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(650) 508-6200

September 7, 2021

The Honorable Gavin Newsom
Governor, State of California
1303 10th Street, Suite 1173
Sacramento, CA 95814

Re: SB 339 (Wiener) – Gas Tax Alternative Pilot – Request for Signature

Dear Governor Newsom:

On behalf of the San Mateo County Transit District (SamTrans) and the San Mateo County Transportation Authority (TA), I am writing to request that you sign Senate Bill 339 (Wiener), the Gas Tax Alternative Pilot.

This bill will extend the State's ability to pilot a road user charge system, allowing for a more robust understanding of how such a system would operate and the potential benefits from replacing the gas tax with a fee associated with road use. The bill takes another step forward by allowing the practitioners of the pilot to collect the fee associated with a road user charge to test collection methodology and study revenue streams.

Although the gas tax has been the primary source of transportation infrastructure funding, the necessities for adjustment through SB 1 (Beall, 2017) showed inherent faults with our current system. As gasoline consumption continues to plummet, and electric vehicles (EV) continue to become more commonplace, the gas tax will need significant alterations, or a new system for transit funding must be adopted. Further, in its current state, the gas tax allows those with the upfront money to escape the tax through the purchase of an EV.

This transition away from combustion engines has been encouraged through policies such as your recent executive order banning the sale of new internal combustion engine vehicles by 2035, however, this shift in California's fleet has yet to be fully reflected in our road funding, outside of small EV registration fees. This outdated reliance on the gas tax is resulting in the burden of transportation infrastructure funding being placed on the shoulders of our lower income communities. A road user charge system allows for road funding to be based on how much our roads are used by a particular individual, rather than their gasoline consumption and their vehicles fuel efficiency.

For these reasons, SamTrans and the TA, supports SB 339 and hope you will take the opportunity to sign this bill into law.

///

The Honorable Gavin Newsom
September 7, 2021
Page 2 of 2

Please contact Government and Community Affairs Manager Jessica Epstein at epsteinj@samtrans.com if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carter Mau".

Carter Mau
Acting General Manager/Chief Executive Officer/Executive Director

Cc: San Mateo County Transit District Board of Directors
San Mateo County Transportation Authority Board of Directors
San Mateo County Transit District State Legislative Delegation
San Mateo County Transportation Authority State Legislative Delegation

From: [Eduardo Gonzalez](#)
To: san.francisco_san.jose@hsr.ca.gov
Cc: [City-Council](#); [Pine_Dave \[dpine@smcgov.org\]](mailto:Pine_Dave_[dpine@smcgov.org]); nicole.fernandez@sen.ca.gov; assemblymember.mullin@outreach.assembly.ca.gov; [Board \(@smcta.com\)](#); [Tom Williams](#)
Subject: City of Millbrae Letter to HSRA re Draft SF to SJ Project Station EIR/EIS
Date: Tuesday, September 7, 2021 5:59:13 PM
Attachments: [image001.wmz](#)
[image002.png](#)
[2021-09-07 CM Letter to HSRA re Draft SF to SJ Project Section EIR&EIS.pdf](#)

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Hello,

Please see the attached letter sent on behalf of Millbrae City Manager Thomas C. Williams. The hardcopy will be sent via USPS mail. Thank you and have a great evening.

Eduardo Gonzalez

Management Assistant

621 Magnolia Ave. | Millbrae CA 94030

Tel. (650) 259-2373 | egonzalez@ci.millbrae.ca.us



City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

ANN SCHNEIDER
Mayor

ANNE OLIVA
Vice Mayor

GINA PAPAN
Councilmember

ANDERS FUNG
Councilmember

REUBEN D. HOLOBER
Councilmember

September 7, 2021

ATTN: Draft San Francisco to San Jose Project Section EIR/EIS
100 Paseo de San Antonio, Suite 300
San Jose, CA 95113

Re: City of Millbrae Comments on California High Speed Rail Authority's Revised/Supplemental Draft San Francisco to San Jose Project Section Environmental Impact Report/Supplemental Environmental Impact Statement

Dear California High Speed Rail Authority:

I. Introduction

The City of Millbrae ("City") previously submitted comments on the High Speed Rail Authority's Draft San Francisco to San Jose Project Section Environmental Impact Report/Environmental Impact Statement ("Draft EIR/EIS") in September 2020 (the "September 2020 Letter"). Among other things, the City's September 2020 Letter noted the following:

- The Draft EIR/EIS does not comply with the California Environmental Quality Act because it is not an adequate informational document.
- The Draft EIR/EIS fails to analyze reasonably foreseeable and cumulative environmental impacts related to development near Millbrae Station and as contemplated by the Millbrae Station Area Specific Plan ("MSASP").
- The Draft EIR/EIS does not analyze a range of reasonable alternatives, particularly alternatives for Millbrae Station.

