

Item 13 Meadow Way Bridge Replacement Project

Supplement #2 to Attachment H

**Written Public Comments Received
From June 2 at noon to June 3 at 3 pm**

From: **matt towers**

Date: Mon, Jun 1, 2020 at 10:30 PM

Subject: EIR for Meadow Way

To: <rgoddard@townoffairfax.org>, <jreed@townoffairfax.org>, <backerman@townoffairfax.org>, <bcoler@townoffairfax.org>, Garrett Toy <gtoy@townoffairfax.org>, Stephanie Hellman <shellman@townoffairfax.org>

Dear council members,

I am writing to express my support for moving forward with the Meadow Way bridge project. The plans meet engineering and environmental standards of the state and Caltrans. It seems that the choice for the council now is whether to move forward with the project and risk a lawsuit that insists on an EIR.

I have not seen any document that outlines specifically what is missing from the existing assessments and how an EIR will satisfy that. Instead, the objections are just broad speculation and disinformation about the inadequacy of the consultants' work. Without understanding of the gap between an EIR and the assessments we have now, why would the Town opt to spend \$180K without knowing what that would accomplish. If the perceived benefit is that doing an EIR will forestall a lawsuit, I would question that.

If the council votes to do an EIR, what are the outcomes if the EIR agrees with the previous studies? The best case scenario is that the town spends 180K and the project moves forward a year later. What is more likely is that the results of an EIR that confirm the previous research findings will be challenged just as the CEPA and NEPA studies were. The same tactics will be employed, the project will again be delayed.

If the EIR suggests changes to the design, we will start from the beginning. The new designs and reports will be challenged just as the existing ones are challenged now. There will be a renewed threat of a lawsuit based on the new pretexts and falsehoods. Here is why I believe those are the likely outcomes.

Regardless of the stated pretext for requesting an EIR, the concern is not about the environment; it is about one resident's aesthetic preference and/or nostalgia for a wooden bridge. The new design improves habitat for steelhead, replaces invasive non native vegetation with native species, removes toxic pillars, and dechannelizes the creek. All of those correct for past mistakes. If the objections were truly about the environment, they would include suggestions for ameliorating these existing problems. Instead, they are almost entirely about chasing meaningless anecdotes, fictive narratives and process anomalies. No EIR is going to satisfy aesthetic or nostalgic wishes. It will not end the discussion or threat of a lawsuit; it will just prolong both. The council will face the same opposition regardless of the EIR. It will just be a year later and the Town 200k poorer.

I understand that it is a difficult decision not to do an EIR but the two reasons I think that would be a bad decision are that it is almost certain that any outcome will be challenged so a year from now we will be in the same position, the bridge will have become that much more unsafe and the town will fight a new round requests, lies and animus. Secondly, not moving forward with the project puts all the residents at risk for a longer period of time. Imagine the town's culpability if the bridge collapsed and imagine what residents would have to do to cope with that. Lastly, is it fair that one person, with a callous disregard for safety, can thwart the wishes of an entire neighborhood.

Matthew Towers

From: John Berg
Sent: Tuesday, June 02, 2020 12:20 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Approve the Meadow Way Bridge IS/MND

Honorable Fairfax Town Council-

I am writing to urge you to approve the Initial Study/Mitigated Negative Declaration (IS/MND) for the Meadow Way Bridge.

This level of environmental document is appropriate given that it is a replacement project and that the existing degraded creek will be restored with a program of fish habitat restoration.

There are some people who seek to delay the project and are requesting an Environmental Impact Report (EIR) on the premise that additional information is required to justify the decisions already made.

This project has been in design for 7 years and there have been a lot of studies prepared to support the IS/MND. Among these studies are:

Natural Environment Study - Meadow Way Bridge (NES)

August 2019 by Kelly Biological Consulting, San Anselmo, CA as approved by Caltrans

- This study included 5 field surveys and definitively describes the status of steelhead, coho salmon, foothill yellow-legged frogs, and northern spotted owls.
- The study includes mitigation measures that are included in the IS/MND.
- Steelhead are present at the bridge location and will be accommodated by the construction and design of the project. Habitat will be improved.
- Coho salmon are not present at the bridge location, but the design of the project will enhance future habitat for them.
- Foothill yellow-legged frogs are not present at the bridge, but may be present 1 mile upstream. There are numerous residences and lots of human activity between the bridge and the possible frog habitat. The frogs will be accommodated by the construction and design of the project.
- Northern spotted owls are present on the hillside between Meadow Way and Canyon Road, across from residences along the creek, including a house under construction, chains saws working on wildfire reduction, and people playing in their backyards every day of the year including nesting season. The project will accommodate the Northern Spotted Owl by avoiding nesting season.

National Marine Fisheries Service - Endangered Species Act Section 7(a)(2) Biological Opinion (NMFS)

July 08, 2019 by Alecia Van Atta, Assistant Regional Administrator California Coastal Office

- This letter by the federal agency responsible for fish has the same conclusion as the NES.
- Mitigation is suggested in this letter to promote the preservation and health of the fish. This mitigation is implemented in the NES and IS/MND.

Bridge Type Selection Report for Replacement of Meadow Way Bridge over San Anselmo Creek (Bridge No. 27C-0008)

May 26, 2016 by CIC

- This report justifies the design of the bridge, including the structure and hydrology and hydraulic design of the creek.

