

Ms. Valerie Shearer  
Senior Environmental Planner  
Caltrans District 4  
Office of Environmental Analysis, MS-8  
P.O. Box 23660  
Oakland, CA 94623-0660



February 13, 2013

*Via US Mail and E-mail*

Re: "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project"  
District 4 – MRN – 101 – PM 7.2/8.9  
EA 1A6600

Dear Ms. Shearer:

From its inception almost 80 years ago the Marin Conservation League has been actively involved in land use and transportation issues affecting the County. We believe that MCL's efforts have had an important role in creating and maintaining Marin's special character as a place to live and visit. For the past several years MCL has been following and participating in the proposals developed by the Transportation Authority of Marin for addressing traffic issues along highway 101 in the corridor between Sir Francis Drake Blvd. in Greenbrae and Tamalpais Drive in Corte Madera. Many of our members live in this area and are personally familiar with the problems and issues with this stretch of highway 101.

We oppose the proposed "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project," for the reasons stated in the attached letter to TAM, and ask Caltrans to abandon it. In addition, we believe that it is disingenuous and illegal for Caltrans to pretend the project will not have *any* substantial environmental impact and bypass the preparation of an Environmental Impact Report under CEQA, and an Environmental Impact Statement under NEPA. If Caltrans does not abandon the project, then it should comply with CEQA and NEPA and prepare an EIR/EIS. Finally, we have reviewed the "Environmental Document" that was released by Caltrans in December 2012 and believe it is seriously flawed because it fails to consider or analyze significant environmental impacts of the proposed project. A complete environmental assessment of the project should be done before it is approved.

***CEQA and NEPA Require the preparation of an EIR/EIS for this massive project***

CEQA and NEPA require preparation of an EIR/EIS for any project that will have any substantial impact on the environment. We believe that it is unlawful for Caltrans to pretend that this massive project will not have any significant impact and issue a "negative declaration." If Caltrans does not abandon the project, then we demand that it end its charade and comply with the law. Some of the substantial, unmitigated environmental impacts of the project that

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require preparation of an EIR/EIS include:

The construction impacts of the project will be substantial: This project will entail multiple substantial environmental impacts during the lengthy construction phase, including traffic impacts, noise impacts and air and water quality impacts, including greenhouse gas emissions. The “Environmental Document” contains almost no discussion or analysis of these construction impacts.

*Construction Related Traffic Impacts* – Sir Francis Drake Blvd. (“SFD”) operates at capacity during much of the day, and is highly susceptible to unacceptable traffic congestion. The recent temporary closure of Doherty Drive in Larkspur, although it lies across the creek from SFD, caused a substantial increase in SFD congestion, as well as increased congestion on Bon Air Road, and Magnolia Avenue in Larkspur. Although Caltrans has not disclosed its construction plans, it appears certain that the complicated rerouting of traffic will entail road/lane closures and detours that will create a huge traffic mess in the area. The “Environmental Document” acknowledges that there will be “traffic delays due to construction” (page 2.6-11), but does not describe or analyze the nature, timing or severity of the delays. Moreover, road closures, detours and the like will cause driver confusion and result in accidents. Traffic delays will also result in increased release of air pollutants by vehicles stuck in the snarl of traffic. These impacts will be substantial and cannot be mitigated.

*Construction Related Noise Impacts* – The “Environmental Document” admits the obvious fact that there will be construction-related noise impacts from the project, but makes no effort to describe or analyze them. It is evident that the noise impacts from a project of this magnitude will be substantial no matter what mitigation measures are taken. The project contemplates significant pile driving activity and use of heavy construction equipment and related activities. The document further makes the apparently inconsistent statements: (1) “It is anticipated that construction activities may intermittently dominate the noise environment in the immediate area of construction,” (page 2.3-55), and (2) “Construction noise will be short-term, intermittent, and overshadowed by local traffic noise” (page 2.3-56). While neither of these statements is particularly informative, one seems to suggest that construction noise will “dominate” while the other suggests it will be “overshadowed” by traffic noise. Which statement is correct?

