From: Marilyn N. Gaynes <
Sent: Monday, May 04, 2020 5:56 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Please Forward to All Town Council Members

Re: Meadow Way Bridge

My name is Marilyn Gaynes and I live at ' Meadow Way with my husband, Alexander Binik. To have a long-term, dusty, noisy major construction project literally next to our house is disturbing, to say the least, especially since we have chronic health issues. We truly do not know what we will do during construction.

Nevertheless, for the sake of our safety and the safety and well-being of the neighborhood as a whole, I am in strong support of proceeding with the project as it stands. Years ago, we spent many, many hours in meetings, with presentations, surveys, information from the Town, and communications with one another, and finally hashed out a plan that was acceptable to the majority of us residents, given the real world limitations of governmental regulations, engineering, the viability of different materials, etc., etc., etc. I, for one, do not want to spend any more time reinventing this wheel.

I, therefore, ask the Town Council to approve the Negative Declaration this Wednesday.

With sincere thanks,
Marilyn Gaynes

From: ALEXANDER BINIK <
Sent: Monday, May 04, 2020 10:17 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Agenda item 13: Please forward this email to all Council Members

RE Public Hearing, agenda item 13 at May 6, 21020 Town Council meeting:

My wife Marilyn & I live at , the house that practically abuts up against the current Meadow Way bridge (we've lived here for exactly 28 years). I'm disappointed by, and totally disagree with, the current attempt to prevent the Town Council's approving the CEQA Final Initial Study and Mitigated Negative Declaration as well as the proposed Meadow Way Bridge Replacement Project. . It's been known for some years now that the current bridge is failing and unsafe. The process of developing a replacement project has been going on for a number of years. In the course of that, there were community meetings and opportunities for the Meadow Way residents to vote on preferred alternatives. I believed that the major issues had been settled long ago--and all that remained was the ridiculously-long delay until all the Federal and State agencies signed off on the project.

In arguing the necessity for a full EIR, assertions were made that I believe to be inaccurate or not substantive, and I wish to contest some of them here.

Threatened species will *not* be at risk from this project as proposed. There have been no coho salmon passing our bridge during the 28 years we've been here; conditions downstream have prevented their reaching the area of this bridge. Sadly as well, the frogs who would sing right by the bridge during so many Spring nights have disappeared from this immediate location in recent years, perhaps due to pesticides or other toxic chemical runoff into the creek upstream or downstream from the bridge. At the location of this bridge, Corte Madera Creek is typically dry most years in July and later months--it is *indeed* an *intermittent* stream there. Happily, steelhead still migrate downstream from here earlier in the year. In case there are still some baby steelhead trapped further upstream, the mitigation policies planned for the project are sufficient to protect them and safely move them further toward the Bay, a net gain for the fish compared to a no-project scenario. In fact, the plan call for use of logs and other features to provide increased safe spawning areas for the steelhead, a vast improvement over the present situation. As for northern spotted owls, their nests —when present at all--are considerably far (¼ to ½ mile) from the bridge; the work will *not* take place during their nesting season, and the proposed mitigation is sufficient to protect them and their nests during the construction period.

Only one California bay laurel tree cluster is slated to be removed. Another will remain, roughly halfway along the length of the new bridge. Since bay laurel trees are potentially primary hosts for sudden oak disease, they could then infect the adjacent coast live oaks and beautiful madrone. Reducing the number of bay laurel trees at this location could actually help preserve the health of the surrounding flora. On the other side of the existing bridge, the project plans to remove a small cluster of California buckeyes, already severely undermined by erosion and subject to falling over onto the bridge and roadway. Their selective removal can actually make fire

evacuation safer. As for the concern about pesticides being used to remove the invasive, non-native blackberries, the proposed plan forbids doing so, and I'm certain that can be made a written part of the construction contract. Toward the end of the project, native blackberries can instead be planted, along with other appropriate plants to help prevent erosion.

Hydrology studies indicate that, because of the way the creek sharply bends by the bridge, the velocity of water flow there during big storms tends to scour the banks, increasing erosion. What is proposed is not channelization but rather natural features, with judicious use of concrete only as part of a retaining wall directly at the most vulnerable section along with significant use of rip-rap. This relatively small area will then be covered with appropriate native plantings. This approach will likely do the most long-term to protect the new bridge and the homes on both sides.

The replacement of the Canyon Road bridge was a *totally different* situation than the present one. An exception there was made for an immediate fix because the previous bridge had become dangerously unstable. The length of *that* crossing is *much* shorter. Caltrans will definitely not agree to any new bridge ("drop-in" or not) on Meadow Way that's narrower than the currently-proposed one (21.5 ft surface width, their minimum code requirement). Rather than a wooden bridge or a metal one, most of us neighbors instead voted for a *concrete* bridge that's more costly initially but can be aesthetically designed and will require far less ongoing maintenance hassle and expense over its life cycle of perhaps 70 years. The proposed construction plan will utilize as much pre-casting of sections as possible, to save time and money. It's even possible that the project could be completed in only one construction season, involving long work days Mondays through Saturdays. A further reminder: even if a drop-in bridge were instead chosen, the old toxic creosote-containing bridge supports and surrounding soils would still need to be very-carefully removed, requiring a significant amount of unavoidable time and expense.

Meanwhile, our present wooden bridge continues to disintegrate, costing Fairfax thousands of dollars for repairs each time, and that cost is borne *entirely* by Fairfax property-owners through the additional annual parcel fee we all pay. Even after the most recent repairs, parts of the runners and underlying decking remain in bad shape, and even more costly repairs may be needed before replacement bridge construction can begin. Further, those repairs need to be done with pressure-treated wood which off-gasses continually toward all (including our kids) who walk or bike across it. Because we neighbors live in a cul-de-sac accessible only via the bridge, until a safe replacement bridge has been constructed we and our homes face greater danger of being trapped by a firestorm. And we also run the risk of our homeowners insurance being cancelled due to the poor condition of our present bridge. Once the bridge has been finally replaced by one that's stable, our neighborhood will be considerably safer and the Fire Department can more effectively defend our properties.

No Meadow Way resident--least of all Marilyn and myself, whose house is the closest to the construction zone--looks forward to the new-bridge construction cycle—given the levels of noise and dust involved no matter what design approach is utilized. But still, it *must* be done...and the sooner the better. Even at best, construction won't begin until 2021 or 2022. Let's ensure that it's not even years later than this. An EIR will cost Fairfax a

huge amount of money and delay the bridge replacement for at least another year, at which point the Town and residents will be faced with the same set of looming decisions. " *No project*" is not a viable option!

The Meadow Way neighbors collectively are primary stakeholders in the decisions reached about this project--*we* are the people who will be most affected, and I hope that the Council Members assign particular weight to the needs of the majority of us. Please immediately adopt the CEQA Final Initial Study and Mitigated Negative Declaration and approve the proposed Meadow Way Bridge Replacement Project. Thank you for your consideration.

Alexander Binik

From: John Berg <
Sent: Tuesday, May 5, 2020 7:33 AM
To: Garrett Toy <gtoy@townoffairfax.org>
Cc: Stephanie Hellman <shellman@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>
Subject: Meadow Way - Build the Bridge Now

Approve the Meadow Way Bridge IS/MND - Build the Bridge Now!

Garret-
I am a Meadow Way resident
I would like you to urge you to approve the environmental documentation for the Meadow Way Bridge. Caltrans is very rigorous in their review and approval of bridge design and environmental documentation.

I worked for the County of Marin in the Engineering Division for 15 years (I retired one year ago) and completed 23 construction projects, the majority of them federally funded projects funded through Caltrans. The last 5 years I worked on the County Bridge Program. I always found the environmental process to be difficult, but by following the guidance of Caltrans we were successful in the project.

The mitigation section of the IS/MND includes mitigation to address any impacts. The design will improve the habitat and safety of the neighborhood.

Ross has recently approved the Winship bridge with a CEQA IS/MND as approved by Caltrans. This is the documentation that is used for municipal bridges.

I am aware that residents that live near the Meadow Way bridge have expressed concerned about the environmental documentation prepared. These documents are prepared by environmental experts and are approved by the corresponding State and Federal agencies. Local residents do not have more expertise than the experts!

Perhaps the adjacent residents are more concerned about the construction noise, dust and disruption than by the design and environmental documentation. In this case, maybe meeting with them to mitigate the construction impacts would be more helpful in addressing their concerns.

Please approve the CEQA Initial Study/ Mitigated Negative Declaration for the Meadow Way bridge.
It is vital that the bridge be replaced without further delay.

-John Berg, P.E. retired
Meadow Way

From: Laura McLean-Skubecz ·
Sent: Tuesday, May 05, 2020 12:24 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow way bridge

Dear town council,

As a relative newbie (6 years) to Meadow Way, I knew of the condition of bridge and the replacement plans when i bought my house.

I was also informed by my neighbors of long history of trying to get the deteriorating bridge replaced and that all the required studies had been done, so felt confident it would happen.

approximately two years ago, the residents on Meadow way voted on a design for a Concrete bridge which was to begin construction this summer.