- There is extensive design commentary on the access road to the creek and management during winter months.
- The report evaluated the 3 types of bridges, with a full Engineering Estimate for each bridge type in the report. Concrete is the least expensive option. (Concrete \$2,747,000; Steel \$2,860,000, Glulam wood \$2,961,000)
- Before others assert alternate pricing they should be required to present an Engineering Estimate.

Preliminary Discussion of Liquefaction Potential and Geotechnical Services for Meadow Way Bridge August 26, 2015 by Miller Pacific Engineering Group

- Any suggestion of landslides, erosion or other soils conditions should refer to the site specific report prepared by a Licensed Geotechnical Engineer.
- This report includes site soils borings and logs.

There are several other reports prepared by CIC (the project Engineers) that I have not mentioned. They are prepared by professionals that have visited the site and done studies or taken samples. These reports should be given credence over anecdotal studies by others who have not visited the site.

I feel qualified to make this comment because I was the lead Civil Engineer for Marin County's Bridge Program. I retired March 2019. I worked on a very similar bridge project named the Mountain View Road Bridge Replacement Project

(<https://www.marincounty.org/depts/pw/divisions/projects/engineering/mtn-view-rd-bridge-repl-project>)

The environmental document for this project is an IS/MND. This bridge is in San Geronimo Valley over a truly perennial creek with Coho Salmon. An IS/MND is appropriate because it is a replacement with no expansion and it improves the local habitat.

In conclusion, the Meadow Way Bridge project will replace a dilapidated wooden bridge, which ensures the residents will continue to have public safety access and utility service to their neighborhood for the foreseeable future. (IS/MND p5) In addition, a program of fish habitat restoration, using bio-engineering techniques, low earth berms and woody nooks, designed specifically for the site, will be implemented. (IS/MND p20).

There are adequate studies for the understanding of the locality and preparation of the bridge and creek design.

After approval of the IS/MND, the design will be finalized and additional improvements to the design will be made.

The Fairfax Town Council should approve the Initial Study/Mitigated Negative Declaration (IS/MND) for the Meadow Way Bridge.

Thank you,
-John Berg, Professional Civil Engineer

From: Frank Egger

Sent: Wednesday, June 03, 2020 6:50 AM

To: Michele Gardner <mgardner@townoffairfax.org>

Cc: 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>

Subject: Please include these 4 CA Dept of Fish & Wildlife reports into the Record of the Meadow Way Bridge MND for Frank Egger & Save Fairfax

STREAM INVENTORY REPORT

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94533>

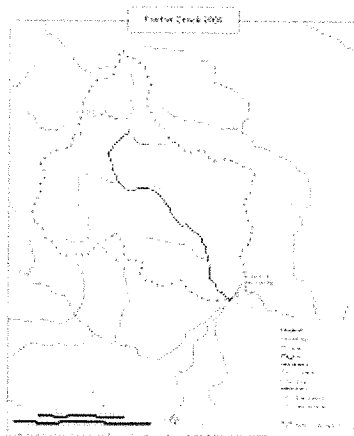


File Format: PDF/Adobe Acrobat

San Anselmo Creek 2009. California Department of Fish and Wildlife. East Marin County. **San Francisco** Bay Watersheds. Stream Habitat **Assessment** Reports.

STREAM INVENTORY REPORT

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94527>



File Format: PDF/Adobe Acrobat

Fairfax **Creek** 2009. California Department of Fish and Wildlife. East Marin County. **San Francisco** Bay Watersheds. Stream Habitat **Assessment** Reports.

Carey Camp Creek

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94523>

File Format: PDF/Adobe Acrobat

California Department of Fish and Game. East Marin County. **San Francisco** Bay Watersheds. Stream Habitat **Assessment** Reports. Carey Camp **Creek**.

Cascade Creek

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=94524>



File Format: PDF/Adobe Acrobat

Cascade **Creek** 2009. California Department of Fish and Game. East Marin County. **San Francisco** Bay Watersheds. Stream Habitat **Assessment** Report

From: Frank Egger

Sent: Wednesday, June 03, 2020 7:21 AM

To: Michele Gardner <mgardner@townoffairfax.org>

Cc: 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>

Subject: Historical interest/San Anselmo Creek/Please include this Video for the Record of Meadow Way Bridge MND for Frank Egger & Save Fairfax

Good morning Michele,

There's been a lot of discussion on social media about the Meadow Way Bridge and the Laurel Collins Memo I submitted for Save Fairfax and myself. Laurel Collins currently works out of Seattle, Washington. Some have questioned her knowledge of San Anselmo Creek and wonder if she has even been to Fairfax. Laurel was born and raised in Marin, graduated from Redwood High School, College of Marin and UC Berkeley. This is a video of her work on a presentation in the Ross Valley on the history of San Anselmo Creek. This Video, while long, helps to understand her history for the preparation of the Memo on the Meadow Way Bridge Mitigated Negative Declaration to be heard this evening in a Zoom Fairfax Town Council meeting.

Thank you, Frank Egger

<https://vimeo.com/24194737>

Watershed Sciences

8038 Mary Ave NW

Seattle, WA 98117

cell: (510) 384-2371

laurelgene@comcast.net

From: Marilyn N. Gaynes
Sent: Tuesday, June 02, 2020 1:42 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

Dear Town Council Members,

My name is Marilyn Gaynes and my husband and I live at 7 Meadow Way, directly adjacent to the bridge. It is undeniable that the bridge needs to be replaced so I will not waste your time pleading that case. What I do want to underscore is just how dangerous its **current** condition is to all of the people in the Meadow Way community as well as those nearby and even the whole town. In the event the bridge collapses due to fire, earthquake, or winter flood undermining, the results could well be dire: explosion from the burst gas main under the bridge, contamination of the creek from the burst sewer line under the bridge, and Meadow Way residents unable to access an escape route.