In any case, the extensive pile driving activity is certain to be extremely noisy, disruptive and unpleasant.<sup>1</sup> Construction noise also has the potential for disrupting wildlife in Corte Madera Creek and in Corte Madera marsh.

From the little information provided in the “Environmental Document,” it appears that construction noise impacts will exceed those described in the Caltrans “Traffic Noise

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1 Table 2.3-13 lists noise levels from a variety of “construction equipment that are commonly used on roadway construction projects,” without identifying any specific equipment that will be used during the construction phase. “Vibratory” and “Impact” pile drivers are the noisiest items on the list, producing more noise than “blasting.”

Analysis Protocol” issued in May 2011. Specifically, that document prescribes maximum noise levels for projects around Activity Category B Land Uses (*i.e.*, residential areas such as those surrounding the project).

While Caltrans’ construction plans are not described, it is anticipated that it will attempt to mitigate the traffic impacts of project construction by doing as much work as possible at night. But such an approach would only increase noise disturbances in the surrounding residential neighborhoods.

*Construction Related Air Quality Impacts* – Virtually all of the heavy construction equipment used to build a project of this nature runs on diesel fuel. It is evident that a project of this magnitude will consume a very substantial amount of fuel and release a large volume of air pollutants into the atmosphere. These pollutants will include diesel fume particulates associated with respiratory diseases and other adverse health effects, and greenhouse gases. There is no way to mitigate the substantial air quality impacts of project construction, and the “Environmental Document,” while acknowledging that there will be “short term degradation of air quality” due to construction, makes no effort to quantify the amount of substantial air pollution that will be generated during the construction phase.

The visual impacts of the project will be substantial: This massive project, with its “flyover” structure that will be visible for miles around, will be an eyesore. The surrounding area is dominated by residential neighborhoods, office complexes, marshes and parklands. For example, the view from the heavily-used pathway on the north side of Corte Madera Creek will be substantially impacted by the project, as will the views from the offices and residences along the creek. Likewise, sitting directly below Mt. Tamalpais, this massive freeway project will become a dominant landscape feature from the top of East Peak, one of Marin’s most important scenic vistas, as well as many other popular trails and vista points, including, for example, Ring Mountain, many trails on the North and East flanks of Mt. Tamalpais, and as far away as Pine Mountain. These visual impacts are substantial and cannot be mitigated. The project is simply out of character with Marin.

The pedestrian/bicycle routing impacts of the project will be substantial: The project contemplates the elimination of the existing, heavily-used pedestrian/bicycle overpass just south of Corte Madera Creek. This important overpass is presently the primary route for many people crossing the freeway. Elimination of this structure will require pedestrians and bicyclists, many of whom are children travelling to and from school, to go out of their way and cross the freeway at Wornum Drive. However, the plan to make Wornum a major freeway interchange/access route will make this area extremely busy handling traffic entering and exiting 101. Routing all pedestrians/bicycles crossing the freeway into this busy traffic area presents a clear safety hazard. Instead of crossing over the freeway using a safe overpass at a convenient location, many people, including school children, will have to go out of their way to cross multiple lanes of heavy traffic. It can be anticipated that pedestrian/bicycle accidents will occur, and that some parents will opt to drive their children to school instead of putting them at risk. These impacts are substantial and cannot be mitigated.

***CEQA and NEPA require Caltrans to consider alternatives in an EIR/EIS***

A fundamental requirement of CEQA and NEPA is that environmental impacts of alternatives to a project must be considered *together with* the preferred alternative. The “Environmental Document” prepared by Caltrans does not do this. Instead, we have been told, that a number of alternatives were considered in the past and were eliminated from consideration. We believe that this approach is illegal under CEQA and NEPA, which require decision makers to have a complete environmental review of all alternatives presented in a single document so that their relative environmental impacts can be compared side-by-side. The goals, constraints and baseline data used at different stages of this lengthy project have changed, such that analysis of an alternative presented years ago appears to be outdated.