Instead, there have been more unnecessary delays brought about by one person who had taken up

The crusade...

bottom line... bridge is UNSAFE and lives and homes are at risk... stop the stalling and approve the bridge

Which had ALREADY been approved NOW!!

The vast majority of people in Meadow Way want the same.

Thank you for your attention to this matter.

Laura Skubecz

Meadow Way, Fairfax, CA 94930

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Laura

From: Susan A Brandborg
Sent: Tuesday, May 05, 2020 1:16 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Agenda Item #13 - Mitigated Negative Declaration

To: Fairfax Town Council
From: Susan Brandborg

I have been aware of the issues of Meadow Way Bridge as I was on the council when the issue was before us. We replaced Canyon Bridge and mitigated safety issues regarding the Canyon residents. We were ready to replace Meadow Way Bridge, but it was opposed by Frank Egger and delayed. Now it is even a larger public safety issue than before.

I read Mr. Binik's letter and was impressed with his issues of the Meadow Way residents. I think the demand for an EIR is another delay tactic and an enormous financial burden to the town. I read the Negative Declaration and encourage you to approve it.

Thank you for reading my opinion on this matter.

Dear Meadow Way neighbors,

For those of you that I haven't met personally, my wife Marilyn & I live at #7, the house that practically abuts up against the current bridge (we've lived here for exactly 28 years). During this time of COVID-19, much of everyone's attention needs to be on staying safe, getting needed supplies, etc. But it's also very important that we don't neglect an issue that will potentially affect us for many years to come: the what, when and how of our replacement bridge. What's at stake are our safety, the opportunity for a stable neighborhood after construction is finished, and even our property values.

I'm disappointed by, and totally disagree with, current efforts to further delay the new bridge construction. Some years back, we all had a chance to be heard on the question of a replacement bridge and to vote on possible options. It had seemed to me that the issue was settled long ago, and all that remained was the ridiculously-long delay until all the Federal and State agencies signed off on the project. Now, *years later*, there's an attempt to prevent the Town Council's approving the environmental studies and a Mitigated Negative Declaration. (Background info was presented to the Town Council on 3/4/20, and can be reviewed by watching the archived Council meeting of that date. Highlights are available at www.fairfaxbridges.com.)

I care deeply about our natural environment here. and the animal life with which we share this beautiful place. We all do our best to live with non-human neighbors, and will continue to do so during and after the new bridge construction. I'm certain that deer, gray and red foxes, raccoons, skunks, and other animals will return when construction is no longer going on—in fact, some will be out cruising nightly even during the construction period. Spotted owls nest in the general area, but *not* in immediate proximity to the construction; and the work will *not* take place during their nesting season. For many years, in springtime I would hear the songs of the frogs in the creek as I took out our garbage nightly; sadly, some years ago, those songs disappeared...the frogs are *already* gone, probably due to pesticides or other toxic chemical runoff into the creek upstream of the bridge. There have been *no* coho salmon passing our bridge during the 28 years we've been here. Happily, steelhead still migrate here seasonally except in the driest years, but--during the construction season--there's not sufficient water for them to return towards the Bay; indeed, Corte Madera Creek at *this* location is quite dry by June every year except when there has been an unusual amount of late rain--it is indeed an *intermittent* stream.

Only one California bay laurel tree cluster is to be removed; another will remain, roughly halfway along the length of the new bridge. Since these bay trees are major hosts for sudden oak disease that could then infect the adjacent large valley oak, coast live oaks and madrone, reducing the number of bay trees at that locations could actually help preserve the health of the surrounding flora. And selective removal of a few trees, including some California buckeye, can actually make fire evacuation safer. As for the concern about pesticides being used to remove the blackberries, Fairfax has long had a law forbidding it, and I'm certain that can be made a written part of the construction contract; toward the end of the project, blackberries can be replanted, along with other appropriate plants to help protect against erosion.

Hydrology studies indicate that, because of the way the creek sharply bends by the bridge, the velocity of water flow there during big storms tends to scour the banks, increasing erosion. What is proposed is judicious use of concrete *directly* at those most-vulnerable points along with rip-rap, not channelization above or below that point. And the concrete

retaining walls will be covered with plantings. This approach will likely do the most long-term to protect the new bridge and the homes on both sides.

I myself can't assign much credibility to an opinion by a alternative bridge engineer during a one-time site visit, without any subsequent studies of the particulars (including the soils, the old toxic creosote-containing bridge supports needing to be very-carefully removed in any event, etc.). The replacement of the Canyon Road bridge was a *totally different* situation. An exception there was made for an immediate fix because the previous bridge had become dangerously unstable. The length of *that* crossing is *much* shorter. Caltrans will definitely not agree to any new bridge on Meadow Way that's narrower than the currently-proposed one (21.5 ft surface width, their minimum code requirement). The existing Meadow Way bridge had been sited at a hydrologically-less-stable point because it involved a shorter creek crossing and thus was less costly. Now it's time to do it *right*; this last one miraculously lasted about 70 years, and hopefully its replacement will last at least as long. Rather than a wooden bridge or a metal one, most of us neighbors instead voted for a *concrete* bridge that's more costly initially but can be aesthetically designed and will require far less ongoing maintenance hassle and expense.

Meanwhile, our present wooden bridge continues to disintegrate, costing Fairfax thousands of dollars for repairs each time--that cost is borne *entirely* by Fairfax property-owners through the additional annual parcel fee we all pay. Even after the most recent repairs, parts of the runners and underlying deck remain in bad shape, and even more costly repairs may be needed before replacement bridge construction can begin. Further, those repairs need to be done with pressure-treated wood which off-gasses continually toward all (including our kids) who walk or bike across it,.

None of us look forward to the new-bridge construction cycle, least of all Marilyn and myself, whose house is the closest to the construction zone; but still, it *must* be done...and the sooner the better. At best, construction won't begin until 2021 or 2022; let's ensure that it's not even years later than this. Afterward our neighborhood will be considerably safer re the danger of a firestorm trapping us, and the Fire Department can more effectively defend our properties. Since we live in a cul-de-sac, that additional safety will also increase the resale value of our properties.

In addition to concerns about dust, noise, and creosote off-gassing during construction, I also worry that a wider bridge will encourage drivers (including delivery and service vehicles) to ignore the posted speed limits on the first block of Meadow Way, especially endangering small kids walking or riding their bikes. At the appropriate point in the process, hopefully we can all encourage the Town to sufficiently mitigate this safety risk.

We Meadow Way neighbors *do* have a compelling interest in where things go from here—*we* are the people who will be most affected, and if we don't make an effort to be heard we will have to live with the consequences. If most of us want the project to finally move forward, we need to take the time *now* to be heard—*both* (1) by writing to the Town Council (emails ideally sent by this Tuesday to mgardner@townoffairfax.org , requesting she forward them to all Council members) and (2) by participating on Wed evening by Zoom or phone for 3 minutes (I estimate the issue will begin discussion sometime between 7:30 and 8 p.m., depending on how lengthy the preceding "Open Time" is).

PLEASE MAKE YOUR VOICES HEARD THIS COMING WEEK!

Alexander Binik

From: photo <
Sent: Tuesday, May 05, 2020 9:13 PM
To: Renee Goddard <rgoddard@townoffairfax.org>
Cc: Bruce Ackerman <backerman@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>
Subject: Meadow Way Bridge /Citizen Letter to Fairfax Town Council Members

Dear Fairfax Town Council,

I'm writing in regards to the Meadow Way Bridge Project, and urge you to please continue to adhere to Fairfax's environmental legacy.

San Anselmo Creek is currently designated as a "perennial" stream. As a citizen of Fairfax for decades, I am writing to request that you reject the proposed Mitigated Negative Declaration that redefines San Anselmo Creek as an "intermittent" stream. This move to reclassify the stream is clearly one that is designed to support current plans to build an overly large bridge in that area - one that is completely inappropriate in size and scale for Meadow Way, not to mention extremely expensive.

Additionally, I urge you to please require an EIR (Environmental Impact Report) for the proposed Meadow Way Bridge replacement project. An EIR could offer an alternative to the current bridge design plan - one that costs less money, keeps public access to the creek on public property, uses no pesticides to remove all the blackberries, keeps the perennial creek designation, does not clear-cut trees south of the bridge and protects native species.

The Cascade Canyon area is a beautiful environmental treasure we should continue to be good stewards for. It is host to Northern Spotted Owls, Yellow-Legged Frogs, Steelhead Trout, California Gray Foxes, Mountain Lions and California Black-tail Deer. The perennial stream running through it connects watersheds and is an essential contribution to the health of Marin County waterways.

As you may know, Trump's EPA & Corps of Engineers are in the middle of dropping Federal Clean Water Act protections from intermittent streams. This means our local creeks will lose Clean Water Act protections if this change in designation goes through. We need to push for an EIR before it's too late.

As a town, you can move to steward the area more responsibly through the appropriate use of an EIR. This will offer a truer overview of what kind of design would support the wildlife and watershed of this area. Not to mention a design that matches more to the understated aesthetic of the surrounding homes.

