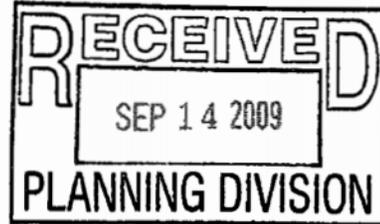




September 11, 2009

Kevin Riley
Director of Planning and Inspection
Planning Division
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050



Re: Comments to the 49ers Stadium Draft Environmental Impact Report

Dear Kevin:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the proposed 49ers stadium on Tasman Drive in Santa Clara. This letter includes the comments to the DEIR from all departments within the City of Sunnyvale, including the Traffic and Transportation Division of Public Works, the Office of the City Attorney, the Department of Public Safety and the Planning Division of the Community Development Department.

As described in the following comments to the DEIR, the City of Sunnyvale believes the report does not adequately address all environmental concerns of the project, and includes several areas that provide inadequate analysis, a lack of information, or erroneous conclusions.

Given the importance of this project and short review time, the City of Sunnyvale strongly suggests the DEIR be revised and re-circulated to all reviewing parties and agencies, after which a new appropriate time period is provided to allow for a second review of the document.

The following comments cover issues that were previously raised by Sunnyvale staff as well as additional comments on the DEIR:

1. Notice of Preparation letter

Sunnyvale staff also had a scoping meeting with Santa Clara staff in September 2008 to discuss issues that should be covered in the DEIR which are critical to Sunnyvale. On October 1, 2008, Sunnyvale staff submitted a letter in response to the Notice of Preparation (NOP) for the EIR. A number of items raised in the NOP letter and at a subsequent meeting in December 2008 have not been addressed, which are listed below:

- A. The DEIR is non-responsive to the City of Sunnyvale NOP comment that the intersections of Fair Oaks/Weddell and Fair Oaks/U.S. 101 should be analyzed.

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TDD (408) 730-7501**

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B. The DEIR does not adequately respond to the City of Sunnyvale NOP comment that a traffic analysis should be performed for non-NFL events.

C. The DEIR does not respond to the City of Sunnyvale NOP comment that a roadway capacity (corridor) analysis should be performed for Lawrence Expressway and Fair Oaks Avenue.

D. The DEIR does not respond to the City of Sunnyvale NOP comment to analyze access impacts to emergency response times. The effect on emergency vehicle response time compared to City of Sunnyvale standards needs to be evaluated for the areas abounding Tasman Drive, particularly the Adobe Wells mobile home park.

E. The DEIR does not respond to the City of Sunnyvale NOP comment that the traffic LOS analysis for the Lawrence Expressway/Lakehaven Drive intersection should account for northbound to southbound U-turns.

F. The DEIR does not respond to the City of Sunnyvale NOP comment that the parking analysis should evaluate the potential for event attendees to park their vehicles in Sunnyvale near light rail stations and utilize the trail to reach the stadium.

G. The DEIR and TMP do not respond to the City of Sunnyvale NOP comment that detailed information should be presented on how public safety agencies will coordinate traffic control during stadium events.

General Comments to the DEIR Document:

2. Description of Proposed Project

A. Page 8, 2.1: In the second paragraph, the last sentence states there will be 17 "non-NFL large events." For the sake of consistency (and because this term is used throughout the document), please define "non-NFL large event" in this section since it describes the project.

B. Page 11, 2.1.2: Please give expected heights of cooling towers.

C. Page 12, 2.1.4.3 Tailgating: The second paragraph tells where tailgating will occur. The lack of convenient bathroom facilities in off site parking lots can create unsanitary and offensive situations, especially if near residential properties. Please describe how this will be addressed. Also, describe whether the owners of these off-site lots will be allowed to sell food or merchandise on their premises during games or other large events.

D. Page 15, 2.1.5.2 Non-Football Events: This section describes several options for large events at the stadium, including Table 2, which shows one concert per year. Given that this DEIR uses that criterion, the project should be conditioned to allow no more than one concert per year. Given the desire of the City of Santa Clara to have a successful facility, it seems possible that there will be interest in using the stadium for large events more often than stated in the DEIR. Please justify why these "best case" assumptions were made, and describe how the impacts would change if these assumptions are changed. Also, the DEIR states there will be no large daytime events, but it seems the X-Games will be a multiple day event that will take place during the day. Please clarify that, and correct the impacts if that assumption is correct.