MCL believes that less intrusive alternatives should be considered side-by-side with the Caltrans proposal in a single EIR/EIS. While MCL cannot endorse any alternative until its environmental impacts have been studied, it appears that alternatives that simply add auxiliary lanes between Sir Francis Drake Blvd. and Tamalpais Dr. on one or both sides of the freeway could ease congestion and would improve safety by providing longer paths for merging onto and off the freeway. Likewise, preventing traffic from exiting southbound 101 at Lucky Drive (Fifer) could improve safety. We believe that any alternatives considered should provide for improvements to bicycle and pedestrian routes in the area, and specifically should retain or replace the existing highway overcrossing.

***Specific comments on the “Environmental Document”***

Caltrans and TAM contend that the “Environmental Document” that they rely on to issue a “negative declaration” is equivalent to an EIR/EIS. As noted above MCL believes that a complete EIR/EIS, including an environmental analysis of alternatives, is required. Nonetheless, MCL offers the following comments on the “Environmental Document,” which we believe is seriously flawed. MCL observes that much of the discussion in the document is generic in nature and not directed to the specifics of the project. Likewise, the document refers to future studies, mitigations, etc. that will be implemented. We believe that CEQA requires a single document present the foreseeable impacts of the project without deferring studies to the future.

**The Environmental Document uses out of date and erroneous growth projections**

Much of the baseline data on growth used in the “Environmental Document” is out of date. For example, the population growth assumptions do not account for the latest “Plan Bay Area” projections for Marin County. Likewise, the document does not take into account the Larkspur SMART Station Area planning effort that is underway, nor the major expansion of Marin General Hospital. All of these important developments were known prior to the release of the document and should be considered.

The traffic data used in the environmental document shows that there is not a safety problem sufficient to justify the enormous expense of the project

The principal justification for this enormously expensive project is to improve safety. Yet the accident data presented in the Environmental Document suggests that accident rates in the project area are at or below statewide averages. Specifically, Table 1-1 describes the accident rates at the key highway 101 on and off ramps that will be affected by the proposed project. This table is the *only* traffic data that is used in Chapter 1 of the Environmental Document used to justify the need for the project. Yet Table 1-1 shows that accident rates at three of the four locations presented on the table are *below* state averages. The fourth location is shown to be somewhat higher than statewide averages, but the data ignores the recent addition of traffic pylons at this location, which will reduce the accident rate there.

Although not used to justify the need for the project, additional traffic safety data is presented in Table 2.2-15. This table presents accident data at 24 locations in the project area. Only one of the 24 locations has a total collision rate above statewide average. (This is the same location identified in Table 1-1 and, as described above, the configuration of this location has been changed to improve safety conditions there.) Although there were no traffic fatalities recorded anywhere in the project area, three additional locations (out of 24) show “Fatality + Injury” collision rates that are very slightly above state averages.

Table 2.2-15 notes that 226 accidents occurred in the project area on the freeway itself. In comparison, 127 are associated with the remaining 22 locations, the largest number of these occurring at the Tamalpais off-ramps, which would not be changed if the project were to be built. The data simply does not show the existence of a safety problem.<sup>2</sup>

Because the collision data in the Environmental Document does not show a safety problem, TAM has recently been relying on different accident data at public hearings on the project. However, TAM has conceded in a recent newspaper article that its “new” data contains inaccuracies and uses a different project area than the Environmental Document. As far as MCL is aware, TAM has not released its new collision data in a form similar to what is presented in Tables 1-1 and 2.2-15, and so it is difficult to assess, from the new data, whether the project will address a safety problem.<sup>2</sup>

The Environmental Document fails to adequately address traffic impacts on local streets

The proposed project entails substantial rerouting of local traffic and will have substantial impacts on local streets, including, Sir Francis Drake Blvd., Wornum Drive, Tamal

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<sup>2</sup> An MCL Board Member involved with the preparation of these comments recently contacted you for guidance as to which collision data would be the basis for Caltrans’ decision on the project, and whether to comment on the old or the new data. You responded: “You should review the document that was officially circulated.” A copy of this e-mail exchange is attached. The clear implication of your reply is that Caltrans will limit its review to the document that “was officially circulated.” We certainly hope that you did not intentionally suggest that we limit our comments to information that Caltrans knows to be inaccurate or that it does not intend to rely on.

