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Sonoma Marin Area Rail Transit (SMART)  
Attn: Lillian Hames  
4040 Civic Center Drive  
Suite 200  
San Rafael, CA 94903

January 17, 2006

Re: Comments regarding SMART DEIR

Dear Chairman Jehn and SMART Directors,

The Sierra Club Marin Group is requesting that the following comments, questions and concerns be responded to in the Final Environmental Impact report for the Sonoma-Marine Area Rail Transit Project (SMART). The current DEIR is inadequate. Some of the information within the document is also inaccurate. We believe that the report requires additional analysis to fully understand the comprehensive environmental impacts related to the implementation and the operation of passenger rail service on the existing Northwestern Pacific railroad right-of-way prior to allowing the voters of Marin and Sonoma vote on the proposed SMART project.

### **Project Description**

1. *Page 2-13, Rail Service:* Station Average Dwell (wait) time at each station is planned to be 30 seconds. Passengers have only 30 seconds to get on and off trains at certain stations. How much time does it take a handicap person to safely get on or off a DMU? Is 30 seconds adequate? How much time does it take a passenger with a bicycle to safely get on or off a DMU, along with other passengers as well as secure their bike in a bike rack prior to the train moving? Is 30 seconds adequate? Would the train schedule need to be readjusted to accommodate these situations at a station? If so, how can the schedule be adjusted to mitigate these potential time delays and still have adequate "adjustment times" built into the schedule? This impact is not discussed in the DEIR. Please include this information in the analysis of the Proposed Project and other Alternatives.
2. *Page 2-54, Trackwork:* The DEIR states that the majority of the rail track (70 miles in length) would be raised (surfaced) with new crushed rock ballast and aligned (lined) in order to create a smooth track for running passenger trains. There is no discussion in the Geology section or the DEIR regarding this crushed rock. Where will SMART obtain crushed rock? How will the crushed rock get to the tracks? What amount of rock will be needed for the 70 miles of track? How many truckloads of rock will this take? What are the impacts to the area that supplies this quantity of rock? What mitigations are needed to insure there will be no environmental impacts to the locations that supply this quantity of crushed rock?
3. *Page 2-52, Larkspur Ferry Station:* The Marin Airpporter is located adjacent to the proposed Larkspur Rail Station. The double-track, two platform station would be located approximately 20 feet above the existing grade of the surrounding area, which is now the long term parking lot used by the Marin Airpporter. The DEIR fails to discuss the impacts to the Marin Airpporter by the displacement of the Marin Airpporter's parking facilities. This parking lot is currently

located on an easement owned by SMART. Even so, the DEIR must discuss the impacts that the rail station will have on the operations of the Marin Airporter. Does the Marin Airporter have a convenient alternate location to replace this parking lot? How many people park their cars in this parking lot? How many people use the service of the Marin Airporter? What will be the impact on the Marin Airporter and the public if this parking lot is replaced by the Larkspur Rail Station? Will it force the Marin Airporter to move to another location? What are the affects of the loss or displacement of the Marin Airporter by the SMART rail station? How many Marin Airporter riders will be displaced versus the number off rail riders getting of or on at the Larkspur Rail Station? Does the rail to ferry connection have a greater benefit than the Marin Airporter that is used by a vast number of Marin and Sonoma residents to get from Marin to the San Francisco Airport versus using their autos? Please study and explain impacts related to the displacement of parking at the Marin Airporter in the DEIR.

4. *Page 2-54, Trackwork and 2-69, Noise:* The DEIR mentions timber cross ties and switch ties are to be used instead of concrete to reduce noise levels in most track locations. Existing conditions vary along the track where some sections will require replacement of all existing ties to sections requiring only one in four ties. How many ties will need to be replaced? How many trees will be used to supply all the cross ties needed for the 70 miles of track? Working Paper 5 on page 5-3, Cross Ties, states that “they are a renewable resource.” The cost of wood is increasing. There is a desire to find alternatives to cutting down trees. Is there a recycled wood material or other alternative material that can be used instead? There are new and recycled materials used for household decks, porches, steps, etc. that are even more weather resistant than wood with similar properties. Could this material or others, more environmentally friendly, be used for crossties and switches where wood ties are called for in this project? How often would wood ties have to be replaced? How do projected wood costs affect the feasibility of wood ties, taking into account replacement costs? Would there be a significant difference in the projects costs by using other materials than wood? Would this be beneficial to the project’s environmental impacts?
5. *Page 2-59, Vehicles:* The DEIR briefly discusses the exterior size and shape of the DMU as well as its fuel and operating characteristics. It mentions that it the vehicle capacity would be approximately 90 passengers per rail car. The DEIR fails to discuss the interior of the DMU’s. Will the DMU’s have bicycle racks, rest rooms for passengers, handicap areas or other facilities for the passengers? If there are to be rest rooms, will they have holding tanks for waste products? Will passengers all be seated as the train travels at 80 miles per hour or will they also be able to stand? With the engines underneath the vehicle, how loud will the noise be within the car as it travels along the track? Will each car have a space or a cabin for a driver? If so, will this space be at each end of the car? How will these interior options affect the interior capacity of the vehicles? Will interior options affect the capacity of the number of passengers capable of riding in each car? If so, will this affect the ridership numbers discussed in the DEIR document? This information is important to know, at this time, in order to understand ridership numbers, and use of the rail cars for bicyclists and handicapped individuals. Also, what type of interior and exterior lighting will the DMU’s have? It is important to know this information in order to understand the visual and biological impacts the DMU’s will have when evaluating the Proposed Project. Please supply this information in the DEIR.

## **Proposed Project, Environmental Setting, Impacts and Mitigation Measures**

### **Geology**

1. *Page 3-9 and 3-1, Geologic Hazards:* Areas of track are shown to be subject to settlement. See diagram or figures 3.2-2C & 3.2.2A. There is no mention in the DEIR regarding the mitigation of these areas of track which are in bay mud. Bay mud is known to have significant and particular matters relating to settlement. What are the settlement rates of these soils along

the rail right-of-way? Will these areas of track require soils to be reworked, filled, have new drainage or other treatments due to the settlement qualities of this bay mud? Since these settlement areas are in the wetlands, what will be the impacts of fill and soil compression to the adjacent wetlands and the habitat? How high and how much fill will be required along the wetlands, bay mud and flood plain areas of railroad right-of-way? Will these tracks continue to settle over time due to the intrinsic properties of bay mud? The tracks that run through the wetlands are known to be under water in the rainy season. Did the tracks recently flood in this year's January 2006 storms? What level of flood tide in the bay will render SMART inoperable? Will the tracks be raised above the flood levels? If so, how high will they need to be raised? Or, will the passenger and freight trains operate through flooded areas of track during the rainy season? If so, how will this affect the train schedules and its operation? What will be the continuing maintenance requirements and impacts of the tracks in the wetlands and settlement zones? Have the long term maintenance costs of the tracks been included in the financial analysis of rail operations? If not, please include the financial implications of maintenance of the tracks in the settlement and flood zones over the long term in your final financial analysis.

### **Water Resources**

1. *Page 3-31:* The DEIR fails to discuss the impacts from daily activity by the passenger and freight service on water quality as the train moves up and down the entire railroad right-of way. This impact is different than an accidental single event that requires containment. The trains will be diesel or potentially biodiesel. Please study and report about the residue that the DMU's and freight trains emit and leak which settles into the ground water as it continuously travels up and down the railroad right-of-way. How will this affect the water resources of the wetlands and flood plain along its route?
2. The DEIR discusses the improvements to the culverts and drainage ways along the railroad right of way. What will be the impacts to the Bay from the water run off from the newly repaired culverts and drainage ways? Please address the cumulative impacts from this run off into the Petaluma River, adjoining creeks and finally into the San Pablo and San Francisco Bays.
3. *Page 3-33, Impact WR-5:* The DEIR discusses potential flooding of station sites. It fails to discuss the areas of the track or rail right-of-way which are subject to potential flooding. The railroad tracks are within or adjacent to the wetlands and within flood plains in Novato and Petaluma. These areas flood during the rainy season. Will portions of the track in the flood plain and wetlands be covered by water at some periods of time during the rainy season? If so, how will this affect the operation and schedule of the passenger and freight trains? Please discuss this in the Water Resources section of the DEIR as well as relate to the Geology section regarding settlement of the tracks.

### **Hazardous Materials**

1. Will the DMU's contain their own waste systems or will the restrooms on the DMU's deposit their wastes along areas of the rail right-of-way? The DEIR fails to discuss the impacts of human waste that is generated by passengers who use the rail. If not contained within the DMU's, what are the impacts of this human waste to the water quality, wetlands and surrounding habitat and human population? How can this be mitigated as not to be a public or environmental health hazard? Please describe how human waste will be handled by SMART as well as freight service. This should be a cumulative analysis.
2. *Page 3-50:* The Redwood Landfill has discussed the import and export of garbage by rail. Will the freight trains using the rail right-of-way be used to move garbage to other locations? If so, will this garbage potentially include hazardous materials? Please discuss the potential impacts and mitigations by future freight train operations sharing the SMART railroad right-of-way. Will

these freight train garbage hauling operations conflict with the passenger service? How can associated impacts be safely mitigated?

### **Air Quality**

1. *Page 3-64:* Please compare the miles per gallon of fuel use between a diesel (2 miles per gallon) or biodiesel DMU (1.96 miles per gallon) with a diesel or biodiesel Golden Gate Transit bus. Then calculate the number of riders of a bus versus a DMU. What is the difference of fuel consumption, in miles per gallon, between rail and bus in relation to ridership in both diesel and biodiesel alternatives? How does this relate to air quality? In the bus alternative you discuss energy use. Please convert this to gallons for ease of understanding. This information is needed for the public to fully evaluate the differences between the various modes.
2. *Page 3-66:* There is discussion of station and maintenance facilities, but no discussion of siding locations in relation to air quality impacts. Are there residential areas, sensitive habitat or wetland areas in close proximity to siding locations? Please create a separate chart and map of the passenger and freight train siding locations. Indicate resident locations and sensitive habitats that reside within ¼ mile from the various sidings. How long will trains need to idle at sidings waiting for a train to pass from the opposite direction? Currently there is no established train schedule. Thus, please use an approximate assumption. Include freight as well as passenger service in this analysis. How much particulate matter and vehicle emissions will result from idling at sidings? Suggest operating procedures for DMU's and freight trains idling at sidings. How much fuel leakage from DMU's and freight trains will result at siding location while the trains idle? What will be the effects on water quality at the various sidings? How shall these be mitigated?
3. Freight trains will be using the same track as SMART. Page 2-7 of the Project Description states, "With added passing sidings that would be constructed as part of the proposed project, adequate track capacity would exist to operate freight service along with the proposed passenger rail operations, assuming freight trains would operate primarily in off peak hours. Where will these additional sidings for freight be located? How will the sidings be used by freight versus SMART? Will the freight trains idle at the sidings waiting for the SMART passenger trains to pass or vice versa? If so, what are the effects on air quality and water resources by freight and passenger trains waiting at the sidings? How can the impacts at the siding locations be mitigated to less than a significant level? Please map and chart the location of the freight sidings as well as the passenger service sidings so we can understand the cumulative impacts of both freight and passenger service.
4. How will increased wait times at railroad crossings affect auto trip times? How will they affect air quality? How will increased auto trips in the vicinity of stations, due to traffic to and from stations affect air quality? Are cumulative impacts of air quality affected by increased wait times within acceptable air quality levels at station sites? Please explain.