In my opinion, the current design is too expensive, too extensive in scale and doesn't match the style of the houses in the surrounding area. Additionally, I have reasonable concerns that even the consideration of this bridge design as appropriate for the Cascade area creates red flags. Why so big? Why so expensive? Why is the Town of Fairfax even behind such a project like this - one that is clearly an inappropriate match on so many levels to this area?

Thank you in advance for taking my concerns into serious consideration.

Sincerely,

Kirstin Asher

May 5th, 2020

Rocca Dr
Fairfax, Ca 94930

From: LAURA CHARITON <l
Sent: Tuesday, May 05, 2020 11:12 PM
To: 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>; Michele Gardner <mgardner@townoffairfax.org>; clerk@townoffairfax.org
Cc: Judy Schriebman <judy@leapfrogproductions.com>
Subject: Comments Meadow Way Bridge Mitigated Negative Declaration

Dear Council members;

Please find attached comments on the Meadow Way Bridge Mitigated Negative Declaration.

Thank you for your consideration.

Laura Chariton, MA Riparian Policy and Restoration, President, Watershed Alliance of Marin

watermarin.org **(501) C3**

Panoramic Hwy. Mill Valley, CA 94941

WATERSHED
ALLIANCE OF MARIN

May 5, 2020

Mayor Goddard, Bruce Ackerman, Barbara Coler, Stephanie Hellman and John Reed
Fairfax Town Council
142 Bolinas Road
Fairfax, CA 94930
rgoddard@townoffairfax.org, backerman@townoffairfax.org, bcoler@townoffairfax.org,shellman@townoffairfax.org, jreed@townoffairfax.org, mgardner@townoffairfax.org

RE: Request for an Environmental Impact Report (EIR) for the Meadow Way Bridge replacement project and channelization of San Anselmo Creek

Dear Mayor Goddard and members of the Fairfax town council, Bruce Ackerman, Barbara Coler, Stephanie Hellman and John Reed:

The Watershed Alliance of Marin (WAM), appreciates the opportunity to comment on the Meadow Way Bridge project. WAM is a public benefit non-profit corporation organized in 2014 that promotes informed watershed stewardship in Marin County, with a specific focus on restoring and protecting imperiled fish and wildlife, including Central California Coastal steelhead trout species protected under the Endangered Species Act. After careful review of the Project of the San Anselmo Creek at Meadow Way Bridge, the location, report inaccuracies and significant environmental constraints found, we request the Town of Fairfax require an Environmental Impact Report.

The Initial Study prepared for this Project is deficient because it understates or overlooks potentially significant Project impacts. It presumes there are steelhead in the Meadow Way reach when there is evidence that there are steelhead there. There are many factors and immitigable issues that are not addressed in the Initial Study. Accordingly, the Town may not approve the Initial Study and Mitigated Negative Declaration. Based on this Project's potential for causing significant environmental impacts, an Environmental Impact Report ("EIR") must be prepared, as discussed below.

We echo the concerns expressed in the letter from Sierra Club Marin Group to the Fairfax Town Council on this topic.

We appreciate the need to move forward with a publicly safe vehicle and pedestrian bridge. However, our local knowledge, creek surveying, research and experience finds that the environmental assessment "Initial Study" falls short of best practices and fails the accuracy test at its foundation. Those inaccuracies put the entire Mitigated Negative Declaration (MND) conclusion from the Initial Study into question because proper scientific research was not conducted.

Bridge designs for creek crossings that contain threatened and endangered salmonids usually include allowing creek migration and stay away from extreme bank hardening that contributes to creating concentration of flow velocities that adversely impact young and eggs of steelhead. Therefore, the bridge design bulkheads located within the creek are an issue and a variety of alternative bridge designs should be considered. 100-year flood events are occurring within 10-year periods or less because of climate

change. Therefore, the bridge design needs rethinking to support the meander and potential increased velocity from constriction and peak storm events.

In a comprehensive biological survey, San Anselmo Creek is considered: "The Corte Madera Creek watershed historically supported steelhead runs and continues to support *O. Mykiss* populations in its main stem and in various tributaries. The most important Corte Madera Creek tributary in terms of salmonid production appears to be San Anselmo Creek."[1]

The creek corridor is itself a wildlife corridor used by multiple species including listed threatened species of steelhead. Any project impacting wildlife needs to be studied thoroughly. Dangerous invasive New Zealand Mud Snails that wipe out local macroinvertebrates a primary food for salmonids are already invading many of Eastern Marin County streams. Humans and equipment coming from other areas can exacerbate the spread without new BMPs employed as recommended by US Fish and Wildlife Service and California Department of Fish and Wildlife.[2]

Contrary to statements in the MND:

- The Meadow Way reach of San Anselmo creek is officially a perennial creek and not an intermittent creek as stated in the Initial Study and MND. Attached are multiple maps and definitions that verify this perennial creek status including those provided in the Sierra Club letter, USGS, National Wetlands Inventory, U.S. Geological Survey, Marin County Watershed Program, National Marine Fisheries Service (NMFS), EcoAtlas, CEMAR, Fisheries Biologist Alice Rich, etc. (multiple examples below in Attachments 1-5). The following definitions are pertinent:
    - **Stream, Perennial**. A watercourse that flows throughout the year (except for infrequent or extended periods of drought), although surface water flow may be temporarily discontinuous in some reaches of the channel, such as between pools, typically shown as a solid blue line on USGS quadrangle maps. (Perennial streams can be spatially intermittent but flow all year.) *Marin Countywide Plan Glossary Page 5-54 (*See Attachment 1)
    - **Stream, Intermittent**. A watercourse that is temporally intermittent or seasonal and that flows during the wet season, continues to flow after the period of precipitation, and ceases surface flow during at least part of the dry season. Intermittent streams are typically shown as a dashed blue line on USGS quadrangle maps. *Marin Countywide Plan Glossary Page 5-54*
    - Perennial Stream Field Identification Protocol, May 2003 http://newsletters.wetlandstudies.com/docUpload/PerennialStreamFieldIDProtocol.pdf

- Steelhead (O. Mykiss) are present in the perennial Meadow Way reach of creek.[3] Evidence is extensive and includes: California Department of Fish and Wildlife's (CDFW) 2009 San

[1] *Leidy, R.A., G.S. Becker, B.N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (Oncorhynchus mykiss) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, CA. http://www.cemar.org/pdf/marin.pdf - Pages 168-169*

[2] https://www.fws.gov/columbiariver/ans/factsheets/mudsnail.pdf
file:///Desktop/NZMS%20Final%20Report%2003.pdf

[3] *Leidy, R.A., G.S. Becker, B.N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (Oncorhynchus mykiss) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, CA.*

Anselmo Creek Study, numerous sightings by residents including photographs, Marin County Watersheds program, etc.

- The Biological Opinion from NMFS states:
  "2.4.2 Status of CCC Steelhead and Critical Habitat in the Action Area Surveys have consistently documented steelhead in San Anselmo Creek since 1960 (Rich 2000, Leidy et al. 2005a). Habitat conditions in the action area likely support adult steelhead spawning and egg incubation. Although stream flows are low in the action area during the dry season, perennial flow in most years supports summer and fall juvenile steelhead rearing." (Correspondence, July 8, 2019, between Thomas Holstein Environmental Branch Chief Caltrans D4 Office of Local Assistance and National Marine Fisheries Service, Alecia Van Atta, Assistant Regional Administrator California Coastal Office) provided in MND packet.
  - Re: Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for Seismic Retrofit, Replacement, and Preventative Maintenance Activities at Three Bridges within the Town of Fairfax in Marin County, California (STPL-5277 [025]) (STPL-5277[026]) (STPL-5277[027])
- In the Project biological opinion, NMFS concludes "the proposed bridge projects are not likely to jeopardize the continued existence of threatened CCC steelhead, nor are the projects likely to result in the destruction or adverse modification of its critical habitat. However, NMFS anticipates take of CCC steelhead will occur during construction activities as juvenile steelhead are likely to be present during dewatering of the work sites for project implementation." *(Letter from July 18, 2019 National Marine Fisheries Service, Alecia Van Atta, Assistant Regional Administrator California Coastal Office)*
- The important survey *2009 San Anselmo Creek Watershed Assessment by California Department of Fish and Wildlife* direct reporting on the steelhead presence was not included in the MND.
- Light pollution on the creek: The design of the lighting system proves that the review consulting firm is wholly unaware of the fact that any "over stream" lighting will have multiple impacts and increase mortality to steelhead, other salmonids and wildlife making predator hunting easier. Impacts to salmonid biology are also known. Bats are also impacted. This issue needs thorough study because of significant impacts to the environment before any implementation. It further indicates the need for a full EIR.[4]
- There are Endangered Species Act (ESA) and California ESA listed Northern Spotted Owls (*Strix occidentalis*) (NSO) using the Meadow Way reach of creek. Other potentially impacted bird special status species include Allen's hummingbird (*Selasphorus sasin*) and olive-sided flycatcher (*Contopus cooperi*). While the report states: "This species [NSO] has been documented to nest in dense forest approximately 0.28 miles southwest of the project site. No nesting habitat is present in the project site." Yet, Frank Egger, adjacent 57-year resident states: "There is a known Northern Spotted Owl nest in a Redwood tree between 700 and 800 feet from the project area of the Meadow Way Bridge."
- NSO are known to be affected by noise to the point of flushing them from areas, impacts to hunting and causing nest abandonment. The proximity of the project and the construction level noise would need to be studied in an EIR. "The estimated harassment distance resulting from the analysis of any particular project conditions requires careful interpretation. Although seemingly precise, the reported distance represents a reasonable approximation of the distance wherein "the

