
President

**From:** Denis McCarthy  
**Sent:** Thursday, May 21, 2020 4:37 PM  
**To:** Michele Gardner <mgardner@townoffairfax.org>  
**Subject:** Please Approve Replacing Meadow Way Bridge Immediately

Sent from my iPhone

Dear Fairfax Town Council,

I am a long time Fairfax resident and urge you to support the Meadow Way Bridge Replacement Project immediately. The Canyon Bridge which I cross everyday is both safe and aesthetic and once upon a time wooden.

This project has been studied for over 7 years and is desperately needed for the safety of all the cascade canyon neighborhood. Please do not add unnecessary additional environmental review that will jeopardize the safety of the Meadow Way residents and increase taxpayer costs. All impacts from the replacement will be minimized with the current plan and the creek bed environment will be improved with this project.

Delaying now will significantly increase the cost of this project to the town and taxpayers along with creating potential future liability if there is a fire with negative consequences for the Meadow Way homes reliant on this bridge for safe egress.

Thank you for your consideration and your action!

Denis McCarthy  
Canyon Road

**From:** I

**Sent:** Wednesday, May 20, 2020 10:13 AM

**To:** Michele Gardner <mgardner@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; stacynahas@gmail.com

**Subject:** Re: Meadow Way Bridge Project

Dear Town Council and Town staff

I am a current resident of Meadow Way.

I understand there is a closed door meeting today to discuss the bridge with the town council and attorney.

I want you know our neighborhood is currently in upheaval over the thought of delaying this project.

I am asking you in the clearest way possible not give into Frank Egger's outlandish arguments. I also, want you to know that our neighborhood is organized and is behind you with moving this project forward. We are active on social media and are countering exaggerated comments about the project.

I and many neighbors have met with and been in communication Frank in the hopes of a resolution. I came away from a meeting this past Monday, with more questions than answers. For example, Frank's spouse, Ronita, said in jest "I wished the bridge would wash away in a storm and then Caltrans would have to put up a new one up quick." I don't claim to know Frank's motivations, perhaps, it's the construction inconvenience over two seasons that are intended to protect the environment, perhaps it's nostalgia and wanting to "Save Fairfax" or maybe it's a bruised ego. I have no idea, only supposition.

I do know Frank has made some outlandish arguments that seem to change continually. One claim is that the town is being irresponsible with its finances by spending 4.7 million on the bridge but he never mentions the grants the town secured to limit the financial burden. When called on this by mentioning that Caltrans grant funds are covering 100% of construction cost and his insistence of an EIR would cost the town 200k plus thousands annually on bridge repairs through the delay, he moves on to his next claim. Unbelievably, he states an EIR will result in less cost for the project, when we all know an EIR will either achieve the same outcome or prescribe more mitigation at a higher cost.

You've heard all the ones about how the creek will be harmed, so I won't bore you with them all because they were addressed in the bridge plan. For example, channelization is unfortunately an issue with creek because long ago homes were built right up to the creek bank. As I understand it, the mitigation prescribe in the project is in intended to reduce channelization is that span of the creek.

The newest claim is that in addition to saving project cost, an EIR will somehow keep the bridge in its current position rather than moving it over 7 feet. You can still see the lines he painted in the street as a prop. In addition to a whole host of other issues, this unthoughtful idea would negate a compromise with property owners over the public right of way. In addition it belies the fact that the bridge would need to go back to the design and engineering phase and delay it for years. Imagine the expense and liability to the town if the bridge collapsed during this delay.

Another claim one is that Nader colluded with someone at the town to stop looking into a drop in drop-in steel bridge, although he nows calls it a prefabricated steel bridge. I pointed out to Frank that it would seem the email in questions was actually describing the steel bridge in the "Meadow Way Bridge Selection Report" as they were preparing for the public presentation. He did not counter he just sent another email supporting his steel bridge design idea that can be constructed in 3 months by somehow using quick dry cement and a bulldozer. Obviously, this arguments garnered strong rebuke by many neighbors.

Oh yes, the newest conspiracy is that somehow the voting process to select the bridge type material might be somehow been done improperly. I could go on and on and the longer I take to send this email I might be called to refute another exaggerated claim.

I moved to Fairfax because of the town's strong commitment to the environment, tight community and it's beautiful surroundings. Unfortunately, it seems our town is being swayed by a majority of one.

I appreciate the many things Frank has accomplished for the environment but this charade does not pass the smell test and delaying the bridge project is impacting people's lives. Furthermore, I am concerned about the negative consequences a project delay will have on the town's finances not to mention the loss of tax revenue due to the economic contraction due to COVID-19 or the loss of grant funding.

Best,  
Nadim Nahas  
Meadow Way

**From:** Catherine Renno

**Sent:** Sunday, May 17, 2020 5:42 PM

**To:** Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>

**Subject:** Meadow Way Bridge

Dear Town Council Members,

I am writing in support of the plan to rebuild the Meadow Way Bridge.

I have been a Fairfax resident for 43 years, and have frequently crossed this bridge for well over 30 years to spend time with friends in this neighborhood. I have met many of the neighbors that live there that are very thoughtful and ecologically minded people. The study of the various options for the bridge from many aspects has been taken into account. Many hours as well as years have been spent reviewing these options . The majority of the Meadow Way neighbors support this rebuild plan. Impressively the State has agreed to fund most of the cost of the bridge.

