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1. Introduction and Summary

The Final EIR for the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project (Project) consists of the Draft EIR, comments received on the Draft EIR, the Lead Agency’s responses to comments, and revisions to the Draft EIR.

1.1 EIR Certification and Project Approval Process

The City Council will consider certification of the EIR at a regularly scheduled meeting. The date for that meeting, which is currently scheduled for Tuesday, March 17, 2015, at or after 4:00 p.m. in the City Council Chamber, 100 Santa Rosa Avenue. Please refer to the City’s website for updates to the Council’s agendas at www.SRCity.org.

To certify the Final EIR, the Council must find that:

- The Final EIR has been completed in compliance with CEQA;
- The Final EIR was presented to the decisionmaking body of the Lead Agency and that the decisionmaking body reviewed and considered the information contained in the Final EIR prior to approval of a project; and
- The Final EIR reflects the Lead Agency’s independent judgment and analysis. (CEQA Guidelines Section 15090).

At the time of project approval the City Council, as the decisionmaking body, must consider the information presented in the Final EIR. A public agency may not decide to approve a project as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects (CEQA 21002). The decisionmakers must balance the benefits of the Project against its unavoidable environmental risks. If they determine that benefits outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.” If the City Council makes such a determination, it must support the action by adopting a written Statement of Overriding Considerations (“SOC”) citing the basis for its decision and include the SOC in the record of Project approval (CEQA Guidelines Section 15093).

1.2 Public Involvement during the Draft EIR and Final EIR Phases

On November 12, 2013, a Notice of Preparation (NOP) of an EIR for the Project was distributed. The NOP was mailed to property owners and occupants within 1,000 feet of the Project area, including the area surrounding the proposed rail crossing at Jennings Avenue, and the areas surrounding the existing rail crossings at W. Sixth, W. Seventh, and W. Eighth Streets. Notice was provided on large signs at each location, and the NOP was distributed to applicable State agencies and local and regional agencies, triggering the start of a 30-day scoping period. On December 4, 2013, the City held a public Scoping Meeting at the Finley Community Center to solicit input regarding the issues that should be addressed in the EIR. The scoping period ended December 11, 2013. Approximately 50 comments (via mail, e-mail, and at the scoping meeting) were received during the scoping period.

The Draft EIR was circulated for 45 days, from October 17, 2014 to December 1, 2014, to allow interested individuals and public agencies the opportunity to review and comment on the document. A Notice of Availability of the Draft EIR was mailed and/or e-mailed to various interested
Introduction and Summary

Final EIR

groups, individuals, and property owners and occupants within 1,000 feet of the project area (as described above), was published in the Press Democrat, posted on large signs at each location, and posted with the County Clerk on October 17, 2014. The Draft EIR was sent to the State Clearinghouse for distribution to State agencies. In addition, the Draft EIR was made available at Santa Rosa City Hall in the Community Development Department and City Manager’s Office, in the Transportation and Public Works Department, the California Welcome Center, and the Northwest and Central Santa Rosa branches of the Sonoma County Library. A public hearing on the Draft EIR was held before the Santa Rosa City Council to receive oral comments on Tuesday, November 18, 2014.

The Final EIR is available for review online at:
http://srcity.org/departments/communitydev/Pages/JenningsAvenuePedestrianandBicycleRailCrossingEIR.aspx.

The Final EIR will be sent to the public agencies who commented on the Draft EIR at least 10 days prior to certification of the EIR per CEQA Guidelines Section 15088. No other notification or public review process for a Final EIR is required by CEQA.

1.3 Organization of the Final EIR

This Final EIR consists of six chapters:

Chapter 1 – Introduction. This chapter provides an introduction and summarizes the CEQA instructions to the Lead Agency for preparation of responses to public comments on the Draft EIR.

Chapter 2 – Comments and Responses to Comments. This chapter includes copies of the comment letters and e-mails received during the 45-day public review period for the Draft EIR, as well as comments made by interested parties and City Council members during the Draft EIR public hearing held on November 18, 2014. Responses to each comment are provided.

Chapter 3 – Revisions to the Draft EIR by the Lead Agency. The textual changes to the Draft EIR presented in this chapter were generated by the City of Santa Rosa to correct typographical errors, to clarify existing text, and to describe and evaluate minor improvements proposed by the City to the Preferred Project at the Jennings Avenue at-grade crossing Project area.

Chapter 4 – Replacement Pages. Replacement pages represent the edits to the Draft EIR caused by the response to comments and those changes to the Draft EIR generated by the Lead Agency. Replacement pages are formatted in revision mode: strikeouts indicate deleted text and underlines indicate additional text.

Chapter 5 – References.

Chapter 6 – List of Preparers.

1.4 Comments Received

A list of the comment letters and oral comments received during the 45-day public review period is provided in Table 1-1 (Comments Received). Comment letters received are numbered starting with #1. Verbal comments received at the public hearing are numbered starting with PH-1.
Table 1-1 Comments Received

<table>
<thead>
<tr>
<th>Letter</th>
<th>Agency / Organization</th>
<th>Last Name</th>
<th>First Name</th>
<th>Date</th>
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<td><strong>State Agencies</strong></td>
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<td></td>
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</tr>
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<td>Wilson</td>
<td>Scott</td>
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</tr>
<tr>
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<td>State of California Public Utilities Commission</td>
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<td>David</td>
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</tr>
<tr>
<td>3</td>
<td>State Clearinghouse</td>
<td>Morgan</td>
<td>Scott</td>
<td>December 2, 2014</td>
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<td>State of California Public Utilities Commission</td>
<td>Stewart</td>
<td>David</td>
<td>December 3, 2014</td>
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<tr>
<td><strong>Regional and Local Agencies</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Sonoma-Marin Area Rail Transit (SMART)</td>
<td>Meckel</td>
<td>Linda</td>
<td>December 1, 2014</td>
</tr>
<tr>
<td>6</td>
<td>Sonoma County Water Agency</td>
<td>Barton</td>
<td>Connie</td>
<td>December 10, 2014</td>
</tr>
<tr>
<td><strong>Individuals and Organizations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Friends of SMART</td>
<td>Swearengen</td>
<td>Jack</td>
<td>November 10, 2014</td>
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<tr>
<td>8</td>
<td>Zyromski Konicek LLP</td>
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<td>Thomas Kevin</td>
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<td>9</td>
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<td>Cole</td>
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<td>Willard</td>
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<td>Last Name</td>
<td>First Name</td>
<td>Date</td>
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<td>December 1, 2014</td>
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<td>Terrie</td>
<td>December 1, 2014</td>
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<td>22</td>
<td>Individual</td>
<td>Richards</td>
<td>Willard</td>
<td>December 10, 2014</td>
</tr>
</tbody>
</table>

**Public Hearing Comments**

| PH-1 to PH-4 | Sonoma County Transportation and Land Use Coalition | Richards | Willard | November 18, 2014 |
| PH-5 to PH-6 | Individual                                         | Duncan   | James   | November 18, 2014 |
| PH-7        | Individual                                         | James    | Johanna | November 18, 2014 |
| PH-8 to PH-12 | Individual                                     | Dean     | Carol   | November 18, 2014 |
| PH-13       | Individual                                         | Russell-Hurd | Lana | November 18, 2014 |
| PH-14       | Individual                                         | Swarengen | Jack    | November 18, 2014 |
| PH-15 to PH-17 | Individual                               | Montague | Mike    | November 18, 2014 |
| PH-18       | Individual                                         | Birdlebourne | Steve | November 18, 2014 |
| PH-19 to PH-20 | City Council                        | Ours      | Jake    | November 18, 2014 |
| PH-21 to PH-25 | City Council                        | Swinh     | Robin   | November 18, 2014 |
| PH-26 to PH-28 | City Council                        | Wysocky   | Gary    | November 18, 2014 |
| PH-29 to PH-35 | City Council                        | Carlstrom | Erin    | November 18, 2014 |
| PH-36 to PH-43 | City Council                        | Combs     | Julie   | November 18, 2014 |
| PH-44 to PH-49 | City Council                        | Bartley   | Scott   | November 18, 2014 |
2. Comments and Responses to Comments

This Chapter includes three sections:

Section 2.1 - Master Responses: This section addresses issues that were frequently cited in the comments on the Draft EIR. Three master responses are included in this Final EIR.

Section 2.2 - Comment Letters and Responses to Comments: This section includes copies of the comment letters and e-mails received during the 45-day public review period for the Draft EIR. Responses to each comment are provided after each letter.

Section 2.3 - Public Hearing Comments and Responses: This section summarizes comments made by interested parties and City Council members during the Draft EIR public hearing held on November 18, 2014. Responses to each public hearing comment are provided.

When changes to the Draft EIR are necessitated, the change is indicated by indented text. Text that has been added to the Draft EIR is indicated in underline font, while text that has been deleted is indicated with strikethrough font.

2.1 Master Responses

Review of the written and oral comments made on the Draft EIR indicated that some comments were made frequently, demonstrating a common concern. To allow presentation of a response that addresses all aspects of these related comments, select Master Responses have been prepared. Master Responses are intended to allow a well-integrated response addressing all facets of a particular issue, in lieu of piece-meal responses to each individual comment, which may not have portrayed the full complexity of the issue. The use of a Master Response is in no way intended to minimize the importance of the individual comments.

2.1.1 Master Response A – Statements of Opinion for or against a Project Alternative

Comment Summary: In many cases, comments include an opinion regarding which Project alternative or rail crossing closure should be selected for implementation or eliminated from consideration.

Comments regarding selection of a Project alternative or rail crossing closure are not comments on the Draft EIR, but comments on the approval of the Project, a process that will occur after the EIR is certified.

A Final EIR must include a response to comments on environmental issues on the Draft EIR (CEQA Guidelines Sections 15088 and 15132). Recommendations for or against a particular Project alternative address the merits of the Project, and do not necessarily pertain to environmental issues. For this reason, no response to these kinds of comments is required. Nevertheless, these comments are valuable input to the process of approving a project. These comment letters have been forwarded to the City Council. If this Final EIR is certified as adequate, the City Council will consider the recommendations in these comment letters as well as the information presented in the EIR or elsewhere in the record, and make its decision regarding approval of one of the Project alternatives.
After certification of the Final EIR, the City may proceed with approval of a project. Decisions regarding both certification and Project approval are scheduled to occur at the Council meeting on Tuesday, March 17, 2015.

2.1.2 Master Response B – Request for Additional Visual Simulations of the Rail Overcrossing Alternative

Comment Summary: In several cases, commenters request additional visual simulations of the Rail Overcrossing Alternative.

Figure 3.1-6 of the Draft EIR provides a photo of existing conditions and a visual simulation of the Rail Overcrossing Alternative from a vantage point on Jennings Avenue to the west of the rail corridor. In response to requests for additional simulations of the rail overcrossing option, two new computer-generated visual simulations have been prepared, one from Dutton Avenue to the west of the rail corridor and one from Jennings Avenue to the east of the rail corridor. Photos of the existing conditions and the new visual simulations are presented on the following pages.

Please note that the design of the fencing varies on different parts of the rail overcrossing, because the design requirements are different for fencing on the portions of the ramp that would cross over or be adjacent to the rail corridor, the portions of the ramp that would be further away from the rail corridor, the stairs, and the fencing that is on the ground. The designs that are shown in the visual simulations respond to the design requirements for fencing; the City may make minor modifications to the design during final engineering design if the Rail Overcrossing Alternative is approved. The Draft EIR identifies a significant and unavoidable impact to visual character or quality under Impact AES-2 on pages 3.1-18 through 3.1-26; minor modifications to the design of the fencing during final engineering design would not change the finding of a significant and unavoidable visual impact.
Existing view of Jennings Avenue looking east from Dutton Avenue
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Visual simulation of the rail overcrossing alternative looking east from Dutton Avenue
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Existing View of Jennings Avenue and rail corridor looking west from Jennings Avenue
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Visual simulation of the rail overcrossing alternative looking west from Jennings Avenue
2.1.3 Master Response C – Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure

Comment Summary: In several cases, commenters request that the EIR evaluate a Project alternative that includes an at-grade rail crossing at Jennings Avenue, with no rail crossing closure at W. Sixth, W. Seventh, or W. Eighth Street, on the basis that the CPUC request for a compensatory crossing closure is unwarranted or unnecessary.

Response Summary: A Preferred Project with No Rail Crossing Closure Alternative has been added to the Final EIR. This Alternative consists of an at-grade rail crossing at Jennings Avenue and is conditioned upon a determination by the CPUC that a rail crossing closure elsewhere would not be required and is, therefore, considered potentially feasible. The Alternative is a subset of the Preferred Project and has fewer significant unavoidable impacts than the Preferred Project.

A similar alternative was briefly evaluated in Draft EIR Section 4.2.3 (No Closure of an Existing Crossing), page 4-3, under the section entitled “Alternatives Considered but not Carried Forward in this EIR.” The evaluation was as follows:

4.2.3 No Closure of an Existing Crossing

During scoping, a commenter suggested the potential to use enhanced train controls and signal warnings approved for recent at-grade crossings in the City of Los Angeles and the City of Fremont that did not require closure of an existing crossing. Based on preliminary discussions of the Project with the CPUC, construction of an at-grade crossing at Jennings Avenue will require a closure of an at-grade crossing elsewhere within the City, namely at W. Sixth Street, W. Seventh Street, or W. Eighth Street. Therefore, this alternative was determined to be infeasible and is not evaluated further in this EIR.

The CEQA Guidelines state in Section 15126.6: “An EIR is not required to consider alternatives which are infeasible.” The CEQA Guidelines define feasible in Section 15364: “Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

On January 13, 2012, the CPUC addressed a letter to Mayor Ernesto Olivares which said (see Appendix A for a copy of the CPUC letter):

With improving overall safety and the reduction of total crossings in mind, CPUC staff recommends that the City identify two existing at-grade crossings to close in exchange for the new Jennings Avenue crossing. CPUC staff believes that 6th Street, 7th Street and 8th Street crossings are good candidates for closure.

On November 13, 2012, City staff presented the results of a feasibility study prepared by Stacy and Whitbeck, a contractor for SMART, to the Council. The presentation included information that CPUC staff had stated that approval of an at-grade crossing at Jennings Avenue would be unlikely unless at least one existing at-grade crossing was eliminated at either W. Sixth, W. Seventh or W. Eighth Streets. At that meeting, the Council expressed a preference to study an at-grade pedestrian and bicycle crossing as the preferred project. The item was then continued to a future Council meeting to allow staff additional time to ascertain potential costs of environmental review.

On May 21, 2013, the Council, by Resolution No. 28284, unanimously directed City staff to complete environmental review in compliance with CEQA for an at-grade pedestrian and bicycle crossing of the SMART railroad corridor and Jennings Avenue, including an ADA compliant bicycle and pedestrian rail overcrossing alternative and possible removal of an existing crossing at W. Sixth, W. Seventh or W. Eighth Street. Hence, the Draft EIR evaluated this configuration as the Preferred Project. The Draft EIR did not, however, evaluate two crossing closures as the CPUC
suggested in their letter, because, in the event that CPUC staff requires closure of more than one existing at-grade rail crossing, the City would not pursue the Preferred Project as indicated on page 2-5 of the Draft EIR.

In addition, early implementation of the Project was considered to be important so that a crossing could be in place as soon as possible after commencement of SMART passenger service (scheduled for 2016) to ensure safety and connectivity in the Jennings Avenue area. Based on the CPUC letter, numerous subsequent phone calls with CPUC staff, two meetings with CPUC staff on December 3, 2013 and May 6, 2014, and the need for timely implementation of the Project, the Draft EIR concluded that an at-grade crossing at Jennings Avenue could not be successfully accomplished within a reasonable period of time, given the legal barriers raised by the need for CPUC approval. And, therefore, the Draft EIR identified the “No Closure of an Existing Crossing” alternative as infeasible, and did not evaluate the option further.

Nevertheless, commenters have raised a number of objections to the CPUC requirement for compensatory closures for a new at-grade rail crossing, stating that the CPUC requirement exceeds their regulatory mandate or is otherwise unwarranted.

As a result, this Final EIR includes evaluation of a Preferred Project with No Rail Crossing Closure Alternative. The Preferred Project with No Rail Crossing Closure Alternative is a subset of the Preferred Project. This alternative includes the at-grade rail crossing at Jennings Avenue, but does not include a rail crossing closure elsewhere. The Preferred Project with No Rail Crossing Closure Alternative is conditioned upon a determination by the CPUC that a closure would not be required and is, therefore, considered potentially feasible.

The CPUC General Order (GO) No. 75-D, which is the regulation governing standards for warning devices for at-grade highway-rail crossings in the State of California, states in Section 2, that “as part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission’s policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.”

However, GO No. 75-D, Section 13.3, provides for exemptions where “in the Commission’s opinion, public interest would be served by so doing.”

If the CPUC were to approve an at-grade pedestrian and bicycle rail crossing at Jennings Avenue, with no closure of an existing crossing elsewhere in the City, the Commission would be exercising its judgment that an exemption to the above-noted policy regarding reduction in the number of at-grade crossings would be applicable in the case of the at-grade crossing at Jennings Avenue. Under such circumstances, the at-grade crossing would not be in conflict with GO No. 75-D, and would thus be a potentially feasible alternative. However, the determination that this alternative is feasible would be contingent upon the CPUC finding that no closure is required.

Recirculation of the EIR is not required due to the addition of the Preferred Project with No Rail Crossing Closure Alternative to the Final EIR, because the alternative is a subset of the Preferred Project and would not cause any new significant impacts compared to those already identified in the Draft EIR for the Preferred Project. The Preferred Project with No Rail Crossing Closure Alternative would have one to three fewer significant unavoidable impacts than the Preferred Project, depending upon which rail crossing would be closed at W. Sixth, W. Seventh, or W. Eighth Street. See the revised Table 5-1, Summary of Significant and Unavoidable Impacts, below for more specific information.

The Rail Overcrossing Alternative remains the Environmentally Superior Alternative, as can been seen from the revisions to Chapter 5 below. The following revisions are made to Chapter 4,
Alternatives Description and Analysis, and Chapter 5, Other CEQA-required Sections, in the Draft EIR to accommodate addition of the Preferred Project with No Rail Crossing Closure Alternative.

Revisions to the Draft EIR are made on page 4-3 as follows:

**4.2.3 No Closure of an Existing Crossing**

During scoping, a commenter suggested the potential to use enhanced train controls and signal warnings approved for recent at-grade crossings in the City of Los Angeles and the City of Fremont that did not require closure of an existing crossing. Based on preliminary discussions of the Project with the CPUC, construction of an at-grade crossing at Jennings Avenue will require a closure of an at-grade crossing elsewhere within the City, namely at W. Sixth Street, W. Seventh Street, or W. Eighth Street. Therefore, this alternative was determined to be infeasible and is not evaluated further in this EIR.

**4.3 Analysis of Alternatives**

This section describes the project alternatives that were selected and analyzed in accordance with CEQA Guidelines Section 15126.6(a). As described above, several potential alternatives were evaluated, but were determined to be infeasible. Three alternatives are evaluated in this EIR: the Rail Overcrossing Alternative, the No Project Alternative, and the Preferred Project with No Rail Crossing Closure Alternative. The Rail Overcrossing Alternative is evaluated at the same level of detail as the Preferred Project in the main body of the EIR. The No Project Alternative and the Preferred Project with No Rail Crossing Closure are evaluated below.

Revisions to the Draft EIR are added on page 4-5 as follows:

**4.3.2 Preferred Project with No Rail Crossing Closure**

The Preferred Project with No Rail Crossing Closure Alternative would consist of an at-grade pedestrian and bicycle rail crossing at Jennings Avenue, with no closure of an existing crossing elsewhere in the City, conditioned upon a determination by the CPUC that a closure would not be required.

The CPUC General Order (GO) No. 75-D, which is the regulation governing standards for warning devices for at-grade highway-rail crossings in the State of California, states in Section 2, that “as part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission’s policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.” However, GO No. 75-D, Section 13.3, provides for exemptions where “in the Commission’s opinion, public interest would be served by so doing.”

If the CPUC were to approve an at-grade pedestrian and bicycle rail crossing at Jennings Avenue, with no closure of an existing crossing elsewhere in the City, the Commission would be exercising its judgment that the exemption to the above-noted policy regarding reduction in the number of at-grade crossings would be applicable in the case of the at-grade crossing at Jennings Avenue. Under such circumstances, the at-grade crossing would not be in conflict with GO No. 75-D, and would thus be a potentially feasible alternative. However, the determination that this alternative is feasible would be contingent upon the CPUC finding that no closure is required.
Revisions to Table 4.2 (Comparison of Alternatives) in the Draft EIR are made on pages 4-6 through 4-15 as follows:
## Table 4-2 Comparison of Alternatives

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing</th>
<th>Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
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<td>LS</td>
<td>NI</td>
</tr>
<tr>
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<td>w/ Rail Crossing Closure at W. Eighth St.</td>
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<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>NI</td>
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</tbody>
</table>

**AES-1**: Would the Project have a substantial adverse effect on a scenic vista?

**AES-2**: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

**AES-3**: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**AES-C-1**: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to visual resources?

**AQ-1**: Would the Project violate an air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Overcrossing Alternative</th>
<th>No Project Alternative</th>
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<tbody>
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<td>w/ Rail Crossing Closure at W. Seventh St.</td>
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<tr>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
<td>LS</td>
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<td>AQ-2: Would the Project expose sensitive receptors to substantial pollutant concentrations?</td>
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<td>AQ-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to air quality?</td>
<td>LS</td>
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<td>LSM</td>
</tr>
<tr>
<td>BIO-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</td>
<td>LSM</td>
<td>LSM</td>
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<tr>
<td>BIO-2: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</td>
<td>LSM</td>
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<tr>
<td>BIO-3: Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td>LSM</td>
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</tr>
<tr>
<td>BIO-4: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td>LS</td>
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<tr>
<td>BIO-5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>LSM</td>
<td>LSM</td>
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<tr>
<td>BIO-6: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</td>
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<tr>
<td>BIO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to biological resources?</td>
<td>LS</td>
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<tr>
<td>CR-1: Would the Project cause a substantial adverse change in the significance of an archaeological resource?</td>
<td>LSM</td>
<td>LSM</td>
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<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
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<td>SUM</td>
<td>LS</td>
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<tr>
<td>CR-3: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>LS</td>
<td>LS</td>
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<tr>
<td>CR-4: Would the Project disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>LSM</td>
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¹ This change has been made per Lead Agency revisions identified in Chapter 3 of this Final EIR.
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<tr>
<td>CR-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to a cumulative impact?</td>
<td>LS</td>
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<tr>
<td>GEO-1: Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction?</td>
<td>LS</td>
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<tr>
<td>GEO-2: Would the Project result in substantial soil erosion or the loss of topsoil?</td>
<td>LS</td>
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<tr>
<td>GEO-3: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in lateral spreading, subsidence, liquefaction or collapse?</td>
<td>LS</td>
<td>LS</td>
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<tr>
<td>GEO-4: Would the Project be located on expansive soil, creating substantial risks to life or property?</td>
<td>LS</td>
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## Impact

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<td>GEO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to geology and soils?</td>
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<td>GG-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>LSM</td>
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<tr>
<td>GG-2: Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
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<tr>
<td>GG-C-1: Would the Project plus cumulative projects cause a cumulative considerable contribution to a significant cumulative impact relative to greenhouse gas emissions?</td>
<td>LSM</td>
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<tr>
<td>HAZ-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>LS</td>
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<td>w/ Rail Crossing at W. Eighth St.</td>
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<tr>
<td>HAZ-2: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or a known hazardous site, or would the Project create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>LSM</td>
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<tr>
<td>HAZ-3: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>LS</td>
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<tr>
<td>HAZ-C-1: Would the Project result in cumulative considerable contribution to a significant cumulative impact related to hazards or hazardous materials?</td>
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<tr>
<td>HWQ-1: Would the Project violate any water quality standards or waste discharge requirements?</td>
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<tr>
<td>HWQ-2: Would the Project substantially deplete groundwater supplies or interfer substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table level.</td>
<td>LS</td>
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<tr>
<td>HWQ-3: Would the Project provide substantial additional sources of polluted runoff or otherwise substantially degrade water quality?</td>
<td>LS</td>
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<td></td>
<td>LS</td>
<td>LS</td>
<td>NI</td>
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<tr>
<td>HWQ-4: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site, or increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or exceed the capacity of existing or planned stormwater drainage systems?</td>
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<tr>
<td>HWQ-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to hydrology and water quality?</td>
<td>LS</td>
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<td>w/ Rail Crossing Closure at W. Seventh St.</td>
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<td>w/ Rail Crossing Closure at W. Eighth St.</td>
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<td>NI</td>
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<tr>
<td>LU-1: Would the Project physically divide an established community?</td>
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<td>NI</td>
<td>LS</td>
<td>NI</td>
</tr>
<tr>
<td>LU-2: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>SU</td>
<td>NI</td>
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<tr>
<td>LU-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to land use?</td>
<td>NI</td>
<td>NI</td>
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<td>NO-1: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
<td>LS</td>
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<tr>
<td>NO-2: Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>LSM</td>
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GHD | Jennings Avenue Pedestrian and Bicycle Rail Crossing Project | 2-23
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<td>w/ No Rail Crossing Closure</td>
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<tr>
<td>NO-3: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>SUM</td>
<td>SUM</td>
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<tr>
<td>NO-4: Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>LSM</td>
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<td>NO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to noise?</td>
<td>SUM</td>
<td>SUM</td>
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<tr>
<td>PSR-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, and/or other public facilities?</td>
<td>LS</td>
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<td>PSR-2: Would the Project increase the use of existing neighborhood</td>
<td>LS</td>
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<td>and regional parks or other recreational facilities such that</td>
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<td>substantial physical deterioration of the facility would occur or</td>
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<td>be accelerated?</td>
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<td>PSR-C-1: Would the Project plus cumulative projects result in a</td>
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<td>cumulatively considerable contribution to cumulative impacts related</td>
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<td>to public services and recreational resources?</td>
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<td>TR-1: Would the Project conflict with an applicable plan, ordinance,</td>
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<td>or policy establishing measures of effectiveness for the performance</td>
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<td>of the vehicular circulation system?</td>
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<td>TR-2: Would the Project substantially increase hazards due to a design</td>
<td>LS</td>
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<td>feature (e.g., sharp curves or dangerous intersections) or</td>
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<td>incompatible uses (e.g., farm equipment)?</td>
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<td>TR-3: Would the Project result in inadequate emergency access?</td>
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<td>w/ Rail Crossing Closure at W. Eighth St.</td>
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<tr>
<td>TR-4: Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
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<td>UT-1: Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, or result in a determination by the wastewater treatment provider which services the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?</td>
<td>LSM</td>
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<tr>
<td>UT-2: Would the Project be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs, and will the Project comply with federal, State and local statutes and regulations related to solid waste?</td>
<td>LS</td>
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<td>w/ Rail Crossing Closure at W. Eighth St.</td>
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<td>UT-3: Would the Project result in potential damage to or temporary disruption of existing utilities?</td>
<td>LS</td>
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</table>

**Notes:**
- **NI** = No Impact
- **LS** = Less than Significant
- **LSM** = Less than Significant with Mitigation
- **S** = Significant
- **SU** = Significant and Unavoidable
- **SUM** = Significant and Unavoidable with Mitigation
The following revisions are made on pages 5-1 and 5-2 of the Draft EIR:

### 5.2 Significant Unavoidable Effects

Section 21100(b)(2)(A) of CEQA and Section 15126.2 of the CEQA Guidelines require that an EIR identify any significant environmental effects that cannot be avoided if the Project were implemented, including those that can be mitigated but not reduced to a level of insignificance. Significant unavoidable Project and cumulative impacts identified in Chapter 3 of this EIR are identified in Table 5-1 below.

**Table 5-1 Summary of Significant and Unavoidable Impacts**

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing w/ Rail Crossing Closure at W. Sixth St.</th>
<th>w/ Rail Crossing Closure at W. Seventh St.</th>
<th>w/ Rail Crossing Closure at W. Eighth St.</th>
<th>Preferred Project w/ No Rail Crossing Closure</th>
<th>Rail Overcrossing Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>AES-2: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>LS</td>
<td>SUM</td>
</tr>
<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
<td>LSM</td>
<td>LSM</td>
<td>SUM</td>
<td>LS</td>
<td>LSM²</td>
</tr>
<tr>
<td>LU-2: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
<td>NI</td>
<td>NI</td>
</tr>
</tbody>
</table>

² This change has been made per Lead Agency revisions in Chapter 3 of this Final EIR.
<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Preferred Project Rail Overcrossing Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>w/ Rail Crossing Closure at W. Sixth St.</td>
<td>w/ Rail Crossing Closure at W. Seventh St.</td>
</tr>
<tr>
<td></td>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
<td></td>
</tr>
<tr>
<td>NO-1: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>SUM</td>
<td>SUM</td>
</tr>
<tr>
<td>NO-3: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>SUM</td>
<td>SUM</td>
</tr>
<tr>
<td>NO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to noise?</td>
<td>SUM</td>
<td>SUM</td>
</tr>
<tr>
<td>TR-4: Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td>LSM</td>
<td>LS</td>
</tr>
</tbody>
</table>

Notes:  
NI = No Impact  
LS = Less than Significant  
LSM = Less than Significant with Mitigation  
SUM = Significant and Unavoidable with Mitigation  
SU = Significant and Unavoidable
The following revision is made on page 5-4 of the Draft EIR:

To determine the environmentally superior alternative among the other three alternatives, the following analysis is provided.

The following revision is added on page 5-4 of the Draft EIR:

**Preferred Project with No Rail Crossing Closure Alternative**

An alternative that includes an at-grade rail crossing at Jennings Avenue, but does not close any existing rail crossings, would have the same significant and unavoidable impacts as the Preferred Project relative to noise at the Jennings crossing: Impacts NO-1, NO-3, and NO-C-1. This alternative would not, however, cause the significant unavoidable impacts relative to the crossing closures, i.e., Impacts LU-2, CR-2, and/or TR-4.

The following revision is made on page 5-5 of the Draft EIR:

The Rail Overcrossing Alternative is the Environmentally Superior Alternative, in that it would result in three fewer significant and unavoidable impacts than the Preferred Project with a crossing closure at W. Sixth Street or W. Seventh Street, and five fewer significant and unavoidable impacts than the Preferred Project with a crossing closure at W. Eighth Street. The Rail Overcrossing Alternative would also have two fewer significant and unavoidable impacts than the Preferred Project with No Rail Crossing Closure Alternative. Impacts to operational and cumulative noise impacts would not occur with a grade-separated rail overcrossing because the sounding of train horns associated with freight and passenger rail service would not be required. Additionally, the Rail Overcrossing Alternative would not require closure of an existing at-grade rail crossing elsewhere in the City.
2.2 Comment Letters and Responses to Comments

This section includes copies of the comment letters and e-mails received during the 45-day public review period for the Draft EIR. Responses to each comment are provided after each letter. Please refer to Section 2.3 for summaries of, and responses to, comments received during the Draft EIR public hearing held on November 18, 2014.
November 25, 2014

Ms. Jessica Jones
City of Santa Rosa
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

Dear Ms. Jones:

Subject: Jennings Avenue Pedestrian and Bicycle Rail Crossing, SCH #2013112019,
City of Santa Rosa, Sonoma County

The California Department of Fish and Wildlife (CDFW) has reviewed the draft
Environmental Impact Report (EIR) for the Jennings Avenue Pedestrian and Bicycle
Crossing Project (Project). CDFW is providing comments as a Trustee and a Responsible
Agency. As Trustee for the State’s fish and wildlife resources, CDFW has jurisdiction over
the conservation, protection and management of the fish, wildlife, native plants, and the
habitat necessary for biologically sustainable populations of such species for the benefit and
use by the people of California.

The Project proposes to improve an existing, unofficial at-grade pedestrian and bicycle
crossing at Jennings Avenue to provide an official rail crossing at the same elevations as
the existing rail corridor that would link the eastern and western segments of Jennings
Avenue. The EIR has also evaluated an alternative overcrossing (Alternative) which would
provide crossing surfaces over the rail corridor.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or
bank (which may include associated riparian resources) of a river or stream, or use material
from a streambed, CDFW may require a Lake and Streambed Alteration Agreement (LSAA),
pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance
of an LSAA is subject to the California Environmental Quality Act (CEQA). CDFW, as a
Responsible Agency under CEQA, will consider the CEQA document for the project. The
CEQA document should fully identify the potential impacts to the stream or riparian resources
and provide adequate avoidance, mitigation, monitoring and reporting commitments for
completion of the agreement. To obtain information about the LSAA notification process,
please access our website at https://www.wildlife.ca.gov/Conservation/LSA; or to request a
notification package, contact CDFW’s Bay Delta Regional Office at (707) 944-5500.

The EIR has defined a stream in Section 3.3.2 under the heading Wetlands and Waters as
typically the ordinary high-water mark (OHWM). Please note CDFW’s jurisdiction is not
limited to the OHWM. CDFW’s jurisdiction of a stream includes the entire bed, bank, and
channel and can include the riparian habitat. The EIR has identified Steele Creek, an
ephemeral stream, within the Project area and has described the habitat within the stream as freshwater marsh wetland and the habitat along the stream as valley foothill riparian.

The impact analysis for BIO-2 of the preferred Project’s effects on riparian habitat discusses removal of valley oak riparian habitat along Steele Creek and the possibility of constructing a temporary stream crossing; however, the impact analysis for BIO-3 states that a temporary stream crossing would be required in order to allow construction vehicles to access the east side of the rail corridor. The Alternative also discusses the removal of valley oak riparian habitat, the possibility of constructing a temporary stream crossing as well as installing permanent rock within the channel. The associated Mitigation Measure, BIO-3, states that mitigation could be accomplished by 1) purchasing wetland mitigation credits from a mitigation bank; 2) create new or enhance degraded wetlands on-site; or 3) create new or enhance degraded wetlands off-site. The use of the term “wetlands” in the EIR applies to both wetlands and streams. At this time, there are no mitigation banks whose service area includes Santa Rosa that provides stream or riparian credits. Disturbance to the stream channel should be mitigated by restoring or enhancing a stream channel. Removal of valley foothill riparian vegetation should also be mitigated by establishing valley foothill riparian habitat. CDFW recommends that the following paragraphs in Mitigation Measure BIO-3 be revised to state:

1-4

Both the Federal and State Clean Water Act maintains a “no net loss” policy for wetlands and the California Fish and Game Commission opposes wetland development unless, at a minimum, project mitigation assures there will be “no net loss” of either wetland habitat values or acreage, therefore if permanent fill in Steele Creek cannot be avoided, the City shall compensate for the permanent impacts at a ratio of 1:1 or as required by the regulatory agencies. The City shall use the appropriate regulatory protocols to determine the amount of stream and/or riparian habitat that will be impacted by the Project. Once the stream and riparian habitat impacts are determined then the amount of mitigation necessary to meet the 1:1 mitigation ratio or the ratio required by the regulatory agencies can be calculated. The City shall obtain the appropriate permits from the USACE, RWQCB, and/or CDFW prior to Project construction.

Mitigation can then be accomplished by: 1) restoring or enhancing stream and/or riparian habitat, or 2) purchase of stream and/or riparian habitat credits if a mitigation bank is approved and credits have been released prior to the Project’s impacts.

CDFW recommends that the beginning of the 4th paragraph of Mitigation Measure BIO-3 be revised to the following:

Should the City decide to meet the mitigation requirements by restoring or enhancing a stream and/or riparian habitat, a wetland mitigation and monitoring plan shall be developed to ensure that the mandated mitigation ratios and annual monitoring requirements are achieved.
Mitigation Measure BIO-2 discusses protective measures for special-status bats during tree removal or trimming. This measure discusses trees greater than 10 inches in diameter being removed in a two-step/two-day process and trees less than 10 inches being removed first. Bats can utilize any size diameter tree provided the tree contains suitable habitat. This measure also does not provide guidance on how to remove trees that provide suitable bat habitat. CDFW recommends that paragraph two of Mitigation Measure BIO-2 be revised to state:

- The City shall ensure, that removal of trees shall only be scheduled during seasonal periods of bat activity (February 15 through April 15 and September 1 through October 15). Trees shall be removed in the following manner:
  - Trees that do not provide suitable bat habitat can be removed in a single day;
  - Trees that have been identified as suitable bat habitat by a qualified bat biologist can be removed in a two-step/two-day process, under the direction of a qualified bat biologist as follows:
    - A qualified bat biologist shall train workers on the proper techniques for tree removal to protect bats. The qualified bat biologist shall be on-site during tree removal;
    - Day 1, in the afternoon, cutting shall include removal of branches and small limbs using only chainsaws. Limbs with cavities, crevices or deep bark fissures would be avoided, and only branches or limbs without those features would be removed; and
    - Day 2 the remainder of the tree shall be removed the day after limb and branch removal.

If you have any questions, please contact Ms. Stephanie Buss, Senior Environmental Scientist (Specialist), at (707) 944-5502; or Mr. Craig Weightman, Environmental Program Manager, at (707) 944-5577.

Sincerely,

Scott Wilson
Regional Manager
Bay Delta Region

cc: State Clearinghouse
Letter 1 Response to Comments

Response to Comment 1-1

The City appreciates the Department’s comments on the Draft EIR as a Responsible/Trustee Agency. Responses to the Department’s specific comments on the Draft EIR are provided below.

Response to Comment 1-2

As noted in Draft EIR Section 2.7.2 (Required Agency Permits and Approvals), page 2-24, a Lake and Streambed Alteration Agreement pursuant to Section 1600 et seq. of the Fish and Game Code has been identified as a potentially applicable permit for the proposed Project. Draft EIR Section 3.3 (Biological Resources), page 3.3-8, evaluates potential impacts to stream and riparian resources in the Project area, including mitigation measures, where determined necessary.

Response to Comment 1-3

The description of wetlands and waters in Draft EIR Section 3.3.2 (Setting) was not intended to define CDFW’s jurisdiction. Draft EIR Section 3.3.3 (Regulatory Framework), page 3.3-8, includes a summary of the California Fish and Game Code, including a definition of a stream and the City’s understanding of CDFW’s jurisdiction.

Response to Comment 1-4

It is anticipated that a temporary stream crossing within Steele Creek may be required during construction to allow construction vehicles to access the east side of the rail corridor. To better clarify this potential impact, page 3.3-21 of the Draft EIR is revised, as follows:

Construction of the Project at Jennings Avenue would may require construction of a temporary stream crossing within Steele Creek to allow construction vehicles to access the east side of the rail corridor.

The City appreciates the Department’s suggested clarifications to the language in Mitigation Measure BIO-3 (Avoid Fill of Wetlands and waters). The City generally agrees with the suggested changes, with some minor revisions, and page 3.3-19 of the Draft EIR is revised as follows:

Both the federal and State Clean Water Act maintains a “no net loss” policy for wetlands and the California Fish and Game Commission opposes wetland development unless, at a minimum, project mitigation assures there will be “no net loss” of either wetland habitat values or acreage; therefore if permanent fill in Steele Creek cannot be avoided, the City shall compensate for the permanent impacts at a ratio of 1:1 or as required by the regulatory agencies. To determine the amount of wetlands impacted, the City shall complete a wetlands delineation and have the delineation verified by the USACE. Once the stream and riparian habitat wetland impacts are determined then the amount of mitigation necessary to meet the 1:1 mitigation ratio or the ratio required by the regulatory agencies can be calculated. The City shall obtain the appropriate permits from the USACE, RWQCB, and/or CDFW prior to Project construction.

Mitigation can then be accomplished in one of three ways: 1) through purchase of stream and/or riparian habitat credits if a mitigation bank is approved and credits have been released prior to the Project's impacts, wetland credits from an approved wetland mitigation bank, 2) or restoring or enhancing stream and/or riparian habitat on-site.
creation of new wetland or enhancement of existing degraded wetlands, or 3) off-site creation of new wetland or enhancement of existing degraded wetlands.

Should the City decide to meet the mitigation requirements by restoring or enhancing a stream and/or riparian habitat, through on-site or off-site wetland or waters creation, a wetland mitigation and monitoring plan shall be developed to ensure that the mandated mitigation ratios and annual monitoring requirements are achieved.

Response to Comment 1-5

The City appreciates the Department’s suggested clarifications to the language in Mitigation Measure BIO-2 (Protection Measures for Special-status Bats during Tree Removal or Trimming).

The City generally agrees with the suggested changes, with some minor revisions, and pages 3.3-17 and 3.3-18 of the Draft EIR are revised as follows:

The City shall ensure that, prior to the removal of trees greater than 10 inches in diameter shall only be scheduled during seasonal periods of bat activity (February 15 through April 15 and September 1 through October 15), and trees shall be removed in a two-day process on two consecutive days in the following manner:

- Trees that do not provide suitable bat habitat can be removed in a single day;
- Trees smaller than 10 inches in diameter shall be removed first; and
- Trees that have been identified as suitable bat habitat by a qualified bat biologist. Trees greater than 10 inches in diameter shall be removed in a two-step/two-day process, under the direction of a qualified bat biologist as follows:
  - A qualified bat biologist shall train workers on the proper techniques for tree removal to protect bats. The qualified bat biologist shall be on-site during tree removal, must be on site during the first day of tree removal and should be available for consultation after all tree removal workers are trained;
  - Day 1, in the afternoon, cutting shall include removal of branches and small limbs using only chainsaws (no dozers or backhoes). Limbs with cavities, crevices or deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed; and
  - Day 2 the remainder of the tree shall be removed the day after limb and branch removal.
November 26, 2014

Jessica Jones, Senior Planner
City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

RE: Draft Environmental Impact Report for the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project

Dear Ms. Jones,

The California Public Utilities Commission (CPUC) is the state agency responsible for highway-rail crossing (crossing) safety in California. As such, CPUC staff (staff) recommends that any projects planned adjacent to or near the rail corridors consider safety at the crossings.

Staff has reviewed the City of Santa Rosa (City) Draft Environmental Impact Report (DEIR) for the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project and has the following comments.

Staff recommends that the City consider creating a grade-separated crossing for Jennings Avenue. It is the best plan for ensuring that the public cross the tracks in a safe manner.

**DEIR Section 1.2 Background.** states: “the City of Santa Rosa proposes improvements at an existing, unofficial at-grade pedestrian and bicycle rail crossing at Jennings Avenue.”

Staff considers this statement as erroneous and misleading. It needs to be clear that this is NOT an “unofficial” crossing. It is an illegal crossing location and the people that utilize it are considered trespassers on Sonoma-Marin Area Rail Transit (SMART) property. More importantly, the trespassing creates a hazardous situation to the users and the train crews. People using strollers, wheelchairs, and bicycles can very easily get stuck on the tracks, subjecting themselves to significant danger.

**DEIR Section 3.10.6 Impacts and Mitigation Measures:** Impacts NO-1 through NO-4 discuss impacts related to increased train horn noise and construction, but fail to mention anything about increased noise due to the bells on the warning devices at the crossing that will ring every time the crossing warning devices are activated. The decibel levels of these bells adhere to the American Railway Engineering and Maintenance-of-Way Association (AREMA) Standards which requires them to sound at between 61 and 91 decibels (dBA), as heard 50 feet away.

The DEIR proposed mitigation for train horn noise is to implement a Quiet Zone, under the Federal Railroad Administration’s (FRA) Final Train Horn Rule (49 CFR Part 222) at the new crossing.
However, under the current rule, the FRA does not consider exclusive pedestrian crossings and private crossings to be eligible under the Train Horn Rule. The FRA states that for any pedestrian or private crossing to be included in a quiet zone, it must be within ¼ mile of an at-grade highway-rail crossing that is part of a quiet zone or be situated between two at-grade highway-rail crossings that constitute a quiet zone. The new Jennings Avenue crossing is located more than ¼ mile from either West College Avenue (CPUC Crossing No. 005-55.30, DOT No. 498565T) or Guerneville Road (CPUC Crossing No. 005-54.40 and DOT No. 498564L), which are the closest at-grade highway-rail crossings. Currently neither West College Avenue nor Guerneville Road is part of an existing quiet zone. Even if all of these crossings were brought under the umbrella of a quiet zone, the crossing bells would still be required to sound for the duration of every train activation, as required by the Train Horn Rule. Therefore, the crossing bells are a significant noise impact that will not be able to be mitigated.

On the establishment of quiet zones in general, the CPUC’s Rail Crossings and Engineering Branch (RCEB) notes for the record that it believes that in all cases, the sounding of the locomotive horn results in a higher level of pedestrian and motorist safety when compared to not sounding the locomotive horn. Thus, we encourage the City to carefully research any quiet zone inquiry including investigating other possible solutions to reduce or limit the extent of the noise disruptions from locomotive horns.

If you have any questions in this matter, please call me at (916) 928-2515.

Sincerely,

David Stewart
Utilities Engineer
Safety and Enforcement Division
Letter 2 Response to Comments

Response to Comment 2-1

The City appreciates the Commission's comments on the Draft EIR, which will be shared with the City's decisionmakers.