[4] *Perkin, E. K., F. Holker, J. S. Richardson, J. P. Sadler, C. Wolter, and K. Tockner. 2011. The influence of artificial light on stream and riparian ecosystems: questions, challenges, and perspectives. Ecosphere 2(11):122. doi:10.1890/ ES11-00241.1* "In the presence of artificial light near a waterbody, terrestrial insects could become an even more important food source for fish. On the other hand, juvenile and other vulnerable fish might retreat to overhangs and reduce foraging efforts in order to avoid predation (Nightingale et al. 2006; Fig. 4B)."

likelihood of injury" occurs, as supported by currently available data. *U.S. Fish and Wildlife Service "NSO Harassment Guidance."* [5] "Do not exceed 86 dBA at 50 feet from the job site activities from 9 p.m. to 6 a.m." Additionally, jackhammering exceeds the 86dBA decibel measurements listing in the NSO Harassment Guidance impact report where NSO would be adversely impacted. The way sound carries needs study.[6]

- Local residents believe that endangered Yellow Legged Frogs upstream near the Meadow Way reach of creek could be impacted by the project. This would require further study and inclusion.
- We have not found mention in the MND and best practices protocols for treating invasive New Zealand Mud Snail introduction and spread into the creek by workers, contractors or equipment and no treatment is indicated. New Zealand Mud Snails wipe out local macro-invertebrates and wipe out food source for steelhead and aquatic life. These BMPs are not mentioned and need to be considered in the project.
- Removal of riparian vegetation has the potential to cause harm to the creek banks, causing excessive erosion and sediment release during vulnerable spawning and rearing season.
- Friends of Corte Madera Creek have surveyed and identified steelhead in the Meadow Way reach of San Anselmo Creek.
- Wildlife corridor impact: Concerns have been raised by local residents that Mountain Lion and other predators' usage of the area that will be impacted by the project. *Humans Are "Driving Other Mammals to Become More Nocturnal: The shift could change which prey animals hunt or make it harder to find food"* [7]
- We also have concerns about the length of time that would be required to implement the project which is projected to be two years.

Several scientific reports have been conducted by NMFS (2016 Multispecies recovery plan (Corte Madera Creek), San Anselmo Creek 2009 Watershed Assessment by CDFW Published in 2013 (Attachment 6) Friends of Corte Madera Creek Studies. All those studies should have been considered in the MND because they contain valuable evidence of the state of the creek of the greater watershed and the specific location of the Meadow Way Bridge.

Droughts and flood make incidental takes of steelhead impactful to the population's survival and these are ongoing and increasing threats to survival of California Central Coast steelhead (CCC).[8] The current 2020 precipitation is significantly below normal and will further impact CCC steelhead populations.

[5] U.S. Fish and Wildlife Service NSO noise harassment study.
https://www.fws.gov/arcata/es/birds/MM/documents/MAMU-NSO%20Harassment%20Guidance%20NW%20CA%202006Jul31.pdf

[6] **High:** Typically 81-90 dB, and would include medium- and large-sized construction equipment, such as backhoes, front end loaders, large pumps and generators, road graders, dozers, dump trucks, drill rigs, and other moderate to large diesel engines. Would include high speed highway traffic including RVs, large trucks and buses, large street legal and trail (not racing) motorcycles. Also includes power saws, large chainsaws, pneumatic drills and impact wrenches, and large gasoline-powered tools. **Very High:** Typically 91-100 dB, and is generally characterized by impacting devices, jackhammers, racing or Enduro-type motorcycles, compression ("jake") brakes on large trucks, and trains. This category includes both vibratory and impact pile drivers (smaller steel or wood piles) such as used to install piles and guard rails, and large pneumatic tools such as chipping machines. It may also include largest diesel and gasoline engines, especially if in concert with other impacting devices. Felling of large trees (defined as dominant or subdominant trees in mature forests), truck horns, yarding tower whistles, and muffled or underground explosives are also included.

[7] https://www.scientificamerican.com/article/humans-are-driving-other-mammals-to-become-more-nocturnal/
[8] https://www.fisheries.noaa.gov/resource/document/final-coastal-multispecies-recovery-plan-california-coastal-chinook-salmon Pages 116-593.

Recent years have also had massive flooding and drought events – several of them in the past 15 years. An EIR would consider specific climate change issues as they relate to the project.

> Based on this information, NMFS concludes the CCC steelhead populations in Corte Madera Creek and Novato Creek, followed by the populations in Alameda Creek and Pilarcitos Creek are at most risk from Climate Change. *Coastal Multispecies Recovery Plan (Volume V of V) Volume V. Appendix B October 2016*

Friends of Corte Madera Creek funded an electrofishing survey of San Anselmo Creek that occurred in September and October 1999. A total of 97 *O. mykiss* (43-198 mm FL) were found at 12 of 24 sites that represented 216 meters of stream sampled. Sixty-seven of the *O. mykiss* were found in the headwaters at three sites (a combined 18.3 meters of sampled reach) above the confluence with Cascade Creek (Rich 1999). Five juvenile O. mykiss (75-90 mm FL) were observed in a shallow isolated pool just upstream from the bridge on Meadow Way in July 2003 (Harvey 2003). This comports with later surveys.

> **Assessment:**
> The Corte Madera Creek watershed historically supported steelhead runs and continues to support *O. mykiss* populations in its main stem and in various tributaries. The most important Corte Madera Creek tributary in terms of salmonid production appears to be San Anselmo Creek. In 1960, DFG determined that San Anselmo Creek contained much of the spawning and rearing habitat in the Corte Madera Creek watershed (Allen 1960d). Abundance estimates reported by DFG in 1969 suggested that San Anselmo Creek supported about 75 percent of the juvenile O. mykiss believed to occur in the drainage (Jones 1969). Other tributaries with steelhead populations are Ross, Sleepy Hollow and Cascade Creeks. Sampling within the last ten years consistently indicates multiple *O. mykiss* age classes in the Corte Madera Creek watershed, suggesting good natural propagation. This drainage appears to have considerable ecological importance to Marin County and to the San Francisco Estuary in general for its ability to contribute regionally to steelhead numbers. Efforts to improve fish passage in the Corte Madera Creek channel would allow in-migration to suitable spawning and rearing habitat in Corte Madera Creek tributaries.
> Page 168-169 *Leidy, R.A., G.S. Becker, B.N. Harvey. 2005. Historical distribution and current status of steelhead/rainbow trout (Oncorhynchus mykiss) in streams of the San Francisco Estuary, California. Center for Ecosystem Management and Restoration, Oakland, CA.*[9]

From the Biological Assessment:
2.5.5. 2 *Impaired Habitat Conditions from In-channel Structures*

> These constraints have the potential to result in poor habitat complexity, including poor cover and poor refugia. However, while habitat limitations do exist in the action area, current conditions are not so severe that steelhead use is likely significantly impaired – riparian cover, substrate, channel complexity, passage conditions, and water quality support steelhead use of the action area.
>
> Replacement of the Meadow Way Bridge with a new bridge in the same location as the existing bridge, and repair of the Creek Road and Canyon Road bridges has the potential to perpetuate bridge-related constraints in the action area. The repaired bridges will persist and contain in-bank abutments and scour protection. Such features have the potential to reduce or prevent floodplain

9 http://www.cemar.org/pdf/marin.pdf

> connectivity and channel functions that form and maintain physical habitat conditions. These features may also impair water quality, fish prey species, reduce natural cover, and create obstructions to migration. Such impairments have the potential to degrade PBFs of critical habitat for CCC steelhead. *Endangered Species Act (ESA) Section 7(a)(2) Biological Opinion for Creek Road, Meadow Way, and Canyon Road Bridge Projects in Fairfax, California Page 34*

"'[T]he lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency **shall treat the effect as significant and shall prepare an EIR** [emphasis ours].'" *Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, 729 (*quoting* Guidelines § 15064(g)). Thus, if the initial study or proposed mitigated negative declaration and public comment thereon indicate that there is substantial evidence that one or more significant environmental impacts may occur, then the lead agency **must prepare an EIR** [emphasis ours] to analyze those effects and study feasible alternatives and mitigations to reduce or avoid those effects while still achieving most of the basic objectives. Public Resources Code §§ 21002, 21002.1, 21061; Guidelines §§ 15080-15096, 15120-15132, 15160- 15170.

