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Carol Russell
Sonoma Mayors and Councilmembers
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Kathrin Sears
Marin County Board of Supervisors

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Sonoma County Board of Supervisors

Farhad Mansourian
General Manager

5401 Old Redwood Highway
Suite 200
Petaluma, CA 94954
Phone: 707-794-3330
Fax: 707-794-3037
www.sonomamarintrain.org

June 14, 2016

Keith Lichten
San Francisco Bay Regional Water Quality Control Board
401 Water Quality Certification
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: Request for Clean Water Act Section 401 Water Quality Certification for the Sonoma-Marín Area Rail Transit District Non-Motorized Pathway – Rush Creek Place to Atherton Station Project, Novato, Marin County, CA

Dear Mr. Lichten:

The Sonoma-Marín Area Rail Transit (SMART) District submits the enclosed application for Clean Water Act Section 401 Water Quality Certification for the project referenced above. The proposed project involves the construction of one segment of SMART's Non-motorized Pathway (NMP) Project, extending from approximately Rush Creek Place (Mile Post [MP] 28.5) north to the future SMART Atherton Station (MP 28.7) in Novato, Marin County, California. The project would involve construction of approximately 0.21 mile of paved pathway and other ancillary features such as retaining walls, fences, curbs, and signage.

This application package quantifies and describes proposed discharges in waters of the state that would occur during construction of the proposed project. The project would result in unavoidable permanent impacts on approximately 0.043 acre of coastal freshwater seasonal wetland at one location. Applications are concurrently being submitted to the U.S. Army Corps of Engineers to request authorization under Nationwide Permit 14 – *Linear Transportation Projects*, and to the California Department of Fish and Wildlife for a Streambed Alteration Agreement.

Detailed information regarding the project and its impacts, project avoidance and minimization measures, proposed mitigation, and compliance with applicable laws and regulations is provided in the following documents (see attached).

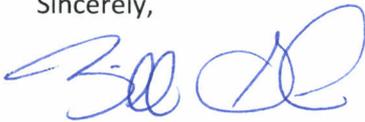
- Section 401 Water Quality Certification Application Form (Form R2C502-E) and Attached Supplemental Information
- Figures
- Representative Photographs
- Existing and Proposed Condition Drawings
- Habitat Maps
- CEQA Notice of Determination and Record of Environmental Filing Fee
- Adjacent Property Owner Contact Information
- RWQCB Fee Calculator - Version 14c, dated September 8, 2015

Keith Lichten
June 14, 2016
Page 2 of 2

The project qualifies as a low impact discharge and a check in the amount of \$200.00 will be provided under separate cover address the required application processing/filing fee for the project. A compact disc containing digital copies of the aforementioned application materials is included with this package.

Thank you in advance for reviewing this application. If you have any questions or require additional information regarding this application package please contact me at (707) 794-3049 or Alex Hunt, environmental regulatory specialist with ICF International, at (415) 677-7103.

Sincerely,



Bill Gamlen, P.E.
Chief Engineer

Cc: Bryan Matsumoto, USACE
Tim Dodson, CDFW
Michael Wiltermood, SMART
Leslie Allen, ICF International
Alex Hunt, ICF International



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June 14, 2016

Tim Dodson, Environmental Scientist
California Department of Fish and Wildlife, Bay Delta Region
Lake and Streambed Alteration Program
7329 Silverado Trail
Napa, CA 94558

Re: Notification of Lake or Streambed Alteration for the for the Sonoma-Marín Area Rail Transit District Non-Motorized Pathway – Rush Creek Place to Atherton Station Project, Novato, Marin County, CA

Dear Mr. Dodson:

The Sonoma-Marín Area Rail Transit (SMART) District submits the enclosed application for a Streambed Alteration Agreement for the project referenced above. The proposed project involves the construction of one segment of SMART’s Non-motorized Pathway (NMP) Project, extending from approximately Rush Creek Place (Mile Post [MP] 28.5) north to the future SMART Atherton Station (MP 28.7) in Novato, Marin County, California. The project would involve construction of approximately 0.21 mile of paved pathway and other ancillary features such as retaining walls, fences, curbs, and signage.

