



Directors

Charles McGlashan, Chair
Marin County

Debora Fudge, Vice-Chair
Town of Windsor

Al Boro
San Rafael

Peter Breen
San Anselmo

Hal Brown
Marin County

Valerie Brown
Sonoma County

Carole Dillon-Knutson
Novato

Jim Eddie
GGBHTD

Robert Jehn
Cloverdale

Mike Kerns
Sonoma County

Mackenzie
Park

Barbara Pahr
GGBHTD

SMART Staff

Lillian Hames
General Manager

Chris Coursey
Community Outreach Manager
Lucrecia Milla
Property Manager
John Nemeth
Rail Planning Manager
Kathy Cochran
Administrative Assistant

750 Lindero Street, Suite 200
San Rafael, CA 94901
415-226-0880
Fax: 226-0881
www.sonomamarinrain.org

March 3, 2008

Steve Dee
Senior Environmentalist
Sonoma County Permit and Resource Management Department
2550 Ventura Ave.
Santa Rosa, CA 95403-2829

RE: Sonoma-Marín Area Rail Transit District's (SMART) Comments on
Dutra's Draft EIR

Dear Mr. Dee:

Thank for providing us with the opportunity to comment on the Draft Environmental Impact Report ("Draft EIR") for the Dutra Haystack Landing Asphalt and Recycling Facility (hereinafter, "the project"). Set forth below are the Sonoma-Marín Area Rail Transit District ("SMART") staff's comments.

First, Wetland Maintenance (Table II-1, Impact HYDRO-2). With the approval of the project, the culvert poses a potential significant impact to SMART's right of way. The Draft EIR recommends as mitigation that the culvert be repaired or replaced to improve tidal circulation. SMART will require as part of any easement agreement to cross its track that Dutra not merely repair the culvert, but replace the culvert with a concrete box culvert designed to address the tidal issues using SMART standards. The mitigation measure should be amended to require that the culvert be replaced pursuant to SMART's standards.

A5-1

Second, Conveyor and Private Crossing (Table II-1, Impact TRANS). The conveyor system will result in crossings with less sight distance allowance, making the private crossing less safe. Removing the private crossing at Mile Post (MP) 36.5 and consolidating the crossing at MP 36.8 ("Landing Way") is necessary to mitigate the potential safety issue. Dutra will be required to obtain approval from SMART to cross the railroad with a conveyor system and it will be required to obtain approval from SMART to cross the railroad with vehicular traffic at Landing Way. To obtain this approval, SMART will require Dutra to consolidate the railroad crossing and to install automatic warning devices at Landing Way. Mitigation measures should be amended or added to reflect these requirements and to require that these mitigation measures be met before Dutra commences operations to ensure that safety risks are minimized.

A5-2

A geological technical report on the stability issues should be prepared prior to permitting, and any geotechnical design recommendations should be incorporated into the final project and verified during construction by monitoring of construction activities by a qualified geotechnical consultant.

A5-6
(cont'd)

Seventh, Hazardous Materials. Table II-1, p. II-35. The Draft EIR does not address the exact location of the storage of hazardous materials or volatile materials. Such materials must be located at a safe distance from the rail right of way. Additional information is needed regarding the location and the safety measures to be applied to the storage tanks to ensure that they do not pose a safety hazard for rail operations.

A5-7

This concludes the SMART staff's comments to the Draft EIR for Dutra's project. Again, thank you for providing SMART with the opportunity to comment on the Draft EIR. If you have any questions regarding our comments, please do not hesitate to contact me at (415) 226-0886.

A5-8

Sincerely,



Lillian Hames
General Manager

cc: Lucrecia Milla, Property Manager, SMART
Michael Strider, HDR Inc., Rail Engineer
Greg Dion, County Counsel