### **Transportation**

1. *Page 3-95, Proposed Project Assumptions:* The DEIR states, as part of the analysis they assumed for the proposed project, there would be a 15% increase in intracounty bus transit service by 2025 within Marin and Sonoma. Is it financially feasible to have a 15% increase with the fiscal constraints of the Marin County Transit District (MCTD)? The DEIR analysis is based on the assumption that transit service would not continue to decline over a 25 year period. Currently the cost of fuel, liability, insurance, drivers and other factors continue to increase. MCTD, even with Measure A dollars, is finding it must continue to reduce and reconfigure its available service. GGT is cutting back services due to financial difficulties. What reasons can you give for fuel costs to improve, wages to lower and other operating expenses to improve to make your statement

that by 2025 there will be a 15% increase in intracounty bus transit? On page 3-97, last paragraph, the DEIR states that for the No Project Alternative it does not assume a 15% increase in service levels. Explain why there is an assumed increase for the Proposed Project Alternative, but no increase for the No Project Alternative. This appears to be an inconsistent analysis. (See footnote on page 3-97)

2. *Page 3-99, Ferry Service:* The model assumes that ferry service will remain the same at existing year 2000 levels. It states that projected growth in peak hour ferry passenger service is currently constrained by landside parking limitations at the Larkspur Ferry Terminal. Please reconfirm these statements with Golden Gate Transit. Does Golden Gate plan to increase, decrease or make other changes to their ferry schedule by 2025 which would affect SMART's ability to accommodate its passengers on Golden Gate's ferries out of Larkspur Landing? Does Golden Gate ferry plan to increase the parking lot size by constructing a parking structure, restriping the parking lot, or implementing other parking alternatives that would allow GGT to increase parking and their ferry ridership which would affect its relationship with SMART's passengers at the ferry terminal by 2025? If GGT improves their parking capacity, will this increased ridership on the Golden Gate ferry's impact the ridership availability for SMART users? What are the current ridership levels and capacity on the Golden Gate ferries, particularly at AM and PM peak periods? Please study and show what the current ridership numbers are for the various AM and PM peak runs. Then show its relationship to full capacity levels of the various ferry runs at peak periods. What is the remaining capacity on AM and PM peak ferries?
3. *Page 3-112, Impacts on Golden Gate Transit:* Golden Gate Transit staff has indicated that sufficient capacity exists on most ferry trips to accommodate the projected ridership of the proposed SMART project. Most is not all. Which AM and PM peak ferries will not be able to accommodate the excess number of rail passengers? The Travel Demand Forecast ridership numbers show that 108 riders will travel to Larkspur Landing. The Travel Forecast does not indicate how many riders, at a particular AM or PM peak, will not be able to be accommodated by the ferry. If a SMART passenger is unable to complete their through trip to San Francisco by ferry, due to the ferry being full, what is the rail passenger's alternative to complete their trip to San Francisco? How will this affect SMART's ridership?
4. *Page 3-99, 3.6.5, Impact Summary:* The DEIR states that the imbalance between the northbound commute along 101 would still continue in 2025. The peak would be AM southbound and PM northbound commutes. But, the peak period directional travel demand along Highway 101 is expected, according to the DEIR, to have a more balanced distribution by 2025. If this assumption is correct, there would be an increase reverse commute and more Marin residents would be traveling north to jobs in Sonoma. If there are no parking facilities planned for SMART passengers at Larkspur Landing or Downtown San Rafael, how will SMART accommodate potential riders from Southern Marin, West Marin or Ross Valley? How will SMART be able to attract these Marin riders to use the rail if there is not a convenient and timely shuttle or GGT bus service to these station sites. The closest parking lot planned for SMART that Southern and West Marin or Ross Valley residents could use is planned to be located at the Civic Center. Would these potential Southern Marin, West Marin and Ross Valley riders drive to the Civic Center parking lot to ride the rail to Sonoma? Do SMART stations and parking facilities accommodate more riders from Sonoma than Marin? If so, is it appropriate for Marin residents to pay more than their fair share for SMART operations when they have less opportunity to use the rail? How will SMART benefit Marin residents' versus Sonoma residents? Please show the percentage of Marin riders versus Sonoma riders who will use the rail and compare that with the percentage of sales tax paid by Marin versus Sonoma residents.
5. If there is an increase in the reverse commute by 2025, with more Marin residents commuting to Sonoma, due to increased job opportunities in Sonoma, are the proposed Marin train stations and related parking lots appropriately located for use by Marin residents? Are the station locations in Marin more convenient for Sonoma workers coming to jobs in Marin, than for Marin residents commuting to future jobs in Sonoma? Please discuss and evaluate the parking and station

locations in relation to the change in commute patterns; Marin to Sonoma. Suggest some alternative parking arrangements and station sites in Marin that would potentially be more beneficial to Marin residents who would like to use SMART to travel to Sonoma for jobs rather than rely on other modes of transportation.

6. *Page 3-100, 3.6-6:* The DEIR shows the estimated Vehicle Miles Traveled (VMT) and Vehicle Hours Traveled (VHT) for Sonoma and Marin under existing conditions, future base line (No project) and proposed passenger rail project. Please revise the chart and include a 4<sup>th</sup> important category, the Express Bus Alternative for 2025, so there can also be a side by side comparison of the Express Bus Alternative with these other three alternatives. This is important for the public to fully evaluate the various transportation alternatives in the EIR.
7. *Page 3-112:* In a letter dated November 28, 2005 to Mike Arnold, Lillian Hames, SMART General Manager stated SMART proposes to set aside, as a place holder in the 2004 expenditure plan, approximately \$1 million per year for free shuttle bus service. How many buses and people will this \$1 million be able to accommodate at project start up, in 2015, 2020 and then 2025 using an average inflation rate? How will SMART compensate for the escalating cost to run a free feeder bus service with a set-aside of \$1M per year? What is the total number of feeder buses throughout the 70 mile right-of-way that will be necessary to accommodate the projected ridership at project start up, in 2015, 2020 and 2025? The DEIR makes note of the shuttle bus routes and locations. It states a total of nine shuttle routes are proposed, but does not indicate how many buses will be needed to support the proposed free shuttle service. Will each free shuttle route require more than one bus on its route to meet its bus schedule? How many buses will each route require to meet the proposed feeder bus schedule? If the free shuttle service is not adequate to accommodate the people who will rely on bus service to get to the train stations, how many potential SMART passengers will instead use other transit modes as an alternative to get to the rail station since they will not be accommodated by the free shuttle service? Could this potentially occur due to a shortage of funds SMART has set aside for the free shuttle bus service? Could the lack of sufficient free shuttle service affect the ridership of the rail? Please explain how? Please include discussion of the implications of SMART not having its own free feeder bus system. Would this affect the ridership projections and viability of the Proposed Project? Please explain.
8. *Page 3-108, Downtown Street Network Operations:* Please include the language or resolution of the agreement between the City of San Rafael and SMART/GGHTD regarding the paving over of the railroad tracks at Anderson Drive in San Rafael. Was this agreement to realign the tracks when the SMART passenger train became operational or was it to elevate the tracks so as not to interfere with traffic on Anderson Drive? If it was to elevate the tracks, why is this elevation of tracks at Anderson Drive not included as a mitigation measure in the DEIR? If Anderson Dr. is merely to be realigned as stated in the DEIR, will San Rafael be financially responsible for the realignment and relaying of track since they are the agency that paved over the tracks? Is it possible that San Rafael will be required to abide by its agreement and elevate the tracks over Anderson Drive? If so, who is responsible for the overpass construction and cost? What are the environmental impacts associated with constructing this rail overpass?
9. *Page 3-113: Four bullets in the summary of the impacts of the proposed project are listed on page 3-113.* These impacts should be considered significant and not beneficial, as stated in the DEIR, as they relate to SMART's proposed project.
  - a. The DEIR states there will be a drop in bus system ridership due to the SMART project, primarily on GGT routes between Marin and Sonoma County. This decrease may result in the elimination of Route 75. It states this is because travel time on the rail will be more attractive to bus riders between Santa Rosa and San Rafael. What will happen to the bus riders who do not want to take the rail? What if bus riders desire to continue to take the bus since it is more convenient for them to get on or off at other locations than station sites along the railroad right of way? This will not be a benefit to the riders. It is a significant impact to these bus riders and should be listed as such in the DEIR. The

DEIR assumes since there will be a reduced travel time by rail that the impact from the loss of Route 75 is not detrimental to the project. To some riders the difference of travel time might not be the only rationale for continuing to desire to take the bus versus rail. Please list some reasons why bus riders might not wish to change from bus to rail ridership. This is a significant impact to these bus commuters, not beneficial as stated in the DEIR. Please change this impact to significant.

- b. The DEIR indicates there will be a minimal increase in Larkspur Ferry ridership due to the limited number of rail passengers (total of 108 of 5 southbound trips in the AM) transferring to the ferry from SMART's trains terminating at the Larkspur station. The DEIR states the small number of rail riders does not necessitate an increase in GGT ferry service. The DEIR states that this is a small beneficial impact as it would generate new fare revenue for the ferries and would help alleviate parking constraints that hamper the existing ferry terminal at Larkspur. Is it financially beneficial for SMART to spend millions of taxpayer dollars to improve the railroad tunnel, offer free shuttle service as well as construct a rail station for a "small increase" of ridership to the ferry terminal? What are the benefits to SMART? Does cost to SMART outweigh the financial benefits to the GGT ferry? Please compare and weigh the financial benefits between the costs of SMART and the new fare revenue to GGT related to the Larkspur ferry station. Also, if the passengers of SMART are additive to the ferry and have not previously arrived at the Larkspur Ferry terminal by car, how can the rail alleviate parking constraints at the ferry terminal for many of these new rail passengers who have not previously parked at the Larkspur station. Please explain how the DEIR came to its conclusion since the vast majority of SMART riders will be new ferry users and not existing auto users. Please adjust your summary conclusion.
  - c. The DEIR states there will be a small, favorable impact on Marin County Transit service, as local buses feed the Marin rail stations. This is likely to be no more than a few passengers per bus trip, and is a beneficial impact. If this is the case, please explain why the MCTD should focus their bus service to accommodate only a few number passengers to meet the rail schedule? Is this cost effective for the MCTD service to run buses for only a few passengers per bus trip for the rail. MCTD has established a baseline for buses of 20 passengers. If a route does not carry up to 20 passengers, they are dropping the route. How will this affect SMART? Will SMART need to rely on MCTD to get some of their rail riders to the rail station using MCT buses if their free shuttle service is not adequately funded to support the expected ridership for the rail. Would potentially this impact would benefit MCTD? Please explain how this can benefit SMART? Change this impact to Less Than Significant or Significant.
  - d. The DEIR states that a small increase in certain Sonoma County Transit (SCT) routes servicing SMART stations will be a benefit to SCT. How does this benefit SMART if SCT will only be transporting a small number of passengers to the rail stations, and SMART is dependent on feeder buses to get passengers to the rail? Please change the DEIR's statement regarding impacts in this section.
10. *Page 3-114, Table 3/6-12, Estimated Parking Use at Proposed Stations:* The DEIR shows that there will be no demand for parking at Larkspur or Downtown San Rafael. Thus, there are no plans for new parking lots or parking arrangements for rail riders at the Larkspur or Downtown San Rafael. How will people living in Southern or West Marin or Ross Valley be able to park at the rail stations most convenient to their homes? Discuss what means of travel these people will need to use to take the SMART rail north to jobs in Sonoma if no parking is provided at the Larkspur or Downtown San Rafael stations. There is no direct bus service from West or Southern Marin to Larkspur Landing. How will Ross Valley residents be able to conveniently use the rail to Sonoma? Is the rail planned primarily for Sonoma residents to reach jobs in Marin? If so, are there more benefits from rail service for Sonoma residents than Marin residents? If so, please list

them. Chart the pros and cons of the rail for Marin versus Sonoma residents, as well as businesses, so the public can evaluate the impacts and benefits per county.