Unfortunately, the High Speed Rail Authority's Revised Draft San Francisco to San Jose Project Section Environmental Impact Report/Supplemental Environmental Impact Statement ("RDEIR/SEIS") contains the same flaws as the Draft EIR/EIS and simply adds a few more.

This letter sets forth the City's general comments on the RDEIR/SEIS for consideration by the High Speed Rail Authority ("Authority").

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(650) 259-2334

Building Division/Permits
(650) 259-2330

Community Development
(650) 259-2341

Finance
(650) 259-2350

Fire
(650) 558-7600

Police
(650) 259-2300

Public Works/Engineering
(650) 259-2339

Recreation
(650) 259-2360

II. The RDEIR/SEIS is still not an adequate informational document under CEQA.

As stated in the City’s September 2020 Letter, the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., “CEQA”) and accompanying Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3, §§ 15000 et seq.) require an environmental impact report to be an “informational document.” (CEQA Guidelines § 15121.) The purpose of an EIR is to *inform public agency decisionmakers and the public generally* about the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. (*Ibid.*) The City further noted that the Draft EIR/EIS was so voluminous, internally inconsistent, and unfocused on the San Francisco to San Jose segment (the “Project”), that it could not qualify as the type of “informational document.”

Aside from minor changes to references and appendices, the RDEIR/SEIS revised *just two* sections of the Draft EIR/EIS (section 3.7 [Biological and Aquatic Resources], and section 3.18 [Cumulative Impacts]), and *added one* more (section 3.20 [Millbrae Station Reduced Site Plan Design Variant]). The RDEIR/SEIS still does not address the fact that the environmental document is still *thousands of pages long* with a “summary” that is *over a hundred pages*. The revised document still does not contain any straightforward explanation of the Project impacts within the City or in the other cities through which the Project passes.¹

The RDEIR/SEIS does not include a new, succinct summary of impacts. Nor does it include any changes that would rectify the voluminous document’s problems. For example, the City’s September 2020 Letter noted that a member of the public owning property near Millbrae Station would have to locate three separate pieces of information spread across the thousands of pages in order to determine whether the Project was going to be located on, or require an easement through, that person’s property. The RDEIR/SEIS does not address – let alone cure – the Draft EIR/EIS’s inadequacies. It does not fulfill its CEQA-mandated purpose to be an informational document, nor does it “adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project,” and is therefore inadequate as a matter of law. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 82-83.)

III. The RDEIR/SEIR’s new section 3.20 fails to provide the “reasonable range of alternatives” required by CEQA.

Seemingly in response to the City’s September 2020 Letter’s comments regarding the Draft EIR/EIS’s lack of analysis of a reasonable range of alternatives, the RDEIR/SEIR adds section 3.20, entitled “Millbrae Station Reduced Site Plan Design Variant.” While this new section might be considered a step in the right direction, it does not provide the “reasonable range of alternatives” that CEQA requires.

CEQA mandates that an EIR analyze a “reasonable range of alternatives” that would accomplish most of the basic objectives of the Project but could avoid or substantially lessen one

¹ In fact, there does not appear to be a single map depicting all such cities in the voluminous Draft EIR/EIS or RDEIR/SEIS. Figure S-2 does not identify Millbrae other than by reference to the Millbrae-SFO Station, and does not include Atherton.

or more of its significant impacts. (See CEQA Guidelines section 15126.6). As stated in the City’s September 2020 Letter, the Project consists only of the railway segment running from San Francisco to San Jose, yet the Draft EIR/EIS spends the bulk of its analysis describing the many program-wide alternatives. It does not provide *any* meaningful discussion of a range of reasonable alternatives *for this Project* (i.e. for tracks running between San Francisco and San Jose). The City’s September 2020 Letter also noted that the Draft EIR/EIS did not include any alternatives that addressed any significant impacts within the City.

