



**Council Meeting: September 1, 2009**

**SUBJECT: 2009-0654 Overview of the City of Santa Clara Draft Environmental Impact Report for the Proposed 49ers Stadium**

**REPORT IN BRIEF**

On July 29, 2009, the City of Santa Clara transmitted to the City of Sunnyvale the Draft Environmental Impact Report (DEIR) for the proposed 49ers stadium adjacent to Great America in the City of Santa Clara. The proposed stadium would be located on Tasman Drive adjacent to the existing 49ers work-out facility. The document is under thorough review by City staff, and a letter of response to the DEIR will be transmitted back to the City of Santa Clara prior to the end of the public comment period of September 14, 2009.

Included with this report is the summary of impacts for the project (Attachment A). The main impacts from this project are traffic, noise, lights and compatibility with surrounding uses. This summary shows that the project creates Significant Unavoidable environmental impacts, and includes: construction noise and air quality impacts and long-term noise and traffic impacts.

The entire DEIR is not a part of this report due to its size, but can be viewed at the City of Santa Clara web page:

[http://santaclaraca.gov/city\\_gov/49er-Stadium-DEIR.html](http://santaclaraca.gov/city_gov/49er-Stadium-DEIR.html)

On August 24, 2009, The Planning Commission held a public hearing to discuss the DEIR, and provide comments to staff and the Council of their concerns (Attachment G). These comments will be among those transmitted to the City of Santa Clara in a letter from staff on the adequacy and accuracy of the DEIR.

**DISCUSSION**

The 49ers have proposed a new stadium in the City of Santa Clara, on property currently used by the Great America amusement park for overflow parking (1,823 surface parking spaces). The stadium would be developed and owned by a public agency to be formed by Santa Clara and its Redevelopment Agency. The Stadium Authority would control the use of the stadium, including home games for the 49ers, and other non-football events. A Fact Sheet with information taken from the DEIR is included in Attachment A, and includes several details of the project.

With the stadium located about a mile away from Sunnyvale's city boundary, events at the stadium could generate economic benefits for Sunnyvale in terms of hotel occupancy, restaurant and retail sales, and support businesses that would serve the stadium events. But, the project would also generate costs to the city in terms of traffic, public safety and other environmental impacts. Additionally, impacts on nearby residential and industrial areas in terms of noise and overflow parking are potential concerns. Staff's review of the DEIR focuses on the technical adequacy of the traffic, parking, and noise analyses and the recommended mitigation measures.

The DEIR uses several assumptions, including that a second NFL team would use the stadium, that the stadium would be used for non-football events, such as moto-cross, concerts, college football, and soccer games. The DEIR also uses the proposed parking solution as part of its assumptions, which depends on the surrounding business parks for the majority of the parking (approximately 76% of the provided parking would be in existing parking lots at businesses within a 20 minute walk of the stadium).

In September, 2008, City of Sunnyvale staff met with the City of Santa Clara staff and EIR consultants to discuss the scope of review of the EIR. Staff provided many suggestions of issues that should be discussed in the EIR, with the greatest focus on ensuring all potential impacts to the City of Sunnyvale be considered and mitigated to the greatest extent possible (the Sunnyvale Traffic and Transportation division provided a list of suggestions to be included in the DEIR evaluation, see Attachment F). The greatest impact to the City of Sunnyvale community would be traffic during major events. The DEIR includes a voluminous traffic study, and determined that the Lawrence Expressway/Tasman Drive intersection would experience significant unavoidable impacts during major events at the stadium.

The purpose of this report and consideration by the Sunnyvale Planning Commission and City Council is to provide thorough information about the project, and to gain comments from the decision-makers that can be included in the City of Sunnyvale response to the DEIR. Clearly, Sunnyvale has no authority over the project, and can only provide comments to ensure the study of the project is as thorough and fair as possible. The letter to the City of Santa Clara will be finalized after the City Council review, and a copy of that letter will be provided to the Council and posted on the City web page.

## **ISSUES**

City staff met with the Santa Clara staff last year to discuss issues that should be included in the EIR. Much of this information was transmitted at that meeting, and a letter was sent specifically for the traffic element of the review, since that is the greatest potential impact to the Sunnyvale community.