This application package quantifies and describes discharges to waters within the jurisdiction of the California Department of Fish and Wildlife that would occur during construction of the proposed project. The project would result in unavoidable permanent impacts on approximately 0.043 acre of coastal freshwater seasonal wetland at one location. Applications are concurrently being submitted to the U.S. Army Corps of Engineers to request authorization under Nationwide Permit 14 – *Linear Transportation Projects*, and the San Francisco Bay Regional Water Quality Control Board for Section 401 Water Quality Certification.

Detailed information regarding the project and its impacts, project avoidance and minimization measures, proposed mitigation, and compliance with applicable laws and regulations is provided in the following documents (see attached):

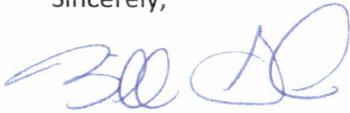
- FG2023 Form and Attached Supplemental Information
- Figures
- Representative Photographs
- Existing and Proposed Condition Drawings
- Habitat Maps
- U.S. Fish and Wildlife Service Biological Opinion
- National Marine Fisheries Service Letter of Concurrence
- CEQA Notice of Determination and Record of Environmental Filing Fee

Tim Dodson
June 14, 2016
Page 2 of 2

A check in the amount of \$613.75 will be provided under separate cover to address the required application processing/filing fee for the project. A compact disc containing digital copies of the aforementioned application materials is included with this package.

Thank you in advance for reviewing this application. If you have any questions or require additional information regarding this application package please contact me at (707) 794-3049 or Alex Hunt, environmental regulatory specialist with ICF International, at (415) 677-7103.

Sincerely,



Bill Gamlen, P.E.
Chief Engineer

Cc: Bryan Matsumoto, USACE
Keith Lichten, SFBRWQCB
Michael Wiltermood, SMART
Leslie Allen, ICF International
Alex Hunt, ICF International



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June 14, 2016

Bryan Matsumoto
US Army Corps of Engineers, Regulatory Division
San Francisco District
1455 Market St, 16th Floor
San Francisco, CA 94103-1398

Re: Submittal of Pre-construction Notification for the Sonoma-Marin Area Rail Transit District Non-Motorized Pathway – Rush Creek Place to Atherton Station Project, San Rafael, Marin County, California

Dear Mr. Matsumoto:

The Sonoma-Marin Area Rail Transit (SMART) District submits the enclosed Pre-construction Notification (PCN) for authorization of the project referenced above under Nationwide Permit 14 – *Linear Transportation Projects*. The proposed project involves the construction of one segment of SMART’s Non-motorized Pathway (NMP) project, extending from approximately Rush Creek Place (Mile Post [MP] 28.5) north to the future SMART Atherton Station (MP 28.7) in Novato, Marin County, California. The project would involve construction of approximately 0.21 mile of paved pathway and other ancillary features such as retaining walls, fences, curbs, and signage.

This PCN quantifies and describes proposed discharges in waters of the United States that would occur during construction of the proposed project. The project would result in unavoidable permanent impacts on approximately 0.043 acre of waters of the United States. Jurisdictional areas within SMART’s right-of-way (ROW) have been previously verified by the Corps during permitting for SMART’s Initial Operating Segment-1 South Project. Applications are concurrently being submitted to the San Francisco Bay Regional Water Quality Control Board for a Water Quality Certification, and to the California Department of Fish and Wildlife for a Streambed Alteration Agreement

Detailed information regarding the project and its impacts, project avoidance and minimization measures, proposed mitigation, and compliance with federal laws and regulations is provided in the following documents (see attached):

- Nationwide Permit PCN Form and Attached Supplemental Information
- Figures
- Representative Photographs
- Existing and Proposed Condition drawings
- Habitat Maps
- U.S. Fish and Wildlife Service Biological Opinion
- National Marine Fisheries Service Letter of Concurrence

Bryan Matsumoto
June 14, 2016
Page 2 of 2

- Documentation demonstrating Section 106 Compliance
- National Environmental Policy Act Categorical Exclusion

A compact disc containing digital copies of the aforementioned application materials is included with this package.

Thank you in advance for reviewing this PCN. If you have any questions or require additional information regarding this application package please contact me at (707) 794-3049 or Alex Hunt, environmental regulatory specialist with ICF International, at (415) 677-7103.

Sincerely,



Bill Gamlen, P.E.
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