The DEIR should clearly mention that there will be 35 major events (NFL and non-NFL) per year (3 per month) requiring more parking than what exists on the property or on Great America property.

E. Page 16, 2.3, Parking: The Parking Control District: Parking at the off-site businesses are necessary in order for the project to be feasible, so these spaces are crucial; yet, it relies on leases with individual businesses and property owners to be effective. The DEIR assumes there will always be enough parking available in these off-site lots to serve the stadium. Given the initial 40-year lease between the 49ers and the City of Santa Clara, it seems there is no assurance that the off-site parking lot owners will always have sufficient parking available for use. This should be a required mitigation measure. Please describe how the impacts change if insufficient parking is available in the off-site lots. Will the City of Santa Clara review future developments at these locations with a strategy to provide joint use parking for the stadium?

F. Page 17, 2.3, Parking: The DEIR states that arrangements can be made with transit agencies to supply extra service. That requirement should be added as a required mitigation measure of the Transportation and Circulation section to assure the project intent and assumptions can be met. This is a concern because (as shown in a letter from VTA in Appendix O), VTA has a concern that the project could generate more light rail trips than the system can handle, and suggests the possible need for investment in the system to meet demand.

G. Page 19, 2.3.1, Parking Lot Security and Maintenance: Please describe how the Stadium Authority will manage the security and maintenance of the off-site lots. The DEIR states the parking operator will provide security during and after stadium events; but please clarify that the operator will also provide the same services before events (during the hours before a game when tailgating occurs).

H. Page 19, 2.3.2, Pedestrian Access: This section describes the pedestrian access to the stadium, including access from the off-site lots. Please describe whether the sidewalks leading from the off-site parking area of sufficient width for the large numbers of attendees using the off-site lots. Also, please detail whether the street lighting is sufficient for the safety of the attendees parking in the off-site lots.

I. Page 20, 2.4, Parking Garage: Please clarify whether the use of the proposed multi-level parking garage is limited to only stadium attendees only during large events, and not by the convention center or Great America.

3. Consistency with Adopted Plans and Policies

A. Page 27, 3.5, City of Santa Clara General Plan Consistency: The *Environmental Quality Element* Policy 20 requires projects "to the extent possible" to avoid unacceptable noise levels; however, the DEIR concludes there are has Significant Unavoidable noise impacts. Is the inability to find mitigation measures to reduce an impact below a significant level considered feasible mitigation, to which it can be claimed the General Plan policy is met? Also, pages xiv and xv of the Summary states "Implementation of relevant General Plan policies will reduce noise to a less than significant level", while the next impact described is listed as Significant Unavoidable Impact. Please correct this inconsistency.

4. Section 4.0 Environmental Setting, Impacts & Mitigations

A. Page 38, 4.1.2.3, Land Use Conflicts: The Project Specific Impact section describes potential incompatibility from the project, and details tailgating uses being restricted to 750 feet from residential properties. Please specify that means *any* residential property, including those located in adjacent cities.

Also, the section related to LU-5 describes the current uses of the project site, including as an over-flow parking lot for Great America. Impact LU-5 states there is no conflict with these current uses, but does not describe how removal of the overflow lot will affect Great America's need for an overflow lot during simultaneous events.

Also, the first sentence in the paragraph after Impact LU-4 describes Sub-area C, but lists it as Sub-area B in the text.

B. Page 40, 4.1.2.5, Population and Housing Impacts: The third paragraph in this section includes language that is inconsistent. It states, "Because Santa Clara already has a strong employment base, *new workers could either have to commute* from housing in the southern areas of Santa Clara County or from outside the County. Many of the

stadium jobs would, however, be seasonal in nature and *would not necessarily attract workers from outside the City*" (emphasis added). Please clarify this language.

5. Section 4.2 Visual and Aesthetics

A. Page 71, 4.2.2.4, Light and Glare: The first paragraph states that of the 37 large events per year, seven would require use of field lighting. That number should be 10 events (27%), because the X-Games extend over 4 days.

Also, the last paragraph in this section describes outdoor security lighting along walkways, driveways, entrance areas, and within the parking structure and parking lots. Clarify whether this includes walkways to the off-site parking areas.