11. *Page 3-115:* By 2025 the DEIR states that the projected TOD will have completed construction around the SMART station sites. The DEIR implies that once the TOD is in place, fewer rail riders will drive or take transit to the stations and thus traffic will improve around the station sites. Does this mean that people who have lived beyond walking distance from the rail stations by 2025 would no longer be using the rail, or that these people would be moving into housing near the stations rather than continuing to drive or take alternative modes to get to the stations? Please clarify. Is it possible that the rail usage would be additive by 2025. Residents from the new TOD housing as well as the people who have previously used auto and transit to get to the SMART station will both continue to do so. This would be additive to the existing, 2010, 2015, 2020 and 2025 traffic levels and ridership levels. Has this additive number been studied and explicitly included in the DEIR ridership and traffic analysis? If not, please explicitly reanalyze and make adjustments throughout the entire DEIR document.
12. *Page 3-116, Impact T-2:* Please change this impact from beneficial to less than significant. A change of only 1,800 VHT out of 78,000 during AM peak and 1,300 VHT out of 65,000 at PM peak is inconsequential in relation to the total number of VHT. The DEIR even states on page 3-101 that under either the 2025 No Project or Proposed Project conditions, the Level of Service would be the same along segments of Highway 101.
13. *Page 3-117, Impact T-3:* Please change this impact from beneficial to less than significant. The DEIR states that the LOS will remain the same and may not show substantial improvement in highway operation. Thus, the project is not beneficial to Highway 101. It offers an alternative mode of travel to the corridor, but does not make improvements to the highway operation. Thus, the impact is not beneficial. It is only less than significant.
14. *Page 3-109, 3-118. T-6:* Please reanalyze and explain how the DEIR can state that auto traffic and level of service, (LOS F to LOS E and LOS E to LOS D) for several intersections around the proposed rail station in downtown San Rafael will improve by 2025 with the implementation of a shuttle service. The analysis that merely implementing a free shuttle service for rail passengers to the rail station would improve these LOS levels to beneficial is not realistic. Please study these intersections located in downtown San Rafael in a cumulative manner including all modes of transportation that will pass through these intersections, in addition to the SMART free shuttle. If high density Transit Oriented Development (TOD) is developed around the station sites there will be increased human activities as well as increased vehicular activities from what currently exists. These intersections not only accommodate potential rail passengers, but also are the primary traffic intersections for a large segment of San Rafael residents crossing town or entering or exiting Highway 101. The DEIR assumes that due to the increased density from TOD more people will take the train, use the free shuttles and thus the traffic levels will improve. Will all the people who live outside the area of TOD take the shuttle to get to the train? Will people who live outside the area of TOD continue to take the GGT bus to the station? Will some people be left off at the station locations by “kiss and ride”? Will residents of the local communities continue to drive through the streets surrounding the train station for trips not related to rail? These trips will also affect the traffic and intersection LOS around the stations. Will all the people who live at a TOD site take the rail? If not, will potentially part of a family residing in a new TOD site take the rail and the other members of a family use other means of transportation such as auto for mobility? Is it equally possible that the shuttle service will interfere with auto traffic while not appreciably decreasing it? Please study and report the additive traffic and air quality impacts at the TOD station sites, particularly Downtown San Rafael, considering the above questions and comments. These current and additional new trips should be included in a study to determine if the number of riders taking a free shuttle is greater than the cumulative numbers of GGT riders, “kiss and ride” trips, local traffic, as well as other new family members who will live in the TOD sites and will not be taking the rail. The determination of beneficial for T-6 is in conflict with your Impact T-8 which states traffic operations and LOS will decline at three intersections

during AM peak and four during PM peak is significant mitigable. Impact T-6 and Impact T-8, describing the same area should be stated as the same, not one be listed as beneficial and the other as significant mitigable. Both should be listed as significant impacts.

15. Please discuss the impacts of the free shuttle service on GGT. Will the passengers of the free shuttle service be able to freely transfer onto a GGT bus to complete a trip to their home if the shuttle route does not extend far enough? Would it be cost beneficial to SMART to also have the free SMART passenger shuttles also used as local paid bus routes if there are residents along the route that would like to ride the shuttle for other reasons than to use the rail service? What is the possibility of integrating the free shuttle service with the GGT or MCTD transit services? Please discuss the impacts of these questions in relation to the SMART free shuttle service.
16. What are the trade offs for the local San Rafael community regarding the impacts of SMART. How many residents of San Rafael will ride the rail to Sonoma? How many San Rafael residents will be affected by the reduced LOS at primary intersections which the residents use to enter and exit San Rafael from Highway 101? What will be the impacts to the local residents around the rail transit center who will not use SMART? Please compare these significant impacts versus the improvements of regional transit (SMART) for the local residents, who do not use transit and are dependent on the automobile. This is the vast majority of the residents of San Rafael as well as Marin.
17. *Page 3-122 & 3-123, Cumulative Impacts:* The DEIR states potential developments or projects within the corridor which were not included in the modeling for the proposed project which include.....possible future freight service on the project right-of-way. The North Coast Railroad Authority (NCRA) has plans to operate freight service within the proposed project corridor right-of-way between Cloverdale and Novato. SMART's enabling legislation specifies that freight service on the NWP would be governed by an Operation Agreement between SMART and NCRA, which will be re-negotiated in advance of passenger rail service startup and will specify operating assumptions for freight. Freight service generally operates at slower speeds and with longer trains than passenger rail service, resulting in longer delays or gate down time for motorists at at-grade crossings when a freight train is passing. The DEIR must adequately address the cumulative environmental impacts of the SMART project including assumptions about the freight service operating plan since they will share the same rail right-of-way? Many questions, such as, how the freight operates, where will their new sidings be located, federal regulations relating to the priority of freight service over passenger rail and related environmental impacts must be included in the DEIR's transportation and operating analysis. SMART cannot look at their project in isolation of freight service. The DEIR must also include it its evaluation what happens to the right-of-way by freight when SMART restores the tracks. In the Public Review Draft document of November 2003 prepared for the Federal Emergency Management Agency, Region IX, for North Coast Railroad, South End Alternative Project Programmatic Environmental Assessment, on page 35 it states, "*While individual actions taken as part of the South End Railroad project would likely be completed prior to the earliest anticipated activity of the SMART commuter rail project (Section 1.2.1), there are likely to be cumulative effects associated with the development of the SMART project. These impacts would be described in the environmental documentation for the SMART passenger rail service. Resource areas in which cumulative impacts may occur include air quality, biological resources, socioeconomics, transportation, and noise. Resumption of freight service along the railroad would have additional cumulative environmental effects not addressed in this document. Actions taken to resume operations that are above and beyond those described in the South End Railroad project would be evaluated separately by NCRA. Resource areas that would be affected by the operation of the railroad include air quality, noise, traffic / transportation, public safety, biological resources, and socioeconomics. Detailed cumulative impacts are not addressed in this South End Railroad PEA because analysis of these impacts requires specific knowledge of actions occurring or proposed by SMART to occur within or near the study area.*" Why has the DEIR not included this information in the document? The FEMA document is very clear that they expect the

SMART DEIR to include the cumulative impacts of freight relating to air quality, biological resources, socioeconomics, transportation and noise. The discussion of these impacts and analysis of their significance is missing from the DEIR. Thus, the DEIR is inadequate. Please study, evaluate and include these cumulative impacts of freight in the DEIR.

18. Please include a full analysis of the relationship of freight use of the rail right-of-way with SMART passenger service. Include this in all the various elements of the DEIR and the mitigations required to operate SMART in relation to freight? In the SMART Working Paper #5, Detailed Project Design Options, Volume 1, October 2003, page 12-2 it states, “*Since Freight railroads do not usually schedule trains to the same level of precision as passenger trains, it would be difficult to restrict the NWP’s operations to the hours between the AM and PM passenger peaks.*” It also states, on page 12-2, “*It would take approximately four hours to serve the potential customers between Ignacio and Cloverdale.*” How might freight service affect SMART’s ability to maintain timely train service? Will freight trains be longer? If so, how many cars and what length? How will longer freight trains impact the intersections and station sites? How will this affect the various at-grade crossings and intersections Level of Service and delay times? Will freight trains travel at night? In Working Paper 5, page 12-2 it states, “*Freight trains could be operated at night so as not to conflict with the passenger rail service; however, this option is unpopular with the shippers, the operator and the communities that would be potentially affected by the noise associated with the freight trains operating at night.*” If freight does operate at night, what are the multitudes of environmental impacts from night usage? What are the impacts to air quality, water resources, noise, visual and etc. cumulatively with SMART passenger service? How will this combined freight and rail service impact the rail right-of-way? Are freight trains much heavier? Do they create more wear on the rails or rail bed? How will use by both freight and passengers service long term affect the smoothness and speed of the commuter rail service? How will the freight train affect the maintenance schedules and cost for the railroad right-of-way? Will SMART be responsible for all the maintenance costs since they own the right-of-way, even though freight trains will use SMART’s single track line? How will changing conditions of the rail bed affect the speeds at which the commuter passenger service can safely travel? Will the speeds be required to be adjusted as the railroad right-of-way “ages”? All these questions and more are needed to be answered to fully understand the impacts of restoring the tracks and the rail service for both freight and passenger. Please include this information in the DEIR. As the Operating Agreement between SMART and NCRA states, passenger rail service start up can not begin prior to this agreement. This issue must be fully addressed in the DEIR; a discussion of freight use on the same track with passenger service; its impacts and associated mitigations. Without this information about freight service the DEIR cannot determine if their impacts are significant, less than significant or beneficial. Thus, the DEIR is inadequate.

### **Noise and Vibration**

1. *Page 3-125, Table 3.7-1:* The Table fails to include in the “Description” column the type of impact the noise will have at 85, 75, 70, 60, 55, 45, and 40 (dBA). Will the noise from freight trains at 85 (dBA) be annoying or very annoying? Will a freight train at 75 (dBA) be annoying or intrusive? Will freeway traffic at 70 (dBA) be annoying or intrusive? Etc. The chart does not adequately relay the important train and freeway information for impact evaluation. Please complete the chart and include it in the Final DEIR.
2. *Page 3-127, Table 3.7-2:* This Table fails to include the Leg(h) (dBA) level for undeveloped lands. Please revise this Table and include the appropriate numbers. This should be for exterior sounds due to the land being undeveloped. There are many undeveloped lands along the SMART right-of-way. In order to adequately understand the noise impacts to the adjacent areas, wildlife and habitat of the undeveloped lands this number must be included.
3. *Page 3-129 & 130, Figure 3.7-2 and Figure 3.7.3:* Figure 3.7-3 shows the locations of 23 sites studied to determine existing sound levels. The DMU as well as passenger rail will pass through the sensitive wetlands of the Marin Sonoma Narrows south of Petaluma and north of Novato at 80

miles per hour. Figure 3.7-2 indicates the noise measurement locations. There was no existing sound measurement between sites number 5 and 6. How can the DEIR establish the existing noise level in these undeveloped wetlands areas, to understand the proposed project impacts by SMART, without a study to determine the existing noise level in this sensitive habitat area? Please study, report and revise these Tables and maps to include the existing Ldn noise levels between Novato and Petaluma.