Please refer to Master Response A (Statements of Opinion for or against a Project Alternative). Responses to the Commission's specific comments on the Draft EIR are provided below.

Response to Comment 2-2

The City acknowledges the CPUC’s statement that the existing Jennings Avenue crossing is illegal. The comment letter received from SMART makes a similar statement. However, with regard to this EIR, CEQA requires an accurate identification of existing conditions at the time of the Notice of Preparation. The pedestrian and bicycle counts taken on October 10, 2013, indicate that both pedestrians and bicyclists are crossing the rails at Jennings Avenue, and the EIR therefore identifies a crossing at this location. The EIR’s evaluation of impacts must take into consideration the existing conditions where individuals are, in fact, using the Jennings Avenue area as a rail crossing – even though it may be illegal for them to do so. It is for these reasons that the City is pursuing this project. Therefore, the Draft EIR has not been revised.

Response to Comment 2-3

For an at-grade crossing, crossing bells would ring every time a train passes by Jennings Avenue. Most of the time, the bells would be ringing at the same time that the train horn is also sounding, but bells may also precede the train horn noise. The American Railway Engineering and Maintenance of Way Association (AREMA) recommends that electronic crossing bells have a peak sound reading of 61 to 91 dBA $L_{eq}$. Assuming crossing bells would sound for 20 seconds during each train trip, the day-night average noise level for the bells alone would be 58 dBA DNL at 50 feet. Please note that the 61-91 dBA is a peak sound level for a brief period, whereas the 58 dBA is a 24-hour day-night average sound level; see the definitions for acoustical terms on p. 3.10-2 in the Draft EIR for more information. The sound levels of the bells alone would be acceptable with residential land uses (less than 60 dBA DNL per General Plan Policy NS-B-4).

Noise from warning device bells for an at-grade rail crossing was included in the calculated noise levels reported in Impacts NO-1, NO-3, and NO-C-1 of Draft EIR Section 3.10 (Noise). Noise from warning device bells is not applicable to Impact NO-2 of the Draft EIR, which evaluates impacts related to excessive groundborne vibration. Noise from warning device bells for an at-grade rail crossing is also not applicable to Impact NO-4, which evaluates potential impacts associated with temporary and periodic increases in ambient noise levels related to construction activities.

To better clarify the potential operational impacts associated with warning device bells for an at-grade rail crossing in Impact NO-1 of the Draft EIR, page 3.10-12 of the Draft EIR is revised as follows:

The Project's day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is estimated to be 67 dBA DNL assuming up to one daytime freight train or SMART train roundtrip is occurring daily, including noise from warning device bells.

Additionally, page 3.10-13 of the Draft EIR is revised as follows to clarify the noise from warning device bells following implementation of Mitigation Measure NO-1.
The implementation of Mitigation Measure NO-1 would substantially reduce train horn noise levels both outdoors and indoors at receptors near the Jennings Avenue at-grade crossing by eliminating the requirement for trains to sound their horns. Even if a Quiet Zone were in place at the Project site, the crossing bells for an at-grade rail crossing would still be required to sound for the duration of each train. The Project’s day-night average noise level associated with the sounding of crossing bells and the sound of one weekday freight round trip was calculated to be 59 dBA DNL at 50 feet, assuming that a Quiet Zone were in place and the train did not need to sound its locomotive horn. Therefore, the mitigated average day-night noise level would be considered normally acceptable with residential land uses (less than 60 dBA DNL).

To better clarify the potential operational impacts associated with warning device bells for an at-grade rail crossing in Impact NO-3 of the Draft EIR, page 3.10-16 of the Draft EIR is revised as follows:

The day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is calculated to be 67 dBA DNL under the existing plus Project scenario, assuming up to one daytime freight train or SMART train roundtrip is occurring daily, including noise from warning device bells.

Additionally, page 3.10-18 of the Draft EIR is revised as follows to clarify the noise from warning device bells following implementation of Mitigation Measure NO-1.

The implementation of Mitigation Measure NO-1 would substantially reduce train horn noise levels both outdoors and indoors at receptors within one-quarter mile of the Jennings Avenue at-grade crossing by eliminating the requirement for trains to sound their horns. Even if a Quiet Zone were in place at the Project site, the crossing bells for an at-grade rail crossing would still be required to sound for the duration of each train. The Project’s day-night average noise level associated with the sounding of crossing bells and the sound of one weekday freight round trip was calculated to be 59 dBA DNL at 50 feet, assuming that a Quiet Zone were in place and the train did not need to sound its locomotive horn. Therefore, the mitigated average day-night noise level would not be 5 dBA DNL higher than existing background noise levels.

To better clarify the potential operational impacts associated with warning device bells for an at-grade rail crossing in Impact NO-C-1 of the Draft EIR, page 3.10-24 of the Draft EIR is revised as follows:

With the Project, the day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is calculated to be 85 dBA DNL assuming that under the cumulative scenario there would be 42 153 SMART roundtrips during the early morning, daytime, and early evening hours and three freight train roundtrips occurring primarily at night, including noise from warning device bells.

Additionally, page 3.10-25 of the Draft EIR is revised as follows to clarify the noise from warning device bells following implementation of Mitigation Measure NO-1.

The implementation of Mitigation Measure NO-1 would substantially reduce train horn noise levels both outdoors and indoors at receptors near the Jennings avenue at-grade crossing.

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3 This change has been made in response to SMART’s comments; see Response to Comment 5-5.
crossing by eliminating the requirement for trains to sound their horns. However, even if a Quiet Zone were in place at the Project site, the crossing bells for an at-grade rail crossing would still be required to sound for the duration of each train. The Project’s day-night average noise level associated with the sounding of crossing bells and the sound of 15 weekday SMART round trips and three freight trains would exceed 60 dBA DNL even with the implementation of Quiet Zones. Therefore, the cumulative impact would be significant and unavoidable, even with mitigation. Nevertheless, in addition, train operators have discretion to sound their horns whenever needed, so even with a Quiet Zone, train horn noise would not be completely eliminated.

Response to Comment 2-4

The City appreciates the Commission’s comments on the eligibility requirements of Quiet Zones for pedestrian crossings. If, however, a Quiet Zone were established that encompasses both the Guerneville Road/North Santa Rosa station and College Avenue crossings, then the Jennings Avenue crossing could also be eligible to become part of that Quiet Zone. Mitigation Measure NO-1, Implement Quiet Zones, currently indicates that the measure only applies if it is found to be feasible, and CEQA defines the word feasible to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.” As a result, Impacts NO-1, NO-3, and NO-C-1 are found to be significant and unavoidable, even with all feasible mitigation.

Please see Response to Comment 2-3 for clarity on the potential impact of noise from warning device bells following implementation of Mitigation Measure NO-1.

Response to Comment 2-5

The City appreciates and acknowledges the Commission’s statement of opinion on the matter of Quiet Zones and pedestrian safety, which will be shared with the City’s decisionmakers.
December 2, 2014

Jessica Jones  
City of Santa Rosa  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95404

Subject: Jennings Avenue Pedestrian and Bicycle Rail Crossing  
SCH#: 2013112019

Dear Jessica Jones:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on December 1, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project’s ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency
**Sch#** 2013112019  
**Project Title** Jennings Avenue Pedestrian and Bicycle Rail Crossing  
**Lead Agency** Santa Rosa, City of  

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<th>Type</th>
<th>EIR Draft EIR</th>
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**Description**
The City proposes improvements at an existing, unofficial at-grade pedestrian and bicycle rail crossing at Jennings Avenue and the SMART rail corridor to provide an official rail crossing. Two types of rail crossings are evaluated in the Draft EIR: an at-grade pedestrian and bicycle crossing, which would include crossing surfaces at the same elevation as the existing railroad tracks; and a pedestrian and bicycle rail overcrossing, which would provide crossing surfaces over the railroad tracks. The EIR also evaluates the closure of one existing rail crossing at either W. Sixth Street, W. Seventh Street, or W. Eighth Street in exchange for a new pedestrian and bicycle at-grade crossing at Jennings Avenue. A public hearing will be conducted by the City Council on Tuesday, November 18, 2014 at or after 5:00 p.m., in the City Council Chamber, City Hall, 100 Santa Rosa Avenue, Santa Rosa.

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**Lead Agency Contact**

- **Name** Jessica Jones  
- **Agency** City of Santa Rosa  
- **Phone** 707 543 3410  
- **Fax**  
- **Address** 100 Santa Rosa Avenue, Room 3  
- **City** Santa Rosa  
- **State** CA  
- **Zip** 95404

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**Project Location**

- **County** Sonoma  
- **City** Santa Rosa  
- **Region**  
- **Lat / Long**  
- **Cross Streets** Jennings Avenue and Rail Corridor; 6th, 7th, and 8th Street at Rail Corridor  
- **Parcel No.**  
- **Township**  
- **Range**  
- **Section**  
- **Base**

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**Proximity to:**

- **Highways** Hwy 101, 12  
- **Airports** SMART  
- **Railways**  
- **Waterways** Steele Creek, Santa Rosa Creek  
- **Schools** Helen M. Lehman  
- **Land Use**  

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**Project Issues**

- Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

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**Reviewing Agencies**

- Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 1; Native American Heritage Commission; Public Utilities Commission

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**Date Received** 10/17/2014  
**Start of Review** 10/17/2014  
**End of Review** 12/01/2014
Letter 3 Response to Comments

Response to Comment 3-1

This letter acknowledges the Project’s compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. The State Clearinghouse received two letters from State agencies: one from the Department of Fish and Wildlife and one from the Public Utilities Commission. The individual comments in these letters are responded to under Comment Letter 1 and Comment Letter 2, above.
Thank you Jessica,

Please be advised that if the bell noise issue isn't addressed properly in the EIR we may file a formal protest of it.

David Stewart
Utilities Engineer
Office: (916) 928-2515
Cell: (415) 806-0490
Letter 4 Response to Comments

Response to Comment 4-1

Please see Response to Comment 2-3.
December 1, 2014

Attn: Jessica Jones, Senior Planner
Community Development Department
City of Santa Rosa
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

RE: DEIR Comments, Jennings Avenue Pedestrian and Bicycle Rail Crossing #2013112019

Dear Jessica,

Thank you very much for the opportunity to comment on the Draft EIR for the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project. The following comprises the comments of the Sonoma-Marin Area Rail Transit (SMART) District on the project. SMART is excited to work with the City to develop a safe crossing at Jennings Avenue for all parties. Generally, the comments provide reiterate SMART’s objective to operate and maintain a shared passenger/freight railroad. All structures built above and/or adjacent to the railroad will need to be reviewed closely by SMART engineers to ensure safety for passengers, freight operators, and potential bicycle and pedestrian traffic. Any structures proposed within the SMART right-of-way (ROW) need to be designed in coordination with SMART staff and approved by the agency. Additionally, construction phasing will need to be coordinated so that there is no interruption to passenger or freight service on the railroad. Finally, before an application is submitted to the CPUC for the new crossing, the City should have SMART staff review the application. Comments regarding specific sections of and topics addressed by the document are as follows:

Existing Conditions

In Section 2.3, the document states that bicyclists and pedestrians currently cross the rail corridor at Jennings Avenue. SMART would like to emphasize that it is illegal to cross an active railroad at an unmarked crossing and such an unsafe action is considered trespassing.

This section also states that “No sidewalks or improved pathways currently cross the rail corridor” at W. 6th, 7th, and 8th Streets and that “standard railroad warning devices are in place at each vehicular crossing, but the warning devices are not active.” These statements are inaccurate as recent crossing improvements have included the installation of ADA accessible sidewalks at each of these crossings. Additionally, the SMART ROW is an active rail corridor with active signal devices per FRA regulation.

Table 3-1 identifies SMART as part of the Projects Considered for Cumulative Impacts but incorrectly lists the number of SMART trips. At full operation, SMART will run up to 30 trains per weekday and up to 8 trains per weekend day.
At-Grade Alternative Evaluation

5-6 The document identifies the at-grade crossing option as the “Preferred Project” but does not indicated which street (W. 7th, 8th, or 9th) is the preferred closure. Since no desire is stated and the closure of an existing crossing will affect SMART operations, the City should work with SMART to determine the final location of the crossing closure.

5-7 The discussion of the at-grade option should acknowledge the hazards of an at-grade crossing with a double track railroad. The conceptual design in Figure 2-2 needs more detail regarding hazard mitigation measures that could include signage, z gates, pedestrian warning devices, channelization, etc. All posted warnings and devices should adhere to the most stringent safety standards.

5-8 Section 2.4.1 also states that “power and fiber optic cable would be available from within the rail corridor for the crossing equipment,” however, SMART’s current design does not include a power drop at the proposed location nor does current fiber optic design support a signalized crossing. Additionally, the section neglects to discuss work on the signal system that would be required to close a crossing at 6th, 7th or 8th Street. This work will require significant design in coordination with SMART’s Systems engineers and will also impact construction timing.

5-9 Section 2.4.3 discusses maintenance responsibility of the at-grade crossing and signal equipment. The section should indicate that the City will be responsible for all improvements within the ROW to within 2’ of the crossing panels. The City and SMART shall enter into a memorandum of understanding (MOU) for the ongoing maintenance and associated costs related to the crossing and signal equipment.

5-10 Section 2.4.3 also states that “trains sound warning whistles at all pedestrian at-grade crossings” beginning at least 1,320 feet from the crossing. It should be noted that both passenger and freight train horns will sound at ALL at-grade crossings, whether they are pedestrian, vehicular, public or private. It would also be helpful to visually define where 1,320 feet from the crossing is so that the people living in the area understand the potential impact.

Over-Crossing Alternative Evaluation

5-12 Figure 2-4 shows the ramps on the east side of the tracks entirely within SMART ROW. Any structures proposed within SMART’s ROW need to be designed in coordination with SMART staff and approved by the agency. Figure 2-5 shows a distance of 15’ between the mainline track center and the ramp structure. It is unclear from Figure 2-5 whether the design includes crash walls between the ramp and railroad tracks. SMART would like to see more details of the proposed structure design to properly evaluate the overcrossing.

5-13 Section 2.5.1 states that the “minimum side clearance from the centerline of the railroad corridor would be 10 feet”. Horizontal clearances are measured from the center of the track, both the main line and siding, not the center of the corridor. Furthermore, SMART may require additional clearances for operational or maintenance requirements. The section mentions applicable codes and regulations; however, it neglects to mention SMART Design Criteria and operational needs. The design must adhere to SMART Design Criteria and AREMA standards in addition to the most recent version of the California Building Code.

5-14 In Section 2.5.2 the document states the precast slabs used for the overcrossing deck will be approximately 30 to 35 feet in length. Considering that this location has double track 15’ on center and the minimum 10’ clearance on both sides (or more, depending on SMART operational and maintenance needs), the minimum clear span would be 35’. The precast elements would need to be longer to get to the center of the structural support.
If selected, the overcrossing bridge alternative should be constructed to meet all clearances required by the CPUC and the FRA and take into account existing double track. Bridge standards include required fencing of sufficient height as to protect the railway from objects thrown on the tracks, as well as potential crash walls. Such fencing could have a significant impact on aesthetics and wind loading and should be evaluated as part of the EIR.

Construction Impacts to the SMART Right-of-Way

Please be aware that should the City decide to pursue the overcrossing alternative, the construction would be challenging since it would be within the active railroad corridor. Reduced work windows and nighttime construction hours would likely increase the cost of the project. All construction activities related to the project should be planned so as not to interfere with SMART and NCRA operations. Any activity occurring in or above SMART’s right of way will require coordination with SMART to secure the necessary right of entry permits during periods of time that do not interfere with passenger or freight operations. Rules relating to Roadway Worker Protection (RWP) and 49 CFR 214 – Railroad Worker Safety will have to be observed. Roadway worker protection, flagging and freight coordination will need to be performed by qualified SMART personnel.

The number of construction work hours and periods proposed in Sections 2.4.2, 2.5.2, and addressed again on page 3.1-26 does not seem adequate for the scope of work and are inconsistent with SMART’s proposed operating schedule. Both the construction of Jennings Avenue crossing and removal of a crossing at 6th, 7th or 8th would require both track, signal, and systems work. Working hours would be after commuter operations have concluded. Commuter operations are currently scheduled to run later than 8PM and start earlier than 6AM. Additionally, the contractor will need to ensure rail and systems are tested and accepted each day prior to operations. These times and requirements will apply to the construction of an at-grade crossing or an overhead structure. Furthermore, the addition of an at-grade crossing at the proposed location may require work on the rails in areas further away from the crossing (i.e. installing new insulated joints). These areas are unknown at this time, but should be addressed as part of the design and scope of work.

Section 2.5.2 states that open-trenching methods will be used for utility relocation however SMART will not permit open-trenching within the railroad ROW. All utilities shall be cased in accordance with SMART Design Criteria. Casings shall be installed using a bore and jack method with pits outside SMART ROW and conduits shall be installed using a directional bore method. The discussion of the at-grade option should acknowledge that there are many utilities that could conflict with installation of warning devices and that such installation may also inhibit the owners (SCWA, City, PG&E) ability to access their utilities for maintenance and or repair. It is recommended that advanced utility relocation be done prior to awarding a contract.

Thank you again for the opportunity to comment on the Jennings Avenue Pedestrian and Bicycle Rail Crossing project, and SMART looks forward to working closely with the City to develop this project in the future.

Sincerely,

[Signature]

Linda Meckel, Senior Planner
Sonoma Marin Area Rail Transit
5401 Old Redwood Highway, Suite 200
Petaluma, CA 94954
Letter 5 Response to Comments

Response to Comment 5-1

The City appreciates SMART's comments on the Project and the Draft EIR, which will be shared with the City's decisionmakers. The City acknowledges the need to closely coordinate the Project with SMART, and initiated coordination during the preliminary design efforts. The City will send the application for a new crossing to SMART prior to submitting it to the CPUC and will appreciate SMART's review and recommendations. In addition, the list of agency approvals found on page 2-24 of the Draft EIR includes a Right-of-Entry Permit, Temporary Construction Easement, and Permanent Maintenance Agreement and Easement with SMART.

Responses to SMART's specific comments on the Draft EIR are provided below.

Response to Comment 5-2

Draft EIR Section 2 (Project Description), page 2-24, acknowledges that the rail corridor is anticipated to be active for passenger and freight train service during the construction process, and that construction work windows and agreements would need to be coordinated with SMART and NCRA to minimize conflicts. The City acknowledges the need to closely coordinate the Project with SMART and other agencies, which will continue as the Project progresses.

Response to Comment 5-3

Please see Response to Comment 2-2.

Response to Comment 5-4

With regard to the Draft EIR, CEQA requires an accurate identification of existing conditions at the time of the Notice of Preparation. At that time, improved sidewalks were not in place, and the warning signals at W. Sixth, W. Seventh, and W. Eighth Street were believed to be inactive. However, the City appreciates and acknowledges SMART's clarification on the current status of the signals and sidewalks in the area.

Response to Comment 5-5

The City appreciates the clarification on the number of SMART trains that will be running at full operation. We understand that these additional trips result from placement of the SMART Operations and Maintenance Facility near the Sonoma County Airport. The increase in the number of train trips per day affects the definition of SMART as a cumulative project and the cumulative noise impacts of the Project.

Revisions to Draft EIR Table 3-1 (Projects Considered for Cumulative Impacts), on page 3-3, are made as follows:

<table>
<thead>
<tr>
<th>Cumulative Projects near both Project Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SMART service passenger</td>
</tr>
</tbody>
</table>

Cumulative noise levels, evaluated under Impact NO-C-1, after SMART starts running at full operation, increase slightly due to the increased number of train trips, but the increase is less than...
a decibel, and therefore the predicted day-night average noise levels in the Draft EIR do not change.

Revisions in Impact NO-C-1, cumulative noise impacts, are made as follows on page 3.10-24:

With the Project, the day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is calculated to be 85 dBA DNL assuming that under the cumulative scenario there would be $\frac{4215}{3}$ SMART roundtrips during the early morning, daytime, and early evening hours and three freight train roundtrips occurring primarily at night.

Response to Comment 5-6

After the Final EIR is completed and certified, the City Council will decide whether or not to approve the Preferred Project or one of the alternatives. If they approve the Preferred Project, they will also decide which rail crossing to close at W. Sixth, W. Seventh, or W. Eighth Streets. Therefore, we request that SMART submit their recommendation regarding their preferred closure so that it can be considered by the Council prior to their decision.

Response to Comment 5-7

As noted in the Draft EIR, the design of an at-grade rail crossing would include warning devices in compliance with federal and State regulations, including, but not limited to, CPUC General Order No. 75-D regulations for warning devices for at-grade rail crossings. Based on preliminary discussions with CPUC staff, warning devices for the at-grade rail crossing would include flashing light signal assemblies with automatic gate arms, warning signs, pedestrian gates, hand rails, and because the site consists of a double track, electronic signs to notify pedestrians if a second train is coming in close proximity to the first crossing. Warning devices would indicate when a train was approaching and would trigger gate arms to block pedestrian access. Exit swing gates would be provided to allow pedestrians to exit the track, if the gate arms were activated while a pedestrian was crossing.

Depending on the decision of the City Council regarding approval of the Preferred Project or an alternative, the conceptual design the Preferred Project or the Rail Overcrossing Alternative would be upgraded during final design with detailed hazard mitigation information regarding signage, “z” gates, pedestrian warning devices, and channelization as requested by SMART. The City acknowledges SMART’s concerns regarding the safety of an at-grade crossing at Jennings Avenue where there are two rail corridors.

Response to Comment 5-8

The City acknowledges SMART’s clarification on the existing power and fiber optic lines in the rail corridor at Jennings Avenue, as well as the need for signal integration. The first paragraph of page 2-6 of the Draft EIR is revised as follows:

Power and fiber optic cable would be available from within the rail corridor for the crossing equipment, but would need to be revised to serve the new crossing. In addition, an at-grade crossing would need to be integrated into SMART’s signal/systems network. This work would consist of cutting and welding the rail and installation of up to three signal houses at the Jennings Avenue crossing and at locations away from the proposed crossing in either direction. Signal houses would be placed adjacent to the rail corridor within SMART’s right-of-way and are approximately 6 ft by 10 ft and 6 ft high.
Environmental Effects of Revision: This additional work to access SMART’s power and fiber optic lines and to integrate the new at-grade crossing and/or new crossing closure into its signal/systems network is similar to work being done by SMART at each of the at-grade crossings along the extent of the rail line. Impacts of the improvements would occur within the SMART right-of-way, but on land further from the Project than analyzed in the Draft EIR. Nonetheless, impacts of these improvements would be of a similar nature to those already identified at the Jennings Avenue Project area and the W. Sixth, W. Seventh, and W. Eighth Streets Project area, but considerably less intense and of shorter duration than impacts described for the rail crossing and rail closure construction and operation. Sensitive receptors that may be adjacent to these rail and signal network improvements would not be closer to the improvements than the sensitive receptors already identified at the Jennings Avenue Project area and the W. Sixth, W. Seventh, and W. Eighth Streets Project area; therefore, impacts of these improvements would be less than those already identified in the Draft EIR. These improvements would be subject to the mitigation measures identified in the Draft EIR, similar to the other parts of the Project. No new significant impacts or substantially more severe impacts have been identified due to the rail and signal/systems network improvements, and no new mitigation measures would be required.

Response to Comment 5-9

The City acknowledges SMART’s comments on the need for signal system work for a rail crossing closure. The third paragraph of page 2-6 of the Draft EIR is revised as follows:

Closure of an at-grade rail crossing at W. Sixth, W. Seventh, or W. Eighth Streets would include removal of the existing roadway crossing surfaces, such as asphalt pavement and concrete panels, from the rail corridor (see Figure 2-3 [Alternative Locations for Closure of One Rail Crossing]). Following removal of the crossing surfaces, the railroad track ballast and railroad ties would be restored, as necessary. A vehicle guard rail or other type of traffic barricade would be installed, and vandal-resistant fencing, such as wrought-iron fencing, 6 to 8 feet in height, would be installed across the roadway closure. Work would also require re-striping and installation of warning signs in the immediate area. In addition, the crossing closure would need to be integrated into SMART’s signal/systems network. This work would consist of cutting and welding the rail and installation of up to three signal houses at the crossing closure and at locations away from the proposed closure in either direction. Signal houses would be placed adjacent to the rail corridor within SMART’s right-of-way and are approximately 6 ft by 10 ft and 6 ft high.

Environmental Effects of Revision: Please refer to Response to Comment 5-8.

Response to Comment 5-10

The City concurs with SMART’s comments on the discussion of maintenance responsibility for the at-grade rail crossing option. Draft EIR Section 2.7.2 (Required Agency Permits and Approvals) on page 2-24 identifies the need for a permanent maintenance agreement with SMART for the Project. Page 2-12 of the Draft EIR is revised as follows to provide additional clarification.

The City and SMART would be responsible for the regular maintenance of crossing warning signal equipment to ensure that the facilities remain operational. The City would be responsible for all improvements within the SMART right-of-way up to within two feet of the crossing panels. Maintenance of the pathway, fencing, signs, striping and other features outside the SMART corridor would be the responsibility of the City. It is
estimated that maintenance visits by the City would be conducted approximately twice a year, and that maintenance visits by SMART staff would be conducted approximately once a month.

**Response to Comment 5-11**

The City acknowledges the clarification that Section 7604 of the California Public Utilities Code requires trains to sound locomotive horns at all at-grade rail crossings. Additionally, the following graphic is provided to visually define the area in which locomotive horns would be sounded by passenger and freight trains for an at-grade rail crossing at Jennings Avenue. The area shown in red represents the area in which train horns would need to be sounded for an at-grade rail crossing at Jennings Avenue.

**Response to Comment 5-12**

The Rail Overcrossing Alternative Improvements Plan shown on Figure 2-5 of the Draft EIR is representative of a 35% preliminary design. The conceptual designs shown in the EIR are presented for the purpose of evaluating environmental impacts and are not intended to be sufficient for SMART’s engineering review. Depending on the decision of the City Council regarding approval of the Preferred Project or an alternative, the conceptual design the Preferred Project or the Rail Overcrossing Alternative will be upgraded during final design with detailed information, including whether or not crash walls are necessary.

The City acknowledges the need for close coordination of the Project with SMART staff, and will continue the coordination already initiated following the City’s determination on which rail crossing option to pursue.
Response to Comment 5-13

The City acknowledges the clarification that the minimum horizontal side clearance is measured from the center of the track, as opposed to the center of the rail corridor, as well as the applicability of additional design standards. For clarification, the 15-foot horizontal clearance shown in Figure 2-5 of the Draft EIR is measured from the centerline of the mainline track, not the center of the rail corridor. The Draft EIR Project Description on page 2-5 of the Draft EIR is revised as follows:

Applicable portions of the Preferred Project would also be designed in accordance with the California Building Code (California Code of Regulations [CCR], Title 24, Part 2), American Railway Engineering and Maintenance-of-Way Association (AREMA) standards, and with SMART’s Design Criteria and operational needs.

Page 2-13 of the Draft EIR is also revised as follows:

The rail overcrossing would be designed in compliance with federal and State regulations, including the ADA and CPUC General Order No. 26-D regulations governing clearance requirements for railroads, as well as the SMART Design Criteria and AREMA standards. A minimum overhead clearance of 23 feet would be provided for the rail overcrossing, and the minimum side clearance from the centerline of the railroad track, both mainline and siding, corridor would be 10 feet. Applicable portions of the rail overcrossing would also be designed in accordance with the California Building Code (CCR, Title 24, Part 2).

Response to Comment 5-14

If the Rail Overcrossing Alternative were selected by the City, then the final sizing of precast slabs for an overcrossing deck would be determined during the final design. A slightly increased span length beyond that identified in the Draft EIR is not expected to affect the construction process or result in new or more substantial physical environmental impact.

Response to Comment 5-15

If the Rail Overcrossing Alternative were selected by the City, it would be designed to meet the necessary clearances and to comply with applicable regulations. Figure 3.1-6 of the Draft EIR illustrates fencing along the rail overcrossing structure, and as reported under Impact AES-2 on pages 3.1-18 through 3.1-16, a significant unavoidable impact was identified for the Rail Overcrossing Alternative related to the creation of a strong visual contrast with the existing surrounding area. Appropriate wind loading for fencing would be addressed during the final design of the overcrossing option, if selected by the City. Wind loading considerations are not expected to result in substantial physical environmental impacts.

Response to Comment 5-16

The Draft EIR acknowledges that freight service is currently active along the railway, and that construction is likely to occur when the rail corridor is active for passenger service. The Draft EIR identifies the need to coordinate with SMART and NCRA to identify construction work windows to minimize conflicts, including the need to obtain a right-of-entry permit for construction. Please also see Response to Comment 3-18 below regarding anticipated construction work windows.
Response to Comment 5-17

The City acknowledges that rules relating to Roadway Worker Protection and Railroad Worker Safety would need to be observed and that applicable roadway worker protection, flagging and freight coordination would need to be performed by qualified SMART personnel.

Response to Comment 5-18

Because of additional train trips by SMART, the night-time work hours for the Preferred Project at both Jennings Avenue and the W. Sixth, W. Seventh, or W. Eighth Street closure, and the Rail Overcrossing Alternatives may be reduced to as little as five hours a night, e.g., 10:00 pm to 3:00 am (SMART 2014). Please also refer to Response to Comment 5-5 regarding the additional train trips. Because of the inefficiency associated with a reduced working period, the total working hours to complete the construction has been increased by approximately 5 percent for both the Preferred Project and the Rail Overcrossing. This reduction in night-time work hours affects the Project Description and the evaluation of impacts related to aesthetics and air quality, as provided below.

The Project Description for the Preferred Project is revised on page 2-11 of the Draft EIR as follows:

Based on the type and extent of work to be performed within the SMART right-of-way, closure of an at-grade rail crossing at W. Sixth, W. Seventh, or W. Eighth Street could require up to four six night-time work periods, while construction of an at-grade rail crossing at Jennings Avenue could require up to eight 12 night-time work periods. Anticipated night-time work hours are would be within the period from 8:00 p.m. to 6:00 a.m., Monday through Friday.

The Project Description for the Rail Overcrossing Alternative is revised on pages 2-19 and 2-20 of the Draft EIR as follows:

Based on the type and extent of work to be performed within the SMART right-of-way, construction of the Rail Overcrossing could require up to 53 70 night-time work periods. Prior to construction, the City would prepare a construction lighting plan that specifies locations and methods for minimizing light spillover to adjacent residential areas for work at the Jennings Avenue area. Anticipated night-time work hours are would be within the period from 8:00 p.m. to 6:00 a.m.

The evaluation of light or glare under Impact AES-3 is revised on page 3.1-26 of the Draft EIR as follows:

Based on the type and extent of work to be performed within the SMART right-of-way, construction of the Preferred Project could require up to eight 12 night-time work periods and the Rail Overcrossing Alternative could require up to 53 70 night-time work periods. Night-time work for the closure of an at-grade rail crossing at W. Sixth, W. Seventh, or W. Eighth Street could require up to four six night-time work periods to complete.

Because the evaluation in the Draft EIR focuses on reduction of night-time light and glare by means of a Lighting Plan, no mitigation is required for the additional nights when night-time construction lighting may be used, and, therefore, Impact AES-3 remains less than significant.

The potential impact of additional construction days due to shortened allowable work hours was re-evaluated to determine the potential for air quality impacts to sensitive receptors. Through additional CalEEMod emissions modeling, it was determined that the changes to the Project schedule would result in an approximately six percent increase in total diesel particulate matter (DPM) emissions for the at-grade rail crossing option. However, the associated community risk
from the increased DPM emissions was determined to remain below the Bay Area Air Quality Management District significance thresholds with implementation of Mitigation Measure AQ-1. (Illingworth & Rodkin 2014a)

Additional CalEEMod emissions modelling also determined that the changes to the Project schedule would result in an approximately three percent increase in total DPM emissions for the rail overcrossing option. However, the associated community risk from the increased DPM emissions was determined to remain below the Bay Area Air Quality Management District significance thresholds with implementation of Mitigation Measure AQ-1 and AQ-2. Therefore, the anticipated change in the allowable working hours for construction activities within the SMART right-of-way would not result in a new significant air quality impact. (Illingworth & Rodkin 2014a)

Response to Comment 5-19

The City appreciates the additional information regarding the need for new insulated joints. The following revisions are added to those already made in Response to Comment 5-8 on page 2-6 of the Draft EIR as follows:

Power and fiber optic cable would be available from within the rail corridor for the crossing equipment, but would need to be designed and amended to serve the new crossing. In addition, an at-grade crossing would need to be integrated into SMART's signal/systems network. This work would consist of cutting and welding the rail and installation of insulated joints and up to three signal houses at the Jennings Avenue crossing and at locations away from the proposed crossing in either direction. Signal houses would be placed adjacent to the rail corridor and are approximately 6 ft by 10 ft and 6 ft high.

Please refer to Response to Comment 5-8 for the evaluation of impacts related to these improvements.

Response to Comment 5-20

The City appreciates SMART's clarification on allowable methods for utility relocations and extensions within the rail corridor. In response, the following revisions are made to the Project Description for the Preferred Project on page 2-12 of the Draft EIR:

**Site Preparation, Utilities, and Demolition**

To provide space for construction of an at-grade crossing at Jennings Avenue, site preparation would remove vegetation within the construction zone (see Figure 2-2 [At-grade Rail Crossing Conceptual Design]), including several trees that qualify as a heritage tree under Chapters 17-24 of the Santa Rosa City Code.

Although unlikely, there may be water, electrical, or other utility lines that would need to be relocated either within SMART's right-of-way or the City's right-of-way. Utilities within SMART’s right-of-way would be relocated using jack and bore and/or directional drilling with the bore pits placed outside of the right-of-way. If such work is necessary, bore pits would be located within the construction zones shown in Figure 2-2. Utilities within the City's right-of-way that must be relocated would be moved using open trenching.

Page 2-19 of the Draft EIR is revised as follows:

Relocation of water, gas, electric, and communications facilities within the construction area would be coordinated with utility owners. Utility relocations within the SMART right-of-way would be installed using trenchless construction techniques, such as a jack and bore
methods, with sending and receiving pits located outside of the SMART right-of-way. Utilities installed within the SMART right-of-way would be cased in accordance with SMART Design Criteria.

Utility relocations within the City’s right-of-way would be installed using open trench construction methods, which would include removal of surface material; excavation and shoring of a trench; installation of pipe bedding, pipelines and conduits; backfilling of the trench; and resurfacing. Open-trenching for utility relocations would generally be excavated to a depth of up to 4- to 6-feet. Shallow trenching, approximately 30-inches deep, would also be required for an electrical conduit to be extended for a new street lamp to be installed on the east side of the rail corridor at the northwest corner of Jennings Avenue and Herbert Avenue. Following completion of the overcrossing, Jennings Avenue on the west side of the rail corridor would be re-paved.

*Environmental Effects of Revision:* This change to the description of the Project would not cause additional impacts that need to be addressed in the Draft EIR, because any necessary facilities would be constructed within the boundaries of the construction zones that have already been evaluated in the Draft EIR.

**Response to Comment 5-21**

Draft EIR Section 3.13 (Utilities and Service Systems) includes an evaluation of potential impacts to existing utilities. As part of the preliminary design process for the Project, utility information was requested and reviewed. The at-grade rail crossing option does not include improvements that are expected to inhibit utility owners’ ability to access utilities for maintenance and repair. During construction, State regulations would require that existing buried utilities be located and marked, and that digging clearance be obtained prior to excavation.
December 10, 2014

Mr. Jessica Jones  
Department of Community Development  
City of Santa Rosa  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404

RE: Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

Dear Ms. Jones:

Sonoma County Water Agency (Water Agency) staff has reviewed the project. In response, the Water Agency submits the following comments.

1. The Water Agency is concerned with any activity that may affect operation and maintenance of our facilities located at the Santa Rosa Aqueduct.

2. A Revocable License may be required for access or construction work within the Water Agency’s property located along Jennings Avenue.

3. The Water Agency is concerned with any activity that may affect the operation and maintenance of the Santa Rosa Aqueduct. Please provide design plans for Water Agency review which show detail of the development in or adjacent to the Water Agency’s property.

Thank you for the opportunity to comment. For questions regarding revocable licenses, please contact David Royall at 521-1872. For other questions please contact Connie Barton at 547-1905 or Connie.Barton@scwa.ca.gov.

Sincerely,

[Signature]

Connie Barton  
Senior Environmental Specialist
Letter 6 Response to Comments

Response to Comment 6-1

The City appreciates the Sonoma County Water Agency’s comments on the Draft EIR, which will be shared with the City’s decisionmakers. Responses to the Agency’s specific comments on the Draft EIR are provided below.

Response to Comment 6-2

The preliminary design of the at-grade and rail overcrossing options at Jennings Avenue were determined to avoid disruption, removal, or blocking of the Santa Rosa Aqueduct. However, the City acknowledges the need to closely coordinate the Project with the Sonoma County Water Agency, and will continue to do so as the Project progresses.

Response to Comment 6-3

Draft EIR Section 2.7.2 (Required Agency Permits and Approvals) on page 2-24 identifies several permits and approvals that it believes may be necessary from the Sonoma County Water Agency, including a Revocable License Agreement, Temporary Construction Easement, Permanent Easement, and permission to excavate near the Santa Rosa Aqueduct.

Response to Comment 6-4

Please see Response to Comment 6-2.
November 10, 2014

Jessica Jones, Senior Planner
City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

Re: Jennings Crossing Draft EIR

Friends of SMART supports the preferred solution of an at-grade bicycle-pedestrian crossing, as set forth in the Draft EIR.

A bicycle-pedestrian crossing is essential in the long stretch of track between College Avenue to the south, and the new Guerneville Road SMART rail station to the north. Thus a de facto crossing at Jennings presently exists. The street may end, but travel continues across the tracks for students on their way to school, bicyclists on their way to work, shoppers on their way to stores and anyone else wanting to get from east to west or vice-versa in this corridor. When SMART trains start running in the near future, it is essential that this “unofficial” crossing be made “official” – and safe.

The proposed crossing at Jennings is identified in the City’s General Plan 2035, the Bicycle and Pedestrian Master Plan 2010, and in the North Santa Rosa Station Area Specific Plan.

Walking, bicycling and transit are the future of urban mobility, and the need for a safe east-west bicycle route through northwest Santa Rosa is great. The Jennings crossing is a key link in that route—which will eventually cross the freeway by connecting Edwards and Elliott.

Approval for an at-grade crossing at Jennings may require closure of an existing one in exchange. The candidates for closure are the crossings at 6th, 7th or 8th streets in Railroad Square. Our position is that closing the Seventh St. crossing will cause little harm to traffic flow, and thus will have minor impact on either surrounding businesses or emergency vehicle access.

Here are the reasons we think an at-grade crossing at Jennings is the best solution:

- Residents of the West End neighborhood and some RR Sq businesses have raised objections to closing any crossing. They argue that the city should build a bicycle-pedestrian bridge over the tracks at Jennings instead. In a perfect world, this might be achievable. But we live in a time where the city can’t maintain its streets or water grass in its parks: a multi-million-dollar bridge over the tracks is not financially defensible. Funds from MTC are not “free”; and should be invested in higher-priority SMART projects.

The negative aesthetic impact of the overcrossing is understated in the DEIR. Given the 20-plus foot vertical clearance required for RR overcrossings, and the need for ADA compliance, each ramp could be a city block or more in length. The artist’s rendition from the DEIR is worth re-showing:
Even if the overcrossing is built in the shape of an “L” — and perhaps especially — as portrayed above, some kids will bypass the overpass and continue to cross the tracks at grade, as they are doing now. But this time after cutting the fences.

The schedule for completing the EIR leaves little time for construction even for an at-grade crossing before SMART begins running test trains; and NWP is running now. There would be little hope of completing an overcrossing by the time SMART begins operating in early 2016.

The DEIR affirms that the impacts of closing one rail crossing in Railroad Square can, with proper planning, be made less than significant.

No solution is free of impacts. But when all is considered — as the DEIR does — we agree that the at-grade crossing at Jennings Av is the preferred solution.

Jack Swearengen
Jack Swearengen, Chair
Friends of SMART
Letter 7 Response to Comments

Response to Comment 7-1
Please refer Master Response A (Statements of Opinion for or against a Project Alternative).
Please refer also to Response to Comment 2-2.

Response to Comment 7-2
The Project objectives on page 2-1 of the Draft EIR are consistent with the reasons for the Project outlined by the commenter. Also, the Land Use section of the Draft EIR identifies the relationship of the Project to the General Plan, the Bicycle and Pedestrian Master Plan, and the North Santa Rosa Station Area Specific Plan on pages 3.9-7 through 3.9-9 and on pages 3.9-13 through 3.9-15 of the Draft EIR.

Response to Comment 7-3
Please refer to Response to Comment 7-1 above regarding the preference stated for a closure of W. Seventh Street, if the Preferred Project is approved. Comments regarding costs or economic impacts do not require a response, because CEQA evaluates only physical environmental impacts.

Response to Comment 7-4
Please refer to Master Response B (Request for Additional Visual Simulations of the Rail Overcrossing Alternative). Impact AES-2, degradation of the visual character or quality of the site and its surroundings, was identified as a significant unavoidable aesthetic impact for the Rail Overcrossing Alternative, as discussed on pages 3.1-18 through 3.1-26 of the Draft EIR.

Response to Comment 7-5
The Project Description on page 2-13 of the Draft EIR indicates that the rail overcrossing includes stairs on either side of the rail crossing to provide an alternate means of accessing the crossing structure. The stairs would allow able users to bypass the ADA-compliant ramps. Also, as indicated in the Project Description on page 2-19 of the Draft EIR, the fencing that would be installed would be wrought iron or other vandal-resistant type to discourage cutting of the fences.

Response to Comment 7-6
The commenter is correct, and the Project Description accounts for the SMART passenger trains to be running during construction of the Project on pages 2-19 and 2-20 of the Draft EIR.
Construction of the Project is anticipated to occur in the Summer of 2016 or Summer of 2017. Because the rail corridor is anticipated to be active for passenger and freight train service during the construction process, construction work windows and agreements would need to be coordinated with SMART and NCRA to minimize conflicts.

Response to Comment 7-7
The Draft EIR identified four significant unavoidable impacts for a rail crossing closure at either W. Sixth Street or W. Seventh Street, and six significant unavoidable impacts for a closure at W. Eighth Street. Please refer to the summary of significant and unavoidable impacts for each of the alternatives on page 5-2 of the Draft EIR.
November 12, 2014

Rick Moshier
Public Works Department
City of Santa Rosa
Municipal Service Center Building
69 Stony Circle
Santa Rosa, CA 95401-9506

Re: Proposed Jennings Avenue Pedestrian and Bicycle Rail Crossing Project

Dear Mr. Moshier:

Our office represents the interests of Western Farm Center and Lou Bertolini in connection with above-referenced matter.

We have reviewed the Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft Environmental Impact Report (EIR). As you are aware, the draft EIR describes the first option as an at-grade pedestrian and bicycle crossing at Jennings Avenue, with the closure of one existing rail crossing at either W. Sixth Street, W. Seventh Street, or W. Eighth Street in exchange. We were disappointed to learn that the draft EIR identified this option as the "preferred project".

Our clients oppose that option and remain fully supportive of the second, a pedestrian and bicycle rail overcrossing at Jennings Avenue and the SMART rail corridor, which would not require the closure of an existing rail crossing elsewhere in the City.

Toward realizing that end, we are heartened that your office has been diligently pursuing a $8.2 million Metropolitan Transportation Commission grant. Because of the City’s significant investment in pursuing such funding, we are hopeful that the City Council will ultimately disregard the draft EIR “preferred project” designation and adopt the second option instead.

Nevertheless, we intend to monitor the situation until the City has formally adopted the overcrossing option. This includes weighing the possible necessity of eventually challenging the findings of the EIR; a challenge which would be governed by certain time limits, depending on what the Council and/or staff eventually do. Primarily, we are concerned, in the event the Council does adopt the overcrossing option, that staff is fully prepared to perfect such approval immediately before any deadline for challenging the EIR.
Rick Moshier  
Public Works Department  
City of Santa Rosa

November 12, 2014

We appreciate your attention to our clients’ concern. Please do not hesitate to contact us if you have any questions.

Very truly yours,

[Signature]

Thomas Kevin Konicek

cc:  Sean McGlynn, City Manager  
Client
Letter 8 Response to Comments

Response to Comment 8-1

The City appreciates your interest in the Project and your comments on the Draft EIR.

Response to Comment 8-2

The at-grade crossing at Jennings Avenue, including a rail closure at W. Sixth, W. Seventh, or W. Eighth Street, was named as the Preferred Project, because the Santa Rosa City Council requested that CEQA documentation be prepared for such a project. Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure). Comments on the cost of the Preferred Project or an alternative are not comments on the Draft EIR, as CEQA requires only the identification of physical environmental impacts.

