Item 13 Meadow Way Bridge Replacement Project

Supplement to Attachment H

Written Public Comments Received
(May 29, 2020 to noon June 2)

6-1-20

Dear Members of the Fairfax Town Council,

I am writing to express my support for moving forward with any and all steps necessary to replace the Meadow Way bridge as soon as possible.

In my Master's work on stream habitat assessment and restoration on Arroyo De Corte Madera in Mill Valley, I focused primarily on water quality impacts from pollution, including sediment and toxic chemicals and focused particularly on aquatic habitat assessment. The Meadow Way bridge is like a "who's who" of some of the worst problems that I observed and documented in my study in terms of ecological problems found in creeks I worked within, but there are many other issues as well. Delaying work on this project will only increase pollution/habitat problems in addition to the increased risks for Cascade Canyon residents that depend on that bridge.

I am particularly concerned about a number of issues, including:

- Toxic creosote leaching into the local environment (especially the water)
- Erosion/scour issues and the corresponding sediment that results that adversely effects water quality and endangered and threatened aquatic species
- The public safety risk this highly degraded structure presents to the more than 70 people that depend on that bridge for ingress and egress daily and esp. in the event of an evacuation or other emergency.
- The substantial water quality risk from the ruptured sewage line and fire risks from ruptured gas lines should the bridge have a catastrophic failure

It's inconceivable to me that anyone that depends on this bridge would be asking for delays in getting it replaced.

I urge you to move forward with replacement of this bridge asap.

Thank you,

Andy Peri
Cypress Dr.

From: Linda Novy ·
Date: May 30, 2020 at 1:46:02 PM PDT
To: Barbara Coler <bcoler@townoffairfax.org>
Subject: FW: Supportive of the Meadow Way bridge project

Dear Council Member,

I'm a 40 year resident of Fairfax, and live along San Anselmo Creek at 611 Cascade Drive. I have heard stories about the steel head that once thrived in the creek all the way along its reach –not just near the upper reach in the Cascade Preserve. About 13 years ago there was a very large steelhead in the pool below my deck – the water in the creek was drying up – and I moved the fish (successfully) to the creek behind the theatre where it jumped out and same off! A very happy day in my life..

I am very excited about the proposed project to redo the Meadow Way Bridge and the excellent opportunity to improve the fish and wildlife habitat in the area there. Whatever we can do to improve fish habitat is critical. Additionally, making repairs to the existing bridge seems important to ensure its reliability for the residents.

I encourage you to vote YES to approve this project.

Sincerely,

Linda

Linda J. Novy & Associates
http://lindajnovyandassociates.com/

c)

Mission - To help property owners understand and apply concepts of sustainability and ecological stewardship to the management of their properties.

Land ethic - "That land is a community is a basic concept of ecology, but that land is to be loved and respected is an extension of ethics. That land yields a cultural harvest is a fact long known but latterly often forgotten."

- Aldo Leopold, *A Sand County Almanac*, 1948

From: Prartho Sereno
Sent: Monday, June 01, 2020 10:27 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Replacing the Meadow Way Bridge ASAP!

Dear Fairfax Town Council,

I am writing to urge the certification of **the MND** so that the replacement Meadow Way Bridge can be built as quickly as possible.

I understand the issue will be taken up this Wednesday, and hope the council will move swiftly on this matter, as I live on the border of Fairfax, with many friends living "on the other side" of the bridge.

Especially at this time, with so many other challenges in the residents lives, I urge you to finalize the hoop-jumping to bring safe crossings to my neighbors.

Sincerely,
Prartho Sereno

journeys to the interior
www.prarthosereno.com

From: Michael Singleton
Date: June 1, 2020 at 2:25:22 PM PDT
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>
Subject: Replace the Meadow Way Bridge now

Dear town council,

We urge you to adopt the Final Study/mitigated negative declaration for the Meadow Way Bridge. Now is certainly not the time to needlessly spend more town funds repeating already adequate and thorough environmental review.

We have walked over this bridge many times a week in the 25 years we have lived in this neighborhood and we know that delaying replacement of this bridge is very dangerous for our friends and neighbors who live on Meadow Way.

We believe that this new bridge as designed and planned and the improved fish habitat restoration will be a great improvement to our neighborhood and we thank you for your consideration.

Paige and Michael Singleton
Cascade Drive
Fairfax

From: Marianne Stefancic
Sent: Sunday, May 31, 2020 6:41 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Certify the MND ASAP!

Please certify the MND so the bridge can be built!
We visit friends right behind the crumbling bridge, and are terrified when crossing it.
This has to be done for the common good.

Thank you for expediting this process,

Marianne and Stal Stefancic

San Rafael

From: Jami Tucker <
Sent: Monday, June 01, 2020 9:10 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Please forward to Council members - Meadow Way Bridge

Honorable Mayor and Town Council Members,

I am writing in support of the replacement of the Meadow Way Bridge in Fairfax.

As you are aware, the bridge is at grave risk for collapse. If that were to happen, more than 70 people in our community would be unable to enter or exit Meadow Way. The results of that collapse would be disastrous. Not only would the attached water, natural gas and sewer pipes will almost certainly rupture, but a firestorm or even an explosion could affect all the people and houses in the Cascades neighborhood.

Other safety concerns are:
• Physical Hazards of Creosote Bridge: CDC toxic substance causing dangerous off gassing, pollution into the waterway and extreme flammability
• Danger associated with a Gas Main under the current bridge: if there were an earthquake and line leaks/breaks due to liquefaction could result in an explosion
• Current bridge is not ADA accessible
• Jason Weber, County Fire Chief "The Fire Department is supportive of the bridge replacement project, the Town is aware of our support to replace the bridge"
• Danger associated with a sewer line under the current bridge: if there were an earthquake and line leaks/breaks due to liquefaction leading to contamination of creek
I am therefore requesting that you certify the MND to ensure the replacement of the Meadow Way Bridge is built as quickly as possible.

Most of the pre-work has been completed. The design meets Caltrans and Federal regulatory requirements AND has grant funding to cover 100% of construction and construction administration costs. The design has been approved by NEPA (National Environmental Policy Act), NOAA (National Oceanic Atmospheric Administration), National Marine Fisheries Service and met CEQA (California Environmental Quality Act) standards. The design includes a new safe and ADA accessible pedestrian lane. With an aging community, this is a critical aspect of the design.

One of the most significant financial risks is if the bridge project must be re-designed or does not get constructed, Fairfax will have to refund the State for the money spent on design. This could be upwards of $800,000!

I thank you for your hard work on this matter and for your dedication to your constituents in the Fairfax community. Please approve the replacement of the Meadow Way Bridge.

--
Best,
Jami Tucker

From: Larry Davidson
Sent: Friday, May 29, 2020 7:32 PM
To: Barbara Coler <bcoler@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Garrett Toy <gtoy@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>; Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

Hoping this finds you all well.

I am outraged but hardly surprised by Frank Egger's last minute tactics over the last two months to stall the bridge project vote.

And by all the people with no stake in this or any knowledge of the history of this project parroting Franks words in a cut and paste manner.

Also especially annoyed by people from San Anselmo and Mill Valley feeling like they somehow have a stake in all of this.

I am writing again to remind you that support for the bridge project is unanimous by the residents of Meadow Way with only Frank and Ronita Egger in opposition.

They seem to completely discount the heavily eroded bank on the entrance side of the bridge and the massively undercut bay tree and also the massively under cut concrete retainer on the opposite side of the creek. If it was to ever break loose in a storm it could batter the center support posts for the bridge into failure and cause major havoc downstream.

There are so many false statements being made to encourage opposition to this project it is hard to know where to start in refuting them.

Frank seems to be the only one who believes that a drop in steel bridge will be funded by Cal-Trans.

That bridge would have to come in multiple pieces. Where on Meadow Way is there room to assemble and store a 23x70 bridge.

The creek is not being channelized, in fact there was a major wood retaining wall which stood for years along the west side bank. By definition the creek is a channel.

The work in the creek is a combination of concrete, rip rap and root wads designed to protect fish and slow the flow of water down.

It is not a three year project, it is a two season project and there is a huge difference between the two.

Frank would have us all believe that there are going to be bulldozers in the creek everyday for three years.

There will be plenty of access to the creek for animals and humans alike.

Invasive species will be replaced with native plants suited for the Creekside habitat.

There is no evidence of any endangered species living in close proximity to the bridge.

Hard to understand why, Frank is raising his objections at the very last minute.

Can only feel that he is desperate to stay relevant and unfortunately is willing to sell out his neighbors so that he can have a platform.

Also he is home working in his office everyday and I believe he doesn't want to have to deal with the construction process.

He wants to stop this project dead in it's tracks which will force the City to continue to spend money on bridge repairs going forward.

In addition to being against the work in the creek he is now adamant that the bridge will not be moved over 7 feet as per the current plan.

He is also now questioning the validity of the City sponsored vote of the residents on Meadow Way in which we were asked to vote on our preference for a new bridge, the majority chose concrete.

I am inclined to think that you want to move this project forward after all the time, effort, discussion, design effort and expense that has gone into it.

Truly hoping that I am correct.

I now have a major worry over funding, as do many of my neighbors. With everything we are going thru right now and The Government spending massive sums of money to prevent uncontrolled chaos and tax revenue plummeting I worry that the funding may disappear.

