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Nina West
SMART District
4040 Civic Center Drive
Suite 200
San Rafael, CA 94903

October 10, 2007

Re: NOP Comments for SMART Project Supplemental EIR

Dear SMART Board of Directors and Nina West,

The Sierra Club Marin Group continues to share deep interest in the SMART proposal. The Sierra Club Marin Group shared with the SMART Board a letter, dated March 20, 2007, regarding many short comings of the 2006 ballot measure which we felt still must be addressed in order to assure an effective transportation system. The list was not intended to be exhaustive, nor were we insisting that every item be resolved. We felt that confronting these issues openingly would be of value, would help avoid omissions and mistakes, and would lead to better solutions for SMART.

We feel that our four main comments at that time are still relevant now:

1. SMART should provide additional and updated analyses; in particular, an EIS for the project should be complete and available well in advance of any future ballot measure, and ridership analyses should be updated in view of new freight figures and advances in widening highway 101 both in San Rafael and north of Novato.
2. SMART should develop a clear, detailed and specific agreement for shared operations and costs with freight operators, and make this agreement public well in advance of any future ballot measure.
3. SMART should work cooperatively with local agencies and the public to resolve such knotty issues as station location, adequate parking, noise and traffic flow mitigations.
4. SMART should commit to a more open process which makes information concerning both options and limitations available to the public.

Upon reviewing the NOP for SMART's Supplemental EIR, we find that many of our earlier concerns are not included and remain unaddressed. We believe the scope of the Supplemental EIR should be expanded to address them.

We are pleased to read that the Supplemental Project Components and Analysis does include several advances, and we have included a partial list of concerns we'd like responded to in the Supplemental document regarding these particular issues.

1. Potential addition of weekend passenger rail service. Included in this discussion should be issues such as:
 - Ridership analysis, both from Marin to Sonoma and Sonoma to Marin
 - Shuttle service, parking or means for riders to get to and from this service from their homes on the weekends.
 - Connections to ferry, and other modes of transit on weekends
 - Types of passengers using and usage of the weekend service and destinations. Will this be for tourists, commuters, etc
 - Employee requirements and availability along with cost analysis for weekend service
 - Noise impacts to residents who live near tracks who are at work during the week, but now home on weekends
 - Weekend service to public parks and playgrounds which are not used as much during the week
2. Potential use of Light Diesel Multiple Units instead of Heavy DMU's
 - What are the realistic chances of Federal Regulations allowing passenger service to operate on the same single track as NCRA's freight vehicles? Will other changes, besides alternative signaling systems be required of SMART to allow freight and passenger to share the same track if the vehicle is a Light DMU? Will such a new signaling system be compatible with the NCRA's operations?
 - DMU Efficacy: Re-analyze DMU reliability and maintenance projections for various potential vehicles. Select vehicle to be used, and make that selection public prior to the ballot. Specify DMU interior configuration and interior noise levels.
 - Will freight be required to run at night if SMART has priority of scheduling over the track to accommodate Light DMUs? If so, what will the impacts of this be?
 - How much time separation will be required between freight and Light DMU operations?
 - Be more specific in identifying the differences of fuel economy and of air pollution between a Light DMU and a Biodiesel DMU mentioned in the NOP.
 - What are the differences in capital, operating and maintenance costs among the Light DMU, the regular DMU and BioDMU?
 - What are the vehicle life and replacement standards for a Light DMU versus a standard DMU or Biodiesel DMU?
 - How many and what are the choices of vehicle for a Light DMU which meet SMART's needs? Which ones best fit SMART's requirements? What are the availability of the Light DMU's and the "track records" of the companies that supply them?
 - What is the crash safety record of an aluminum light DMU vehicle for intersection accidents and potential derailments?