Please also refer to Master Response A (Statements of Opinion for or against a Project Alternative).

Response to Comment 8-3

Both certification of the EIR and approval of a project or alternative are scheduled for the City Council meeting of March 17, 2015. CEQA provides for a 30-day statute of limitations on court challenges to the approval of the Project which begins with the filing of a Notice of Determination with the County Clerk. The Notice of Determination can only be filed after the Project is approved, not just after certification of an EIR. The Notice of Determination must be filed within five working days after approval of a project by the lead agency. (CEQA Guidelines 15094)
From: blkortum@sbcglobal.net
Date: Thu, Nov 13, 2014 11:11 AM
To: Jack and Nancy;
Cc: Jones, Jessica;'Bob Benoit';'Christopher Stevick';'David Harris';'David Oster';'David Schonbrunn';'Gary Helfrich';Mackenzie, Jake;'Lana Russell-Hurd';'Matt Stevens';'Patricia Tuttle Brown';'Peter Breen';'Rick Coates';'Rick Tullis';'Steve Birdlebough';'Tanya Narath';'Ty Benoit';'Wayne Seden';'Wendi Kallins';'Willard Richards';
Subject: Re: Jennings DEIR

Jack,

You should emphasize Steve Birdlebough's research that the State PUC cannot use a pedestrian crossing proposal to leverage the closing of an existing street someplace else on the track ROW through the city. This because the pedestrian crossing does not involve the automobile.

Bill

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On Nov 11, 2014, at 3:48 PM, Jack and Nancy wrote:

Dear MS Jones:

The attached letter presents comments from Friends of SMART pertaining to the Jennings Crossing DEIR. We support the preferred option from the study.

Jack Swearengen, Chair
Friends of SMART

<Jennings Crossing letter.pdf>
Letter 9 Response to Comments

Response to Comment 9-1

Details of the research mentioned in the comment letter were not provided. Therefore, a detailed response cannot be provided. Please refer to the response to a comment made by Steve Birdlefough in PH-18.

On December 22, 2014, the Rail Crossings and Engineering Branch of the CPUC submitted a letter to the City of Santa Rosa indicating that the Commission’s policy on reducing the number of at-grade crossings in Section 2 of General Order 75-D does not differentiate between highway-rail and pedestrian-rail crossings (CPUC 2014).
Jessica Jones, Senior Planner  
City of Santa Rosa  
November 18, 2014  
Community Development Department  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95404  

Comment: EIR for Jennings Crossing  

Dear Ms. Jones,  

I live on Jennings Avenue and following the December Scoping meeting, I submitted signatures from people in my neighborhood, including teachers and parents of Helen Lehman School, who want to keep the Jennings crossing open and safe for pedestrians and cyclists in time for the commencement of SMART rail service. We use this crossing daily to get to school, to work and to access the Library and Coddingtown Mall.  

Build a pedestrian/bike bridge over the tracks  

I urge our City Council to return to the original plan of a pedestrian/cyclist bridge at Jennings crossing. This is a win-win for both Jennings and West End which avoids the awful situation of our neighborhoods being pitted against each other. The Council needs to know that West End and Jennings do not want to be at odds with one another. We need to find a way for both our neighborhoods to have their needs met. The 8.2 million dollar grant from Metropolitan Transportation Committee is likely to be approved would go a long way to make this project happen.  

Thank you,  

Janet Barocco  
1604 Jennings Avenue  
Santa Rosa CA 95401  
707-542-5452
Letter 10 Response to Comments

Response to Comment 10-1

Copies of the signed petition entitled “Petition to reopen and develop Jennings Railroad Crossing for pedestrians and bicycles” were received by the City on December 7, 2013. The City appreciates your involvement in the scoping process, and the concerns of the neighborhood will be shared with the City’s decisionmakers.

Response to Comment 10-2

Please refer to Master Response A (Statements of Opinion for or against a Project Alternative). Comments on the cost of the Preferred Project or an alternative are not comments on the Draft EIR, as CEQA requires only the identification of physical environmental impacts.
From: c c [mailto:roboto@gmx.us]
Sent: Tuesday, November 18, 2014 3:42 PM
To: Jones, Jessica
Subject: 

Dear J. Jones:

The following letter was written a month or so ago, in response to an article in the Press Democrat. Only today (17 Nov.), though, did I see a notice of a public hearing on the project. Owing to the distance and the time (which would require a two hour return ride after dark and after dinner time), among other things, I will not be able to attend the meeting, but I hope the following can be considered as my contribution to it.

When I used to have business in Santa Rosa, I took my bike across the railroad at Jennings Avenue several times a week, and at the time wondered how the crossing would change to handle the reactivated railroad. I found out today, reading a recent Press Democrat, that you plan to build a bridge to take pedestrian and bike traffic. I would like to suggest what I think is a better way.

I have done a lot of bike riding in northern Europe, where bikes are used in urban environments much more than they are here, used enough that they make a significant contribution to personal transport. The only bridges for bicyclists I remember using were mostly in rural areas, with relatively sparse bike traffic. The bridges used would not be acceptable here, as they consisted of steep stairs at either end, and a fairly narrow walkway over the tracks, much like a pre-ADA pedestrian overpass except that the stairs had a sort of gutter along the side to accommodate the wheels of the bike being pushed up. In urban areas with more traffic, the usual means of crossing tracks, or busy roads, is by an underpass. For this application, an underpass has a number of important advantages over a bridge. Most of these are practical, but taken together they also resolve the aesthetic objections raised by a bridge.

The main advantages of an underpass over a bridge are:

Size and Cost
Elevation difference between underpass grade and street level is about ten feet, as against the twenty six stated for bridge, with the following consequenses
- project is much smaller as approach ramps are 40% or less as long as for the bridge
- shorter approach ramps mean greatly reduced topographical impact on neighborhood
- project should be much cheaper. I would be surprised if an underpass couldn't be built for less than two million dollars

Energy efficiency
An underpass is much more energy efficient for users. Apart from the reduction in elevation change (which is the main benefit to pedestrians), using an underpass involves a drop in elevation from street level followed by a rise back to street level. A cyclist will gain going down (coasting, even) to underpass level most of the energy they need to ride up the other side. Crossing a bridge, on the other hand, means climbing against gravity to the cross over, then losing that energy by braking on the way down. If anyone thinks this is not important, I invite them to ride over the Hearn Rd or Bicentennial Rd. overpasses a
couple of times in a row on a basic bike, and compare that to crossing under Fulton Rd. on the Creek
trail.

Visual impact

Apart from low walls or railings along the approach ramps, an underpass lies entirely below grade, so it
inherently has almost no visual impact. Much of the underpass ramp would fit into the improved
Jennings Ave right of way close to the tracks, where there are no adjacent buildings. A recent visit
suggested the ramp on the east side would fit entirely between the nearest north-south street and the
tracks, while on the west side Jennings Ave. might lose four parking places. In any case, since the whole
structure would be below grade, neighbors won’t worry about bike riders looking in their bedroom
windows, and bike riders wouldn’t have to worry about what they might see.

For all these reasons, I hope you will consider replacing the planned bridge with an underpass. It would
be easy, quick and cheap to study, since you have all the engineering already done for you: the railroad
specific work will have been frequently done for bridging small streams, and for livestock underpasses;
the underpass specific work has been done by UC, which has a lot of happily used bike/pedestrian
underpasses at UCSB (and probably elsewhere). UCSB could doubtless give you information about how
successful the underpasses are, safety information, etc. It would be useful to save a large part of the
money allocated for the bridge, as there are other crossings to sort out, such as that across Barnes Rd.
from the west end of Hopper Ave., which I think is important for school children.

I would be happy to talk to you or to anyone having to do with planning the crossing at Jennings Ave.,
and if anyone wants to experience riding a basic bike over an overpass, I can arrange to loan you one.

sincerely,

Cole Coleman
roboto@gmx.us
6625 Ellen Ln.
Forestville
Letter 11 Response to Comments

Response to Comment 11-1

The City appreciates your interest in the Project and your comments on the Draft EIR, which will be shared with the City’s decisionmakers.

Response to Comment 11-2

The comment states that the City should consider a rail undercrossing at Jennings Avenue in lieu of an at-grade or rail overcrossing.

During preliminary Project planning and scoping for the EIR, several alternatives to the Project were identified and evaluated for feasibility, including a rail undercrossing at Jennings Avenue. Please refer to Draft EIR Section 4.2.1 (Jennings Avenue Undercrossing) on page 4-1 for a discussion of a rail undercrossing alternative.

As noted in Draft EIR Section 4.2.1, a rail undercrossing at Jennings Avenue was found to meet the Project objectives. A conceptual design of the undercrossing was prepared by a contractor for SMART in accordance with applicable SMART Design Guidelines, CPUC requirements, and Americans with Disabilities Act code requirements, as well as industry standards for grade separations (SMART 2012). A rail undercrossing at Jennings Avenue would route bicycles and pedestrians through a reinforced concrete box that would extend under the rail corridor.

A concern commonly associated with pedestrian undercrossings is that they present the appearance of not being a safe and secure route for pedestrians, due to being below grade and having poor visual sightlines. In order to alleviate this concern, the conceptual design of the rail undercrossing determined that the recently improved SMART rail corridor would have to be raised up to approximately ten feet above the existing grade from Jennings Avenue to Guerneville Road. Raising the tracks in this manner would allow the pedestrian pathway to be kept to a maximum of approximately 2.5 feet below grade, and permit visual sightlines to extend through the undercrossing. Retaining walls would need to be extended between Jennings Avenue and Guerneville Road to retain fills. In addition, this alternative would require shifting of the proposed Guerneville Road station platform and associated tracks for half a mile or more to maintain required gradeline for the tracks.

The rail undercrossing would also introduce a low point in the vicinity of Steele Creek and could be subject to flooding. This alternative would require a drainage system to prevent standing water and flooding, and would likely include drains, a sump pump, and ongoing maintenance requirements. An existing underdrain system beneath the rail corridor would also need to be relocated under this alternative.

This alternative was ultimately deemed infeasible given the extensive nature of the improvements that would be needed to the recently improved SMART rail lines between Jennings Avenue and Guerneville Road. Because the rail corridor is anticipated to be active for passenger and freight train service during the Project’s construction process, the improvements needed to raise the recently improved SMART tracks would significantly impact the performance and safety of the SMART project, including extended interruption of service over the course of construction. The undercrossing may also present an issue relative to compliance with the required Americans with Disabilities Act path of travel for slope, cross slope, intermediate level landings, handrails, guardrails and other required access features.
Despite the benefits listed by the commenter, and which are acknowledged by the City, an undercrossing was found to be infeasible at this location.
Thank you.
You're our hero!

Dear Miss Jones,
Jie lived on Decker St. over 60 years.
Please work with Jennings Ave. not close W 6th W 7th or W 8th Streets.
that's 3 for 1.
We would really be socked in if it wasn't for her enough is the
early 50's W the

Joan L. Darling
310 Decker St.
S. R. 95401

CITY OF SANTA ROSA
100 SANTA ROSA AVE., STE 5
SANTA ROSA, CA 95404

NOV 18 2014

DEPARTMENT OF
COMMUNITY DEVELOPMENT
PLANNING DIVISION

www.AnimalLeague.org
PD-7514
Letter 12 Response to Comments

Response to Comment 12-1

The City appreciates your interest in the Project and your comment on the Draft EIR. Please refer to Master Response A (Statements of Opinion for or against a Project Alternative).

Please also note that the Draft EIR evaluates the potential closure of only one existing at-grade crossing, at either W. Sixth, W. Seventh, or W. Eighth Street. The Project does not propose to close all three crossings.
Community Development Department  
Public Works Department  
City of Santa Rosa  

Santa Rosa, CA 95403  

November 20, 2004  

Re: Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft EIR

Good urban planning stresses connectivity and no cul de sacs. Closing West 7th and/or West 8th Streets destroys the connectivity of the West End Neighborhood in general and the neighborhood with Santa Rosa as a whole by creating dead ends. People lament what the Santa Rosa Plaza has done to the downtown. Please don’t make another mistake like that. The streets will be closed forever with no way to ever reopen them. It will be a mistake that cannot be corrected.

The City paid for the 6th Street under crossing to improve the connectivity between the east and west sides of the freeway and now you are proposing to close streets by that new under crossing. What is the impact to greenhouse gas emissions of people using the under crossing loosing connectivity from both the east side and the west side of town?

The Jennings Station will not have designated parking which means that more people will use the RRSQ Station and thus more cars will be a substantial impact that was not discussed in the EIR. When the SMART site is developed the only egress onto Third Street will be a right turn only because of the distance of the new street from the tracks and the signal so folks needing to go east will have to exit on West 6th Street further impacting that street. This needs to be addressed in the EIR and in addition to the cumulative impacts of traffic on West 6th Street if other streets are closed.

No parking at Jennings was NOT studied in either Station Area Plan. It feels like bait and switch when it was emphatically stated that RRQS would the “kiss and ride” station and Jennings would be the long term commuter station with parking. Street closures definitely were not studied in the Downtown Station Area Plan. How do these changes affect the viability of the EIRs for those plans? Parking for SMART was a concern in the Downtown Station Area Plan and how will the no parking lot at Jennings affect the findings on the parking for the adopted plan and EIR? What mitigations will be made to correct this flaw in that plan in this EIR? How do street closures affect the SMART EIR and th access to the adjoining bicycle path along the track. You must address this issue.

If 7th Street is closed you will not be able to put in parking at the dead end on the west side of the track. That is the driveway to Old Town Furniture’s and Furniture Depot’s warehouse and large trucks deliver furniture to that site and need all the room that is currently available. The driver must make several adjustments to get into the lot now. Any decrease of space will make it
prohibitive and would put them out of business. There also needs to be room for the store’s
delivery trucks to enter and exit the property. Decker, Boyce and West 8th Street have a no
commercial truck traffic zone so we are not sure how the large delivery truck will get there.
West 7th does not go all the way through to North Dutton and he will not be able to transit
Adams, Jefferson or Madison to turn on West 7th. There is a gate off of Wilson Street, but the
truck would really tie up traffic and may not be able to get out onto Wilson Street especially if
cars are parked on Wilson Street. Perhaps consultants should actually walk the West End
Neighborhood to see the conditions, not just look at Google Earth. So like Franco American
Bakery, these two Railroad Square businesses may also be forced to relocate or at a minimum
relocate the warehouse which will cause the stores’ delivery trucks to drive further and increase
greenhouse house emissions. Putting parking on the east side of the tracks does nothing to
enhance pedestrians who will have to walk down Wilson to West Sixth.

Western Farm Center has thousands of customers each week. Those cars will have to travel
through the neighborhood from North Dutton Avenue or turn on West 6th at Wilson, turn right on
Adams which is a narrow street and across West 7th into their parking lot and reverse the course
when they leave. What is the cumulative impact on this additional traffic from Western Farm
Center in addition to Starks, Assistance League, Sixth Street Playhouse, Dance Studio, Chops
and Franco American Bakery? Santa Rosa has a program and called “Shop Local” with banners
all over town proclaiming it is the thing to do. How does imposing barriers to their customers to
these local family owned businesses support this City wide policy economically and
environmentally? While an EIR does not consider economical issues you should know that
Franco American Bakery is the oldest bakery in Sonoma County and they may be forced to move
out of Santa Rosa because of logistics caused by street closures on their business. Neighbors
walk to Franco and will be forced to drive to a grocery store when they need bread. This means
even more additional traffic that has not been accounted for.

The increased traffic traveling through the neighborhood is a concern for the safety of residents.
We have kids who now can ride their bikes, cross the street by themselves to play at a neighbor’s
house, play ball in the street and two residents in wheelchairs who often use the street. Increased
traffic will curtail some of these activities which affect the quality of life and health of the
residents.

Commute traffic on North Dutton Avenue is problematic for people trying to get out of the
neighborhood. Residents and visitors and SMART commuters will be forced to exit onto North
Dutton as West Sixth Street (which does not go to through to North Dutton) will be backed up.
At 5:00 PM southbound traffic on North Dutton is backed up over the Santa Rosa Creek Bridge.
Traffic northbound blocks Decker Street and many times blocks Boyce as well. There is also a
dangerous jog on North Dutton that makes it dangerous to pull out from Boyce Street. What is
the impact of the additional idling time of cars trying to leave the area and the additional impact
to Dutton Avenue? What studies have been performed to show you can mitigate these
consequences? Air quality is a major concern of this neighborhood – 101 Freeway, BoDean
Asphalt Plant and now increased traffic and with restricted circulation.

The closures would also affect the DeTurk Round Barn and people walking there for various
venues such as weddings in their Sunday best and dress shoes. Please ask Mickey at Recs and
What happens if there is an emergency and a train is blocking West 6th? A fire doubles in size every minute and a heart attack victim has 5 minutes before there is probable brain damage and irreversible organ damage. Again how do you mitigate this safety issue? During the day fire engine companies are rarely at their station and often time out of their area. Any delay in their response time by street closures could result in fatalities and total loss of property? How do you mitigate that? In the 1960’s a train blocking the tracks and at least three houses burned to the ground because of the delay. History has a way of repeating itself if you don’t heed the lessons.

And a subject that is a political hot potato – the homeless services. How will street closures impact the greater area – dead ends make great campsites and harder for emergency services to respond on the abundant calls for service? More campsites create health hazards with all that happens at these sites that have no bathrooms or trash cans? What is the environmental impact of the surrounding area? Who will be responsible for cleaning up these campsites and cleaning up the physical environment afterwards? This shouldn’t become a neighborhood problem. Just walk down Wilson Street early in the morning before shop owners arrive and along the tracks and observe the conditions. There are more calls for service on Wilson Street and the surrounding area than at Jennings. Emergency vehicles traversing through the neighborhood will create additional safety concerns not to mention more noise. How will the bicycle patrol be able to keep someone in sight when they are on the opposite side of the fence? This is a health and safety issue and an environmental issue that needs to be addressed.

Thank you,
Harold and Carol Dean
332 Decker Street
Santa Rosa, CA 5401
Letter 13 Response to Comments

Response to Comment 13-1

The Draft EIR found that the closure of a rail crossing would impact connectivity of the West End Neighborhood. As identified in Draft EIR Section 3.9 (Land Use), Impact LU-2 on pages 4.9-13 through 4.9-15, a rail crossing closure at W. Sixth, W. Seventh, or W. Eighth Street was determined to result in a significant and unavoidable impact due to conflicts with policies in the Downtown Station Area Specific Plan regarding improving pedestrian, bicycle, and bus transit connections between surrounding areas and the future Downtown SMART station. As identified in Draft EIR Section 3.12 (Transportation), Impact TR-4 on pages 4.12-26 through 4.12-28, a rail crossing closure at W. Eighth Street was determined to result in a significant and unavoidable impact related to elimination of a designated Pedestrian Connector identified in the Downtown Station Area Specific Plan.

Response to Comment 13-2

A rail crossing closure at W. Sixth Street was assumed to require re-routing of traffic northward to the rail crossing at W. Seventh Street. A shift to W. Seventh Street would add approximately 800 feet onto a vehicle trip seeking to cross the SMART rail corridor using W. Sixth Street. While a closure at W. Sixth Street could result in a slight increase of greenhouse gas emissions related to mobile emissions from slightly longer travel distances, such increases would be very small. Please also refer to Impacts GG-1, GG-2, and GG-C-1 on pages 3.6-7 through 3.6-10, which evaluate whether or not the Preferred Project and the Rail Overcrossing Alternative are consistent with the City’s Climate Action Plan. All three impacts were identified as less than significant or no impact for the Preferred Project with a closure at W. Seventh or W. Eighth Street or for the Rail Overcrossing Alternative, and less than significant with mitigation for the Preferred Project with a closure at W. Sixth Street.

Response to Comment 13-3

The commenter states that there will be no designated parking at the Guerneville Road SMART station, which is the northern station in Santa Rosa. The Addendum to the 2006 Final EIR for the Guerneville Road SMART station, dated December 2010, states that there are 350 parking spaces planned for this station. The amount of parking anticipated for the Guerneville Road station has not been changed, and, therefore, the potential change in the amount of parking does not appear to be a reasonably foreseeable future project that would rise to the level of being considered a new cumulative condition that must be taken into account in this EIR. However, in general, fewer parking places at the Guerneville Road SMART station would tend to increase congestion around the station. Because the Jennings Avenue crossing does not cause any new vehicular trips, no new congestion-related impacts would occur due to the Project. The commenter indicates that fewer parking places at the Guerneville Road SMART station would increase traffic near the Downtown SMART station in the area of the Downtown Station Area Specific Plan; this seems unlikely because no additional parking is proposed for the Downtown SMART station.

The commenter states that the SMART development site identified in the Downtown Station Area Specific Plan will have egress onto Third Street only to the west and not the east. The City believes that egress from the SMART development site onto Third Street will be likely be controlled by a stop light, and therefore will not be limited to turning to the west and will be able to turn east onto Third Street (Santa Rosa 2015).
Response to Comment 13-4

The commenter asks how changes in the existing conditions or plans (e.g., reduced parking at the North Santa Rosa SMART station or a closure at W. Sixth, W. Seventh, or W. Eighth Street) affect the viability of the EIRs for the Downtown Station Area and North Santa Rosa Station Area Specific Plans. Even though approval of the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project may change the conditions under which the Station Area Plan EIRs were prepared, it is not the responsibility of this EIR to amend those plans or EIRs. Under CEQA, only significant physical environmental impacts must be identified and mitigated if feasible. For example, the Preferred Project has been found in Impact LU-2 on page 4.10-13 and 4.10-14 of the Draft EIR to conflict with the Downtown Station Area Specific Plan; however no feasible mitigation for this impact has been identified, so it is significant and unavoidable. When future projects are proposed within the Downtown or North Santa Rosa Station Area Specific Plans, CEQA requires that the previous EIRs for the Specific Plans be examined at that time to see if changes to existing conditions would require any updates to the EIRs.

Response to Comment 13-5

The commenter also asks whether the Project conflicts with the SMART EIR and access to the SMART pathway. The Project was not specifically included in the SMART EIR, but the Project is not inconsistent with the SMART project. SMART and the City have been working cooperatively to design a Jennings Avenue crossing that will be consistent with SMART’s goals and operational needs.

As described in Draft EIR Section 3.12 (Transportation), the SMART pathway is a cumulative project and is a proposed Class I pedestrian and bicycle path to be located along the SMART rail corridor. The SMART pathway has not yet been constructed, and it is uncertain exactly when it will be constructed in the vicinity of the Project areas. Based on the preliminary design of the pathway, it is anticipated to be located on the east side of the rail corridor at Jennings Avenue, W. Sixth Street, W. Seventh Street, and W. Eighth Street.

If the SMART pathway were in place prior to construction, then construction activities associated with a rail crossing closure at either W. Sixth Street, W. Seventh Street, or W. Eighth Street would encroach on portions of the pathway, thereby impacting the performance and safety of the SMART pathway. The temporary cumulative impact associated with construction along the SMART pathway was determined to be significant. Mitigation Measure C-TR-1 requires maintaining safe pedestrian and bicycle access along the SMART pathway during construction, to the extent feasible, and temporarily re-routing, if needed.

In addition, Mitigation Measure TR-3 includes re-routing of a proposed bicycle route to connect with the SMART path in the event that W. Sixth Street is closed. A rail crossing closure at W. Seventh or W. Eighth Street would not preclude the development of the SMART pathway, which could still be accessed from surrounding east-west connections within walking and biking distance.

Response to Comment 13-6

The Project does not include the addition of parking spaces on either side of the rail corridor in the vicinity of W. Seventh Street or any of the potential rail crossing closure locations. The entrance to the Old Town Furniture and Furniture Depot warehouse on W. Seventh Street is located on the east side of the rail corridor. For a rail crossing closure at W. Seventh Street, traffic barricades would be installed near the rail corridor. Such barricades would not interfere with the W. Seventh Street entrance to the Old Town Furniture and Furniture Depot warehouse and would not decrease
the roadway width of W. Seventh Street. Therefore, a closure at W. Seventh Street would not prohibit truck movements into and out of the property from W. Seventh Street, and delivery trucks would continue to have access to the site from both Wilson Street and W. Seventh Street on the east side of the corridor. The gate from the Old Town Furniture warehouse yard to Wilson Street would not need to be used, as access to the yard from W. Seventh Street would still be viable.

Many EIR preparers visited the W. Sixth, W. Seventh, and W. Eighth Streets Project area, including the traffic engineers who prepared the truck circulation and access evaluation.

**Response to Comment 13-7**

A traffic study was prepared for the Project which analyzed the potential for impacts associated with closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street. Traffic counts were taken on October 10, 2012 for the AM peak, mid-day peak, school dismissal peak, and PM peak. Consistent with the commenter's listing of rerouted trips, the traffic study assigned the redistributed trips to new roadways and intersections, including trips serving Western Farm Center, Starks, Assistance League, Sixth Street Playhouse, Dance Studio, Chop's, and Franco American Bakery. The results of the analysis for each of the four peak periods are presented in Table 3.12-4 on page 3.12-19 of the Draft EIR. The results show that the increase in delay at most intersections was less than a second. The greatest impact would occur with a closure at W. Sixth Street at the intersection of Seventh Street and Wilson Street during the PM peak, when the level of service would decrease from LOS B to LOS D, the Seventh Street and Wilson Street intersection is exempt from LOS standards, because it is within the Downtown Area defined in the General Plan. However, even if the intersection were not exempt, LOS D is consistent with the City of Santa Rosa General Plan policy T-D-1 regarding congestion.

Similar analyses were conducted for the cumulative condition. In order to be consistent with the City of Santa Rosa General Plan, the forecast year of 2035 was chosen to represent cumulative conditions. The forecasted traffic volumes at each of the study intersections for year 2035 were obtained through application of a 1.2% annual population growth rate, as identified as a city-wide population growth rate with the City of Santa Rosa General Plan. While it is expected that future transportation management programs, bicycle and pedestrian improvements, and commuter use of the SMART rail corridor could reduce the need for motor vehicles in the study area, motor vehicle traffic volumes were calculated to be consistent with population growth for a conservative estimate. This growth rate was compared to growth rates used to approximate cumulative conditions in the proposed North Santa Rosa Station Area Specific Plan and Downtown Station Area Specific Plan, and the population growth rate was found to meet and exceed the growth approximated with these plans. The results of the cumulative analysis are presented in Table 3.12-5 on page 3.12-35 of the Draft EIR. Three intersections are predicted to operate in 2035 with a decrease in the level of service, due to a closure at W. Sixth, W. Seventh, or W. Eights Street, but each of the intersections is exempt from the City’s LOS standards, because they are included in the City’s downtown area.

**Response to Comment 13-8**

The comment shares a concern for impacts of a potential rail crossing closure on local businesses, including the Franco American Bakery. An analysis of truck access for Franco American Bakery is presented in the Draft EIR under Impact TR-1 on pages 4.12-19 through 4.12-22. Under Impact TR-1, significant impacts of a crossing closure were identified relative to truck circulation for deliveries to local businesses in the West End Neighborhood. Please refer to Appendix G, Traffic Impact Analysis Report, for detailed analyses and figures relative to truck turning movements and circulation for Franco American Bakery (for existing conditions, see pages 27 and 28; for a closure
at W. Sixth Street, see pages 33 and 34; for a closure at W. Seventh Street, see pages 38-40; for a closure at W. Eighth Street, see page 44). These detailed analyses resulted in Mitigation Measure TR-2, Facilitate Truck Movement, which would establish time-limited parking restrictions along Adams Street to accommodate periodic deliveries to Franco American Bakery. This mitigation measure would apply only to the closure of a rail crossing at W. Sixth Street or W. Seventh Street. With implementation of this mitigation measure, truck deliveries for Franco American Bakery would not be significantly affected. Closure of a rail crossing at W. Eighth Street would not affect truck deliveries for the Franco American Bakery given that W. Eighth Street is not currently used to access the bakery, and access from W. Sixth Street, W. Seventh Street, and Madison Street would not be affected by a closure at W. Eighth Street.

**Response to Comment 13-9**

The commenter states that closure of a rail crossing would cause additional traffic which would in turn reduce traffic safety, especially for pedestrians, kids playing in the street, and those who use wheelchairs. Please refer to page 3.12-14 of the Draft EIR, which describes the redistribution of traffic that is predicted to occur for each of the potential crossing closure locations. The rerouting of traffic due to a closure would be minor and the increase of congestion due to such rerouting would be minor, as indicated by the lack of significant traffic impacts reported in Impact TR-1 and discussed above under Response to Comment 13-7. In addition, some roadways and intersections in the area would have reduced traffic due to a closure. Therefore, closure of a rail crossing is not expected to cause a significant traffic safety impact.

**Response to Comment 13-10**

A closure of W. Seventh Street would increase delays at the intersection of W. Sixth Street and Wilson Street slightly; however, the LOS at the intersection would not decrease below LOS B in any of the four peak periods that were analyzed, as shown in Table 4.12-4 on page 4.12-18 of the Draft EIR. This indicates that the increase in delays on W. Sixth Street would be minimal, even in the PM peak hour, and would not tend to result in increased trips using North Dutton Avenue. No significant traffic impact would occur.

Impacts AQ-1, AQ-2, and AQ-C-1 on pages 4.2-11 through 4.2-16 of the Draft EIR evaluates potential impacts of a rail crossing closure at W. Sixth Street, W. Seventh Street, or W. Eighth Street on criteria air pollutants, toxic air pollutants, and cumulative air quality. A potential closure at W. Sixth, W. Seventh, or W. Eighth Streets could result in a slight increase of air pollutants related to mobile emissions from longer travel distances. Cross corridor trips would increase by two short blocks for a closure at W. Sixth and W. Seventh Street, and by two longer blocks for a closure at W. Eighth Street. However, the potential for increased air pollutants as a result of increased travel distances would be very small and would result in less-than-significant impacts to air quality.

**Response to Comment 13-11**

The Project would not physically alter the DeTurk Round Barn or affect its historic status as it is too far away from the crossing closure at W. Eighth Street to be substantially affected (please see Figure 2, p. 21 in the Draft EIR, Appendix E, Historical Resources Technical Report).

From January 1, 2014 to December 9, 2014, the DeTurk Round Barn has been rented 42 times. Based on the number of guests listed on permits, approximately 4,124 people attended events at the DeTurk Round Barn during that time period. (Santa Rosa 2014a)
Impact TR-4 in Section 3.12 (Transportation), on page 3.12-31 of the Draft EIR, includes an evaluation of potential impacts of a rail crossing closure at W. Eighth Street on the accessibility of the DeTurk Round Barn, including access from the designated overflow parking for the DeTurk Round Barn, which is located to the east of the rail corridor at the parking lot customarily used for the Kid Street Learning Center at W. Eighth Street and Davis Street.

Because the DeTurk Round Barn is located on the west side of the rail corridor, closure of a rail crossing at W. Eighth Street would require the re-routing of patrons (or visitors or school children) attempting to reach the DeTurk Round Barn from the overflow parking lot, which would likely involve a shift to W. Ninth Street. A shift to W. Ninth Street would add approximately 500 feet onto a patron trip seeking to cross the SMART rail corridor using W. Eighth Street. This additional trip length would represent less than 3.5 minutes of travel time for walking pedestrians. The increase in distance would be inconvenient for patrons accustomed to using W. Eighth Street. However, the additional distance and time would be less than the established threshold, and sidewalks present along W. Ninth Street would provide for safe movement. The impact was therefore determined to be less than significant.

**Response to Comment 13-12**

Impact TR-3 in Section 3.12 (Transportation), on page 3.12-24 of the Draft EIR, includes an evaluation of potential impacts of a rail crossing closure on emergency access. A closure at W. Sixth Street was determined to increase the length of a probable route between the closure site and the closest fire station by approximately 580 feet. This increased distance was determined not to cause the Santa Rosa Fire Department to be unable to meet their response time goals, and the impact would be less than significant. It is possible that a train could block any existing rail crossing within the City. In the event that a rail crossing at W. Sixth or W. Seventh Street was closed, and then a train was blocking W. Sixth Street, there would be other east-west connections still available within the Project area, and access to the sites could be provided from Fire Stations on either side of the rail corridor, including Fire Station #1 to the east, and Fire Stations #2 and #3 to the west.

**Response to Comment 13-13**

The commenter is concerned that a rail crossing closure would increase homeless encampments in the neighbourhood and thus cause health and safety impacts. The Project Description on page 2-6 describes a closure as follows: “A vehicle guard rail or other type of traffic barricade would be installed, and vandal-resistant fencing, such as wrought iron fencing, 6 to 8 feet in height, would be installed across the roadway closure.” At a closure, the fencing would be built from building to building or would connect to existing or future SMART fences, closing off the rail corridor to all pedestrian traffic, including the homeless people who currently use the rail corridor during the day and evening. Thus, the closure would tend to decrease health and safety impacts within the rail corridor right-of-way by preventing access at that location. Also, a closure would not create a new wall or solid barrier that would prevent visibility, as the design would be open and transparent, and therefore would not cause a significant health or safety impact due to new homeless encampments.
From: Marta Koehne [mailto:hotco@sbcglobal.net] for Don Taylor, Historic RR Square Association  
Sent: Wednesday, November 26, 2014 6:09 AM  
To: Jones, Jessica  
Cc: Moshier, Rick; Regalia, Chuck; Bartley, Scott; Swinth, Robin; Carlstrom, Erin; Combs, Julie; Olivares, Ernesto; Ours, Jake; Wysocky, Gary; JUSTINE E MALONE; Don; Mike; Roger Praplan; Danni; Lynda Angell; Becky Saunders  
Subject: Jennings Avenue EIR - Comments from Historic Railroad Square Association  

November 26, 2014  

To: Jessica Jones, Senior Planner  
Santa Rosa Community Development Department  

14-1 Historic Railroad Square Association is writing in reference to the proposed pedestrian and bicycle at-grade rail crossing to be studied in an EIR for Jennings Avenue. Please refer to the Railroad Square Association letter sent December 11, 2013.  

14-2 We continue to have concerns about the safety issues as they pertain to school-age children, as well as adults, living in that neighborhood and would need to cross the tracks on a daily basis if they were at-grade. Therefore, we firmly suggest the alternative proposal to construct a bridge over Jennings Avenue rather than an at-grade crossing.  

14-3 Our previous letter outlined consideration to: An evaluation of traffic, circulation and transportation issues if closure of one of the linkages between the commercial and residential districts on 6th, 7th or 8th Streets were closed in the historic Railroad Square area.  

14-4 The whole issue of safety for children, adults and bicyclists is paramount and should be carefully evaluated in the EIR process. The EIR should include the alternate option of a Pedestrian/Bicycle bridge, which would provide the safest passage and should be the alternative of choice. The cost should not come into the equation.  

Thank you for the opportunity to state our comments and concerns.  

Sincerely,  

Don Taylor, President  
Cc: Mayor Scott Bartley, Santa Rosa City Council, Rick Moshier, Chuck Regalia, and the Historic Railroad Square Association Board of Directors
To: Jessica Jones:

Historic Railroad Square Association is writing in reference to the proposed pedestrian and bicycle at-grade rail crossing to be studied in an EIR for Jennings Avenue.

In addition to the list of potential environmental effects that you will be studying and have identified, we strongly advise that you look carefully at the alternative proposal to construct a bridge over Jennings Avenue rather than an at-grade crossing. We suggest evaluating the safety issues as they pertain in particular to school-age children and adults who would be using the crossing on a regular basis.

We suggest that you also include evaluation of the traffic, circulation and transportation issues that will emerge from closing one of the linkages between the commercial and residential districts in Railroad Square, 6th, 7th or 8th Sts. How will people move around the district once the train comes?

The EIR should also look into and propose a Master Plan for the district that takes into account current and future uses, traffic circulation, bus circulations, shuttles and the effect of the commuter rail activity on the business district.

Pierson Street should be studied as an ingress/egress street and its capacity to handle increased traffic.

Railroad Square is an historic district listed on the National Register of Historic Places and its integrity should be preserved. The narrow streets and the grid pattern are important to preserving the integrity of the area.

The whole issue of safety for children, adults and bicyclists is paramount and should be carefully evaluated in the EIR process. The EIR should include the alternate option of a Pedestrian/Bicycle bridge, which would provide the safest passage and should be the alternative of choice. The cost should not come into the equation.

Thank you for the opportunity to state our comments and concerns.

Sincerely,

Lynda T. Angell, President

Cc: Mayor Scott Bartley, Santa Rosa City Council, Rick Moshier, Nancy Adams, Chuck Regalia, Kathy Millison and the Historic Railroad Square Association Board of Directors
Letter 14 Response to Comments

Response to Comment 14-1

The City appreciates the Historic Railroad Square Association’s comments. Please see Response to Comments 14-5 through 14-10 below regarding the comments in the Railroad Square Association’s letter dated December 11, 2013.

Response to Comment 14-2

Impact TR-2 in Section 3.12 (Transportation), on page 3.12-22 of the Draft EIR, evaluates the potential safety issues for an at-grade rail crossing. The design of an at-grade rail crossing would include warning devices in compliance with federal and State regulations, including, but not limited to, CPUC General Order No. 75-D regulations for warning devices for at-grade rail crossings. Based on preliminary discussions with CPUC staff, warning devices for the at-grade rail crossing would include flashing light signal assemblies with automatic gate arms, warning signs, pedestrian gates, hand rails, and because the site consists of a double track, electronic signs to notify pedestrians if a second train is coming in close proximity to the first crossing. Warning devices would indicate when a train was approaching and would trigger gate arms to block pedestrian access. Exit swing gates would be provided to allow pedestrians to exit the track, if the gate arms were activated while a pedestrian was crossing. SMART’s commuter trains would also exceed current safety requirements by being equipped with technology that precludes trains from being operated above speed restrictions in the vicinity of grade crossings to enhance safety along the railway (SMART 2015c). The impact would be less than significant.

Please also see Master Response A (Statements of Opinion for or against a Project Alternative).

Response to Comment 14-3

Please see Response to Comments 14-5 through 14-10 below.

Response to Comment 14-4

The Draft EIR evaluates the rail overcrossing alternative at the same level of detail as the at-grade crossing. Please also see Response to Comment 14-2.

Response to Comment 14-5

The Draft EIR evaluates the rail overcrossing alternative at the same level of detail as the at-grade crossing. Impact TR-2 of Draft EIR Section 3.12 (Transportation), pages 3.12-22 through 3.12-24, evaluates the potential safety issues for both the at-grade and rail overcrossing options.

Response to Comment 14-6

The Draft EIR evaluates potential traffic, circulation, and transportation impacts associated with a rail crossing closure at either W. Sixth, W. Seventh, or W. Eighth Street. Please refer to Draft EIR Section 3.12 (Transportation) and Draft EIR Appendix G (Traffic Impact Analysis Report).

Response to Comment 14-7

The Draft EIR evaluates the Project for consistency with the existing Santa Rosa General Plan 2035 and the Downtown Station Area Specific Plan, as well as the North Santa Rosa Station Area Specific Plan. A separate Master Plan for the Railroad Square District is not included as part of this Project.
Response to Comment 14-8
Draft EIR Appendix G (Traffic Impact Analysis Report) and Draft EIR Section 3.12 (Transportation) evaluates operating conditions for six select intersections during weekday peak periods, including weekday morning, midday, school dismissal, and evening peak period scenarios. The six studied intersections were selected based on the anticipated re-distribution of trips associated with a closure at either W. Sixth, W. Seventh, or W. Eighth Street. After projecting the locations for re-distribution of trips, Pierson Street was not identified as a roadway that would receive a substantial increase in traffic from re-distributed traffic associated with a closure at W. Sixth, W. Seventh, or W. Eighth Street given the availability of more direct east-west routes in the immediate area of the potential rail crossing closures. A motorist trying to cross the rail corridor at W. Sixth, W. Seventh, or W. Eighth Street was determined to be much more likely to utilize one of the adjacent east-west streets as opposed to re-directing south to Pierson Street to connect to W. Third Street.

Response to Comment 14-9
Draft EIR Section 3.4 (Cultural Resources), pages 3.4-6, 3.4-20 through 3.4-24, and Figure 3.4.1, and Draft EIR Appendix E (Historical Resources Technical Report) include a description of the Railroad Square Preservation District, and an evaluation of potential impacts on the District associated with a closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street.

Response to Comment 14-10
Please see Responses to Comments 14-2 and 14-4 above.
November 29, 2014

To Whom it May Concern:

Subj: The Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft Environmental Impact Report (EIR)

I live at 1301 Clover Dr., Santa Rosa, 95401. I have attended some of the meetings concerning the above subject. I understand that I am asked to give my thoughts through December 1, 2014.

Prefer Bridge:

I think that we need some kind of crossing at Jennings Ave. I would prefer the bridge as that seems safer for users plus does not involve the 6th, 7th, and 8th street crossings.

Pedestrian and bicycle rail overcrossing:

However, if the bridge is not possible, then you must approve an at-grade crossing at Jennings Ave. It would be the only crossing between West College and Guerneville Rd. Many people cross at Jennings now to either attend or accompany their children to the Helen M. Lehman Elementary School on Jennings and/or to use the Coddington Shopping Center and Library. In the future there will be the SMART station and the huge apartment complex that is being built on Range Ave and Jennings Ave which will both increase traffic (your choice foot or car). A goal of the city is to reduce carbon emissions. It is very possible that if you close that unofficial crossing at Jennings Ave there will be additional traffic on both Guerneville and West College.

If I could have my wish come true, the CPUC would allow the 6th, 7th, and 8th street crossings to remain. However, given the strong likelihood that will not happen, you need to close one of those crossings in order to allow the Jennings Ave crossing.

Conclusion:

When I talk to neighbors about this issue (most are not aware because there is no actual crossing in use at this time), I explain that there are four (4) crossings between 3rd St and West College and zero (0) between West College and Guerneville, they are incensed. They just shake their heads and ask why in the world is the city council even questioning what to do. It is obvious, we need a crossing at Jennings and if absolutely necessary, one less between 3rd Street and West College.

Julee Fullenwider
1301 Clover Dr
Santa Rosa, CA 95401
(707) 575-8775
julee@sonic.net
Letter 15 Response to Comments

Response to Comment 15-1

The City appreciates your interest and comments on the Project. Please refer to Master Response A (Statements of Opinion for or against a Project Alternative).

Response to Comment 15-2

Draft EIR Section 4.3.1 (No Project Alternative), pages 4-3 through 4-5, includes an evaluation of the conditions that are reasonably expected to occur in the event that the proposed Project is not implemented. It was determined that the No Project Alternative could force a mode switch from pedestrian/bicycle to motor vehicle. As noted on page 4-5, while the additional vehicles from the No Project Alternative would not be expected to have a significant effect on the operation of local intersections, this type of mode shift is generally not desirable for the goals of a sustainable community and contradicts the City’s desire to emphasize providing alternatives to passenger cars.

Response to Comment 15-3

Please see Master Response A (Statements of Opinion for or against a Project Alternative).
December 1, 2014
City of Santa Rosa
Attn: Jessica Jones, Senior Planner
Community Development Department
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404
Submitted by email to: jjones@srcity.org

The Sonoma County Transportation and Land Use Coalition asks that additional discussions of the four topics indicated by the headings below be added to the Draft EIR for the Jennings Avenue Pedestrian and Rail Crossing Project.

Vandal-Resistant Wrought Iron Fence

The Draft EIR says in a number of places that a “vandal-resistant wrought iron fence” will be installed at Jennings if the rail overcrossing alternative is selected. However the illustrations on the EIR cover and in Figure 3.1-5 on pdf page 70 show a fence composed of bars that could easily be cut and bent aside.

We believe that the discussion and illustrations in the Draft EIR do not adequately respond to a comment submitted by the California Public Utilities Commission during the comment period before the Draft EIR was prepared. This comment is echoed on page 9 of Appendix G, the Traffic Impact Analysis Report.

“The California Public Utilities Commission noted that the EIR should include review of fencing and channelization, noting that grade separations frequently remain unused if at-grade routes are not properly blocked from use.”

We agree that the rail overcrossing shown in the DEIR is sufficiently circuitous and indirect that there will be a strong incentive to cut a hole in the fence instead of using the overcrossing. This will open up a dangerous, unprotected crossing.

Fence cutting is standard practice along the SMART right of way. For years, every time we have looked, the fence at the northern end of the bridge where the Joe Rodota Trail crosses Santa Rosa Creek has been cut so that pedestrians and cyclists can come directly out to Third St. instead of heading west beside the creek. The City of Santa Rosa recently built the bicycle/pedestrian path along the SMART right of way between Eighth St. and College Ave. The fence was promptly cut to open a path between Tenth St. and Maxwell Ct.

We agree that a chain-link fence is more easily cut than the wrought iron fence shown in the Draft EIR. However, we also believe that the fence described in the Draft EIR is not adequate to prevent cutting and ask that the EIR be modified to describe a fence adequate to address the concerns submitted by the California PUC. We also ask that maintenance procedures to monitor and repair it when it is cut be included in the Final EIR.