4. The DEIR fails to discuss the changes and impacts of noise along the single track line due to long term wear from the use of by freight and passenger trains over a period of time. What are the noise levels of a new track in 2010 compared to the condition of the tracks in 2015, 2020 and 2025? Will the noise remain the same as the track ages? Will the noise levels of the DMU's as well as freight trains remain the same as they age? Please study, chart and report the increase of noise from aging track as well as aging freight trains and DMU's.
5. Include in the Noise section of the DEIR an analysis of SMART's noise and vibration impacts in the sensitive, wetlands, open space habitat areas between Marin and Sonoma in 2010 and 2025. Compare this to the existing noise level. Please include the cumulative impacts of SMART passenger as well as freight service. What are the short versus long term affects on habitat and endangered species when the trains run on a regular schedule? Once disturbed, do the birds and wildlife return? If so, in the same numbers? How long does it take for the birds to return? Is this a significant impact? Can this be successfully mitigated? Discuss the impacts related to the No Project versus Proposed Project Alternatives.
6. The Noise and Vibration section of the DEIR discusses impact on humans. Do various Federal Regulations require an analysis on noise from the project on wildlife, habitat and endangered species? If so, what are these regulations? Has the DEIR studied these impacts? What are these noise and vibration impacts and how should they be mitigated?
7. *Page 3-135:* The DEIR states that noise levels would be greatest north of Novato North because speed would be highest in this area (up to 80 miles per hour). What will this noise level be compared to existing noise levels (not yet studied)? What types of noise will this be when the DMU reaches 80 mph: Screeching sound, loud piercing noise or etc? Freight trains will travel at 50 miles per hour. This has not been discussed. How will this noise cumulatively impact habitat? How can this be mitigated to Less than Significant? Please make appropriate revision to this section of the DEIR.
8. The DEIR states that there will be concrete as well as wood ties. It states that the DMU will produce more noise as it travels over the concrete ties and concrete structures versus wood ties and structures. Please map the location and chart the location of the concrete ties and structures. Indicate the speeds which the DMU's as well as freight trains will be going as they pass over the concrete ties and structures. Will the noise levels be the same going over these concrete structures as wood tie and wood structure areas? Will the speed at which the trains travel make a difference as to the noise level? Will any of these concrete ties and structures be in residential, retail or commercial locations? If so, what will be the impacts of noise from the trains passing over concrete ties and structures at the various speeds indicated for these locations versus wood understructure? Please map or/and chart this information so the public is easily able to understand the various impacts. Also, how will the noise generated as trains pass over these concrete ties and trestles impact the habitat and wildlife? For example, will a train at 80 or 50 miles per hour pass over a concrete structure or tie in open space areas? What noise levels will this create? How will this impact cumulatively affect the habitat and wildlife versus when the trains pass over on the wood ties, up and down the rail road corridor? What are these various impacts? How can this be mitigated? Are these significant impacts? This has not been studied, addressed or mitigated in the DEIR.
9. *Page 3-138, Mitigation Measure N-5:* What is the accident rate for train service using Quiet Zones as a mitigation measure compared to not implementing a Quiet Zone? When was the last time FRA approved a Quiet Zone for passenger rail service? If the accident rate is extremely

high for crossings with Quiet Zone approval and there is reluctance by the FRA to approve Quiet Zones, is this a realistic mitigation measure? Is this a significant impact?

10. *Page 3-138, Mitigation Measure N-5:* If a Quiet Zone is approved by the FRA upon the request of a local jurisdiction and SMART, who is liable if an accident occurs at a crossing? The local jurisdiction, SMART or both? Are the cities and counties aware of this liability, if a traffic accident occurs on their streets at a rail crossing in a Quiet Zone, which they have requested to be designated by the FRA? Please discuss this information with the various jurisdictions and report in the DEIR if the cities and counties are willing to accept the cost and responsibility of liability at the rail crossings in their jurisdictions. If not, is this a realist mitigation measure? Is this significant impact mitigable if a jurisdiction doesn't accept the liability?

## **Energy**

1. *Page 3-143, 3.8-4:* The transportation analysis assumes a 15% increase in intracounty bus transit service for the proposed project. My comment regarding Page 3-95 of the Transportation section of the DEIR questions the 15% increase assumption due to the fiscal difficulties and constraints of the Marin County Transit District. Due to this significant financial uncertainty of the MCTD, please presume the 15% increase of transit service is not valid. Using the assumption of a 0% (zero percent) increase, revise your assumptions between the No-Project and Proposed Project, so the public will be able to have an alternative analysis. Revise the energy section including comparisons using a 0% as well as 15% increase in intracounty bus transit service for the Proposed Project. It is important to have this information in order to adequately understand the fiscal constraints and comparison of both scenarios.
2. *Page 3-147, Table 3.8-5:* The DEIR shows an 11,000 barrel decrease in direct energy consumption for the Proposed Project compared to the No-Project Alternative. Please tell what the "barrel" number is if there was a 0% increase in intracounty transit versus the projected 15% increase. It is important to have this information due to the fiscal constraints of the MCTD and a 15% increase potentially will not occur.
3. By 2025, alternative fuels or other types of energy will be used to power a significant number of autos, buses and other modes of transportation. This will become more prevalent due to the increase in cost and reduced supply of our natural resource; fossil fuel. It is an issue that needs to be recognized and discussed in the DEIR. Include this fact in your energy analysis. How will this impact the No-Project and alternative project alternatives as well as the DEIR's suggested mitigations? Relate this fact to the various other sections of the DEIR; transportation, ridership and etc. Will autos continue to consume gas at the current rates with increase of hybrids, hydrogen, electric and other types of alternatives vehicles? If not, revise your consumption rates to reflect the new alternative methods of fueling buses, vans, and autos, in relation to consumption rates of DMU's and biodiesel DMU's. This is important information to have in order to determine a true comparison between the various alternatives.
4. In the event of a significant California gasoline shortage comparable to those caused in other areas by this Fall's 2005 hurricanes or the recent pipeline failure in Phoenix, would SMART be able to respond rapidly to a dramatic increase in ridership driven by extreme gasoline price spikes or rationing or will they be constrained by the number of DMU's they own, federal regulation and scheduling associated with freight operations? Would SMART need to raise their fares as the price of diesel fuel and gasoline increases? Upon what gasoline price levels are SMART ridership estimates based?

## **Biological Resources**

1. *Page 3-179, BR-5a:* The DEIR states as mitigation measure that habitat should be replaced at a minimum of 1:1 ratio. What is the survival rate of restored habitat? Is it below, above or the same as 1:1 ratio? What ratio would be best to assure long term survival of restored habitat?

Please increase the restoration ratio to insure a 100% success rate for plants reestablished or restored; not 80% on site as suggested in the DEIR. We request a stepped mitigation requirement of 2:1 for on site or 3:1 for off site.

2. *Page 3-180, Mitigation Measure BR-6:* The DEIR states that SMART shall conduct monitoring for three years following planting to verify that trees have successfully been reestablished. The DEIR fails to state what SMART should do if these trees are not successfully reestablished within the 3 years. Please state what should be the remedy if the trees fail to survive. Should they be replaced again? Should SMART continue to monitor for an additional 3 years if new trees have been planted for those that have not survived the first 3 years to guarantee the trees are truly replaced long term? Please revise the DEIR to add a longer term maintenance plan to adequately protect the trees.
3. *Page 3-180, Mitigation Measure BR-7:* The DEIR states, “the proposed project could interfere substantially with the movement of resident or migratory wild life species in some locations. This could be a significant impact.” The mitigation measure for this significant impact lacks specificity about where the intermittent gaps will be placed and how many there will be along the safety structure or wall as proposed to be installed between the bicycle/pedestrian pathway and railway. Unless carefully designed, monitored and adaptively managed, these gaps will become “lunch spots” for predators. Furthermore, the DEIR only proposes them for non-urban areas. Does wildlife also exist in urban settings? If so, the DEIR must discuss mitigation measures for passage of wildlife in urban settings as well as non-urban settings between the safety structures and walls? What should these be? It is not clear in the DEIR’s mitigation description, to what extent the 3-foot gaps will suffice, if there is tidal influence that may trap species at any given point along the railroad right-of way rather than at the gaps positioned by SMART. Please study, map and discuss the locations where the 3-foot gaps will be affected by tidal influence. Include locations and mitigation measures that would adequately protect the survival and passage of wildlife. The mitigation measure as currently stated is inadequate protect wildlife. If this is not possible improve this mitigation, this should be listed as a significant impact, and not one that is mitigable.
4. *Page 3-18-182, Mitigation Measure BR-8b and page 183, Mitigation Measure BR -10b:* The DEIR states and suggests as a mitigation for federally listed species, the permanent loss of occupied or potential CTS breeding habitat cannot be avoided, the option of “mitigation bank investments”. Wildlife does not live in as investment. This proposal is similar to an in-lieu fee for affordable housing that never adequately converts to actual housing. This is not an adequate or realistic mitigation. This does not protect the survival of a federally listed or endangered species. Delete this as a mitigation option from the DEIR. This should be listed as a significant impact. It is not mitigable.
5. *Page 3-184, Impact BR-16:* The DEIR states that construction related noise could temporarily disturb nesting birds in the wetlands adjacent to the right-of-way. The California clapper rail and California black rail are federally endangered species. The DEIR fails to mention in the Biological section as well as the Noise section the long term disturbance to nesting birds and other habitat (2010, 2020, 2025) from noises by the DMU’s or/and freight trains, as they travel up and down the right-of-way as well as idle at the various sidings. This is particularly important to understand in the undeveloped areas, wetlands and areas home to wildlife and sensitive habitat. Please discuss the long term impacts and disturbances. This can be a significant impact. Are there long term noise impacts from a DMU traveling year round at 80 miles per hour or freight train at 50 miles per hour down the right-of-way mitigable? Should rail usage be excluded during nesting season, March 1 – July 31<sup>st</sup> as suggested as a mitigation measure during construction? If not, this impact should be listed as significant, instead of not significant, with mitigation.
6. *Page 3-186, Mitigation Measure BR-15a:* The DEIR states that special status species and nesting birds could be disturbed by railway maintenance activities. It states this is significant and mitigable. This mitigation measure merely states that SMART is to consult with the resource agencies (USFW, NOAA Fisheries and CDFG) to develop habitat and species protection

measures to minimize impacts in riparian habitat and special species. Is it possible that these resource agencies will determine that no mitigation measure will be able to mitigate the noise, pollution and other impacts to these species? If so, this impact will be significant, and not mitigable. This impact should be listed as significant.

7. *Page 3-186, Mitigation Measure BR-15b:* The DEIR states that only aquatic-approved herbicides shall be used for vegetation control adjacent to open water and wetland habitat. Are aquatic approved herbicides safe for wildlife and other habitat? If not, should these suggested herbicides be used? What other mitigation measures can be used rather than herbicides to protect wildlife habitat?
8. *Page 3-187, Cumulative Impacts:* The DEIR states that the projects impacts on special status species would be reduced to less than significant. How can the DEIR come to this conclusion, since there is no discussion included in the Biological resources section regarding the daily train activities of SMART (Proposed Project) or freight service as the train travels up and down the railroad right-of-way from start up through 2025? The DEIR in the Biological Resources section discusses impacts related to construction and maintenance activities along the right of way, but fails to discuss the operation impacts of the Proposed Project and freight operations to the biological resources. Please analyze the impact of the passenger and freight operations along the railroad right-of-way in the wetland, vernal pools, stream zones, sidings, station sites, etc. The cumulative impacts on Biological Resources should be listed as significant.
9. *Page 3-186, Cumulative Impacts:* The DEIR's emphasis in discussing cumulative Biological Impacts speaks primarily to development versus to restoration. Please include adequate discussion regarding restoration in this section of the DEIR

### **Parks and Recreation**

1. *Page 3-194, Long Term Impacts:* The DEIR states that "Operation of the passenger rail service would be during weekdays, while the majority of recreation facility use is on weekends." Thus, inferring that the impacts on the parks and recreational areas near the rail road right of way long term would not be significant. Is there a difference in the amount and type of park activities and use during the summer, when school is recessed during weekdays, then during the rest of the year? Do more people tend to use park facilities during the summer weekdays due to warmer weather and longer hours of sunlight? During the summer the sun rises earlier and sets later and the parks are used more frequently, particularly during PM peak hours of use, by passenger rail service. Thus, the statement on page 3-194 primarily refers to spring, winter and fall recreational use. Please explain impacts to parks and recreation during the summer months by passenger and freight service and revise your analysis of long term impacts of the rail along the rail road right-of-way to the adjacent recreational areas which will change dependent on the time of year. As currently stated, the DEIR is inadequate and fails to discuss the impacts of noise, safety, and other impacts related to summer activities in adjacent recreational areas.
2. The DEIR fails to discuss the long term maintenance for the bicycle/pedestrian path. Will SMART maintain the path? If not, who will be responsible for the paths long term maintenance?
3. The DEIR fails to discuss who will be responsible for the liability associated with the bicycle/pedestrian paths. Since the paths, in many locations, are to be along the SMART railroad right-of-way, will SMART be responsible for the liability? If not, please explain who will be responsibility, at the various locations along the right-of-way and the costs and coverage of liability?