So, time is of the essence. We have waited too many years for this bridge to be replaced, each year the bridge becoming more and more dangerous. The proposal to complete an EIR is a bogus attempt to delay this process further. As you know, the design has been approved by NOAA and the National Marine Fisheries Service, and has met NEPA and CEQA standards. An EIR would force the Town to spend more money it can't afford and be for no truly useful environmental purpose. Worst of all, the result could well be **years** more delay.

I understand you are being squeezed. Despite a threatened lawsuit on one side, is it not your moral and legal responsibility to protect the residents of Meadow Way?

Please do the right thing and approve the IS/MND for the Meadow Way Bridge.

Sincerely,
Marilyn Gaynes

From: Andrew Getz

Sent: Tuesday, June 02, 2020 8:25 PM

To: Michele Gardner <mgardner@townoffairfax.org>

Subject: Meadow Way Bridge Replacement Project and certification of MND

Dear Fairfax Town Council,

I am a local resident and 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 (MND).

This bridge project is very well designed and is needed as the present narrow wooden bridge is structurally obsolete and literally falling apart. 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.

Again if the bridge were to fail the consequences would be catastrophic, not only for the residents that depend on the Meadow Way Bridge but also potentially for the residents of Fairfax and surrounding community. For this reason I urge you to take swift action. Thank you for protecting our environmental resources and keeping our community safe by accepting the MND and moving forward on this critical project!

Sincerely

Andrew Getz

From: Michael Gregor
Sent: Tuesday, June 02, 2020 6:01 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

Hello,

I'd like you to know there is another voice behind pushing the new bridge project forward and not doing the \$200K study that is proposed. These people will all be stuck on one side of the bridge and there is very little parking close by for them to utilize in case of a collapse. I lived on 20 Meadow Way for 10 years up until 2015. Frank and Ronita are great people, but they are not interested in sharing what that small community on that side of the bridge needs.

Thank you and best of luck.

--

Cheers,

Michael Gregor
Founder
Velopec Inc.
<http://www.velope.tv>

From: Hobart, Samantha
Sent: Wednesday, June 03, 2020 10:15 AM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Item #13. Meadow Way Bridge Replacement Project

To Town of Fairfax Town Council,

For consideration at your Town Meeting this evening (6/3/2020).

I would like to request the Town of Fairfax prepare an Environmental Impact Report (EIR) for the proposed Meadow Way Bridge Replacement Project. The residence downstream and along the San Anselmo Creek are at risk of flooding if the Town of Fairfax moves forward with replacing the Meadow Way Bridge. While there is a cost to completing an EIR, the financial damage caused downstream is likely to be much greater and I would hate to see that obligation come back to the Town of Fairfax. I don't want to see another town liable for the risk and damage caused by flooding local residence.

The EIR would provide more thorough oversight in helping the Town of Fairfax and I believe this is the ethical responsibility of the Town Council.

Thank you to everyone for your time and consideration.

Stay healthy,
Samantha

Samantha Hobart

Ross CA 94957

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Scott L. Hochstrasser
IPA, Inc.

E-Mail

Bolinas Road * Fairfax, CA 94930 USA *

June 3, 2020

Honorable Mayor Renee Goddard and Town Council Members
Via email only

RE: June 3, 2020 Council Agenda Item #13 – Meadow Way Bridge Replacement

Dear Mayor Goddard and Honorable Members of the Council,

I am writing as a resident of the Town in support of the two actions noted in your Council Agenda Item #13 – and encourage you to take the following actions for the reasons noted below:

A) Adopting the California Environmental Quality Act (CEQA) Final Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed Meadow Way Bridge Replacement Project as well as approving a statutory and categorical exemption from CEQA and

B) Approving the Meadow Way Bridge Replacement Project.

I have reviewed the entire administrative record and had conversations with my friends and neighbors who reside in the Town about the on-going Meadow Way Bridge Replacement Project. I have been a practicing land use and environmental planner in Marin County for over 25 years. Based on my professional expertise and review of the record I find that although some folks are making arguments for an Environmental Impact Report (EIR) and the Council is considering it as stated in the staff report and noted below, in my opinion no EIR is warranted and/or required under CEQA rules.

(Source Council Staff Report “OR in the alternative, directing staff to contract with CIC in an amount not to exceed \$180,000 to prepare an Environmental Impact Report (EIR) for the proposed Meadow Way Bridge Replacement Project”

NO “FAIR ARGUMENT”

I find that there is no “fair argument” being made with substantial evidence in the record to support the argument that a project EIR is needed or necessary prior to approval of the Meadow Way Bridge Replacement Project. (See Council Staff Report Packet “Exhibit D”, Memo WRA, dated, May1, 2020 Memo)

Folks advocating for a project EIR make it clear in their correspondence that the project Initial Study and Mitigated Negative Declaration provides them with reliable information to disclose the facts of the project. The California Environmental Quality Act (CEQA) is an information gathering process designed to inform the public and decision makers about the potential “significant adverse” effects of a project on the environment. Advocates for the EIR rely on information in the record to make their arguments accordingly, clearly the IS and MND has done its job.