Having lived in Fairfax for many years I have seen many a plan get stalled out or even lost , due to a few unhappy and very vocal opponents. I feel this is happening now at the eleventh hour when a long , and carefully crafted plan , a good plan could , and should be enacted.

I think it would be a travesty to miss this opportunity to move forward with this bridge rebuild plan.

Further stall tactics may cause loosing funding for a good viable bridge, that is so needed for the safety of our neighbors. Egress is not an option but a right for the residents of Meadow Way.

It is imperative that there be no further delays on a much needed bridge.

Sincerely,

Catherine Renno

San Gabriel Drive  
Fairfax ,CA

From: Yvonne Roberts <\_ \_>  
Sent: Tuesday, May 19, 2020 10:08 AM  
To: Michele Gardner <mgardner@townoffairfax.org>  
Subject: Approve Meadow Way Bridge Now  
Importance: High

5/19/2020

Dear Fairfax Town Council,

I implore you to please approve the Meadow Way Bridge Replacement Project immediately.

Delaying now and adding unnecessary additional environmental review will serve no one. With over 6 years of background study and research, the time is now to get this done. All impacts from the replacement will be minimized with the current plan. The environmental consultants outlined each sensitive environmental aspect and addressed it in their report.

Delaying now will significantly increase the cost of this project to the town along with creating potential future liability if there is a fire with negative consequences for the 24 Meadow Way homes reliant on this bridge for safe egress.

Thank you for your consideration and your action,

Yvonne Roberts

6 Scenic Road

Fairfax

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Yvonne

**From:** Tamela Smith  
**Sent:** Thursday, May 21, 2020 3:29 PM  
**To:** Michele Gardner <mgardner@townoffairfax.org>  
**Subject:** Meadow Way Bridge Replacement Project

Dear Fairfax Town Council,

Please approve the current Meadow Way Bridge project as designed. Since this structurally deficient bridge must be replaced, there is absolutely no guarantee an EIR will come up with a different bridge option. However, there is a guarantee it will increase costs and cause delays.

The environmental issues were studied during the CEQA/MND studies and all possible impacts addressed and mitigated. Also, the actual construction is planned when the creek is dry, there will be no water or fish or frogs anywhere near. When completed this section of creek bed under the bridge will be vastly improved as it will include a fish habitat restoration with native plantings. Fairfax will be restoring this section of the creek environment for future generations!

I am aware the Town has incorporated public feedback into this final design through several public comment sessions over the past 6 years. This project takes a difficult design challenge with an S turn of the creek, adding rip rap and native planting to both sides of the creek, to help slow water flow downstream. The bridge design also seems appropriately prudent; considering our high risk of future droughts and firestorms related to climate change.

I have visited Meadow Way often as I have friends who live on this street. I am extremely concerned for their safety and all my Fairfax Meadow Way neighbors as this bridge is their only egress in an emergency. This significant public safety risk for the Fairfax community should not be delayed any further, it is a big liability for the Town.

Thank you for protecting our environmental resources and keeping our community safe by accepting the NMD and moving forward on this critical project!

Thank you,  
Tamela Smith  
Cascade Dr  
Fairfax, CA

I have been a Fairfax Resident and living at Cascade for the past 22 Years.

**From:** E. Regina Widman M.D. ·

**Sent:** Saturday, May 23, 2020 6:38 PM

**To:** Michele Gardner <mgardner@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>

**Subject:** Meadow Way Bridge Project

May 23, 2020

To: Fairfax Town Council

Re: Meadow Way Bridge Project

We are writing you to urge you to please approve the current Meadow Way Bridge Project as designed. Since this structurally deficient bridge must be replaced, there is absolutely no guarantee an EIR will come up with a different bridge option. However, there is a guarantee it will increase costs and cause delays.

The environmental issues were studied during the CEQA/MND studies and all possible impacts addressed and mitigated. Also, the actual construction is planned when the creek is dry, there will be no water or fish or frogs in the creek at the time of construction. When completed this section of creek bed under the bridge will be vastly improved as it will include a fish habitat restoration with native plantings. This will provide creek restoration.

We are aware the Town has incorporated public feedback into this final design through several public comment sessions over the past 6 years. This project takes a difficult design challenge with an S turn of the creek, adding rip rap and native planting to both sides of the creek, to help slow water flow downstream. The bridge design also seems appropriately prudent, considering our high risk of future droughts and fire storms related to climate change.

We are very familiar with Meadow Way as John M. Perez grew up in Fairfax on Cascade Drive and we have friends who reside on Meadow Way as well. We are extremely concerned for the safety of my Fairfax Meadow Way neighbors as this bridge is their only egress in an emergency. This is a significant public safety risk for the Fairfax community and should not be delayed any further. It is also a big liability for the Town of Fairfax.

Thank you for protecting our environmental resources and keeping our community safe by accepting the NMD and moving forward on this critical project!

Most sincerely,

E. Regina Widman-Perez, M.D. And John M. Perez

· Canyon Road, Fairfax, CA 94930

**E. Regina Widman, M.D.**  
**Marin Health Family Medicine**  
**706 D Street**  
**San Rafael, CA 94901**  
**Phone:(415) 256-1980**  
**Fax: (415) 256-1981**