

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: CERTIFICATION OF THE JENNINGS AVENUE
PEDESTRIAN AND BICYCLE RAIL CROSSING FINAL
ENVIRONMENTAL IMPACT REPORT
STAFF PRESENTER: JESSICA JONES, SENIOR PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT
AGENDA ACTION: ADOPTION OF RESOLUTION

ISSUE(S)

1. Should the Council adopt a resolution certifying the Jennings Avenue Pedestrian and Bicycle Rail Crossing Final Environmental Impact Report (EIR)?



COUNCIL GOALS/STRATEGIES

The Jennings Avenue Pedestrian and Bicycle Rail Crossing Final EIR supports City Council Goal 3: Provide Leadership for Environmental Initiatives, and Strategic Objective 1: Improve our Transportation Network to Reduce Vehicle Miles Traveled and Promote Multi-Modal Transportation. The crossing would establish another link in the pedestrian and bicycle network to serve those in the community who choose to bike and walk as a form of transportation.

BACKGROUND

1. On August 14, 2012, the City Council, by Resolution No. 28181, unanimously authorized a funding agreement with Sonoma Marin Area Rail Transit (SMART) to complete the environmental review and design alternatives of a grade separated pedestrian and bicycle crossing the SMART railroad corridor and Jennings Avenue.
2. In October 2012, SMART's contractor, Stacy and Whitbeck, Inc., completed a feasibility study of four potential layouts for the Jennings Avenue interface with the rail line, which are identified below:
 - a. Alternative 1 – No crossing: Construction of a fence or barrier wall on the west and east side of SMART's right-of-way at Jennings Avenue.
 - b. Alternative 2 – Signalized at-grade pedestrian crossing: Construction of an Americans with Disabilities Act (ADA) compliant, fully signalized and

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protected at-grade pedestrian and bicycle crossing at Jennings Avenue, meeting the requirements of the California Public Utilities Commission (CPUC) and the Federal Railroad Administration (FRA).

- c. Alternative 3 – Pedestrian overcrossing: Construction of an ADA compliant, pedestrian and bicycle over-rail crossing aerial structure at Jennings Avenue, meeting the requirements of the CPUC and the FRA.
 - d. Alternative 4 – Pedestrian undercrossing: Construction of an ADA compliant, pedestrian and bicycle under-rail crossing tunnel, with elevated tracks, at Jennings Avenue with sight distances through the tunnel that allows visibility from one approach to the opposite approach, meeting the requirements of the CPUC and the FRA.
3. On November 13, 2012, City staff presented the results of the feasibility study to the Council, including 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, near the West End Preservation District. 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.
 4. On May 21, 2013, the Council, by Resolution No. 28284, unanimously directed City staff to complete environmental review in compliance with the California Environmental Quality Act (CEQA) for an at-grade pedestrian and bicycle crossing of the SMART railroad corridor and Jennings Avenue, including an ADA compliant pedestrian and bicycle rail overcrossing alternative and possible removal of an existing crossing at W. Sixth, W. Seventh or W. Eighth Street.
 5. In September 2013, GHD, Inc. was hired to assist the City in preparing an EIR for the project.
 6. On October 17, 2014, the Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft EIR was released for a 45-day public review period, which ended on December 1, 2014.
 7. On November 18, 2014 the Council held a public hearing on the Draft EIR.

ANALYSIS

1. **Overview**

The Jennings Avenue Pedestrian and Bicycle Rail Crossing EIR analyzes the preferred project, an at-grade pedestrian and bicycle rail crossing, and an alternative design, a pedestrian and bicycle rail overcrossing, at the same level of

detail. Other alternatives included in the EIR are evaluated at a lower level of detail.

It should be noted that the Council's direction on May 21, 2013 was to analyze the environmental impacts of an at-grade crossing, with a rail overcrossing as an alternative. Typically alternatives in an EIR are reviewed at a lower level of detail than the preferred project. However, following a December 4, 2013 public scoping meeting, in which the main issue raised was the detail at which the EIR would evaluate a potential overcrossing, it was determined by staff that the overcrossing should be analyzed at the same level of detail as the at-grade crossing. As such, the Council would have the opportunity to make a determination regarding selection of an alternative, without necessitating additional environmental review should the rail overcrossing be chosen.