### **Land Use and Planning**

1. *Page 3-204, 3.11.3, Significance Criteria:* Concern has been raised about the proposed SMART project creating urban sprawl. Page ES-12 states in “Areas of Known Controversy/Issues to be Resolved,” that potential growth-inducement associated with the proposed project should be summarized in the DEIR. Why was this issue not included as a Significance Criteria to be addressed and evaluated in the DEIR? Will the SMART project be growth-inducing? Please add this bullet item to the Significant Criteria list. Assess and describe this impact in the Land Use portion of Chapter 3 of the DEIR. What type of growth has occurred in other locals where rail transit has been established, such as with Almont Commuter Express (ACE) in the East Bay. Please forecast growth beyond the station locations in Healdsburg and Cloverdale due to the implementation of SMART’s passenger rail service. Use the East Bay ACE as an example of growth patterns that have occurred due to the introduction of rail. On page 5-8 of the DEIR it states, “Since the train itself is an alternative mode of transportation, it may allow people to commute longer distances...” Page 5-7 states that due to its proximity to the rail station in Cloverdale, expected growth in Mendocino County will occur. Mendocino is currently a very low density county. Please study and include an explanation about the potential for sprawl due to the proposed project in Chapter 3. Currently there is a lack of discussion of sprawl in this section of the DEIR. If not, please explain why.
2. *Page 3-206, Property Acquisition:* The DEIR briefly discusses the locations slated for property acquisitions for bicycle/pedestrian paths. Are any of these areas which are slated for acquisition located in wetlands, bay mud or sensitive habitat and wildlife areas? If so, please be more specific and describe and map these locations. Explain the impacts associated with converting wetland, bay mud or sensitive habitat and wildlife areas in able to accommodate the bicycle/pedestrian paths. What mitigation measures will be required for the sensitive areas which will be acquired and converted into bicycle/pedestrian paths?
3. *Page 3-208, LU-1:* The DEIR states that converting the farmland just North of Smith Ranch would be Less Than Significant. Does this farmland area include wetlands, bay mud and its related habitat? If so, change this impact to potentially significant or significant. Basing the DEIR analysis on lands being farmland, without taking into account other environmental factors of the land does not meet CEQA criteria. There are many farmlands that include wetlands which might include sensitive habitat and endangered species. This needs to be part of the analysis to determine the impacts to the lands. Please reevaluate the 2 areas of farmland north of Smith Ranch to determine if this is part of historic diked wetlands, wetlands, or bay mud and revise this impact analysis. Include the findings in the DEIR.
4. *Page 3-208, Impact LU-2:* Change this impact from Beneficial to Less Than Significant or Potentially Significant. Please explain how the DEIR can conclude that mixed use development near transit facilities would generally increase transit ridership and reduce automobile use. This statement is “not a given” to determine it’s a benefit. Will all of the new families of a mixed use development around transit centers commute and use SMART? Has a study been done to confirm that most TOD residents will use the passenger rail service? Will families or mixed use developments all have jobs where all members of a family use transit and not drive to other locations or own an auto? Will additional new autos be added to an area of mixed use development then currently exists when the newly constructed mixed use projects are completed? Will all people who have new jobs created by the new commercial and/or retail establishments created around a transit center use transit to get to their jobs or work at these transit centers near their new homes? Will additional new homes within a mixed use development also bring new cars as well as new transit users? Typically, a significant portion of commuters who live in TOD communities end up commuting by automobile. After considering these questions, please reanalyze the DEIR’s rationale of the impact of traffic around a new transit center. Change the impact from Beneficial to LTS or Significant. If not, explain why.

5. *Page 3-209, Cumulative Impacts:* The DEIR states, “Although transit-oriented development is not proposed as part of project, there are several such projects being proposed near the rail station sites. Thus future development combined with the proposed rail facilities would be generally consistent with local general plans, would be compatible land uses with each other and with surrounding land uses and would support infill development.” *Section 5.3.2, Potential Growth Inducing Impacts, page 5-8, paragraph 5, states*” *Development of stations could cause pressure for new development, which in turn could lead some jurisdictions to revise their zoning ordinances in the vicinity of stations to maximize development opportunities and benefits of denser transit-oriented development.*” Many statements made in the Land Use and Planning section of the DEIR address the cumulative impacts as not being significant, beneficial or less than significant due to the stated policies of Local and Regional Plans on pages 3-196 through page 3-200. The statement on Page 5-8, paragraph 5, implies that the cumulative impacts will be greater due to the pressures on the jurisdictions due to the location of the Proposed Projects station sites. Please explain the additional cumulative impacts from the Proposed Project if the page 5-8, paragraph 5, is correct. Since the DEIR suggest this is a potential-growth inducing impact, the public should be aware of the environmental impacts related to jurisdictions revising their zoning ordinances in the vicinity of the stations. The proposed SMART system is intimately tied to land use plans at the northern stations. Land use plans are being developed around dependence on the SMART system and their dependence on the SMART system is in turn being used to justify the ridership numbers of the Proposed Project. Will these new impacts, from additional growth, be beneficial, less than significant or significant? Please address the noise, transportation, traffic, land use and safety issues if jurisdictions revise their zoning ordinances in the vicinity of stations to maximize development opportunities of denser TOD, then what is documented in their zoning ordinances. How much more development could be accommodated around each of the proposed station sites without creating significant impacts? Please chart by city and give a percentage of the additional density of TOD around each rail station which could be accommodated before the TOD around a station would have significant environmental impacts

### **Public Facilities and Safety**

1. *Page 3-217, last paragraph:* The DEIR states that commuter railroad motor vehicle collisions are considerably less than for those of freight service. Since SMART will share its track with freight, the DEIR must also evaluate the grade crossing accident rate cumulatively, including both SMART and NCRA which will share the same track and operations. What will be the projected accident rates combining both the passenger and freight services at grade crossings for this project? How will this compare with fatalities listed on Table 3.12-4 on page 3-218? Please revise SMART’s projected accident rate to reflect the combine freight and passenger activities on the SMART rail right-of-way.
2. The DEIR fails to discuss the accident rate of train derailments or injury to passengers traveling in a commuter rail if the train is derailed or part of an accident. Please study and report on the safety and accident rate to passengers who ride the train. Will SMART allow passengers to stand while the train is in operation or will all be required to be seated? What is the injury rate to passengers in a commuter rail, for those who stand versus are seated, during a collision or train derailment? Compare this to other commuter passenger train operations in the United States. Include safety and mitigation measures to protect SMART’s passengers.
3. The DEIR fails to discuss safety and mitigation measures of a commuter rail line based on a single track operations which will be shared with freight operations. What are the Federal codes and regulations, Cal Public Utilities Commission, FMA and Federal Railroad Safety Act rules that SMART along with NCRA (freight operator) will be

required to comply with to safely operate both passenger and freight uses, on a daily bases, to insure passenger and vehicle safety? Time separation, scheduling, sharing of sidings, coordination of grade crossing signalization and etc, are a few safety issues that the DEIR must inform the public about so they can fully understand the impacts of the passenger and freight operations sharing the same single track. This is information that the public should be aware of, now and not later on, when operating plans are established. On page 3-222, the DEIR says that freight will operate “not always”, but “primarily” at off peak hours. The DEIR says the freight train will take four hours to travel from Cloverdale to Ignacio Wye. Working Paper #5, Detailed Project Design Options, Oct 2003, page 12 -2 states, “*Freight trains could be operated at night so as not to conflict with the passenger rail service; however, this option is unpopular with the shippers, the operator, and the communities that would be potentially affected by the noise associated with the freight trains operating at night.*” The DEIR must evaluate the conditions where freight will operate during the day and at the same time as passenger service. These combined operations can create a significant cumulative impact and thus must be evaluated and mitigation measures recommended in the DEIR to create an adequate environmental document.

4. What plans are in place for the use of SMART in the event of an evacuation of Marin or Sonoma Counties? What is the total possible, emergency, one-way carrying capacity of SMART in the event of severe weather, tsunami, fire or earthquake? Is SMART capable of significantly contributing to the requirement of moving people after a disastrous earthquake which closes Highway 101 or other transit links? What assurance can Marin/Sonoma residents have that SMART will enhance their emergency preparedness? This has not been discussed in the DEIR. Please include the discussion of SMART in relation to emergency preparedness and a disaster in the DEIR.
5. What are the most sensitive links in SMART railroad right-of-way to flood, flood tide/tsunami, wildfire, mudslide and earthquake? Please include in the DEIR a discussion and mitigation measures which should be taken to strengthen SMART operations and railroad right-of-way to enhance serviceability at a time of emergency, when the rail line may be most necessary.
6. *Page 3-219, 3.12.3, Significant Criteria:* Please add another criterion to this section; Creation of Hazardous Conditions. Examples of hazardous conditions are passenger and freight train conflicts. This criteria should be discussed, analyzed and mitigated within the DEIR so the significance of the combined use of the SMART railroad right-of-way by both passenger and freight trains are completely understood. The current DEIR lacks this crucial information so the public can make an informed decision about the cumulative operation along the rail right-of-way.