We have serious doubts that any fencing short of an aesthetically unacceptable concrete wall will be able to resist fence cutting. We agree with the recommendations of the Cultural Heritage Board and others that the fence not be opaque, and not be an eyesore. We ask that the Final EIR provide examples of successful channelizations.
Renderings of the Proposed Jennings Ave. Overcrossing

We support the request of Santa Rosa City Council member Robin Swinth that additional renderings of the proposed Jennings Ave. overcrossing be added to the EIR. We support, as a minimum, adding views of the overcrossing looking west along Jennings Ave. from Range Ave. as well as looking east along Jennings Ave. from Dutton Ave. It would also be instructive to add a view of the overcrossing from the second story of an apartment building near Jennings Ave. between Range Ave. and the SMART tracks.

Parking loss on Adams St.

The Draft EIR discusses removing some parking from Adams St. if Seventh St. is closed in order to provide room for large trucks to turn onto Adams St. from Sixth St. and then to turn onto Seventh St. We ask that a mitigation measure for this parking loss be added to the EIR.

If Seventh St. is closed, there will no longer be through traffic on Seventh St. between Adams St. and the SMART tracks. This may make it possible to add diagonal parking or perpendicular parking to one side of this section of Seventh St. We ask that the traffic consultant analyze possible mitigation measures for the parking loss on Adams St. and that this analysis be added to the EIR.

California PUC Requirement Not To Increase The Number Of Crossings

It is unfortunate that the Draft EIR presents alternatives that pit one neighborhood against another. We understand that this is the result of information from the California PUC indicating that if a grade crossing is opened at Jennings, another crossing in the City of Santa Rosa must be closed. We ask that a significant effort be directed to learning if there are options that could permit a bicycle/pedestrian crossing at Jennings without closing a crossing at Sixth, Seventh, or Eighth Streets. Issues and questions that might be explored include:

• Please clarify the jurisdictional authority of the CPUC to regulate pedestrian crossings. It is unclear that the CPUC’s exclusive jurisdiction of the crossings of roads and highways over railroad tracks can be lawfully construed to include pedestrian crossings.

• If an existing crossing must be closed, can it be farther from Jennings Ave. than one of the three crossings in the West End? Can it be anywhere in the SMART Initial Operating Segment?

• Is the Jennings crossing close enough to the Guerneville Rd. Station to be considered part of the station’s pedestrian protection plan?

Selection of an Alternative

It is our understanding that it would be premature to indicate the alternative we prefer at this time. Therefore, these comments do not address this topic.

Sincerely,

Willard Richards, Chair

SCTLC, 55 Ridgway Ave., Suite A, Santa Rosa, CA 95401-4777
Letter 16 Response to Comments

Response to Comment 16-1

Draft EIR Figure 3.1-5 (At-grade Rail Crossing Visual Simulation) shows wrought iron fencing that would be installed to direct passengers to the at-grade crossing. Similar fencing is also shown in Draft EIR Figure 3.1-6 (Rail Overcrossing Alternative Visual Simulation) for the Rail Overcrossing Alternative.

CPUC staff reviewed the Draft EIR for the Project and provided comments in a letter dated November 26, 2014. CPUC’s comment letter did not include concerns about the fencing described in the Draft EIR.

Nevertheless, on December 9, 2014, the City requested from CPUC staff a fencing standard that has been shown to be successful in preventing cutting and climbing. In a response from the CPUC dated December 22, 2014, CPUC staff referred the City to references located on the CPUC’s website, which included three sources: 1) a 2010 North Lane Highway-Rail Crossing Pedestrian Safety Study performed in the City of Burlingame, 2) a 2007 Railroad-Highway Grade Crossing Handbook, and 3) a Metrolink Highway-Rail Grade Crossings Recommended Design Practices and Standards Manual.

The above-mentioned 2010 Pedestrian Safety Study was conducted in the City of Burlingame to evaluate the effectiveness of new fencing and channelization in conjunction with automatic gate arms and emergency exit swing gates at an at-grade crossing. The fencing type used in the study is not explicitly described in the report; however, the images included in the report suggest that wrought iron fencing was used. According to the study, the fencing and channelization was effective in reducing the number of pedestrians who used to circumvent the gate system at the crossing. The above-mentioned 2007 Railroad-Highway Grade Crossing Handbook includes a recommendation for 6- to 8-foot high chain link fencing, sometimes topped with barbed wire, or alternatively, a 4-foot fence, placed parallel to the track and across a pedestrian crossing route. The above-mentioned Metrolink Manual includes options for 4-foot tall tubular steel fencing or welded wire mesh fencing within 150 feet of highway-rail grade crossings.

Based on the above-mentioned information, the City believes that the fencing described in the Draft EIR is consistent with fencing that has been used for similar projects in other jurisdictions. Depending on the decision of the City Council regarding approval of the Preferred Project or an alternative, the conceptual design the Preferred Project or the Rail Overcrossing Alternative would be upgraded during final design with detailed hazard mitigation information regarding channelization fencing as requested by CPUC and SMART. Given the options recommended by the CPUC, and the ability to use larger diameter steel in wrought iron fencing to the extent necessary, it would be possible to provide channelization fencing that would look similar to the fencing in the visual simulations, and would not create a significant aesthetic impact beyond that already identified in the Draft EIR for the Rail Overcrossing Alternative taken as a whole.

Response to Comment 16-2

Draft EIR Section 2.5.3 (Operation and Maintenance of the Rail Overcrossing Alternative) on page 2-21, is revised as follows:

Maintenance of the rail overcrossing would be the responsibility of the City. It is estimated that maintenance visits by the City would be conducted approximately once a month, and would include monitoring and repair of fencing at the site, as well as maintenance of the crossing structure, signs, and other features.
Response to Comment 16-3
Please see Response to Comment 16-1 regarding successful channelization fencing.

Response to Comment 16-4
Please see Master Response B (Request for Additional Visual Simulations of the Rail Overcrossing Alternative).

In general, the purpose of visual simulations in an EIR is to represent a common, public view that would be visible by the greatest number of people. As indicated in Section 4.1 Aesthetics, the important public views for the Project are from Jennings Avenue both from the east and west and from North Dutton Avenue. A visual simulation from the second story of the adjacent apartment building was not prepared, because limited views from this private property would not be representative of visual impacts. Nevertheless, the concern for the private view will be forwarded to the City Council for their consideration.

Response to Comment 16-5
The parking restriction identified in Mitigation Measure TR-2 (Facilitate Truck Movement), on page 3.12-21 of the Draft EIR, includes time-limited parking restrictions along Adams Street during anticipated delivery times for oversized trucks to the Franco American Bakery. The time-limited parking restrictions along Adams Street would not result in a permanent loss of parking, and loss of parking is not a physical environmental impact as identified under the California Environmental Quality Act. Therefore, mitigation for the time-limited parking restrictions was not determined to be necessary.

Response to Comment 16-6
Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

In a letter to the CPUC dated December 9, 2014, the City requested clarification of the CPUC’s policy and legislation that requires a crossing closure in conjunction with the construction of a non-vehicular pedestrian and bicycle at-grade rail crossing. The CPUC has jurisdiction over all rail crossings in California, whether they are public or private, pedestrian or vehicular. In a letter received from the CPUC on December 22, 2014 (see copy of CPUC correspondence in Appendix A), CPUC staff referred to General Order 75-D, Section 2, and noted that the Commission’s policy does not differentiate between highway-rail and pedestrian-rail crossings. General Order 75-D, Section 2, reads as follows:

“POLICY ON REDUCING NUMBER OF AT-GRADE CROSSINGS: As part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission’s policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.”

Response to Comment 16-7
In a letter received from the CPUC on December 22, 2014, CPUC staff stated that it may consider other alternatives for a crossings closure within other locations/jurisdictions along the rail corridor after the City can demonstrate that a grade-separation is impracticable. CPUC staff stated that they would not support the closure of a private crossing in return for constructing a new at-grade crossing.
Response to Comment 16-8

The proposed Jennings Avenue rail crossing is located approximately one-quarter mile from the proposed Guerneville Road SMART station. This distance precludes the Jennings Avenue crossing from being considered part of the pedestrian protections for the proposed Guerneville Road SMART station as it is too far from the station.
December 1, 2014  
Jessica Jones, Senior Planner  
City of Santa Rosa  
Community Development Department  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA  95404

RE: Jennings Avenue Pedestrian and Bicycle Rail Crossing Project

Dear Ms. Jones,

On behalf of over 1,200 members, Sonoma County Bicycle Coalition (The Bike Coalition) enthusiastically supports the Santa Rosa's work to improve the safety of pedestrians and bicyclists crossing the SMART right-of-way at Jennings Avenue. We appreciate the hard work on the part of City staff to secure funding for this important project. Our comments on the DEIR for this project follow:

Both the overcrossing and at-grade projects will improve public safety and provide a convenient way for residents to cross the SMART tracks. However, we agree with the analysis that finds the at-grade to be the environmentally superior alternative and encourage the City to select this project.

The DEIR states that "California Public Utilities Commission (CPUC) staff has suggested that if an at-grade rail crossing is installed at Jennings Avenue, then the City would be required to close one or two other at-grade rail crossings within the City. The DEIR does not discuss the history of a crossing at Jennings Avenue, nor does it describe what authority CPUC may have over crossings that existed prior to the creation of the CPUC. Absent this information, it is unclear what standing the City has to challenge CPUC staff determination to close existing at-grade crossings in order to allow at-grade improvements at the Jennings Avenue crossing. Attached are copies of USGS maps showing the crossing located near Benchmark 136 in the 1916, 1944, 1954, 1968, 1973, 1980 and 1994 editions of the Santa Rosa, CA USGS 1:24K Topographic Map.

We also feel the DEIR needs to discuss use of the at-grade crossing for emergency vehicle access (EVA). East-west access across Highway 101 is poor during peak commute hours. Existing crossings north and south of the project site (College Avenue and Steele Lane) are the most congested in the City, creating the potential for delay in emergency response. Installation of break-away bollards or similar treatment would allow police, fire and ambulance services to avoid these congested areas and reduce response times.

We support the vision of the City of Santa Rosa to develop this much needed project that will provide improved public safety and encourage increased use of active transportation and for generations to come.

Sincerely,

Gary Helfrich  
Executive Director  
Sonoma County Bicycle Coalition
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Letter 17 Response to Comments

Response to Comment 17-1
The City appreciates the Sonoma County Bicycle Coalition’s comments on the Project and the Draft EIR, which will be shared with the City’s decisionmakers. Responses to the Coalition’s specific comments on the Draft EIR are provided below.

Response to Comment 17-2
As noted in Draft EIR Section 5.5 (Environmentally Superior Alternative), page 5-5, the Rail Overcrossing Alternative was determined to be the Environmentally Superior Alternative. Please also see Master Response A (Statements of Opinion for or against a Project Alternative).

Response to Comment 17-3
The City appreciates the maps submitted by the Coalition. In a letter to the CPUC dated December 9, 2014, the City requested information on any historical records indicating that Jennings Avenue has been used as a rail crossing of any type, and requesting clarification on whether Jennings Avenue is included on a list of non-inventoried crossings. In a letter received from the CPUC on December 22, 2014, CPUC staff indicated that they do not have records indicating that there has ever been a crossing at Jennings Avenue, and that they do not maintain a non-inventoried crossing list. However, aerial photographs of the Project area taken in 1942, 1956 and 1963 show an at-grade rail crossing in place at Jennings Avenue. (Santa Rosa 2015c; Sonoma VEG MAP 2015)

Please see Appendix A.

In an e-mail to the CPUC dated January 13, 2015, the City requested clarification on whether the proposed rail crossing at Jennings Avenue could be considered a re-instatement of a former rail crossing as opposed to the installation of a new rail crossing. In an e-mail response dated January 13, 2015, CPUC staff stated the following: “There is no ‘Historical’ right for a crossing. Once one has been removed, it is considered to have never existed in terms of building a new one.” (CPUC 2015b)

Please also see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

Response to Comment 17-4
Draft EIR Section 2.2 (Project Objectives), page 2-1 to 2-2, identifies the objectives of the proposed Project. Emergency vehicle access has not been identified as a Project need and objective, and is therefore not included as part of any of the alternatives.

Response to Comment 17-5
Please see Response to Comment 17-1.
Comments on Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft EIR

Environmental Impact Reports are intended to fully inform the public and decision makers. The Jennings Avenue Rail Crossing Draft EIR fails to disclose, inform, and fully address critical issues of controversy raised in oral testimony and written comments received by the City to date. The Draft EIR also fails to include an alternative to those previously presented, as discussed below. The following comments incorporate by reference the attached written comments submitted previously.

The pedestrian and bicycle rail crossing at Jennings Avenue has been in open and continuous use for decades. With renewed use of the rail line coming soon the straightforward engineering of safety upgrades for the Jennings Avenue crossing has become the center of a controversy.

One of the roots of the controversy is that neither the City nor any other governmental authority has ever applied for official approval of the Jennings Avenue Crossing. In contrast, the Copeland Creek Trail Crossing, in Rohnert Park, has two closely adjacent pedestrian and bicycle rail at-grade crossings which were officially approved in 1984.

SMART has received California Public Utilities Commission (CPUC) approval to upgrade the safety of rail crossings along its route. The estimated cost of upgrading the Copeland Creek Trail Crossing is $36,381. The estimated cost of upgrading the Jennings Avenue crossing could be $9,568,000. That amount is approximately twice the amount of total estimated costs of improving all other rail crossings in Santa Rosa. If the Jennings Avenue crossing had been timely approved, the cost of the safety upgrades would now be comparable with those of the Copeland Creek Trail Crossing and other SMART crossings.

The CPUC has jurisdiction over the safety of rail crossings in California. The Federal Railroad Administration (FRA) is a federal agency responsible for rail safety in the U.S. Both the FRA and CPUC maintain an inventory of rail crossings. Railroads and states are required to update the federal inventory with existing crossings that have not been previously inventoried. Both the federal and state inventories classify these existing crossings as “new” crossings.

In California such “new” crossings are required to make an official application to CPUC for approval. This begins a process in which there is consideration of whether the crossing serves a public need, whether an at-grade or grade-separated crossing is most feasible, and whether the design of the crossing safety improvements meets applicable design standards.

The other root of the controversy is the assertion by City staff that the CPUC requires that the number of rail crossings in Santa Rosa remain fixed at the current number of crossings which are listed in the federal inventory. Apparently, the notion here is that finally reporting the Jennings Avenue crossing to the federal inventory constitutes adding a “new” crossing which in turn requires the closing of another crossing elsewhere.

James L. Duncan
Even before the City submitted a formal application for Jennings Avenue, the CPUC reportedly indicated to the City that it was unlikely that an application for safety upgrades for the "new" at-grade crossing at Jennings Avenue would be approved unless the City also closed one or more existing crossings. The crossings at Sixth, Seventh, and Eighth Streets were reportedly suggested for closure.

The CPUC response appears to be based on their General Order No. 75-D, paragraph 2, Policy on Reducing Number of At-grade Crossings, which states, "As part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission's policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California." There is nothing expressly stated in this policy which supports the City staff's assertion that CPUC requires the number of rail crossings in Santa Rosa to remain fixed at the current number of official crossings in the federal inventory, nor that finally upgrading the safety of the Jennings Avenue Crossing and adding it to the FRA and CPUC inventories requires the closure of any other crossing.

To the contrary, the applicability of this CPUC policy to the Jennings Avenue crossing must be analyzed in terms of quantifiable levels of actual hazards at the crossings at Sixth, Seventh, and Eighth Streets as well as at Jennings Avenue. This CPUC policy must also be analyzed in the light of the guidance provided by federal and other governmental agencies.

The rail crossing accident reports filed on the FRA Office of Safety Analysis website show that the rail crossings at Sixth, Seventh, and Eighth Streets have been very safe over many decades. Sixth Street has had no accidents. Seventh Street has had two accidents. Eighth Street has had only one accident. Only one of the total three accidents involved an injury.

The future rail traffic through these crossings will be the SMART trains, which can be considered as light rail, as well as up to six freight trains a week traveling at a maximum speed of 25 MPH. The SMART trains are very similar to the long articulated MUNI streetcars used in San Francisco which successfully run on rails on city streets shared with motor vehicle and bicycle traffic as well as pedestrian crossings.

It has been reported that the CPUC would allow all three rail crossings -- at Sixth, Seventh, and Eighth Streets -- to remain open only if a pedestrian and bicycle overcrossing is constructed at Jennings Avenue. Obviously, the CPUC would not be willing to allow Sixth, Seventh, or Eighth Streets to remain open if there were any safety issues involved at those crossings; clearly, any changes at Jennings Avenue would not correct safety issues elsewhere.

The excellent safety history of Santa Rosa's Sixth, Seventh, and Eighth Street crossings, combined with the limited future rail traffic and upgraded rail crossings at those locations, is in stark contrast with the Dorian Street Crossing Grade Separation project in the Metrolink system in Southern California. That crossing clearly posed a hazard due to "...significant truck and vehicle traffic as well as 90 passenger and freight trains per day." In that situation, closure was clearly appropriate and the CPUC was actively involved in working with the local and state entities to facilitate the closing.
Because the Jennings Avenue crossing was never properly reported to the federal inventory, there is no official record of its past history. However, long-time residents of the neighborhood do not recall any accidents at that crossing. The reports filed for the Copeland Creek Trail Crossing, the closest pedestrian- and bicycle-only crossing to the Jennings Avenue crossing, show no accidents there either.

An article in TR News 286, May-June 2013, notes, “In 1991, the FRA Administrator recommended the closing of 25 percent of all crossings. Of the 292,839 public and private at-grade crossings at the end of 1990, 70,004 had been closed as of 2008.” This appears to be basis of the federal policy referenced in CPUC General Order No.75-D, paragraph 2.

“Ideally, highway-rail grade crossings should not exist. For years one of the goals within the Federal Railroad Administration (FRA) is to eliminate all of the grade crossings. As that is not possible due to the large number of crossings, the more realistic goal is that a grade crossing that [sic] afford a safe, comfortable, and convenient passageway for all users.” Caltrain Design Criteria, Chapter 7 - Grade Crossings, p. 7-1, September 30 2001.

The U.S. Department of Transportation Federal Highway Administration counsels that consideration of crossing closure or consolidation “…requires balancing public necessity, convenience and safety.” Guidance on Traffic Control Devices at Highway-Rail Grade Crossings, p. 27, November 2002.

The crossing at Jennings Avenue is physically unrelated to the crossings at Sixth, Seventh, or Eighth Streets. The distance between Jennings and those crossings, with two intervening crossings at College Avenue and Ninth Street, rules out any common use. For the CPUC to relate them for purposes of crossing closure, consolidation, or consideration of infeasible safety upgrades such as a rail overcrossing is arbitrary in that it appears to have no reasonable basis and ignores public necessity, convenience and safety. It also ignores the fact that the Jennings Avenue Crossing is only for pedestrians and bicycles whereas the crossings at Sixth, Seventh, or Eighth Streets are for motor vehicles as well as pedestrians and bicycles.

The Consumer Protection & Safety Division of the CPUC has published a 78 page book, Pedestrian-Rail Crossings In California, A Report Compiling the Designs and Devices Currently Utilized at Pedestrian-Rail Crossings within the State of California, May 2008, devoted to new at-grade pedestrian rail crossings. The Introduction of the book observes, “In recent years light rail transit and commuter rail systems have expanded significantly, leading to construction of many new stations and pedestrian-rail crossings. Accompanying this expansion has been a trend of increasing high-density development of residential and retail property immediately adjacent to light rail transit and railroad tracks. The combination of these factors requires greater attention to pedestrian-rail at-grade crossing design/improvements to better warn the public of potential train pedestrian conflicts. This document reviews design and placement of warning devices that are currently used at pedestrian-rail at-grade crossings in California.”

James L. Duncan
12/1/2014
The Introduction recommends, “... eliminating at grade crossings where possible, either through barricading the roadway/pathway approaches to the crossing or through grade-separation.” But goes on to state, most importantly, “However, where it is not practicable to eliminate a pedestrian-rail at-grade crossing, this document is intended as a guide for pedestrian-rail at-grade crossing design/improvements based on current industry practices.”

These comments describe the situation here: as noted in the attached comments which had been submitted previously, the area east of the Jennings Avenue crossing has gained considerable high-density development both recently completed as well as currently under construction. There is nothing in this book which indicates that the “... construction of many new ... pedestrian-rail crossings...” also requires the closure of unrelated existing crossings. If such a requirement existed it would be applicable for all new pedestrian-rail crossings in all of California and it would be readily available to the public in print or online.

The CPUC has the long established legal authority to order closure of any rail crossing in California given a showing of perceptible safety hazard to life and property. If the CPUC can bring about the closure of a rail crossing at Sixth, Seventh, or Eighth Streets by threatening to deny an application to provide safety upgrades at Jennings Avenue without any showing of perceptible safety hazard then the basis of their authority is lost and their action is an exercise of unjustified and arbitrary power.

The Draft EIR fails to include an obvious alternative: the City could and should submit a formal application for an at-grade pedestrian and bicycle crossing for Jennings Avenue that does not involve closure of any unrelated crossing. If the CPUC denies such a technically correct application, the City should then exercise its rights of appeal starting with, but not limited to, the procedures available within the CPUC. The City should only consider the closure of unrelated crossings or construction of a rail over-crossing when all reasonable good-faith efforts to provide a feasible and safe at-grade crossing at Jennings Avenue are unsuccessful.

James L. Duncan

12/1/2014
Comments on Jennings Avenue Pedestrian and Bicycle Rail Crossing Project

The City of Santa Rosa’s (City) proposal to improve the Jennings Avenue pedestrian and bicycle rail crossing is welcome news for our neighborhood. Construction of an ADA-compliant at-grade crossing is the most feasible way to improve the crossing; it would be the most economical, straightforward, and timely to design, have approved, finance, and build. Most importantly, an at-grade crossing provides the safest, most efficient, and least challenging way for pedestrians and cyclists of all ages and physical capabilities to cross the rail line, whether to continue on Jennings or to access the SMART Multi-Use Path.

With the resumption of rail traffic on the rail line, the improvement of the crossing will provide an improved level of safety for pedestrians and cyclists. However, according to City staff and the Santa Rosa Press Democrat, the City’s initiative to improve the crossing is being complicated by positions taken by the California Public Utilities Commission (CPUC). Reportedly, the CPUC is considering the improvement of the Jennings Avenue crossing (the Jennings crossing) to be the creation of a “new” crossing which is therefore subject to CPUC approval. It is true that the City has long deferred improving the crossing and that the improvement would have to meet ADA and other construction standards. However, the CPUC’s position that improving an unimproved crossing makes that crossing “new” is nothing more than a legalism. The crossing has been in continuous use for the thirty-plus years we have lived in our neighborhood and many of our older neighbors, in the past, mentioned crossing the rail line at Jennings Avenue at least as far back as the 1950’s. It is possible that old aerial photos of Santa Rosa may show evidence of the crossing there even longer ago.

According to a Press Democrat article (PD article) “Crossing swap weighed” November 14, 2013, pages B1 & B3, CPUC officials have indicated that they will approve an at-grade improvement of the Jennings crossing only on the condition that the City “… close at least one of several streets that cross the tracks near Railroad Square.” The PD article also reports that the owners of Western Farm Center, a business located between two of these streets, Seventh and Eighth Streets, are concerned about possible impacts on their business, and that their representative is calling for the City to build an overpass at the Jennings crossing rather than closing one of the crossings in the Railroad Square area near Western Farm. At the City’s Scoping Meeting, December 4, 2013, some residents of the area near Western Farm also called for building a Jennings Avenue overpass instead.

Construction of a pedestrian and bicycle overpass is not an appropriate way to improve the crossing. Compared to an at-grade crossing, an overpass would unquestionably be more costly. Further, the time needed to fund, design, have approved, and actually build an overpass would necessitate closing the crossing far too long - possibly even years! Moreover, even built to ADA standards, an overpass would still present more of a challenge than relatively flat ground for many pedestrians and cyclists, for example: anyone, especially children, pushing bicycles up a grade, and restraining them on the down-grade; similarly, anyone pushing a baby stroller or shopping cart; anyone with physical limitations, whether due to impaired cardiovascular or respiratory capacity, or difficulty of any sort in walking; anyone carrying a heavy load, including

James L. Duncan and Johanna James

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schoolchildren with backpacks. For some, such added effort would effectively become a barrier. An overpass also presents unanticipated safety risks, especially considering youngsters who will inevitably be tempted to speed down a ramp on their bicycles or skateboards imperiling themselves and others.

The estimated cost of such an overpass is reported to be three times the cost of an at-grade crossing. In considering this, the City of Santa Rosa must weigh its priorities carefully. The City, along with many other cities, is only now beginning to recover from the effects of the most severe economic collapse since the Great Depression of the last century and must use its financial resources carefully and effectively. The additional cost of an overpass at the Jennings crossing is money that would better serve the needs of Santa Rosa spent in other ways.

According to City staff and the PD article, SMART officials are threatening to build a fence at SMART expense, closing off access through the Jennings crossing if the City does not, or cannot afford to, improve the Jennings crossing. In doing so, SMART officials implicitly acknowledge that SMART has a financial responsibility for the impact of the SMART train on the safety of pedestrians and cyclists at the Jennings crossing. As far as we know, SMART has not committed to bear any of the cost of improving the Jennings crossing. If SMART will not even bear its fair share of building an economical at-grade crossing, it is highly unlikely that SMART would do so for an even more costly, and unnecessary, overpass.

The dual mission of the SMART rail project is not only to provide rail service but - equally important - to foster pedestrian and bicycle transit. According to the SMART Web site, SMART is a “passenger rail and bicycle-pedestrian pathway project” (emphasis ours) and the “SMART train and pathway provide options to get out of your car to get where you need to go…” (emphasis ours). One of the SMART logos reiterates this with its “WALK•BIKE•RIDE” slogan. (http://main.sonomamarintrain.org/wp-content/uploads/2013/05/Project-Overview.pdf, viewed 12/10/2013, 16:45 PST) Clearly, closing the long-existing Jennings Avenue pedestrian and bicycle rail crossing in Santa Rosa is not consistent with SMART’s stated mission. An overpass instead of an at-grade crossing at that location would serve to hinder, rather than foster, the desired pedestrian and bicycle use. As active supporters for the creation of SMART, we had been led to believe that SMART was intended to foster pedestrian and bicycle transit - not thwart it.

In the worst case, if the CPUC maintains its position that the Jennings crossing is a “new” one and that improving it at grade requires closing one of the other crossings at either Sixth Street, Seventh Street, or Eighth Street, then closing the crossing at Seventh Street would seem the least disruptive of the choices that may be forced upon Santa Rosa by the CPUC.

Eighth Street runs from Davis Street, on the east, to the west across Wilson Street and the rail line, and then across North Dutton Avenue almost to Stony Point Road. Between Wilson and North Dutton, however, Eighth Street has only one north-south cross-connection, Madison Street, with Seventh and Sixth Street. Thus, closure of Eighth Street at the rail line would block direct access to and from Wilson Street from several blocks of Eighth Street requiring lengthy detours either via Madison to Seventh or via Donahue to Ninth Street. For these reasons, closing Eighth Street at the rail line would be very disruptive.

James L. Duncan and Johanna James

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Sixth Street, which also runs east-west, crosses under Hwy 101 to provide a vital link between the east and west sides of Santa Rosa. It also offers three north-south cross-connecting streets - Adams, Jefferson, and Madison - with Seventh Street, which facilitate traffic to and from the local neighborhood to Wilson Street and under the freeway. Thus, closing Sixth Street at the rail line would be extremely disruptive.

Seventh Street also runs from Davis Street, on the east, to the west across Wilson Street and the rail line, and then connects indirectly to North Dutton Avenue via Polk and Hewett. Because Seventh Street and Sixth Street are very close together with three streets connecting them, and one of those - Adams Street - is closely parallel to Wilson Street, closing Seventh Street at the rail line would have the least effect on through traffic.

Western Farm Center is immediately adjacent to the rail line, between Seventh and Eighth Streets with access to its parking lot on both streets. Additionally, Adams Street, connecting Seventh Street and Sixth Street, runs directly to the Western Farm Center parking lot’s Seventh Street entrance. Although closure of Seventh Street at the rail line would mean that Western Farm Center would lose one of five possible routes to its parking lot, four would remain: from either east or west on Eighth Street, from the west on Seventh Street, and from Sixth Street via Adams Street. Throughout Santa Rosa, there are businesses on divided one-way roadway sections of streets, such as Guerneville Road, which can only be entered from one direction and exited in an opposite direction. By contrast, even were Seventh Street to be closed at the rail line, Western Farm Center would still be unusually well situated in terms of access to its parking lot.

Comments at the Scoping Meeting suggested that deliveries to and from a local bakery as well as neighborhood grocery store would be made impossible in the event of a street closure at the rail line because delivery trucks would not be able to get through. An overview of the streets in the area indicate that is very unlikely to be the case. Those businesses are both located at Seventh Street and Madison Street, which runs from Sixth Street to Eighth Street. If deliveries are currently being made via Sixth or Eighth to Madison Street, then closure at Seventh and the rail line would have no effect. If deliveries are currently being made via Seventh Street, then trucks coming onto or off Seventh are already managing turns no different than those detouring one block north or south to follow Sixth or Eighth to Madison.

According to the PD article, concerns have also been raised regarding the negative impact of a street closure near Railroad Square on future development in the area. Such concerns should always be considered; however, we are not aware of any proposed specific development plan for the area. It would be reasonable to assume that any specific development scheme gaining CPUC cooperation would make it possible to reopen the closed crossing at Seventh Street in the future.

It is not acceptable for the City of Santa Rosa simply to do nothing and allow SMART to fence off the Jennings crossing. The City of Santa Rosa must weigh any possible disruption caused by closure of Seventh Street at the rail line against the disruption caused by the closure of Jennings. Within the area bounded by Ninth Street, Wilson Street, West Third Street, and North Dutton Avenue, in a approximate north-south distance of one-half mile, there are three rail crossings
which serve bicycles, pedestrians, and vehicles as well: (1) at Sixth Street, which also crosses under Hwy. 101; (2) Seventh Street; (3) and Eighth Street. Within the area bounded by Guerneville Road, Cleveland Avenue, West College Avenue, and Ridley Avenue, in a approximate north-south distance of one-mile, there is only one rail crossing: the pedestrian and bicycle crossing at Jennings. Certainly the closure of Seventh Street would cause inconveniences to the residents and businesses in that area, but the closure of Jennings would be a major disruption to a neighborhood with no other reasonably direct way of crossing the rail line.

The PD article and comments at the Scoping Meeting noted that a fence or barrier built by SMART at Jennings might be subject to being cut or otherwise circumvented. There were also comments that SMART had let it be known that it would provide full funding to have any fence or barrier maintained as well as patrolled by SMART personnel in the future. The success of SMART in maintaining a barrier at the Jennings crossing is only a matter of speculation. What is not a matter of speculation is that a fence or any barrier at the Jennings crossing will divert at least some of the Jennings pedestrian and bicycle traffic to Guerneville Road to the rail crossing there. Further, it is very likely that some of that traffic will attempt to reach Guerneville Road via the Coddington Mall Apartments complex walkway which connects to Herbert Street to its south, but is clearly not a public thoroughfare.

We have lived on Lance Drive, between West College and Jennings Avenue, for almost 35 years, within a few minutes walk of the Jennings pedestrian and bicycle rail crossing. The crossing at Jennings has been a vital link for us and our neighbors, as well as the many people who work in the Santa Rosa Business Park, to the many businesses, private and public services, bus transportation, and schools east of the rail line. For the neighborhood to the east of the rail line, the crossing also links, most importantly, to Helen M. Lehman Elementary School, but also to businesses and services in the Santa Rosa Business Park, G & G Shopping Center, and other commercial areas west of the rail, as well as buses on North Dutton.

Many of the children living east of the rail line have always walked or ridden their bicycles, often accompanied by adults, along with younger children not yet school-age, via the Jennings crossing to Helen M. Lehman Elementary School, located west of the rail line on Jennings Avenue. The Helen M. Lehman school district boundaries extend to Cleveland Avenue to the east and then to West College Avenue to the south. With the development of many new residential units on Jennings Avenue to the east of the rail line, the number of children going to Helen M. Lehman via the crossing appears to have increased considerably, and will most likely increase even more with continuing development, some of which is already underway. In only a few years, these children will be the taxpayers and voters who decide what role government has in our daily lives and how it will be funded. Building an appropriate at-grade rail crossing at Jennings will provide an excellent example for these children of what good government can achieve.

We urge improvement of the existing pedestrian and bicycle rail crossing at Jennings Avenue to an appropriate ADA and CPUC compliant at-grade crossing.

James L. Duncan and Johanna James

12/11/2013, page 4 of 4
Letter 18 Response to Comments

Response to Comment 18-1

The City appreciates your interest and comments on the Project and the Draft EIR, which will be shared with decisionmakers. Responses to specific comments on the Draft EIR are provided below, however the general comment that the EIR fails to disclose, inform and fully address critical issues cannot be responded to because the comment does not identify specific issues which the Draft EIR failed to address. Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

The comment also incorporates by reference written comments submitted previously on December 11, 2013. Responses to those written comments are provided in Responses to Comments 18-15 through 18-25 below.

Response to Comment 18-2

The City acknowledges that both pedestrians and bicyclists have been historically crossing the rails at Jennings Avenue, and the EIR therefore identifies an unofficial crossing at this location. The EIR’s evaluation of impacts takes into consideration the existing conditions where individuals are, in fact, using the Jennings Avenue area as a rail crossing – even though CPUC and SMART have indicated that it is illegal for people to do so.

In a letter received from the CPUC on December 22, 2014, CPUC staff indicated that they do not have records indicating that there has ever been a crossing at Jennings Avenue, and that they do not maintain a non-inventoried crossing list. However, aerial photographs of the Project area taken in 1942, 1956 and 1963 show an at-grade rail crossing in place at Jennings Avenue. (Santa Rosa 2015c; Sonoma VEG MAP 2015) Please see Appendix A.

In an e-mail to the CPUC dated January 13, 2015, the City requested clarification on whether the proposed rail crossing at Jennings Avenue could be considered a re-instatement of a former rail crossing as opposed to the installation of a new rail crossing. In an e-mail response dated January 13, 2015, CPUC staff stated the following: “There is no ‘Historical’ right for a crossing. Once one has been removed, it is considered to have never existed in terms of building a new one.” (CPUC 2015b)

Response to Comment 18-3

Comments regarding costs or economic impacts do not require a response, because CEQA evaluates only physical environmental impacts. The City’s Transportation and Public Works staff intends to provide cost information regarding the Project alternatives in the staff report for the Council agenda item. The EIR Certification and Project approval agenda item is currently scheduled for March 17, 2015.

Response to Comment 18-4

The commenter’s statements regarding the responsibility of the CPUC and the process for new grade crossings are consistent with the City’s understanding. The comment does not specify a particular issue or concern with the Draft EIR, therefore a specific response is not provided.
Response to Comment 18-5

Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure). The assertions referenced in the comment were made by the CPUC in a letter to the City dated January 13, 2012 (CPUC 2012).

Response to Comment 18-6

Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

In a letter received from the CPUC on December 22, 2014, CPUC staff stated that the Commission’s policy does not differentiate between highway-rail and pedestrian-rail crossings, and noted that in the Commission Rules of Practice and Procedure, Section 3.7 (c), applications to construct a new at-grade crossing must contain the following:

- a statement showing the public need to be served by the proposed crossing;
- a statement showing why a separation of grades is not practicable; and
- a statement showing the signs, signals, or other crossing warning devises which applicant recommends be provided at the proposed crossing.

Response to Comment 18-7

The City appreciates receiving the information regarding rail crossing accident reports filed on the FRA Office of Safety Analysis website. However, very few trains have been running over the past decades, and, therefore, the past accident rates are not directly related to safety conditions when the rail line becomes active with SMART passenger service.

Response to Comment 18-8

Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

For reference, the FRA classifies SMART as a railroad rather than Light-Rail Transit (SMART 2015a).

Response to Comment 18-9

The City appreciates receiving the information regarding accidents. The Draft EIR evaluates impacts relative to safety using the regulations published by the CPUC, the state agency responsible for rail safety, as well as guidance received from the staff of the CPUC. Impact TR-2 in Section 3.12 (Transportation), on page 3.12-22 of the Draft EIR, evaluates the potential safety issues for an at-grade rail crossing. The Project’s design for the at-grade rail crossing would include warning devices in compliance with federal and State regulations, including, but not limited to, CPUC General Order No. 75-D regulations for warning devices for at-grade rail crossings. Based on preliminary discussions with CPUC staff, warning devices for the at-grade rail crossing would include flashing light signal assemblies with automatic gate arms, warning signs, pedestrian gates, hand rails, and because the site consists of a double track, electronic signs to notify pedestrians if a second train is coming in close proximity to the first crossing. Warning devices would indicate when a train was approaching and would trigger gate arms to block pedestrian access. Exit swing gates would be provided to allow pedestrians to exit the track, if the gate arms were activated while a pedestrian was crossing. SMART’s commuter trains would also exceed current safety requirements by being equipped with technology that precludes trains from being
operated above speed restrictions in the vicinity of grade crossings to enhance safety along the railway (SMART 2015c). The Project would be consistent with CPUC requirements for safety, and the impact would be less than significant.

Please also see Response to Comment 18-2.

Response to Comment 18-10

The comment does not specify a particular issue or concern with the Draft EIR, therefore a specific response is not provided. Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure) for more information on the CPUC policies in GO 75-D.

Response to Comment 18-11

Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure), and Response to Comment 18-6.

Response to Comment 18-12

Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure), and Response to Comment 18-6.

Response to Comment 18-13

The comment does not specify a particular issue or concern with the Draft EIR, therefore a specific response is not provided. Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure) for more information on CPUC policies and CPUC recommendations made for closure of rail crossings associated with the Project.

Response to Comment 18-14

A Preferred Project with No Rail Crossing Closure Alternative has been added to the Final EIR. This alternative consists of an at-grade rail crossing at Jennings Avenue and is conditioned upon a determination by the CPUC that a rail crossing closure elsewhere would not be required. Please see Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

Response to Comment 18-15

The City appreciates your interest in the Project. Please also see Master Response A (Statements of Opinion for or against a Project Alternative).

Response to Comment 18-16

Please see Response to Comment 18-2.

Response to Comment 18-17

Please see Master Response A (Statements of Opinion for or against a Project Alternative). As noted on page 2-19 of the Draft EIR, construction of a rail overcrossing is anticipated to require approximately six months to complete.

Comments regarding costs or economic impacts do not require a response, because CEQA evaluates only physical environmental impacts. However, the City’s Transportation and Public
Works staff intends to provide cost information regarding the Project alternatives in the staff report for the Council agenda item. The EIR Certification and Project approval agenda item is currently scheduled for March 17, 2015.

Please refer to Response to Comment 19-2 below for a discussion of the usability of a rail overcrossing.

**Response to Comment 18-18**

The Project is being proposed by the City of Santa Rosa, not SMART, and therefore SMART’s objectives are not directly germane to the evaluation of the Project in the EIR. However, as described in Draft EIR Section 2.5.1 (Characteristics of the Rail Overcrossing Alternative), page 2-13, the rail overcrossing alternative would integrate the overcrossing with the future SMART Pathway, which is anticipated to be located under a portion of the overcrossing on the east side of the rail corridor.

**Response to Comment 18-19**

Please see Master Response A (Statements of Opinion for or against a Project Alternative). Impact TR-1, on pages 4.12-17 through 4.12-22 and Impact TR-C-1 on pages 4.12-32 through 4.12-36 of the Draft EIR, as well as the Traffic Study, included in Appendix G of the Draft EIR, evaluates the potential for both project and cumulative traffic impacts associated with closure of a rail crossing at either W. Sixth, W. Seventh, or W. Eighth Street, and identifies no significant impacts related to congestion from redistribution of trips due to closure of a rail crossing.

**Response to Comment 18-20**

An analysis of truck access for Western Farm Center is presented in the Draft EIR under Impact TR-1 on pages 3.12-19 through 3.12-20, as well as in Appendix G, the Traffic Study on pages 28, 33-34, 38-40, and 44. The EIR concludes that truck deliveries could be accommodated with a crossing closure at W. Sixth, W. Seventh, or W. Eighth Street, and that the impact to Western Farm Center would be less than significant.4

**Response to Comment 18-21**

Please refer to Response to Comment 13-8.

**Response to Comment 18-22**

Impact LU-2 in Draft EIR Section 3.9 (Land Use), pages 3.9-13 to 3.9-14, evaluates potential conflicts of a rail crossing closure at W. Sixth Street, W. Seventh Street, or W. Eighth Street with applicable land use plans and policies, including land use designations and projects identified in the Downtown Station Area Specific Plan. The analysis determined that a rail crossing closure at W. Sixth, W. Seventh, or W. Eighth Street would conflict with Downtown Station Area Specific Plan policies adopted for the purpose of avoiding or mitigating environmental effects related to connectivity. No feasible mitigation was determined to be available to reduce the conflict. Therefore, the impact was determined to be significant and unavoidable.

**Response to Comment 18-23**

Please see Master Response A (Statements of Opinion for or against a Project Alternative).

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4 Please also see Lead Agency revisions made to p. 3.12-20 of the Draft EIR in Chapter 3.
Response to Comment 18-24

Draft EIR Section 4.3.1 (No Project Alternative), pages 4-3 to 4-5, includes an evaluation of the No Project Alternative. As noted on page 4-4 of the Draft EIR, it is anticipated that in the event that right-of-way fencing was placed on either side of the rail corridor to prevent pedestrians from crossing the railway, pedestrians and bicyclists that would normally use the crossing under the Project would be forced to utilize other routes, such as N. Dutton Avenue, Guerneville Road, Range Avenue, the Sonoma County Water Agency trail, and other arterial streets.

Response to Comment 18-25

The City appreciates your interest and comments on the Project and the Draft EIR, which will be shared with decisionmakers. Please refer Master Response A (Statements of Opinion for or against a Project Alternative).
Comments on Jennings Avenue Pedestrian and Bicycle Rail Crossing Project Draft EIR

I have lived on Lance Drive, between West College and Jennings Avenue, for almost 35 years, within a few minutes walk of the Jennings pedestrian and bicycle rail crossing. I am concerned that the Draft EIR fails to adequately explore and analyze the full negative potential of a grade-separated, ramped rail overcrossing on Jennings Avenue. The following issues, among others, need to be addressed in much greater depth.

An overcrossing creates a greater physical challenge for many of those who use the crossing, and may be an absolute barrier for some. Although an overcrossing would be ADA compliant, it is important to recognize that compliance is a minimal standard, not necessarily an optimal situation that would actually support and encourage the diversity of uses we currently have there — and which we should be fostering rather than risking curtailing. Even built to ADA standards, an overcrossing would still present more of a challenge than relatively flat ground for many pedestrians and cyclists, for example: anyone, especially children, pushing bicycles up a ramp, and restraining them on the down-ramp; similarly, anyone pushing a baby stroller or shopping cart; anyone with physical limitations, whether due to impaired cardiovascular or respiratory capacity, or difficulty of any sort in walking; anyone carrying a heavy load, including schoolchildren with their backpacks. For some, such added effort would effectively become an insurmountable barrier.

An overcrossing presents additional safety risks compared to an at-grade crossing. Young users, especially, will inevitably be tempted to speed down a ramp on their bicycles or skateboards, seriously imperiling themselves and others. Moreover, the length and configuration of the overcrossing could serve to discourage its use and instead lead to increased cutting through or climbing over fences and making dangerous unauthorized crossings at-grade. The length and configuration as currently conceived also make it impossible to see straight through, especially at night, to check for any potential threats to personal safety — such as anyone bent on ill-doing lurking or loitering in the area — before starting across.

Johanna James

CITY OF SANTA ROSA
P.O. BOX 1678
SANTA ROSA, CA 95402

DEC 01 2014

12/1/2014
page 1 of 2
An overcrossing cannot be completed in a timely way. The time needed to fund, design, have approved, and actually build an overcrossing would necessitate closing the crossing far too long—possibly even years! There are no interim provisions for the many people, especially children on their way to/from school, who depend on this crossing.

An overcrossing is not consistent with SMART’s stated mission to foster pedestrian and bicycle transit. According to the SMART Web site, SMART is a “passenger rail and bicycle-pedestrian pathway project” (emphasis mine) and the “SMART train and pathway provide options to get out of your car to get where you need to go …” (emphasis mine). One of the SMART logos reiterates this with its “WALK•BIKE•RIDE” slogan. (http://main.sonomamarintrain.org/wp-content/uploads/2013/05/Project-Overview.pdf, viewed 12/10/2013, 16:45 PST). An overcrossing instead of an at-grade crossing at Jennings Avenue would serve to hinder, rather than foster, the desired pedestrian and bicycle use and their associated environmental benefits.