If this happens the residents of Meadow way and the Town Of Fairfax have a major problem.

Having to fund the might just bankrupt the town.

This project needs to move forward with all haste to secure this vital funding and insure the safety of The Meadow Way neighborhood.

If you approve the project you may fear a lawsuit coming from an environmental group, the residents of Meadow Way feel that moving forward on this is not only the correct way to go, but the only way to.

I urge you in the strongest terms to vote to move this project forward and secure the funding ASAP.

Larry Davidson.

From: DEBORAH BENSON <
Sent: Sunday, May 31, 2020 1:25 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Number 13 on consent Meadow Way Bridge

To Town Council Members and Town Manager,

I am in full support of a replacement bridge across the creek at Meadow Way.
It is an obvious necessity.
I am not in support of going forward with the current design without the proofing of it with an EIR as the best and safest design for the environment. Please do an EIR. Thank you.

Deborah Benson
Cascade Drive

From: Marlia Berg <
Sent: Monday, June 01, 2020 12:49 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Please Approve the Meadow Way Bridge Plan

Dear Fairfax Town Council members,

As a Meadow Way resident, I respectfully ask you to approve the initial study/mitigated negative declaration (MND) for the Meadow Way Bridge project at your June 3, 2020 town council meeting. Many people in our neighborhood are experiencing high anxiety over the condition of the bridge and the prospect of further delays that could result in loss of funding for this project.

As you know, the Meadow Way Bridge was deemed structurally deficient by CalTrans about 7 years ago. The town staff, along with expert consultants and various agencies, have been working on a plan to replace the bridge with a new environmentally friendly concrete bridge. In addition, the town staff have done a great job obtaining funding for the project; this will save the town millions of dollars if you approve the project before these funds run out.

The bridge replacement plan will enhance the environment under the bridge with fish-friendly natural materials and native plants. Construction will be done during two summers when the creek is dry and also outside the Northern Spotted Owl nesting season. (Even though there is no habitat for these owls at the project site, they are being accommodated since a nest has been documented 0.28 miles away.) Fish and other critters such as salamanders or frogs who rely on water will be gently and safely relocated in or near water downstream by experienced biologists before construction. Thus, the fish and others will actually have a better chance of survival in construction years than in years when the puddles dry up.

All of our neighbors on Meadow Way except one support moving ahead with the bridge project as proposed in the MND. The one neighbor, who adamantly opposes to the project, urges the town to further delay the project by rejecting the MND and ordering a costly environmental impact report (EIR). In the past, this neighbor has egged on the town to spend tons of money in attorney's fees on losing causes in his neighborhood, like trying to annex an unincorporated parcel into the town and trying to change a private easement into a public one. Please do not let him cause the town to spend another $200K or so on an unnecessary EIR for the bridge as well.

The MND meets both federal (NEPA) and state (CEQA) environmental requirements. It appears that the MND will surely hold up in court if the neighbor who opposes the project decides to sue. Courts are loathe to find that an agency fails to meet the abuse of discretion standard and will not decide the case in a vacuum. Given the unsafe condition of the bridge, the complete environmental studies, the very short construction seasons, the funding, and the enhancements that will improve the creek environment, it's highly unlikely that a court will find an abuse of discretion if you approve the MND so the project can move forward.

Please see https://www.protectfairfax.org
for additional key points relating to the Meadow Way Bridge project.

Please also see a Marin IJ article addressing our neighborhood's concerns here: Marin Voice: Current Meadow Way bridge plan makes sense for Fairfax – Marin Independent Journal

Thank you for your time and attention to this matter.

Sincerely,
Marlia Berg

June 1, 2020

Dear Fairfax Town Council:

I was a direct recipient of an email by Mr. Frank Egger, in which he (a) stated that he had sent a letter to the Town and (b) shared a letter from Michael Graf referencing a "TECHNICAL MEMO REVIEWING Final initial Study/Mitigated Negative Declaration for the Meadow Way Bridge Replacement Project" ("Memo"). The letterhead on the Memo states it was produced by a business named "Watershed Sciences" with an address in Seattle, WA.

I am confident that the Town will rely upon the licensed experts it has hired to guide this project. Still, as a concerned resident and a member of the community organization Protect Fairfax, I have consulted with an engineer who has had 10+ years' experience as the lead bridge engineer for Marin County. I want to highlight several points we believe the Town should consider when evaluating this unsolicited external opinion.

1) Our first concern is on a non-technical nature. There are contradictions in the entity name shown in the Memo. The Memo has "WatershedSciencs" listed at the top which has a different spelling than the name in the logo on the Memo. While a typo by itself is not a reason to disregard the document, this lack of detail, on something as simple as **mis-spelling the name of the firm the writer claims to have operated for 20 years**, it raises questions how similarly careless the writer might be with assertions and conclusion stated in the Memo.

2) I also notice that the Memo (as provided to me by Mr. Egger) contains no signature nor reference to her academic degree type, which is highly unusual for a report of this type. While it does generally reference her work experience but has no specific reference to project design or construction practice experience. The Town should only rely on documents from an **engineer or a contractor licensed to do business in the State of California**.

3) It should be noted that there are only 2 reference to a "Watershed Sciences" registered with the Secretary of State of California. One is Watershed Sciences, LLC (Oregon entity) registered 2001 and forfeited in 2003. The other is Watershed Science, Inc (Oregon entity) registered in 2004 that filed to **surrender its "Right to Transact Intrastate Business" in the State of California on Dec 30, 2015.** (Sec. of State filing attached for reference).

4) The reviewer has **missed a large amount of significant technical information** that is available in the "Bridge Type Selection Report for Replacement of Meadow Way Bridge over San Anselmo Creek (Bridge No. 27C-0008), May 26, 2016" by CIC.

5) The Memo contains no reference to an on-site visit. As I'm sure the Town Council is aware--based on the extensive visits by the licensed experts (all of whom sign their opinions) that it has engaged for this project--it is virtually impossible to properly assess a construction site's condition without a 'boots on the ground' visit and analysis. All references in the Memo are to the IS/MND and general items available on the web; **there is no indication that the writer ever visited the site** of the Meadow Way Bridge.

6) The writer has either not reviewed, or simply chosen to ignore, the Geotechnical Report, the Bridge design considerations, and the Native Environment Study. Multiple statements in the Memo are contradicted or at least resolved by those reports & studies.

7) Geotechnical references use USGS maps of 15 minutes or larger format. These are **topographical maps, as opposed to site specific drawings**. No contractor or engineer would make any construction decisions from such a high level map.

8) There were **two (2) borings made on site by Miller Pacific (a highly respected local firm)** as part of the soil and groundwater evaluations. The writer makes no mention of those incredibly relevant results in the Memo.

9) The **Seismic design issues have already been documented** in the Bridge Type Selection Report. Also, the IS/MND--referring to seismic design--states "Therefore, the impacts associated with seismic ground shaking would be less than significant." The Memo does not address this assertion.

10) The Memo disparages the standard creek coffer dam and bypass system. This is quite surprising given it's author's long list of claimed work in Marin County. The approach being used in Meadow Way project is **consistent with, and standard practice for, Marin County** projects.

11) Comments in point 2 reflect a lack of understanding of the physical location of the bridge: The current state of the creek at the bridge site is such that—during severe winter storms—the water velocity is extreme. Due to the sharp S-bend in its path at that location, intense scouring takes lace every year, dramatically destabilizing the banks and tearing out the concrete that was installed to provide stabilization. In the process, it also creates terrible erosion of the banks and carries away huge amounts of soil, lowering the water level by a number of feet and depositng sediment downstream, supjecting property owners downstream to the risk of flooding. The proposed work in the creek, approved by the relevant governmental agencies, is designed specifically to remedy these problems rather than increase them.

12) Comments in point 3 are inaccurate: The **project has already been certified as satisfying the environmental requirements of NEPA, and it has passed muster with the National Marine Fisheries Service and also the relevant California agencies**. They have had no objection to the creek at that specific location being classified as "intermittent" rather than "perennial". The current the high-velocity seasonal water flows make it difficult for returning juvenile steelhead to survive. The replacement bridge project's creek design has been intentionally created to improve the health of migrating juvenile steelhead, in part by installing "root wads" of woody debris to create a resting pool. This approach has been used successfully in other creek areas in Northern California to improve habitat for migrating fish

All told, I have deep questions about the credibility of the Memo's author and the relevance of her assertions and conclusions. It is my impression that Mr. Egger, through Mr. Graf, has simply **purchased an out of state consultant** to produce a Memo designed to confuse the facts.

Thank you for considering the information I have provided above.

Jason Brooks

Jason Brooks

D1326171

2652531

CERTIFICATE OF SURRENDER OF RIGHT TO TRANSACT INTRASTATE BUSINESS

FILED
Secretary of State
State of California

DEC 30 2015

On behalf and by authority of:

Watershed Sciences, Inc.
(Name of Corporation)

____________________, a corporation

organized under the laws of Oregon
(State or Place of Incorporation)

the undersigned officer of said corporation does hereby certify and declare:

1. Said corporation hereby surrenders its right and authority to transact intrastate business in the State of California.

2. Said corporation hereby revokes its designation of agent for service of process in California.

3. Said corporation consents that process against it in any action upon any liability or obligation incurred within the State of California prior to the filing of this Certificate of Surrender of Right to Transact Intrastate Business may be served upon the California Secretary of State.