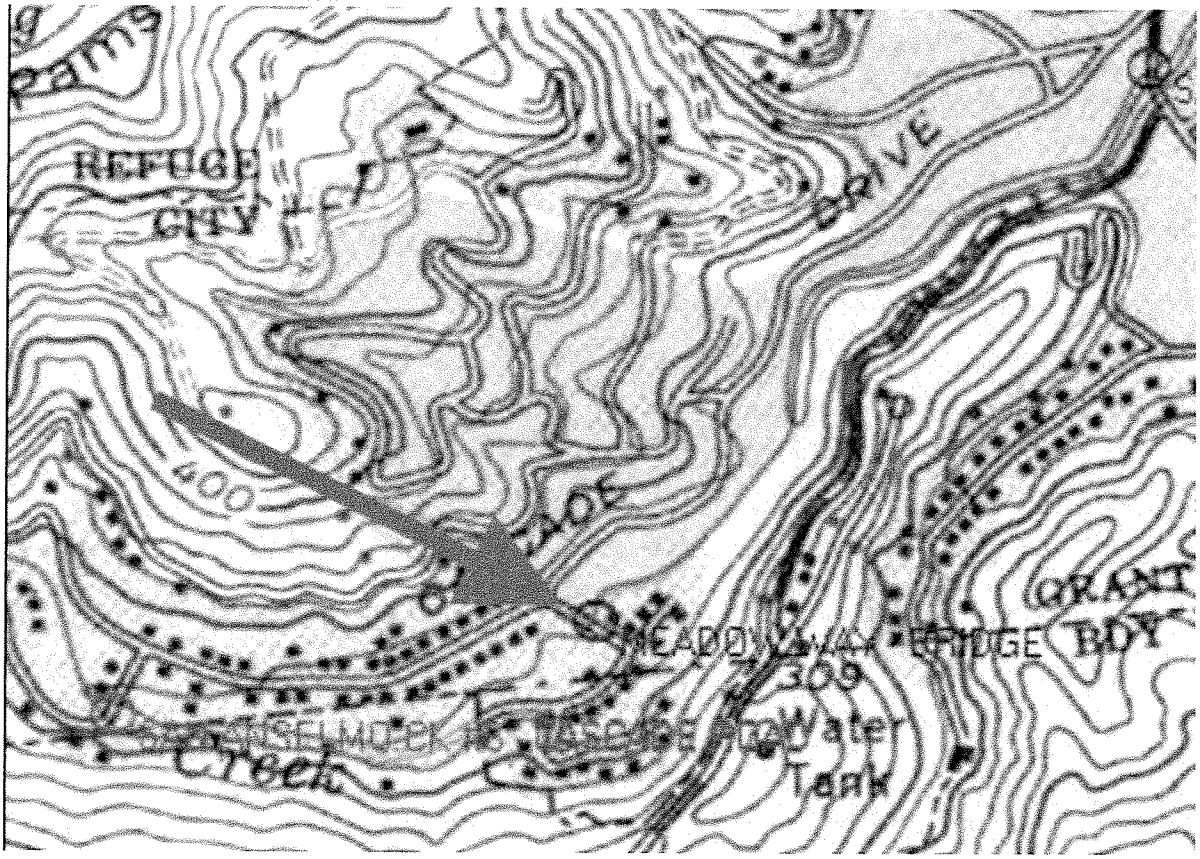
Here, the informed public comment summarized below as well as the Town's own, albeit deficient, Initial Study show that the Project may have a significant effect on the environment. Therefore, an EIR must be prepared.

Sincerely,

Laura Chariton, MA Riparian Policy and Environmental Restoration, President, Watershed Alliance of Marin

ATTACHMENT 1

US QUADRANGLE DETAIL SHOWS SAN ANSELMO CREEK AT MEADOW WAY BRIDGE TO BE A PERENNIAL CREEK.

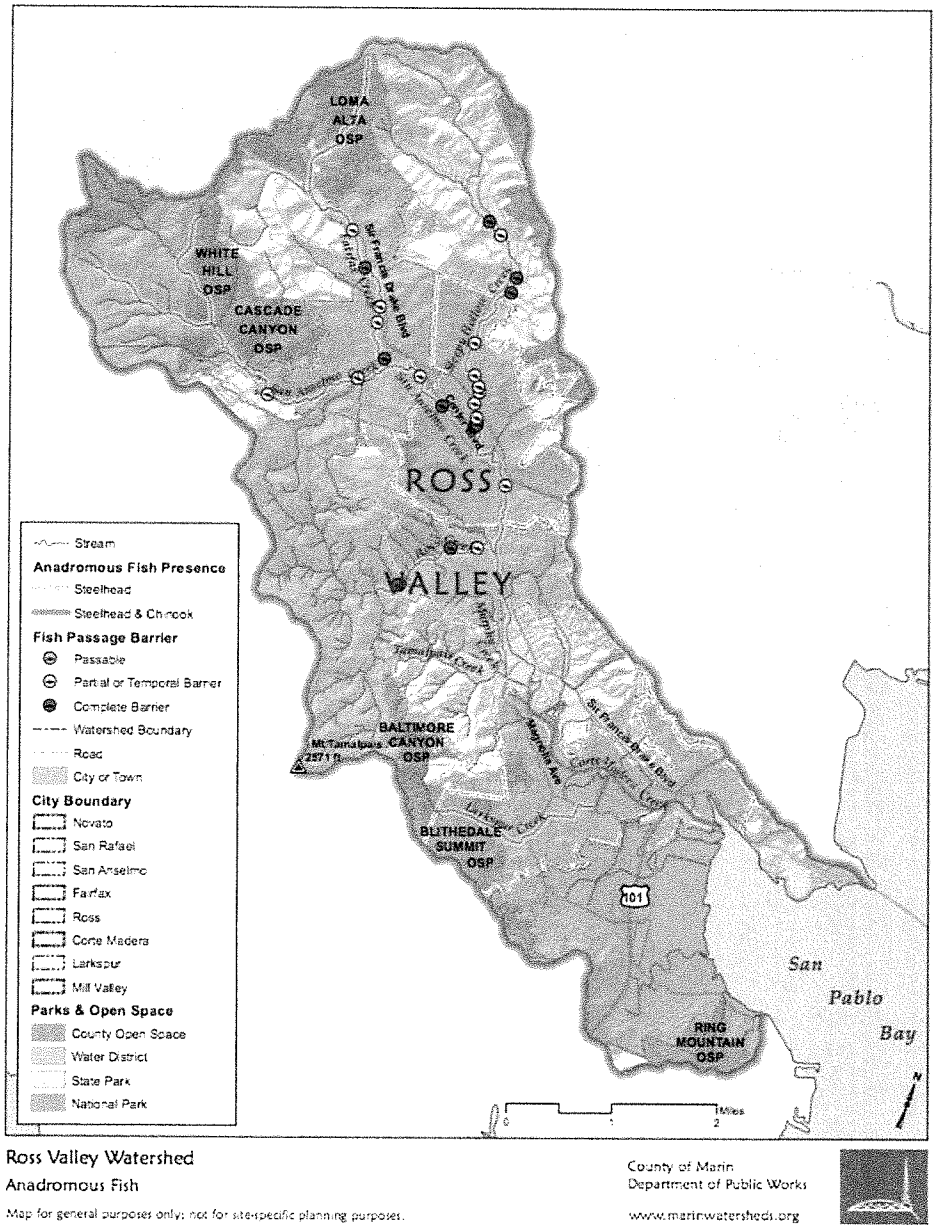


USGS Map on study by Ross Taylor and Associates for Creek Crossings: Client, Friends of Corte Madera Creek. 2003[10]

[10] https://friendsofcortemaderacreek.org/new_site/wp-content/uploads/StreamXingCatalogFAIRFAXCK.pdf