### **Visual/Aesthetics**

1. *Page 3-237, 3.13.5:* What will be the visual impacts of the rail, both passenger and freight train while idling at the sidings to wait for passing trains? Discuss the location of all of the sidings in relation to the visual impacts. Include the locations for the new freight sidings as well as the passenger train sidings. This has not been discussed in the DEIR. The DEIR mentions the visual impacts of stations and maintenance facilities, but fails to discuss the visual impacts of the sidings along the railroad right-of-way. Will the trains, idling for potentially 15 minutes or more be visually compatible with the various locations along the rail corridor? Will the sidings be consistent with the visual guidelines of local communities within the immediate project areas? Please discuss the visual impacts of both SMART and freight. What will be the visual impacts of light and glare from passenger and freight trains as they idle at the various siding locations? Each siding will have their own unique impact

- dependent on each location. Please chart and describe the impacts of each of the various siding locations.
2. *Page 3-238, 3.13.5, Impact Summary and third paragraph:* Individual native oak trees will be removed along the project right of way and within the project area. Individual oak trees in various communities are considered heritage trees, have special tree status or regulated by tree ordinances. The DEIR states that the impact to oak trees would be “minor” because: no large, contiguous block of oak woodlands would be affected”. Please note on pages 3-151 through 153 various ordinances about removal of trees. Individual trees are significant. They are not determined to be significant or insignificant dependent on whether they are a part of a “block” of trees. What are the diameters of the oaks slated to be removed? Please survey, mark and map the various oaks that are planned for removal. Relate this by chart, and how these trees relate to the various community tree ordinances. Which individual oak trees will be potentially removed that conflict with a community’s tree ordinance? What will be the visual impacts to residents from the removal of the trees that are identified by the suggested identification process? How will this visual impact of tree removal be mitigated in relation to each community’s tree ordinance? This impact should be listed as a significant impact.
  3. *Page 3-239, Impact V-2:* The DEIR discusses the impact of lights at stations, park and ride lots, and maintenance facilities. There is no discussion in the DEIR of the glare or lighting by the headlights, tail lights or interior train lights of the DMU or freight trains. How bright will the lights be of the trains? Will they shine into resident’s homes or commercial or retail facilities? If so, how can this be mitigated? Will the lights from the train shine on habitat in the wetlands and open space areas? How will this impact endangered species or wildlife along the rail corridor? How should this be mitigated? Will the head lights and tail lights remain on, as well as, interior lights as trains idle at the sidings, waiting for other trains to pass? Are there sidings in wetland or open space areas? If so, how will this extended period of wait time, with lights glaring and shining in wetland, farmland and open space areas impact the habitat and wildlife? How should this be mitigated? Please study and report on the impacts of DMU and freight train lights to residents, habitat and wildlife. Suggest mitigation measures from this lighting and glare impact to humans as well as habitat and wildlife along the railroad corridor. Change this impact from Less the Significant to Significant.
  4. *Page 3-241, Impact V-4:* What will be the impact of train headlights on residents, due to the location of the sound wall? Will headlights from the DMU reflect off the wall and/or create glare or additional light pollution to the San Rafael neighborhood? How can this be mitigated? This should be included as a visual impact in the DEIR. This reflective light and glare should be listed as a significant impact unless mitigated.

## **Project Alternatives**

1. *Page 8, 4.2.1, Roadway Network Assumptions for Alternatives and Tables Page 4-11 through 4-13, Table 4-2-2A:* The DEIR states “the base highway network assumed for the analysis of all alternatives (including the Proposed Project) is the network that would be in place by 2025.” This baseline detailed on page 3-96, section 3.6 generally assumes that the Marin Sonoma Narrows HOV Lanes are completed, converting this from an expressway to freeway along with associated interchange improvements. Also, other improvements identified in the 2001 Regional Transportation Plan (RTP), are completed. The tables on pages 4-11 through 4-13 show with completion of the Highway 101 Narrows roadway improvements, traffic Level of Service (LOS) in both AM and PM peak would change from existing LOS E or F to LOS A or B. With completion of the HOV Lanes there would be no difference between the LOS if the No-Project Alternative, Preferred Rail Alternative or Express Bus Alternative were implemented. If this is so, please discuss if completion of the HOV Lane through the Narrows and Sonoma should potentially take priority over the other Built Alternatives?

- Would funding for the built alternatives take financing away from completing the highway improvements that will reduce the LOS to A or B? Recognizing that one of the DEIR's objectives is to provide an alternative mode of transportation, it did not state the timing for implementing this alternative. Would Marin and Sonoma residents see traffic LOS in 2025 on Highway 101 improve more if they taxed themselves to complete the Marin Sonoma Narrows improvements first versus tax themselves for a rail Alternative? Please discuss and evaluate which Alternative, completing HOV lanes through Marin and Sonoma or implementing rail, would create greater LOS benefit for the majority of population of Marin and Sonoma?
2. Please study and present growth trends around new rail stations in the San Francisco Bay Area versus growth trends around similar locations without rail stations. Please report if it is not the case that the advent of rail stations has typically been characterized by greater or more rapid growth around stations than in similar neighborhoods without rail stations? Can one conclude that sprawl was encouraged in the San Francisco east and south bay areas by growth springing up around rail stations? Do a substantial number of commuters in planned TOD commute via auto rather than via rail? Please explain how the DEIR can make the claim that, as a part of the Proposed Project, per se, growth in the vicinity of the proposed rail stations will be less than in the No Project Alternative.

### **No Project Alternative**

1. *Page 4-14, 4.3.1, Bus Service:* On page 3-95 first paragraph, in the discussion regarding the proposed project assumptions, the DEIR states as part of the environmental analysis there will be a 15% increase in intracounty bus transit service within Sonoma and Marin by the year 2025 (compared to 2001 baseline) which was assumed for the proposed project (and all build alternatives.). It also states this assumption is supported due to passage of the Marin Sales Tax Measure A, which includes funds for future transit. Sonoma County Transit Authority has approved Measure A with gives \$54.8M to local transit between 2005 and 2025. The DEIR goes on to state that in its analysis of the Proposed Project, Express Bus Alternate, Minimum Operable Segment (MOS) Rail Alternative, and the Environmentally Superior Alternative, the 15% increase in intracounty bus transit service is factored into its analysis. The DEIR, on page 3-97, then states that this 15% increase of service levels is **not** factored into the No Project Alternative. Please explain, why the 15% for transit increase for intracounty bus transit service by 2025 is not included in the No-Project Alternative, even though both sales tax measure's funds will be available for transit with or without the rail project or other alternatives? On page 4-14, the DEIR states, based on the Regional Transportation Plan (RTP) it assumes that regional bus services in Sonoma and Marin counties would remain much as it was at the time of the RTP development of 2001. The DEIR also states, that since the adoption of 2001 RTP, bus service has actually declined due to declining economic activity and ridership. Then again on page 3-97, the DEIR presumes for the purposes of the DEIR, the No-Project Alternative bus services would be restored to their 2001 levels by 2025, but was **not** modeled into the year 2025 Travel Demand Forecasting Report because it was not included specifically in the MTC 2001 RTP. Please explain how these various inconsistencies in the DEIR can develop an accurate Travel Demand Forecast between the various alternatives? How can the DEIR on page 3-93 assume a 15% increase in transit service and not include it in the No-Project Alternative. These statements and analysis make the Travel Demand Forecasting numbers very inconsistent. Please revise the calculations and assumptions throughout the DEIR based on this significant inconsistency. The No-Project Alternative must be evaluated using the same 15% increase of transit as the other alternatives, even though it is not included in the 2001 RTP, to have a factual and reliable comparison of the different alternatives. If the DEIR disagrees with this assumption, please explain and justify why and how the public can fairly analyze the various alternatives.
2. *Page 4-15, Bicycle and Pedestrian:* The DEIR states that the North-South bicycle/pedestrian path "would not be in place" since inadequate funding will not be available. Are there other

means to fund bicycle and pedestrian paths other than through SMART or preferred project alternative? Caltrans currently is in the design phase for the Marin Sonoma Narrows. The DEIR assumes that the Narrows project will be completed by 2025. The DEIR states that Caltrans will construct 8.3 miles of bicycle and pedestrian paths through the Narrows. Included in the Caltrans design for the Narrows are frontage roads and parallel bicycle and pedestrian paths for this Highway 101 project which will be paid for with State, Federal and other funds. The Marin County Bicycle Coalition along with the County of Marin has recently received a \$25M grant from the Federal government for Marin to be a part of a pilot project for bicycle and pedestrian projects. The Cal Park tunnel project for a bicycle and pedestrian path is moving forward using Regional Measure 2 funds as well as other financing. Caltrans is developing a plan for a new bicycle path in San Rafael along with their US 101 Gap Closure project. Sonoma recently passed Measure M which allocates funding for bicycle/pedestrian and transportation related projects. Is it possible that Marin County, as well as Sonoma County will continue to receive new grants over the next 20 years to complete additional bicycle and pedestrian paths, independent of the SMART rail project? Please discuss alternative methods for funding bicycle and pedestrian projects in the DEIR. Revise the wording in the No Project Alternative that states a continuous north south bike path *would not be* in place in the No-Project Alternative. The DEIR has based its analysis projected to 2025. Please explain the DEIR's reasoning if it does not agree with the above rationale and other funding sources that are available. The DEIR's analysis is inadequate and requires revision.

3. *Page 4-16, Population and Employment Growth:* ABAG projections for 2000 provided the basis for the assumptions used in the DEIR's No-Project Alternative. Has Marin County ever reached or met the population and employment growth projections of ABAG? Please chart and relay in the DEIR the previous 20 years of ABAG job and employment growth projections for Marin County. Compare this, by chart, to the actual past Marin 20 year growth patterns. Have ABAG's assumptions been correct for Marin? If not, what percentage in population and employment growth have they been inaccurate? If the ABAG figures have been inaccurate over the past, please explain why the DEIR believes they will be accurate in calculating the future population and employment growth? If the ABAG projections, which have been used for analysis in the DEIR are inaccurate, is the information on population and job growth accurate in the DEIR? Should the ABAG projections be used to assume the population and employment growth in Marin? Are ABAG projections consistent with regional projects for Sonoma as well? If not, can the DEIR use the ABAG Projections 2000 for the basis for accurate transportation modeling for the future No-Project scenario? Please explain and make adjustments in the DEIR to make it consistent to real growth trends versus incorrect assumptions.
4. *4-16, Air Quality:* The DEIR assumes transportation improvements on Highway 101 will be in place by 2025. The Level of Service will be improved (reference Pages 4-10 through 4-13) to A and B in HOV Lanes and also improved in mixed flow lanes through the Marin Sonoma Narrows as well as other segments of Highway 101 with the completion of the HOV lanes even with the No-Project Alternative. Will this improved LOS improve the flow of traffic? If the flow of traffic is improved, will this also improve the air quality? If so, please explain why the No-Project Alternative does not include this information in the No-Project Alternative discussion. The DEIR mentions older vehicles would be replaced by cleaner vehicles and this would improve air quality. Please include the information that air quality will also improve due to the newer and cleaner vehicles in the No-Project Alternative, to have an adequate comparison with the other alternatives of the DEIR. If not, please explain why.
5. *Page 4-17, Noise and Vibrations:* The DEIR fails to mention in the No-Project Alternative information related to the lack of noise impacts on habitat and wildlife in the wetlands and open space areas due to no rail project. Please explain why this information is not included in the No-Project Alternative. This environmental information is important to include when comparing the various Alternatives. The DEIR is inadequate without this information.