4. The post office address to which the California Secretary of State may mail copies of any process against the corporation that is served upon the Secretary of State is

421 SW 6th Ave., Suite 800, Portland, OR 97204

5. A final franchise tax return, as described by Section 23332 of the Revenue and Taxation Code, has been or will be filed with the Franchise Tax Board, as required under Part 10.2 (commencing with Section 18401) of Division 2 of the Revenue and Taxation Code.

(Signature of Corporate Officer)

Mark Abatto
(Type or Print Name of Corporate Officer)

Secretary of State Form
SURRENDER-CORPORATION (REV 01/2013)

WatershedSciencs
8038 Mary Ave NW
Seattle, WA 98117
(510) 384-2371
laurelgene@comcast.net

Watershed S

Michael Graf
Law Offices
227 Behrens
St.
El Cerrito CA 94530
Tel: (510) 525-7222
Fax: (510) 525-1208

TECHNICAL MEMO REVIEWING Final Initial Study/Mitigated Negative Declaration for the Meadow Way Bridge Replacement Project
Laurel Collins, May 29, 2020

Dear Mr. Graf,

At your request, I have reviewed technical documents and reports prepared for the Final Initial Study/Mitigated Negative Declaration ("MND") for the Meadow Way Bridge Replacement Project ("Project"). In addition, I have reviewed published landslide maps of the US Geological Survey, viewed available official online Geographic Information System (GIS) maps in the MarinMap Map Viewer and the San Francisco Estuary Institute EcoAtlas, and reviewed 2013 Report from the Department of Fish and Wildlife East Marin County San Francisco Bay Watersheds Stream Habitat Assessment of San Anselmo Creek.

Based on this review, my opinion is that this project has the potential for significant impacts that have not been adequately disclosed by the Project documents. This is because 1) the potential for landslides on and off-site has not been sufficiently characterized; 2) the channel has unstable hydraulic geometry (width, depth, slope) that will be memorialized through hardening of the banks from project construction that involves grade control, rip rap banks, and concrete walls that will cause continued upstream and downstream instability; 3) the increased extent of concrete wall and narrowed channel width created by the Project wingwalls will increase channel velocity that will result in increased sediment supply from post project channel adjustments involving streambed incision and/or bank erosion that will negatively impact fish habitat and potentially increase downstream flood frequency; 4) the channel was mischaracterized as an intermittent channel while all official documents characterize it as a perennial channel; and 5) the necessary hydraulic geometry analysis of the site – and specifics on pre and post project changes – has not been conducted and therefore it is not possible to establish that negative impacts will not exist or that they can be mitigated.

BACKGROUND

I have been a geomorphologist since 1981 specializing in fluvial, hillslope, and tidal wetland geomorphology and hydrology, sediment budgeting, landslide and

stream mapping, and analysis of geomorphic change from natural and anthropogenic influences. My opinion on the issues raised by the Project is based on my previous analyses of streams throughout Marin County, including San Anselmo Creek, as well as other streams and geomorphology throughout Sonoma County, Alameda County, and many other parts of California. I have conducted these kinds of analyses for the Marin County Flood Control and Water Conservation District, Marin Parks and Open Space, US Environmental Protection Agency, Contra Costa Clean Water Program, US Geological Survey, US Forest Service, California Department of Forestry, US National Park Service at Point Reyes National Seashore, San Francisco Bay Regional Water Quality Control Board, University of California at Berkeley, San Francisco Estuary Institute, East Bay Regional Park District, and the US Department of Justice. I am the Owner and Principal Geomorphologist of Watershed Sciences consulting firm, which I established in 2001. Attached to this review is a copy of my current CV. A few examples of my experience follow.

COMMENTS

1. Potential for Landslides On and Off-site Has Not Been Sufficiently Characterized.

Based on my review of the MND, I do not believe the potential for landslides on and off-site has been sufficiently characterized. For example, the MND describes the project site as "flatland," which "would not be susceptible to earthquake induced landslides or rainfall-induced landslides." I would strongly disagree with this characterization.

The MND does not appear to take into account the Project's location near debris slide run-out pathways or the proximity of rotational and/or translational landslides along the adjacent hillsides that could put the Project site at risk from potential disruption from uphill slippage. There are off-site but very nearby landslides that could pose on-site impacts. The toes of the two landslides on the southern adjacent hillside have been mapped by Wentworth and Frizzell (USGS, Open File Map 75-281, sheet 11, 1975) (see Figures 1A and B). These slide features appear to be roughly 150 feet from the south side bridge abutment and extend over 400 feet in length from the edge of the alluvial valley to the ridgetop. The USGS map is online at the link below.
https://pubs.er.usgs.gov/publication/ofr75281

Further, a very large complex landslide, that extends over 3000 feet from ridge top to valley bottom is just downstream of the Project site (its western lateral scarp is about 300 linear feet downstream of the north bridge abutment on the north hillside and its movement at some time in the geologic past was sufficient sometime in the past to block the entire creek and cause backwater alluvial deposition that created the existing landscape of the Project site where now, a much wider alluvial valley exists upstream of the landslide pinch point. The MND provides no discussion or analysis about the existence of these slides or prospect of their future impacts during a large seismic event or extreme rainfall. If a prior large landslide created the alluvial valley that the bridge is sitting on, the MND's characterization of this area as 'flatland' for purposes of landslide impact analysis is misleading and cannot be supported as free of potential geologic hazards.

The 1975 USGS landslide map indicates that the northeast abutment is not necessarily on alluvial sediments, yet the MND provides no information whether the abutment is on or near bedrock or the condition of the bedrock that exists. The MND does not explain whether the abutment is concordant with bedrock at depth on the other side or if there is evidence of faulting between the bridge abutments as could be possible due the presence of the fault that is mapped nearby, nor does it provide any information about the actual subsurface condition here and what is the known depth and condition of bedrock at the site. In my opinion without this information, the MND's impact assessment is inadequate as it fails to address the potential for impacts that could occur from severe seismic shaking from the large San Andreas and Hayward Fault systems as well as offset and sheared rock conditions from local mapped faults as well as landslides. Local faults and landslides can mechanically weaken the bedrock by shearing it, cracking it, and thereby weaken the strength of the bedrock to support structures. If either side of the bridge abutment is in different types of soil or bedrock structural design must be developed to suit the different conditions. Proximity of faults and landslides is a red flag to needing subsurface and off-site investigations to build safe structures that require piers for support.

Interpretation of landslide conditions by Wentworth and Frizell is supported by recent landslide hazard classification shown online at the MarinMap Viewer, as shown in Figure 2. The current online map (as shown 5/2020) characterizes much of the watershed to be landslide prone. The area of large northern slide, as indicated by the earlier USGS mapping, is shown as mostly landslide and the extent of the toe is much closer to the Project site than previously indicated (about 150 linear feet as opposed to 300 feet. This suggests that recent landslide interpretation finds the extent of landslide hazard to be bigger yet there is no discussion of the reason for the differences in interpretation which could relate to possible recent landslide activity or more thorough investigations nearby.

Compounding this, the MND fails to describe accurately the seismic issues in the Project area, only concluding instead that the project site is not located within a State-designated Alquist-Priolo Earthquake fault rupture zone. In addition to the landslide hazards, the MarinMap Map Viewer (herein referred to as MarinMap) also shows a distinct northwest trending fault about 2200 feet to the northwest of the site. The MND fails to describe the fault or its southeastern projection into the footprint of the Project. This fact that they do not reference this source of information is even more bewildering given that they reference MarinMap as a source of GIS and environmental information. The importance of the fault should be evaluated relative to potential effects on the weakness of sheared and mechanically weakened bedrock at the site and for the potential for vertical or lateral offset during a large magnitude earthquake from the San Andreas Fault system. How the proposed structural design elements of the proposed bridge and piers may or may not be appropriate at this site must be evaluated given the unresolved presence of sheared bedrock due to either the projection of this fault or from

underlaying landslide debris. In my opinion, the influence of the fault and its status must be established to avoid negative impacts to expected longevity of the bridge and risk to human life during a large seismic event associated with severe shaking from the San Andreas Fault. The MarinMap is online at the link below.
https://www.marinmap.org/Html5Viewer/Index.html?viewer=smmdataviewer

As a result of the MND's failure to describe these previously identified geologic hazards, its conclusion that the potential for landslides or liquefaction from seismic activity is less than significant due to the Project area's "relatively flat topography" cannot be supported and in fact is contradicted by the existing geologic setting. In this case, the flat topography is simply a band of alluvium, variable in width, that is sandwiched between steep landslide-prone hillsides. Note that MarinMap depicts the same alluvium as surficial deposits. The alluvial valley at the Project site was mostly formed as a result of backwater sedimentation following blockage of the large north bank landslide. The mapping of the slide done in 1975 and more recent MarinMap hazard classification further demonstrates the need for a site specific on the ground investigation because the full extent of landsliding has not been adequately constrained. It slides might be larger than initially interpreted by remote mapping methodologies. Perhaps more importantly, the causes of the landslides have not been identified and are very likely associated with either rainfall-related instability, seismic triggering, or a combination of the two. The MND concludes by noting that the Project site is not located in an ABAG-designated earthquake-induced landslide area or within an existing rainfall-induced landslide or debris flow area. However, based on the mapping I have reviewed, this conclusion is likely incorrect. As a result, the MND's further conclusion that implementation of Mitigation Measure GEO-1, impacts associated with landslides, would be less than significant, cannot be established as this issue was not assessed appropriately. Assessment of on and off-site landslide impacts is sorely missing in the MND.