NO FACTS OR EVIDENCE TO SUPPORT THE NEED FOR AN EIR

None of the advocates for an EIR have provided new evidence or facts to support their argument. They have argued that there might be alternatives to the project design worth considering. Where were they January 2017 when the Council approved the bridge design? None of the letters advocating the need for an EIR contain facts to demonstrate how an alternative project could potentially reduce project impacts. Moreover, there are *no experts* arguing that facts contained in the initial study are inaccurate and/or incomplete.

Technically, because the project has reached “emergency status, it is exempt under State CEQA Guidelines section 15269, which provides that “[s]pecific actions necessary to prevent or mitigate an emergency” *are statutorily exempt from CEQA*. An “emergency” is defined as “a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.” (State CEQA Guidelines, § 15359.) Here, the record is replete with evidence that the Town is concerned with the Bridge’s potential collapse, due to the scouring and undermining of the Bridge attached to the banks and structural integrity. The existing bridge is a hazard and constitutes an imminent danger to the health, safety and welfare of Town residents. The bridge is wood, and because of substantially increased risk of wildfires and number of catastrophic wildfires in the Northern San Francisco Bay Area and Northern California in general and the potential of the bridge burning and obstructing emergency vehicle access puts residents of Meadow Way at risk; unable to escape a wildfire as well as firefighters unable to reach the homes on Meadow Way. Additionally, bridge banks continue to erode as 100 year storm events flood the waterway resulting from effects of climate change in the past several years.

EXPENSIVE ERROR ON SIDE OF CAUTION

In error on the side of caution, the Town has already responded to several letters and public testimony, and prepared a Draft Initial Study pursuant to CEQA to further inform interested members of the public who could not or would not understand the project design details. The study found that any/ all potentially significant adverse project impacts can be fully mitigated. After following the CEQA process with full disclosure still members of the public either cannot or WILL not accept the study findings and conclusions.

Even the State Clearinghouse acknowledged that no State agencies provided comments on the Draft IS/MND and that the Town had complied with State Clearinghouse Review requirements for draft environmental documents pursuant to CEQA

CONCLUSION

In conclusion, there is no reason, logic or evidence in the record to support the need for a project EIR. This project has been the subject of discussion for more than 7 years and the bridge and its lack of structural integrity and eroding banks are not getting any more secure over time. What will it take for folks to stop making this matter a political football? Maybe the bridge will have to collapse before some in the community will be convinced of the immediate need for replacement. This is not the Green Bridge project in the Town of Ross, and spending another \$200k of Fairfax Town money to inform a few residents and the general interested public who cannot and/or will not accept the facts of the case is a terrible waste of tax payer's money and time.

It is reported that the EIR would delay the project construction to 2023 and that the EIR results will likely mimic the IS/MND findings and conclusions. Finally, can the Meadow Way Bridge last another 10 years before it fails? I urge you to take action to move this matter forward to protect the health, safety and welfare of Meadow Way residences; adopt the draft resolution approving the IS/MND and the Meadow Way Replacement Bridge project tonight.

Thank you in advance for your kind consideration of the points made herein.

Sincerely,

Scott L Hochstrasser

From: Davy Jay

Sent: Tuesday, June 02, 2020 3:43 PM

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

Subject: Meadow Way Bridge

Hello Town Council Members,

I am contacting you regarding the Meadow Way Bridge Replacement Project.

I urge you to move forward with this project. It is truly disheartening that one person, Frank Egger, is trying to derail this project. Since he was voted off of the Town Council he has repeatedly tried to disrupt the town with threats of lawsuits and recalls. I encourage you to move forward regardless of his threats.

I live up Cascade Canyon and there are many many people who are nervous about the project being delayed / derailed. The suggested course of action (to make sure the project is approved) is to contact the Town Council and thus give you the confidence to move forward. I hope you don't need the citizens overwhelming support to make easy or hard decisions. We elect you to act in the best interest of the town. We don't elect you to make the most popular decisions or decisions that garner the most support by a group of dedicated people who show up for public comment. The number of people that contact the council on an issue doesn't make it any more right, wrong or important.

Please be leaders and no pollsters.

Davy Jay

Canyon.

From: Theresa Koke
Sent: Tuesday, June 02, 2020 7:54 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way bridge

Dear Fairfax Town Council,

I am concerned about the safety of Fairfax residents, and so I am writing to urge you to support the Meadow Way Bridge Replacement Project immediately by certifying the Modified Negative Declaration (NMD). Any further delay will unnecessarily endanger the safety and welfare of the approximately 70 families for whom it is the only egress.

To my understanding, 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.

If this very-weakened bridge collapses due to winter storms or earthquake—or burns up in a firestorm—the residents 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.

After so many years of study and numerous meetings incorporating comments of the public and of environmental agencies, great care is being given to addressing the environmental issues involved. Now it is time to move on with this project before it is too late.

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.

I hope you will do the right thing and approve the NMD on June 3.

Sincerely,

Theresa Koke

To: Fairfax Town Council

From: Kate Linscott
21 Meadow Way
Fairfax CA

RE: Meadow Way Bridge

I am writing again to urge the Town Council to accept the MND and environmental studies that have already been done on the Meadow Way Bridge.