6. *Page 4-17, Energy Consumption:* The DEIR states the No Proposed Alternative would necessitate more indirect energy consumption than the Proposed Project due to the manufacturer of more passenger vehicles. How can the DEIR justify this statement? The train will run primarily during AM and PM weekday hours. Will the passengers who take rail not own or use autos on weekends? Will rail passengers also not purchase vehicles, which have been manufactured, because they use the train to commute? What means will passengers use to visit friends, family, go to a shopping center, take a trip and etc when not using the rail? Will they own an auto as well as take a train? Please study and revise the statement in the No-Project Alternative to reflect this fact that the No –Project Alternative would still “necessitate the same amount of energy to manufacture vehicles as the Proposed Project Alternative as well as other Alternatives.”
7. *Page 4-19, Park and Recreation:* The DEIR states that the bicycle/pedestrian pathway in the No-Project Alternative “*would not be implemented under the No-Project Alternative and increased opportunities for recreational activities associated with the proposed project would not be available to residents of and visitors to Sonoma and Marin counties. Therefore, the No-Project Alternative would not provide the recreational benefits of the proposed bicycle/pedestrian pathway.*” Please explain how the DEIR can reach this assumption based on the information and funding available for bicycle/pedestrian improvements by 2025. Caltrans currently has designs and plans to construct a bicycle/pedestrian frontage road and connecting pathways between Marin and Sonoma parallel to and as part of the Highway 101/Narrows project. Currently Marin County is moving forward with \$25 M improvements for bicycle/pedestrian uses. The federal government is offering a multitude of funding opportunities and grants to encourage and assist in the construction of bicycle and pedestrian paths and facilities. Regional Measure A money is assisting in the renovation and opening of the CalPark tunnel between Larkspur and San Rafael for bicycles and pedestrians. Measure M, in Sonoma, funds bicycle and pedestrian improvements as well. When one considers all the various other funding opportunities that currently and in the future will assist in the construction of bicycle and pedestrian paths, is the DEIR correct in its statement that the bicycle/pedestrian improvements would not be implemented under the No-Project Alternative? Once again, please explain the DEIR’s rationale in making this statement on Page 4-19. Revise this comment to reflect the bicycle/pedestrian improvements which will be implemented even with the No-Project Alternative.
8. *Page 4-20, Land Use:* The DEIR states that, “*since this alternative (No-Project) would not support opportunities for transit-oriented land use development around transit stops, it would be inconsistent with the general plans.*” Please explain how the DEIR can come to this conclusion? Can Transit Oriented Development (TOD) only be accomplished around railroad stations? Can TOD be established around bus transit centers? Can compact development within cities be established by zoning and community general plan policies even though there is no rail service? Please give examples of existing TOD locations around bus transit centers in urban areas. Would bus transit centers also support General Plan policies for TOD centers? Please correct the statement that the No-Project alternative would not support TOD. If not, please explain why.
9. *Page 4-20, Land Use:* The DEIR states, “*An indirect effect of the No-Project Alternative may be continued regional sprawl as there would be a lack of transportation infrastructure and incentive to develop urban-oriented infill growth and densification.*” The DEIR on page 3-201 points out the overview of Marin and Sonoma Land use plans and policies. These include current land use policies which are aimed at maintaining the boundaries through community separators. Some cities have adopted urban growth boundaries and other jurisdictions in Sonoma are considering placing additional voter approved urban growth boundaries on the ballot. Marin has a relatively compact urban form which focus’s growth in the eastern part of the County. Marin and Sonoma have historic commitments to open space and agricultural lands preservation, hillsides, stream areas and etc. Marin has a significant amount of land preserved as national and state parklands. If the DEIR statements on page 4-20 are true, please explain how it can state on Page 4-20 that the No-Project Alternative may create regional sprawl? Please correct this statement in the No-

Project Alternative due to the previous multitude of statements that the DEIR has made in other sections suggesting otherwise. If not, please explain the inconsistency of thought regarding urban sprawl being included in the No-Project Alternative, when Marin and Sonoma have a multitude of zoning ordinances and General Plan policies to prevent sprawl.

10. *Page 4-20, Visual Quality:* The DEIR fails to mention the No-Project Alternative would not create light and glare from station and maintenance facilities. This was mentioned as an impact on Page 3-239 of the project. Also, please include in the No-Project Alternative there would be no light and glare, impacting the wildlife and habitat in the wetlands and open space areas, from DMU's. If the DEIR does not make these adjustments to the document, please explain why.

#### **Express Bus Alternative, 4.4**

1. *Page 4-20, 4-4-1:* The project description fails to mention the Marin County Transit District's (MCTD) future Strategic Plan and existing Marin Vision Plan which are to implement new shuttle services and revised transit services within Marin. These new transit services will be coordinated to have seamless connectivity with the various Golden Gate Bus services. Please compare these transit services to the SMART shuttle or feeder services planned to be implemented for the Preferred Rail Alternative. The DEIR gives the impression that the Express Bus service would not function as well as the Proposed Rail Alternative since it would not have a shuttle service. Why would the DEIR not consider the MCTD's feeder bus service, which currently and in the future operates as feeder bus service to the Express Bus Alternative in the same manner as the free shuttle service suggested for the Proposed Rail Alternative? Please explain. Please make revisions in your discussion of the Express Bus Alternative to indicate there also would be feeder bus service available for the Express Bus Alternative.
2. *Page 4-21, Bus Service:* The MCTD, in implementing its *Marin Transit Vision* is currently developing a Novato transit hub, most likely at Roblar St. The DEIR fails to mention, describe or discuss this new MCTD Northern Marin/Novato transit hub. Please include this transit hub in your Express Bus discussion. Please also include this in your Express Bus Alternative discussion and analysis. Would the Express Bus Alternative stop or have a bus pad at this Northern Marin transit hub location? Would it be an advantage for Northern Marin to have the MCTD feeder bus system located at the same transit hub as the Express Bus Alternative for Novato? Please study and include this in the DEIR.
3. *Page 4-21, Bus Service to San Francisco and East Bay:* Currently the Golden Gate Bus has an Express Bus which travels into San Francisco from Sonoma. It does not terminate at the Larkspur Ferry Terminal. The DEIR's analysis for the Express Bus Alternative terminates its service at the Larkspur Ferry Terminal and assumes that the bus passengers will then transfer to the ferry to complete their trip to San Francisco. Why would a San Francisco bound person take the Express Bus Alternative that goes only to the Larkspur ferry and then take the ferry to San Francisco versus taking the existing Golden Gate Express Bus service that goes directly into San Francisco and does not require a change mode of transit, to the ferry, to complete their trip. Will both options be available to transit riders under the DEIR's Express Bus Alternative? If both options are available, please describe the total trip time difference for riders transferring to the ferry after getting off the Express Bus Alternative versus the passengers that take the existing Golden Gate Express Bus to San Francisco. What is the difference of the time it takes to travel from various Sonoma origins to San Francisco versus the DEIR's Express Bus Alternative? Which of these two alternatives would passengers prefer? Why? Do people prefer to change modes of travel? Would changing modes affect ridership estimates? Please describe the impacts and differences of these alternatives in the Express Bus Alternative so one can intelligently compare the ridership and time of travel in the Express Bus Alternative, No Project and Preferred Project Alternatives.
4. *Page 4-23, Physical Improvements:* Enhancements to the Express Bus System, such as drinking fountains, newspaper racks, kiosks and etc. are mentioned in the first paragraph. It states,

*“However, the costs associated with these enhancements may preclude such improvements.”*

Measure A, the Marin County Sales Tax has money designated for transportation enhancements for local governments as well as the MCTD. Measure M in Sonoma includes funds for transportation enhancements as well. Please discuss why funds from Measure A or Measure M would not be available for Express Bus “enhancements”. If they are available, please correct this DEIR statement to state that money is available from Measure A and Measure M for transportation enhancements in Marin and Sonoma.

5. *Page 4-23, Bicycle and Pedestrian:* Please refer to my comments regarding the No Project Alternative on page 4-15, Bicycle and Pedestrian. These same comments should be addressed and referenced in the Express Bus Alternative.
6. *Page 4-26 Air Quality and page 4-32 Energy:* The DEIR fails to discuss in the Air Quality and Energy sections of the Express Bus Alternative that Express Buses and/or their engines are replaced more frequently than a DMU’s engine. Please verify that the average bus is replaced approximately every 12 years. If not, how frequently on average are buses replaced? How long will a DMU last? Twenty years? Is the “life expectancy” for a DMU longer than a bus? If so, would the new replacement buses, between 2015 to 2025 continue to be fueled by diesel fuel or would they be alternative fueled, hydrogen or hybrid buses? If so, the air quality and energy use would be considerably different for buses as new technologies are developed and implemented then what is analyzed for the Express Bus service to 2025. The DMU would potentially be run on biodiesel fuel. How would a biodiesel operated DMU compare with alternative fueled bus? Please reanalyze and update the DEIR’s fuel consumption and air quality BTUs emissions comments with this information and add this new and additional information to Tables 4.3-1, 4.3-2, 4.4-1 and 4.4-2. How would this new information compare the Proposed Project and No-Project Alternatives with the 2025 Express Alternative?
7. *Page 4-33, Park and Recreation:* Please refer to my comments about the No-Project Alternative’s adequacy of information, Page 4-19, Park and Recreation. When one considers Caltrans construction of a bicycle/pedestrian frontage road and pathway in the Marin Sonoma Narrows, as well as all the other various funding opportunities previously mentioned, is the DEIR correct in its statement that the bicycle/pedestrian improvements would not be implemented under the Express Bus Alternative? Once again, please explain the DEIR’s rationale in making this statement. Please revise this comment to reflect the bicycle/pedestrian improvements which will be implemented even with the Express Bus Alternative.

### **Minimum Operable Segment (MOS) Rail Alternative**

1. *Page 4-37, Energy:* The DEIR states the MOS Alternative would necessitate less indirect energy consumption than the Proposed Project, but more than the No-Project Alternative due to the manufacturer of more passenger vehicles. How can the DEIR justify this statement? The train will run primarily during AM and PM weekday hours. Will the passengers who take rail not own or use auto on weekends? Will passengers not purchase vehicles, which have been manufactured, only because they use the train to commute? What means will passengers use to visit friends, family, go to a shopping center, take a trip, etc. when not using the rail? Will they own an auto as well as take a train? Please study and revise the statement in the MOS Alternative to reflect the fact that the No –Project Alternative would still “necessitate the approximately the same amount of energy to manufacture vehicles as the MOS Alternative and Proposed Project.”
2. *Page 4-37, Biological Resources:* Please refer to my comments regarding the Proposed Projects Biological Resources on Page 3-184, Impact; Page 3-186, BR-16; Mitigation Measure BR-15; and page 3-187, Cumulative Impacts. Please review these questions and adjust your comments in the MOS Alternative of the DEIR to answer these concerns.
3. *Page 4-38, Visual Quality:* Please refer to my comments regarding the Proposed Projects Visual Quality on Page 3-237, 3.13.5 and page 3-239, Impact V2. Please review these comments and

questions and adjust your comments in the MOS Alternative of the DEIR to incorporate these concerns and include related information.

### **Environmentally Superior Alternative**

1. Does the Proposed Project improve the Level of Service (LOS) of traffic on Highway 101? What is the primary concern of the residents of Marin and Sonoma? Is the primary concern of the majority of residents the amount of traffic and delay time as they travel along the Highway 101 corridor or is it the implementation of an alternative mode of transportation that does not change the LOS on Highway 101? Would the residents of Marin and Sonoma prefer to see the LOS on Highway 101 improved to LOS A or B with the completion of the HOV Lanes through the corridor or would they prefer the implementation of an alternative mode of transportation that does not change the Highway 101 LOS? Are the objectives of DEIR, which predetermines the conclusion of the DEIR to have an Alternative Mode of Transportation (the SMART project), the objectives the majority of Marin and Sonoma residents? Please survey the residents and ask if they had a choice of funding the Proposed Rail project, which would not make a difference in the LOS on Highway 101 or completion of Highway 101 HOV Lanes to improve traffic to LOS A and B, which would they fund? Please ask them if they believe the Highway HOV Lane or the Proposed Project would be the Environmentally Superior Alternative? Please report the results of this survey and incorporate the results into the DEIR discussion and analysis.