2. Hardening of the Stream Channel Due to Project Construction Will Alter Upstream and Downstream Stability Leading to Adverse Impacts Due to Flooding and Loss of Summer Rearing Habitat for Wildlife.

In my opinion, the stream conditions have not been adequately evaluated to establish whether the channel is stable at the project site or beyond. Mapping and stream classification conducted by California Department of Fish and Wildlife (CDFW) that is provided in their 2013 East Marin County San Francisco Bay Watersheds Stream Habitat Assessment of San Anselmo Creek shows that the channel is presently in an unstable form based upon their use of the Rosgen Stream Classification methodology. The site is characterized as an F4 stream type which essentially means that it is an entrenched gravel-bedded channel with an over-widened streambed relative to its bankfull depth. In unstable F4 channels with overly widened streambeds, excessive sedimentation causes the channel gradient to flatten. This results in more sedimentation and during summer drought in a typically perennial stream, this can cause summer

base flow to convert to subsurface ground water flow that isolates pools between dry reaches and contributes to a loss in volume and viable habitat. An entrenched F-type channel has a very narrow floodprone width (measured at two times maximum bankfull depth) that is less than 1.4 times its bankfull width. This kind of unstable condition usually leads to eroding banks during large flood events due to very high shear forces within the entrenched channel, inevitable production of sediment and downstream sediment transport, leading to subsequent sedimentation and loss of channel capacity elsewhere. F4 channels remain unstable until they attains a stable form by adjusting their hydraulic geometry of width, depth, and gradient through natural erosional processes. The MND does not provide the channel classification information provided by the CDFW nor does it provide any description of the channel geometry or stability status. If an analysis of stable form was conducted, the project could lead to improved stream habitat by designing the correct dimensions needed for channel stability. Since the site has been classified by others as unstable, surely it would surely be prudent to establish the causes of instability to assess whether they could have potential impacts to the proposed bridge or surrounding properties as a result of the bridge. The CDFW report is available online at the link below (file:///Users/laurelco/Downloads/92289%20(2).pdf)

In my opinion, considerable excavation and reconstruction of the stream channel within the Project area has the potential for significant hydrological impacts that have not been addressed in the MND. Based on my review, it appears that the stream channel has unstable hydraulic geometry (width, depth, gradient) that will be memorialized through hardening of the banks from project construction that involves grade control, rip rap banks, and concrete walls that will cause continued upstream and downstream channel instability.

The MND states that the bridge abutments and retaining walls attached to the abutments will need to be supported on piles and that 24-inch diameter cast-in-drilled-hole concrete piles will be used to support the walls. The MND states that the creek bed would be excavated approximately eight feet deep to reach the approximate elevation of the concrete pile heads, after which drilling rigs would be called upon to drill the 24-inch-diameter piles supporting the future structural elements. The MND describes another wet-drilling technique as creating 24-inch diameter concrete piles, which would be capped with a concrete footing known as a pile cap. Once the concrete pile caps are constructed, their top surface would be five to six feet below the creek bed.

In my opinion, the potentially significant effects of this proposed excavation and drilling is not analyzed adequately in the MND. For example, the MND does not describe the size of the concrete pile caps or whether they extend beyond the diameter of the pier such that rip rap will be sitting on top of them. The MND also does not provide clear information about the depth of drilling that will be required below the 8-foot excavation. Without this information, impacts cannot be assessed and therefore certainly cannot be assumed to be nonexistent.

From what can be gathered from the MND, it appears the base elevation of grade control of the stream bed will be 2-3 feet lower than its initial level, with additional rip rap on top, bringing the bed back to its preexisting elevation at the time of creek mapping or the elevation at the time that construction work begins. This means that the bed elevation will essentially become fixed by this grade control structure at whatever this elevation is, and it will permanently influence the ability of the stream to lower its elevation beneath the bridge and for some unspecified distance upstream. Yet, the profile of the upstream channel is unknown and therefore it is not possible to determine how far upstream the grade control structure will affect the distribution of pools, riffles, and sediment transport. If the cross sectional width beneath the bridge is reduced by the rip rap that is proposed to be placed on the banks, the increased shear forces could transport and remove the native gravels that will placed as a cover on top of the rip rap, exposing just the rip rap grade control rocks. These impacts have clearly not been evaluated because analyses of sediment transport and pre- and post-project hydraulic geometry have not been conducted. Therefore, the impacts cannot be established as insignificant and if likely significant, no mitigation has been proposed.

The MND states the contractor will be required to install a bypass pipe to convey certain minimum low-flow volumes through the construction site and release downstream of the bridge. This will be accomplished through installation of a low dam across the creek bed upstream of the bridge to collect the summer flows and guide it to the pipe, whereby water will be collected in excavation pits or pools on the creek bed will be run through sediment control tanks before being released to the creek. In my opinion, this approach has a substantial likelihood of disrupting downstream conveyance such that the water will go subsurface and thus not provide viable habitat for downstream aquatic species requiring summer pool habitat such as steelhead or foothill yellow-legged frog. Further, in my opinion, it is likely the summer groundwater elevation within the Project area and downstream will be adversely influenced by the 8-feet and then possible 20-feet excavation and dewatering activities within the project site. Based on my review, the MND appears to provide no analysis of the sphere of influence of the dewatering activities. Without such it cannot be assumed that negative impacts to the distribution of surface and groundwater flow will not harm threatened species.

The MND further states that the reconstructed stream channel will be designed so that a log grid is made integral with large rock rip-rap pieces placed within it and stacked under the new overtopping embankment slope. However, the MND provides no information about the size of the rip rap, nor what would be the appropriate size to prevent the 100-year flood from moving it beneath the bridge where the channel cross section is confined, especially by the newly proposed wingwalls that will increase downstream shear forces. The MND states that the creek substrate is a mix of small gravel to larger cobble. The MND fails to characterize the natural stream sediment size and thus does not provide information as to whether that existing sediment will be adequately replaced by large rip rap at whatever the size that is likely to be proposed. As discussed, the MND appears to contain no analysis of what proposed mitigation is to assure that the rip rap will not be exposed or become part of the bedload. In my opinion, it is impossible to size the rip rap without a bedload transport analysis for the post

construction cross-sectional area beneath the bridge.

The MND further states that the ends of the logs perpendicular to the creek centerline will protrude out of the base of the embankment into the creek's edge flow, catching small woody drift, which will end up restoring the site to a deep and wide soil 'trough; traversing the bridge site for natural fish passage without any obstructions in the creek other than creek materials and native plants. In my opinion, this conclusion is unsupported and lacks the requisite information. An analysis of the stream gradient and the pool/riffle ratio has not been conducted to establish what the impacts of the newly "fixed" elevation of the rip rap grade control will cause upstream, downstream, and beneath the bridge. Furthermore, there is no discussion of how much the logs should protrude into the channel to maximize the potential for creating a stable condition rather than creating another type of unstable form referred to as a Rosgen G4 stream class. Such a channel has similar conditions relative to entrenchment with a narrow floodplain width compared to bankfull width, but the channel banks relative to stream depth are too narrow, leading to continued instability through streambed incision. Without sufficient hydraulic analysis, it cannot be established that any reconstructed pools will have any benefit or permanence. Channel stability is naturally achieved by creating a floodplain of appropriate width at the approximate bankfull elevation of a channel. This creates less in-channel shear stress during floods and adjustability of the stream bed during bankfull flows or floods that transport bed load. A trough shape does not by definition create a floodplain and if it is a hardened trough, such as will occur in this place due to the addition of rip rap and impingement into the active channel cross section, the channel will ultimately have an unstable configuration and will have excess shear forces particularly during floods. It will essentially try to distribute its expenditure of energy equally throughout the channel system, and this will result in erosional or depositional impacts to the channel downstream beyond the proposed bridge.

The MND states further that the foundations of the new walls and bridge abutments would be protected with filter fabric and a two- to two and a half--foot layer of rock riprap on top for scour control. However, in my opinion, the rip rap will prevent natural adjustability of the stream bed and potentially increase upstream sedimentation, that could lead to upstream bank erosion and potential property losses. The MND states that the "site and the configuration of the existing bridge have resulted in historic bank erosion and bridge foundation scour," which would indicate that the existing hydraulic geometry is still out of whack and the channel is trying to adjust. If the site configuration is leading to instability, why is this the case? Are the s-shaped bends cause by former landslides or was their excessive sedimentation due to blockage from downstream landslides or and use practices? While it might be true that hardening of the banks would reduce erosion at the site, such hardening will transfer erosion and sedimentation issues elsewhere due to channel adjustments induced by the project alterations. At the least, hardening of the bed or banks without assessment of local and cumulative impacts prevents the stream from naturally adjusting its hydraulic geometry to climate change impacts, thereby leading to accelerated rates of erosion and downstream sedimentation that are well known to be associated with land use activities.