The issues discussed at the September, 2008 meeting included:

- Traffic- see Attachment F
- Parking- concerns about the realistic use of surrounding business parking lots for event parking, the use of Sunnyvale business parking lots adjacent to the light rail line, the use of Baylands Park and access to the stadium via the creek trail.
- Noise- estimates should be taken from Sunnyvale properties and mitigation measures should be included for limiting hours of operation and fines for exceeding those levels.
- Lighting and glare- Will events at the stadium create lighting and glare issues for Sunnyvale residents?
- Traffic control measures- Where and when will roads be closed for events at the stadium.

Staff has not completed the comprehensive review of the DEIR and appendices, but has initial concerns about the adequacy of its review. It is a large and complex document, and the 45 day review period is short for a project of this size. Based on the transmittal notice from the City of Santa Clara, there will not be a public hearing on the DEIR, but consideration by the Planning Commission and City Council on the Final EIR will occur in October. That appears to mean that only written comments will be accepted for the DEIR, and the Final EIR will be turned around in a month as the final document. There is serious staff concern about this process given some of the concerns for the report's adequacy. Given this project's size, scale and regional impacts, it would benefit from a longer DEIR review period and public hearings for the DEIR, in order to get adequate public input. Based on the issues listed below, Sunnyvale will likely request that Santa Clara address the issue and re-circulate the DEIR

The Departments of Public Works, Public Safety, Community Development, and the Office of the City Attorney, will continue to review the DEIR and work together on the response to the City of Santa Clara. Review of the DEIR will be focused on the impact of the project on the City of Sunnyvale, and will also include review of the general adequacy of the DEIR.

Initial concerns identified at this point include:

- Traffic:
  - Validity of certain assumptions, including mode split, availability of outside agency resources, trip distribution and assignment, and peak travel durations for the different games and events,
  - Data missing from the documentation, including trip assignment,

- Lack of long term cumulative analysis and potential cumulative impacts of the proposed large scale project,
- Need for additional analysis scenarios, such as non-NFL events occurring at times outside of the current analysis time frame, and long-range cumulative analysis,
- Review of feasible mitigation to project impacts, and fair share financial contributions/fees,
- Impact of stadium and mitigation on Wildwood Drive, and its intersection with Lawrence Expressway,
- Inclusion of information requested in the City's scoping letter.
- Parking:
  - Relying on surrounding businesses to provide the majority of parking for events at the stadium, with uncertain commitments,
  - The availability of parking for weekday events since office uses will be occupied,
  - How future redevelopment of properties assumed to be available for parking will affect that parking supply (the proposed underground Yahoo! Project, for example, would likely not be a feasible alternative for stadium parking, but the DEIR assumes approximately 1,000 parking spaces on that site).
  - No basis of the potential use of Moffett Park properties in Sunnyvale for parking and light rail usage and related traffic.
- Noise:
  - Concern about using assumptions that the same noise generation estimates are used for all uses (assuming NFL games would generate the same noise impacts as a rock concert),
  - Appropriate mitigations measures to ensure noise impacts do not impact surrounding areas (limitations of hours, fines for going over noise limits),
  - Review of noise impacts for deeper and percussive sounds- pile drivers, bass sounds during concerts, etc.
- Traffic closures and officer controlled intersections- describe how those will be managed for all uses and the financial impact on adjacent city's public safety departments.
- Likely increase in hotels and restaurants in area near stadium- has that been assumed in traffic studies, could that future development affect the number of parking spaces available for the stadium?

### **PUBLIC CONTACT**

Public contact was made by posting the Planning Commission agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

During the August 24, 2009 Planning Commission hearing on this matter, several questions were made regarding the project, potential environmental impact, and concerns not addressed in the DEIR. Their concerns include several points raised in the staff report and additional concerns as listed below (also, see the attached Planning Commission minutes for more detail about these comments):

1. Traffic assumptions, including cumulative impacts, impact on Lawrence Expressway and Tasman Drive
2. The effect of weekday evening events on area traffic and parking opportunities due to conflicts with area businesses
3. Parking relying on surrounding business lots
4. Noise from events and during tail-gating before games
5. Assumptions of the use of Sunnyvale public safety personnel before and after events, and after significant celebrations
6. Response times to emergency calls to nearby Sunnyvale residents during large events
7. Timing of all uses of stadium (time of year and time of day)
8. Impact of project on the residents of Sunnyvale in the area.