2. Contents of the Final EIR

The Final EIR is comprised of the Draft EIR dated August 15, 2014 and the Final EIR dated February 9, 2015. The Final EIR consists of the Draft EIR, comments received on the Draft EIR, responses to all comments received, and revisions to the Draft EIR.

Twenty-two written comments were received, and fourteen people commented during the public hearing on November 18, 2014, including six Council members.

As mentioned, the Final EIR also includes minor revisions and clarifications to the Draft EIR, including minor improvements to the at-grade crossing project description, and the addition of a new alternative: an at-grade pedestrian and bicycle rail crossing with no street closure, which was previously determined to be infeasible (a detailed discussion is provided in the Project Alternatives section below, pages 7 and 8 of this report).

3. Project Objective

The Santa Rosa General Plan 2035, Bicycle and Pedestrian Master Plan, and North Santa Rosa Station Area Specific Plan (Specific Plan) identify Jennings Avenue as a bicycle boulevard, which is a shared roadway that has been modified to enhance safety, comfort and convenience for bicycle traffic. In addition, the Specific Plan also identifies a pedestrian and bicycle rail crossing at Jennings Avenue as part of the Plan's circulation system and pedestrian and bicycle network.

The proposed rail crossing would, therefore, help implement the City's bicycle and transportation planning efforts. More specifically, the project would implement the Specific Plan's primary objective which is to "support future rail transit by increasing the number of residents and employees within walking

distance of the SMART station by improving pedestrian, bicycle, auto, and transit connections, increasing residential density, promoting economic development, and enhancing aesthetics and quality of life.”

4. Existing Conditions

Pedestrians and bicyclists currently cross the rail corridor at Jennings Avenue, even though it is not an official crossing permitted by the CPUC. Existing railroad improvements at this location consist of raised ballast made of crushed stone supporting two sets of parallel railroad tracks. No pedestrian gates or other crossing-related improvements exist at the site, and Jennings Avenue currently terminates on either side of the rail corridor; guard rails block the end of Jennings Avenue to prevent vehicular access.

A waterway with riparian vegetation and trees is located on the east side of the rail corridor between the tracks and Jennings Avenue. The Citywide Creek Master Plan identifies the waterway as Steele Creek, which flows north to Guerneville Road, then west to Piner Creek. The Sonoma County Water Agency owns and maintains the waterway. Pedestrians and bicyclists currently cross the waterway at a storm drain box culvert.

W. Sixth, W. Seventh and W. Eighth Streets, where one rail crossing closure may be required as part of the preferred project, currently provide at-grade crossings of the rail corridor for vehicles, pedestrians and bicyclists. No sidewalks or improved pathways currently cross the rail corridor at these sites, however, pedestrians and bicyclists can use the roadway surface. Standard railroad warning devices are in place at each vehicular crossing, but the warning devices are not currently active.

5. Project Description

The following provides a brief description for the two project alternatives that were analyzed in the EIR (the full, detailed project descriptions are provided in the Draft and Final EIR):

Preferred Project (At-Grade Rail Crossing)

The Preferred Project would consist of an at-grade pedestrian and bicycle rail crossing at Jennings Avenue.

To construct an at-grade rail crossing in this location, the City would be required to obtain approvals from the CPUC, which is the State agency that regulates railroads and rail transit. 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

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City would stay the same or be reduced. Therefore, as part of the Preferred Project, the City has included the potential closure of one existing at-grade rail crossing.

In accordance with direction from CPUC staff, the Transportation and Public Works Department requested that the Draft EIR evaluate the closure of one existing rail crossing, at either W. Sixth, W. Seventh or W. Eighth Street, in exchange for a new at-grade rail crossing at Jennings Avenue. It was also determined that the Draft EIR would not evaluate the closure of two crossings, as it be unacceptable to the City based on circulation and emergency access issues.