Sedimentation is likely to be exacerbated by the Project's proposed construction of an earthen 'access' ramp to transport materials and heavy equipment, such as pile drilling rigs, dump trucks cranes, loaders, excavators and large containers to the creek bed elevation and back. However, this access ramp is not labeled in Figure 5 of the MND, nor does the MND discuss what kind of erosion control would be applied during the winter. The MND contains no description in particular of how potential flood flows will not wash away the bare soils even if it has silt fences or hay bales applied to reduce uphill road runoff. The road tread will be within the active channel and floodprone area. In the event of a bankfull or greater flows the access road could become a specific project-related source of sediment that would negatively impact downstream aquatic habitat.

The MND claims that the 'net effect' of the Project will be to restore the site to a deep and wide soil "trough" traversing through the bridge site for natural fish passage without any obstructions in the creek bed or anything other than creek materials and native plants. As discussed, in my opinion, this explanation raises significant issues with respect to downstream stability during and after the conclusion of Project construction. A deep wide trough is hardly the natural channel geometry for a stable channel at this site. Without assessment of the appropriate "stable" hydraulic geometry for width, depth and slope for various frequencies of discharges there is no way to ascertain whether this proposed channel shape will provide long-term stability either at the site or in the upstream and downstream directions. Indeed, it is not clear if all the rip rap on the stream bank will be buried or if some of it will be exposed at some elevation on the banks, or how the gravels placed on top the rip rap will be "held" in place during winter floods that are certainly foreseeable in the future. The MND asserts that the underground riprap would crawl up on the wall face to some height and be subsequently covered with three feet of creek bed materials, restoring the creek bed and embankment slopes to their original levels through the site. However, even this assertion simplistically assumes the future stability of 'creek bed materials' placed atop rip rap boulders, when in fact there is no basis for that assumption.

In my opinion, without the appropriate hydraulic analyses it cannot be established whether the stream bed beneath the bridge will erode to the grade control structure or possible cause increased sedimentation because of a flattened gradient caused by the rip rap. If sedimentation ensued there would be a loss of channel capacity and hence loss of freeboard, thereby increasing the potential for flooding. Increased velocities beneath the bridge could cause downstream stream bed incision resulting in the formation of a head cut or nick point at the downstream end of the rip rap. Over time or during intense prolonged flooding, this could result in undermining the rip rap and re-exposing the filter fabric and pier caps. Further, the MND describes a bridge with arch ribs and the transverse connecting beams that would be 'self-supporting' once the falsework is removed by October 15th, at which point the remainder of formwork would be attached to the arch ribs themselves above the 100-year flows from that point forward. However, the MND lacks any supporting documentation describing future flood levels or any flood frequency analysis. Without this information, the MND's analysis is in reality simply guesswork.

Further substantial questions arise with respect to the proposed two abutments and downstream wingwalls connecting with the abutment corners. The MND states that the slopes above the retaining walls and wingwalls would be contour-graded. However, no eddy flow protection is shown beyond the downstream wing walls. The MND map in Fig 5 shows about 170 feet length of stream bank rip rap on the west bank, which is in my opinion is a significant length of stream channelization that is likely to increase downstream flooding and erosion. The MND does not address the fact that rip rap structures inhibit natural vegetation and its beneficial functions. When the near stream bank are covered in rip rap, it is very difficult for large woody riparian vegetation to become established, which is critical for shading the stream and keeping the summer base flow cool during the summer to maintain steelhead fishery. If woody vegetation is only established on the high banks away from stream flow, it will take decades before any sufficient shading will be provided. Increased local stream H2O temperature can have cumulative downstream impacts particularly during extended drought years when the isolated pools in the previously perennial sections might already be approaching lethal thresholds. Much of the existing vegetation on the older rip rap banks along the channel is simply overhanging berry vines. They do not contribute to significant bank stability or shading.

Another problem is the lack of sufficient access to the creek to remove potential woody debris or debris jams that could form at the entrance to the bridge or beneath it. Long-term maintenance needs must be considered to clean trapped sediment from beneath the bridge otherwise its design capacity to convey floods and move sediment are likely to be compromised. The MND does not appear to provide any analysis of the sediment supply and transport capacity of the stream in this area. As discussed above, the canyon and bridge location have a high number of different kinds of landslides that during intense or prolonged rainfall can generate very high suspended sediment and coarse bed load to the creek. In addition, the channel appears to be incised as well as entrenched, which means that especially during large floods it can generate abundant sediment from high shear forces contributing to local bank erosion and tree fall into the creek. If the cross sectional geometry of the stream is going to be permanently narrowed by construction of the wing walls at the bridge location, the potential for trapping large woody debris within the structure will be increased. As such, formations of woody debris jams will likely cause a loss of channel capacity from backwater sedimentation, which can result in increased potential for upstream flooding and unanticipated new sites of erosion.

Overall, in my opinion, there has been no discussion or evaluation of the design capacity that will be achieved or that must be maintained in the future. In addition maintenance needs and costs are not discussed. Without a stream gradient analysis it cannot be established what the impacts of the project will be to upstream channel stability, abundance and viability of pools, and distribution of surface flow during drought conditions. In my opinion, these changes to the stream system are likely to reduce the local groundwater level and thus negatively affect local habitat during the time of construction by eliminating or substantially altering the frequency and location of

downstream pool habitat that is critical for wildlife such as local steelhead or foothill yellow-legged frogs.

3. The MND Fails to Provide Adequate Information Regarding the Environmental Setting with Respect to the Issues Described Above.

The MND also does not provide information with respect to the environmental setting that would be necessary to understand the potential impacts of this Project.

For example, the MND lists special status species in the Project area as limited to steelhead, Northern spotted owl, Allen's hummingbird and olive-sided flycatcher. This list neglects any mention of the foothill yellow legged frog, a California candidate species that is likely to be greatly and adversely affected by changes in stream flow, flooding, groundwater-pool levels and stream bank habitat along San Anselmo Creek where they have been found repeatedly over the last several decades.

Further, the MND, while acknowledging the theoretical presence of steelhead in the Project area, provides no information about whether this species occurs in this stretch of the Creek, and what habitat limitations it already faces to avoid extirpation, except to note that "two barriers to anadromy exist downstream of the project site." The MND provides no information as to the location and nature of these barriers, including whether they are year round or just during certain flow conditions. If barriers exist just during certain flow conditions then the Project should be designed to provide for steelhead migration and appropriate year-round rearing and sheltering habitat. Streams with high shear stress that are often confined within concrete walls or hardened by rip rap grade control do not provide such conditions during flood events and steelhead fry can be washed downstream. The MND states that "no migratory corridors or nursery sites are anticipated to be affected by the project." However, this conclusion does not address how various flow velocities and/or sedimentation (due to the new, unadjustable rip rap channel bed at the bridge) will affect summer time fish rearing and winter refuge beyond the bridge during high flow and base flow conditions, how changes in groundwater table will influence rearing or stranding of species in isolated pools at or near the project site, or how loss of shading from streamside vegetation along the future rip rap and concrete walls will influence summer base flow water temperature. Although the MND acknowledges that juvenile steelhead remain in fresh water for 1 or more years before migrating downstream to the ocean, no discussion is provided about the location of pools at the project site, as well as downstream and upstream, that will be likely adversely affected by the changes in stream hydrology due to changes in channel structure, groundwater levels, and sediment buildup due to Project activities and recontouring of the streambed and channel. The MND appears to contain no information about the presence or absence of summer rearing habitat that is provided by these remnant pools, and no analysis of how the Project will affect their integrity as critical habitat for surviving steelhead.

Consistent with this lack of analysis, the MND also incorrectly identifies the Project area

reach of San Anselmo Creek as an 'intermittent stream.' However, this is inconsistent with USGS, National Hydrography Dataset (NHD), CDFW, MarinMap, and San Francisco Estuary Institute EcoAtlas mapping, which characterizes the stream as perennial. In this respect the MND falsely relies on a temporary drought condition, which is further belied by the consistent presence of year-long pool habitat in the Project area for sensitive aquatic species. Treating and assessing the channel system as an intermittent stream can lead to bad assumptions and negative impacts as discussed above. Here the MND concludes that the Project will have "no permanent direct impacts" to the stream resource, a conclusion that is demonstrably false, as the Project will create a grade control structure in an alluvial valley that has an adjustable stream bed, which will permanently affect sediment transport (sedimentation and mobility), impact upstream and downstream pools, and the local groundwater table. As discussed, in my opinion, it is likely that the Project will alter the timing and extent of intermittent flow due to sedimentation within or downstream or upstream of the rip-rapped stream bed. The MND states further that the removal of existing wooden piles from within the creek bed will result in a gain of 12.6 square feet (<0.01 acre) of 'Intermittent Stream habitat' yet provides no discussion of how this change will this affect the cross sectional geometry and future channel adjustments that could lead toward stability. If the channel gains 12.6 feet by removing the piles, the MND conversely provides no information how much channel will be lost by adding support columns on the piers, rip rap on the banks, and even more confining concrete wingwalls. Here, the MND fails to provide this information while at the same time falsely characterizing the channel as intermittent, an assertion that is contrary to the definition adopted by the authoritative agency. .

The failure to characterize San Anselmo Creek properly is exacerbated by other information gaps with regards to the environmental setting. For example, the MND states that final grading in the creek bed will conform to the existing creek channel both downstream and upstream and existing bed materials will be replaced with similar sized materials. However, the MND does not describe the depth of bedrock at the site or the frequency for the distribution of pools and riffles over the 300- foot grading stretch, or immediately downstream. In my opinion, this must be a design parameter based upon local stream data and not done haphazardly, yet no data has been presented or apparently evaluated. In my opinion, the MND is fundamentally flawed in providing no information for how the design for the final creek grading will create stream stability or prepare for changes in discharge or sediment supply associated with climate change. Grading a 300 foot long stretch of creek without specific channel design guidelines can result in permanent negative impacts at the site and downstream.