The Commission also asked that the link to the City of Santa Clara web site for the DEIR be published on the Sunnyvale web site, which was done.

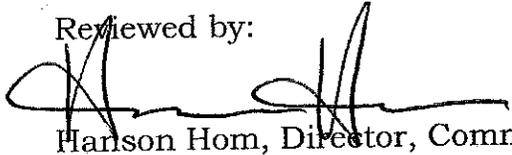
The Commission also raised concerns about the short review period and lack of public hearing for the DEIR, and staff has sent a letter to the City of Santa Clara requesting additional time to complete the thorough review of report, and to suggest a hearing be scheduled to allow maximum public comments to this large project with regional impacts (Attachment H).

### **RECOMMENDATION**

Staff recommends the Council review the summary of impacts from the DEIR and the information in this staff report and discusses any other environmental concerns that may be added to the final letter, which will then be transmitted to the City of Santa Clara.

Comments on the merits of the proposed development will be prepared prior to the City of Santa Clara public hearings.

Reviewed by:

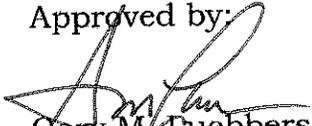


Hanson Hom, Director, Community Development Department

Reviewed by: Trudi Ryan, Planning Officer and Jack Witthaus, Transportation and Traffic Manager

Prepared by: Andrew Miner, Principal Planner

Approved by:



Gary M. Luebbers  
City Manager

### **Attachment**

- A. Project Description Fact Sheet
- B. Project plans
- C. Proposed parking map
- D. Draft EIR Summary of Impacts
- E. City of Santa Clara Notice of Preparation of an EIR dated August 15, 2008
- F. City of Sunnyvale response to Notice to Prepare EIR dated October 1, 2008
- G. Planning Commission minutes from August 24, 2009 hearing
- H. Letter to City of Santa Clara regarding review period and public hearings dated August 26, 2009

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## Project Description 49ers Stadium Project in Santa Clara

### Project Overview

**Project applicant:** San Francisco 49ers National Football League Team

**Project property owner:** City of Santa Clara and the City's Redevelopment Agency

**Property location:** Adjacent to Tasman Drive, immediately west of the San Tomas Aquino Creek

**Current use of property:** Overflow parking areas for Great America

**Property size:** 22 acres for stadium site, 2 acres for proposed 6-story parking garage across Tasman Drive

### **Surrounding uses:**

North: Santa Clara Golf & Tennis Club and Santa Clara Convention Center

South: Substation and residential beyond

East: Santa Clara Youth Soccer fields and 49ers training facility, with residential beyond

West: Great America parking lot

**Distance of stadium to Sunnyvale border:** Less than 1 mile

### Stadium Details

**Number of seats:** Permanent seating capacity of 68,500, able to expand to 75,000 seats for special events

**Stadium height:** 175 feet

**Light standards:** 200 feet

**Commercial space:** 10,000 square feet ground floor space along Tasman Drive frontage

### Use of Stadium

**Proposed uses:** NFL football games, college football games, and other non-NFL events

**Number of NFL games assumed:** 20 NFL events per year

**Number of non-NFL large events assumed:** 17 events per year, such as X-Games, moto-cross, soccer, concerts, college football, festivals, car shows