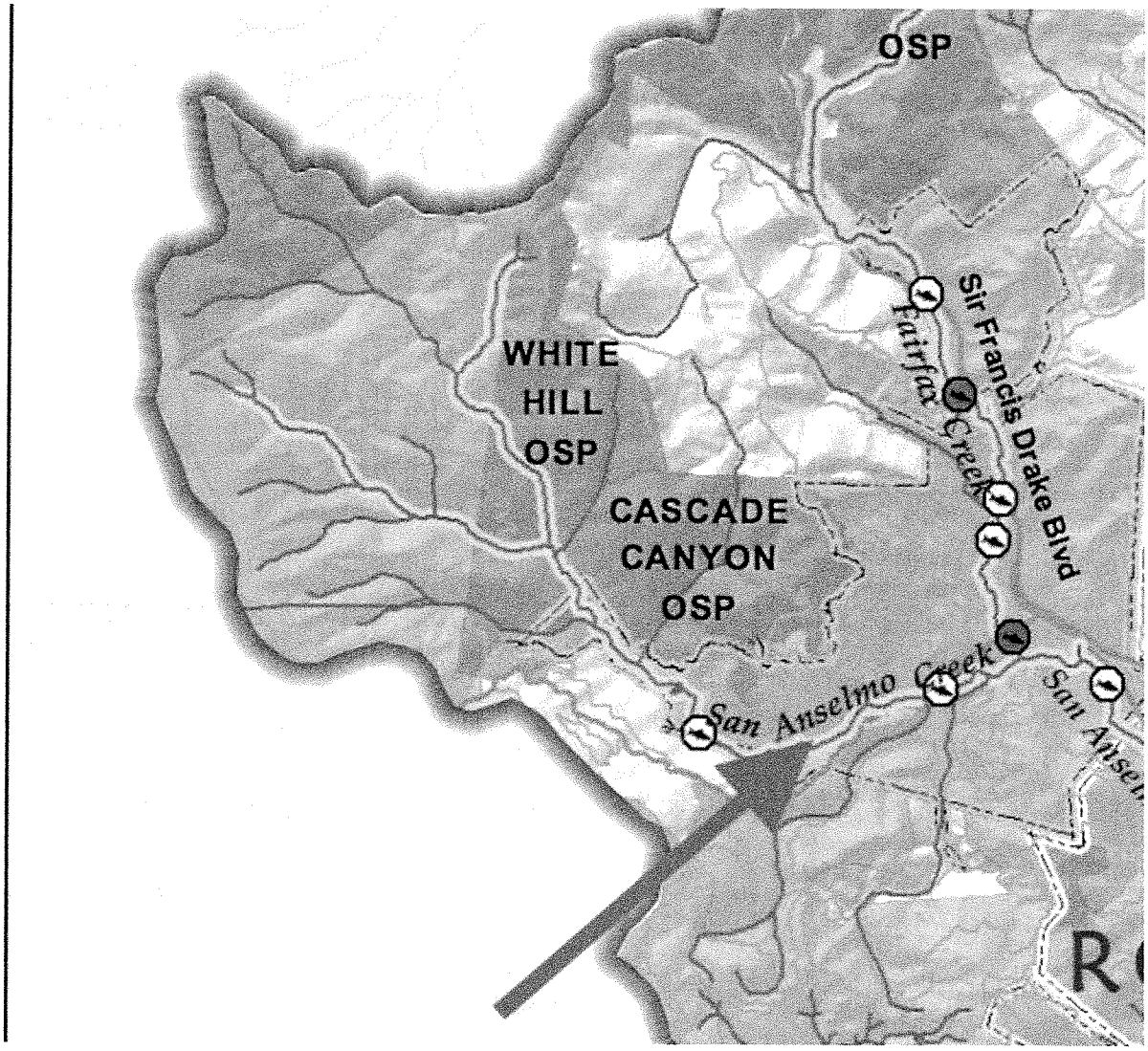
ATTACHMENT 2

https://www.marinwatersheds.org/sites/default/files/2017-07/W_RossValley_Fish3.pdf



Watershed

ATTACHMENT 3



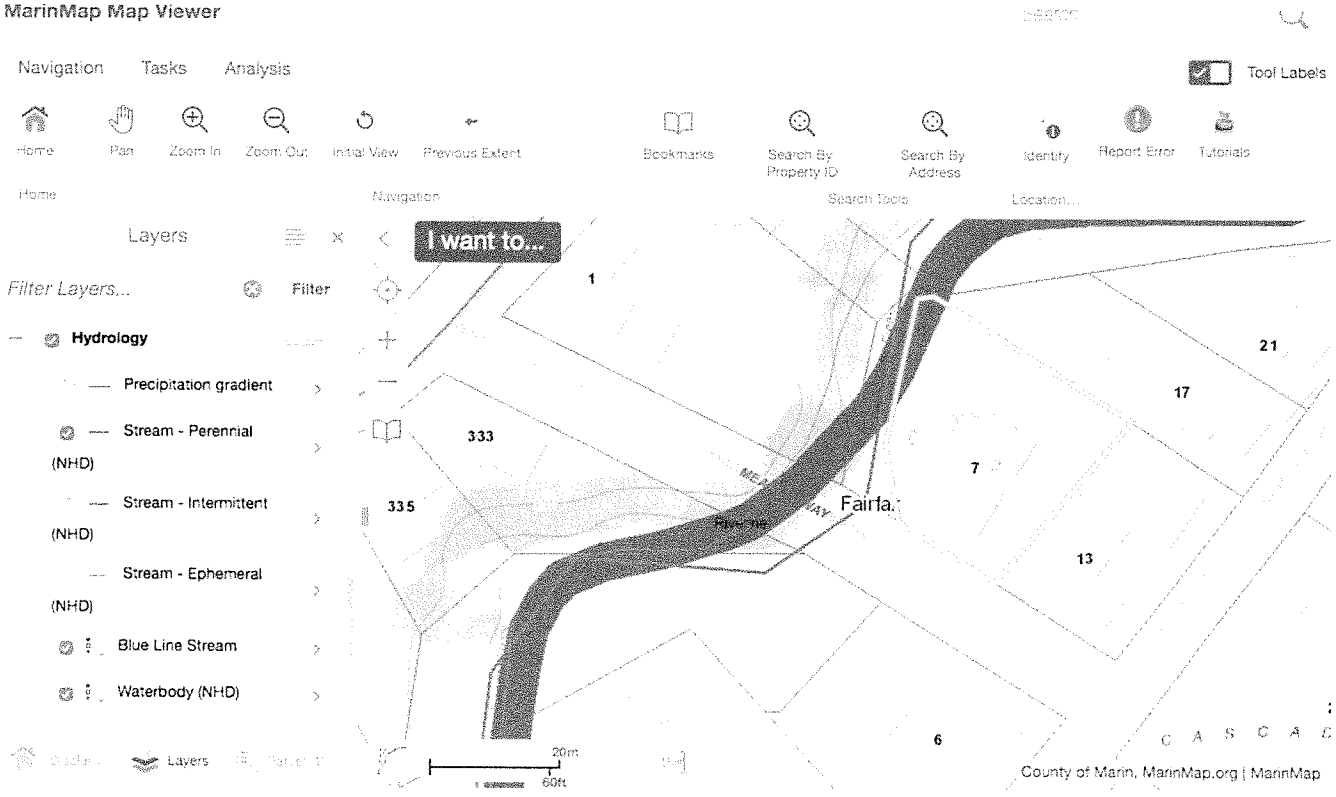
Approximate location of Meadow Way on County map shows full perennial creek that is an important major tributary of the Corte Madera Creek Watershed.

ATTACHMENT 4

Google Maps shows perennial creek.

ATTACHMENT 5

San Anselmo Creek Marin Maps. Shows three GIS data sources: National Wetland Inventory, Marin Maps showing Blue Line Perennial Creek all considered official verifiable sources.



California Department of Fish and Wildlife
East Marin County
San Francisco Bay Watersheds
Stream Habitat Assessment Reports

San Anselmo Creek

Surveyed 2009

Report Completed in 2013

San Anselmo Creek 2009 Watershed Assessment by CDFW
file:///Desktop/CDFW%20Corte%20Madera%20Creek%20Stream%20Habitat%20Assessment%20report.pdf

Following excerpts from California Department of Fish and Wildlife (CDFW) Assessment Corte Madera Creek 2009. This Assessment was taken at the driest time of the year in August.
Page 2
INTRODUCTION
A stream inventory was conducted during 8/18/2009 to 8/25/2009 on San Anselmo Creek. The survey began at the confluence with Corte Madera Creek and extended upstream 6.6 miles. Stream inventories and reports were also completed for five tributaries to San Anselmo Creek (Cascade Creek, Carey Camp Creek, Sleepy Hollow Creek, Deer Park Creek, and Fairfax Creek). The San Anselmo Creek inventory was conducted in two parts: habitat inventory and biological inventory. The objective of the habitat inventory was to document the habitat available to anadromous salmonids in San Anselmo Creek. The objective of the biological inventory was to document the presence and distribution of juvenile salmonid species. The objective of this report is to document the current habitat conditions and recommend options for the potential enhancement of habitat for steelhead trout. Recommendations for habitat improvement activities are based upon target habitat values suitable for salmonids in California's north coast streams.

Page 10
GENERAL RECOMMENDATIONS San Anselmo Creek should be managed as an anadromous, natural production stream. Winter storms often bring down large trees and other woody debris into the stream, which increases the number and quality of pools. This woody debris, if left undisturbed, will provide fish shelter and rearing habitat, and offset channel incision. Landowners should be sensitive about the natural and positive role woody debris plays in the system, and encouraged not to remove woody debris from the stream, except under extreme buildup and only under guidance by a fishery professional.

Page 9
Cobble embeddedness measured to be 25% or less, a rating of 1, is considered to indicate good quality spawning substrate for salmon and steelhead. Sediment sources in San Anselmo Creek should be mapped and rated according to their potential sediment yields, and control measures should be taken.
Forty-seven of the 58 pool tail-outs measured had gravel or small cobble as the dominant substrate. This is generally considered good for spawning salmonids.

Page 17
Surveys Upstream of Meadow Way Bridge.

Position (ft) Habitat Unit # Comments
20,910 0226.00 Bridge #24 is made of wood on Meadow Way. The width is 66 ft, the height is 19 ft, and the length is 14 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids. 20,924 0227.00 There is a utility crossing 1412 ft into the unit.

23,042 0228.00 Dam #5 is not a flashboard dam. The length is 54 ft, the height is not applicable, and the entire width is 27 ft. Down cutting was occurring, and the height of the downcut was 6.2 ft. The dam is not a barrier to salmonids.

23,042 0228.00 Bridge #25 is made of cement on Canyon Road. The width is 27 ft, the height is 11 ft, and the length is 15 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

23,096 0229.00 There is a utility crossing 1856 ft into the unit.