### **Impact Overview**

1. *Page 5.2 Cumulative Impacts:* The DEIR states on Page 5-2 “*Another potential cumulative factor is the re-introduction of freight service on the rail corridor north of Highway 37.*” The DEIR, throughout the document, particularly Chapter 3, Environmental Setting, Impacts and Mitigation Measures, fails to address the various cumulative impacts of freight service on the rail corridor that are mentioned as a consideration under Section 5.2, Cumulative Impacts of the Impact Overview section in the DEIR. The DEIR is inadequate throughout the document by not describing, discussing and suggesting mitigation measures for the cumulative impacts of both passenger and freight service, which will be sharing the railroad right-of way in this corridor. What are the cumulative environmental impacts from freight and passenger service, which will share the same track and run service on the same days, in relation to Noise, Geology, Water Resources, Air Quality, Transportation, Energy, Biological Resources, Parks and Recreation, Land Use and Planning, Public Facilities and Safety, and Visual/Aesthetics? Understanding the cumulative impacts is an essential part of a CEQA document so the public can intelligently evaluate and understand a proposed project. If there are cumulative impacts, mitigation measures must be suggested to potentially reduce the impacts to a level of insignificance. Please revise the DEIR, particularly Chapter 3, to include the information required to understand the cumulative impacts for passenger and freight service. If not, please explain why.
2. *Page 5-7, 5.3.2, Employment-Related Growth, 3<sup>rd</sup> paragraph and Page 5-8, Population Growth, 4<sup>th</sup> paragraph:* The DEIR on page 5-7 states” The improved access provided by passenger rail could be a factor in new businesses locating operations in areas served by the rail.” On page 5-8 it states, the project would not induce substantial employment growth since it would not create economic expansion. It goes on to say that development of stations could cause pressure for new development, and communities to revise zoning ordinances to maximize development opportunities. Please explain these conflicting statements. If new business would be established near the rail facilities, how can the DEIR state that the project would not create economic expansion? Please clarify if the project would or would not encourage new business without economic growth.
3. *Page 5-8, 6<sup>th</sup> paragraph:* The DEIR states, “*Since the train itself is an alternative mode of transportation, it may allow people to commute longer distances without using the freeway.*” This

statement contradicts some of the objectives and purposes of the Proposed Project and appears to encourage urban sprawl by allowing people to commute longer distances to get to their jobs and live in less developed areas, such as Mendocino, and commute to work, for example, in San Rafael. Please explain how the creation of an alternative mode of transportation will not allow people to commute longer distances and supports the objective of the Proposed Project for people to live nearer their jobs in Transit Oriented Developments, not induce sprawl and encourages and allows people to live farther away from their jobs. Clarify this contradiction in the DEIR's statement on page 5-8.

4. After reading the DEIR it has been observed by some informed citizens that commuter rail makes more sense within Sonoma County, traveling between Cloverdale and Petaluma, than as an intracounty railroad system. Such a system would have significantly reduced impacts in the most environmentally sensitive ecosystem areas as well as developed areas of Marin County. Please prepare and present in the DEIR a commuter rail alternative that operates solely within Sonoma County. Compare this 5<sup>th</sup> Sonoma Only Alternative with the Proposed Project, No Project, Express Bus Alternative and the MOS Alternative in all areas of impact. By doing so, the public will fully be able to understand and evaluate the cumulative impacts of the Proposed Project.

### **Travel Demand Forecasting Report, Appendix I**

1. *Page 10, 2.5.1, Transit Network Development:* The DEIR states “*Transit Station-to-Station fares for the SMART model were estimated based on assuming a maximum fare of \$5.00 in 1990 dollars for the 70 mile long passenger rail.*” The footnote on the Station to Station Fare Matrix C-1 also states its analysis was done, “*In year 1990 US dollars based on distance in miles between stations.*” What would the fare/fares be in 2001, 2006, 2010, 2015 and 2025 dollars? Please use an average rate of inflation to calculate these station to station fares. Please update Appendix C – Station to Station Fare Matrix. Would increasing fares, based on the national inflation index make a difference in ridership estimates and economic analysis of the Proposed Project? Would some people reconsider riding the rail if there are fare increases based on more current data and over 20 years? At what financial level would increased fares affect ridership? Please readjust your estimates throughout the Travel Demand Forecasting Appendix of the DEIR and related sections of the DEIR to reflect the impact of fare increases due to the 1990 baseline used for assuming fares.
2. *Page 13, Population, 3.1 and Page 33, Daily Ridership, 5.4.1:* The DEIR states on page 13, that “*Novato is projected to have the highest population growth of 95.8 percent.*” This is for both Marin and Sonoma counties. The DEIR states on page 33 when discussing daily ridership that “*In the two rail alternatives, the Novato stations have the fewest boardings and alightings... across alternatives.*” The DEIR discusses that with increased Transit Oriented Development, population growth, (page 29) “*as existing services are improved and new service is added to the corridor, transit travel within the corridor is projected to increase.*” Please explain the rationale the DEIR is using for the increases in ridership due to population growth and density when it gives the example that Novato will have the highest population growth and have the fewest boardings and alightings. Will Novato residents, with its growing population not find SMART a transportation alternative beneficial to use? Why will Novato have the lowest level of boardings and alightings when they'll have the highest population growth? Please explain.
3. *Page 24, Local Shuttle System, 4.3.1:* The intent of SMART is to have rail passengers use the shuttle system to get to and from the rail stations versus use autos. The DEIR on page 24 says shuttles are “*primarily designed to serve the work end of the trip.*” The DEIR on page 24 also says it is “*used as a means of access to the rail station*” and “*these shuttles cater to the local populace living near a station.*” Shuttle routes are designed in a one way loop, which can take some people up to 30 minutes to reach the rail station. With this information from the DEIR, I have several questions.

- a. How will potential rail passengers in Southern and Western Marin and Ross Valley get to the train station in Larkspur and use the rail to get to jobs in Sonoma if the shuttle system does not service their areas of Marin? There is no parking at the Larkspur or Downtown San Rafael stations. The closest parking lot for Southern and Western Marin and Ross Valley residents is at the Civic Center. What is the benefit of the proposed project for Southern and Western Marin and Ross Valley residents who desire to use the rail to get to jobs in Sonoma if there is no convenient way to get to or from the rail station?
  - b. Passengers will require reliable and time efficient shuttles to get to the rail stations after work, to get home, as well as to work. Does the PM shuttle service offer the same efficient time and reliable service as the AM shuttle service if the system is designed to primarily service the work end of the trip? Do people continue to take a free shuttle service if they can not rely on getting home as well as get to their jobs in a timely and seamless manner? If not, do they return to using their autos to get to their job destination? If so, what will be the impact to SMART ridership? Golden Gate Transit previously offered a free and dedicated shuttle service to get passengers to the Larkspur Ferry. The routes were designed to cater to local populace living near the ferry terminal. This service was discontinued due to low interest and ridership. Novato also implemented a local shuttle service to encourage residents to take an alternative mode of transit around Novato. This too was unsuccessful. Why does SMART believe their shuttle service will be more successful then the Golden Gate Transit or City of Novato's free shuttle services?
  - c. Please analyze the ridership numbers for the Proposed Project as well as related traffic impacts around stations sites, Highway 101, parking requirements and impacts at stations, if the shuttle service is found to be unsuccessful and not used as an accepted means to get to or from the rail stations. It is important that the public and decision makers are aware of and understand the impacts and operation of the Proposed Project if the shuttle service does not function as proposed in the DEIR. What will be the environmental, operation, economic and other associated impacts if the shuttle service cannot be implemented and work as suggested in the DEIR? Include an alternative for getting passengers to the train stations with same ridership projections for the Proposed Project that does not rely on the shuttle service. Will the ridership and other figures remain the same or will they differ? Please study, evaluate and explain. Will this be a significant impact to the proposed SMART project?
4. *Page 29, Daily Transit Trips, 5.2.1:* How can the DEIR state that they “forecast to attract more than 8,000 daily trips within and between Sonoma and Marin counties...” when on page 32 the DEIR states that the daily ridership will be estimated at 4,756? Please explain, clarify and correct this inconsistency. If there are to be 4,756 passengers projected to ride the rail, how can the DEIR say that there will be 8,000 daily transit trips?
  5. *Page 36, 2025 Peak Period Ridership For Cloverdale to Larkspur Alternative, Figure 5.4-1: (For background information refer to Appendix I: Travel Demand Forecasting Report, page 41 where it gives the definition of peak period. “VMT and VHT for the study area were estimated for morning four-hour peak period, morning peak hour and evening peak hour.”)* The chart shows the peak period ridership forecast southbound in 2025 to be a total of 1,241 passengers and north bound 691 passengers. Added together this is 1,932 total riders in either the AM or PM peak. If these passengers make a round trip, AM or PM, you get a total of 3,864 peak period riders. The DEIR states on page 32, there will be a total of 4,756 passengers using the rail on a daily basis. If there are 4,750 total daily riders of which 3,864 will ride the train at AM and PM peak periods, this leaves 892 remaining riders to account for. Please explain when the 892 passengers will be riding the train. Will it be the one mid day round trip? If one DMU holds approximately 90 passengers, as stated in the DEIR, and you have 2 trains attached, a two car train can carry approximately 180 passengers each way. Thus, round trip the DMU's mid day can carry 360 passengers. Please explain and chart how the mid day service can accommodate the 892

passengers, boarding and alighting, when the DMU's can round trip hold only 360 passengers. This is not explained and unclear in the DEIR. Show by charting as you have done on page 36, Figures 5.4-1. Explain how you can account for the remaining 892 passengers.

6. *Page 38, Shuttle Bus Ridership, 5.4.4:* If the free shuttles are to only be used for rail passengers (page 24) and the total ridership for rail is stated to be 4,756, why is there an estimated 6,652 riders projected to use the free shuttle bus service in the Cloverdale to Larkspur Alternative? This is 1,896 shuttle riders more than the estimated number for rail ridership. This huge difference in the DEIR's ridership numbers makes the DEIR an inadequate and inconsistent document due to inadequate and inaccurate information. Please explain and revise this information so that it is understandable for the public and decision makers. Please revise the charts on page 38.
7. *Page 38, Shuttle Bus Ridership, 5.4.4:* The DEIR states, "Ridership on the free shuttles is higher than rail ridership due to the model assignment of non-rail riders to the coded shuttle system." "The DEIR has also states that non-rail riders would not be permitted to ride the free shuttle service (page 24). If the DEIR is aware of the inconsistency in the model, why has it not made adjustments to reflect the actual projected ridership of the free shuttles? How can the DEIR relay inadequate ridership projections when accuracy is essential to determine economic forecasting, the success of the Proposed Project and determine its impacts? Please explain. It is impossible to judge the accuracy of the DEIR information if the model the DEIR is using is inconsistent and inaccurate.
8. *Page 38, Shuttle Bus Ridership, 5.4.4:* The DEIR states, "The shuttle routes in Larkspur attract the highest number of daily riders with 2,000 boardings...." Let's presume that the number 2,000 boardings are a relatively correct number. The chart on page 36, which details 2025 Peak Period Ridership, shows that both north and southbound a total of 318 passengers will either get off or on the train in Larkspur. If that is true, why are there 2,000 shuttle boardings identified in the DEIR at Larkspur on page 38 when on page 38 there is only a total of 318 passengers? Please explain this huge difference in numbers.
9. *Page 38, Shuttle Bus Ridership, 5.4.4:* If 2,000 daily riders in Larkspur use the shuttles, what will be the number of passengers that transfer from the train, to or from the Larkspur ferry, for the trip to San Francisco? Please explain why ferry ridership has not been included in the Travel Demand Forecasting report discussion. The chart on page 36 shows that 318 passengers at AM and PM peak periods will get on or off the train. Passengers who use the ferry rather than shuttles are not discussed in the Travel Demand Forecasting section of the DEIR. Please explain why not. It appears from this data, that all passengers will take the shuttles and none take the ferry. Please break down numbers by mode of travel; ferry, shuttle, or walk, etc, for those boarding or alighting the train at Larkspur so that the total travel forecasting can be evaluated.

Thank you for allowing the Sierra Club Marin Group to comment on the adequacy of the DEIR. We look forward to explanations and answers to our questions and concerns.

Yours truly,

Gordon Bennett, Chairman  
Sierra Club Marin Group

Karen Nygren, Transportation Committee Chair  
Sierra Club Marin Group