Vista Blvd., and Fifer Ave. The traffic impacts on local streets are only superficially discussed, and it appears that the impacts will be negative. These impacts need to be fully analyzed and described in greater detail. For example, Table 2.2-23 shows that the project will have a substantial negative impact on the Sir Francis Drake – Eliseo Drive intersection, exacerbating the existing heavily congested conditions along this stretch of Sir Francis Drake. Likewise, the table shows that the project will negatively impact traffic conditions at the Sir Francis Drake/ Ferry Terminal intersection, and at Wornum Drive. As noted below, the implementation of the metering lights that will be installed as part of the project will increase congestion on local streets. This has not been discussed or analyzed.

Other traffic impacts are also not adequately analyzed. For example, TAM has said that the closure of the southbound 101 Lucky Drive exit will result in travelers to the area now served by the exit to get off the freeway at Sir Francis Drake Blvd., and then back onto to access road from Sir Francis Drake to the southbound freeway (which will provide access to Lucky/ Fifer). However, the Sir Francis Drake – Highway 101 interchanges are currently overloaded with traffic during peak periods, and directing more traffic into this area could result in added congestion, delays and back-ups. Minor changes to the timing of the traffic signals along this stretch of Sir Francis Drake could have major impacts on the flow of traffic in the area. This should be analyzed and discussed.

At public meetings TAM representatives have stated that they have fully modeled local traffic impacts and have tried to assure the public that the project will improve local traffic flow. Given TAM's relentless advocacy for this project, we must take these assurances with a grain of salt. Where is the data to support the conclusions? We question the value of a project which worsens local street traffic in favor of minor improvements to freeway traffic flow. MCL believes that the discussion of local traffic effects in the Environmental Document is flawed.

#### The Environmental Document fails to address the implementation of metering lights

The Environmental Document states that the new on ramp from Sir Francis Drake Blvd. onto southbound 101 will have new "ramp metering equipment installed." We must assume the only reason for incurring the expense of installing new ramp metering equipment is because it will be used at some point during the project life. Currently, as described in the Environmental Document, traffic entering southbound 101 from Sir Francis Drake backs up and causes significant congestion on both east and westbound SFD. It appears that metering this traffic will only exacerbate that congestion. We believe it is important that Caltrans analyze and describe the effects of metering light implementation on SFD and other local street traffic.

#### The Environmental Document fails to address construction impacts

As noted above, the "Environmental Document" fails to discuss any specific construction impacts of the project. It admits that there will be traffic, air pollution, and noise pollution impacts, but makes no effort to analyze or quantify them. How much noise? When? How much

traffic congestion will be associated with construction? What detour routes will be used? How much particulate matter will be emitted into the air during construction? How much greenhouse gas emissions will be associated with construction, both from construction equipment and from cars stuck in construction-related congestion? None of these basic questions are answered. In addition, the Environmental Document states that the project “will require extensive excavation and earth moving construction activities, which could result in substantial erosion or the loss of top soil.” No analysis of this environmental impact is provided. Finally, the discussion of biological impacts of the project ignores construction impacts or treats them generically and superficially.

#### The Environmental Document’s discussion of visual impacts is inadequate

As noted above, the proposed project will have substantial visual impacts on a large region that cannot be mitigated. The analysis of the visual impacts of the project in the Environmental Document is superficial, starting with the erroneous contention that the “visual study area can be characterized as a highly urbanized environment.” In normal usage, “highly urbanized” refers to the center of a major metropolitan area. The combined population of Larkspur and Corte Madera is less than 22,000 people, and much of the area adjacent to the project is low density residential (one or two story buildings), marsh lands and creekside lands. Characterizing this area as “highly urbanized” reflects either that the author is unfamiliar with the area, or that the author is deliberately mischaracterizing the situation.