Johanna James

12/1/2014
Letter 19 Response to Comments

Response to Comment 19-1

The City appreciates the comments on the Project and the Draft EIR, which will be shared with the City’s decisionmakers. Responses to specific comments on the Draft EIR are provided below.

Response to Comment 19-2

Draft EIR Section 2.2 (Project Objectives), pages 2-1 and 2-2, identifies the specific Project objectives, which include constructing an efficient and convenient crossing for pedestrians and bicyclists at Jennings Avenue in accordance with ADA requirements and applicable federal and State regulations. The Project objectives do not include accommodating pedestrians and bicyclists who are not able to take advantage of ADA-designed improvements. The rail overcrossing alternative has been designed to ensure compliance with ADA requirements and applicable regulations. As described in Draft EIR Section 2.5.1 (Characteristics of the Rail Overcrossing Alternative), page 2-13, the rail overcrossing would also include stairs on either side of the rail crossing to provide an alternate means of accessing the crossing structure. The City believes that both an at-grade rail crossing and a rail overcrossing would meet the Project objectives.

Response to Comment 19-3

As described in Draft EIR Section 2.5.1 (Characteristics of the Rail Overcrossing Alternative), page 2-13, the rail overcrossing alternative would include stairs on either side of the rail crossing to provide an alternate means of accessing the crossing structure, which would shorten the length of the overcrossing and allow able users to bypass the ADA-compliant ramps. As noted on page 2-14 of the Draft EIR, security lighting would be provided along the overcrossing. Also, as indicated on page 2-19 of the Draft EIR, the fencing that would be installed would be wrought iron or other vandal-resistant type to discourage cutting of the fences. Although people may run up and down the ramps and potentially use skateboards, the Rail Overcrossing Alternative does not include design features that are inherently dangerous or uncommon such that it would create a significant safety hazard.

Response to Comment 19-4

The City acknowledges that early implementation of the Project is important, so that a safe crossing that allows connectivity can be in place soon after the beginning of SMART passenger service. As noted on page 2-19 of the Draft EIR, construction of a rail overcrossing is anticipated to require approximately six months to complete.

Response to Comment 19-5

As described in Draft EIR Section 2.5.1 (Characteristics of the Rail Overcrossing Alternative), page 2-13, the rail overcrossing alternative would integrate the overcrossing with the future SMART Pathway, which is anticipated to be located under a portion of the overcrossing on the east side of the rail corridor. The Project is being proposed by the City of Santa Rosa, not SMART, and therefore SMART’s objectives are not directly germane to the evaluation of the Project in the EIR.
December 1, 2014

Dear Ms. Jones-

I'm sorry to bombard you at the last minute with a few comments on the Jennings Overpass (preferred project) draft EIR. Please note that preference is in the eye of the beholder and it was obvious that the report was biased in favor of the 'cheaper' alternative rather than use grant funding to make up any shortfall between the cost of an at-grade crossing and a safer bridge overpass. This partiality I believe will result in a long-term reduction in quality of life at the expense of the West End historic district, as well as a potential and probably inevitable cost in lives should an at-grade crossing at Jennings be chosen.

**UD-3 Enhance public safety and aesthetics along the length of the rail corridor**

- **UD-3.1.** Encourage SMART and the Public Utilities Commission to ensure any proposed fencing along the railroad right-of-way is attractive. Low-level open fencing is encouraged along the rail corridor that provides safety while maintaining eyes on the rail corridor.

Such fencing is not a deterrent. The horrifying statistics on deaths by trains are readily available and are not being considered by this EIR.

In a 2013 article, "Every year since 1997, more people have died walking on railroad tracks than in vehicles struck by trains at railroad crossings. The trend seems to be continuing, despite the number of deaths at railroad crossings also growing 28 percent this year ..." "There were 352 pedestrian railroad deaths, classified as trespasser fatalities, through Aug. 31, compared to 281 during the same period in 2012. The Federal Railroad Administration data has a three-month lag. The deaths this year are on pace to reach 538 ..." Several newspapers have written series on this phenomenon.

An at-grade crossing is a gamble that child pedestrians will only cross when it is safe and respect the fences. Existing fencing near Railroad Square is currently cut through or pried loose in several places. Recently I saw a child go inside a cut fence to retrieve a ball. Children on their way to the local school and teenagers easily climb fences or little yellow gates and are impulsive. The first lawsuit over a dead child against the city for choosing the cheaper alternative over the safer one will obviate any cost savings.

**Construct an efficient and convenient crossing for pedestrians and bicyclists at Jennings Avenue, in accordance with the Americans with Disabilities Act (ADA) and applicable federal and State regulations.**

In Oakley just last Saturday, a blind man using an at-grade crossing fell and was killed. "Witnesses reported that the man, who didn’t need a cane, was crossing over the tracks and tripped. He became disoriented after his fall and tried to avoid the oncoming train, but instead dove into the tracks." This would not have been possible on an overpass.

As for potential street closures in the West End, I'm somewhat aghast. While the counted pedestrian and cyclist crossings in the West End currently outweigh those at the Jennings crossing, they don't take into account future additional pedestrians and cyclists who result from the completed MUP--using it for recreation or to dine or shop in the West End--or those boarding or debarking the trains, those shopping or living at whatever will be the SMART staging yard development west of the station or those from the 75 housing units between 8th and 9th whose construction starts shortly--evidence the evicted One Tree Yoga Studio at 9th to facilitate demolition of the block. There will of course be an increase in car traffic from train shuttles and residents to the West End Village development and the development west of the station.
LU-1: Would the Project physically divide an established community?

Of course it does. Fences and bollards blocking the streets. These are both physical and psychological barriers to the 'flow.' We become impeded rats in a maze.

My next comment pertains to all of the following:

TR-4: Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

TR-3: Revise Proposed Bicycle Route on Sixth Street (Preferred Project with Rail Crossing Closure at W. Sixth St.)

SP-T-3 Ensure new development and streetscape projects provide pedestrian and bicycle circulation improvements.

2.6.1 Support and encourage increased pedestrian activity downtown, and within walking distance of SMART station site.

Bicycle Boulevard: "Conflicts between bicycles and automobiles are minimized and bicycle travel time is reduced by the removal of unwarranted stop signs and other impediments to bicycle travel."

I'm discouraged already at the idea of walking or riding east on 6th to get to Railroad Square, then having to go north to Starks or through the parking lot of Western Farm, around the block and over to Wilson to turn back south toward Railroad Square and the station. Absolute annoying stupidity, particularly since a considerable sum was spent to extend 6th street east under the 101 freeway and connect it and a bike lane to downtown Santa Rosa. Closing 6th also cuts off the route to the station from the Class 1 Creek Trail exiting at Pierson, then along the already approved 6th street Bicycle Boulevard to the future MUP, making it into a dangerous traverse along trafficked streets and onto cramped and busy Wilson Street. Thanks, City Planners, for keeping cyclists safe.

AES-2: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

"Therefore, the aesthetic impact of a rail crossing closure at W. Sixth, W. Seventh, or W. Eighth Street would be significant."

2.6.1.B. Create a unifying aesthetic while maintaining unique character of individual sub-areas.

A unifying aesthetic of restrictive fences and bollards? Kind of like the Polish ghetto in Warsaw?

Sorry I can't continue, my time is up.

Sincerely,

Terrie Noll
Letter 20 Response to Comments

Response to Comment 20-1

The City appreciates your comments on the Project and the Draft EIR, which will be shared with the City’s decisionmakers. The commenter alleges that the EIR is biased in favor of the Preferred Project (an at-grade crossing with a crossing closure at W. Sixth, W. Seventh, or W. Eighth Street). CEQA requires that the identification of impacts and recommendation for mitigation measures be objective, be based on substantial evidence, and be present in a transparent manner. The City has prepared the EIR in an unbiased manner as required; for example, as noted in Draft EIR Section 5.5 (Environmentally Superior Alternative), page 5-5, the Rail Overcrossing Alternative was determined to be environmentally superior to the Preferred Project. The Draft EIR does not emphasize or specifically recommend approval of a Project alternative.

Response to Comment 20-2

The commenter lists a goal and an objective from the North Santa Rosa Station Area Specific Plan to enhance public safety and aesthetics along the rail corridor, and states that low level open fencing along the rail corridor is ineffective.

Draft EIR Section 2.2 (Project Objectives), on pages 2-1 and 2-2, identifies the specific Project objectives, which include, among others, constructing a CPUC-approved pedestrian and bicycle rail crossing in accordance with ADA requirements and applicable federal and State regulations. As described in Draft EIR Section 2.4.1 (Characteristics of Preferred Project), page 2-5, the design of an at-grade rail crossing would be ADA-compliant and include safety devices in compliance with the CPUC General Order No. 75-D regulations for at-grade rail crossings, as well as the Caltrans Highway Design Manual path standards, California Manual of Uniform Traffic Control Devices, the Federal Highway Administration Railroad-Highway Grade Crossing Handbook, and other applicable requirements.

Impact TR-2 of Draft EIR Section 3.12 (Transportation), page 3.12-22, evaluates the potential safety issues for an at-grade rail crossing, and finds impacts to be less than significant. The CPUC, the state agency responsible for rail safety in California, identifies in its regulations the type of warning devices that are required for a safe at-grade pedestrian crossing. Based on these regulations and preliminary discussions with CPUC staff, warning devices for the at-grade rail crossing would include flashing light signal assemblies with automatic gate arms, warning signs, pedestrian gates, hand rails, and because the site consists of a double track, electronic signs to notify pedestrians if a second train is coming in close proximity to the first crossing. Warning devices would indicate when a train was approaching and would trigger gate arms to block pedestrian access. Exit swing gates would be provided to allow pedestrians to exit the track, if the gate arms were activated while a pedestrian was crossing. SMART’s commuter trains would also exceed current safety requirements by being equipped with technology that precludes trains from being operated above speed restrictions in the vicinity of grade crossings to enhance safety along the railway (SMART 2015c).

Regarding fencing, the Project would include vandal-resistant fencing, such as wrought-iron fencing, 5 to 6 feet in height that would be installed to direct pedestrians to the crossing where the safety devices are located. Such fencing has been shown to successfully channelize pedestrians to the crossing location. Please refer also to Response to Comment 16-1.

It is important to note that the safety concerns expressed by the commenter are also applicable to vehicular rail crossings throughout the City and the length of the proposed SMART line, as
pedestrians and bicyclists of all ages will be crossing the rail line at virtually all of the vehicular crossings.

Response to Comment 20-3
Please see Response to Comment 20-2.

Response to Comment 20-4
A traffic study was prepared for the Project which analyzed the potential for both Project and cumulative impacts associated with closure of a rail crossing at either W. Sixth, W. Seventh, or W. Eighth Street. Under cumulative conditions, the volume of pedestrians and bicycles would increase as described by the commenter; future volumes of pedestrians and bicyclists were not estimated in the Draft EIR for the cumulative conditions, because none of the analyses rely on the number of pedestrians or bicyclists. Rather, impacts on non-motorized travel and connectivity issues were analyzed in the Draft EIR using travel times and distances. The impacts for pedestrians and bicycles would be the same under cumulative conditions as for project conditions, as described on page 51 of Draft EIR Appendix G (Traffic Impact Analysis Report).

Regarding the cumulative condition for vehicles, in order to be consistent with the City of Santa Rosa General Plan, the forecast year of 2035 was chosen to represent cumulative conditions. The forecasted traffic volumes at each of the study intersections for year 2035 were obtained through application of a 1.2% annual population growth rate, as identified as a city-wide population growth rate with the City of Santa Rosa General Plan. While it is expected that future transportation management programs, bicycle and pedestrian improvements, and commuter use of the SMART rail corridor could reduce the need for motor vehicles in the study area, motor vehicle traffic volumes were calculated to be consistent with population growth for a conservative estimate. This growth rate was compared to growth rates used to approximate cumulative conditions in the proposed North Santa Rosa Station Area Specific Plan and Downtown Station Area Specific Plan, and the population growth rate was found to meet and exceed the growth approximated with these plans.

Response to Comment 20-5
Impact LU-1 of Draft EIR Section 3.9 (Land Use), pages 3.9-11 to 3.9-12, evaluates the potential for a crossing closure at W. Sixth, W. Seventh, or W. Eighth Street to physically divide an established community. A crossing closure at W. Sixth, W. Seventh, or W. Eighth Street would eliminate through traffic for all travel modes at one of these locations. However, the Draft EIR found that a crossing closure would not result in the physical division of either the West End or Railroad Square communities, because land use connectivity within and across these communities would remain at other crossings for all travel modes. North-south oriented streets such as Davis Street, Wilson Street, Adams Street, and Donahue Street would remain open. Because only one crossing would be closed, the other nearby remaining crossings would continue to provide connectivity between land uses to the east and west of the railroad corridor.

Response to Comment 20-6
The comment does not specify a particular issue regarding the adequacy of the Draft EIR findings. Therefore a response cannot be provided. However, your comment will be shared with decisionmakers for their consideration.
For reference, Section 3.12 of the Draft EIR found that closure of a rail crossing at W. Sixth Street would conflict with General Plan Policy T-J-1, which guides the City to pursue implementation of walking and bicycling facilities as envisioned in the City’s Bicycle and Pedestrian Master Plan. The closure of a rail crossing at W. Sixth Street would conflict with the route indicated for the future Sixth Street Class II bicycle lane in the General Plan and the Downtown Station Area Plan, and the route for the future bicycle boulevard in the Bicycle and Pedestrian Master Plan. The impact was determined to be significant.

As identified in the Draft EIR, such a closure would require the re-routing of pedestrian and bicycle trips, which would likely involve a shift to W. Seventh Street. A shift to W. Seventh Street would add approximately 800 feet onto a bicycle and pedestrian trip seeking to cross the SMART rail corridor using W. Sixth Street. The commenter is correct that a closure at W. Sixth Street would cause pedestrians and bicyclists using the Santa Rosa Creek Trail exiting at Pierson Street to use the re-routing via W. Seventh Street and Wilson Street. This additional trip length would generally result in less than one minute of additional travel time for cyclists, and approximately 3.5 minutes of travel time for walking pedestrians. This increased trip length and delay, although not desirable or convenient, would reduce the conflict with the Sixth Street Bicycle Route/Boulevard to a less-than-significant impact.

This impact would only occur if W. Sixth Street were selected as the crossing to be closed.

Response to Comment 20-7

The comment does not specify a particular issue regarding the adequacy of the Draft EIR findings. Therefore a response cannot be provided. However, your comment will be shared with decisionmakers for their consideration.

As quoted by the commenter, Impact AES-2 on pages 4.1-16 through 4.1-18 of the Draft EIR identifies a significant impact to the visual quality and character of the areas near a crossing closure. Mitigation Measure CR-2 would require the fencing and the use of bollards designed to protect the integrity of the surrounding areas, ensuring that new features are designed in a manner that is compatible in size, scale, and design with the surrounding community. The mitigation measure would reduce the aesthetic impact to a less-than-significant level.
Dear Ms. Jones-

Did anyone consider that if 6th is closed, those returning from downtown to the West End via the newly opened route under 101 will have to turn right onto Wilson and go north to do a left across Wilson on 7th or 8th or even 9th? Nice traffic jam ...

Terrie
Letter 21 Response to Comments

Response to Comment 21-1

The traffic study for the Project analyzed the impact of a closure of W. Sixth Street on the Wilson Street and W. Seventh Street intersection both for the existing condition and the cumulative condition. As presented in Table 3.12-4 on page 3.12-18 of the Draft EIR for closure of a rail crossing at W. Sixth Street, re-distribution of traffic volumes to W. Seventh Street would cause up to 2 seconds of additional delay, but the LOS would remain at LOS A for the left turn movement from Wilson Street to W. Seventh Street for each of the peak hours. In the cumulative condition, as presented in Table 3.12-5 on page 3.12-35 of the Draft EIR for closure of a rail crossing at W. Sixth Street, re-distribution of traffic volumes to W. Seventh Street would cause up to 3 seconds of additional delay, but the LOS would remain at LOS A for the left turn movement from Wilson Street to W. Seventh Street for each of the peak hours. Therefore, the vehicular traffic impact from closure of a rail crossing at W. Sixth Street would be less than significant both for the project conditions and cumulative conditions regarding a left turn from Wilson Street to W. Seventh Street.
Hi Jessica,

Thanks for asking for clarification. I asked the person who contributed that part of our letter and received a response that includes the following:

Any rail station has to be planned for pedestrian safety, and the manner in which pedestrians cross the track(s) has to be coordinated with the PUC. The question we raised is whether the crossing at Jennings can be considered part of the pedestrian protections for the adjacent station. It may be possible for the Jennings gate to be closed at the same time as the station’s pedestrian gate, thereby making the crossing effectively part of the station’s pedestrian system.

I would add the information that the 65 percent design for the SMART station in Santa Rosa on the SMART website shows a new pedestrian crossing at Fourth St. New crossings are allowed within some distance from a station, and our comment raises the question of whether the Jennings crossing is close enough to the Guerneville Rd. station to be allowed.

Willard Richards
Letter 22 Response to Comments

Response to Comment 22-1

Please see Response to Comment 16-8.
2.3 Public Hearing Comments and Responses

This section summarizes comments made by interested parties and City Council members during the Draft EIR public hearing held on November 18, 2014. Responses to each public hearing comment are provided. In several instances, the public hearing comment is similar in nature to a written comment that is addressed in Section 2.2 of this Final EIR. In such cases, the reader is referred to the applicable response provided in Section 2.2.

Willard Richards

Public Hearing Comments PH-1 to PH-4

Comment PH-1

Comment Summary: The commenter is concerned fence cutting will occur if an overcrossing is constructed, noting that a fence along a recently built pedestrian path between 8th Street and W. College has already been cut in places.

Response: Please see Response to Comment 16-1 in Section 2.2 (Comment Letters and Responses to Comments).

Comment PH-2

Comment Summary: The commenter states that the fencing shown in the visual simulation of the rail overcrossing in the Draft EIR is not vandal-resistant.

Response: Please see Response to Comment 16-1 in Section 2.2 (Comment Letters and Responses to Comments).

Comment PH-3

Comment Summary: The commenter states that the EIR should place more emphasis on safe fencing, including the type of maintenance and repair that would be conducted for the rail overcrossing alternative.

Response: Please see Response to Comment 16-2 in Section 2.2 (Comment Letters and Responses to Comments).

Comment PH-4

Comment Summary: The commenter suggests that the EIR consider mitigation for the time-restricted parking limitations along Adams Street for a closure at W. Seventh Street, suggesting that if a crossing closure at W. Seventh Street were to occur, the area near the end of W. Seventh could be used for diagonal parking.

Response: Please see Response to Comment 16-5 in Section 2.2 (Comment Letters and Responses to Comments). The Project does not include new parking at the end of W. Seventh Street, in case the street is closed.
James Duncan

Public Hearing Comments PH-5 to PH-6

Comment PH-5

Comment Summary: The commenter states that the position of the CPUC regarding the need to abandon a crossing in exchange for a rail crossing at Jennings Avenue is not clear. The commenter mentions that Jennings Avenue has never been fenced or signed to preclude use.

Response: Please refer to Master Response C (Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure).

The City acknowledges that both pedestrians and bicyclists have been historically crossing the rails at Jennings Avenue, and the EIR therefore identifies an unofficial crossing at this location. The EIR’s evaluation of impacts takes into consideration the existing conditions where individuals are, in fact, using the Jennings Avenue area as a rail crossing – even though CPUC and SMART have indicated that it may be illegal for people to do so.

Comment PH-6

Comment Summary: The commenter requests clarification on what constitutes a “legal” crossing, and states that the CPUC keeps a file of un-inventoried crossings. The commenter asks if the Jennings Avenue crossing is potentially on the un-inventoried crossings list, and if so, it that would have any influence on the need to close a crossing elsewhere.

Response: In a letter received from the CPUC on December 22, 2014, CPUC staff indicated that they do not have records indicating that there has ever been a crossing at Jennings Avenue, and that they do not maintain a non-inventoried crossing list.

Please also refer to Response to Comment 18-6 in Section 2.2 (Comment Letters and Responses to Comments).

Johanna James

Public Hearing Comments PH-7

Comment PH-7

Comment Summary: The commenter is concerned that the EIR does not fully explore the potential impact of a rail overcrossing related to creating a physical barrier to people who currently use the crossing. The commenter states that the Americans with Disabilities Act is a minimal compliance standard, and that the overcrossing could result in a safety hazard for some people, and may not foster the use for which it is intended.

Response: Please refer to Response to Comment 19-2 in Section 2.2 (Comment Letters and Responses to Comments).
Carol Dean

Public Hearing Comments PH-8 to PH-12

**Comment PH-8**

**Comment Summary:** The commenter states that closing a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street would affect connectivity and create dead ends.

**Response:** Please refer to Response to Comment 13-1 in Section 2.2 (Comment Letters and Responses to Comments).

**Comment PH-9**

**Comment Summary:** The commenter states that the North Santa Rosa SMART station will not have parking, and expresses concern that this could result in more people driving to the Downtown SMART station, which would result in more traffic in the area, and more congestion in the event of a rail crossing closure.

**Response:** Please refer to Response to Comment 13-3 in Section 2.2 (Comment Letters and Responses to Comments).

**Comment PH-10**

**Comment Summary:** The commenter is concerned about the impact of daily customer traffic at Western Farm Center being re-distributed through the West End area.

**Response:** Please refer to Response to Comment 13-7 in Section 2.2 (Comment Letters and Responses to Comments).

**Comment PH-11**

**Comment Summary:** The commenter is concerned that a rail crossing closure will affect access to the DeTurk Round Barn and impact future use. The commenter recommended discussing the use of the DeTurk Round Barn with Mickey Remy of the Santa Rosa Recreation and Parks Department.

**Response:** Please refer to Response to Comment 13-11 in Section 2.2 (Comment Letters and Responses to Comments).

**Comment PH-12**

**Comment Summary:** The commenter expresses concern that elimination of a crossing could affect emergency services in the event that a train was blocking adjacent rail crossings. The commenter states that such a blockage occurred in the past, which resulting in two houses burning down.

**Response:** Please refer to Response to Comment 13-12 in Section 2.2 (Comment Letters and Responses to Comments).

Lana Russell-Hurd

Public Hearing Comments PH-13

**Comment PH-13**

**Comment Summary:** The commenter states that Jennings Avenue is a key pedestrian and bicycle rail crossing identified in the North Santa Rosa Station Area Specific Plan. The commenter states
that a rail overcrossing would have a negative aesthetic impact, and may also encourage short-cuts due to the length of the overcrossing ramps.

**Response:** The City acknowledges that the Project is needed, as expressed in the Project’s objectives on page 2-1 of the Draft EIR. The EIR found that a rail overcrossing would result in a negative aesthetic impact. As identified in Impact AES-2 on pages 3.1-18 through 3.1-26 of the Draft EIR, a significant unavoidable impact was identified for the Rail Overcrossing Alternative related to the creation of a strong visual contrast with the existing surrounding area.

As described in Draft EIR Section 2.5.1 (Characteristics of the Rail Overcrossing Alternative), page 2-13, the rail overcrossing alternative would include stairs on either side of the rail crossing to provide an alternate means of accessing the crossing structure, which would shorten the length of the overcrossing and allow able users to bypass the ADA-compliant ramps. Also, as indicated in the Project Description on page 2-19 of the Draft EIR, the fencing that would be installed would be wrought iron or other vandal-resistant fencing type to discourage cutting of the fences.

**Jack Swearengen**

**Public Hearing Comments PH-14**

**Comment PH-14**

**Comment Summary:** The commenter is concerned that if the rail overcrossing alternative is constructed, people will cut through the fence due to the size of the overcrossing structure, which could result in safety concerns.

**Response:** As described in Draft EIR Section 2.5.1 (Characteristics of the Rail Overcrossing Alternative), page 2-13, the rail overcrossing alternative would include stairs on either side of the rail crossing to provide an alternate means of accessing the crossing structure, which would shorten the length of the overcrossing and allow able users to bypass the ADA-compliant ramps. Also, as indicated in the Project Description on page 2-19 of the Draft EIR, the fencing that would be installed would be wrought iron or other vandal-resistant fencing type to discourage cutting of the fences.

**Mike Montague**

**Public Hearing Comments PH-15 to PH-17**

**Comment PH-15**

**Comment Summary:** The commenter is concerned about safety of an at-grade rail crossing for children and students.

**Response:** Impact TR-2 of Draft EIR Section 3.12 (Transportation), page 3.12-22, evaluates the potential safety issues for an at-grade rail crossing, and finds impacts to be less than significant. The CPUC, the state agency responsible for rail safety in California, identifies in its regulations the type of warning devices that are required for a safe at-grade pedestrian crossing. Based on these regulations and preliminary discussions with CPUC staff, warning devices for the at-grade rail crossing would include flashing light signal assemblies with automatic gate arms, warning signs, pedestrian gates, hand rails, and because the site consists of a double track, electronic signs to notify pedestrians if a second train is coming in close proximity to the first crossing. Warning devices would indicate when a train was approaching and would trigger gate arms to block
pedestrian access. Exit swing gates would be provided to allow pedestrians to exit the track, if the gate arms were activated while a pedestrian was crossing.

SMART’s commuter trains would also exceed current safety requirements by being equipped with technology that precludes trains from being operated above speed restrictions in the vicinity of grade crossings to enhance safety along the railway (SMART 2015c).

**Comment PH-16**

*Comment Summary:* The commenter expresses concern about potential impacts to Franco American Bakery, and suggests that they may be required to move if a rail crossing is closed.

*Response:* Please refer to Response to Comment 13-8 in Section 2.2 (Comment Letters and Responses to Comments).

**Comment PH-17**

*Comment Summary:* The commenter asks what will happen when a rail crossing is opened at 4th Street.

*Response:* When SMART passenger trains start running, the Downtown SMART station, which is located between Fourth and Fifth Streets, will provide access to the rail corridor from the east only. When the SMART development site across the rail corridor from the Downtown SMART station is developed at some unknown time in the future, the Downtown Station Area Specific Plan indicates that a crossing would be installed at the SMART station or on Fourth Street. Neither activity, to the extent they are known at the current time, would interact with the impacts of the Project to cause adverse cumulative impacts.

**Steve Birdlebough**

**Public Hearing Comments PH-18**

**Comment PH-18**

*Comment Summary:* The commenter states that a rail overcrossing would affect the long-term potential for a future vehicular crossing at Jennings Avenue.

*Response:* Section 2.2 (Project Objectives) on pages 2-1 to 2-2 of the Draft EIR identifies the objectives of the proposed Project. A future vehicular crossing at Jennings Avenue was not identified as a Project need and objective, and is not identified in the circulation system of the City’s North Santa Rosa Station Area Specific Plan or the City’s General Plan 2035. Therefore, future vehicular use of a rail crossing at Jennings Avenue is not included as part of any of the alternatives.

**Jake Ours**

**Public Hearing Comments PH-19 to PH-20**

**Comment PH-19**

*Comment Summary:* The commenter asks if the CPUC is requiring the closure of one or two crossings.
Response: The City received a letter from the CPUC dated January 13, 2012, outlining the CPUC staff’s request for one or two closures to compensate for a new at-grade crossing at Jennings Avenue. As indicated on page 2-5 of the Draft EIR:

In the event that the City constructs a new at-grade rail crossing at Jennings Avenue, CPUC staff has suggested that the City close one or two other rail crossings within the City, namely at W. Sixth, W. Seventh, or W. Eighth Street, so that the total number of permitted at-grade rail crossings in the City would stay the same or be reduced (CPUC 2012). In the event that CPUC staff require closure of more than one existing at-grade rail crossing, the City would not pursue the Preferred Project (Santa Rosa 2014).

Comment PH-20

Comment Summary: The commenter asks about notification requirements for quiet zones. Does the notification for the City’s project approval process reach all of the residents who would be affected by the train horns?

Response: FRA requirements for notification prior to approval of a Quiet Zone are contained in 49 CFR 222.39, 222.41 and 222.43 (The Train Horn Rule and Quiet Zones). These regulations require a 60-day comment period for the agencies involved, but there are no specific requirements for public notification or notification to neighborhoods near the crossings that would be affected by a Quiet Zone. Such public notification would be at the control of the agency making the application, which we assume would be SMART. (CPUC 2015a)

The train horn and whistle noise from an at-grade crossing at Jennings Avenue is projected to cause significant noise impacts on sensitive receptors within approximately 900 feet of the crossing, at maximum, during the cumulative condition when SMART and freight trains are running at full schedules. Sensitive receptors beyond 900 feet would likely be able to hear the train horn and whistle noise, but the average day-night noise levels (DNL) beyond 900 feet would not exceed the noise levels specified in the General Plan as "compatible" with a single-family residential neighborhood.

The noticing for this EIR included the Notice of Preparation (NOP) which was mailed to all property owners and tenants within 1,000 feet of the at-grade crossing. Also, signs were posted at all four crossings (Jennings Avenue, W. Sixth, W. Seventh and W. Eighth Streets) for both the Scoping Meeting and the Public Hearing on the Draft EIR, and a Notice of Availability of the Draft EIR was e-mailed to various interested groups and individuals, was published in the Press Democrat, and posted with the County Clerk on October 17, 2014. In addition, the Draft EIR was made available at the Santa Rosa City Hall in the offices of Community Development and City Manager, at the Transportation and Public Works Department, the California Welcome Center, and the Northwest and Central Santa Rosa branches of the Library.

Therefore, the sensitive receptors that would be significantly affected by train horn and whistle noise from the Project were provided individual notice of the City’s decision to prepare an EIR, as well as general noticing (i.e., newspaper, signage, etc.), as required by CEQA and the City Code.
Robin Swinth

Public Hearing Comments PH-21 to PH-25

Comment PH-21

Comment Summary: The commenter asks if someone at the City is communicating directly with the CPUC or if the communications are being done through SMART. The commenter hopes that the City is communicating directly with someone important at the CPUC to advocate on the City’s behalf, because any of the crossing closures would be problematic.

Response: The City’s Transportation and Public Works staff and the City Council have been in communication directly with the CPUC staff regarding this Project for several years. In addition, as part of the EIR process, the City met with CPUC staff and SMART staff twice: on December 3, 2013, during scoping to confirm the City’s understanding of the CPUC requirements and process and to receive CPUC feedback on the Draft EIR’s project description for the at-grade crossing; and on May 6, 2014, to receive feedback on the Draft EIR’s project description for the overcrossing.

The comment indicates that communication at different levels within the CPUC may result in a different outcome regarding the proposed crossing at Jennings and the requirement for closure of an alternate crossing. In response to this comment, as well as other similar comments, an additional alternative has been included in the EIR, namely an at-grade crossing with no street closure (refer to Master Response C – Request for Evaluation of a New Alternative Consisting of the Preferred Project with No Rail Crossing Closure), which would be conditioned upon the CPUC’s approval. If the City Council directs staff to pursue such an alternative, additional communication with the CPUC and State legislators would ensue as appropriate.

Comment PH-22

Comment Summary: The commenter states that she would like to see more visual simulations of the overcrossing, showing the overcrossing at different angles.

Response: Please see Master Response B (Request for Additional Visual Simulations of the Rail Overcrossing Alternative) in Section 2.1 (Master Responses).

Comment PH-23

Comment Summary: The commenter asks when the cost difference between the at-grade crossing and the overcrossing would be brought before the Council.

Response: The City’s Transportation and Public Works staff intends to provide cost information regarding the Preferred Project (At-grade Rail Crossing) and the Rail Overcrossing Alternative in the staff report for the Council agenda item. The EIR Certification and Project approval agenda item is currently scheduled for March 17, 2015.

Comment PH-24

Comment Summary: The commenter asks how these crossings fit into a larger plan, given that nearby businesses and residents would be affected, especially if the density increases around SMART stations. There are important businesses near Railroad Square; how would the businesses be affected by a crossing closure?

Response: In addition to being subject to the General Plan, the proposed rail crossing at Jennings Avenue is part of the North Santa Rosa Station Area Specific Plan, and the potential rail crossing
closures at W. Sixth, W. Seventh, and W. Eighth Street are within the Downtown Station Area Specific Plan. The relevant sections of the General Plan and Specific Plans are discussed on pages 3.9-2 through 3.99 of the Draft EIR in Section 4.9 Land Use and Planning, including several figures showing the Project’s geographical relationship to the plans’ land use designations. The impacts of the Project relative to the General Plan and both Specific Plans are evaluated on pages 3.9-13 through 3.9-15 of the Draft EIR. Impact LU-2 concludes that both an at-grade rail crossing and overcrossing at Jennings Avenue would be consistent with the General Plan and the North Santa Rosa Station Area Specific Plan, as both plans specifically rely on the rail crossing to implement their goals of increased connectivity. Impact LU-2 also concludes that any of the potential rail crossing closures associated with an at-grade rail crossing would be inconsistent with the Downtown Station Area Specific Plan because it would decrease connectivity with the Downtown SMART station, and thus would cause a significant and unavoidable impact.

Physical environmental impacts on businesses near Railroad Square are discussed throughout the various sections of the Draft EIR, e.g., Section 3.1 Aesthetics, Section 3.4 Cultural Resources, and Section 3.10 Noise. Of primary interest, Section 3.12 Transportation discusses potential impacts to congestion, truck circulation, traffic hazards, emergency access, and consistency of a closure with plans related to transit, pedestrians, and bicycles; refer to pages 3.12-16 through 3.12-37 of the Draft EIR for a full discussion of these impacts. Potential social or economic impacts to businesses near Railroad Square are not identified in the EIR, because EIRs are required to evaluate only physical environmental impacts.

**Comment PH-25**

**Comment Summary:** The commenter suggests that the City consider involving its State legislator or Federal representative in discussions with the CPUC.

**Response:** Please refer to response to Comment PH-21.

**Gary Wysocky**

**Public Hearing Comments PH-26 to PH-28**

**Comment PH-26**

**Comment Summary:** The commenter asks if there is any precedence for un-inventoried crossings.

**Response:** In a letter to the CPUC dated December 9, 2014, the City requested information on any historical records indicating that Jennings Avenue has been used as a rail crossing of any type, and requesting clarification on whether Jennings Avenue is included on a list of non-inventoried crossings. In a letter received from the CPUC on December 22, 2014, CPUC staff indicated that they do not have records indicating that there has ever been a crossing at Jennings Avenue, and that they do not maintain a non-inventoried crossing list. However, aerial photographs of the Project area taken in 1942, 1956 and 1963 show an at-grade rail crossing in place at Jennings Avenue. (Santa Rosa 2015c; Sonoma VEG MAP 2015) Please see Appendix A.

In an e-mail to the CPUC dated January 13, 2015, the City requested clarification on whether the proposed rail crossing at Jennings Avenue could be considered a re-instatement of a former rail crossing as opposed to the installation of a new rail crossing. In an e-mail response dated January 13, 2015, CPUC staff stated the following: “There is no ‘Historical’ right for a crossing. Once one has been removed, it is considered to have never existed in terms of building a new one.” (CPUC 2015b)
Comment PH-27

Comment Summary: The commenter asks for the specific CPUC policies or legislation that allows them to require a closure elsewhere in the City.

Response: The CPUC General Order (GO) No. 75-D, which is the regulation governing standards for warning devices for at-grade highway-rail crossings in the State of California, states in Section 2, that "as part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission’s policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.” Section 13.3 of GO No. 75-D provides for exemptions where “in the Commission’s opinion, public interest would be served by so doing.”

In a letter received from the CPUC on December 22, 2014, CPUC staff stated that the Commission’s policy does not differentiate between highway-rail and pedestrian-rail crossings.

Comment PH-28

Comment Summary: The commenter asks about the location in which a trade of rail crossings could occur. If crossings are being closed elsewhere along the rail line in other jurisdictions, would that count as a closure? The commenter states that he thought there was a recent rail crossing closure in Rohnert Park, and asks if that could be counted as a rail crossing closure.

Response: In a letter to the CPUC dated December 9, 2014, the City requested clarification on the extent along the rail corridor where a rail crossing closure could count for Santa Rosa. In a letter received from the CPUC on December 22, 2014, CPUC staff noted that Section 3.7 (c) of the Commission Rules of Practice and Procedure requires applications to construct a new at-grade crossing to contain a statement showing why a separation of grades is not practicable. CPUC staff stated that it may consider other alternatives for a rail crossing closure along the rail corridor if and when the City demonstrates that a grade-separated crossing is impracticable. CPUC staff stated that they would not support the closure of a private crossing in return for constructing a new at-grade crossing.

Additionally, in an e-mail to SMART dated January 13, 2015, the City requested clarification on whether any public rail crossings were closed or combined in Rohnert Park. In an e-mail response dated January 13, 2015, SMART staff stated no public rail crossing was closed (SMART 2015b).

Erin Carlstrom

Public Hearing Comments PH-29 to PH-35

Comment PH-29

Comment Summary: The commenter asks when the City will know if the CPUC will require one or two crossing closures.

Response: If an at-grade crossing is approved by the Council, City staff will submit a Formal Application to Construct a New Public Rail Crossing to the CPUC. After CPUC staff review the application, they will make a recommendation for closure of one or two crossings in their staff report to the California Public Utilities Commission. The Commission will make the final decision. The Commission decision would occur approximately six to twelve months after the application has been submitted.
Comment PH-30

Comment Summary: The commenter references Impact GG-C-1 on page 1-10 of the Draft EIR. The commenter states that even with the re-routing of the bicycle path along Wilson Street, impacts to pedestrians and bicycles from a crossing closure would be significant. Impacts would occur, given that Wilson Street has the highest incidence of car versus bicycle accidents.

Response: Please refer to Response to Comment PH-33 below.

Comment PH-31

Comment Summary: The commenter references Impacts LU-1 and LU-2 relative to an at-grade crossing. The commenter states that a closure at any of the three rail crossings would divide the community.

Response: The potential to physically divide an established community is evaluated in Impact LU-1 on pages 3.9-11 and 3.9-12 of the Draft EIR. Closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street is identified in Impact LU-1 as a less-than-significant impact. A portion of the evaluation is follows:

The rail corridor physically divides land uses to the east and west of the tracks, although crossings (official and unofficial) have been established to allow vehicular, bicycle and/or pedestrian movement across the rail corridor.

... A crossing closure at W. Sixth, W. Seventh, or W. Eighth Street would eliminate through traffic for all travel modes at one of these locations. However, a crossing closure would not result in the physical division of either the West End or Railroad Square communities, because land use connectivity within and across these communities would remain at other crossings for all travel modes. For example, north-south oriented streets such as Davis Street, Wilson Street, Adams Street, and Donahue Street would remain open. Because only one crossing closure would be closed, the other two remaining crossings would continue to provide connectivity between land uses to the east and west of the railroad corridor. If W. Sixth Street is closed, the remaining downtown cross-highway connections at Fifth Street, Fourth Street, and W. Third Street to the south, and W. Ninth Street to the north, would continue to allow movement between land uses across Highway 101. Therefore, the impact of a rail crossing closure at W. Sixth Street, W. Seventh Street, or W. Eighth Street related to physical division of a community would be less than significant.

Even though a crossing closure would reduce connectivity across the rail corridor, it is unlikely that it would substantially divide the existing communities at these locations more than the existing rail corridor already does, and therefore, Impact LU-1 is identified as less than significant.

The potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect is evaluated in Impact LU-2 on pages 3.9-13 and 3.9-14 of the Draft EIR. Closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street is identified in Impact LU-2 as a significant impact that would be unavoidable, because no feasible mitigation has been identified that could remove the conflict with the Downtown Station Area Specific Plan. The identification of Impact LU-2 as significant and unavoidable is consistent with the commenter’s concern.
Comment PH-32

Comment Summary: The commenter references Impact TR-1 relative to an at-grade crossing. The commenter states that the mitigation is inadequate and that the impact would be significant and unavoidable.

Response: The potential to conflict with an applicable plan, ordinance, or policy establishing measures of performance for the vehicular circulation system is evaluated in Impact TR-1 on pages 3.12-16 through 3.12-22 of the Draft EIR. Closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street is identified in Impact TR-1 as a significant impact that would be mitigated to a less-than-significant level by Mitigation Measure TR-1, Traffic Control Plan, and Mitigation Measure TR-2, Facilitate Truck Movement. Three primary issues are evaluated under Impact TR-1: congestion during construction, congestion after the Project is in place (i.e., during operation), and adequacy of truck circulation, each of which is discussed below in more detail.

Relative to construction of the Preferred Project, Mitigation Measure TR-1, Traffic Control Plan, the commenter does not mention any particular portion of this measure which is inadequate; the measure is a standard and necessary measure to ensure reasonable detours for vehicles and trucks, limitations on lane closures, and provision of access for vehicles during construction, to bring the Preferred Project into conformance with the City’s policies regarding congestion for the vehicular circulation system. Construction at Jennings Avenue would occur over approximately five weeks, and construction at a crossing closure would extend approximately two weeks. City streets often experience construction for projects of this duration, and the mitigation measure provides for adequate actions on the part of the City to avoid conflicts with the City policies relative to vehicle congestion for temporary periods.

Under Impact TR-1, relative to operation of the Preferred Project, the Draft EIR analysis calculated Level of Service (LOS) impacts to determine if conflicts with General Plan policy T-D-1 would occur. LOS calculations were conducted using counts performed on October 10, 2014 at four peak times during the day: AM peak, mid-day peak, school dismissal peak, and PM peak for six intersections. Although delays would increase slightly, a crossing closure would not cause any of the intersections to conflict with the City’s LOS standards. Also, the four intersections with Wilson Street are within the downtown area designated by the General Plan as exempted from the LOS standards in policy T-D-1. Therefore, impacts of the Preferred Project relative to policy T-D-1 were found to be less than significant.

However, also under Impact TR-1, significant impacts of a crossing closure were identified relative to truck circulation for deliveries to local businesses in the West End Neighborhood. Please refer to Appendix G, Traffic Impact Analysis Report, for detailed analyses and figures relative to truck turning movements and circulation (for existing conditions, see pages 27 and 28; for a closure at W. Sixth Street, see pages 33 and 34; for a closure at W. Seventh Street, see pages 38-40; for a closure at W. Eighth Street, see page 44). These detailed analyses resulted in Mitigation Measure TR-2, Facilitate Truck Movement, which would establish time-limited parking restrictions along Adams Street to accommodate periodic deliveries to Franco American Bakery. This mitigation measure would apply only to the closure of a rail crossing at W. Sixth Street or W. Seventh Street.

Without information from the commenter regarding why the two mitigation measures are inadequate, no further response is possible.
Comment PH-33

Comment Summary: The commenter references Impact TR-4 in the Draft EIR relative to an at-grade crossing. The commenter stated that increased use of Wilson Street is a concern because of Wilson Street has the highest incidence of car versus bicycle accidents.

Response: The potential to conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities is evaluated in Impact TR-4 on pages 3.12-26 through 3.12-32 of the Draft EIR. Closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street is identified in Impact TR-4 as a significant impact that would be mitigated to a less-than-significant level by Mitigation Measure TR-3, Revise Proposed Bicycle Route on Sixth Street, and Mitigation Measure TR-4, Implement Wilson Street Corridor Improvements. In addition, Impact GG-C-1 (as mentioned in Comment PH-31) on pages 4.6-9 and 5.6-10 evaluates consistency of the Project with the City’s Climate Action Plan, which, in turn, includes policies supporting pedestrian and bicycle use. The impact is identified as a significant impact, also mitigated by Mitigation Measure TR-3.

The Santa Rosa Bicycle and Pedestrian Master Plan shows that Wilson Street from Third Street to College has the highest rate of bicycle collisions in terms of collisions per mile per year from 2002 to 2006, as pointed out by the commenter. The City accessed its database of bicycle collisions to examine the accident history on Wilson Street between Sixth Street and Seventh Street where the Proposed Bicycle Route/Boulevard would be re-routed by Mitigation Measure TR-3. The database showed two accidents in this block of Wilson Street over a period of 10 years. One of the accidents occurred at the intersection of Wilson Street and Sixth Street, where the City has subsequently added four-way stop controls (Santa Rosa 2015). Mitigation Measure TR-3 recommends that the revised route be placed either on Wilson Street or the SMART pathway. The SMART pathway appears preferable to Wilson Street, so long as it is constructed before the planned bicycle route is implemented, however, Wilson Street is a feasible alternative if the SMART pathway has not yet been constructed.

Comment PH-34

Comment Summary: The commenter references TR-C-1, and states that she would submit comments on this impact in an e-mail to staff.

Response: City staff has followed up with Council Member Carlstrom, but no further comment or e-mail was received. Therefore, no specific response can be provided.

Comment PH-35

Comment Summary: The commenter requests that the Project be brought before the Planning Commission.

Response: The review authority for the Project lies solely with the City Council. As such, the EIR was not referred to the Planning Commission for review.