23,096 0229.00 Tributary #7 on the left bank is dry, unnamed tributary enters San Anselmo Creek. The discharge is 0 cfs. Downstream, upstream, and the tributary are dry. It is accessible to fish (we checked 93 ft up the tributary). The slope was measured at 2.9% using a hand level. No fish were observed while we were San Anselmo Creek 2009 18 Position (ft.) Habitat Unit # Comments there.

25,909 0230.00 Bridge #26 is a private footbridge made of wood. The width is 26 ft, the height is 9 ft, and the length is 4 ft. The water to sill height is 0 ft. It was not retaining gravel or down cutting. The bridge is not a barrier to salmonids.

26,055 0232.00 Bridge #27 is a private driveway made of wood. The width is 25 ft, the height is 9 ft, and the length is 4 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

26,740 0234.00 Bridge #28 is made of natural bottom at the Elliot Nature Preserve ford crossing. The width is 65 ft, the height is 0 ft, and the length is 9 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

27,190 0236.00 Bridge #29 is the Elliot Nature Preserve ford crossing. The width is 88 ft, the height is 0 ft, and the length is 8 ft. The water to sill height is 0 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

27,198 0237.00 Tributary #6 on the right bank is Carey Camp Creek which enters San Anselmo Creek 51 ft into the unit. The discharge is 0 cfs. Downstream, upstream, and the tributary are dry. The tributary is inaccessible to fish due to placed riprap at the mouth. We surveyed the entire tributary. The slope was measured at 29.7% at the mouth using a hand level. Fish were observed upstream during the survey.

27,371 0238.00 Bridge #30 is the Elliot Nature Preserve ford crossing. The width is 36 ft, the height is 0 ft, and the length is 7 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

27,795 0242.00 Bridge #31 is a footpath in the Elliot Nature Preserve made of natural bottom. The width is 37 ft, the height is 0 ft, and the length is 8 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

27,984 0244.00 One possible salmonid young of the year was observed from the bank.

28,181 0249.00 Tributary #8 on the left bank is a dry, unnamed tributary which enters San Anselmo Creek. The discharge is 0 cfs. The water temperature downstream was 63F, the temperature upstream was 63F, and the tributary was dry. It is accessible to fish (we checked 20 ft up the tributary). The slope is estimated to be greater than 10%. Fish (possibly salmonids) were observed while we were there. San Anselmo Creek 2009 19 Position (ft.) Habitat Unit # Comments

28,181 0249.00 One salmonid young of the year and one 6 inch steelhead/rainbow trout were observed from the bank.

28,396 0255.00 Tributary #9 on the left bank is Cascade Creek which enters San Anselmo Creek. The discharge was estimated to be less than 1 cfs, and it contributes 100% of its flow to the stream. The water temperature downstream was 62F, the temperature upstream was 64F, and the tributary was 62F. It is accessible to fish (we checked 120 ft up the tributary). The slope was measured at 4.4% with a hand level. Fish were observed during the full survey. Please see report for further information. The coordinate point of the confluence is: N37.98134 W122.61995.

29,765 0260.00 Bridge #32 is the Nature Preserve footpath ford crossing made of natural bottom. The width is 21 ft, the height is 0 ft, and the length is 5 ft. It was not retaining gravel or down cutting. The bridge is not likely a barrier to salmonids.

31,139 0270.00 Salamanders were observed from the bank.

31,299 0272.00 Tributary #10 on the left bank is a dry, unnamed tributary which enters San Anselmo Creek. The discharge is 0 cfs, and it contributes 0% of its flow to the stream. The water temperature downstream was 58F, and upstream and the tributary were dry. It is inaccessible to fish (we checked 20 ft up the tributary). The slope was estimated to be 45%. No fish were observed while we were there.

31,414 0277.00 Tributary #7 on the right bank is a dry, unnamed tributary which enters San Anselmo Creek 190 ft into the unit. The discharge is 0 cfs. Upstream, downstream, and the tributary were dry. It is inaccessible to fish (we checked 30 ft up the tributary). The slope was estimated at 26%. No fish were observed while we were there.

32,867 0289.00 Tributary #8 on the right bank is an unnamed tributary which enters San Anselmo Creek. The discharge is estimated to be less than 1 cfs, and it contributes 100% of its flow to the stream. The water temperature downstream was 61F, upstream was dry, and the tributary was 60F. It is inaccessible to fish (we checked 44 ft up the tributary). The slope was estimated at 15%. No fish were observed while we were there.

33,306 0298.00 Tributary #9 on the right bank is a dry, unnamed tributary which enters San Anselmo Creek. The discharge is 0 cfs. The water temperature downstream was 60F, the temperature upstream is unknown, and the tributary was dry. It is inaccessible to fish (we checked 15 ft up the tributary). The slope was estimated at 38%. No fish were observed while we were there.

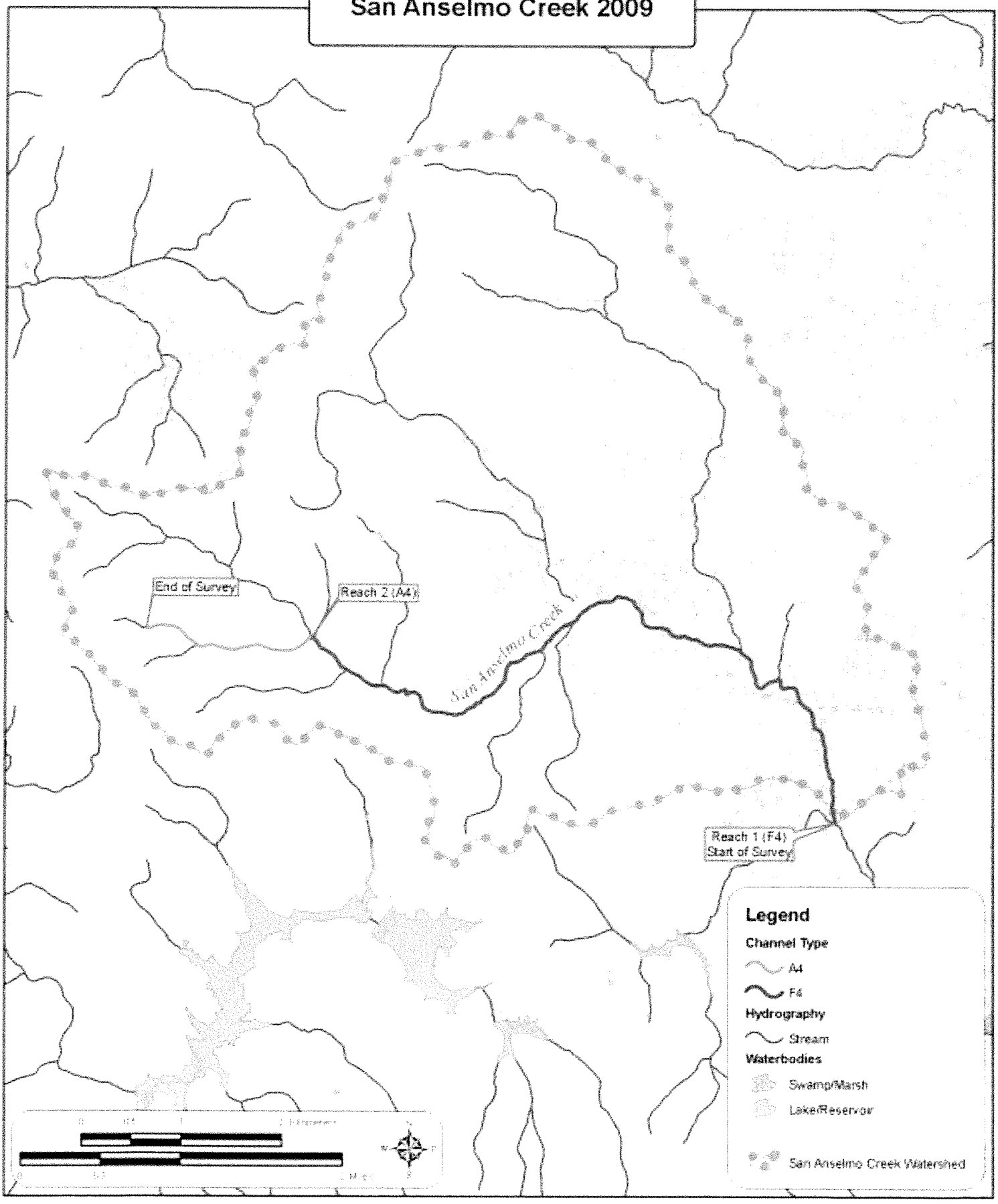
33,342 0300.00 There is a 12 foot vertical drop at the top of the unit.

33,625 0305.00 Tributary #11 on the left bank is a dry, unnamed tributary which enters San Anselmo Creek. The discharge is 0 cfs. Downstream, upstream, and the tributary were dry. It is inaccessible to fish (we checked 10 ft up the tributary). The slope was estimated at 42%. No fish were observed while we were there.