New section 3.20 purports to present a “variant” that analyzes a smaller, “potentially feasible footprint for the station design” in the City. (Authority’s summary of RDEIR/SEIS at <https://hsr.ca.gov/programs/environmental-planning/project-section-environmental-documents-tier-2/san-francisco-to-san-jose-project-section-draft-environmental-impact-report-environmental-impact-statement/>.) But analysis of this Reduced Site Plan Design Variant (“RSP Design Variant”) is just a *single* alternative to the Project as proposed. The addition of one “variant,” *which is not even identified as a Project alternative*, is not sufficient to save the Draft EIR/EIS.

First, CEQA requires a reasonable *range* of alternatives. The RSP Design Variant is not a “range.” The Project is inherently characterized in the alternative (i.e. the decisionmakers will choose Alternative A or Alternative B depending on where they want to locate the following: a light maintenance facility within the City of Brisbane, certain passing tracks between San Mateo and Redwood City, and the viaduct approach at San Jose Diridon Station). Simply adding the RSP Design Variant does not, by any means, represent a *range* of alternatives.

Second, CEQA requires that the alternatives analyzed accomplish most of the basic objectives of the Project *but could avoid or substantially lessen one or more of its significant impacts*. The RSP Design Variant would not require *any* changes to the impact determinations made in the Draft EIR/EIS. While it would lessen or “*slightly lessen*” a few impacts (see Table 3.20-10), it does not *avoid* or *substantially lessen* one or more significant impacts as required by CEQA, and is not sufficient to cure the Draft EIR/EIS’s lack of analysis of alternatives. There is still no alternative that analyzes underground tracks – in the City or elsewhere – to reduce significant noise, visual, and land use impacts.

Third, the RSP Design Variant is not even presented *as an alternative* that can be adopted by the decision makers. New section 3.20 is not part of Chapter 2 – Alternatives. It does not purport to change or revise Chapter 2. Instead, new section 3.20 was stuck on the end of Chapter 3 – Affected Environment, Environmental Consequences, and Mitigation Measures. It is not clear to the public, nor to the City, whether the RSP Design Variant could even be adopted as an alternative.

Finally, the City notes that the RSP Design Variant in new section 3.20 is not a reasonable alternative because:

- The RSP Design Variant still renders the currently approved Millbrae Serra Station project infeasible due to the drastically reduced footprint (see section IV below),

- The RSP Design Variant does not propose replacement of the 288 surface parking spaces, causing traffic and other impacts due to riders seeking parking in surrounding City neighborhoods (see section IV below), and
- The RSP Design Variant still places a transit station on the most visible and valued corner of developable property within the downtown core of the City, resulting in lost economic and much-needed housing production opportunities as well as an unaesthetic entry point into the City from the Highway 101 corridor.

IV. The RSP Design Variant’s analysis is based upon flawed assumptions.

New section 3.20.03 makes a broad assumption that the approved Millbrae Serra Station Project (“MSS Project”) developer would “work with the City of Millbrae to revise the Millbrae Serra Station Development to fit within the remaining footprint to be consistent with the MSAP and the RSP Design Variant.” The analysis further assumes that such a revised development would proceed in the near term and be constructed and occupied by the time the Project is constructed and in operation. These broad assumptions are flawed for a number of reasons. First, the reduced footprint of the MSS Project site due to the right-of-way required for the Project greatly impacts the viability of the MSS Project. The residential portion of the MSS Project would be reduced to a width that will no longer support an economically efficient floor plan. While possible to achieve a Project with such structures “on paper,” it would not be viable in the real world. The RSP Design Variant’s reduced site footprint also would result in an office component with floor plates that are too small to support office tenants in a Class A building in this market.