- What are the maintenance requirements of a Light DMU versus DMU?
 - Will the Light DMU's be maintained at the Cloverdale maintenance yard along with NCRA's freight vehicles?
3. Potential alternative locations for Novato South station in addition to the site analyzed in the SMART 2006 Final EIR.
- Please analyze usage of sites by Marin residents who commute to Sonoma from this location.
 - Will locations encourage transit oriented development in an existing infill location or will it be located in an undeveloped location of Novato and create a new site for commercial, retail development and housing?
 - What will be the connectivity to other modes of transit at this location?
 - Will this station location also be the new Novato transit hub for the Marin Transit District?
 - How will this site interconnect with the Novato location of the Marin Airporter?
 - Will parking be available for Marin residents to park and then travel north to Sonoma by train or will most riders be required to use shuttle service to avail themselves of the train service?
 - How will this station site affect ridership numbers, north and southbound?
 - What are the safety impacts from the station location from crossing traffic and Level of Service impacts at the intersections?
 - Has the community and City Council been involved in the selection of the Novato South Station Alternative? Has the community agreed to accept any of the NOP proposed alternative station locations?
 - Will the station location be determined prior to a potential 2008 ballot measure?
4. Addition of several short segments of bicycle/pedestrian pathway adjacent to SMART rail line to provide improved pathway connections.
- Please map the location of these new connectors (phase 2) and indicate how they interact with the previous phase 1 proposal.
 - Who will be responsible for the repair and maintenance of these new connections?
 - Will these connections be constructed in environmentally sensitive areas? If so, what are the environmental impacts?
 - Who will pay for the cost for these new connections? Are these potentially additional expenses covered by the projected voter approved sales tax measures revenue?
 - Will any retaining, or sound walls or barriers be required for these new pathways? If so, what are the impacts of such walls to the environment and habitat?
 - What are the safety issues that might need to be resolved, which are created by these connectors?
 - Will SMART need to purchase or condemn land to acquire these connector pathways? If so, where?

5. Modified cumulative impacts scenario, due to a change in the level of projected freight service in the future on the SMART corridor (compared to the level of freight service that was projected and evaluated in the SMART 2006 Final EIR):
- The study should include the impacts of freight service for SMART's entire line, extending south to the potential Larkspur station. The study should not conclude at Highway 37/Ignacio, since a disruption in Novato could have a "domino affect" on the scheduling, timing, ridership, etc as far south as Larkspur.
 - How will SMART share its costs with NCRA in regard to upgrading, maintenance, liability, etc on the single track line? Will this be included in the Operating Agreement between SMART and NCRA?
 - SMART should evaluate relative wear and tear due to freight versus passenger usage, to ensure that contributions toward maintenance are commensurate.
 - SMART should produce an operating agreement with the freight company as to how it will share the single track prior to advancing a new ballot measure.
 - List various scenarios, over a 20 year time span, showing cumulative impacts on SMART by an expanding freight service and how it will impact SMART's expanding service. This should include impacts on number and timing of trips SMART is able to schedule, on ridership, use of sidings, track maintenance, use of the maintenance yard and facilities, air quality, noise, visual quality, financing, etc.
 - Evaluate Service Limitations/Potential: SMART should provide clear analysis of limitations on passenger service due to freight and any other factors. Analyze constraints on future expansions of service due to single track line shared with freight, including impacts on freight startup and future freight use increases. Clarify foreseeable potential for and limitations to commute rail service expansion possibilities.
 - The tracks between Healdsburg and Cloverdale are owned by NCRA, but will be used by SMART. How will the operating agreement determine who is responsible for this portion of the maintenance and use of this single track?
 - How will a slower NCRA train work harmoniously and compatibly with a faster SMART passenger train? What amount of time and space separation will be needed to meet FRA standards and avoid accidents between SMART and freight trains? How will affect SMART's scheduling of service? How will it affect on time passenger performance?
 - What are the accident rates when an expanded freight service will share the same track as SMART's passenger trains? How can SMART mitigate the safety impacts to protect the public, habitat, and lands? Does the accident rate change dependent on frequency, speed, scheduling, type and length of train all sharing the same single track?
 - How will freight derailments or accidents affect the operations of SMART? How will SMART coordinate with NCRA if a natural disaster occurs?