Construction of an at-grade pedestrian and bicycle rail crossing at Jennings Avenue would include installation of crossing surfaces across the SMART rail corridor. The conceptual layout of the at-grade rail crossing is shown on Figure 2-2 of the Final EIR. A visual simulation of an at-grade rail crossing at Jennings Avenue is shown in Section 3.1 Aesthetics, Figure 3.1-5 of the Draft EIR.

The design of the at-grade rail crossing would be ADA-compliant and would include warning devices in compliance with federal and state regulations. ADA compliant warning devices and pathway improvements for the at-grade rail crossing would include flashing light signal assemblies with automatic gate arms, warning signs, pedestrian gates, hand rails, paving, walkways, and fencing. Warning devices would indicate when a train was approaching and would trigger gate arms to block pedestrian access. 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 crossing. Exit swing gates would be provided to allow pedestrians to exit the track, if the gate arms were activated while a pedestrian was crossing. Vandal-resistant fencing would be installed, parallel with the tracks, to direct pedestrians to the crossing.

ADA-compliant bicycle and pedestrian connectivity would be provided to Jennings Avenue on both sides of the rail corridor, as well as to the future SMART multi-use path on the east side of the corridor.

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 from the rail corridor, and removal of the signal components. A vehicle guard rail or other type of traffic barricade would be installed, and vandal-resistant fencing would be installed across the roadway closure. Work would also require re-striping and installation of warning signs in the immediate area.

Rail Overcrossing Alternative

The Rail Overcrossing Alternative would consist of a grade-separated pedestrian

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and bicycle rail crossing at Jennings Avenue. Because the rail overcrossing would be grade-separated, this alternative would not require closure of an existing at-grade rail crossing elsewhere in the City.

The Rail Overcrossing Alternative at Jennings Avenue would include installation of grade-separated ramps, stairs, and an elevated crossing over the SMART rail corridor. The conceptual layout of the rail overcrossing is shown on Figure 2-4 of the Draft EIR. A site improvement plan for the rail overcrossing is shown on Figure 2-5 of the Draft EIR. A visual simulation from the west side of the rail crossing is shown in Section 3.1 Aesthetics, Figure 3.1-6 of the Draft EIR, and additional visual simulations are provided in Section 2.1.2 (Master Response B), Figures 2 and 4 of the Final EIR.

The rail overcrossing would be designed in compliance with Federal and State regulations. A minimum overhead clearance of 23 feet would be provided, and the minimum side clearance from the centerline of the railroad corridor would be 10 feet.

Based on the soil types identified at the site and the findings of the preliminary geotechnical report, the preliminary design utilizes drilled pier foundations. As currently designed, the rail overcrossing would include 17 concrete columns, each supported by a foundation with four 36-inch diameter drilled piers installed to a depth of 68 feet below the ground surface.

To achieve ADA compliance, the preliminary design utilizes eight percent slopes for the pedestrian and bicycle ramps with level landings spaced at 35-foot intervals. To obtain the necessary railroad clearance height using eight percent slopes, the overcrossing ramps would need to be approximately 450 feet long on both the west and east side of the rail corridor.

On the west side of the rail corridor, the ramp would begin in a westward direction along the south side of Jennings Avenue extending toward N. Dutton Avenue and would then switch back in an eastward direction towards the rail corridor. On the east side of the rail corridor, the ramp would proceed in a southerly direction within the SMART right-of-way for approximately 225 feet and would then switch back in a northerly direction towards Jennings Avenue.

Stairs would be provided on either side of the rail crossing to provide an alternate, and more direct, means of accessing the crossing structure. The preliminary design integrates the overcrossing with the future SMART multi-use pathway, which would be located under a portion of the overcrossing on the east side of the rail corridor.

The overcrossing ramps would be 10-feet wide, with 1-foot wide, 42-inch tall barriers on each side. Recessed LED pathway lighting would be incorporated

into the standard barriers approximately every 16 feet. Hand rails and chain link railings would also be provided on each side the ramps for safety. Security lighting would be provided along the overcrossing.