6. Section 4.6 Hazards and Hazardous Materials

A. Page 114, 4.6.3, Mitigation and Avoidance Measures for Hazardous Materials Impacts: The Toxic Air Contaminants mitigation measure requires an emergency response plan to include an evacuation plan, etc. This plan needs to include the distance many of the attendees will need to walk to reach their cars. That will significantly affect their ability to leave the area, and time in which to do so.

7. Section 4.8 Transportation and Circulation

A. General Comments: The DEIR and TIA are missing critical basic traffic analysis details, most particularly detailed trip assignments. It is therefore not possible to consider the adequacy of the traffic analysis. Sunnyvale recommends that the trip assignment be provided and the DEIR re-circulated for review. The City is particularly interested in the assumptions regarding trip assignments on Lawrence Expressway and intersecting streets leading to the stadium.

B. Page 120, Section 4.8.1.1, Scope of Study: The opening assumption that most traffic will be outside of peak hours is not accurate. Traffic will occur in the peak hour.

This section indicates that outside agencies will be required to provide additional police services, increased transit service, and to re-time signals to support the project. This proposed mitigation cannot be a feasible element of the transportation management program mitigation unless the project is conditioned to provide funding and secure agreements with outside agencies for the required services. The feasibility of securing these resources needs to be assessed, and a financing mechanism needs to be included as a mitigation measure.

C. Page 122, Section 4.8.1.1, Study Scenarios: The traffic analysis background scenarios and the cumulative analysis do not use a growth factor for regional growth beyond the local approved/pending projects growth that is identified. This omission underestimates background traffic. A growth factor, which is readily available from the Santa Clara Valley Transportation Authority (VTA) transportation model, needs to be applied to background and cumulative traffic analyses.

D. Page 123, 4.8.1.2, Methodology: In the Intersection Analysis section, please clarify whether the CMP "ten trips rule" that was utilized assumes ten trips per approach lane or ten trips per overall number of lanes.

Please note as appropriate throughout the document that the expressways are the jurisdiction of the County of Santa Clara, and the County is responsible for operations, maintenance, and improvements.

E. Page 137, 4.8.2.2, Existing Bicycle and Pedestrian Facilities: Please note the existence of the Calabazas Creek Trail stretching along said creek from Mission College Drive to Old Mountain View/Alviso Road. Potential issues with the access that the Trail provides to Fairwood neighborhood from Tasman Drive and the project area need to be identified and considered in the EIR.

F. Page 141, 4.8.2.3, Existing Transit Service: Please note that the Amtrak/ACE section is incorrectly labeled and the text is incorrect. Amtrak service is Coast Starlight, as well as the Capitol Corridor service. Amtrak and ACE service should be described separately.

G. Please clarify the text throughout the document to identify that the Lawrence Expressway/Homestead Road intersection is primarily within the boundaries of the City of Santa Clara with a portion in Sunnyvale, and that the intersection is the jurisdiction of the County of Santa Clara. It is identified as a "Sunnyvale CMP intersection" only because State CMP law does not require the County to have CMP responsibility for expressway intersections.

H. Page 176, 4.8.4.3, Transportation Management Plan: Table 15 of the Estimated Attendance and Traffic Projections section shows a 19% transit share, which is not reasonable. The transit use characteristics and the transit service network in San Francisco are vastly different from Santa Clara County. Transit use is much greater in San Francisco. It is not reasonable to assume greater transit use in a Santa Clara County location versus San Francisco. The transportation analysis should be re-done and the document re-circulated with a transit mode share that is proportionately reduced from the difference of transit mode share in San

Francisco versus Santa Clara County. The 2000 Census transit mode share for San Francisco was 9.4%; in Santa Clara County it was 1.8%. This is 80% less transit use. The traffic analysis needs to reflect a transit share of trips proportional to expected transit use in Santa Clara County, not greater than the share realized at Candlestick Park. Although transit use will hopefully increase in the future, assuming 80% less transit use in Santa Clara County versus San Francisco would place the transit mode split at 3.8%. Therefore, the assumption of 19% transit share seems overly optimistic and understates the traffic impacts of the project.

In the Transit Trips section, please note that VTA has announced service cuts. The effect of these cuts on transit service to the project area should be assessed in the DEIR.