Julie Combs

Public Hearing Comments PH-36 to PH-43

Comment PH-36

Comment Summary: The commenter asks why the proposed Jennings Avenue rail crossing is being treated as a new crossing.
Response: In a letter to the CPUC dated December 9, 2014, the City requested information on any historical records indicating that Jennings Avenue has been used as a rail crossing of any type, and requesting clarification on whether Jennings Avenue is included on a list of non-inventoried crossings. In a letter received from the CPUC on December 22, 2014, CPUC staff indicated that they do not have records indicating that there has ever been a crossing at Jennings Avenue, and that they do not maintain a non-inventoried crossing list. However, aerial photographs of the Project area taken in 1942, 1956 and 1963 show an at-grade rail crossing in place at Jennings Avenue. (Santa Rosa 2015c; Sonoma VEG MAP 2015) Please see Appendix A.

In an e-mail to the CPUC dated January 13, 2015, the City requested clarification on whether the proposed rail crossing at Jennings Avenue could be considered a re-instatement of a former rail crossing as opposed to the installation of a new rail crossing. In an e-mail response dated January 13, 2015, CPUC staff stated the following: “There is no ‘Historical’ right for a crossing. Once one has been removed, it is considered to have never existed in terms of building a new one.” (CPUC 2015b)

The City acknowledges that both pedestrians and bicyclists have been historically crossing the rails at Jennings Avenue, however, there is no record of a previous application for an official rail crossing at this location. CPUC and SMART maintain that Jennings Avenue is being used as an illegal crossing location and that people utilizing it are subject to significant danger and are considered trespassers on SMART property. If an at-grade crossing is approved by the Council, City staff will submit a Formal Application to Construct a New Public Rail Crossing to the CPUC for their consideration.

Comment PH-37

Comment Summary: The commenter asks what will happen when a crossing at Third or Fourth Street is opened.

Response: There is an existing rail crossing at Third Street. Please refer to Response to Comment PH-17.

Comment PH-38

Comment Summary: The commenter asks about the location in which a crossing closure needs to be eliminated.

Response: Please refer to Response to Comment PH-28 for clarification from the CPUC regarding the extent along the rail corridor where a rail crossing closure could count for Santa Rosa.

Comment PH-39

Comment Summary: The commenter asks why other crossing closures within the County would not count.


Comment PH-40

Comment Summary: The commenter asks how close crossings need to be in order to be considered one crossing. Are the crossings at W. Sixth, W. Seventh, and W. Eighth Streets considered three separate crossings or one?
Response: The crossings at W. Sixth, W. Seventh, and W. Eighth Streets are considered three separate crossings by the CPUC. For multiple crossings to be considered one crossing, they must function together as one unit.

Comment PH-41

Comment Summary: The commenter states that the train will not reach full speed as it travels between downtown and Jennings Avenue and asks if the speed of the trains is a factor in the EIR’s analysis.

Response: None of the analyses in the EIR is directly dependent upon the speed of the trains.

Comment PH-42

Comment Summary: The commenter is concerned that the Draft EIR does not identify noise impacts for the rail overcrossing alternative due to skateboard use and other general uses of the overcrossing ramps.

Response: Noise Impact NO-3 evaluated whether the Rail Overcrossing Alternative would cause a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. The analysis is on page 3.10-18 of the Draft EIR, and concludes:

The operation of the Rail Overcrossing Alternative would not produce noise levels that would result in a substantial permanent increase in ambient noise levels. Existing ambient noise levels in the vicinity of the Rail Overcrossing site range from 55 to 57 dBA DNL and result primarily from local and distant traffic noise sources, infrequent trains, and trail users. Future noise levels in the vicinity of the Rail Overcrossing Alternative will continue to result primarily from local and distant traffic noise sources, intermittent passenger and freight trains, and trail users. The sounds of persons using the Rail Overcrossing Alternative (e.g., voices) would not be expected to measurably contribute to existing or future noise levels and would not be expected to result in a substantial permanent increase in noise.

Skateboard use of an overcrossing would be prohibited and, even though it may occur, would not be expected to permanently increase ambient noise levels by 5 dBA DNL (an average level taken over 24 hours with nighttime noise weighted more heavily), the threshold for significance for this impact.

Comment PH-43

Comment Summary: The commenter expressed concern about potential suicide falls or falling objects from the rail overcrossing and asks if these risks are included in the EIR, and if not, if they should be evaluated under Impact TR-2, increased hazards due to a design feature.

Response: If the Rail Overcrossing Alternative were selected by the City, it would be designed to comply with applicable regulations. Figure 3.1-6 of the Draft EIR illistrates fencing along the top of the rail overcrossing structure that would provide deterrence of such falls.

Scott Bartley

Public Hearing Comments PH-44 to PH-49

Comment PH-44

Comment Summary: The commenter expressed concern over language used on page 2-6 of the Draft EIR, which states that because the site consists of a double track, electronic signs would be
installed to notify pedestrians if a second train is coming in close proximity to the first train crossing, “to the extent feasible given existing technologies.” The commenter asks for clarification on what technological limitations exist.

Response: California’s 2012 Edition of the Manual on Uniform Traffic Control Devices (MUTCD) does not specify separate signage for a pedestrian at-grade rail crossing to address the presence of a double track (CA MUTCD 2012). However, electronic signs have been installed in limited instances to notify pedestrians and bicyclists if a second train is coming in close proximity to the first train, and these signs are considered to be “non-standard” signs by the CPUC (CPUC 2014). Such signs require specific signals from the train operators (SMART and NCRA) to function. If the necessary signals can be made available by the train operators, then Santa Rosa intends to install the additional signage that would warn of the second train arrival. The phrase “to the extent feasible given existing technologies” was intended to indicate that installation of these signs is dependent on appropriate signals from other entities.

Comment PH-45

Comment Summary: The commenter asks if at-grade crossings for pedestrian and bicycle use only are common, and if they are safe, especially so close to a station.

Response: The CPUC Rail Crossing Inventory lists 345 public at-grade pedestrian/bicyclist crossings in the State for both light-rail transit and railroads. The CPUC approves at-grade pedestrian/bicyclist crossings when they are needed, when an overcrossing is not practical, and when safety risks are reduced as much as possible, but reviews and considers each application on its specific merits prior to approval.

The table on the following page shows the number of incidents and fatalities that occurred in 2013 throughout California for at-grade pedestrian/bicyclist crossings. As indicated in the table, there is some level of inherent safety risk with rail crossings, which is why the FRA, CPUC, and the City of Santa Rosa are intent upon reducing such risks as much as possible.

Neither CPUC, SMART, nor City staff has identified any safety issues related to the Jennings Avenue crossing being approximately ¼ mile from the proposed Guerneville Road North Santa Rosa station.

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5 SMART and NCRA are railroads; light rail transit includes systems such as BART.
Incidents and Fatalities at Pedestrian/Bicyclist At-grade Crossings in 2013 in California

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Source: CPUC, December 22, 2014

Comment PH-46

Comment Summary: The commenter asks for more visual simulations, specifically from Dutton Avenue.

Response: Please see Master Response B (Request for Additional Visual Simulations of the Rail Overcrossing Alternative) in Section 2.1 (Master Responses).

Comment PH-47

Comment Summary: The commenter asks if the height of the overcrossing is adequate for fire truck entry into the office development on the south side of Jennings Avenue.

Response: The City of Santa Rosa Fire Department has indicated that the height of the overcrossing as currently designed is adequate for fire truck entry into the commercial offices on the south side of Jennings Avenue (Santa Rosa 2015b).

Comment PH-48

Comment Summary: The commenter states that a street width of 24-feet is only allowed on small residential only streets, and not on streets with commercial access. The commenter asks if the street width for the overcrossing alternative is allowable by City standards given the presence of offices on the south side of Jennings Avenue.

Response: The City of Santa Rosa has a 24-foot street standard that could apply to the Project and which would not require a variance (Santa Rosa 2014b).

Comment PH-49

Comment Summary: The commenter asks about the location, size, and description of the potential historic North Railroad District.

Response: The potential Historic North Railroad District is described in the Setting of the Cultural Resources section on page 3.4-9 of the Draft EIR. The potential District was originally defined in 1989 and subsequently revised in 2006. The boundaries of both the 1989 and 2006 districts are shown in Figure 3.4-1 on page 3.4-7 of the Draft EIR. The Draft EIR uses only the 2006 configuration of the district for analysis, because it is the most recent.
3. Revisions to the Draft EIR by the Lead Agency

This Chapter includes two sections:

Section 3.1 – Minor Improvements to the Preferred Project: This section describes and evaluates minor improvements proposed by the City to the Preferred Project at the Jennings Avenue at-grade crossing Project area.

Section 3.2 – Typographical Errors and Clarifications: This section includes textual changes to the Draft EIR generated by the City to correct typographical errors or to clarify existing text.

3.1 Minor Improvements to the Preferred Project

The City is proposing to make minor improvements to Jennings Avenue on the west side of the rail corridor to facilitate pedestrian and bicycle access to the at-grade crossing. These minor improvements along Jennings Avenue between the rail corridor and N. Dutton Avenue include sidewalk upgrades, minor grade changes and a short retaining wall to comply with the American Disabilities Act (ADA), an asphalt overlay, and modified storm drain improvements. A more complete description is provided in the changes to the Project Description below.

The following sections of the Draft EIR are revised to describe and evaluate these minor improvements to the Preferred Project. None of these changes would result in new significant impacts or substantial increases in the severity of impacts; no new mitigation measures nor revisions to existing mitigation measures are needed.

2 Project Description

The third paragraph on page 2-6 is revised as follows:

The pathway leading to the crossing would be asphalt or concrete and a minimum of 8-feet wide with 2-foot shoulders on either side. On the west side of the rail corridor, the pathway would align with the sidewalk on the northern side of Jennings Avenue, and would open to a portion of the street for bicycle traffic. An ADA-compliant curb ramp with handrails and an approximately two to three foot tall retaining wall would be installed near the rail corridor to connect the sidewalk to the crossing. New sidewalk and curb and gutter would be installed along the north side of Jennings Avenue to N. Dutton Avenue, and a new sidewalk may also be added on the south side of Jennings Avenue. A new asphalt overlay would be installed along the section of Jennings Avenue between the rail corridor and N. Dutton Avenue. Storm drain improvements along Jennings Avenue on the west side of the rail corridor may include a new storm drain catch basin near N. Dutton Avenue, which would be installed in accordance with City standards. The existing pedestrian push-button post on the east side of N. Dutton Avenue adjacent to the crosswalk may also be slightly relocated. On the east side of the rail corridor, the pathway would cross Steele Creek at the location of an existing box culvert. The pathway would then align with the sidewalk on the northern side of Jennings Avenue east of the rail corridor. A new street lamp would also be installed on the east side of the rail corridor near the northwest corner of Herbert Avenue and Jennings Avenue.

The fifth paragraph on page 2-6 is revised as follows:

The pathway leading to the crossing would be asphalt or concrete and a minimum of 8-feet wide with 2-foot shoulders on either side. On the west side of the rail corridor, the pathway would align with the sidewalk on the northern side of Jennings Avenue, and would open to a portion of the street for bicycle traffic. An ADA-compliant curb ramp with handrails and an approximately two to three foot tall retaining wall would be installed near the rail corridor to connect the sidewalk to the crossing. New sidewalk and curb and gutter would be installed along the north side of Jennings Avenue to N. Dutton Avenue, and a new sidewalk may also be added on the south side of Jennings Avenue. A new asphalt overlay would be installed along the section of Jennings Avenue between the rail corridor and N. Dutton Avenue. Storm drain improvements along Jennings Avenue on the west side of the rail corridor may include a new storm drain catch basin near N. Dutton Avenue, which would be installed in accordance with City standards. The existing pedestrian push-button post on the east side of N. Dutton Avenue adjacent to the crosswalk may also be slightly relocated. On the east side of the rail corridor, the pathway would cross Steele Creek at the location of an existing box culvert. The pathway would then align with the sidewalk on the northern side of Jennings Avenue east of the rail corridor. A new street lamp would also be installed on the east side of the rail corridor near the northwest corner of Herbert Avenue and Jennings Avenue.
Construction of the Preferred Project would disturb approximately 0.8857 acre, which would include 0.6635 acre for construction of the at-grade rail crossing at Jennings Avenue, and 0.22 acre for closure of a rail crossing at either W. Sixth, W. Seventh, or W. Eighth Street.

The first paragraph on page 2-11 is revised as follows:

Storm drain improvements would be installed using open trench construction methods, which would generally be excavated to a depth of up to 4 to 6 feet. Following completion of the sidewalk improvements, Jennings Avenue on the west side of the rail corridor would be repaved. Following construction, exposed and disturbed areas would be restored. A native grass seed mix would be applied to areas disturbed outside the rail corridor.

Figure 2-2 on page 2-7 is revised as follows:
Figure 2-2

Job Number
Revision
Date
4410868
A
03 Feb 2015

City of Santa Rosa
Jennings Avenue Crossing EIR
Preferred Project - At-grade Rail Crossing - Conceptual Design

Data source: GHD 2013. Created by: rmremillard

© 2012. Whilst every care has been taken to prepare this map, GHD makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason.
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The minor modifications identified in the Project Description changes above have been evaluated using the same impact criteria and significance thresholds as applied to the Project in the Draft EIR. The proposed improvements may require the removal of three additional trees, one of which qualifies as a heritage tree under the City’s tree ordinance. Impact BIO-5 (conflict with a local tree preservation ordinance) was identified as a significant impact for the Preferred Project in the Draft EIR, because of the potential loss of three heritage trees, and Mitigation Measure BIO-4 was found to reduce the impact of tree loss to less than significant. The potential impact associated with the loss of an additional heritage tree due to sidewalk improvements would also be reduced to a less-than-significant level through Mitigation Measure BIO-4. No new mitigation would be required.

The modifications would not substantially alter the duration of construction or the type of construction equipment identified in the Draft EIR. Therefore, construction would not substantially alter air pollutant emissions or noise levels identified for the Preferred Project in the Draft EIR. The associated community health risk for diesel particulate emissions would also remain below the Bay Area Air Quality Management District significance thresholds with implementation of Mitigation Measure AQ-1, and the temporary impact of construction-related noise would remain less than significant with implementation of Mitigation Measure NO-3. The proposed improvements would result in slight alterations to the visual simulation of the at-grade rail crossing option shown in Figure 3.1-5 of the Draft EIR. Such modifications would not cause a strong contrast with the existing visual character, and the aesthetic impact of the at-grade crossing would remain less than significant.

The following sections of the Draft EIR are revised to reflect the evaluation changes as a result of the proposed improvements.

### 3.1 Aesthetics

The fourth paragraph on page 3.1-16 is revised as follows:

Construction of the Preferred Project would require removal of up to three 12- to 15-inch diameter valley oak trees on the east side of the rail corridor to accommodate construction of the at-grade crossing. Removal of the trees would not significantly alter the views or create a strong visual contrast along Steele Creek because the number and visual mass of trees remaining in the area is more than ten times as much as would be removed. Therefore, visual contrast from tree loss would be limited and would result in a less-than-significant aesthetic impact. Construction of new sidewalks on the west side of the rail corridor may also require the removal of trees, including a 4-inch diameter mulberry tree, a 9-inch diameter sweet gum tree, and an 18-inch diameter coast redwood tree. Removal of the trees would not significantly alter the views or create a strong visual contrast along Jennings Avenue, because two of the trees are relatively small in size and other existing trees in the area would remain in place.

### 3.3 Biological Resources

The first paragraph under Impact BIO-5 on page 3.3-23 is revised as follows:

Construction of an at-grade rail crossing at Jennings Avenue would require the removal of up to three valley oak (Quercus lobata) trees, each of which qualifies as a heritage tree under the City’s tree ordinance. The trees are located in a cluster on the east side of the rail corridor near the Steele Creek culvert. Construction of new sidewalks on the west side of the rail corridor may also require the removal of trees, including an 18-inch diameter coastal...
redwood tree (*Sequoia sempervirens*) that qualifies as a heritage tree under the City’s tree ordinance. A 4-inch diameter mulberry tree (*Morus alba*) and a 9-inch diameter sweet gum tree (*Liquidambar styraciflua*) may also be removed to accommodate installation of sidewalks; these trees do not qualify as a heritage tree under the City’s tree ordinance. Table 3.3-3 (Trees Greater than 4” dbh(a) with a Potential to be Removed, Preferred Project) provides the species and size of the trees to be removed from within the construction area of the Preferred Project. The location of the trees is shown in Appendix D (Special Status Species Tables), Figure D-1 (Preferred Project – At-grade Rail Crossing – Potential Tree Removal).

Table 3.3-3 on page 3.3-23 of the Draft EIR is revised as follows:

<table>
<thead>
<tr>
<th>Tree ID #</th>
<th>Species</th>
<th>Size (dbh)</th>
<th>Native?</th>
<th>Subject to Tree Ordinance?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Valley Oak (<em>Quercus lobata</em>)</td>
<td>12&quot;</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2</td>
<td>Valley Oak</td>
<td>12&quot;</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>3</td>
<td>Valley Oak</td>
<td>15&quot;</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>28</td>
<td>Mulberry (<em>Morus alba</em>)</td>
<td>4&quot;</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>29</td>
<td>Sweet Gum (<em>Liquidambar styraciflua</em>)</td>
<td>9&quot;</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>30</td>
<td>Coast Redwood (<em>Sequoia sempervirens</em>)</td>
<td>18&quot;</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

3.8 Hydrology and Water Quality

The first paragraph under Impact HWQ-1 on page 3.8-10 is revised as follows:

SWRCB Order No. 2009-0009, as amended by Order No. 2012-0006, adopted for the purpose of protecting the water quality of storm water runoff, applies to public and private construction projects that include one or more acres of soil disturbance. In comparison, the Preferred Project would disturb approximately 0.8857 acre, which would include 0.6635 acre for construction of the at-grade rail crossing at Jennings Avenue, and 0.22 acre for closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street. Because construction of the Preferred Project would not disturb one or more acres of land, compliance under Order No. 2009-0009 would not be required.

The third paragraph on page 3.8-11 is revised as follows:

In comparison, the Preferred Project would result in approximately 6,500 3,700 square feet of new and replaced impervious surfaces, which would consist of the paved pathway and crossing surfaces for the at-grade rail crossing at Jennings Avenue, as well as the sidewalks along Jennings Avenue west of the rail corridor. In accordance with the City’s Storm Water LID Manual, street overlays, resurfacing, trenching, and patching are considered a maintenance activity and are exempt. A rail crossing closure at either W. Sixth, W. Seventh, or W. Eighth Street would not result in a net increase in impervious surfaces, but rather, a slight decrease in such surfaces from the removal of roadway surface. Because the Preferred Project would not create or replace one acre or more of impervious surface, and would not result in new street sections that create or replace 10,000 square feet or more of impervious surface, the Preferred Project would not be subject to the low impact
development storm water requirements required by the City’s municipal storm water permit. Additionally, in accordance with the City’s Storm Water LID Manual, off-street bicycle paths are considered exempt from the City’s low impact development requirements (Santa Rosa 2011).

Appendix D

Figure D-1 (Preferred Project – At-grade Rail Crossing – Potential Tree Removal) in Appendix D is revised as follows on the accompanying pages.
Figure D-1

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

NOTE:
Tree locations are approximate.

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Data source: GHD 2013. Created by rmremillard

City of Santa Rosa
Jennings Avenue Crossing EIR
Preferred Project - At-grade Rail Crossing - Potential Tree Removal Figure D-1
3.2 Typographical Errors and Clarifications

The following sections of the Draft EIR are revised to correct typographical errors or to clarify existing text. None of these changes constitutes new information leading to new significant impacts or substantial increases in the severity of impacts.

1. Introduction and Summary

Impact CR-2 on page 1-9 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
<td>LSM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

Impact NO-1 on page 1-13 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO-1: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
</tbody>
</table>

Impact NO-3 on page 1-13 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO-3: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
</tbody>
</table>
Impact NO-C-1 on page 1-14 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO-C-1: Would the Project result in a cumulatively considerable contribution to cumulative impacts related to noise?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
</tbody>
</table>

### 3.4 Cultural Resources

The first paragraph under Archaeological Setting on page 3.4-1 is revised as follows:

The study areas at Jennings Avenue and at W. Sixth, W. Seventh, and W. Eighth Streets are all composed of recent, undifferentiated Holocene (present to 10,000 B.P.) alluvium. This alluvium can be sand, silt, or gravel and contains fine-grained sediment that forms on valley floors from drainages and flooding within the valley. The age and make up of these deposits indicates potential subsurface sensitivity. (ASC 2014)

Impact CR-2 on page 3.4-18 in Table 3.4-3 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
<td>LSM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

The last paragraph on page 3.4-20 is revised as follows:

There are several historical resources located either within or immediately adjacent to the study area for a crossing closure at W. Sixth, W. Seventh, or W. Eighth Street, including the railroad tracks themselves. Two designated historic districts, one potential historic district, and six historical resources were identified within the immediate vicinity of the three crossing closure sites. A crossing closure at any of the three sites would not lead to the physical demolition, destruction or relocation of any identified historical resources. However, installation of fencing and bollard barriers and the change in access as a result of the crossing closure may indirectly impact the historic districts and the surrounding contributing resources as presented below.

The title at the top of page 3.4-21 is revised as follows:

**Fencing and Bollard Barriers**
3.6 Greenhouse Gas Emissions

The analysis heading on page 3.6-5 is revised as follows:

**Impact:** GG-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Analysis:** Preferred Project – At-grade Rail Crossing with closure at W. Seventh Street or W. Eighth Street (Less than Significant)

3.10 Noise

The mitigation title on page 3.10-12, 3.10-18, and 3.10-25 is revised as follows:

**Mitigation:** Mitigation Measure NO-1: Implement Quiet Zones (Preferred Project)

The last paragraph on page 3.10-24 is revised as follows:

With the Project, the day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is calculated to be 85 dBA DNL assuming that under the cumulative scenario there would be 12 SMART roundtrips during the early morning, daytime, and early evening hours and three freight train roundtrips occurring primarily at night. The predicted noise level at 50 feet would exceed the predicted cumulative noise level of 64 dBA DNL due to combined passenger and freight service (without horns) by 21 dBA DNL. The impact resulting from the operation of the new at-grade crossing, in addition to the SMART project (i.e., regular passenger service), would be significant when compared to the City of Santa Rosa Noise and Land Use Compatibility thresholds as predicted noise levels would exceed the City’s exterior noise level threshold by up to 25 dBA DNL. The predicted noise level would also exceed the existing ambient noise levels in the vicinity by up to 30 dBA DNL at measuring location LT-2 as the ambient noise monitoring survey results showed that existing noise levels in the vicinity ranged from 55 to 57 dBA DNL. Noise levels at receptors represented by measurement locations LT-1 and LT-3 would be increased by 33 dBA DNL and 25 dBA DNL, respectively, assuming that the train horns would be sounded within one-quarter mile of the new at-grade crossing. **Impacts during the weekend would be less, because the number of trains would be fewer.** The impact resulting from the predicted cumulative noise level attributable to the sounding of train horns would be significant, and the Project’s contribution to the significant impact would be cumulatively considerable, because Project-generated noise levels at noise-sensitive receptors are calculated to increase by 5 dBA DNL or more above existing background noise levels.

3.12 Transportation

The third paragraph on page 3.12-20 is revised as follows:

Closure of a rail crossing at either W. Sixth Street or W. Seventh Street would not be expected to limit access of larger design vehicles such as those making deliveries to Western Farm Center, because trucks would continue to have accessibility to the site, as well as maneuverability within the study area roadway network (see Appendix G). However, closure of a rail crossing at either W. Sixth Street or W. Seventh Street would be expected to limit access of larger design vehicles such as those making deliveries to and Franco American Bakery (i.e., with a length of 65 feet or more) (see Appendix G). The impact is considered significant.
Mitigation Measure TR-2 on page 3.12-21 of the Draft EIR is revised as follows:

*Mitigation Measure TR-2: Facilitate Truck Movement (Preferred Project with Rail Crossing Closure at W. Sixth Street or W. Seventh Street)*

The City shall coordinate with local businesses to implement time-limited parking restrictions along Adams Street to provide for the circulation and access of oversized delivery trucks to Franco American Bakery. The parking restriction shall be applicable to the entirety of both sides of Adams Street, and shall be coordinated with anticipated delivery times.

4 Alternatives Description and Analysis

Impact CR-2 on page 4-8 in Table 4-1 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing w/ Rail Crossing Closure at W. Sixth St.</th>
<th>Rail Overcrossing Alternative w/ Rail Crossing Closure at W. Seventh St.</th>
<th>Rail Overcrossing Alternative w/ Rail Crossing Closure at W. Eighth St.</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

5 Other CEQA-required Sections

The last paragraph on page 5.3 is revised as follows:

Even though the No Project Alternative would conflict with the General Plan, the North Santa Rosa Station Area Specific Plan, and the Bicycle and Pedestrian Master Plan because it precludes a bicycle boulevard on Jennings Avenue, as indicated in Impact LU-2 and Impact TR-4, it would be the Environmentally Superior Alternative in that it has the fewest significant impacts and, therefore, it would have more significant unavoidable impacts than the Rail Overcrossing Alternative.
4. Changes to the Draft EIR

This chapter presents specific revisions to the text of the Draft EIR that are being made in responses to comments, or to amplify and clarify material in the Draft EIR. Where revisions to the main text are called for, the page is set forth, followed by the appropriate revision. Added text is indicated with double underlined text. Deletions to text in the Draft EIR are shown with strikethrough text. Page numbers correspond to the page numbers of the Draft EIR. The revisions to the Draft EIR derive from two sources: (1) comments raised in one or more of the comment letters received by the City of Santa Rosa regarding the Draft EIR; and (2) City-initiated changes that correct minor inaccuracies, typographical errors or to clarify material found in the Draft EIR subsequent to its publication and circulation.

1. Introduction and Summary

City staff has revised Impact CR-2 on page 1-9 in Table 1-2 as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>w/ Rail Crossing Closure at W. Sixth St.</td>
<td>w/ Rail Crossing Closure at W. Seventh St.</td>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
</tr>
<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
<td>LSM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

Impact NO-1 on page 1-13 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>w/ Rail Crossing Closure at W. Sixth St.</td>
<td>w/ Rail Crossing Closure at W. Seventh St.</td>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
<td></td>
</tr>
<tr>
<td>NO-1: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
</tbody>
</table>
Impact NO-3 on page 1-13 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing w/ Rail Crossing Closure at W. Sixth St.</th>
<th>Rail Overcrossing Alternative w/ Rail Crossing Closure at W. Eighth St.</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO-3: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
</tbody>
</table>

Impact NO-C-1 on page 1-14 in Table 1-2 is revised as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing w/ Rail Crossing Closure at W. Sixth St.</th>
<th>Rail Overcrossing Alternative w/ Rail Crossing Closure at W. Eighth St.</th>
<th>Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO-C-1: Would the Project result in a cumulatively considerable contribution to cumulative impacts related to noise?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
</tbody>
</table>

2. Project Description

In response to Comment 5-13, the Draft EIR Project Description on page 2-5 of the Draft EIR is revised as follows:

Applicable portions of the Preferred Project would also be designed in accordance with the California Building Code (California Code of Regulations [CCR], Title 24, Part 2), American Railway Engineering and Maintenance-of-Way Association (AREMA) standards, and with SMART’s Design Criteria and operational needs.

In response to Comment 5-8 and Comment 5-19, the first paragraph of page 2-6 of the Draft EIR is revised as follows:

Power and fiber optic cable would be available from within the rail corridor for the crossing equipment, but would need to be revised to serve the new crossing. In addition, an at-grade crossing would need to be integrated into SMART’s signal/systems network. This work would consist of cutting and welding the rail and installation of insulated joints and up to three signal houses at the Jennings Avenue crossing and at locations away from the proposed crossing in either direction. Signal houses would be placed adjacent to the rail corridor within SMART’s right-of-way and are approximately 6 ft by 10 ft and 6 ft high.

In response to minor improvements to the Preferred Project, the second paragraph on page 2-6 is revised as follows:

The pathway leading to the crossing would be asphalt or concrete and a minimum of 8-feet wide with 2-foot shoulders on either side. On the west side of the rail corridor, the pathway would align with the
sidewalk on the northern side of Jennings Avenue, and would open to a portion of the street for bicycle traffic. An ADA-compliant curb ramp with handrails and an approximately two to three foot tall retaining wall would be installed near the rail corridor to connect the sidewalk to the crossing. New sidewalk and curb and gutter would be installed along the north side of Jennings Avenue to N. Dutton Avenue, and a new sidewalk may also be added on the south side of Jennings Avenue. A new asphalt overlay would be installed along the section of Jennings Avenue between the rail corridor and N. Dutton Avenue. Storm drain improvements along Jennings Avenue on the west side of the rail corridor may include a new storm drain catch basin near N. Dutton Avenue, which would be installed in accordance with City standards. The existing pedestrian push-button post on the east side of N. Dutton Avenue adjacent to the crosswalk may also be slightly relocated. On the east side of the rail corridor, the pathway would cross Steele Creek at the location of an existing box culvert. The pathway would then align with the sidewalk on the northern side of Jennings Avenue east of the rail corridor. A new street lamp would also be installed on the east side of the rail corridor near the northwest corner of Herbert Avenue and Jennings Avenue.

In response to Comment 5-9, the third paragraph of page 2-6 of the Draft EIR is revised as follows:

Closure of an at-grade rail crossing at W. Sixth, W. Seventh, or W. Eighth Streets would include removal of the existing roadway crossing surfaces, such as asphalt pavement and concrete panels, from the rail corridor (see Figure 2-3 [Alternative Locations for Closure of One Rail Crossing]). Following removal of the crossing surfaces, the railroad track ballast and railroad ties would be restored, as necessary. A vehicle guard rail or other type of traffic barricade would be installed, and vandal-resistant fencing, such as wrought-iron fencing, 6 to 8 feet in height, would be installed across the roadway closure. Work would also require re-striping and installation of warning signs in the immediate area. In addition, the crossing closure would need to be integrated into SMART’s signal/systems network. This work would consist of cutting and welding the rail and installation of up to three signal houses at the crossing closure and at locations away from the proposed closure in either direction. Signal houses would be placed adjacent to the rail corridor within SMART’s right-of-way and are approximately 6 ft by 10 ft and 6 ft high.

In response to minor improvements to the Preferred Project, the fifth paragraph on page 2-6 is revised as follows:

Construction of the Preferred Project would disturb approximately 0.8857 acre, which would include 0.6635 acre for construction of the at-grade rail crossing at Jennings Avenue, and 0.22 acre for closure of a rail crossing at either W. Sixth, W. Seventh, or W. Eighth Street.

In response to minor improvements to the Preferred Project, Figure 2-2 on page 2-7 is revised as follows:
This page intentionally left blank
© 2012. Whilst every care has been taken to prepare this map, GHD makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason.

Preferred Project - At-grade Rail Crossing - Conceptual Design

City of Santa Rosa
Jennings Avenue Crossing EIR

Preferred Project Rail Crossing - Conceptual Design

Data source: GHD 2013. Created by rmremillard

Job Number: 8410868
Revision: A
Date: 03 Feb 2015

GHDnet
ghd\US\Santa Rosa\Projects\02057 - City of Santa Rosa\02057-8410868 Jennings Ave Crossing EIR\08-GIS\Maps\Figures\PD\Preferred Project Rail Crossing.mxd

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

Paper Size ANSI A

0 25 50 Feet

LEGEND

Fencing
Conceputal Rail Crossing and Path
Signal Arm
Construction Area Boundary
SMART Rail Corridor
New Street Lamp
Main Track
Future SMART Pathway
Siding Track

N Dutton Ave.
Jennings Ave
New Street
Herbert St
Jennings Ave
Staging Area
Staging Area
Future SMART Pathway
Siding Track
Main Track
New Street Lamp
Future SMART Pathway
Construction Area Boundary
Conceptual Rail Crossing and Path
Signal Arm
Fencing

Figure 2-2

City of Santa Rosa
Jennings Avenue Crossing EIR
Preferred Project - At-grade Rail Crossing - Conceptual Design

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Data source: GHD 2013. Created by rmremillard
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In response to minor improvements to the Preferred Project, the first paragraph on page 2-11 is revised as follows:

Storm drain improvements would be installed using open trench construction methods, which would generally be excavated to a depth of up to 4 to 6 feet. Following completion of the sidewalk improvements, Jennings Avenue on the west side of the rail corridor would be repaved. Following construction, exposed and disturbed areas would be restored. A native grass seed mix would be applied to areas disturbed outside the rail corridor.

In response to Comment 5-18, the Project Description for the Preferred Project on page 2-11 of the Draft EIR is revised as follows:

Based on the type and extent of work to be performed within the SMART right-of-way, closure of an at-grade rail crossing at W. Sixth, W. Seventh, or W. Eighth Street could require up to four six night-time work periods, while construction of an at-grade rail crossing at Jennings Avenue could require up to eight 12 night-time work periods. Anticipated night-time work hours are would be within the period from 8:00 p.m. to 6:00 a.m., Monday through Friday.

In response to Comment 5-20, the Project Description for the Preferred Project on page 2-12 of the Draft EIR is revised as follows:

Site Preparation, Utilities, and Demolition

To provide space for construction of an at-grade crossing at Jennings Avenue, site preparation would remove vegetation within the construction zone (see Figure 2-2 [At-grade Rail Crossing Conceptual Design]), including several trees that qualify as a heritage tree under Chapters 17-24 of the Santa Rosa City Code.

Although unlikely, there may be water, electrical, or other utility lines that would need to be relocated either within SMART’s right-of-way or the City's right-of-way. Utilities within SMART’s right-of-way would be relocated using jack and bore and/or directional drilling with the bore pits placed outside of the right-of-way. If such work is necessary, bore pits would be located within the construction zones shown in Figure 2-2. Utilities within the City’s right-of-way that must be relocated would be moved using open trenching.

In response to Comment 5-10, page 2-12 of the Draft EIR is revised as follows:

The City and SMART would be responsible for the regular maintenance of crossing warning signal equipment to ensure that the facilities remain operational. The City would be responsible for all improvements within the SMART right-of-way up to within two feet of the crossing panels. Maintenance of the pathway, fencing, signs, striping and other features outside the SMART corridor would be the responsibility of the City. It is estimated that maintenance visits by the City would be conducted approximately twice a year, and that maintenance visits by SMART staff would be conducted approximately once a month.

In response to Comment 5-13, page 2-13 of the Draft EIR is revised as follows:

The rail overcrossing would be designed in compliance with federal and State regulations, including the ADA and CPUC General Order No. 26-D regulations governing clearance requirements for railroads, as well as the SMART Design Criteria and AREMA standards. A minimum overhead clearance of 23 feet would be provided for the rail overcrossing, and the minimum side clearance from the centerline of the railroad track, both mainline and siding, corridor would be 10 feet. Applicable portions of the rail overcrossing would also be designed in accordance with the California Building Code (CCR, Title 24, Part 2).
In response to Comment 5-20, page 2-19 of the Draft EIR is revised as follows:

Relocation of water, gas, electric, and communications facilities within the construction area would be coordinated with utility owners. Utility relocations within the SMART right-of-way would be installed using trenchless construction techniques, such as a jack and bore methods, with sending and receiving pits located outside of the SMART right-of-way. Utilities installed within the SMART right-of-way would be cased in accordance with SMART Design Criteria.

Utility relocations within the City’s right-of-way would be installed using open trench construction methods, which would include removal of surface material; excavation and shoring of a trench; installation of pipe bedding, pipelines and conduits; backfilling of the trench; and resurfacing. Open-trenching for utility relocations would generally be excavated to a depth of up to 4- to 6-feet. Shallow trenching, approximately 30-inches deep, would also be required for an electrical conduit to be extended for a new street lamp to be installed on the east side of the rail corridor at the northwest corner of Jennings Avenue and Herbert Avenue. Following completion of the overcrossing, Jennings Avenue on the west side of the rail corridor would be re-paved.

In response to Comment 5-18, the Project Description for the Rail Overcrossing Alternative is revised on pages 2-19 and 2-20 of the Draft EIR as follows:

Based on the type and extent of work to be performed within the SMART right-of-way, construction of the Rail Overcrossing could require up to 5370 night-time work periods. Prior to construction, the City would prepare a construction lighting plan that specifies locations and methods for minimizing light spillover to adjacent residential areas for work at the Jennings Avenue area. Anticipated night-time work hours are within the period from 8:00 p.m. to 6:00 a.m.

In response to Comment 16-2 page 2-21 of Draft EIR Section 2.5.3 (Operation and Maintenance of the Rail Overcrossing Alternative) is revised as follows:

Maintenance of the rail overcrossing would be the responsibility of the City. It is estimated that maintenance visits by the City would be conducted approximately once a month, and would include monitoring and repair of fencing at the site, as well as maintenance of the crossing structure, signs, and other features.

3. Environmental Setting, Impacts, and Mitigation Measures

In response to Comment 5-5, the Draft EIR Table 3-1 (Projects Considered for Cumulative Impacts), on page 3-3, has been revised as follows:

Revisions to Draft EIR Table 3-1 (Projects Considered for Cumulative Impacts), on page 3-3, are made as follows:

<table>
<thead>
<tr>
<th>Cumulative Projects near both Project Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>SMART passenger service</td>
</tr>
</tbody>
</table>
3.1 Aesthetics

In response to minor improvements to the Preferred Project, the fourth paragraph on page 3.1-16 is revised as follows:

Construction of the Preferred Project would require removal of up to three 12- to 15-inch diameter valley oak trees on the east side of the rail corridor to accommodate construction of the at-grade crossing. Removal of the trees would not significantly alter the views or create a strong visual contrast along Steele Creek because the number and visual mass of trees remaining in the area is more than ten times as much as would be removed. Therefore, visual contrast from tree loss would be limited and would result in a less-than-significant aesthetic impact. Construction of new sidewalks on the west side of the rail corridor may also require the removal of trees, including a 4-inch diameter mulberry tree, a 9-inch diameter sweet gum tree, and an 18-inch diameter coast redwood tree. Removal of the trees would not significantly alter the views or create a strong visual contrast along Jennings Avenue, because two of the trees are relatively small in size and other existing trees in the area would remain in place.

In response to Comment 5-18, the evaluation of light or glare under Impact AES-3 is revised on page 3.1-26 of the Draft EIR as follows:

Based on the type and extent of work to be performed within the SMART right-of-way, construction of the Preferred Project could require up to eight 12 night-time work periods and the Rail Overcrossing Alternative could require up to 53-70 night-time work periods. Night-time work for the closure of an at-grade rail crossing at W. Sixth, W. Seventh, or W. Eighth Street could require up to four six night-time work periods to complete.

3.3 Biological Resources

In response to Comment 1-5, Mitigation Measure BIO-2 (Protection Measures for Special-status Bats during Tree Removal or Trimming) on pages 3.3-17 and 3.3-18 of the Draft EIR is revised as follows:

The City shall ensure that, prior to the removal of trees greater than 10 inches in diameter, shall only be scheduled during seasonal periods of bat activity (February 15 through April 15 and September 1 through October 15), and trees shall be removed in a two-day process on two consecutive days in the following manner:

- Trees that do not provide suitable bat habitat can be removed in a single day;
- Trees smaller than 10 inches in diameter shall be removed first; and
- Trees that have been identified as suitable bat habitat by a qualified bat biologist Trees greater than 10 inches in diameter shall be removed in a two-step/two-day process, under the direction of a qualified bat biologist as follows:
  - A qualified bat biologist shall train workers on the proper techniques for tree removal to protect bats. The qualified bat biologist shall be on-site during tree removal, must be on site during the first day of tree removal and should be available for consultation after all tree removal workers are trained;
  - Day 1, in the afternoon, cutting shall include removal of branches and small limbs using only chainsaws (no dozers or backhoes). Limbs with cavities, crevices or deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed; and
  - Day 2 the remainder of the tree shall be removed the day after limb and branch removal.
In response to Comment 1-4, minor revisions to Mitigation Measure BIO-3 (Avoid Fill of Wetlands and waters) on page 3.3-19 of the Draft EIR are as follows:

Both the federal and State Clean Water Act maintains a “no net loss” policy for wetlands and the California Fish and Game Commission opposes wetland development unless, at a minimum, project mitigation assures there will be “no net loss” of either wetland habitat values or acreage; therefore if permanent fill in Steele Creek cannot be avoided, the City shall compensate for the permanent impacts at a ratio of 1:1 or as required by the regulatory agencies. To determine the amount of wetlands impacted, the City shall complete a wetlands delineation and have the delineation verified by the USACE. Once the stream and riparian habitat wetland impacts are determined then the amount of mitigation necessary to meet the 1:1 mitigation ratio or the ratio required by the regulatory agencies can be calculated. The City shall obtain the appropriate permits from the USACE, RWQCB, and/or CDFW prior to Project construction.

Mitigation can then be accomplished in one of three ways: 1) through purchase of stream and/or riparian habitat credits if a mitigation bank is approved and credits have been released prior to the Project’s impacts, wetland credits from an approved wetland mitigation bank, 2) or restoring or enhancing stream and/or riparian habitat, on-site creation of new wetland or enhancement of existing degraded wetlands, or 3) off-site creation of new wetland or enhancement of existing degraded wetlands.

Should the City decide to meet the mitigation requirements by restoring or enhancing a stream and/or riparian habitat, through on-site or off-site wetland or waters creation, a wetland mitigation and monitoring plan shall be developed to ensure that the mandated mitigation ratios and annual monitoring requirements are achieved.

In response to Comment 1-4, to better clarify this potential impact, page 3.3-21 of the Draft EIR is revised, as follows:

Construction of the Project at Jennings Avenue would may require construction of a temporary stream crossing within Steele Creek to allow construction vehicles to access the east side of the rail corridor. In response to minor improvements to the Preferred Project, the first paragraph under Impact BIO-5 on page 3.3-23 is revised as follows:

Construction of an at-grade rail crossing at Jennings Avenue would require the removal of up to three valley oak (Quercus lobata) trees, each of which qualifies as a heritage tree under the City’s tree ordinance. The trees are located in a cluster on the east side of the rail corridor near the Steele Creek culvert. Construction of new sidewalks on the west side of the rail corridor may also require the removal of trees, including an 18-inch diameter coast redwood tree (Sequoia sempervirens) that qualifies as a heritage tree under the City’s tree ordinance. A 4-inch diameter mulberry tree (Morus alba) and a 9-inch diameter sweet gum tree (Liquidambar styraciflua) may also be removed to accommodate installation of sidewalks; these trees do not qualify as a heritage tree under the City’s tree ordinance.

Table 3.3-3 (Trees Greater than 4” dbh(a) with a Potential to be Removed, Preferred Project) provides the species and size of the trees to be removed from within the construction area of the Preferred Project. The location of the trees is shown in Appendix D (Special Status Species Tables), Figure D-1 (Preferred Project – At-grade Rail Crossing – Potential Tree Removal).
In response to minor improvements to the Preferred Project, Table 3.3-3 on page 3.3-23 of the Draft EIR is revised as follows:

<table>
<thead>
<tr>
<th>Tree ID #</th>
<th>Species</th>
<th>Size (dbh)</th>
<th>Native?</th>
<th>Subject to Tree Ordinance?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Valley Oak (<em>Quercus lobata</em>)</td>
<td>12”</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2</td>
<td>Valley Oak</td>
<td>12”</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>3</td>
<td>Valley Oak</td>
<td>15”</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>28</td>
<td>Mulberry (<em>Morus alba</em>)</td>
<td>4”</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>29</td>
<td>Sweet Gum (<em>Liquidambar styraciflua</em>)</td>
<td>9”</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>30</td>
<td>Coast Redwood (<em>Sequoia sempervirens</em>)</td>
<td>18”</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### 3.4 Cultural Resources

City staff has revised the first paragraph under Archaeological Setting on page 3.4-1 as follows:

The study areas at Jennings Avenue and at W. Sixth, W. Seventh, and W. Eighth Streets are all composed of recent, undifferentiated Holocene (present to 10,000 B.P.) alluvium. This alluvium can be sand, silt, or gravel and contains fine-grained sediment that forms on valley floors from drainages and flooding within the valley. The age and make up of these deposits indicates potential subsurface sensitivity. (ASC 2014)

City staff has revised Table 3.4-3 in Impact CR-2 on page 3.4-18 as follows:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
<td>LSM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

City staff has revised the last paragraph on page 3.4-20 as follows:

There are several historical resources located either within or immediately adjacent to the study area for a crossing closure at W. Sixth, W. Seventh, or W. Eighth Street, including the railroad tracks themselves. Two designated historic districts, one potential historic district, and six historical resources were identified within the immediate vicinity of the three crossing closure sites. A crossing closure at any of the three sites would not lead to the physical demolition, destruction or relocation of any identified historical resources. However, installation of fencing and bollards/barriers and the change in access as a result of the crossing closure may indirectly impact the historic districts and the surrounding contributing resources as presented below.