To accommodate the space needed for the rail overcrossing, Jennings Avenue on the west side of the rail corridor would be narrowed from its existing width of 39 feet to approximately 24 feet, resulting in two 10-foot vehicle lanes with adjacent 2-foot gutters. Due to the narrowed configuration of the street section, curbside parking along Jennings Avenue between the rail corridor and N. Dutton Avenue would be removed. A driveway extension would be provided under the overcrossing for access to the offices located on the south side of Jennings Avenue.

Several existing utilities within Jennings Avenue and the rail corridor would need to be relocated to accommodate construction of the overcrossing, and storm drain improvements would be needed along Jennings Avenue on the west side of the corridor. New sidewalk and curb and gutter would be installed at various locations.

6. Project Alternatives

As required by CEQA, the Draft EIR evaluated the environmental effects of a “no project alternative”, which is the circumstance under which the project does not proceed. In addition, during the preliminary planning of the project and the scoping process for the EIR, several alternatives to the project were evaluated and/or suggested. These alternatives, listed below, are summarized in the Alternatives Description and Analysis (Section 4) of the Draft EIR:

- Under rail crossing at Jennings Avenue;
- Closure of a different existing rail crossing (other than W. Sixth, W. Seventh or W. Eighth Street);
- An at-grade crossing at Jennings Avenue with no closure of an existing crossing; and
- Installation of sliding electric gates (in lieu of a closure of an existing crossing).

The above alternatives were evaluated to determine if they meet the qualifications for alternatives, as required under CEQA. In accordance with CEQA requirements, an alternative must meet the following three criteria:

- a. The alternative would attain most of a project’s basic objectives;

- b. The alternative would avoid or substantially reduce the significant environmental impacts of the proposed project; and
- c. The alternative must be feasible.

As explained in the Draft EIR, with the exception of the no project alternative, the other alternatives identified were deemed infeasible. However, in response to comments received during the 45-day public review period for the Draft EIR, the at-grade crossing at Jennings with no closure of an existing crossing was re-examined and determined to be feasible.

The no 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 an exemption to the above-noted policy would be applicable in the case of the at-grade crossing at Jennings Avenue. Under such circumstances, the new at-grade crossing would not be in conflict with GO No. 75-D, and would thus be a feasible alternative. However, the determination that this alternative is feasible would be contingent upon the CPUC finding that no closure is needed.

7. Key Dates in Environmental Review Process

- November 12, 2013: Notice of Preparation and Notice of Scoping Meeting for the Jennings Avenue Pedestrian and Bicycle Rail Crossing EIR was issued, with a closing period for comments on December 11, 2013. The notice was sent to approximately 1,600 interested parties, including the California State Clearinghouse, which coordinates the state-level review of environmental documents that are prepared pursuant to CEQA, responsible and trustee agencies, and owners and occupants of properties located within 1,000 feet of the project area (both the Jennings

Avenue project area and the crossings at W. Sixth, W. Seventh and W. Eighth Streets). Approximately 50 written comments were received.

- December 4, 2013: A public scoping meeting was held at the Finley Community Center. Approximately 51 people attended the scoping meeting, 26 of whom provided comments.

Comments received during the scoping period centered on concerns related to aesthetics, air quality, cultural resources, greenhouse gas emissions, hazardous materials, land use, noise, public services, transportation, utilities, population and housing, and alternatives. One of the main issues was the level of detail at which the EIR would evaluate a potential rail overcrossing.

As discussed above, in the Overview section of this report, the Council's direction on May 21, 2013 was to analyze the environmental impacts of an at-grade crossing, with a rail overcrossing as an alternative. Typically alternatives in an EIR are reviewed at a lower level of detail than the preferred project. However, following the scoping meeting it was determined by staff that the overcrossing should be analyzed at the same level of detail as the at-grade crossing. As such, the Council would have the opportunity to make a determination regarding selection of an alternative, without necessitating additional environmental review should the rail overcrossing be chosen.

- October 17, 2014: The Jennings Avenue Pedestrian and Bicycle Rail Crossing Draft EIR was released for public review. The 45-day comment period ended on December 1, 2014.

8. Public Outreach

The EIR process involved significant public outreach, including a public scoping meeting, mailed public notices, on-site signs, and newspaper advertisements. A second public hearing is not required; however, to announce the availability of the Final EIR, a Notice of Availability was e-mailed to interested parties that requested notification and to known neighborhood and interest groups.