I. Page 179, Vehicle Trips: What is the basis for only 65% of project traffic departing the peak hour following a football game? It is not reasonable to utilize Candlestick Park departure traffic statistics, given the highly congested conditions at Candlestick Park. More vehicles are likely to be able to leave the project area than at Candlestick Park, because of better access. The amount of post-game traffic departure needs to be increased based on available roadway capacity. Accordingly, the transportation analysis needs to be re-done, and the document re-circulated.

J. Page 182, Off-site Parking: The document needs to assess the potential for stadium patrons to park at remote locations in Sunnyvale near light rail stations and ride LRT to the project site, particularly at the Fair Oaks station and stations in the Moffett Industrial Park area. This analysis should be based on potential travel time savings compared to driving, parking and walking in the immediate project vicinity. Available parking capacity and potential for displacement of parking for the intended users in these areas should be assessed. The need for mitigation to lessen any identified impact to parking in these areas should be identified. Mitigation could include parking management/control, institution of permit parking for public street space, or construction of new parking facilities in these areas. Sunnyvale suggests examination of the use of vacant land at the interchange of Fair Oaks Avenue and Route 237. Also, there is a lack of parking in some areas adjacent to the light rail in Sunnyvale, particularly near Fair Oaks and Tasman Drive, which is adjacent to residential uses. This analysis needs to be completed and the document re-circulated.

K. Page 183, Stadium Trip Assignment: How is non-stadium Tasman Drive traffic redistributed assuming closure of Tasman Drive at Great America Parkway/Centennial Drive? Please show this data. There is

incomplete trip assignment data provided in the document or accompanying technical studies.

L. Page 183, TMP Traffic Control Plan: The Transportation Management Program does not appear to be part of the project description, and is not specifically called out as project mitigation. Mitigation measures and/or project conditions must include assurances that the Transportation Management Program will be fully implemented prior to commencement of the stadium events.

Additionally, the trip assignment to parking zones could misrepresent what traffic flow to and from the site may ultimately be, depending upon where parking agreements are ultimately secured. A sensitivity analysis needs to be provided on how traffic flow accessing the site might vary under alternative parking distribution scenarios, i.e. situations where parking distribution would be much more unevenly distributed.

As presented, the parking management plan cannot be an assumed part of the project description, nor can it be considered feasible project mitigation. If sufficient parking resources are not secured or required to be secured prior to project occupancy, and there is not a means to assure that off-site parking rights are secured over the lifetime of the project, then the parking plan cannot be considered feasible and parking impacts needs to be called out as a significant and unavoidable impact.

M. Page 184, Figure 59, Micro Stadium Project Trip Distribution: The document assumes a relatively small proportion of project traffic utilizing Tasman Drive west of the project area to access the project area. However the majority of parking both on-site and off-site is accessed by Tasman Drive. This justifies a higher trip distribution to Tasman Drive. The pre-game traffic impacts on Tasman Drive west of the project site appear to be understated. This could constitute an unidentified significant project impact.

N. Page 186, Figure 61 Planned Road Closures and Intersection Control: The proposed Wildwood Avenue at Calabazas Creek closure will negatively impact commercial businesses on Wildwood. The impacts need to be discussed in the document.

Additionally, the City of Sunnyvale has a planned improvement to construct a full access intersection of Wildwood Avenue and Lawrence Expressway. This improvement is an appropriate alternative mitigation to the traffic management scheme for the Fairwood neighborhood. Consideration shall be given to the cost of implementing the Wildwood road closure and providing neighborhood traffic control at streets accessing the Fairwood neighborhood versus the cost of implementing

the planned intersection improvement. A project contribution to constructing this improvement should be required as a mitigation measure.

O. Page 187, Traffic Impacts: Pursuant to CEQA guidelines, an analysis should be provided for post-game departure peak times that assesses whether the project will "cause an increase in traffic that is substantial in relation to the existing load and capacity of the street system (i.e. result in substantial increase in vehicle trips, the volume to capacity ratio on roads, or congested intersections)." Impacted areas shall be identified and increases in traffic loads quantified. The information in Table 19 (page 201) should be used to identify significant impact to Tasman Drive west of the project site due to a substantial increase in the volume to capacity ratio.