The Environmental Document limits consideration of visual impacts to 7 viewpoints, all of which are immediately adjacent to the freeway. No mention is made of the fact that the massive project will be visible over a very large area that abounds with public trails and vista points. For example, the project will be highly visible from the top of Mt. Tamalpais (as well as many of the trails on the north and east flanks of the mountain), from the top of Ring Mountain (as well as the trails on the north side of the Ring Mtn.), from the Corte Madera Marsh, from Remillard Park, Niven Park, the pedestrian/bike pathway along the north side of Corte Madera Creek (bicycle route 20). The project will even be visible from the Pine Mountain Trail in Fairfax. There is no discussion of the visual impacts of the sound walls that will block views and serve to wall off one side of the freeway from the other.

#### The Environmental Document fails to address the impacts of eliminating the pedestrian/bicycle freeway overcrossing

As noted above, elimination of the existing highway 101 pedestrian/bicycle overcrossing will have a substantial, unmitigated impact for the reasons described. The Environmental Document fails to address or analyze this major change in pedestrian and bicycle routing. For example, rather than allowing their children to cross heavily used freeway access routes at Wornum Drive, many parents will, instead, drive their children to school. This is not discussed. Likewise, there is no discussion of expected accident rates at these crossing. Finally, there is no discussion of the traffic impacts of the lengthy light cycles required to provide adequate

pedestrian crossing time.

#### The Environmental Document relies on outdated and erroneous land use assumptions

Section 1.3.2 of the Environmental Document list the “Land Use Assumptions” employed in the document. This list, which is used to project traffic data, is incomplete and out of date. For example, it refers to the “Twin Cities Police Authority” building completed more than a year ago, as being a “future land development project.” (This is reiterated in Table 2.2-1.) More importantly, the Environmental Document fails to consider the latest population and employment growth projections from Plan Bay Area, the Larkspur Station Area Plan, and the major expansion of Marin General Hospital.

Likewise, the discussion of “Cumulative Impacts” of the project is based on the same out-of-date land use assumptions and should be updated.

#### The Environmental Document fails to address “community character and cohesion”

In a brief two-paragraph discussion, the Environmental Document asserts that the project will have no negative effects on “community character and cohesion.” MCL believes this discussion is superficial and wrong. Community access between the east and west sides of the freeway will be significantly impacted by the massive project, which will act as a wall between the two sides. Visual connection will be lost. Crossing at Wornum will become an ordeal.

Moreover, MCL believes that the overall massive scale of the project is simply out of character with values and aspirations of Marin residents. The attempt by the Environmental Document to gloss over these concerns demonstrates that the author is out of touch with the opinions of local residents and the policies of Larkspur and Corte Madera General Plans that make priorities of the quality of life and retaining a small town atmosphere.

#### The Environmental Document fails to adequately address the consistency of the project with the master plans of Corte Madera and Larkspur

Tables 2.2-3 and 2.2-4 purport to show that the project is fully compatible with the General Plans of Corte Madera and Larkspur, respectively. However, rather than presenting an unbiased analysis, it is evident that the author “cherry-picked” selected elements of those plans to advocate in favor of the project. For example, elsewhere the Environmental Document notes that Corte Madera’s General Plan “includes a policy to recognize Redwood Highway and Tamalpais Drive as scenic corridors.” In addition, the Environmental Document elsewhere notes that a policy of Corte Madera’s General Plan is to: “Upgrade the scenic quality of Fifer Ave/Tamal Vista Blvd. area.” Neither of these policies is addressed in Table 2.2-3, nor are they addressed in the discussion of visual impacts of the project.