1. This bridge replacement is an immediate health and safety concern. The extensive environmental reports have fully addressed mitigation efforts. I am appalled that the urgency of this replacement is being undermined by dithering and nitpicking over aesthetics.
2. Our neighbor, Frank Egger, has turned the environmental review process on its head. He does not accept the conclusions of the extensive studies already completed and is requesting a redundant EIR. He impunes the reputations of the peer review already done. What if he disagrees with the EIR? What will be his tactic then?
3. Frank enjoys a powerful bully pulpit in the town and deep pockets of the organizations who support him. Last minute letter drops from an attorney representing the Sierra Club and a report from a consultant who has not visited the site are designed to intimidate the council and the neighbors.
4. The bridge design has been approved by the majority of residents on Meadow Way. The town has done due diligence in preparing the environmental reports. The Town Council represents all of us. Frank is not an ad-hoc council member and his opinions should not have additional weight because of his powerful lobby.

Thank you for your consideration.
Kate Linscott

From: Pamela Meigs
Sent: Wednesday, June 03, 2020 8:41 AM
To: Pamela Meigs
Cc: Michele Gardner <mgardner@townoffairfax.org>
Subject: Re: Meadow Bridge Agenda Item for June 3,2020

> On Jun 3, 2020, at 7:24 AM, Pamela Meigs <pamelameigs@sbcglobal

>> From Pamela Meigs, Former Chair and 9 years on Fairfax Planning Commission -resident in upper Cascade anyon 38 years

>> After reviewing data/information related to the Meadow Way Bridge -this is what I have concluded:

>> 1) The size, scope and massive project does not warrant the need as a replacement for that neighbor hood- while the bridge needs replacement a lower scale and less damaging plan would be a better way to proceed. Is there a middle way?

>> 2) Due to adverse significant impacts to sensitive and threatened species including re-channeling the creek as listed in the Sierra Club letter a EIR must be done.

>> 3) There is unanswered questions from MRA Consultant —as noted per the Sierra Club response.

>> 4) An EIR would clear up many of the non-answered questions and the answers that have been challenged especially related to re-channeling the creek, endangered species and their habitats

>> 5) ALL neighbors want a new bridge -Time is of the essence. There are safety concerns, as I know I live also in the Cascade Canyon since 1987 and I pay taxes too. It is sad that the bridge plans have been mismanaged and delayed. It is sad to see neighbors against neighbors. However as a community -its not all about the money - rather than what is the BEST plan for the community.

>> 6) Create a fast track plan for a quicker smaller project to complete the new bridge with a one year plan. Two years is longer and not as safe nor wise. RVSD will need to upgrade the pipes -which will take time and planning appropriately.

>> 7) The Sierra Club letter has strong teeth to create a strong legal debate that I feel would win to promote a EIR. Is this what you want the Town to battle? I agree and I understand the neighborhood wants this done asap...however it needs to be planned in a right manner before it becomes a law suite.

>

From: |

Sent: Tuesday, June 02, 2020 4:44 PM

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

Subject: Meadow Way Bridge

Dear Fairfax Town Council,

I am writing to express my support for the moving the Meadow Way bridge project without an EIR. I am very confident all the experts involved, including those at Caltrans, have done a complete job that took into consideration safety and the environment.

Please don't bow to final hour tactics by those who seem to be making things up without vetting, and in the process, denigrate all the hard work performed by experts and the town to date.

It is exceptionally ironic that those who decry wasteful spending are attempting to hold the town hostage by threatening a lawsuit or else spend an additional 180k on an EIR.

Furthermore, as reflected by the town's recent workshops, town revenues will most likely take a hit due to the shortfall in business due to the Covid-19 shutdown. This could leave a very large hole in the town's future budget.

Fairfax has many constituents and I hope you don't assign a larger weight to the unverified postulations of one loud citizen who is going against their entire neighborhood.

Respectfully,
Nadim Nahas
Meadow Way

From:
Sent: Tuesday, June 02, 2020 6:26 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

Dear Fairfax Town Council,

I'm asking you to support the Meadow Way Bridge Plan and not authorize an EIR.

I ask this for community safety and the restoration of the creek habitat, which is in such disrepair.

Please don't give in to vague notions and legal threats.

Thank you for your service to our community.

Aloha,
Stacy Nahas
Meadow Way

Sent from my iPhone

From: Arlene Reiss ·
Sent: Tuesday, June 02, 2020 3:28 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge Replacement Project

Dear Fairfax Town Council,

I am writing you regarding the Meadow Way Bridge Replacement Project. As I have friends who live in the vicinity of this bridge, I have driven over this bridge many times throughout the years. I am always uneasy driving over this bridge as it is narrow, old and appears to be structurally unsound. I have feared that it could collapse under my car or while any of the local residents or animals cross over it. I have feared for the lives of my beloved friends and their neighbors. I do not see how that bridge could survive an earthquake or any number of extreme weather conditions. I would like to urge you to please certify the Modified Negative Declaration (NMD) immediately. It is my understanding that the MND will protect our environment and it will protect valuable lives.

I very much appreciate your consideration of this matter and your time and effort.

Kind regards,

Arlene Reiss, PhD, MFT

Sent from my iPad

From: Michelle Sell, Harpist
Sent: Tuesday, June 02, 2020 4:19 PM
To: Michele Gardner <mgardner@townoffairfax.org>
Subject: Meadow Way Bridge

Dear Fairfax Town Council,

It has come to my attention that the Meadow Way Bridge replacement project will be discussed at tomorrow's council meeting.

I have a dear friend that lives at 7 Meadow Way and until covid-19, I had not only not been to her house but I had never encountered the bridge.