P. Page 197, Traffic Impacts from Non-NFL Events: Justification for lack of analysis of other events (less attendance, controls on time) does not account for scenarios that differ and/or would have greater impact from a traffic standpoint. Other events could have more concentrated arrival times, could occur to a greater extent during peak traffic hours, and impact parking availability. Sunnyvale recommends that an additional analysis scenario be developed to capture information specific to the other types of events. Limiting the analysis to NFL events only understates the potential impacts of operation of a stadium at this location. Also, the analysis assumes that two NFL teams might utilize the stadium. If the other team is assumed to be the Raiders, there would be a significantly different trip distribution. An assumption should be made about the origin of stadium patrons for a team other than the 49ers, and information presented on how traffic impacts might vary from a trip distribution based on 49ers ticket holder information.

What is the source for concert and other event attendance assumptions? The document does not attempt to estimate impacts for major entertainment and civic events. Even if proponent does not know, CEQA requires a good faith effort to at least estimate the events and the costs.

Why do the X-Games, with an assumed attendance of 50,000, have a lower assumed trip generation than other events with less attendance? The X-Games are several days long, which is inconsistent with the assumptions of the project description that states there will be no weekday day-time events.

Q. Page 203, Parking Control: Emergency vehicle access to the Adobe Wells mobile home park under congested conditions will far exceed the City of Sunnyvale's standard for emergency vehicle

response time. Specific analysis of this issue should be presented, and this impact may need to be identified as a significant environmental impact.

R. Page 208, City of Sunnyvale Intersection Impacts: The City of Santa Clara's transportation impact fee program should be considered as a potential means for mitigation of project traffic impacts. Cumulative impacts to Lawrence Expressway are a particular example of a suitable justification for requiring a project contribution to impacts on this regional facility. The document does not include obvious mitigation measures, or mitigation fees, for "fair share" impacts. These could be used to improve intersections over time. THE DEIR is deficient as it fails to even discuss or analyze a well-understood and feasible mitigation measure. Cooperative Fee agreements and other Inter-jurisdictional Mitigation Measures should be considered and added to the document for recirculation.

Fee-based mitigation programs are adequate mitigation under CEQA, and fair share traffic impact mitigation fee programs are legally sufficient. The document is inadequate in how it analyzes the effect of the project on intersections that would deteriorate to LOS F without offering any mitigation.

8. Section 4.8 Air Quality

A. Page 222, Regional Air Quality Impacts: The DEIR uses the 19% assumption for transit use, which appears too high (see 7.H in Transportation and Circulation review above).

B. Page 224, Non-NFL Events: Assumes large Non-NFL events will use the same vehicle rate as NFL games. Justify why the same 19% transit use rate is an appropriate assumption.

C. Page 227, Local Impacts: The study uses the same projections as in the traffic impacts, which undercounts the cumulative projects that should be included in the analysis.

9. Section 4.10 Noise

A. Page 244, 4.10.2.4, Project-generated Noise Impacts: The last sentence states the "noise from tailgating activities would assume typical background levels within approximately 1,900 feet of the southernmost parking area." This statement seems to assume tailgating will occur on the stadium site, and not the off-site parking locations. A mitigation measure listed on page 253 requires no tailgating within 750 feet of residences, but gives no justification of that distance, nor whether it applies to the off-site parking areas.

B. Page 246, Large Non-NFL Sporting Events: The DEIR states no basis for assuming there will only be one concert per year, yet the impacts all use that criterion. This is a concern because it seems feasible that the stadium will be used for more concerts per year. Also, the assumption that concerts will generate noise levels similar to an NFL game does not seem correct. Concerts have noise at loud levels sustained for longer periods of time than a football game. Please include an analysis of these impacts on the surrounding area.

C. Page 249, Project-generated Traffic Noise: The document states the noise resulting from stadium traffic would be extremely limited in duration and would not increase ambient noise levels. It also states that Tasman Drive is not adjacent to residential neighborhoods. The traffic study information shown in Table 19 on page 201 shows westbound traffic on Tasman Drive after an event with the second highest traffic volume and a time of 1 hour 22 minutes for it to dissipate. This traffic runs immediately adjacent to the Adobe Wells residential neighborhood. Impact NOI-9 states this is a Less than Significant Impact, which seems incorrect. This section needs to be corrected and impact level more appropriately considered.