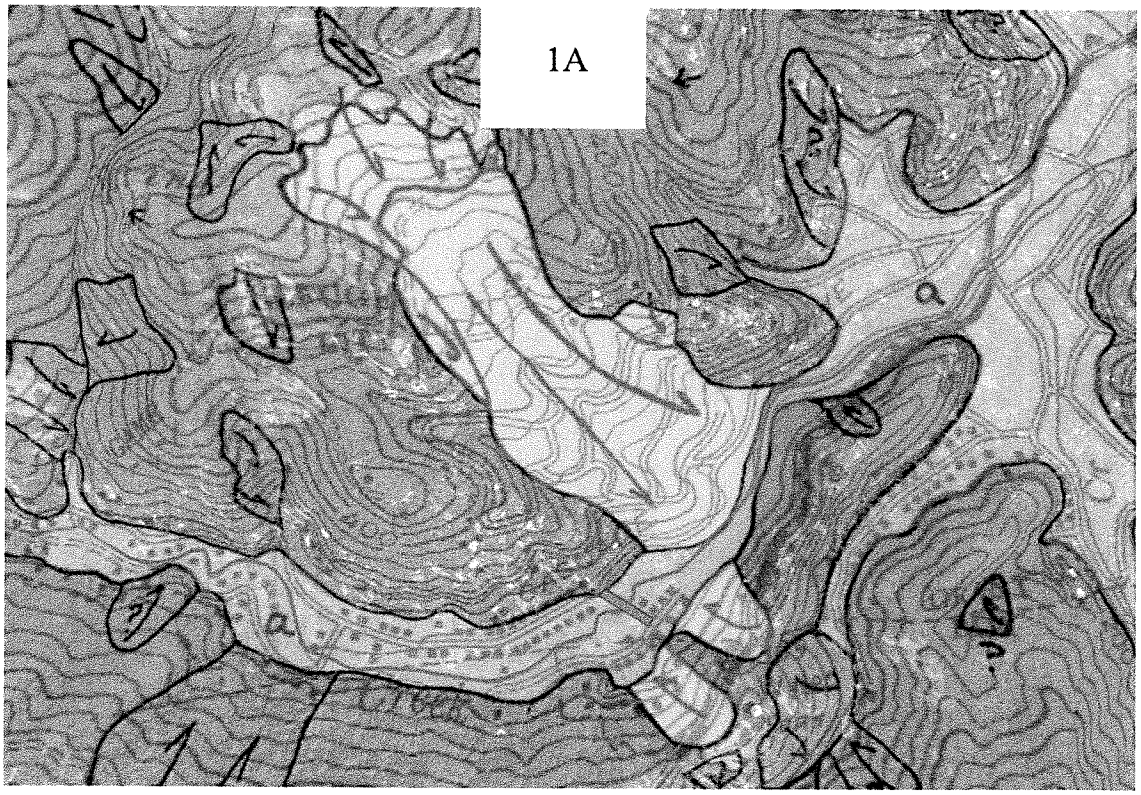
CONCLUSIONS

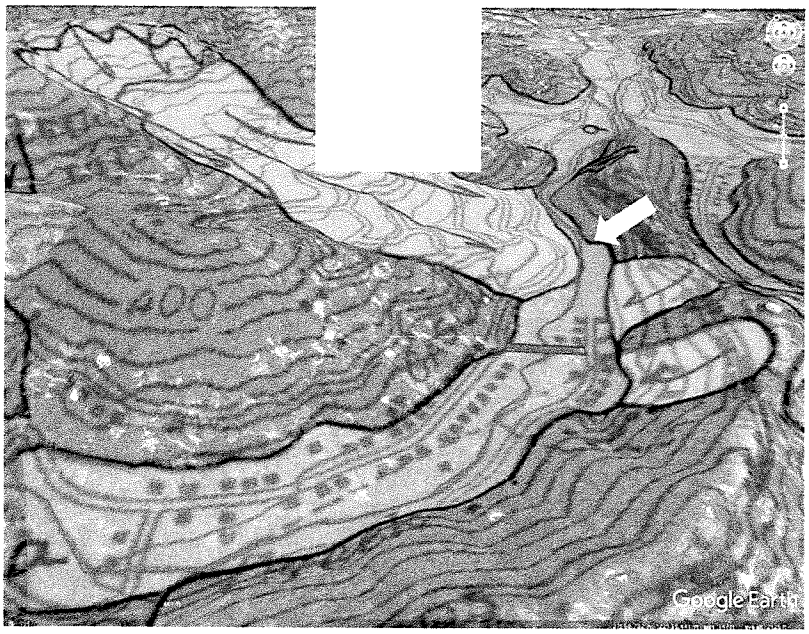
In conclusion, it is my opinion that an EIR is imperative to 1) avoid potential and unnecessary negative impacts to the project itself from both on and off-site geologic hazards and 2) to prevent local and cumulative downstream negative impacts to San Anselmo Creek that will increase rates of erosion and subsequent sediment supply and sedimentation, increase downstream flood frequency in areas already prone to flooding in the Town of Fairfax, and deteriorate remaining essential aquatic habitat in this urbanized stream that still supports

populations of steelhead and yellow-legged frogs. There are published available scientific documents that I believe support my concerns over lacking information in the MND. Their online links have been provided as a convenience to the reader. For all the reasons stated above, I believe this project should not proceed as proposed in the MND without further evaluation of the conditions described and documented.

Sincerely,

Laurel Collins





of the 1975 landslide mapping by Wentworth and Frizzell (USGS, Open File Map 75-281, sheet 11, 1975) that has been laid onto 2018 Google Earth Imagery. Relevant details on the map near the Project have been enhanced by colored polygons. Orange colors with arrows show landslides near the Project, the green rectangle shows Meadow Way Bridge, and yellow shows the mapped alluvial valley fill. Figure A shows the context of the project site and other mapped landslides, while Figure B provides a dimensional view looking downstream shows a white arrow at the pinch point in the alluvial valley that was created by blockage of the large complex slide that for the wide alluvial valley from backwater deposition at the Project site.

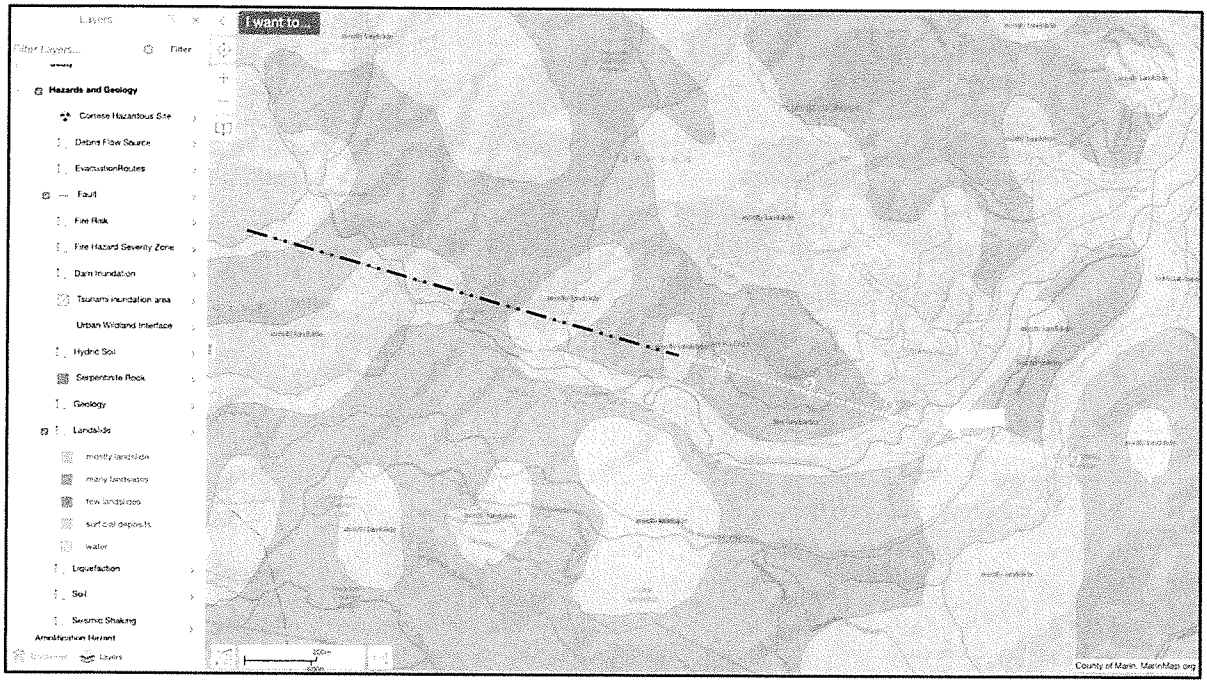


Figure 2 shows fault and landslide hazards in the region of the project site as indicated by the online MarinMap Map Viewer (5/2020). Light blue shading is classified as mostly landslides, while purple shading is classified as few landslides. The light green area is classified as surficial deposits. The Meadow Way Bridge site is shown with a white arrow. The extent of the northern large north bank slides is depicted as much closer to the north bridge abutment, about 150 feet, as compared to the 1975 USGS map. It is not known if the slide is larger than initially depicted or if there has been additional movement. The two slides to the south are merged together as a single polygon representing mostly landslide. The black dashed line with two dots is a fault specifically depicted in the MarinMap. The yellow dotted line with question marks is a projection of the fault added for purpose of the need for on and off-site site investigation. The mapped black line fault is roughly 2200 linear feet from the bridge crossing. There is no discussion in the MND of the kind of fault this is or why it was added as an important fault feature in the MarinMap.