Further, the RSP Design Variant’s analysis states that the approved alignment of California Drive as shown in the MSASP and the approved MSS Project is not feasible. The rationale for the Authority’s conclusion is that the alignment includes portions of property that are owned or controlled by PCJPB and SamTrans and are not available for California Drive. This assumption is contrary to previous discussion and correspondence from PCJPB/SamTrans to the City of Millbrae over many years. As stated in the September 2020 Letter, the California Drive alignment approved by the City is in *direct conflict* with the Authority’s proposed plans. The interests of PCJPB and SamTrans are not relevant to the Project’s impacts on the MSS Project or the City, and the Authority’s conclusion about California Drive appears to be a weak attempt to avoid addressing the real impacts of the Project and the RSP Design Variant.

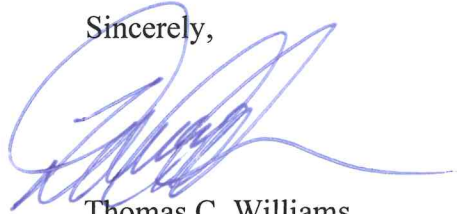
V. The RSP Design Variant’s analysis fails to adequately address the impact to the City of the elimination of 288 surface parking spaces.

The RSP Design Variant does not include replacement parking for 288 displaced Caltrain and BART parking spaces that are shown in the Draft EIR/EIS. The impacts resulting from the RSP Design Variant’s lack of parking for the Project are of great concern to the City. Significantly, the new section 3.20 analysis does not address what impacts will occur due to the unmet parking demand, including spillover parking into adjacent neighborhoods within the City and traffic. Another approved project (TOD #2 – Gateway at Millbrae Station) has already resulted in a permanent loss of about 500 parking spaces. The RSP Design Variant analysis thus fails to address the potential impacts of the loss of all of these parking spaces.

VI. Conclusion

The City stands by its comments in its September 2020 Letter. The limited changes to the Draft EIR/EIS set forth in the RDEIR/SEIS do not address the City's prior comments, nor do they cure its inadequacies or bring the document into compliance with CEQA.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Williams', with a long horizontal flourish extending to the right.

Thomas C. Williams

City Manager

From: [Safe Routes to School San Mateo County Office of Education Board \(@smcta.com\)](#)
To: [Safe Routes to School San Mateo County Office of Education Board \(@smcta.com\)](#)
Subject: Calling All Artists!
Date: Thursday, September 9, 2021 9:44:57 AM

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San Mateo County **SAFE ROUTES TO SCHOOL**

Healthy Kids • Green Communities • Safe Journeys

Calling All Artists!

Are you looking for a sign to tap into your inner artist? Well, this is it!

The San Mateo County Safe Routes to School team is hosting a contest to design the 2021 International Walk to School Day poster! Students of all grade levels are encourage to submit their original artwork, and winning entries will be shared with schools countywide.

Submissions are due by September 15, 2021.

Click the image below for the full poster contest entry rules and submission guidelines in English and Spanish.

International Walk to School Day

Poster Contest



San Mateo County Safe Routes to School is hosting a contest to design the **2021 International Walk to School Day** poster!

Students of all grade levels are encouraged to submit their original artwork **sharing the positive impacts of walking to school**. Posters can be created by individual students, small groups or classrooms. **Winning entries will be made into posters and shared with schools countywide to promote this annual event!**

Submissions must be turned in by September 15, 2021
International Walk to School Day is October 6, 2021

Entry Rules and Guidelines:

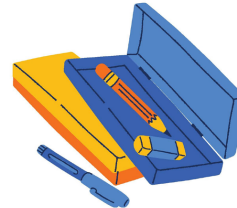
- ➔ All entries must be on an 8 1/2" x 11" sheet of paper and leave a 1/4" inch border around the perimeter
- ➔ Please do not use lined paper
- ➔ All words must be spelled correctly (English or Spanish)
- ➔ Please outline pictures and words in black marker and use markers or color pencils (not crayons) to color in the poster
- ➔ Name, grade-level, teacher, school and district must be written in ballpoint pen on the back of the submission
- ➔ Artwork should focus on one or more of the following themes:

Walking to school is good for the environment!
Walking to school is good for your health!
Walking to school can build community!
Walking to school is fun!

To submit your art, you can turn it in at your school's front office,

scan and email it to us at: srts@smcoe.org

or mail it to:
Safe Routes to School
101 Twin Dolphin Drive
Redwood City, CA 94065



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