- Will SMART's control of dispatch force freight to operate service at night time?
- Will SMART allow NCRA to operate excursion trains on weekdays or weekends? If so, how would these SMART operations inter-work with NCRA's excursion trains?
- What are the cumulative impacts at rail crossings with SMART and NCRA operating on the same single track?
- Will SMART or NCRA install and maintain the quiet zones all along their shared track? What will be SMART's responsibility of quiet zones?
- If there is an accident along SMART - owned track by freight operations, to what extent will SMART be liable?
- Are the crossings and signal equipment requirements different between SMART and NCRA? If different, will the signals and crossings be constructed to SMART's standards? If so, what share will NCRA pay?
- Will SMART pay for replacement and improvements to signalization even though NCRA will be using their track?
- Does SMART rely on revenue from NCRA or a freight provider to help fund SMART's project? If so, what percent?
- Freight trains, hauling heavy loads, overtime cause more damage to a track than light DMU or a DMU. What will be the impacts to SMART operations on the quality of the tracks by heavy freight? Will this require SMART to repair its tracks more frequently to maintain a Class 4 track? Will SMART require NCRA to help pay for the cost of maintaining track at a Class 4 level when NCRA only requires a Class 2 or 3 for their operations?
- What are the cumulative impacts of ambient noise and vibrations when both SMART and freight share the same single track? Explain in various scenarios, daily, night time, day time, weekly, etc.
- Will SMART need to extend the length of any of its sidings or add any new sidings to accommodate NCRA's new level of freight service? If so, where and what will be the environmental impacts?
- SMART plans to have its maintenance facility's in Cloverdale. NCRA does as well. Will SMART and NCRA share the same maintenance yard? If so, how will SMART and NCRA share the costs and activities of the yard?
- What will be the cumulative impacts of air pollution between SMART plus NCRA train operations at various locations (particularly near public facilities and high density locations) along their shared track?
- SMART plans to have a bicycle path paralleling its tracks through many parts of the project. Will SMART find it necessary to make changes to the barriers, set backs or locations of the bicycle/pedestrian track to protect the bicyclists and pedestrians due to the impacts from the increase of the number of freight trains and the materials they will carry, for safety reasons? If so, what might these be and where? Is there adequate easement along the rail line to accommodate potential changes of path locations?

We would like to suggest some other issues (this is not an all inclusive list) which should be included in the scope of the Supplemental EIR or still need to be addressed:

1. Specify Barrier Structures: What are the impacts to wetlands from bicyclists and the barriers? Specify designs, and visual and environmental impacts, of safety structures between rail and bicycle/pedestrian path. New barriers should be pictured and their safety and environmental impacts discussed and included. The SMART board should commit in advance to minimize the impact of barriers.
2. Any new information and analysis regarding the location and operations of the Larkspur station should be included in the document. In the previous EIR the Larkspur station sight had not received "approval" by the City of Larkspur. Many outstanding issues regarding location, parking, distance from ferry terminal, shuttle access, ridership, reverse commute, etc remained unanswered. Hopefully, new information and these issues have been resolved and addressed in the document.
3. Parking: SMART should address the need for near-station parking by providing for additional paid parking spaces in identified locations, especially in downtown San Rafael, Novato and Larkspur Landing, and perhaps additional locations.
4. Demonstrate Benefits for Marin: SMART must clearly demonstrate benefits to Marin (Better access to stations or more parking, possibly re-orienting service to favor the commute northward). This would consider the increasing pattern of reverse commute.
5. SMART should model long-term growth patterns in the North Bay in the case of effectuating SMART versus not effectuating SMART -- e.g. at 20 years, 50 years, buildout, and make results available to the public.
6. Net Transit Ridership: SMART should compute the net transit ridership contribution of the system, after accounting for the primary and secondary budget and ridership impacts on other local transit agencies, including Golden Gate Transit.
7. Port Sonoma Preservation: SMART should formally resolve to permanently remove ferry/rail connection at Port Sonoma from consideration, due to the damage it would cause to this environmentally sensitive area.
8. Traffic Flow: SMART should address and fund provisions related to the impacts of the rail station at downtown locations, in particular the San Rafael Transit Center. Adding a train station at this location will likely create more congestion in an already congested area. SMART, in conjunction with the City of San Rafael, should analyze station and parking location options and perform corresponding

