



TOWN OF FAIRFAX

STAFF REPORT

November 2, 2022

TO: Mayor and Town Council

FROM: Michele Gardner, Town Clerk

SUBJECT: Authorize the mayor to send a letter of concern to MTC and Caltrans regarding the Highway 37 Interim Solution and Elevated Causeway

RECOMMENDATION

Authorize the mayor to send the attached letter.

DISCUSSION

Councilmember Coler requested that this item be added to the October 11, 2022 Town Council agenda and prepared a draft letter for consideration. At the meeting, Vice Mayor Cutrano requested the item be pulled for revisions to the letter. The letter attached hereto includes those revisions, as well the addition of recipients by Mayor Hellman.

FISCAL IMPACT

None identified

ATTACHMENT

Proposed letter

LETTERHEAD

Alfredo Pedroza, Chair
Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Therese McMillan, Executive Director
Metropolitan Transportation Commission
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105-2066

Tony Tavares, Director
California Department of Transportation (CalTrans)
P.O. Box 942873
Sacramento, CA 94273-001

Dear Chair Pedroza, Executive Director McMillan and Director Tavares:

RE: Accelerate planning and construction of a Highway 37 elevated causeway as the “ultimate” project with near-term measures to address congestion and flood risk as initial phases of the “ultimate” project

On behalf of the Fairfax Town Council, I write to urge your respective agencies to accelerate the planning and construction of the Highway 37 (SR 37) multi-modal, multi-benefit sea level rise adaptation project on a pile-supported causeway along the current SR 37 alignment (Planning and Environmental Linkages (PEL) Alternative 5).

Highway 37 is a critical transportation corridor for North Bay communities – Marin County and many of our Fairfax residents and our workforce are directly affected by the commute problems on Highway 37. Virtually everyone agrees traffic congestion in this corridor is unacceptable, that these transportation assets are threatened by rising sea levels, and that the project is located adjacent to sensitive wetlands that serve as critical habitat to migratory waterfowl and shorebirds. Acceleration of the planning and construction of the elevated causeway will enable timely flood risk and congestion management, allow the opportunity for rail to be adjacent, and support the largest wetland restoration project on the West Coast of the United States.

As CalTrans/MTC moves to finalize the EIR for a temporary, 10-mile freeway widening with 24-hour HOV lanes from Highway 121 at Sears Point in Sonoma County to Mare Island in Solano County as its preferred near-term solution, we want to express our serious concerns regarding the near-term proposal.

We all share the urgency that existing traffic issues for tens of thousands of commuters on the highway need to be addressed before the elevated causeway is completed. SR 37 is already impacted by flooding and extremely weather, and chronic traffic congestion and periodic

flooding along this vital 21-mile commute and transportation corridor connecting Highway 101 in Marin County to Interstate 80 in Vallejo will only worsen as climate change continues to accelerate. Sitting just above sea level, flooding has caused the closure of Highway 37 for as many as 28 consecutive days (2017) and chronic congestion plagues commuter and commercial traffic daily – making near-term solutions an essential part of the long-term solution.

However, it is our understanding that even with the Interim project's temporary freeway widening and hardening, the roadway is projected to be underwater by 2040. Furthermore, it is likely that there would be permitting and environmental challenges with the proposed Interim project, and that commuters face worsening traffic during the two-year (or more) construction period. Finally, the temporary freeway widening project would need to be demolished for the elevated causeway to function, and the demolition costs and environmental impacts to the surrounding sensitive wetlands remain unknown.

Highway 37 cuts through and impairs the San Pablo Bay National Wildlife Refuge and other bay lands that once comprised one of the largest tidal wetlands complexes on the West Coast. A broad coalition of stakeholders and agencies has been working for many years to reconnect and restore this wetlands complex. This nature-based solution simultaneously responds to three aspects of the climate crisis: adaptation, by providing a natural buffer against sea level rise for North Bay communities; mitigation, by reducing atmospheric carbon dioxide through the “blue carbon” benefits of salt marshes; and biodiversity restoration, by expanding ecologically vital wetland habitat. Improving Highway 37 should be approached as a multi-benefit project that compliments and advances these critical objectives and aligns with Governor Newsom's Executive Order N-82-20 and the California Natural Resource Agency's Pathways to 30x30 strategy. We believe the accelerating of the “ultimate” elevated causeway project will ensure we realize the full benefits of these nature-based climate solutions without creating more adverse impacts in the interim.

The environmental benefits of the ultimate project are so compelling that regional, state and federal regulators may accelerate and simplify environmental reviews and permitting. In addition to qualifying for federal and state highway infrastructure funding that is currently available, the multiple benefits of the ultimate project and the opportunity to provide a national model for resiliency potentially open other funding sources, including rail, multi-modal, climate resiliency and ecosystem restoration funding.

We respectfully urge Caltrans/MTC to move forward with near-term project phases that bring traffic relief faster, cheaper, and in ways that are consistent with the multi-benefit, multi-modal elevated causeway that everyone agrees is the ultimate solution. Insofar as this is as much an environmental as an infrastructure project, both near and long-term outcomes should include the following at an accelerated pace so that some of the benefits of the ultimate project can be realized more quickly and progress can continue while funding for future phases is secured:

- Congestion relief, potentially including a redesigned interchange at Highway 121;
- Reduced adverse environmental impacts, including mitigated use of fill during near-term project phases;
- Maximized environmental benefits, such as wetland preservation and restoration;
- Sea level rise adaptation and flood control; and
- Preservation of rail transit options, depending upon ultimate cost, and involve SMART as a stakeholder in the project planning moving forward.

We believe the elevated causeway is a “win-win-win” solution for future generations. We have a unique alignment of financial, political and regulatory elements that can help stakeholders pursue the accelerate the ultimate project right now.

Thank you for your consideration.

Sincerely,

Stephanie Hellman, Mayor
Town of Fairfax

cc: Congressman Jared Huffman
California Senator Mike McGuire
California Assemblyman Marc Levine
Anne Richman, Transportation Authority of Marin
Suzanne Smith, Sonoma County Transportation Authority
Daryl K. Halls, Solano Transportation Authority
Fairfax Town Council