City staff has revised the title at the top of page 3.4-21 as follows:

_Fencing and Bollards/Barriers_
3.6 Greenhouse Gas Emissions

City staff has revised the analysis heading on page 3.6-5 as follows:

Impact: GG-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Analysis: Preferred Project – At-grade Rail Crossing with closure at W. Seventh Street or W. Eighth Street (Less than Significant)

3.8 Hydrology and Water Quality

In response to minor improvements to the Preferred Project, the first paragraph under Impact HWQ-1 on page 3.8-10 is revised as follows:

SWRCB Order No. 2009-0009, as amended by Order No. 2012-0006, adopted for the purpose of protecting the water quality of storm water runoff, applies to public and private construction projects that include one or more acres of soil disturbance. In comparison, the Preferred Project would disturb approximately 0.8857 acre, which would include 0.6635 acre for construction of the at-grade rail crossing at Jennings Avenue, and 0.22 acre for closure of a rail crossing at W. Sixth, W. Seventh, or W. Eighth Street. Because construction of the Preferred Project would not disturb one or more acres of land, compliance under Order No. 2009-0009 would not be required.

In response to minor improvements to the Preferred Project, the third paragraph on page 3.8-11 is revised as follows:

In comparison, the Preferred Project would result in approximately 6,500 to 700 square feet of new and replaced impervious surfaces, which would consist of the paved pathway and crossing surfaces for the at-grade rail crossing at Jennings Avenue, as well as the sidewalks along Jennings Avenue west of the rail corridor. In accordance with the City’s Storm Water LID Manual, street overlays, resurfacing, trenching, and patching are considered a maintenance activity and are exempt. A rail crossing closure at either W. Sixth, W. Seventh, or W. Eighth Street would not result in a net increase in impervious surfaces, but rather, a slight decrease in such surfaces from the removal of roadway surface. Because the Preferred Project would not create or replace one acre or more of impervious surface, and would not result in new street sections that create or replace 10,000 square feet or more of impervious surface, the Preferred Project would not be subject to the low impact development storm water requirements required by the City’s municipal storm water permit. Additionally, in accordance with the City’s Storm Water LID Manual, off-street bicycle paths are considered exempt from the City’s low impact development requirements (Santa Rosa 2011).

3.10 Noise

In response to Comment 2-3, to better clarify the potential operational impacts associated with warning device bells for an at-grade rail crossing in Impact NO-1 of the Draft EIR, page 3.10-12 of the Draft EIR is revised as follows:

The Project's day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is estimated to be 67 dBA DNL assuming up to one daytime freight train or SMART train roundtrip is occurring daily, including noise from warning device bells.

The mitigation title on page 3.10-12, 3.10-18, and 3.10-25 is revised as follows:

Mitigation: Mitigation Measure NO-1: Implement Quiet Zones (Preferred Project)
In response to Comment 2-3, page 3.10-13 of the Draft EIR is revised as follows:

The implementation of Mitigation Measure NO-1 would substantially reduce train horn noise levels both outdoors and indoors at receptors near the Jennings Avenue at-grade crossing by eliminating the requirement for trains to sound their horns. Even if a Quiet Zone were in place at the Project site, the crossing bells for an at-grade rail crossing would still be required to sound for the duration of each train. The Project’s day-night average noise level associated with the sounding of crossing bells and the sound of one weekday freight round trip was calculated to be 59 dBA DNL at 50 feet, assuming that a Quiet Zone were in place and the train did not need to sound its locomotive horn. Therefore, the mitigated average day-night noise level would be considered normally acceptable with residential land uses (less than 60 dBA DNL).

In response to Comment 2-3, page 3.10-16 of the Draft EIR is revised as follows:

The day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is calculated to be 67 dBA DNL under the existing plus Project scenario, assuming up to one daytime freight train or SMART train roundtrip is occurring daily, including noise from warning device bells.

In response to Comment 2-3, page 3.10-18 of the Draft EIR is revised as follows:

The implementation of Mitigation Measure NO-1 would substantially reduce train horn noise levels both outdoors and indoors at receptors within one-quarter mile of the Jennings Avenue at-grade crossing by eliminating the requirement for trains to sound their horns. Even if a Quiet Zone were in place at the Project site, the crossing bells for an at-grade rail crossing would still be required to sound for the duration of each train. The Project’s day-night average noise level associated with the sounding of crossing bells and the sound of one weekday freight round trip was calculated to be 59 dBA DNL at 50 feet, assuming that a Quiet Zone were in place and the train did not need to sound its locomotive horn. Therefore, the mitigated average day-night noise level would not be 5 dBA DNL higher than existing background noise levels.

In response to Comment 2-3 and Comment 5-5, to better clarify the potential operational impacts associated with warning device bells for an at-grade rail crossing in Impact NO-C-1 of the Draft EIR, page 3.10-24 of the Draft EIR is revised as follows:

With the Project, the day-night average noise level calculated at a distance of 50 feet from the at-grade crossing is calculated to be 85 dBA DNL assuming that under the cumulative scenario there would be $12 \times 156$ SMART roundtrips during the early morning, daytime, and early evening hours and three freight train roundtrips occurring primarily at night, including noise from warning device bells.

City staff has revised the last paragraph on page 3.10-24 as follows:

The predicted noise level at 50 feet would exceed the predicted cumulative noise level of 64 dBA DNL due to combined passenger and freight service (without horns) by 21 dBA DNL. The impact resulting from the operation of the new at-grade crossing, in addition to the SMART project (i.e., regular passenger service), would be significant when compared to the City of Santa Rosa Noise and Land Use Compatibility thresholds as predicted noise levels would exceed the City’s exterior noise level threshold by up to 25 dBA DNL. The predicted noise level would also exceed the existing ambient noise levels in the vicinity by up to 30 dBA DNL at measuring location LT-2 as the ambient noise monitoring survey results showed that existing noise levels in the vicinity ranged from 55 to 57 dBA DNL. Noise levels at receptors represented by measurement locations LT-1 and LT-3 would be increased by 33 dBA DNL and 25 dBA DNL, respectively, assuming that the train horns would be sounded within one-quarter mile.

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6 This change has been made in response to SMART’s comments; see Response to Comment 5-5.
of the new at-grade crossing. Impacts during the weekend would be less, because the number of trains would be fewer. The impact resulting from the predicted cumulative noise level attributable to the sounding of train horns would be significant, and the Project’s contribution to the significant impact would be cumulatively considerable, because Project-generated noise levels at noise-sensitive receptors are calculated to increase by 5 dBA DNL or more above existing background noise levels.

In response to Comment 2-3, page 3.10-25 of the Draft EIR is revised as follows to clarify the noise from warning device bells following implementation of Mitigation Measure NO-1:

The implementation of Mitigation Measure NO-1 would substantially reduce train horn noise levels both outdoors and indoors at receptors near the Jennings avenue at-grade crossing by eliminating the requirement for trains to sound their horns. However, even if a Quiet Zone were in place at the Project site, the crossing bells for an at-grade rail crossing would still be required to sound for the duration of each train. The Project's day-night average noise level associated with the sounding of crossing bells and the sound of 15 weekday SMART round trips and three freight trains would exceed 60 dBA DNL even with the implementation of Quiet Zones. Therefore, the cumulative impact would be significant and unavoidable, even with mitigation. Nevertheless, in addition, train operators have discretion to sound their horns whenever needed, so even with a Quiet Zone, train horn noise would not be completely eliminated.

3.12 Transportation

City staff has revised the third paragraph on page 3.12-20 as follows:

Closure of a rail crossing at either W. Sixth Street or W. Seventh Street would not be expected to limit access of larger design vehicles such as those making deliveries to Western Farm Center, because trucks would continue to have accessibility to the site, as well as maneuverability within the study area roadway network (see Appendix G). However, closure of a rail crossing at either W. Sixth Street or W. Seventh Street would be expected to limit access of larger design vehicles such as those making deliveries to Franco American Bakery (i.e., with a length of 65 feet or more) (see Appendix G). The impact is considered significant.

City staff has revised Mitigation Measure TR-2 on page 3.12-21 as follows:

Mitigation Measure TR-2: Facilitate Truck Movement (Preferred Project with Rail Crossing Closure at W. Sixth Street or W. Seventh Street)

The City shall coordinate with local businesses to implement time-limited parking restrictions along Adams Street to provide for the circulation and access of oversized delivery trucks to Franco American Bakery. The parking restriction shall be applicable to the entirety of both sides of Adams Street, and shall be coordinated with anticipated delivery times.

4. Alternatives Description and Analysis

As part of Master Response C, revisions to the Draft EIR are made on page 4-3 as follows:

4.2.3 No Closure of an Existing Crossing

During scoping, a commenter suggested the potential to use enhanced train controls and signal warnings approved for recent at-grade crossings in the City of Los Angeles and the City of Fremont that did not require closure of an existing crossing. Based on preliminary discussions of the Project with the CPUC, construction of an at-grade crossing at Jennings Avenue will require a closure of an at-grade crossing.
crossing elsewhere within the City, namely at W. Sixth Street, W. Seventh Street, or W. Eighth Street. Therefore, this alternative was determined to be infeasible and is not evaluated further in this EIR.

4.3 Analysis of Alternatives

This section describes the project alternatives that were selected and analyzed in accordance with CEQA Guidelines Section 15126.6(a). As described above, several potential alternatives were evaluated, but were determined to be infeasible. Two alternatives are evaluated in this EIR: the Rail Overcrossing Alternative, and the Preferred Project with No Rail Crossing Closure Alternative. The Rail Overcrossing Alternative is evaluated at the same level of detail as the Preferred Project in the main body of the EIR. The No Project Alternative and the Preferred Project with No Rail Crossing Closure are evaluated below.

As part of Master Response C, additional discussion was added on page 4-5 of the Draft EIR as follows:

4.3.2 Preferred Project with No Rail Crossing Closure

The Preferred Project with No Rail Crossing Closure Alternative would consist of an at-grade pedestrian and bicycle rail crossing at Jennings Avenue, with no closure of an existing crossing elsewhere in the City, conditioned upon a determination by the CPUC that a closure would not be required.

The CPUC General Order (GO) No. 75-D, which is the regulation governing standards for warning devices for at-grade highway-rail crossings in the State of California, states in Section 2, that “as part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission’s policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.” However, GO No. 75-D, Section 13.3, provides for exemptions where “in the Commission’s opinion, public interest would be served by so doing.”

If the CPUC were to approve an at-grade pedestrian and bicycle rail crossing at Jennings Avenue, with no closure of an existing crossing elsewhere in the City, the Commission would be exercising its judgment that the an exemption to the above-noted policy regarding reduction in the number of at-grade crossings would be applicable in the case of the at-grade crossing at Jennings Avenue. Under such circumstances, the at-grade crossing would not be in conflict with GO No. 75-D, and would thus be a potentially feasible alternative. However, the determination that this alternative is feasible would be contingent upon the CPUC finding that no closure is required.

Revisions to Table 4.2 (Comparison of Alternatives) in the Draft EIR are made on pages 4-6 through 4-15 as follows. City staff has also revised Impact CR-2 on page 4-8:
<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>AES-1: Would the Project have a substantial adverse effect on a scenic vista?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>AES-2: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>LS</td>
<td>SU</td>
</tr>
<tr>
<td>AES-3: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>AES-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to visual resources?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>AQ-1: Would the Project violate an air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>AQ-2: Would the Project expose sensitive receptors to substantial pollutant concentrations?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LSM</td>
</tr>
<tr>
<td>Impact</td>
<td>Preferred Project: At-grade Rail Crossing</td>
<td>Preferred Project: Rail Overcrossing Alternative</td>
<td>No Project Alternative</td>
<td></td>
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</tr>
<tr>
<td>--------</td>
<td>-----------------------------------------</td>
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<tr>
<td></td>
<td>w/ Rail Crossing at W. Sixth St.</td>
<td>w/ Rail Crossing at W. Seventh St.</td>
<td>w/ Rail Crossing at W. Eighth St.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AQ-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to air quality?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>BIO-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>BIO-2: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>BIO-3: Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
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</tr>
</tbody>
</table>
### Changes to the Draft EIR

#### Final EIR

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>w/ Rail Crossing Closure at W. Sixth St.</td>
<td>w/ Rail Crossing Closure at W. Seventh St.</td>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
</tr>
<tr>
<td>BIO-4:</td>
<td>Would the Project interfere substantially</td>
<td>with the movement of any native resident or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>with the movement of any native resident</td>
<td>migratory fish or wildlife species or with</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or migratory wildlife species or with</td>
<td>established native resident or migratory</td>
<td></td>
</tr>
<tr>
<td></td>
<td>established native resident or migratory</td>
<td>wildlife corridors, or impede the use of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>wildlife nursery sites?</td>
<td>native wildlife nursery sites?</td>
<td></td>
</tr>
<tr>
<td>BIO-5:</td>
<td>Would the Project conflict with any local</td>
<td>policies or ordinances protecting biological</td>
<td></td>
</tr>
<tr>
<td></td>
<td>policies or ordinances protecting</td>
<td>resources, such as a tree preservation policy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>biological resources, such as a tree</td>
<td>or ordinance?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>preservation policy or ordinance?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-6:</td>
<td>Would the Project conflict with the</td>
<td>provisions of an adopted Habitat Conservation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>provisions of an adopted Habitat</td>
<td>Plan, Natural Community Conservation Plan,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Conservation Plan, or other approved</td>
<td>or other approved local, regional, or state</td>
<td></td>
</tr>
<tr>
<td></td>
<td>local, regional, or state</td>
<td>habitat conservation plan?</td>
<td></td>
</tr>
<tr>
<td></td>
<td>habitat conservation plan?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BIO-C-1:</td>
<td>Would the Project plus cumulative</td>
<td>projects result in a cumulatively considerable</td>
<td></td>
</tr>
<tr>
<td></td>
<td>projects result in a cumulatively</td>
<td>contribution to cumulative impacts related to</td>
<td></td>
</tr>
<tr>
<td></td>
<td>considerably contribution to cumulative</td>
<td>biological resources?</td>
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<tr>
<td></td>
<td>impacts related to biological resources?</td>
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### Impact

<table>
<thead>
<tr>
<th>CR-1: Would the Project cause a substantial adverse change in the significance of an archaeological resource?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
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</thead>
<tbody>
<tr>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
<td>NI</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>LSM</td>
<td>LSM</td>
<td>SUM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CR-3: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LSM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CR-4: Would the Project disturb any human remains, including those interred outside of formal cemeteries?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
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</table>

<table>
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<tr>
<th>CR-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to a cumulative impact?</th>
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<tbody>
<tr>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>GEO-1: Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Preferred Project: Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>LS</td>
<td>LS</td>
<td>LS</td>
<td>LSM</td>
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</table>

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7 This change has been made per City revisions identified in Chapter 3 of this Final EIR.
<table>
<thead>
<tr>
<th>Impact</th>
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<td></td>
<td>w/ Rail Crossing at W. Sixth St.</td>
<td>w/ Rail Crossing at W. Seventh St.</td>
<td>w/ Rail Crossing at W. Eighth St.</td>
</tr>
<tr>
<td>GEO-2: Would the Project result in substantial soil erosion or the loss of topsoil?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>GEO-3: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in lateral spreading, subsidence, liquefaction or collapse?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>GEO-4: Would the Project be located on expansive soil, creating substantial risks to life or property?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>GEO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to geology and soils?</td>
<td>NI</td>
<td>NI</td>
<td>NI</td>
</tr>
<tr>
<td>GG-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>LSM</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>GG-2: Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>LSM</td>
<td>NI</td>
<td>NI</td>
</tr>
</tbody>
</table>
### Changes to the Draft EIR

**Final EIR**

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<tr>
<th>Impact</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>GG-C-1: Would the Project plus cumulative projects cause a cumulative considerable contribution to a significant cumulative impact relative to greenhouse gas emissions?</td>
<td>LSM w/ Rail Crossing at W. Sixth St.</td>
<td>LSM w/ No Rail Crossing Closure</td>
<td>NI w/ Rail Crossing Closure</td>
</tr>
<tr>
<td>HAZ-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td>LS w/ Rail Crossing at W. Seventh St.</td>
<td>LS w/ No Rail Crossing Closure</td>
<td>NI w/ Rail Crossing Closure</td>
</tr>
<tr>
<td>HAZ-2: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or a known hazardous site, or would the Project create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td>LSM w/ Rail Crossing at W. Eighth St.</td>
<td>LSM w/ No Rail Crossing Closure</td>
<td>NI w/ Rail Crossing Closure</td>
</tr>
<tr>
<td>HAZ-3: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td>LS w/ Rail Crossing at W. Sixth St.</td>
<td>LS w/ No Rail Crossing Closure</td>
<td>NI w/ Rail Crossing Closure</td>
</tr>
<tr>
<td>HAZ-C-1: Would the Project result in cumulative considerable contribution to a significant cumulative impact related to hazards or hazardous materials?</td>
<td>LS w/ Rail Crossing at W. Seventh St.</td>
<td>LS w/ No Rail Crossing Closure</td>
<td>NI w/ Rail Crossing Closure</td>
</tr>
<tr>
<td>Impact</td>
<td>Preferred Project: At-grade Rail Crossing</td>
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<td>w/ Rail Crossing Closure at W. Sixth St.</td>
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<td>w/ Rail Crossing Closure at W. Seventh St.</td>
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<tr>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
<td>LSM</td>
<td>LSM</td>
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</tr>
<tr>
<td>HWQ-1: Would the Project violate any water quality standards or waste discharge requirements?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>HWQ-2: Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table level.</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>HWQ-3: Would the Project provide substantial additional sources of polluted runoff or otherwise substantially degrade water quality?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>HWQ-4: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site, or increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or exceed the capacity of existing or planned stormwater drainage systems?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>HWQ-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to hydrology and water quality?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>Impact</td>
<td>Preferred Project: At-grade Rail Crossing</td>
<td>Preferred Project: Overcrossing</td>
<td>Rail Overcrossing Alternative</td>
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</tr>
<tr>
<td>w/ Rail Crossing at W. Sixth St.</td>
<td>w/ Rail Crossing at W. Seventh St.</td>
<td>w/ Rail Crossing at W. Eighth St.</td>
<td></td>
</tr>
<tr>
<td>LU-1: Would the Project physically divide an established community?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>LU-2: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
</tr>
<tr>
<td>LU-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to land use?</td>
<td>NI</td>
<td>NI</td>
<td>NI</td>
</tr>
<tr>
<td>NO-1: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
<tr>
<td>NO-2: Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>NO-3: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
<tr>
<td>Impact</td>
<td>Preferred Project: At-grade Rail Crossing (w/ Rail Crossing)</td>
<td>Preferred Project: Rail Overcrossing (w/ No Rail Crossing)</td>
<td>No Project Alternative</td>
</tr>
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<td>----------------------------------------------------------</td>
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</tr>
<tr>
<td>NO-4: Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>NO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to noise?</td>
<td>SUM</td>
<td>SUM</td>
<td>SUM</td>
</tr>
<tr>
<td>PSR-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, and/or other public facilities?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>PSR-2: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>Impact</td>
<td>Preferred Project: At-grade Rail Crossing</td>
<td>Preferred Project: Rail Overcrossing</td>
<td>Rail Overcrossing Alternative</td>
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</tr>
<tr>
<td></td>
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<td>w/ Rail Crossing at W. Seventh St.</td>
<td>w/ Rail Crossing at W. Eighth St.</td>
</tr>
<tr>
<td>PSR-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to public services and recreational resources?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>TR-1: Would the Project conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the vehicular circulation system?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>TR-2: Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
<tr>
<td>TR-3: Would the Project result in inadequate emergency access?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td>TR-4: Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td>LSM</td>
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<td>SU</td>
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<tr>
<td>TR-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to transportation?</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
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</tbody>
</table>
## Impact

<table>
<thead>
<tr>
<th>UT-1: Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, or result in a determination by the wastewater treatment provider which services the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>w/ Rail Crossing Closure at W. Sixth St.</td>
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<td>w/ Rail Crossing Closure at W. Seventh St.</td>
<td>LSM</td>
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</tr>
<tr>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
<td>LSM</td>
<td>LSM</td>
<td>LSM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UT-2: Would the Project be served by a landfill with sufficient permitted capacity to accommodate the Project’s solid waste disposal needs, and will the Project comply with federal, State and local statutes and regulations related to solid waste?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>w/ No Rail Crossing Closure</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>UT-3: Would the Project result in potential damage to or temporary disruption of existing utilities?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
<th>No Project Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>w/ No Rail Crossing Closure</td>
<td>LS</td>
<td>LS</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>UT-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to utilities?</th>
<th>Preferred Project: At-grade Rail Crossing</th>
<th>Rail Overcrossing Alternative</th>
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<tbody>
<tr>
<td>w/ No Rail Crossing Closure</td>
<td>LS</td>
<td>LS</td>
<td>LS</td>
</tr>
</tbody>
</table>

**Notes:**
- **NI** = No Impact
- **LS** = Less than Significant
- **LSM** = Less than Significant with Mitigation
- **S** = Significant
- **SU** = Significant and Unavoidable
- **SUM** = Significant and Unavoidable with Mitigation
The following revisions are made on pages 5-1 and 5-2 of the Draft EIR in response to Master Response C:

5.2 Significant Unavoidable Effects

Section 21100(b)(2)(A) of CEQA and Section 15126.2 of the CEQA Guidelines require that an EIR identify any significant environmental effects that cannot be avoided if the Project were implemented, including those that can be mitigated but not reduced to a level of insignificance. Significant unavoidable Project and cumulative impacts identified in Chapter 3 of this EIR are identified in Table 5-1 below.

Table 5-1 Summary of Significant and Unavoidable Impacts

<table>
<thead>
<tr>
<th>Impact</th>
<th>Preferred Project At-grade Rail Crossing</th>
<th>Preferred Project w/ No Rail Overcrossing Alternative</th>
</tr>
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<tr>
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<td></td>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
<td></td>
</tr>
<tr>
<td>AES-2: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>LSM</td>
<td>LSM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>LSM</td>
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<td>CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?</td>
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<td>LU-2: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
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<tr>
<td>NO-1: Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</td>
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<tr>
<td>Impact</td>
<td>Preferred Project At-grade Rail Crossing</td>
<td>Preferred Project Overcrossing Alternative</td>
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<td>----------------------------------------------------------------------</td>
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<tr>
<td></td>
<td>w/ Rail Crossing Closure at W. Sixth St.</td>
<td>w/ No Rail Crossing Closure</td>
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<td></td>
<td>w/ Rail Crossing Closure at W. Seventh St.</td>
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<td></td>
<td>w/ Rail Crossing Closure at W. Eighth St.</td>
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<tr>
<td>NO-3: Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?</td>
<td>SUM</td>
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<td>SUM</td>
<td>LS</td>
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<tr>
<td>NO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to noise?</td>
<td>SUM</td>
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<td></td>
<td>SUM</td>
<td>LS</td>
</tr>
<tr>
<td>TR-4: Would the Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</td>
<td>LSM</td>
<td>LS</td>
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<td></td>
<td>LS</td>
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<td>SU</td>
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<td>Notes: NI = No Impact</td>
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<td>LS = Less than Significant</td>
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<td>LSM = Less than Significant with Mitigation</td>
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<td>SUM = Significant and Unavoidable with Mitigation</td>
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<tr>
<td>SU = Significant and Unavoidable</td>
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</table>
City staff has revised the last paragraph on page 5-3 as follows:

Even though the No Project Alternative would conflict with the General Plan, the North Santa Rosa Station Area Specific Plan, and the Bicycle and Pedestrian Master Plan because it precludes a bicycle boulevard on Jennings Avenue, as indicated in Impact LU-2 and Impact TR-4, it would be the Environmentally Superior Alternative in that it has the fewest significant impacts and, therefore, it would have more significant unavoidable impacts than the Rail Overcrossing Alternative.

In response to Master Response C, the following revision is made on page 5-4 of the Draft EIR:

To determine the environmentally superior alternative among the other three alternatives, the following analysis is provided.

In response to Master Response C, the following revision is added on page 5-4 of the Draft EIR:

Preferred Project with No Rail Crossing Closure Alternative

An alternative that includes an at-grade rail crossing at Jennings Avenue, but does not close any existing rail crossings, would have the same significant and unavoidable impacts as the Preferred Project relative to noise at the Jennings crossing: Impacts NO-1, NO-3, and NO-C-1. This alternative would not, however, cause the significant unavoidable impacts relative to the crossing closures, i.e., Impacts LU-2, CR-2, and/or TR-4.

In response to Master Response C, the following revision is made on page 5-5 of the Draft EIR:

The Rail Overcrossing Alternative is the Environmentally Superior Alternative, in that it would result in three fewer significant and unavoidable impacts than the Preferred Project with a crossing closure at W. Sixth Street or W. Seventh Street, and five fewer significant and unavoidable impacts than the Preferred Project with a crossing closure at W. Eighth Street. The Rail Overcrossing Alternative would also have two fewer significant and unavoidable impacts than the Preferred Project with No Rail Crossing Closure Alternative. Impacts to operational and cumulative noise impacts would not occur with a grade-separated rail overcrossing because the sounding of train horns associated with freight and passenger rail service would not be required. Additionally, the Rail Overcrossing Alternative would not require closure of an existing at-grade rail crossing elsewhere in the City.

Appendix D

In response to minor improvements to the Preferred Project, Figure D-1 (Preferred Project – At-grade Rail Crossing – Potential Tree Removal) in Appendix D is revised as follows on the accompanying pages.
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5. References


SMART. 2012. Jennings Avenue Pedestrian Crossing Analysis for the SMART Project IOS-1 and IOS-1A. October 5.

SMART. 2014. Personal Communication, Olivia Ius, Assistant Planner, December 17.


6. **List of Preparers**

**GHD**

Patricia Collins, Project Manager  
Brian Bacciarini, Deputy Project Manager  
Frank Penry, Senior Traffic Engineer  
Tobin Bonnell, Senior Engineer  
Chelsea Phlegar, Environmental Planner  
Katherine Ross, Planner  
Elissa Overton, Project Administrator

**Illingworth and Rodkin**

Michael Thill  
Joshua Carman
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Appendices
Appendix A

Correspondence with CPUC and Historical Aerial Photographs of Jennings Avenue
January 13, 2012

Ernesto Olivares
Mayor
City of Santa Rosa
100 Santa Rosa Avenue, Room 0
Santa Rosa, CA 95404

Re: Proposed Jennings Avenue Pedestrian Railroad Crossing

Dear Mayor Olivares:

Commission President Michael Peevey referred your letter, dated September 12, 2011, regarding the City of Santa Rosa’s (City) request for a new at-grade bicycle/pedestrian rail crossing at Jennings Avenue to the Consumer Protection and Safety Division to respond. I regret the delay in formally responding but I understand that my staff has reached out to your Traffic Engineering Department to begin discussions about the proposed crossing.

On December 1, 2011, my Rail Crossing Engineering staff reviewed the proposed crossing area with the Sonoma Marin Area Rail Transit (SMART) and City staff. There is an existing, obviously well used, path across the SMART right-of-way and tracks. Many pedestrians were observed crossing the tracks at this location during the visit. Many were children and adults with baby strollers. While the practice clearly became routine during the period when no train service existed, the location should be addressed considering the now active rail line.

The area around the proposed crossing is residential. The nearest public crossings are approximately ½ mile away in each direction at College Avenue and Guerneville Road, resulting in the tracks being a very tempting shortcut at this location.

Because this is an illegal crossing location, the people are considered trespassers on SMART property. More importantly, Northwestern Pacific Railroad (NWP) is currently running freight trains along these tracks and the trespassing creates a hazardous situation to the users and the train crews. Strollers, wheelchairs, and bicycles can very easily get stuck on the tracks, putting the users in significant danger.

It is the CPUC’s policy to reduce the number of at-grade crossings within the State of California. This policy is articulated in the Commission’s General Order 75-D, quoted below.

2. POLICY ON REDUCING NUMBER OF AT-GRADE CROSSINGS

As part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission’s policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.
With improving overall safety and the reduction of total crossings in mind, CPUC staff recommends that the City identify two existing at-grade crossings to close in exchange for the new Jennings Avenue crossing. CPUC staff believes that 6th Street, 7th Street and 8th Street crossings are good candidates for closure.

If the City would like to pursue this project, the first step is to set up an on-site diagnostic review that will include representatives from the City, CPUC, SMART, and NWP. The City would then need to file a formal application with the CPUC and request authority, under Public Utilities Code Sections 1201-1205, to construct the new crossing at Jennings Avenue. Any interested person may file a protest to the City’s application. A protest could require the matter be set for hearings, where the parties would make their cases to the Commission, and ultimately a decision by the Commission would be rendered. If the application is uncontested, the process is simpler but will still result in a Commission decision.

Please be aware that the Commission has set the bar very high for approval of new at-grade crossings along mainline track. In addition to demonstrating that a grade-separation is impracticable, the City must demonstrate a compelling public need and that the proposed crossing will not compromise public safety. Closure of nearby crossings can help support such an argument.

To mitigate the current trespass situation, my staff and I highly recommend that the City contact Operation Lifesaver (www.oli.org) to arrange rail safety presentations for the neighborhood and schools in the area. The public should be discouraged from continuing to use the crossing until the matter is resolved.

If you have any questions, please contact the Staff Engineer assigned to this project, David Stewart at (916) 928-2515 and atm@cpuc.ca.gov, or Daren Gilbert, Manager, Rail Transit and Crossings Branch at (916) 928-6858 and dan@cpuc.ca.gov.

Sincerely,

Michelle Cooke
Interim Director
Consumer Protection and Safety Division

C: (via e-mail)
    Farhad Mansourian, SMART
    John Williams, NWP
    Mitch Stogner, NCRA
    Robert Sprinkle, City of Santa Rosa
December 9, 2014

David Stewart, Utilities Engineer
California Public Utilities Commission
Safety and Enforcement Division
180 Promenade Circle, Suite 115
Sacramento, CA 95834

RE: PUBLIC COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR JENNINGS AVENUE PEDESTRIAN AND BICYCLE RAIL CROSSING PROJECT

Dear Mr. Stewart:

Thank you for your timely response and comments on the Draft Environmental Impact Report for the Jennings Avenue Pedestrian and Bicycle Rail Crossing Project. During our review of comments from the public and from several of our City Council members, several question arose that require the expertise of the California Public Utility Commission (CPUC). As such, I am soliciting you for responses to those questions. These questions relate to history, CPUC policy and practices, as well as some technical and statistical questions relating to future potential operations of either an overcrossing or an at-grade crossing. Below, the questions are bulleted:

**Historical**
- There are several claims that Jennings Avenue was at one time a rail crossing. Do you have historical records showing that this location used to be, or ever was a crossing of any type?
- We heard there is a non-inventoried crossing list. Is Jennings Avenue on that list?
- If yes, is there any precedence for treatment of non-inventoried crossings?

**Policy**
- What CPUC policy or legislation requires that one or two crossings be closed in conjunction with the construction of an at-grade pedestrian and bicycle crossing? Does being a non-vehicular crossing have any merit on this decision? How and when will the CPUC decide whether one or two closures will be required?
- Could there be a “trade” of crossings closures with other locations/jurisdictions along the corridor that could be used for the Jennings Avenue crossing? Would closures of private crossings count toward this “trade”?
- There was apparently a crossing at or near Copeland Creek in Rohnert Park that was closed. Can this count toward a corridor closure that Santa Rosa could receive credit for? What is the extent along the rail corridor where a closure could count for Santa Rosa?

**Design**
- Can you provide a fencing standard (type and height) that has shown to be successful as far as cut resistant (or proof) and climb resistant (or proof)? Would wrought iron fencing be acceptable? Is there a length of fencing required along the rail line on either side of the crossing?

Transportation and Public Works Department
69 Stony Circle • Santa Rosa, CA 95401
Phone: 707-543-3800 • Fax: 707-543-3801
www.srcity.org
What fencing or enclosure is required for areas above the train tracks on a rail overcrossing to reduce objects or pedestrians from leaving the confines of the structure?

We want to verify that the “Second train coming” LED sign and technology is available for use if Jennings Avenue was an at-grade crossing?

Will crash walls be required at any at-grade crossing that is closed?

Has the CPUC had experience with reducing the incidence of skateboarding or other similar activity on overcrossings?

Does the CPUC have a preference as to which existing crossing (Sixth Street, Seventh Street, or Eighth Street) would be closed in the event that the at-grade Jennings Avenue crossing was pursued?

Statistics

- How many bicycle and pedestrian only at-grade crossings are there in California?
- How many pedestrians are killed per year at bicycle and pedestrian only at-grade crossings versus combined vehicle/pedestrian crossings?

Thank you in advance for helping answer these questions from our Council and public. In order to meet our deadlines for the preparation of the Final EIR we are hoping for your response no later than December 18th, 2014. Please respond to as many items as possible by that time, and follow up with other issues as soon as possible.

Please do not hesitate to contact me if you have any questions at 707-543-3817.

Sincerely,

[Signature]

ROBERT SPRINKLE, PE TE
Supervising Engineer

RMS/as [G:\RMS\CUCDEIRQuestions=GHD.docx]
December 22, 2014

Robert Sprinkle, PE TE
Supervising Engineer
City of Santa Rosa
69 Stony Circle
Santa Rosa, CA 95401

Re: PUBLIC COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR JENNINGS AVENUE PEDESTRIAN AND BICYCLE RAIL CROSSING PROJECT

Dear Mr. Sprinkle:

This refers to your letter dated December 9, 2014 with questions (Q) to the California Public Utilities Commission (CPUC/Commission) regarding the City of Santa Rosa’s (City) Draft Environmental Impact Report for its Jennings Avenue Pedestrian and Bicycle Rail Crossing Project. Please see the Rail Crossings and Engineering Branch (RCEB) responses to your questions below.

Historical

Q1. RCEB does not have any records indicating that there was an at-grade highway-rail crossing (crossing) on Jennings Avenue in Santa Rosa.
Q2. RCEB does not have a non-inventoried crossing list.
Q3. Refer to Q2.

Policy

Q1. Commission General Order (GO) 75-D, Section 2 states:

“POLICY ON REDUCING NUMBER OF AT-GRADE CROSSINGS
As part of its mission to reduce hazards associated with at-grade crossings, and in support of the national goal of the Federal Railroad Administration (FRA), the Commission's policy is to reduce the number of at-grade crossings on freight or passenger railroad mainlines in California.”

The Commission’s policy does not differentiate between highway-rail and pedestrian-rail crossings. The Commission’s policy is to ‘reduce’ the number of all at-grade crossings.

RCEB’s primary concern is safety, and recommends the City seriously pursue grade-separating the proposed Jennings Avenue pedestrian crossing. In Commission Rules of Practice and Procedure, Section 3.7 (c), applications to construct a new at-grade crossing must contain the following:
(1) a statement showing the public need to be served by the proposed crossing;
(2) a statement showing why a separation of grades is not practicable; and
(3) a statement showing the signs, signals, or other crossing warning devices which applicant recommends be provided at the proposed crossing.

Q2. RCEB may consider other alternatives after the City can demonstrate that a grade-separation is impracticable. RCEB will not support the closure of a private crossing in return to construct a new at-grade crossing.

Q3. The City cannot receive credit for the closure of the Rohnert Park crossing. Refer to Q2 in regards to the remaining portion of Q3.

Design

Q1. RCEB examines each proposal to construct a new at-grade or grade separated crossing on a separate basis. Part of the process includes an evaluation of the existing rail corridor and proposed crossing location with representatives from the City, railroad, and other potential stakeholders. During this process, RCEB may make recommendations on the design of the proposed crossing and modifications to the existing rail corridor. RCEB may also not support the construction of the new crossing. Ultimately, all interested parties must agree on the design of the proposed crossing before the CPUC can approve it. As for fencing, please refer to our references located on the CPUC’s website at:


Q2. Refer to Q1.
Q3. The “Second Train Coming” sign is a non-standard sign. Refer to Q1.
Q4. No crash barrier is needed for a crossing closure. However, when a crossing is closed, the crossing panels and road approaches must be completely removed and the ends of the road way blocked off. Please refer to the CPUC website for more information on crossing closure.
Q5. Refer to Q1.
Q6. Refer to Q1. If there are redundant crossings in Santa Rosa, RCEB recommends that the City close the crossings to improve rail safety.

Statistics

Q1. The CPUC rail crossing inventory lists 345 public (rail-transit, and passenger/freight railroad) at-grade pedestrian crossings in the State.
Q2. Table 1 and 2 contain information regarding the number of incidents and fatalities that occurred in California in 2013. RCEB obtained the information for Table 1 from the Federal Railroad Administration’s Highway-rail Crossing Accident Database. The information for Table 2 was obtained from RCEB’s database.

<table>
<thead>
<tr>
<th>Crossing Type</th>
<th>Bicycle / Pedestrian</th>
<th>Vehicle / Pedestrian</th>
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</thead>
<tbody>
<tr>
<td>Pedestrian Incidents</td>
<td>2</td>
<td>49</td>
</tr>
<tr>
<td>Pedestrian Fatalities</td>
<td>2</td>
<td>38</td>
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</table>

Table 1, Railroad Crossings
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<thead>
<tr>
<th>Crossing Type</th>
<th>Bicycle / Pedestrian</th>
<th>Vehicle / Pedestrian</th>
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</thead>
<tbody>
<tr>
<td>Pedestrian Incidents</td>
<td>6</td>
<td>21</td>
</tr>
<tr>
<td>Pedestrian Fatalities</td>
<td>2</td>
<td>0</td>
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</table>

Table 2, Transit Crossings

If you have any further questions, please contact Dave Stewart at (916) 928-2515 or atm@cpuc.ca.gov.

Sincerely,

Michael Robertson
Program Manager
Rail Crossings and Engineering Branch
Safety and Enforcement Division
Aerial photograph of Jennings Avenue rail crossing from City archives taken in 1956. To the south of Jennings Avenue is an old rail yard (triangular section).
Close-up of Jennings Avenue rail crossing from aerial photograph taken in 1956.
Aerial photograph of Jennings Avenue rail crossing from City archives taken in 1963. You can see the addition of Guerneville Road at the north end of the aerial.
Appendix B

Mitigation Monitoring Program
### MITIGATION AND MONITORING PROGRAM

**City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR**

<table>
<thead>
<tr>
<th>Mitigation Measure</th>
<th>Implementation Procedure</th>
<th>Implementation Timing</th>
<th>Monitoring Action &amp; Schedule</th>
<th>Monitoring Agency</th>
<th>Verification of Compliance (Name/Date)</th>
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<tbody>
<tr>
<td><strong>Project Measure 1 – Implement Air Quality Control Measures during Construction</strong></td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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</tbody>
</table>

**Applicable to:**
- Preferred Project with No Crossing Closure;
- Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;
- Rail Overcrossing Alternative

To limit dust, criteria pollutants, and precursor emissions associated with the construction activity, the City will include the following Bay Area Air Quality Management District recommended Basic Construction Measures in all construction contract specifications for the proposed Project:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas and unpaved access roads) shall be watered two times per day;
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping shall be prohibited;
- All vehicle speeds on unpaved areas shall be limited to 15 miles per hour;
- All paving shall be completed as soon as possible after work is finished;
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points;
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper
### MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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<th>Mitigation Measure</th>
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<th>Monitoring Agency</th>
<th>Verification of Compliance (Name/Date)</th>
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<tbody>
<tr>
<td>Project Measure 2 – Implement Greenhouse Gas (GHG) Control Measures during Construction</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
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<td>Applicable to:</td>
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<td>o Preferred Project with No Crossing Closure;</td>
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<td>o Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;</td>
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<td>o Rail Overcrossing Alternative</td>
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<td>The City and its contractors will implement actions 9.2.1 through 9.2.3 of the City’s Climate Action Plan during construction, as follows:</td>
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<td>• Action 9.2.1 - Minimize idling times either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes or less (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Provide clear signage at all access points to remind employees of idling restrictions.</td>
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<td>• Action 9.2.2 - Construction equipment shall be maintained in accordance with manufacturer’s specifications.</td>
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<td>• Action 9.2.3 - Limit GHG emissions from construction equipment by selecting one of the following measures, as feasible and appropriate to the construction project:</td>
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<td>– Substitute electrified equipment for diesel- and gasoline-powered equipment where practical.</td>
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### MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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<th>Mitigation Measure</th>
<th>Implementation Procedure</th>
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<th>Monitoring Agency</th>
<th>Verification of Compliance (Name/Date)</th>
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<tr>
<td>Use alternative fuels for construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.</td>
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<th>Verification of Compliance (Name/Date)</th>
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<tbody>
<tr>
<td>Project Measure 3 – Implement Storm Water Control Measures during Construction</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
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<td>Applicable to:</td>
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<td>o Preferred Project with No Crossing Closure;</td>
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<td>o Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;</td>
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<td>o Rail Overcrossing Alternative</td>
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<td>The City will require Project contractors to implement storm water best management practices (BMPs) required by the City’s storm water permit and other applicable regulation. These include BMPs specific to sites less than and greater than one acre, respectively. BMPs for Construction Sites Less than 1 Acre include, but are not limited to: Erosion Control</td>
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<td>o Schedule the Project to sequence construction activities with the installation of erosion and sediment control measures and preserving existing vegetation (California Stormwater Quality Association [CASQA] Handbook BMP EC-1 and EC-2 or Caltrans Handbook BMP SS-1 and SS-2).</td>
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<td>Sediment Controls</td>
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<td>o Install a combination of silt fencing, sand bag barriers, and stabilized construction site entrance/exit to detain sediment-laden runoff and to minimize tracking of</td>
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## MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

<table>
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<th>Verification of Compliance (Name/Date)</th>
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<td>sediment onto public roads (CASQA Handbook BMP SE-1, SE-8, TR-1 or Caltrans Handbook BMP SC-1, SC-8, TC-1).</td>
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<tr>
<td>Non-Storm Water Management</td>
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<td>• Implement water conservation and dewatering practices to prevent the potential for erosion and the transport of pollutants off site (CASQA or Caltrans Handbook BMP NS-1 and NS-2).</td>
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<tr>
<td>Waste Management</td>
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<tr>
<td>• Implement general site and materials management BMPs, including material delivery and storage, stockpile management, spill prevention and control, solid waste management, concrete waste management, and sanitary/septic waste management (CASQA and Caltrans Handbook WM-1, WM-3, WM-4, WM-5, WM-8, and WM-9).</td>
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<tr>
<td>BMPs for Construction Sites Greater than 1 Acre include, but are not limited to:</td>
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<tr>
<td>Erosion Control</td>
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<tr>
<td>• Schedule the Project to sequence construction activities with the installation of erosion and sediment control measures and preserving existing vegetation (California Stormwater Quality Association [CASQA] Handbook BMP EC-1 and EC-2 or Caltrans Handbook BMP SS-1 and SS-2).</td>
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<tr>
<td>Sediment Controls</td>
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<tr>
<td>• Install a combination of silt fencing, sand bag barriers, and stabilized construction site entrance/exit to detain sediment-laden runoff and to minimize tracking of sediment onto public roads (CASQA Handbook BMP SE-1, SE-8, TR-1 or Caltrans Handbook BMP SC-1, SC-8, TC-1).</td>
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<tr>
<td>Non-Storm Water Management</td>
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<tr>
<td>• Implement water conservation and dewatering practices to prevent the potential for erosion and the transport of pollutants off site (CASQA or Caltrans Handbook BMP NS-1 and NS-2).</td>
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</table>
# MITIGATION AND MONITORING PROGRAM

City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

<table>
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<tbody>
<tr>
<td>Pollutants off site (CASQA or Caltrans Handbook BMP NS-1 and NS-2).</td>
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<td>Waste Management</td>
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<tr>
<td>• Implement general site and materials management BMPs, including material delivery and storage, stockpile management, spill prevention and control, solid waste management, concrete waste management, and sanitary/septic waste management (CASQA and Caltrans Handbook WM-1, WM-3, WM-4, WM-5, WM-8, and WM-9).</td>
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<td>• BMPs for Construction Sites Greater than 1 Acre include, but are not limited to:</td>
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<tr>
<td>Erosion Control</td>
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<tr>
<td>• Schedule the Project to sequence construction activities with the installation of erosion and sediment control measures and preserving existing vegetation. Utilize a combination of BMPs to minimize soil erosion, including hydraulic mulch, hydrosedging, soil binders, straw mulch, geotextiles and mats, and wood mulching (CASQA Handbook BMP EC-1 to EC-8 or Caltrans Handbook BMP SS-1 to SS-8).</td>
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<tr>
<td>Sediment Controls</td>
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<tr>
<td>• Install a combination of BMPs to detain sediment-laden runoff, including fiber rolls, gravel bag berms, street sweeping and/or vacuuming, storm drain inlet protection, sediment basins; check dams, silt fencing, and sand bag barriers (CASQA Handbook BMP SE-1, SE-2, SE-4, SE-5, SE-6, SE-7, SE-8, SE-10) or Caltrans Handbook BMP SC-1, SC-2, SC-4, SC-5, SC-6, SC-7, SC-8, SC-10).</td>
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<tr>
<td>Tracking Control BMPs</td>
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<td>• Install a stabilized construction entrance/exit and entrance/exit tire wash at the site to minimize the tracking of sediment onto public roads (CASQA Handbook BMP TR-1 and TC-3) or Caltrans Handbook BMP TC-1 and TC-3).</td>
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## MITIGATION AND MONITORING PROGRAM
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<tr>
<td>Additional Controls</td>
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<tr>
<td>- Implement wind erosion controls and stabilized construction roadways as needed (CASQA Handbook BMP WE-1 and TC-2 or Caltrans Handbook BMP WE-1 and TC-2).</td>
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<tr>
<td>Non-Storm Water Management</td>
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<tr>
<td>- Implement a combination of BMBs to prevent the potential for non-storm water discharges, including water conservation practices, dewatering operations, and vehicle and equipment washing/fueling/maintenance (CASQA or Caltrans Handbook BMP NS-1, NS-2, NS-8, NS-9, NS-10).</td>
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<td>- Implement general site and materials management BMPs, including material delivery and storage, stockpile management, spill prevention and control, solid waste management, concrete waste management, and sanitary/septic waste management (CASQA and Caltrans Handbook WM-1, WM-3, WM-4, WM-5, WM-8, and WM-9).</td>
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### Mitigation Measure AES-1: Tree Removal and Replacement

**Applicable to:**
- Rail Overcrossing Alternative

Prior to the removal of any trees within the construction area boundary, the City shall determine if any trees can be retained without causing conflicts with construction equipment and/or safety risks during construction at the site. A qualified arborist shall conduct the tree retention survey. Any trees found not to conflict with construction activities or create safety risks shall be protected during construction activities following the requirements presented.
### MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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<tr>
<td>in Mitigation Measure BIO-5. For each tree to be removed, the City shall plant replacement trees on-site to the extent allowable given the space available in the rail corridor. Each replacement tree shall be in a minimum 15-gallon container and shall be in compliance with the Santa Rosa Tree Ordinance. The on-site plantings shall be located such that the visual continuity of the remaining trees along the rail corridor is restored to the extent feasible. To the extent tree replacement on-site is not feasible, replacement trees shall be planted off-site in substantial compliance with the City’s Tree Ordinance as described in Mitigation Measure BIO-4. In all cases, the planting ratio shall be a minimum of 1:1 (i.e., one tree planted for each tree removed). Replanting shall occur within the first year after completion of construction. The City shall monitor plantings annually for five years after project completion to ensure that the replacement planting(s) has developed and that the trees survive. If necessary, the City shall implement additional measures (e.g., replanting, installation of irrigation) to address continued survival of the plantings, and shall re-plant additional trees should a significant amount of the original plantings not survive during the monitoring period.</td>
<td>Implement planting of replacement trees in compliance with the City’s Tree Ordinance</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Monitor plantings annually and re-plant, if necessary</td>
<td>Annually for five years following construction</td>
<td>Conduct field visit to verify success of planting annually for five years</td>
<td>City of Santa Rosa</td>
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</tbody>
</table>
# MITIGATION AND MONITORING PROGRAM
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</table>
| **Mitigation Measure AES-2: Colorize and Texturize Overcrossing Concrete Surfaces**  
Applicable to:  
Rail Overcrossing Alternative | Qualified landscape architect to prepare recommendations for color and texture of external surfaces of overcrossing | Prior to 100% plan set | Report of Findings | City of Santa Rosa |  |
|  | Incorporate recommendations into plans and specifications | Inclusion in 100% plan set prior to bid of project | Verify in 100% plan set prior to bid of project | City of Santa Rosa |  |
| **Mitigation Measure AQ-1: Minimize Construction Equipment Emissions**  
Applicable to:  
Rail Overcrossing Alternative | Implement emission controls during construction | During construction | Field visits during construction | City of Santa Rosa |  |
|  | Incorporate requirements into plans and specifications | Inclusion in 100% plan set prior to bid of project | Verify in 100% plan set prior to bid of project | City of Santa Rosa |  |
|  | If using other measures to reduce emissions, Contractor shall submit calculations of cancer risk. | Prior to 100% plan set | Report of Findings | City of Santa Rosa |  |
or a combination of measures, provided that these measures are demonstrated to provide the necessary DPM and PM2.5 emission reductions to meet the cancer risk thresholds and are approved by the City. Calculations of DPM and PM2.5 emissions shall be performed according to methods set forth by the BAAQMD Guidelines for Community Risk Assessments.