Suffice to say that although I don't have a lot of facts in regard to any possible postponement of the project, I can tell you that I am unnerved to cross it every time that I bring groceries to my friend, Marilyn Gaynes.

Please don't wait until someone is injured or worse on such an unstable bridge, needing so much repair/replacement. Please move forward with approval.

Sincerely,
Michelle Sell
Homeowner at 7 Maple Avenue, Fairfax

From: Cindy Swift

Sent: Wednesday, June 03, 2020 9:37 AM

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

Cc: Garrett Toy <gtoy@townoffairfax.org>

Subject: Meadow Way Bridge IS/MND Certification - Town Council 3 June 20 Agenda Item 13

Fairfax Town Council

I support the adoption of the California Environmental Quality Act (CEQA) Final Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed Meadow Way Bridge Replacement Project and approval of the Meadow Way Bridge Replacement Project.

I've reviewed the Final Initial Study/ Mitigated Negative Declaration including biological reports/letters including the National Marine Fisheries Service and the US Fish and Wildlife Service as well as public comments and letters made concerning the study and process.

Based on my review I do not believe an EIR would change what is already addressed in the initial study, but it would:

Cost the town between \$100,000 and \$200,000 at a time when the town and the community are already undergoing a loss of revenue.

Potentially delay the project completion by another year for a bridge that has been deemed unsafe and is the only ingress/egress to for the Meadow Way neighborhood. Meadow Way is part of the Cascade Canyon area which has been identified as an area consisting of many of the most hazardous wildlife fuel types and a topography of steep slopes that exacerbates potential fire behavior and ingress/egress.

This effort has the support of the Meadow Way neighborhood, other Cascade Canyon residents as well as the Friends of Corte Madera Creek Watershed.

Please adopt the IS/MND and move forward on this project.

Thank you

Cindy Swift
Cascade Canyon resident

As a resident of Fairfax, I ask the Town Council to approve the Mitigated Declaration of Negative Impact immediately. I do not want \$200,000 of our Town's budget to be used repeating the existing multi-year environmental report.

Name

Email

Street Address

Submit to Town Clerk

Or send your own email to the Town Clerk
mgardner@townoffairfax.org

All submissions are shared with the Town Council. Fairfax residents only please.

Signed by the following residents electronically between May 28, 2020 and June 2, 2020

Name	Street Address
Junko Esparza	Cascade
Joseph Esparza	████ Cascade Drive, Fairfax, CA 94930
Bart Skorupa	████ Cascade Drive, Fairfax, CA 94930
Heather Skorupa	████ Cascade Drive, Fairfax CA 94930
Lauren Kernodle	████ Cascade Dr
Patricia Gallery	████ Pastori Avenue
Michelle Sell	████ Maple Avenue
Alec Shuldiner	████ Court Lane
Talia Friedman	████ Court Lane
Jason Brooks	████ Meadow Way
Jeff Vallon	████ Meadow Way
Scott Davis	████ Cascade Drive
Yvonne Roberts	████ Scenic Rd
Michael Ardito	████ Pacheco Avenue
Deb Thea	████ meadow way, fairfax
Tom ford	████ meadow way
Peter Arnold	████ Meadow Way
Michele Baroody	████ Ridge Road, Fairfax
Alexander Binik	████ Meadow Way
Andre Fino	████ Meadow Way
Stacy Aiko Nahas	████ Meadow Way
Camille	████ cascade drive Fairfax CA
Grace Davis	████ Cascade Drive
Nadim J Nahas	████ Meadow Way
Kate Linscott	████ Meadow Way Fairfax

Pat Echols	████ Canyon
Nicole MacDonald	Canyon Rd
Daniel Thompson	████ Cascade Drive
Linda (Lini) Bodian	████ Piper Ln
Nancy Meyer	████ Belle Ave
Marilyn Gaynes	████ Meadow Way, Fairfax
Karen Arnold	████ Meadow Way
Terry Scott	████ Bolinas Road
Nancy Scott	████ Bolinas rd, Fairfax
Gary Roth	████ MANOR RD
Jacquelyn Mahaney	████ Wood Lane, Fairfax
Molly Skubecz	████ Meadow way
Laura Skubecz	████ meadow way
Renee dunn	████ Fawn Drive
Laura skubecz	
Steve Lyons	████ Scenic Rd., Fairfax
Rachel Vittorelli	████ Redwood Rd
Stephen T. Rubin	████ Cascade Dr
Elizabeth Rubin	████ Cascade Dr
John Berg	████ Meadow Way
Jackie Floyd	████ Pine Drive Fairfax
Isabella Trouw	████ Cascade Dr., Fairfax CA
Sophie Trouw	████ Cascade Dr., Fairfax CA
Peter Trouw	████ Cascade Dr., Fairfax CA
Gertrud Trouw	████ Cascade Dr, Fairfax CA 94930
Sydney Sarran	████ Cascade Drive
Nick Sarran	████ Cascade Drive
Max Greenfield	████ Live Oak Avenue, fairfax
Anjelica Gazzano	████ Live Oak Avenue, Fairfax
Matthew Towers	████ Meadow Way Fairfax, CA 94930
Minna Kim	████ Canyon Rd
Richard Holland	████ Willow Ave
Norma Fragoso	████ Meernaa Ave
Kathleen Merrifield	████ Dominga Avenue, Fairfax
Ian Davidson	████ Toyon Drive
Jolon Timms	████ Cascade Dr.
Jody Timms	████ Cascade Dr.
Katherine E Matthews	████ Canyon Rd.
Lisa Carmassi	████ Creek Rd, Fairfax
Ben Matthews	████ Canyon Road
Peter Denisevich, Jr.	████ Cascade Dr, Fairfax, CA 94930
Jonathan Foley	████ Scenic Road
Brent Martyn	████ Shemran Ct