D. Page 254, 4.10.4 Conclusion: The DEIR states that there are no feasible mitigation measures that would reduce noise levels from large events. Feasible mitigation measures can include limits on noise levels and hours of non-NFL events, levying of fines to event promoters that exceed those limitations, and incorporation of a roof on the stadium or other noise attenuation measures in the design of the stadium.

10. Section 4.12 Energy

A. Page 266, 4.12.4, Mitigation and Avoidance Measures for Energy Impacts: The use of green building materials and construction is an important part of the project, and the report lists measures that reduce energy consumption from the project. The installation of solar panels on the parking garage roof would provide an additional energy source. Also, the applicant should consider using wind energy given the height of the stadium and location near the bay, where winds speeds are at their greatest.

11. Section 5.0 Public Facilities and Services

A. Page 267, 5.1, Police Services: This section describes the police needs for the project. These include officer-controlled intersections for traffic and access to residential areas during road closures, and for emergency response. The DEIR and Appendix I greatly under-estimate the impact of the project on the City of Sunnyvale. This includes needed staffing and equipment needs and traffic impacts on Sunnyvale residents and visitors.

The City of Sunnyvale is concerned with statements in the DEIR that states that officers are available for staffing at the events. There are significant concerns about the limited availability of officers and costs to provide security and traffic management roles. The DEIR does not provide any details as to fiscal impacts, reimbursement of municipal service costs, liability mitigation, or public safety staffing needs.

The Sunnyvale Department of Public Safety (DPS) is a full-time Police, Fire and Emergency Medical Service. The 210 sworn personnel, when at full-staff, manage all emergency incidents within the city as one organization. Currently DPS is operating with only 204 sworn personnel not including any associated leaves, worker's compensation or disability losses.

The population for the City of Sunnyvale is currently 138,826 compared to the City of Santa Clara at 117,242. Santa Clara Police is staffed with 148 sworn personnel compared to DPS at 121 sworn personnel for the same comparable positions. The remaining DPS sworn staff fills six fire stations and manages the fire prevention unit.

Sunnyvale currently allows contract employment only through DPS approved venues and at the financial rate established for cost recovery of the time and personnel associated with the event.

The DEIR fails to capture the full impact of the project on the City of Sunnyvale and its staff. Staffing and equipment concerns include the available pool of officers for events, public works employees for traffic management set-up, equipment related to the traffic management plan, and required vehicles and transportation for the event staff.

The DEIR recognizes some additional calls for service related to game day events but does not mention any impact to Sunnyvale. Based on the proximity of the proposed stadium to the Sunnyvale border, the project will clearly have a significant impact on Sunnyvale. The DEIR recognizes three intersections requiring five officers for game days and fails to account for several other intersections which are also identified but no additional controls are proposed.

The DEIR does not discuss traffic and parking management impacts on several Sunnyvale streets (Elko Drive, Birchwood Drive and Reamwood Avenue) where there are industrial uses and on-street parking available. The report identifies a circular area that represents a 20-minute walking range, but does not incorporate the above-mentioned streets which fall within two miles of the proposed stadium with an approximate 30-minute walking range. The report should discuss the impacts on Sunnyvale parking lots located in close proximity to the stadium (which is not a part of the parking management agreements in Santa Clara) that might be used for parking.

Several other equipment concerns have been raised related to portable radios, riot control gear, cones, signs, flares and the storage space required for these items. DPS has reached maximum capacity of its facility for the current staffing it employs.

Several safety impacts on the Sunnyvale community are possible, including: graffiti, litter, burglaries (residential, commercial and automobile). The light rail system on Tasman Drive has had several traffic related accidents each year, including a pedestrian fatality. Parking within residential neighborhoods is another significant concern due to the amount of traffic and the speed at which vehicles will travel.

The intersection located at Lawrence Expressway and Wildwood Avenue is another area of great concern due to its proximity to the stadium and easy access to the proposed off-site parking areas. Large events in the general area of the stadium can have a tremendous impact on the City of Sunnyvale. For example, in years past the Great America facility held a fireworks show with an estimated 15,000-17,000 viewers. The impact on DPS staff was enormous. DPS staffed several intersections with a total of 12 officers and it was determined that more would be needed if the show continued in future years.

A financing mechanism will need be established to mitigate the previously mentioned costs which have not been quantified. Additionally, discussions should occur regarding necessary agreements to reimburse the City for its incurred municipal service costs. Until these discussions occur, the true impact on the City of Sunnyvale will not be known.