traffic flow analyses for this area. Traffic congestion should not increase over existing levels in this location.

9. Traffic Flow: Analyze options for relocating the downtown San Rafael station away from the busy intersections at 2nd, 3rd, and 4th.
10. Anderson Drive: A detailed plan for crossing Anderson Drive should be developed and made public.
11. Larkspur Landing: If a transit station is to be sited in Larkspur Landing, SMART should work with local officials and representatives of other vested interests to avoid negative impacts, such as increased local congestion, noise, and possible harm to Marin Airpoter.
12. Noise analysis: Noise analysis in the EIR should be improved upon to identify properties impacted by noise, and potential noise problems at stations (e.g. from engine startup) and at sidings (where trains will be required to use whistles) should be addressed.
13. Quiet Zone Designations: SMART should formally commit to help fund insurance coverage for associated liabilities.
14. Debt Service Costs: Present analysis of debt service costs under a wide range of interest rate scenarios.
15. Fare Box Recovery Rates: Justify estimated fare box recovery rates, comparing to other local transit systems.
16. Track Maintenance Costs: Smart should more completely evaluate impacts and repairs needed to tracks and vehicle activity/schedules after storms and earthquakes.
17. Sea Level Rise Costs: Evaluate impacts of and upgrade costs necessitated by sea level rises, by increments, within a reasonable range.
18. Project Annual Finances: The SMART board should produce a full annual accounting of costs and revenues projected under different scenarios, with revenues, fares and ridership consistent with what was contained in the EIR.
19. Ensure Coverage of Unfunded Costs: If all costs are not covered by reliable sources, evaluate the possibility of a half percent sales tax increase, instead of a quarter percent increase.
20. Evaluate Connectivity Limitations/Potential: Expand study of transit system connectivity options and limitations.

21. Shuttle Service Commitments: Prior to ballot measure, SMART should secure clear commitments from employers to provide shuttles. SMART board should take the lead in contacting major employers, for example MMWD, COM, AutoDesk, Fireman's Fund, Marin County Government, etc., and arrange in advance commitments from these employers to provide shuttle service to their employees.
22. Shuttle System Operation: Revise shuttle system plan to improve connectivity to other types of transportation on the way to and from stations.
23. Shuttle System Operation: SMART should outline a plan to increase the number of shuttle vehicles, to have a more efficient shuttle service.
24. Shuttle System Operation: Shuttle schedules and routes should be revised to better serve Marin residents commuting north to Sonoma.
25. Environmental Concerns: SMART should specify that ballast and sub-ballast for track upgrades and repairs be obtained in ways which minimize negative environmental impacts.
26. Publish Build-out by Segment: A statement detailing planned build-out by segment is required. SMART makes such a statement to MTC. This information should be made public and presented to the voters.
27. Revise Ridership analyses: SMART should revise future ridership analyses to include annual numbers and include the earlier anticipated completion of the HOV lane system. (Highway construction is started earlier than projected, while SMART's construction has been delayed by at least two years: four years difference.) How will these factors affect ridership?

Thank you for allowing us to comment on the NOP and suggest concerns and other issues that should be included in the Supplemental EIR.

Sincerely,

Doug Wilson, Chair, Sierra Club Marin Group