34,019 0306.00 Tributary #12 on the left bank is a dry, unnamed tributary which enters San Anselmo Creek. The discharge is 0 cfs. Downstream, upstream, and the tributary were dry. It is inaccessible to fish (we checked 10 ft up the tributary). The slope was estimated at 40%. No fish were observed while we were there.

San Anselmo Creek Surveys: 2009 CDFW

San Anselmo Creek 2009



From: Denise Ferry <
Sent: Wednesday, May 06, 2020 5:54 AM
To: 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>; Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

How does this look:

Dear Fairfax Town Council,

Please reject the proposed Mitigated Negative Declaration that redefines San Anselmo Creek as an intermittent stream; and instead require a real Environmental Impact Report (EIR) for the proposed Meadow Way Bridge replacement project.

The EPA & Corps of Engineers are now dropping Federal Clean Water Act protections from intermittent streams, which means San Anselmo Creek will lose Clean Water Act protections if it is redefined.

An EIR could offer an alternative bridge that costs less money, keeps public access to the creek on public property and keeps the perennial creek designation.

The proposed cost of the bridge of between $3M - $4M is also wildly out of proportion to the need of this situation. I understand that if the bridge must be replaced there is at least one alternative that would be closer to $500. This alternative should be explored. Such a bridge would be more in line with the scale of financial projects our town usually undertakes. We should be focusing on the unknown, but undoubted dire, impact the current global economic disaster is going to have on our town financial health.

Regards,

Denise Ferry

Laurel Drive

From: Tom Facts <
Sent: Wednesday, May 06, 2020 9:26 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: New bridge Meadow Way, Fairfax CA, Fairfax Town Council Meeting, May 6, 2020

From Tom & Michele, Meadow Way

Please submit this email for Fairfax Town Council Meeting, May 6, 2020

Regarding the old bridge replacement on Meadow Way, Fairfax CA:

As Michele and I read through all the emails from concerned neighbors living on Meadow Way, we noticed everyone talking about how the bridge, being our only in and out access for Meadow Way, significantly affects the safety of the our homes and families, but there was one key point that Michele and I thought was missing and should be pointed out to the town of Fairfax. It's not just Meadow Way that is made unsafe; it's the entire Cascade Canyon and even the downtown area of Fairfax. It was not to long ago, when we purchased our property, that the fire department said the bridge was unsafe and the fire trucks would not drive over the bridge. It was later patched, but if the bridge were to fail again before construction begins, and a house fire started during the fire season, the fire equipment needed to fight a house fire would be cutoff. Everyone, every tree, and every animal connected to this canyon could have his or her final fate determined by which way the wind blows that day... literally. This may seem like a low probability event but every year we wait to rebuild the bridge an increased probability will exist.

The things that I think, we've all been made aware during the new Coronavirus, is that even though some government official's thought the pandemic was a low probability event, not preparing for the worst can put all of us in a very uncomfortable, and/or deadly situation. Also, the change in climate, and the devastating fires over the last 2 years in Northern California have significantly changed our outlook on the possibility of a fire in the town of Fairfax. However, during this crisis we are reminded daily, of the one thing that has not changed in this world, is that all of our lives can be endangered by one self-serving ego with a personal agenda, and a disregard for the publics safety, and the public's time and money's wasted.

I realize that some of what I've said may have been obvious to some of you, but sometimes the obvious has to be repeated in the Fairfax town council meeting because there will always be one person trying to distract everyone by talking louder, longer and/or waving their arms to distract and push his personal agenda regardless of the facts. I hope the town council can see that the fate of the town of Fairfax, and ours, may be set by which way the wind blows, or maybe... by which way the vote goes.

Why tempt fate? Don't delay, build the new bridge now.

Tom & Michele,

40 Meadow.

PS We have a friend who rented a home here in Fairfax. A few years ago the clothes drier caught on fire. That is an example of a house-fire, and low probability event that did happen here in Fairfax. Thankfully, nobody was hurt, only a portion of the house was lost and rebuilt, but in this case the fire department was able to safely access the home and put out the fire.

-----Original Message-----
From: Michele Johnston
Sent: Wednesday, May 06, 2020 9:54 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Agenda: Meadow Way Bridge for May 5, 2020 Town Council Meeting

Hello Michele,

Regarding bridge construction for the new bridge at Meadow Way:

As a resident of Meadow Way, I also agree with Alexander Binik who lives at Meadow Way, AND the vast majority of citizens who approved this measure YEARS AGO, that there should be NO FURTHER DELAY to begin bridge construction, for obvious Health & Safety reasons!!

Firemen need to be able to access, defend and prevent fires along Meadow Way with their "big trucks" and currently, even with the makeshift bandaid repairs they are unable to do so. With all these beautiful trees, heaven knows that if a fire breaks out in this canyon, they're going to need the "big trucks", for their sake and for the sake of the moms and dads, schoolteachers, doctors, dentists, brothers and sisters, police officers, grandparents, newborns, and ALL the people who live on BOTH sides of the creek.

How long are we going to allow Mr. Edgar's interference to ENDANGER the lives of EVERYONE who lives in Cascade Canyon, and quite possibly all of Fairfax, when you consider the magnitude of destruction that overtook our neighboring towns and cities to the north and south of us not too long ago?!! Does there need to be an actual fire in the Canyon? A loss of a Home? A Life? Will he be personally liable if this happens??

Mr. Edgar's Facebook propaganda is also attempting to incite panic reactions in Ross and San Anselmo by suggesting that a cement bridge would cause flooding in our sister towns, which is COMPLETE bullsh*t, quite frankly.

There are no spotted owls nesting near the creek, no salmon, and bay trees are killing the forests; Let's be the town who's brave enough to call a spade a spade, finally stand up to the bully; move forward with bridge construction without further delay, and ensure the health and safety of our unique and irreplaceable community!!!

Thank you for time and much appreciated commitment to our Town.

Michele

From: Connie Breeze <
Sent: Wednesday, May 06, 2020 11:51 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: For Town Council - May 6 2020 Meeting, Agenda item 13, Meadow Way Bridge Replacement Project

Dear Fairfax Town Council,

We have been Meadow Way residents for 32 years. We have always loved our good ol' bridge. We also know that it needs to be replaced as soon as possible. We all live under growing threat of wildfire, and Meadow Way is in severe danger. Until our aged wooden bridge with its wooden supports is replaced, everyone on our street is in danger of being cut off from help and losing our homes. Fire trucks need to get in, and everyone needs to be able to get out. Delay is dangerous, so please get the bridge replacement going ASAP.

Sincerely,
Joe Breeze
Connie Breeze
Meadow Way, Fairfax

Fairfax Council Meeting, May 6, 2020

Dear staff and council, my name is Diana Perdue & I live on Scenic Road.
My concern is the bridge project on Meadow Way. Several years ago when this enormous project was revealed, I was stunned by its scope. Today I feel no different. The project does not fit the location in any sensible fashion.

I would hope you will spend the extra time to change the Mitigated Negative Declaration report, which as I understand it was prepared by a company chosen by the bridge consultant, to an EIR by an independent. The disruption of the creeks flow, flora and fauna, is a particular concern to me.

As Garrett Toy said in his May 3rd special edition letter to town residents, " the personal choices we make will determine the path, the pace and the process by which we emerge from this. We have to remember that each of us makes choices each day that have a profound and lasting effect on our community."

Today is one of those days and the consequences of the Meadow Bridge being approved at this juncture without an EIR is reckless.

Please consider this.

Diana

From: Laura Fino <
Sent: Wednesday, May 06, 2020 1:13 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge Replacement Project Support

Dear Fairfax Town Council,

I am writing today to voice my support in moving forward with the current proposal to replace the Meadow Way bridge in Fairfax. We have lived on Meadow Way since 2015 and have experienced 3 situations where the town has needed to make emergency repairs or to come out to fix the Meadow Way bridge.

I understand that the Town Council will be addressing the Meadow Way Replacement Project at todays meeting (May 6th). Additionally, I understand that there is still a continued threat to further delay the project with calls to perform a long and exhaustive EIR study.

I completely disagree with the continued efforts to try and ***further*** delay the new bridge construction. The Meadow Way community was given the opportunity to provide input for the replacement bring and to vote on the proposed options almost 4 years ago (July 2016). The Meadow Way community actively participated to ensure the best course of action was made. And, we have subsequently continued to remain actively informed and involved in the project. I believed that this matter was settled and that our voices were heard.

I ask respectfully of the Council... how much further can we delay? Our present wooden bridge continues to disintegrate, costing Fairfax thousands of dollars for repairs each time. And the need to repair for more costly repairs will most likely be needed before new construction can even begin. State engineers have already deemed our bridge functionally obsolete and CalTrans has already determined that there is critical structural deterioration and rot.

While no one that lives on Meadow Way is looking forward to construction, time and inconvenience... I feel it is time to move forward and bring safe passage to our small community. Additionally, I care deeply about our natural environment and will continue to do my best in sharing my homes with the rightful inhabitants (animals and fauna). While animals and fauna may feel the same stress during the construction period, I am confident that will not leave this beautiful place for good. (The mitigation plans are already in place to prevent that scenario).

Thank you for your consideration and I look forward to tonight's meeting.

Sincerely,
Laura Fino
Meadow Way