From: Dave Eng <
Sent: Saturday, May 30, 2020 8:25 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge and Mitigated Declaration of Negative Impact

This message is for the Fairfax CA town council:

Hello,

My name is Dave Eng. I am a Fairfax resident since 1987. I am writing this email in support of the town certifying the initial study and mitigated negative declaration for the replacement of the Meadow Way bridge project.

i am friends with a couple of residents in that area: John and Marlia Berg at 36 Meadow Way. I have seen and used the bridge. We all know it is in terrible shape and endangers the safety of residents and visitors who use it. I have read the extensive "Final Initial Study/Mitigated Negative Declaration" for the bridge replacement project and I am satisfied with its recommendations for mitigating the environmental impact.

I urge the town council to approve the final initial study. I can't imagine any additional reports will provide a different conclusion. Instead continuing delays will pose a greater safety risk on the residents that use the bridge; specially nowadays that fire season seems to be the norm due to climate changes.

Sincerely

Dave Eng

Forrest Ave

From: tim ezekiel ‹ ›
Sent: Sunday, May 31, 2020 1:07 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Cc: 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

To All the Town Council Members, May 31, 2020

We are writing today to add our names to the list of Fairfax residents in favor of replacing the Meadow Way Bridge without further delay.

I have lived in Fairfax my whole life and my wife is originally from San Anselmo, we have a lifetime of experience listening to the negativity from the most vocal opponent of this project, Frank Egger. Unfortunately Mr. Egger has already cost the town countless, wasted dollars and it is time to move on. Enough is enough! We have every confidence in you, the council, and those who have already spent many hours planning this project.

Please, without further delay, approve this work for the safety of the overwhelming majority of the residents on Meadow Way and the rest of your taxpaying residents who are in favor of this important project.

Thank you,

Tim Ezekiel and Wendy Lee

From: Jan <
Sent: Saturday, May 30, 2020 12:43 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge Replacement Project

My family and I were the homeowners of 20 Meadow Way for 24 years. We loved our Meadow Way community but moved to San Anselmo in 2004. We drove the Meadow Way bridge multiple times a day and my husband and I were always concerned about the stability and safety of the bridge. We saw flood waters crest the bridge and worried about evacuation of families during fire or other emergency as the bridge is the only exit for the residents. There are almost 30 homes on Meadow Way so the bridge is the only access for the residents and others. My husband even recommended a bridge replacement idea in the interest of safety years before we moved. I am writing to you because this issue is long delayed and the Town Council needs to approve this project for the health and safety of Meadow Way and Fairfax residents.

We are hopeful the Town Council will approve this critically needed replacement and use the funding being provided for the safety of the Meadow Way residents as well as the town of Fairfax.

Signed:

Jan Len and Phillip Gazzano

From: MARY KIELICH <
Sent: Saturday, May 30, 2020 4:08 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 Replacement Project

Dear Fairfax Town Councilmember:

We urge you to support the Meadow Way Bridge Replacement Project immediately.

This bridge project is very well designed and needed as the current bridge is structurally deficient. There is absolutely no guarantee an EIR will come up with a different bridge option. However, there is a guarantee it will increase costs for all Fairfax taxpayers and cause more delays.

The environmental issues were studied during the CEQA/MND studies and all possible impacts addressed and mitigated. Also, the actual construction is planned during the dry season, when fish and frogs are not present. 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.

We commend the Town for the public comment sessions held over the past seven years, incorporating public feedback into this final Meadow Way Bridge design. 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.

We have lived in Fairfax over 45 years and have visited Meadow Way often as we have friends who live on this street. We are extremely concerned for the safety of these 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 as it is a big liability for the Town.

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

/ signed /
Mary and Eric Kielich
Marinda Drive
Fairfax, CA 94930

From: Mark Knowles
Sent: Saturday, May 30, 2020 10:46 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow way bridge

Please could we move forward with getting meadow way bridge build and stop wasting any more time or money on further unnecessary environmental reports. I would like to urge Fairfax town council to approve the mitigated declaration of negative impact as soon as possible. Thanks for your attention.

Mark Knowles

Meadow Way, Fairfax, Ca 94930

From: Marlena Kushner ‹
Sent: Sunday, May 31, 2020 9:23 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge certification

Dear Town Council.

We are concerned Fairfax residents who are disturbed by what is occurring with the Meadow Way Bridge project. We have used that bridge and know people there who depend on the bridge to operate properly and safely.
There have been many studies about this bridge project over many years that addressed environmental concerns and design issues. Our understanding is there is now a good design with adequate funding so that the project can now proceed in a timely fashion.
Please don't delay this- Keep the residents of Meadow Way safe and do it soon!! Don't do yet another study, putting off the project and risking that some natural disaster can harm the bridge further and hurt the residents of Meadow Way along with potentially affecting the rest of us in Fairfax.
Please protect our environmental resources and keep our community safe and accept and certify the MND now and move forward on this important and essential project.
Thank you!

Sincerely,

Marlena Kushner and Phil Hammond
Meernaa Ave
Fairfax,Ca..

From:
Sent: Monday, June 01, 2020 9:32 AM
To: Michele Gardner <mgardner@townoffairfax.org>; Renee Goddard <rgoddard@townoffairfax.org>; John Reed <jreed@townoffairfax.org>; Barbara Coler <bcoler@townoffairfax.org>; Stephanie Hellman <shellman@townoffairfax.org>; Bruce Ackerman <backerman@townoffairfax.org>; Garrett Toy <gtoy@townoffairfax.org>
Subject: Meadow Way Bridge Deterioriation

Hello,

I'm sure you are aware of Meadow Way Bridge's rating of 44 out of a 100 point scale, which certified the bridge for replacement.

However, I wanted to point out the neighborhood's fear of the severity of the deterioration of the bridge's foundation due to scouring, which has eroded the creek bank underneath and around the foundation.

We are very concerned that a strong winter storm flow could collapse the bridge's foundation into the piers and take down the bridge along with the gas and sewer lines. This could cause much more economic and environmental damage than any of Frank's vague notions.

Please watch this short video of 42 year Fairfax and Meadow Way resident, Scott Davis point out the problem.

https://www.youtube.com/watch?v=hyIL-HZJN_Q&feature=emb_logo

Thanks for listening and I hope you vote to support the current plan.

Best,
Nadim Nahas
Meadow Way

From: Mary Ann Maggiore
Sent: Monday, June 01, 2020 9:59 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: To Fairfax Town Council: please approve repair of Meadow Way Bridge

Dear Ms. Gardner:

I am writing to you as a former Mayor of Fairfax and former Planning Commissioner to please make it known to
all members of the Council that I fully support the refurbishment of the Meadow Way Bridge.

I am very much aware of the dangerous state of the bridge at this present time and I think all that can be done to make the bridge safe and secure should be done.

Please share this missive with the entire Council.

Thank you,
Mary Ann Maggiore

I
Fairfax, Ca

From: Ahria Wolf
Sent: Monday, June 01, 2020 10:29 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way bridge

Dear Fairfax Town Council,

I am very committed to the health of the environment, Fairfax's financial health, and the safety of Fairfax residents. I urge you to support the Meadow Way Bridge Replacement Project immediately by certifying the Modified Negative Declaration (NMD).

This bridge project is very well designed and needed, as the present narrow wooden bridge is structurally obsolete and literally falling apart. It is currently leaching creosote (a probable carcinogen) into the creek and off-gassing toxic chromium and arsenic into the air, to be breathed by the elderly and small kids crossing on bikes. After eight years of study and planning already, safety demands that this bridge be replaced absolutely as soon as possible.

I am extremely concerned for the safety of the 70 Meadow Way residents. If this very-weakened bridge collapses due to winter storms or earthquake—or burns up in a firestorm—they will have no way to evacuate. Further, a bridge collapse will rupture the pipe providing their only water supply, the sewer pipe (thus dumping untreated sewage into the creek), and the natural gas pipe (likely leading to a firestorm that could consume much of Fairfax, or to an explosion such as in San Bruno). This is a very significant public safety risk for the Fairfax community, and—as a significant financial liability for the Town--should not be delayed any longer.

I commend the Town for the public comment sessions held over the past seven years, incorporating public feedback into the final Meadow Way Bridge replacement design. All the environmental issues have already been fully examined during extensive CEQA/MND studies, and construction will mitigate all possible impacts. In fact, the federal government has certified that there will be NO damage to threatened wildlife. The watchdog environmental group Friends of Corte Madera Creek Watershed—the organization most concerned with the health of this creek—has indeed recommended that construction utilizing the current plan be started as soon as possible.

The actual construction will take place during the dry season. When completed, the section of creek bed under the new bridge will be vastly improved--it will include a steelhead fish habitat restoration, as well as removal of invasive plants and replacement with native plantings. It will also greatly reduce scouring and erosion, thus keeping the banks stable, and slow water velocity, protecting downstream properties against flooding. Fairfax will be restoring this section of the creek environment for at least the next 100 years!