### The Environmental Document Fails to Adequately Address Noise Impacts

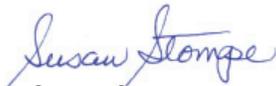
The analysis of noise impacts of the project is based on the assumption that multiple “sound walls” (noise barriers) will be used. Based on this assumption Caltrans concludes that noise impacts will be within acceptable limits. However, at recent public meetings TAM representative have announced that sound walls have been eliminated from the project. Thus, the discussion of noise impacts in the Environmental Document, and the conclusions are incorrect and should be redone based on the new design. Moreover, the discussion is limited to impacts in the area immediately adjacent to the freeway, and fails to assess the wider area that will be affected. Traffic noise from the new “flyover” will propagate unimpeded over a much further distance than ground level traffic noise. No mention is made of this impact.

### The Environmental Document incorrectly characterizes Corte Madera Creek as “Highly Urbanized”

In discussing the biological impacts of the project, the Environmental Document states: “Corte Madera Creek is a highly urbanized and developed creek.” Again, this characterization suggests either that the author is unfamiliar with the area, or that the author is biased. The area in question is a relatively natural suburban setting. Much of the creek east of the freeway is surrounded by marshlands. To the west, the north side of Corte Madera Creek is park land with a very popular pedestrian/bicycle trail. Numerous ducks and shorebirds populate the creek in the project vicinity. Dismissing this area as “highly urbanized” is incorrect and the discussion of biological impacts needs to be updated to accurately reflect the character of the area.

We appreciate the opportunity to comment on the Environmental Document, and thank you in advance for your anticipated careful consideration of our concerns.

Very truly yours,



Susan Stompe  
President

#### Attachments (2):

- MCL Letter to TAM Commissioners
- E-mail exchange with Valerie Shearer

Attachment 1

Board of Commissioners  
Transportation Authority of Marin  
781 Lincoln Ave., Suite 160  
San Rafael, CA 94901



February 13, 2013

*Via US Mail and E-mail*

Re: "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project"  
District 4 – MRN – 101 – PM 7.2/8.9  
EA 1A6600

Dear Commissioners:

From its inception almost 80 years ago the Marin Conservation League has been actively involved in land use and transportation issues affecting the County. We believe that MCL's efforts have had an important role in creating and maintaining Marin's special character as a place to live and visit. For the past several years MCL has been following and participating in the proposals developed by the Transportation Authority of Marin for addressing traffic issues along highway 101 in the corridor between Sir Francis Drake Blvd. in Greenbrae and Tamalpais Drive in Corte Madera. Many of our members live in this area and are personally familiar with the problems and issues with this stretch of highway 101. After reviewing the publicly available information, we oppose the proposed "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project" as currently planned.

### ***Global Warming***

Marin will be significantly impacted by sea-level rise due to global warming over the next few decades. In addition, one well-documented effect of global warming has been to produce storms of greater intensity and severity. We believe that it is essential that all levels of government begin planning to deal with sea level rise and with more frequent and serious storm events. Any new long term investment in transportation infrastructure should proactively address these issues.

The Highway 101 corridor between Sir Francis Drake and Tamalpais is located in the Corte Madera Creek floodplain, and the project includes areas that are *currently* subject to periodic flooding due to tides and storms. Over time, the existing flooding issues will only get worse, and a project that does not address sea level rise and flooding is seriously flawed.

Moreover, this stretch of freeway is a critical link in Marin's transportation system, and closure of the road or its access points due to flooding could be devastating. Emergency vehicles rely on these routes. There is no realistic alternative route across Corte Madera Creek. MCL believes that the first priority of any new highway projects in the county should be to prepare for sea level rise.

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***The Massive Scale of the Project Is Out of Character For Marin***

The project appears to be one of the largest freeway projects undertaken in Marin in many decades. It would impose a huge mass of concrete as large as anything ever seen in Marin in order to create a complex web of new traffic routes. At Wornum Drive, for example, the project would almost triple the width of the existing freeway and its access points. An unsightly “flyover” structure would be visible for miles around. The project would act as a huge barrier between the east and west sides of 101.