Large signs were also installed on the site announcing the availability of the Final EIR for public review, and announcing the day, approximate time and location of the meeting at which the Council would consider certification of the EIR.

Copies of the Final EIR were made available at the Central Santa Rosa Library (downtown), the Northwest Santa Rosa Library (Coddington Center), at the California Welcome Center (in Railroad Square), at City Hall in the offices of Community Development and City Manager, in the office of Transportation and Public Works (Stony Circle), and on the City's website.

9. Significant and Unavoidable Impacts

The EIR evaluates, at the same level of detail, a rail overcrossing and an at-grade rail crossing at Jennings Avenue, with possible closure of either the W. Sixth, W. Seventh or W. Eighth Street existing rail crossings. The document identifies potentially significant impacts that could result from implementation of either project. As discussed in the Project Alternatives section of this report (above), the Final EIR includes an additional alternative of an at-grade rail crossing with no street closure.

Table 4-2 in the Final EIR identifies, by environmental topic, the significant impacts for the preferred project and the identified alternatives; most of the impacts can be mitigated to a level of less than significant. However, the EIR found the following significant and unavoidable impacts (Table 5-1 from the Final EIR):

Table 5-1 Summary of Significant and Unavoidable Impacts

Impact	Preferred Project At-grade Rail Crossing			Preferred Project w/ No Rail Crossing Closure	Rail Overcrossing Alternative
	w/ Rail Crossing Closure at W. Sixth St.	w/ Rail Crossing Closure at W. Seventh St.	w/ Rail Crossing Closure at W. Eighth St.		
AES-2: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?	LSM	LSM	LSM	LS	SUM
CR-2: Would the Project cause a substantial adverse change in the significance of a historical resource?	LSM	LSM	SUM	LS	LS
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?	SU	SU	SU	NI	NI
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?	SUM	SUM	SUM	SUM	LS
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?	SUM	SUM	SUM	SUM	LS

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Impact	Preferred Project At-grade Rail Crossing			Preferred Project w/ No Rail Crossing Closure	Rail Overcrossing Alternative
	w/ Rail Crossing Closure at W. Sixth St.	w/ Rail Crossing Closure at W. Seventh St.	w/ Rail Crossing Closure at W. Eighth St.		
NO-C-1: Would the Project plus cumulative projects result in a cumulatively considerable contribution to cumulative impacts related to noise?	SUM	SUM	SUM	SUM	LS
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?	LSM	LS	SU	NI	NI

Notes: NI = No Impact
 LS = Less than Significant
 LSM = Less than Significant with Mitigation
 SU = Significant and Unavoidable
 SUM = Significant and Unavoidable with Mitigation

10. Role of the Council

The Council’s role is to determine whether the Final EIR is adequate. Section 15151 of the CEQA Guidelines provides the standard for adequacy. This section states that an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

Should the City Council certify the Final EIR, the Council will reference the information provided in the certified EIR in evaluating the project and making decisions about whether or not to approve the project. The decision to certify an EIR is separate from the decision about whether or not to approve the project. Decisions about project construction and funding would occur separately, after the environmental review is complete.

It should be noted that, as part of the future selection process of the at-grade rail crossing with or without a street closure or the rail overcrossing project, because each alternative has significant and unavoidable impacts, the Council will be required to state the reasons for its action in writing. This “Statement of Overriding Considerations” must be included in the record of project approval.

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RECOMMENDATION

It is recommended by the Community Development and Transportation and Public Works Departments that Council, by resolution, certify the Final EIR for the Jennings Avenue Pedestrian and Bicycle Rail Crossing project.

Author: Jessica Jones

Attachments:

Attachment 1 – Location Map

Attachment 2 – [Jennings Avenue Pedestrian and Bicycle Rail Crossing Project Final Environmental Impact Report](#) (previously distributed to Council)

Attachment 3 – [Jennings Avenue Pedestrian and Bicycle Rail Crossing Project Draft Environmental Impact Report](#) (previously distributed to Council)

Attachment 4 – Correspondence