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<tbody>
<tr>
<td>Mitigation Measure BIO-1: Protection Measures during Construction for Special-status Birds</td>
<td>Incorporate tree removal requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
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<td>Applicable to:</td>
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<td>o Preferred Project with No Crossing Closure;</td>
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<tr>
<td>o Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;</td>
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<tr>
<td>o Rail Overcrossing Alternative</td>
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<tr>
<td>The City of Santa Rosa shall conduct tree removal during the non-breeding season (generally August 16 through February 14) for special-status birds (including migratory birds and raptors), to the extent feasible.</td>
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<tr>
<td>If construction activities must occur during the breeding season for special-status birds (February 15 to August 15), the City shall retain a qualified wildlife biologist who is experienced in identifying birds and their habitat to conduct a pre-construction survey for nesting special-status birds and migratory passerines and raptors. The preconstruction surveys must be conducted within 15 days prior to the initiation of tree removal, grading, grubbing, or other construction activities scheduled during the breeding season (February 15 to August 15). If the biologist detects no active nesting or breeding activity by special-status or migratory birds or</td>
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<tr>
<td>Incorporate tree removal requirements into plans and specifications</td>
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<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Qualified biologist to conduct a pre-construction survey for nesting birds if tree removal occurs during breeding season (between February 15 to August 15)</td>
<td>Within 15 days prior to tree removal in the breeding season</td>
<td>Report of Findings prior to tree removal or start of construction during breeding season</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Implement avoidance measures as described in the pre-construction survey for any</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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### Mitigation Measure

- **Raptors**: Work may proceed without restrictions. To the extent allowed by access, all active passerine nests identified within 100 feet and all active raptor nests identified within 250 feet of the limits of work shall be mapped.

- **Migratory Birds**: If migratory bird and/or active raptor nests are identified within 250 feet of a facility site or if an active passerine nest is identified within 100 feet of a facility site, a qualified biologist shall determine whether or not construction activities might impact the active nest or disrupt reproductive behavior. If it is determined that construction would not affect an active nest or disrupt breeding behavior, construction may proceed without any restriction.

- **Disruption**: If the qualified biologist determines that construction activities would likely disrupt raptor breeding or passerine nesting activities, then the City shall establish a no-disturbance buffer around the nesting location to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late June through mid-July). The extent of these buffers would be determined by a wildlife biologist in consultation with CDFW and would depend on the species' sensitivity to disturbance (which can vary among species); the level of noise or construction disturbance; line of sight between the nest and the disturbance; ambient levels of noise and other disturbances; and consideration of other topographical or artificial barriers. The wildlife biologist shall analyze and use these factors to assist the CDFW in making an appropriate decision on buffer distances.

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<tr>
<td>Raptors, then work may proceed without restrictions. To the extent allowed by access, all active passerine nests identified within 100 feet and all active raptor nests identified within 250 feet of the limits of work shall be mapped.</td>
<td>active bird nests identified until birds have fledged as determined by a qualified biologist</td>
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Buffers shall be clearly delineated on the ground with easily seen construction exclusion fencing and no machinery or workers shall enter the area. After the fencing is in place, there would be no restrictions on grading or construction activities outside the buffer areas.
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<tbody>
<tr>
<td><strong>Mitigation Measure BIO-2: Protection Measures for Special-status Bats during Tree Removal or Trimming</strong></td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
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<tr>
<td><strong>Applicable to:</strong></td>
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<td>o Preferred Project with No Crossing Closure;</td>
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<td>o Rail Overcrossing Alternative</td>
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<tr>
<td>The City shall conduct a habitat assessment at least 30 days and no more than 90 days prior to construction activities (i.e., ground-clearing and grading, including removal or trimming of trees) of all trees on the site that are proposed for removal. The assessment shall be designed to identify trees containing suitable roosting habitat for bats and to identify measures needed to protect roosting bats. The assessment shall be conducted by a qualified bat biologist. Trees containing suitable roosting habitat shall be assumed to contain roosting bats.</td>
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<td>The City shall ensure that removal of trees shall only be scheduled during seasonal periods of bat activity (February 15 through April 15 and September 1 through October 15), and trees shall be removed in the following manner:</td>
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<td>• Trees that do not provide suitable bat habitat can be removed in a single day;</td>
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<td>• Trees that have been identified as suitable bat habitat by a qualified bat biologist shall be removed in a two-step/two-day process, under the direction of a qualified bat biologist as follows:</td>
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<td>– A qualified bat biologist shall train workers on the proper techniques for tree removal to protect bats. The qualified bat biologist shall be on-site during tree removal.</td>
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<td>– Day 1, in the afternoon, cutting shall include removal of branches and small limbs using only chainsaws (no dozers or backhoes). Limbs with cavities, crevices or deep bark fissures shall be avoided, and only branches or limbs without those features shall be</td>
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### Mitigation Measure BIO-3: Avoid Fill of Wetlands and Waters

**Applicable to:**
- Preferred Project with No Crossing Closure;
- Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;
- Rail Overcrossing Alternative

The City of Santa Rosa shall avoid fill of jurisdictional waters and wetlands, to the extent feasible. Temporary construction-related disturbance and fill in jurisdictional waters and wetlands shall be restored and restoration measures may include:

- Sediments and foreign materials deposited by construction activities shall be removed.
- Restoration of disturbed waters, wetlands, or stream gradients to original contour and hydrologic condition.
- Bank stabilization prior to the onset of winter using straw, matting, wattles, or other suitable means.
- Reestablishment of riparian habitat and stands of sensitive status wetland plant cover using native seed stock, container plants, and/or cuttings collected from as close to the impact vicinity as possible.
- Protection and conservation of topsoil within riparian habitat and stands of sensitive status wetland plant cover.

#### Implementation Procedure

- Incorporate requirements into plans and specifications
- Prepare verified jurisdictional delineation of waters of the U.S.
- Redesign the project to avoid impacts to wetlands and/or waters if feasible.

#### Implementation Timing

- Inclusion in 100% plan set prior to bid of project
- Inclusion in 100% plan set prior to bid of project
- Prior to 100% plan set

#### Monitoring Action & Schedule

- Verify in 100% plan set prior to bid.
- Report of Findings
- Report of Findings
- Verify in 100% plan set prior to bid.
- Field visits during construction

#### Monitoring Agency

- City of Santa Rosa
- City of Santa Rosa
- City of Santa Rosa
- City of Santa Rosa

#### Verification of Compliance (Name/Date)

Incorporate requirements into plans and specifications

City of Santa Rosa

Report of Findings

City of Santa Rosa

If avoidance is infeasible, implement protection measures during construction.

City of Santa Rosa

If wetlands or waters cannot be avoided, then obtain required permits and implement permit requirements.

City of Santa Rosa

Field visits during construction

City of Santa Rosa

Secure permits

City of Santa Rosa
## MITIGATION AND MONITORING PROGRAM

City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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| Both the federal and State Clean Water Act maintains a “no net loss” policy for wetlands and the California Fish and Game Commission opposes wetland development unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage; therefore if permanent fill in Steele Creek cannot be avoided, the City shall compensate for the permanent impacts at a ratio of 1:1 or as required by the regulatory agencies. To determine the amount of wetlands impacted, the City shall complete a wetlands delineation and have the delineation verified by the USACE. Once the stream and riparian habitat impacts are determined then the amount of mitigation necessary to meet the 1:1 mitigation ratio or the ratio required by the regulatory agencies can be calculated. The City shall obtain the appropriate permits from the USACE, RWQCB, and/or CDFW prior to Project construction. Mitigation can then be accomplished through purchase of stream and/or riparian habitat credits if a mitigation bank is approved and credits have been released prior to the Project’s impacts or restoring or enhancing stream and/or riparian habitat. Should the City decide to meet the mitigation requirements by restoring or enhancing a stream and/or riparian habitat, a wetland mitigation and monitoring plan shall be developed to ensure that the mandated mitigation ratios and annual monitoring requirements are achieved. The mitigation and monitoring plan must include the follow elements:  
- Objectives. A description of the resource type(s) and amount(s) that will be provided, the method of compensation (restoration, establishment, preservation etc.), and how the anticipated functions of the mitigation project will address watershed needs.  
- Site selection. A description of the factors considered during the site selection process.  
- Site protection instrument. A description of the legal arrangements and instrument including site ownership that will be used to ensure the long-term protection of the mitigation project site. | Purchase stream and/or riparian habitat credits or enhance stream and/or riparian habitat, if applicable. | Prior to construction | Purchase credits; or Develop wetlands mitigation and monitoring plan as part of the permitting process and conduct field visits to verify success of restoration efforts for five years and report annually to permitting agencies | City of Santa Rosa | |
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<td>• Baseline information. A description of the ecological characteristics of the proposed mitigation project site.</td>
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<td>• Determination of credits. A description of the number of credits to be provided including a brief explanation of the rationale for this determination.</td>
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<tr>
<td>• Mitigation work plan. Detailed written specifications and work descriptions for the mitigation project.</td>
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<tr>
<td>• Maintenance plan. A description and schedule of maintenance requirements to ensure the continued viability of the resource once initial construction is completed.</td>
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<tr>
<td>• Performance standards. Ecologically-based standards that will be used to determine whether the mitigation project is achieving its objectives.</td>
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<tr>
<td>• Monitoring requirements. A description of parameters monitored and monitoring schedule to determine whether the mitigation project is on track to meet performance standards and if adaptive management is needed. Monitoring shall continue until results indicate that the no net loss performance standard has been achieved.</td>
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<td>• Long-term management plan. A description of how the mitigation project will be managed after performance standards have been achieved to ensure the long-term sustainability of the resource.</td>
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<td>• Adaptive management plan. A management strategy to address unforeseen changes in site conditions or other components of the mitigation project.</td>
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<td>• Financial assurances. A description of financial assurances that will be provided and how they are sufficient to ensure a high level of confidence that the mitigation project will be successfully completed.</td>
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## MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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</table>
| **Mitigation Measure BIO-4: Compliance with Santa Rosa Tree Ordinance**  
Applicable to:  
  - Preferred Project with No Crossing Closure;  
  - Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;  
  - Rail Overcrossing Alternative  
The City of Santa Rosa shall replace trees removed during construction in accordance with the Santa Rosa Tree Ordinance, Chapters 17-24 of the City Code. Such trees removed shall be replaced with native tree species determined suitable for the site by a qualified arborist, horticulturist, landscape architect, or biologist.  
- For each heritage tree or tree removed during construction or lost due to construction-related impacts, a replacement tree shall be planted according to the following City of Santa Rosa requirements:  
  - For each six inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the Director of Community Development), each of a minimum 15-gallon container size, shall be planted on the Project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director.  
  - For each six inches or fraction thereof of the diameter of a tree which was not approved for removal, four trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the Project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director.

- Incorporate requirements into plans and specifications
- Implement planting of replacement trees or payment of in-lieu fees in compliance with the City’s Tree Ordinance
- Inclusion in 100% plan set prior to bid of project
- Prior to and during construction
- Field visits during construction to verify planting of replacement trees, as applicable
- City of Santa Rosa

GHD Inc.  
February 4, 2015
### Mitigation and Monitoring Program

#### City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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<td>Director, or a fewer number of such trees of a larger size if approved by the Director. - Payment of in-lieu fees in accordance with the Tree Ordinance, so long as fees are used for planting of trees within the City.</td>
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#### Mitigation Measure BIO-5: Minimize Impacts to Trees Adjacent to Construction Areas

**Applicable to:**
- Rail Overcrossing Alternative

The City of Santa Rosa shall identify trees to be protected and retained during construction and minimize potential impact to these trees by implementing the following measures. These trees shall be marked on construction plans and protected during construction activities.

- Construction activities within the dripline of trees to be retained adjacent to construction area shall be avoided.
- A qualified arborist shall identify the location of exclusion fencing to be installed around trees to be retained.
- Prior to the start of construction, the City or its contractor shall install exclusion fencing around the dripline of trees to be retained and within 50 feet of any grading or construction activity. If disturbance cannot be avoided within the dripline of a protected tree, then the City shall identify the area needed for construction and place exclusion fencing at that location. No grading, digging, trenching, use of fill soils, covering the ground with asphalt or concrete, or landscaping with plants that require more than two years of summer watering to survive. Excessive foot traffic, operating heavy equipment, and parking vehicles shall be avoided in the area to avoid compaction in the root zone.

Qualified arborist to complete a tree retention survey

Prior to 100% plan set

Report of Findings

City of Santa Rosa

Implement tree protection measures during construction

During construction

Field visits during construction

City of Santa Rosa

If a protected tree is damaged or dies, implement MM BIO-4.

---

“The City of Santa Rosa shall identify trees to be protected and retained during construction and minimize potential impact to these trees by implementing the following measures. These trees shall be marked on construction plans and protected during construction activities. …”

---
### MITIGATION AND MONITORING PROGRAM

**City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR**

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<td>Prior to construction, the City shall verify that the temporary construction fencing is installed and approved by a qualified arborist. Any encroachment within these areas must first be approved by a qualified arborist and the City. Temporary fencing shall be continuously maintained by the contractor until all construction activities near the trees are completed. No construction activities shall occur within the exclusion fencing.</td>
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<td>Pruning of trees to be retained shall be completed by either a certified arborist or by the contractor under supervision of either an International Society of Arboriculture qualified arborist, American Society of Consulting Arborists consulting arborist, or a qualified horticulturalist.</td>
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<td>For each protected tree that is damaged or dies from construction-related impacts, replacement trees shall be planted according to requirements presented in Mitigation Measure BIO-4.</td>
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### Mitigation Measure CR-1: Protect Archaeological Resources Discovered During Construction

**Applicable to:**
- Preferred Project with No Crossing Closure;
- Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;
- Rail Overcrossing Alternative

The City shall temporarily halt construction in the vicinity of an archaeological resource, such as chert, obsidian flakes, projectile points, mortars, pestles, dark friable soil containing shell and bone, dietary debris, heat-affected rocks, or human burials, that are encountered during construction activities. Work shall halt and workers shall avoid altering the materials and their context. Project implementation procedures as specified below.

<table>
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<tr>
<th>Mitigation Measure CR-1: Protect Archaeological Resources Discovered During Construction</th>
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</thead>
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<tr>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Stop work and notify qualified archaeologist to conduct evaluation if suspected archaeological resources are encountered</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Implement treatment procedure as specified below</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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</table>
personnel shall not collect cultural materials. The City shall then retain the services of a qualified professional archaeologist to evaluate the find and provide appropriate recommendations. If the archaeologist determines that the find potentially qualifies as a unique archaeological resource for purposes of CEQA (CEQA Guidelines Section 15064.5[c][3]), all work must remain stopped in the immediate vicinity to allow the archaeologist to evaluate any materials and recommend appropriate treatment. The City shall notify interested Native American tribes of such discoveries and consult with the tribe from which the resources originated, according to the Native American Heritage Commission. Such treatment and resolution shall include either modifying the Project to allow the materials to be left in place or undertaking data recovery of the materials in accordance with standard archaeological methods. The preferred treatment of the resource is protection and preservation.
## MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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<td><strong>Mitigation Measure CR-2: Protect Historic Resources</strong></td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Applicable to:</td>
<td>Retain professional who meets the Secretary of Interior's qualifications for historic architect and architectural historian to review plans and specifications.</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<tr>
<td>o Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street</td>
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<tr>
<td>The City shall not remove any feature identified in the 2006 assessment of the NWP rail corridor at any of the three potential crossing closure sites such as: a switching device, signal shelter, siding, extended ties, 54-mile post, whistle board and X-markers.</td>
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<tr>
<td>The City of Santa Rosa shall design the crossing closure to be in conformance with the Secretary of the Interior's Standards, the development standards of the Historic (-H) combining district and the Station Area (SA) combining district, and the City of Santa Rosa's Design Guideline for Historic Properties. The crossing closure design shall be reviewed and approved by a professional who meets the Secretary of Interior's qualification standards for professionals in historic architecture and architectural history to ensure that the following design requirements are achieved:</td>
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<td>• Bollards shall be used, rather than guard rails or other type of barricade as part of the closure design. Install the bollard type identified for the Railroad Square Sub-area and identified in Street Furnishing Palette Plan dated September 20, 2010. The bollard design in the Street Furnishing Palette Plan includes use of a North Yorkshire model, non-lighted, cast iron bollard with a sphere on top (manufactured by Holophane). (City of Santa Rosa Design Guidelines, 2.6.9)</td>
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<td>• The fencing and bollards shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. (Secretary of the Interior’s Standard 9).</td>
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<td>• New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</td>
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### Mitigation and Monitoring Program

**City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR**

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| **Mitigation Measure CR-3: Protect Paleontological Resources During Construction Activities**  
*Applicable to:*  
  - Rail Overcrossing Alternative | Incorporate requirements into plans and specifications | Inclusion in 100% plan set prior to bid of project | Verify in 100% plan set prior to bid | City of Santa Rosa |  
| | Stop work and notify qualified paleontologist to conduct evaluation if suspected paleontological resources are encountered | During construction | Field visits during construction | City of Santa Rosa |  
| | Implement treatment procedures as described in evaluation, if applicable | During construction | Field visits during construction | City of Santa Rosa |  

*Secretary of the Interior’s Standard 10*

- Any fencing or walls shall be decorative in nature, and shall not be solid or opaque. Materials such as wrought iron, metal or wood are encouraged. (City of Santa Rosa Design Guideline 2.6.4)
- Any new fencing shall be designed to be compatible with the architectural style, material, scale and era of the … neighborhood. (City of Santa Rosa Design Guidelines 4.7-5)

*Incorporate requirements into plans and specifications*

- Inclusion in 100% plan set prior to bid of project
- Verify in 100% plan set prior to bid

*Stop work and notify qualified paleontologist to conduct evaluation if suspected paleontological resources are encountered*

- During construction
- Field visits during construction

*Implement treatment procedures as described in evaluation, if applicable*

- During construction
- Field visits during construction

*City of Santa Rosa*
# MITIGATION AND MONITORING PROGRAM
City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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<tbody>
<tr>
<td>Mitigation Measure CR-4: Protect Human Remains if Encountered During Construction</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Notify County Coroner if human remains. Associated grave goods or items of cultural patrimony are encountered</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Notify qualified archaeologist to develop agreement if human remains or graves are encountered, if applicable</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Notify Native American Heritage Commission within 24-hours of identification pursuant to PRC 5097.98</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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The City shall immediately notify the Sonoma County Coroner should human remains, associated grave goods, or items of cultural patrimony be encountered during construction, and the following procedures shall be followed as required by Public Resources Code § 5097.9 and Health and Safety Code § 7050.5. In the event of the coroner's determination that the human remains are Native American, notification of the Native American Heritage Commission, which would appoint a Most Likely Descendant (MLD). A qualified archaeologist, the City and the MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects. The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, and final disposition of the human remains and associated or unassociated funerary objects.
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<tr>
<td>GEO-1: Conduct a Geotechnical Study and Implement Recommendations</td>
<td>Require design-level geotechnical study</td>
<td>Prior to 90% plan set</td>
<td>Verify in 90% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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<td><strong>Applicable to:</strong></td>
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<tr>
<td>o Rail Overcrossing Alternative</td>
<td>Incorporate recommendations from geotechnical study into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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The City shall require a California registered Geotechnical Engineer to conduct a design-level geotechnical study for the Rail Overcrossing Alternative. The geotechnical study shall include in its study all areas of ground disturbance, evaluate seismic hazards and provide recommendations to mitigate the effect of: strong ground shaking; any liquefiable soils; and subsidence in adherence with applicable design standards, including applicable California Building Code (CBC) and City of Santa Rosa Building Code standards for earthquake resistant construction. The seismic criteria shall take into account the active faults in the Santa Rosa area and beyond, and ground motions and shaking related to the faults shall be accounted for. The geotechnical study shall include evaluation of unstable soils in the Project area, including areas susceptible to liquefaction or subsidence, and areas containing expansive soils.

The study shall provide measures to repair, stabilize, or avoid such soils, and include grading, drainage, paving, and foundation design recommendations such that adherence with current applicable standards for earthquake resistant construction would be achieved. This may include, but would not be limited to, one or more of the following measures or equivalent measures to meet the performance standards:

- If groundwater is encountered during drilling, dewatering holes and/or placement of concrete by the tremie method may be necessary. If caving soils are encountered, it may be necessary to case the holes.
- If slabs or other structural elements are to be supported on shallow foundations, the heterogeneous fill shall be removed and replaced as an engineered fill.
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<td>- 2009 AASHTO seismic design criteria or other acceptable seismic design criteria shall be used for structures at the site. - Structures supported on drilled piers may be used for foundations with the following limitations: 1) the liquefiable layer of approximately 15 feet to 19 feet below ground surface shall be neglected for the support of piers; 2) if liquefaction induced settlements on the order of 3/4 inch are acceptable, the piers do not need to gain support below the liquefiable layer; 3) if the piers gain support below the liquefiable layer, the piers, under seismic loading conditions, will need to be designed neglecting the upper 19 feet of soil and shall include drag down forces imposed by the upper 15 feet of soil that will settle during an earthquake.</td>
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The Rail Overcrossing Alternative shall be designed and constructed in conformance with the specific recommendations contained in the design-level geotechnical study, including recommendations for grading, ground improvement, and foundation support. The recommendations made in the geotechnical study shall be incorporated into the final plans and specifications and implemented during construction. Professional inspection of foundation and excavation, earthwork and other geotechnical aspects of site development shall be performed during construction in accordance with the current version of the CBC.
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<td><strong>Mitigation Measure HAZ-1: Health and Safety Plan</strong></td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
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<td>- Rail Overcrossing Alternative</td>
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<td>Prior to construction, the City shall require the construction contractor to prepare a site-specific health and safety plan in accordance with federal OSHA regulations (29 CFR 1910.120) and Cal-OSHA regulations (8 CCR Title 8, Section 5192) to address worker health and safety issues during construction. The health and safety plan shall identify the potentially present chemicals, health and safety hazards associated with those chemicals, all required measures to protect construction workers and the general public from exposure to harmful levels of any chemicals identified at the site (including engineering controls, monitoring, and security measures to prevent unauthorized entry to the work area), appropriate personal protective equipment, and emergency response procedures. The health and safety plan shall designate qualified individuals responsible for implementing the plan and for directing subsequent procedures in the event that unanticipated contamination is encountered.</td>
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<td><strong>Mitigation Measure HAZ-2: Hazardous Materials Management Plan</strong></td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Applicable to:</td>
<td>Prepare Hazardous Materials Management Plan</td>
<td>Prior to construction</td>
<td>Verify plan is prepared prior to construction</td>
<td>City of Santa Rosa</td>
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<td>- Preferred Project with No Crossing Closure;</td>
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<tr>
<td>Prior to construction, the City shall require the contractor to prepare a hazardous materials management plan that specifies the method for handling and disposal of both chemical products and hazardous materials during construction and contaminated soil and groundwater, should any be encountered during construction. Contract specifications shall mandate full compliance with all applicable local, State, and federal regulations related to identifying, transporting, and disposing of hazardous materials, including any hazardous wastes encountered in excavated soil or groundwater. If contaminated soil or groundwater is encountered during construction, work shall stop and notification shall be made to the Santa Rosa Fire Department. The City shall require the construction contractor to prepare and implement a construction Soil and Groundwater Management Plan. The contractor shall submit the Plan to the Santa Rosa Fire Department for review and approval. Elements of the plan shall include: • Measures to address hazardous materials and other worker health and safety issues during construction, including the specific level of protection required for construction workers. • Provisions for excavation of soil, stockpiling, and dust control measures. • Measures to prevent off-site migration of contaminated soil and groundwater. • Location and final disposition of all soil and groundwater removed from the site. • All other necessary procedures to ensure that excavated materials are stored, managed, and disposed of in a manner that is protective of human health and in accordance with applicable laws and regulations.</td>
<td>Implement Hazardous Materials Management Plan control measures</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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</tbody>
</table>
### Mitigation Measure HWQ-1: Manage Construction Dewatering

**Applicable to:**
- Preferred Project with No Crossing Closure;
- Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;
- Rail Overcrossing Alternative

If construction dewatering is required, the City shall evaluate reasonable options for dewatering management that would avoid discharging to a local surface water or storm drain. The following management options shall be considered:

- Reuse the water on-site for dust control, compaction, or irrigation.
- Retain the water on-site in a grassy or porous area to allow infiltration/evaporation.
- Discharge (by permit) to a sanitary sewer.

If discharging to the sanitary sewer, the City shall comply with a one-time discharge permit or other type of approval requiring, as necessary, measures for characterizing the discharge and ensuring filtering methods and monitoring to verify that the discharge is compliant with the City’s local wastewater discharge requirements.

If discharging to a local surface water or storm drain, the City shall obtain coverage under NCRWQCB Order No. R1-2009-0045, Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region. The City shall submit permit registration documents to the NCRWQCB, including development of a Best Management Practices/Pollution Prevention Plan to characterize the discharge and to identify specific measures to control the discharge, such as sediment controls to ensure that excessive sediment is not discharged, and flow controls to prevent erosion and flooding downstream of the discharge. The City shall ensure that the Contractor oversees implementation of the Best Management Practices/Pollution Prevention Plan during construction dewatering activities, including visual inspections and ensuring overall compliance.

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<tr>
<th>Mitigation Measure</th>
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</thead>
<tbody>
<tr>
<td>HWQ-1</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>If discharging to local surface water or storm drain, obtain required permits</td>
<td>Prior to construction</td>
<td>Verify obtainment of permit</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Implement applicable measures in permits or SWPPP</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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</tbody>
</table>
## MITIGATION AND MONITORING PROGRAM

City of Santa Rosa Jennings Avenue Pedestrian and Bicycle Rail Crossing Project EIR

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</tr>
</thead>
</table>
| **Mitigation Measure HWQ-2: Manage Construction Storm Water**  
Applicable to:  
   - Rail Overcrossing Alternative  
If construction of the Rail Overcrossing Alternative disturbs more than one acre of soil, the City shall obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, as amended by Order No. 2012-0006. The City shall submit permit registration documents (notice of intent, risk assessment, site maps, Storm Water Pollution Prevention Plan, annual fee, and certifications) to the State Water Resources Control Board. The Storm Water Pollution Prevention Plan shall address pollutant sources, non-storm water discharges resulting from construction dewatering, best management practices, and other requirements specified in the above-mentioned Order. The Storm Water Pollution Prevention Plan shall also include dust control practices to prevent wind erosion, sediment tracking, and dust generation by construction equipment. A Qualified Storm Water Pollution Prevention Plan Practitioner shall oversee implementation of the Plan, including visual inspections, sampling and analysis, and ensuring overall compliance. | Incorporate requirements into plans and specifications  
Develop Storm Water Pollution Prevention Plan and obtain required permit  
Implement measures in Storm Water Pollution Prevention Plan | Inclusion in 100% plan set prior to bid of project  
Prior to construction  
During construction | Verify in 100% plan set prior to bid of project  
Verify obtainsment of permit  
Field visits during construction | City of Santa Rosa |  
City of Santa Rosa |  
City of Santa Rosa |
## Mitigation Measure HWQ-3: Manage Drilling Fluids

**Applicable to:**
- Rail Overcrossing Alternative

If the contractor proposes to use drilling muds rather than casings, the City shall require the contractor to submit a project-specific Drilling Plan that would include best management practices for avoidance of discharges to Steele Creek adjacent to the east side of the rail corridor, and to the municipal storm water system. Measures shall include, but would not be limited to:

- Established set-backs from Steele Creek for drilling of foundations along the east side of the rail corridor such that no drilling fluids would be spilled within 20 feet of the creek;
- Measures for protecting storm drain inlets to ensure that no drilling fluids are discharged to the storm drain system;
- Measures for containing, treating, and disposing of waste drilling fluids/cuttings slurry;
- Process for attaching and detaching hydraulic hoses;
- Contingency plans to address any inadvertent fluid returns; and
- Specifications for drilling fluids mixing, pumping and recycling equipment.

The City shall ensure that the site is inspected during use of the drilling muds and, if discharges to Steele Creek are found to occur, then the City shall undertake additional protective measures to ensure avoidance of discharges to surface waters.

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<tr>
<th>Mitigation Measure</th>
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<tbody>
<tr>
<td>HWQ-3</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Develop Drilling Plan</td>
<td>Prior to construction</td>
<td>Report of Finding</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Implement best management practices identified in Drilling Plan</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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</tbody>
</table>

The City shall ensure that the site is inspected during use of the drilling muds and, if discharges to Steele Creek are found to occur, then the City shall undertake additional protective measures to ensure avoidance of discharges to surface waters.
### Mitigation Measure NO-2: Reduce Vibration Levels

#### Applicable to:
- Preferred Project with No Crossing Closure;
- Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street

The City shall prohibit the use of heavy construction equipment within 20 feet of residential land uses, and vibratory rollers within 50 feet of residential land uses, during the early morning, evening and nighttime. For example, plate compactors and smaller, rubber-tired equipment may be utilized instead, as feasible.

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<tbody>
<tr>
<td>Mitigation Measure NO-2: Reduce Vibration Levels</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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**Field visits during construction**
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<tbody>
<tr>
<td>Mitigation Measure NO-3: Reduce Daytime Construction-related Noise</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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</table>

Applicable to:
- Preferred Project with No Crossing Closure;
- Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;
- Rail Overcrossing Alternative

The City shall implement construction noise control measures during daytime construction activities at the Jennings Avenue site. Noise control measures shall include, but would not be limited to the following:

- All equipment driven by internal combustion engines shall be equipped with mufflers which are in good condition and appropriate for the equipment.
- The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- Unnecessary idling of internal combustion engines shall be prohibited.
- At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors.
- All stationary construction equipment shall be placed so that the emitted noise is directed away from sensitive receptors nearest the project site.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- The construction contractor shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad...
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<td>muffler, etc.) and institute reasonable measures as warranted to correct the problem (e.g., to ensure that the measures above are implemented). A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.</td>
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<tr>
<td>Mitigation Measure NO-4: Reduce Nighttime Construction Noise</td>
<td>Incorporate requirements into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
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<td>o Rail Overcrossing Alternative</td>
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<td>The City shall reduce nighttime construction noise at residences to 50 dBA Leq, to the extent feasible. Specific measures that can be feasibly implemented include, but are not limited to, the following:</td>
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<td>• Best available noise control practices (including mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) shall be used for all equipment and trucks in order to minimize construction noise impacts.</td>
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<td>• If impact equipment (e.g., jack hammers, pavement breakers, rock drills) is needed during Project construction, hydraulically or electric-powered equipment</td>
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<td></td>
<td>Qualified noise professional to identify sensitive receptors that could be subject to construction noise of 50 dBA Leq or greater during nighttime construction activities.</td>
<td>Prior to nighttime construction</td>
<td>Report of Findings</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Implement construction-related noise controls</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Mitigation Measure</td>
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<td>Implementation Timing</td>
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<td>Shall be used wherever feasible to avoid the noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. External jackets on the tools themselves shall also be used if available and feasible.</td>
<td>Monitor actual construction noise levels during nighttime construction. Offer vouchers to those identified in MM</td>
<td>During construction Prior to or during construction</td>
<td>Field visits during construction Report of Findings</td>
<td>City of Santa Rosa City of Santa Rosa</td>
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<td>Mitigation Measure</td>
<td>Implementation Procedure</td>
<td>Implementation Timing</td>
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<td>• necessary. Results of noise monitoring shall be presented at regular Project meetings with the contractor. The liaison shall coordinate with the contractor to modify any construction activities that generate noise levels above the levels identified in the performance standards listed in this measure.</td>
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<td>• A reporting program shall be required that documents complaints received, actions taken to resolve problems, and effectiveness of these actions.</td>
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<td>• Locate equipment at the work area to maximize the distance to noise-sensitive receptors and to take advantage of any shielding that may be provided by other on-site equipment.</td>
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<td>• Operate the equipment mindful of the residential uses nearby, especially during the nighttime hours.</td>
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<td>• Maintain respectful and orderly conduct among workers, including worker conversation noise during the nighttime hours.</td>
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<td>• Maintain the equipment properly to minimize extraneous noise due to squeaking or rubbing machinery parts, damaged mufflers, or misfiring engines.</td>
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<td>• Provide advance notice to nearby residents prior to starting work at each work site, with information regarding anticipated schedule, hours of operation and a Project contact person.</td>
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<td>• Schedule work and deliveries to minimize noise-generating activities during nighttime hours at work sites (e.g., no deliveries or non-essential work).</td>
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<td>• Utilize sound blankets to reduce noise from the significant stationary noise sources.</td>
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Prior to the initiation of nighttime construction, the City shall require that noise measurements and projections be completed by a qualified professional using final engineering plans to identify the sensitive receptors that could be subject to construction noise of 50 dBA Leq or greater during nighttime construction activities. The
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<tr>
<td>Location map in a report provided to the City. Affected sensitive receptors shall be documented by address and in addition, the City shall monitor actual construction noise levels during nighttime construction. Sensitive receptors who either have been exposed or are identified by the noise measurement report with the potential to be exposed to nighttime construction noise levels of 50 dBA Leq or greater, shall be offered vouchers for alternate accommodations for those nighttime construction periods projected to cause such noise levels.</td>
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<tr>
<th>Mitigation Measure TR-1: Traffic Control Plan</th>
<th>Implementation Procedure</th>
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<td>o Rail Overcrossing Alternative</td>
<td>Incorporate requirements into plans and specifications.</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid of project</td>
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<td></td>
<td>Prepare Traffic Control Plan in accordance with requirements.</td>
<td>Prior to construction</td>
<td>Verify plan is prepared prior to construction</td>
<td>City of Santa Rosa</td>
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<td></td>
<td>Implement Traffic Control Plan measures</td>
<td>During construction</td>
<td>Field visits during construction</td>
<td>City of Santa Rosa</td>
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</table>

- Circulation and detour plans shall be developed to minimize impacts on local street circulation. Haul routes that minimize truck traffic on local roadways and residential streets shall be utilized to the extent feasible. Flaggers and/or signage shall be used to guide vehicles through and/or around the construction zone.
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<td>- Truck routes shall be identified in the traffic control plan and shall be utilized to the extent feasible to minimize truck traffic on local roadways and residential streets that are not identified locally as designated haul routes.</td>
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<td>- Lane closures at Jennings Avenue shall be limited during peak hours to the extent feasible. In addition, outside of allowed working hours, or when work is not in progress, Jennings Avenue shall be restored to normal operations, with all trenches covered with steel plates.</td>
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<td>- Detours shall be included for bicycles and pedestrians in all areas potentially affected by Project construction. Notices shall be provided to advise bicyclists and pedestrians of any temporary detours around construction zones.</td>
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<td>- The traffic control plan shall also conform to applicable provisions of the State’s Manual of Traffic Controls for Construction and Maintenance Work Areas.</td>
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<td><strong>Private and Emergency Access</strong></td>
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<tr>
<td>- Access to driveways and private roads shall be maintained, as feasible, by using steel trench plates. If access must be restricted for brief periods (more than one hour), property owners shall be notified by the City in advance of such closures.</td>
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<td>- At locations where the main access to a nearby property is blocked, the contractor(s) shall be required to have ready at all times the means necessary to accommodate access by emergency vehicles to such properties, such as plating over excavations, short detours, and/or alternate routes.</td>
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<td>- Construction shall be coordinated with facility owners or administrators of land uses that may be more significantly affected by traffic impacts, such as police and fire stations, transit providers, hospitals, ambulance providers, and schools. Emergency responders, and other more significantly affected facility owners and/or operators shall be notified by the City in advance of the timing, location,</td>
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<td>and duration of construction activities and the locations and durations of any temporary detours and/or lane closures.</td>
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<tr>
<td>Mitigation Measure TR-2: Facilitate Truck Movement</td>
<td>Coordinate with local businesses to determine appropriate periods for time-limited parking restrictions on Adams Street.</td>
<td>Prior to construction</td>
<td>Report of Findings</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<tr>
<td>Applicable to:</td>
<td>Install signage on Adams Street</td>
<td>Prior to construction</td>
<td>Field visit after installation</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<tr>
<td>oPreferred Project with Closure at W. Sixth or W. Seventh Street</td>
<td>Incorporate changes on W. Sixth Street into plans and specifications</td>
<td>Inclusion in 100% plan set prior to bid of project</td>
<td>Verify in 100% plan set prior to bid</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<tr>
<td>The City shall coordinate with local businesses to implement time-limited parking restrictions along Adams Street to provide for the circulation and access of oversized delivery trucks to Franco American Bakery. The parking restriction shall be applicable to the entirety of one side of Adams Street, and shall be coordinated with anticipated delivery times.</td>
<td>Implement changes on W. Sixth Street</td>
<td>During construction</td>
<td>Field visit after construction</td>
<td>City of Santa Rosa</td>
<td>City of Santa Rosa</td>
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<tr>
<td>In addition, in the event of a rail crossing closure at W. Seventh Street, the City shall remove parking along the south side of W. Sixth Street at Adams Street (one parking spot) and widen the south side of the roadway between Adams Street and the at-grade rail crossing within the City’s right-of-way. The additional widening shall facilitate the southbound left-turn truck movement from Adams Street to W. Sixth Street around the existing center median island. As an alternative, the City shall remove the existing center median on W. Sixth Street and replace it with a westbound exit gate at the at-grade rail crossing.</td>
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| **Mitigation Measure TR-3: Revise Proposed Bicycle Route on Sixth Street**  
Applicable to:  
○ Preferred Project with Closure at W. Sixth Street  
If a crossing closure is constructed at W. Sixth Street, the City shall amend the Santa Rosa General Plan 2035, the Downtown Station Area Specific Plan, and the Bicycle and Pedestrian Master Plan 2010 to revise the proposed bicycle route on Sixth Street. The bicycle route shall be re-routed at Sixth and Wilson Streets or at Sixth Street and the SMART path (when it has been installed) to go north one block, then cross the rail corridor on Seventh Street, turn south on Adams Street, and return to W. Sixth Street. | Adopt Plan changes | Within 6 months after beginning of construction | Council resolution | City of Santa Rosa | |

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<th>Monitoring Action &amp; Schedule</th>
<th>Monitoring Agency</th>
<th>Verification of Compliance (Name/Date)</th>
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| **Mitigation Measure TR-4 – Implement Wilson Street Corridor Improvements**  
Applicable to:  
○ Preferred Project with Closure at W. Eighth Street;  
Prior to construction, the City shall implement components of the Wilson Street improvements identified in Appendix V of the 2010 Bicycle and Pedestrian Master Plan that would allow for re-routing of City Bus Route 3 along Wilson Street to W. Ninth Street. This shall include a provision for parking pockets within the wider sections of sidewalk to accommodate a wider travel lane for transit use. | Incorporate requirements into plans and specifications  
Implement improvements | Inclusion in 100% plan set prior to bid or project  
During construction | Verify in 100% plan set prior to bid  
Field visit after construction | City of Santa Rosa | City of Santa Rosa |
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<td><strong>Mitigation Measure C-TR-1: Reduce Conflicts with SMART Pathway during Construction</strong>&lt;br&gt;Applicable to:&lt;br&gt; - Preferred Project with No Crossing Closure;&lt;br&gt; - Preferred Project with Closure at W. Sixth, W. Seventh, or W. Eighth Street;&lt;br&gt; - Rail Overcrossing Alternative</td>
<td>Incorporate requirements into plans and specifications.&lt;br&gt;Implement measures and detours, as needed.</td>
<td>Inclusion in 100% plan set prior to bid of project&lt;br&gt;During construction</td>
<td>Verify in 100% plan set prior to bid of project&lt;br&gt;Field visits during construction</td>
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If the SMART pathway has been constructed prior to construction of the Project, the City shall require contractors to maintain safe pedestrian and bicycle access along the SMART pathway during construction, to the extent feasible. Warning signs shall be posted that indicate bicycles, pedestrians and vehicles are sharing the lane, and detours shall be included for bicycles and pedestrians, if needed, and where feasible. This may include a temporary detour of the SMART pathway along N. Dutton Avenue between Guerneville Road to the north and W. College Avenue to the south. Equipment and materials shall be stored in such a manner to minimize obstruction of bicycle and pedestrian traffic.

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<td><strong>Mitigation Measure UT-1: Utility Relocation Coordination (Rail Overcrossing Alternative)</strong>&lt;br&gt;Applicable to:&lt;br&gt; - Rail Overcrossing Alternative</td>
<td>Incorporate requirements into plans and specifications.&lt;br&gt;Implement controls measures during construction</td>
<td>Inclusion in 100% plan set prior to bid of project&lt;br&gt;During construction</td>
<td>Verify in 100% plan set prior to bid of project&lt;br&gt;Field visits during construction</td>
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The City or its contractor(s) shall promptly notify utility providers to reconnect any disconnected utility lines as soon as it is safe to do so and shall coordinate final construction plans and specifications with affected utility providers.