Jeff Dugan	📍 Meadow Way
Julia Martin	📍 Castle Rock Ave
ALLISON D ARNOLD	📍 Meadow Way
Susan Brandborg	
Michael Folkers	📍 Encinal Avenue
Maddie Fokers	📍 Encinal Ave
Heather Duncan	📍 Encinal Avenue
Christopher Nelson	📍 San Gabriel Drive, Fairfax
Roger Vallon	📍 Meadow Way
Judy Vallon	📍 Meadow Way
Denis McCarthy	📍 Canyon
Mary Cedarblade	📍 Monte Vista Road
Michael Rosenthal	📍 Cascade Dr.
Marleen Roggow	📍 Cascade Dr.
John Sarran	📍 Cascade Drive
Wynne Sarran	📍 Cascade Drive
Millie Millar	📍 Redwood Rd Fairfax
Susanne Chaney	📍 , Ace Ct
Morgan Cantrell	📍 Hickory Rd
Patrece Bryan	📍 Merwin Avenue, #6
Erica Blumenberg	📍 Cascade Dr
Catherine Renno	📍 San Gabriel Drive
Dave Henning	📍 Wreden Ave
Lowell Strauss	📍 Meadow Way, Fairfax, ca 94930
Christopher arnold	📍 Wreden Ave Fairfax ca
Kristin Arnold	📍 Wreden Ave, Fairfax CA
Steve White	📍 Cascade Drive
Melann mushet	📍 Meernaa Ave
Steve Katz	📍 Cascade Drive
Larry Davidson	📍 Meadow Way
Kevin Davis	📍 Willow Ave. Fairfax
M . Kathryn Thompson	📍 Cascade Drive

June 3, 2020

To:

Fairfax Town Council c/o Michelle Gardener, Town of Fairfax

From:

Gary Roth

■ Manor Road
Fairfax, CA 94930

Dear Town Council,

I have lived in Fairfax for over 20 years. I grew up in the area, and I am a practicing Landscape Architect. I am writing to you regarding the Meadow Way bridge project. I have read through the plans and documents I could find on the Town website. For the past 25 years, I have worked on private and public projects, many related to access to federal and state lands including bridge design and construction implementation in sensitive environments with T&E species. I hope to provide perspective for our Town regarding the Meadow Way bridge project, while respecting our natural resources and avoiding unnecessary expense and delay of additional compliance work proposed by some.

I completely understand if anyone is still struggling with their feelings of loss over this old wooden bridge. Please feel sad, but also understand the need, the codes, the liability, and the complexity of the engineering and construction staging requirements to work in these sensitive stream corridors before questioning the motives of the consultants, the Town Council, the Town staff or indeed Caltrans. None of us likely wants that old bridge to go away; it's iconic in a sweet, unassuming way. People felt that way about the big Valley Oak on my street, the San Anselmo Bridge, the Ross Bridge, the Bus Shelter and on and on. Still, this new bridge and the mitigations, can help improve the hydrologic regime and provide a longer-term uptick in the health of this reach of stream. It's possible, and it will be safer for the next generation too.

The bridge's design and character may be what many are reacting to in their questioning of the motives and qualifications directed at the "messengers" of the requirements for a new, public bridge that carries vehicles regularly. Caltrans design standards regularly upset people, including myself.

Let's not pretend that there is some other bridge "style" that will cost less here.

The bulk of the cost in this project includes the regulations for in-stream work (what we call "General Conditions"), the difficult access, the utilities, the foundation, the abutments, the grading, the bank restoration & the monitoring (they're required to monitor their restoration/mitigation work for years). I'm certain a significant part of the cost is to ensure that habitat value after construction is not only "not degraded," but improved using proven techniques and long term monitoring, as dictated by the terms of the MND.

I've personally worked, in a professional manner, on trying to push against Cal Trans Design Standards for "aesthetic" and "cost" goals (to preserve the rural/rustic character of a place). For those who may want to "explore" new design options, you must understand that in this case, the cost/benefit of your actions in the form of an EIR will not be worthwhile. The result for this will be at best a financial "wash" and it will carry tremendous risk for that neighborhood in delays and high costs for our Town in developing an alternative design that Caltrans will approve. In the meantime the Town will continue to pay to maintain the old bridge and would not include the additional hundreds of thousands of dollars needed to do an unnecessary EIR that would likely point to doing the mitigations already required and specified for this type of work. In addition, the risk of losing the funds to delay tactics like this is similarly disturbing.

I have been in near constant dialogue with opponents of the current solution in an attempt to understand their position so that I can solidify my own feelings on this. With every argument they propose for extending this compliance process, they show their disregard for public safety, their ignorance of basic design/construction standards, and a lack of understanding of construction sequencing and staging requirements. The changes they seem to want could come from constructive dialogue during the design process if there is mutual trust and honest dialogue. Thus far, their line of argument is a series of statements designed to seed doubt and distrust, with no basis in the realities of this type of project. An example of this is the "drop in" bridge concept. It was proposed that the only road into the neighborhood would be closed for 2-3 weeks while they drop in the bridge. Never mind that the engineers studied this exact option; the opponents did not supply any "approved" Caltrans bridge, they did not acknowledge the tight space and staging requirements, and they did not acknowledge the need for 26 houses to have access to emergency vehicles (in a dead-end WUI neighborhood) for weeks during the height of fire season. By floating out "ideas" without rigor, backup or any sort of reality check, they completely negate their entire line of reasoning, and as such, their request should be voted down entirely.