This area of Marin is presently dominated by marsh lands and residential property. Despite the comment in the “Environmental Document” it is not anything close to be a “highly urbanized” area. Parks and other public spaces along the Bay and along Corte Madera Creek are found on both the east and west sides of the freeway, highlighted by views of Mt. Tamalpais. Since its inception, MCL has fought on behalf of maintaining the natural character of Marin. We believe that this project, with its enormous mass of new concrete roadways, is simply out of character with the values and aspirations of Marin’s residents. It is inappropriate for Marin.

***The High Cost of the Project Appears To Be Out of Proportion To The Benefits***

Sir Francis Drake Blvd. (“SFD”) is one of Marin’s most important, heavily used and congested roads. A very large volume of SFD traffic from both east and west of highway 101 enters the freeway at this key intersection, and is one cause of SFD congestion. From careful review of the publicly available data, we believe that the project is likely to do little if anything to improve traffic congestion on SFD. Likewise, we believe that the available statistics for accident rates and travel times in the relevant portion of highway 101 show that these problems are not sufficiently serious to justify the very high dollar and environmental costs of the project. It is using a sledge hammer to kill a flea.

There are other major projects planned for the immediate vicinity that have the potential for exacerbating the already serious congestion of SFD. The City of Larkspur is developing a SMART “Station Area Plan” that has the potential for dramatically increasing SFD traffic in areas immediately adjacent to 101. Likewise, the plan for a major expansion of the Marin General Hospital will appreciably add to congestion on SFD. Neither of these major projects is discussed in the Caltrans documentation and so it appears that their impacts have not been considered.

***The Project Would Have Substantial Negative Impact on Pedestrian and Bicycle Routing***

While MCL favors some of the pedestrian and bicycle route improvements incorporated into the project, we believe that the elimination of the existing highway 101 overcrossing and the routing of pedestrian and bicycle traffic to Wornum is troublesome. We note that these changes have generated substantial complaints from bicycle advocacy groups

and from residents in the area. This is not merely a matter of convenience; we believe that requiring bicyclists and pedestrians to cross multiple lanes of Wornum traffic getting onto and off the freeway presents a serious safety issue.

***CEQA and NEPA Require the Preparation of An EIR/EIS***

CEQA and NEPA require preparation of an EIR/EIS for any project that will have a substantial impact on the environment. We believe that it is disingenuous and illegal to pretend the project will have not have *any* substantial environmental impact and bypass the preparation of an Environmental Impact Report under CEQA, and an Environmental Impact Statement under NEPA. The construction, noise, and visual impacts alone are substantial and require an EIR/EIS. Accordingly, we oppose proceeding with this project without fully complying with CEQA and NEPA.

Accordingly, we urge TAM to reject the project as currently proposed. Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink that reads "Susan Stompe". The signature is written in a cursive, flowing style.

Susan Stompe  
President

cc: California Department of Transportation

Subject: Re: Ques" ons Regarding Administra" ve Record for Greenbrae Interchange Project  
 From: Valerie Shearer <valerie.shearer@dot.ca.gov>  
 Date: 2/13/2013 9:40 AM  
 To: <dschnapf@comcast.net>  
 CC: <BWhitney@tam.ca.gov>, <DSteinhauser@tam.ca.gov>

Dear Mr. Schnapf:

Thank you for your commitment to promo" ng the best possible decision-making for the proposed project. I don't know of any parts of the public review document that are inaccurate or out-of-date, but you are welcome to comment on anything you heard at the public mee" ng as well. In general, when the public comment period closes on public review environmental document, we at Caltrans look at the en" re body of comments and start planning how to incorporate new informa" on, new ideas, and new analysis in the ?nal environmental document.

Sincerely,  
 Valerie Shearer  
 Caltrans District 4 O? ce of Environmental Analysis  
 David Schnapf <dschnapf@comcast.net>

David Schnapf  
 <dschnapf@comcast.net>

To  
 Valerie Shearer <valerie.shearer@dot.ca.gov>

02/08/2013 12:21 PM

Please respond to  
 <dschnapf@comcast.net>

cc  
 <DSteinhauser@tam.ca.gov>, <BWhitney@tam.ca.gov>

Subject  
 Re: Ques" ons Regarding Administra" ve Record for Greenbrae  
 Interchange Project

Dear Ms. Shearer -

Thank you for your response. I have every intention of reviewing and commenting on the "environmental document" that has been circulated, but I am just trying to ascertain what parts of that document are presently known to be inaccurate or otherwise have been superseded by additional new or different information.