12. Section 6.0 Cumulative Impacts

A. Page 270, Cumulative Impacts, Table 39 and Appendix B of TIA: Neither of these documents includes Sunnyvale projects. Large, approved projects are located directly on or adjacent to primary travel routes to and from the project area. Clarify what the cumulative condition is relative to the traffic study background section by using the attached approved/pending project lists. Please re-assess the background and cumulative project conditions using this information.

13. Comments to Technical Appendices I, Traffic Management Plan (TMP)

A. Page 30: The County of Santa Clara operates signals on Lawrence Expressway. Please note that Sunnyvale may not have the ability to remotely control signals along Tasman without hardware upgrades. To the extent that remote operation, flush timing, etc. are considered mitigation as part of the Traffic Management Plan, these upgrades should be identified and their feasibility assessed; otherwise, the TMP cannot be considered feasible mitigation.

B. Sunnyvale does not have resources to do signal timing modifications for special events. Therefore, the TMP must identify resources to provide for this mitigation.

C. Neither the project applicant, nor the City of Santa Clara has jurisdiction over ACE, Capitol Corridor, Caltrain, or VTA services. Yet modifications to these services are considered cornerstones of both the mode split assumptions and the Traffic Management Plan. The mode split assumptions and the TMP cannot be considered reasonable without identifying the resources and mandating the agreements necessary to provide the assumed transit service modifications. Yet the project is not being required to provide any kind of tangible mitigation or condition of approval to provide for these resources prior to occupancy. The mechanism for assuring that transit service modifications will be made to support the proposed use and TMP shall be identified, or the traffic analysis should be re-done assuming a more reasonable transit mode split based on existing available transit services to the site.

D. Page 38: Tasman Dr. conditions west of the project site conflict with the TIA and EIR conclusions regarding capacity.

E. Page 42: Conflicts with EIR Fig. 61- Lawrence at Sandia, Lawrence at Bridgewood, and Lawrence at Palamos are not identified for traffic control; Tasman at Reamwood is not on EIR Figure 61. Please clarify the locations recommended for traffic control.

F. The EIR shall identify potential safety impacts of queuing created by police officer-controlled access of high speed Lawrence Expressway traffic. This may be a potentially significant impact.

G. Cumulative impacts sections: Please clarify whether the cumulative conditions traffic study background section and approved/pending project lists are the same.

H. The traffic analysis does not consider the impact of project traffic, traffic congestion, traffic control, and detours on bicyclists and pedestrians. This analysis shall be provided, as the impact on pedestrian and bicycle safety may be significant.

I. Please assess the potential for pre- and post-event traffic to cut through the area bounded by Old Mountain View/Alviso Road, Lawrence Expressway, Tasman Drive, and Calabazas Creek.

J. Please provide traffic impact and other information on a Super Bowl scenario, where stadium seating would increase by 10% and other ancillary activities would further increase project trip generation.

K. As an alternative to officer-controlled traffic operations at the intersection of Tasman Drive and Great America Parkway, and as a means to improve traffic flow efficiency and decrease the potential for vehicle/pedestrian conflicts, consider the construction of a pedestrian overpass to accommodate the anticipated large volumes of pedestrian traffic.

L. Consider opportunities to improve Bay Trail facilities in the project area for handling project traffic and improving stadium access.

M. Relocation of the stadium from San Francisco to Santa Clara may change the distribution of trips to the stadium over time, as the increased travel time discourages patrons from traveling the extra distance to Santa Clara from the north. The potential for such a change in the trip distribution needs to be discussed, and the potential for different or additional environmental impacts from a different trip distribution also need to be discussed.

Thank you for your consideration in this matter. Please contact Andrew Miner, Principal Planner, at (408) 730-7707, if you have any questions or concerns about items discussed in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hanson Hom', with a long horizontal flourish extending to the right.

Hanson Hom
Director, Community Development Department

enc. August 2009, City of Sunnyvale Development Update

cc: Gary Luebbers, City Manager
David Kahn, City Attorney
Don Johnson, Director of Public Safety
Marvin Rose, Director of Public Works
Trudi Ryan, Planning Officer
Jack Witthaus, Transportation and Traffic Manager
Andrew Miner, Principal Planner