Some further thoughts on this proposed new bridge are below:

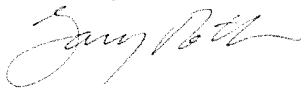
1. Aging or failing infrastructure is a huge liability for any agency, Town, city or company. If the existing bridge collapses with people and cars on it, it would be a tragic event that can be avoided. The existing bridge must be replaced per the engineering review. The Town's liability exposure would be extensive if this project were to be delayed any further.
2. It is notoriously difficult and expensive to repair an old structure to some semblance of a code compliant and safe structure with today's requirements, particularly when there are in-stream structures to be removed first. Even more so in a stream with Threatened or Endangered Species in it. The Town of Fairfax currently spends a lot of money on the upkeep of the existing wood bridge. When replacing or repairing a bridge that carries traffic, it must meet stringent codes for vehicular loading with vehicular-grade guardrails and pedestrian/bike-friendly height guardrails. These are basic codes that towns cannot ignore, and Caltrans has very specific standards and details for them. This bridge is a Caltrans bridge. Like it or not.
3. It is funded by Caltrans and designed with, and to, their design standards. The Bridge designers have to ensure that the new foundation and structure can support code-compliant loads and meet the habitat protection laws overseen by the regulatory agencies that review and approve all in-stream work and expected impacts. It cannot be approved if these issues are not specifically designed into the construction process. That was done in the Mitigated Neg. Dec.
4. To support the loads required of a vehicular bridge (moving trucks, fire trucks, seismic, etc.), you need to upgrade the foundation it sits on. This type of loading almost always means concrete, sometimes mixed with driven or rotated steel or helical piles. The existing abutments and piers for the current bridge appear to be within the mean high water path of the creek, causing acceleration of flows, backwater flooding and bank erosion downstream. All of these in-stream obstructions degrade stream habitat and are typically avoided or minimized in a new bridge design.
5. The existing bridge and its abutments thus continue to degrade the stream in which they sit. The bridge is in a difficult location in the bend of a stream (not a place to put a bridge in the first place). The scrutiny the hydrologic/hydrologic design footprint receives in these types of design processes is extensive in balancing the need for access while working hard to ensure the design and mitigations restore healthier stream habitat for the future. This is done in the MND. An EIR will reinforce this, but will not change the basic reality, and restrictions of accessing the streambed to do their work.

6. The agencies that review these types of projects are rigorous in their requirements, particularly in streams with Threatened or endangered fish in them, as-is this particular reach of the stream. Those questioning the agencies and their ability to mitigate and monitor in-stream construction are basically questioning the only people professionally entrusted by our society for this purpose. As a group they are passionate about their field of expertise and rigorous in their pursuit of the best possible outcome for plants and wildlife. They also, in some cases happen to be our local citizens.

There is a balance to the need to protect our Town and its people from potentially imminent hazards and protect the core mission of the regulatory agencies (which is to bring all of our creeks up to a healthier hydrologic and hydraulic regime in order to support a robust riparian system). We must change the discourse to have a wider view of this project than just the sadness that we all feel for this old bridge, as when we lose a beloved friend, an old pet or an historic structure.

To those who think they have a design alternative to this bridge; be prepared to provide a Caltrans-approved bridge design that supports emergency vehicles utilizing Caltrans standards, let's see it quickly. In the absence of a new, approved design, you're holding up a safety upgrade for that neighborhood (emergency egress). It will only make the timeline and costs for our Town (our Tax dollars) climb unnecessarily to revisit the design. I see people shouting down other design "changes" in Town out of fear for "safety" and emergency access for evacuations and the like. That's what this project is, the process is difficult, but it's where we are at the moment. It is time to preserve any outrage for more pressing issues instead of unnecessarily delaying this project.

With respect,



Gary Roth
Manor Road, Fairfax

cc.

Renee Goddard,
Stephanie Hellman
John Reed
Brice Ackerman
Barbara Coler

The Perez Bridge Project – Nicasio, CA

A Narrative

In early and again in late 2016, we notified the County of Marin that the north banks of Nicasio creek were eroding and undermining a large redwood tree on the county right away. The county ignored our requests to have the tree removed.

On February 20th, 2017 the 180 foot redwood fell and completely destroyed our wooden bridge. The county refused to take responsibility for this disaster which denied us direct access to our home.

Through litigation the county settled our claim on June 15th 2018.

We immediately started the process of securing permits, geotechnical and engineering reports, which took several months. Due to weather and county roadwork the construction on new bridge could not begin until March 2019 and was completed on May 16th, 2019.

During the over two years with no direct access to our home, we were able to get our groceries in and garbage cans out walking 150 yards through our neighbors property.

But our main fears were what if there were to be fire or medical emergency, how do the responders get to our house?

Although the new bridge is not beautiful as our old bridge, we feel safe.

Winter is fast approaching and a plan has to be in place for the health and safety of the 70 residents of Meadow Way.

Bill & Carol Perez