Pardon me for my continued confusion, but will Caltrans base its decision on the accident statistics in the "environmental document" or will it be based on the much different statistics that TAM has been relying on in recent public meetings to urge approval of the project? This issue goes to the very heart of the project, and I need to know which statistics will be relied on by the Caltrans decision-makers so that I can provide meaningful input. I hope that Caltrans does not view its "environmental

review" as being something that is done separately from the decision-making process.

I ask that my e-mail to you and your response be made part of the official administrative record.

Very truly yours,

David Schnapf  
Attorney at law

On 2/8/2013 11:39 AM, Valerie Shearer wrote:

Dear Mr. Schnapf:

You should review the document that was officially circulated. Caltrans will consider all comments before finalizing the environmental process. Every time we circulate an environmental document for public comment, we are open to learning new information and using it in forming conclusions. We hope that you will choose to provide comments at this stage on the environmental review document.

Sincerely,  
Valerie Shearer  
Caltrans District 4 Office of Environmental Analysis  
David Schnapf <[dschnapf@comcast.net](mailto:dschnapf@comcast.net)>

David Schnapf < <a href="mailto:dschnapf@comcast.net">dschnapf@comcast.net</a> >	To	< <a href="mailto:Valerie_Shearer@dot.ca.gov">Valerie_Shearer@dot.ca.gov</a> > < <a href="mailto:DSteinhauser@tam.ca.gov">DSteinhauser@tam.ca.gov</a> >, < <a href="mailto:BWhitney@tam.ca.gov">BWhitney@tam.ca.gov</a> >
02/07/2013 11:29 AM	Subject	Questions Regarding Administrative Record for Greenbrae Interchange Project

Please respond to < <a href="mailto:dschnapf@comcast.net">dschnapf@comcast.net</a> >
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Valerie Shearer, Senior Environmental Planner  
Caltrans District 4  
Oakland, CA

Re: Marin Highway 101 Project - MRN - 101 - PM 7.2/8.9, EA 1A6600

Dear Ms. Shearer:

I am in the process of preparing comments on the "Initial Study" for the proposed "Highway 101 Greenbrae/Twin Cities Corridor Improvement Project." At recent meetings the public has been informed by representatives of the Transportation Authority of Marin that Caltrans is no longer relying on the traffic collision data set forth in that document because that data supposedly does not accurately portray safety conditions. Instead, we have been told that Caltrans will base its decision on traffic collision data that is not contained in the document. In addition, we have been told that the discussion of "sound walls" in the document is not correct because Caltrans has decided that there will be any sound walls.

This leaves me in a quandary regarding as to how I should prepare my comments. Shall I base my comments on what is stated in the document that was circulated to the public, or are there any

officials corrections to the document that I should, instead, look to? As you know, judicial review of any Caltrans action on the project is limited to the administrative record, and so it is important for me to understand what the record contains and which parts of the record are considered accurate by Caltrans.

Apart from the discussion of traffic collisions and sound walls, are there any other aspects of the "Initial Study" that are outdated or inaccurate. I do not want to waste time addressing comments to any portions of the document that Caltrans knows to be wrong or that it will ignore. Will Caltrans rely on documents/materials that have not been available to the public at any time during the comment period? Again, I think the official administrative record needs to be very clear on this.

Finally, as to the new traffic collision data that supersedes what is stated in the Initial Study, has Caltrans prepared supplemental tables to replace Tables 1-1 and 2.2-15 so that the public can assess the details of where collision problems may exist? If so when will the new tables be circulated to the public and will the comment period be extended?

Very truly yours,

David Schnapf  
Attorney at Law

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No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2013.0.2897 / Virus Database: 2639/6074 - Release Date: 02/01/13

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Internal Virus Database is out of date.

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