Doing a duplicative EIR (as one person has requested) will cause a substantial additional delay while the current bridge continues to deteriorate and expose nearby residents to life-threatening risks. And an EIR's additional cost (hundreds of thousands of dollars) will be borne exclusively by Fairfax taxpayers.

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

Ahria Wolf

Ahria Wolf, MFT

Marriage and Family Therapist

From: Marleen Roggow
Sent: Monday, June 1, 2020 6:36 PM
To: Barbara Coler <bcoler@townoffairfax.org>
Subject: Meadow Way bridge project

Hello Barbara,

My husband Michael Rosenthal and I live on Cascade Drive, a few houses from Meadow Way. We believe the new bridge would be a win-win, improving public safety and enhancing the environment. Please support moving ahead with the project and against any further expensive delays and studies.

Thank you.

-Marleen Roggow

From: David Glick <
Sent: Monday, June 01, 2020 7:48 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

Dear hard-working council members of the Town of Fairfax.

My name is David Glick and I live at 297 Cascade Drive. I am writing to you about my deep concerns about the charming, though nonetheless decrepit Meadow Way Bridge that is in dire need of replacement. That bridge is the only way in and out of the Meadow Way neighborhood and the vast number of residents of that neighborhood have been clamoring for years to have the bridge replaced.

We live in a fire-prone and earthquake-prone area. If that bridge fails, and it easily could in an earthquake, the Meadow Way neighborhood would be entirely cut off from essential recovery efforts and assistance.

As we all know, there is only one way in and out of the Cascades and to make matters worse there is only one way in and out of the Meadow Way neighborhood. In truth, we are all very vulnerable to potential catastrophes.

All of us in the Cascades worry constantly about the potential of fires. If there was a fire and that bridge was to catch fire or weaken so that fire trucks could not safely cross it, the entire Cascades would be at risk and the entire town would be at risk. Those are simple indisputable facts.

I believe that all the sensitive and important environmental issues have been addressed in the plan for a replacement bridge and I urge the town council to certify the Mitigated Negative Declaration at Wednesday's meeting so there is no further delay in getting the process underway.

We are living in a time when there is so much polarization and there is so much discord in this country and I hope the town can come together peaceably around this issue so we can move forward and continue to make Fairfax the special place that it is.

I wish to thank the Council for your diligent work and your dedication to the town we all love.

Sincerely, David Glick, _ Cascade Drive.

David Weinsoff
Ridgeway Avenue
Fairfax, California 94930

TOWN OF FAIRFAX
JUN 01 2020
RECEIVED

May 28, 2020

Garrett Toy
Town Manager
Town of Fairfax
142 Bolinas Road
Fairfax, California 94930

Re: Meadow Way Bridge

Dear Garrett,

Meadow Way neighbors asked me to share my thoughts with you and the Council on the proposed adoption of the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program for the Meadow Way Bridge Replacement Project. As a former councilmember when this project was initiated, and as an environmental attorney for the past 30+ years, some brief comments for the public record may be of some value to the Town Council in its continuing deliberations.

Two points:

a. On the singular issue of compliance with the law, if the Town has in its project planning and development complied fully with all the relevant laws, rules, and regulations imposed under federal, state, county, and town statutes and ordinances, the Town should proceed with the project. Compliance is based on the informed opinion of the Town Attorney.

b. On the broader issue of how as a society we apply our laws to ensure protection for the environment and human health and safety, there is always a balance. The layering of our environmental laws ensures that a project, such as the one on Meadow Way, has been reviewed for its land use implications, water quality, and impacts to endangered species. Once this review is complete, we weigh as a community the balance between perceived environmental harms and the potential benefits to human health and safety. In this case, where a degraded and degrading wooden bridge, located in a high fire zone, is the sole means of in-and-out for a community that in large measure seeks approval of a fully-funded safe replacement, the balance would on the available evidence weigh in favor of the replacement.

An opponent to this project is not, however, without legal recourse. If the Town has failed to comply with its legal obligations under the law, an opponent of the project can avail him/herself of available remedies in our courts. As an attorney who has represented parties seeking to halt projects they considered unlawful, I understand and appreciate the motivation behind such

decisions. In this case, however, I support the Meadow Way neighbors seeking the safe passage that will be provided by a new bridge.

David Weinsoff
Councilmember 2005-2017

From: Anjelica Gazzano
Sent: Monday, June 01, 2020 6:24 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge Replacement

Hi Michelle,

I am writing with regard to the upcoming vote on replacing the Meadow Way bridge. My name is Anjelica Gazzano and I'm a third generation Fairfax resident. My grandfather moved to Fairfax in 1954 and lived on Willow Avenue, my parents moved back to Fairfax in 1982 and lived on Meadow Way, and my husband and I moved to Fairfax in 2017 and live on Live Oak Avenue. In addition, I was a resident of Meadow Way for 24 years. As a child I played in the creek below the Meadow Way bridge and have very fond memories of our beloved Meadow Way neighborhood.

Over the last decade our friends and former neighbors who live on Meadow Way have advocated for the replacement of the Meadow Way bridge. It is my understanding that there are 30 homes on Meadow Way and over 70 residents who use the bridge on a daily basis. The bridge is older than I am (over 30 years) and it is well past the point of repair. At this point, the town needs to not only consider the safety of the Meadow Way residents, but also the liability and legal risk that a lack of replacement poses.

I'm a CPA here in Marin and am very involved with our Marin Community. In 2017 one of my clients who lives in Nicasio lost their bridge in the winter flood. For many years my clients plead to the County of Marin to have debris removed from the creek as it was compromising the integrity of their bridge. The County put off the issue for a number of years and in the end the 2017 flood and debris destroyed their bridge, leaving them stranded on the other side. My clients were forced to sue the County, who was found to be at fault for lack of action to clear the debris and as a result, incurred the full cost for replacement of the bridge. However, even more notable than the cost and replacement of the bridge, which took over a year to complete, is the fact that my clients, who are in their 70's, were forced to access their home by way of their neighbors properties and bring in firewood and groceries via a wheelbarrow. The burden they endured as a result of the County's failure to act is one that no resident should have to endure and it is my hope that telling their story will bring light to the fact that the information and documentation is very clear - the Meadow Way bridge is in dire need of replacement.

I urge the Fairfax Town Council to consider how many more years and hundreds of thousands of additional taxpayer dollars are necessary to further delay the inevitable replacement of the Meadow Way bridge? The bridge replacement is not a matter of IF it will be replaced, at this point it is a matter of WHEN will it be replaced. The bridge is structurally unsound, poses a major hazard with regard to the gas and water lines running on the underside of the bridge, has adverse environmental impacts on the creek and watershed, and is a major fire hazard that could potentially strand dozens of residents if there were to be a fire or flood in the Cascades. The $900,000 the town has incurred as a result of the delay for the mere $200,000 cost to replace the bridge just does not add up in my opinion. Furthermore, I believe most Fairfax residents would feel the same way I do if this issue were brought to the forefront of their attention. I think we can all agree, our small town does not have the resources to waste another dollar on delaying the inevitable replace and certainly not the safety of our residents. The town council's failure to act in moving forward with the bridge replacement is not in the best interest of the resident of Meadow Way nor the interest of the Fairfax residents, who would likely all prefer to have spent that $900,000 to enhance our town rather than delay inevitable progress.

Please do the right thing and protect the residents who live on Meadow Way by approving the replacement of the bridge. I thank you for your time and consideration and hope that the town council will make the right decision to move forward with a final resolution.

Many thanks,

Anjelica L. Gazzano

Live Oak Avenue, Fairfax, CA

John C. Crane

86 Sir Francis Drake Blvd., San Anselmo, CA 94960
www.johncranefilms.com

June 2, 2020

Town Council
Town of Fairfax
142 Bolinas Road
Fairfax, CA 94930

RE: Comments for the Mitigated Negative Declaration for the Meadow Way Bridge Replacement Project

I urge the Town of Fairfax to prepare an Environmental Impact Report (EIR) for the proposed Meadow Way Bridge Replacement Project.

I live on the creek at 86 Sir Francis Drake Boulevard in Ross, downstream of Town of Fairfax, and I am very concerned that Town of Fairfax is taking shortcuts via the adoption of the Mitigated Negative Declaration that will result in harm to the environment, habitat for wildlife and result in increased water levels downstream. Is the Town of Fairfax accepting responsibility for downstream flooding that could be the result of the cumulative impacts caused by altering the hydrology and all creek work that has never been studied?

Although the EIR "estimated cost to the Town is approximately $200,000" and the "costs are not covered by HBP" it is money well spent to protect the environment and study the outcomes. The same creek connects us all, and everything the Town of Fairfax does will affect everyone downstream. Investing in an EIR could reveal potential problems that will otherwise not be considered.

The Town of Fairfax has a legacy of protecting and preserving nature, and independent thinking. Has the Town of Fairfax fallen victim to the County's desire to push piece-meal flood projects through without a overall Ross Valley Flood Plan that works? And one that works from the bottom up?

The same creek connects us all and I urge the Town of Fairfax to resume being the voice of reason in Marin County. Prepare an EIR for Meadow Way Bridge and others.

John Crane