**Other events assumed:** 250 smaller events per year (corporate meetings, weddings and other private functions)

Parking

**Parking on stadium site:** 593 spaces

**New parking garage and surface parking across Tasman:** 1,708 and 790, respectfully

**Parking at Great America:** 6,614 spaces

**Parking within 20 minute walk of stadium (at existing businesses):** 31,668 spaces

**Total parking assumed:** 41,373 spaces

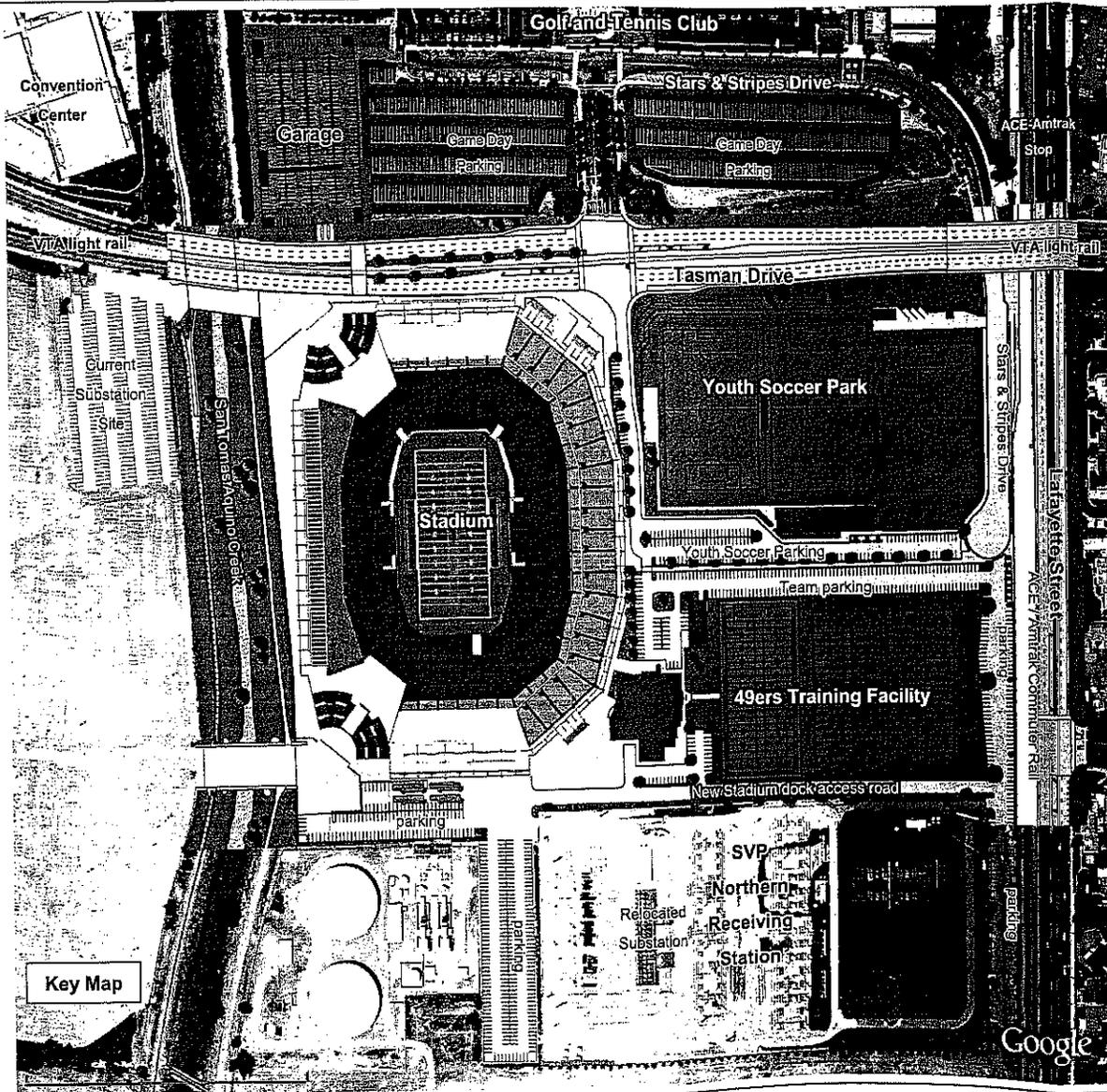
**Road closures during events:** Tasman Drive between Great America Parkway and Centennial Boulevard

Environmentally superior alternatives listed in the DEIR:

- Move stadium to other side of creek, further away from adjacent residential neighborhood
- Enclosed stadium design to limit noise and lighting impacts
- Santa Clara Fairgrounds

Brief summary of significant unavoidable environmental impacts:

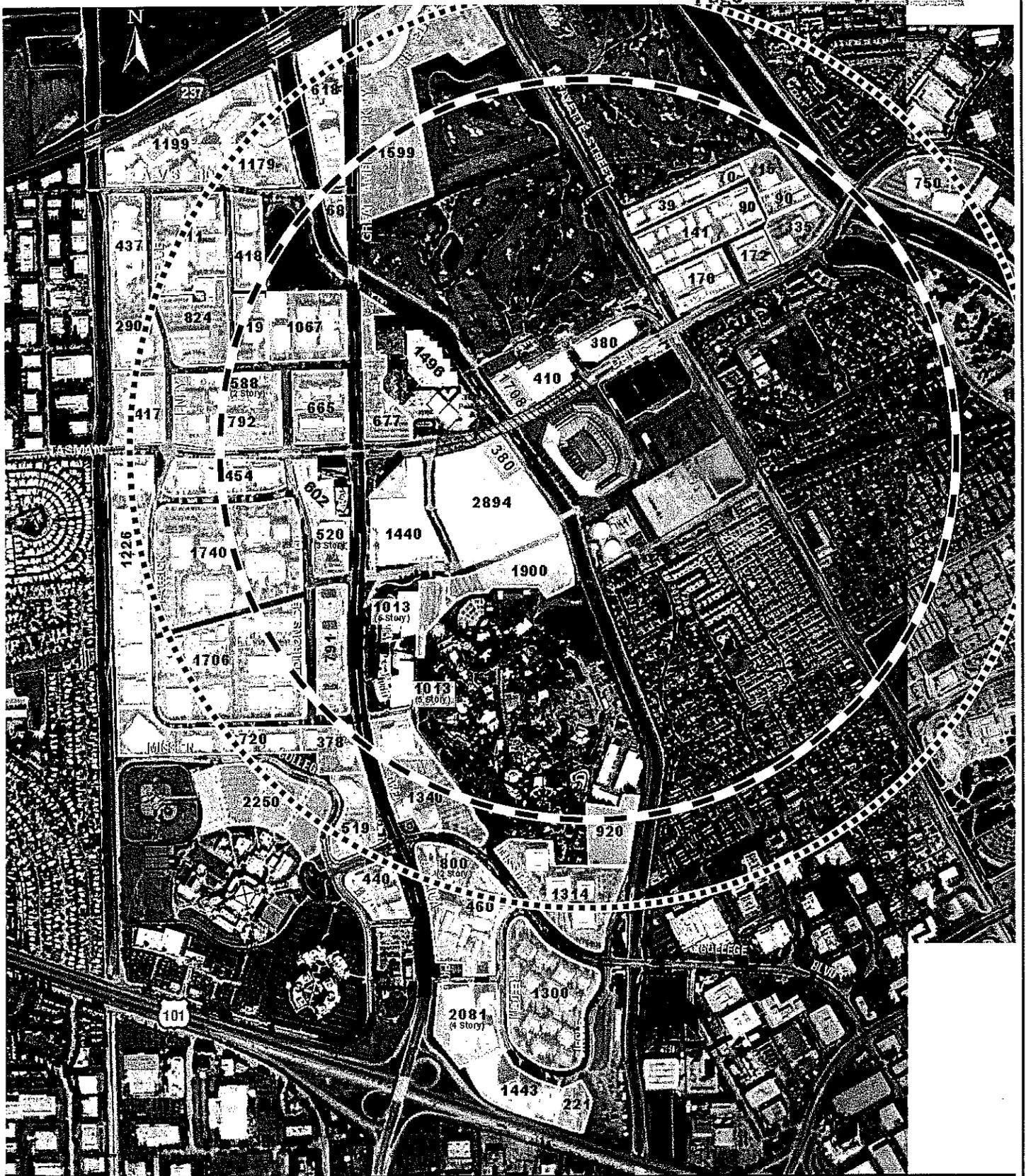
- Substantial increase in ambient noise levels during large stadium events (estimated to be 46 times a year),
- Temporary noise impacts from project construction (approximately 28 months),
- Project would generate regional air pollution in excess of established thresholds,
- Traffic impacts during weekday evenings on up to 17 intersections (including the Lawrence Expressway and Tasman Drive intersection in Sunnyvale) up to 8 times a year,
- Traffic impacts during weekend days on two San Jose intersections up to 42 times a year,
- Traffic impacts during weekday evenings on up to 17 freeway segments up to 8 times a year.



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CONCEPTUAL SITE PLAN

FIGURE 6



- xxxx Parking Supply
- - - 15 Minute Walking Radius
- ..... 20 Minute Walking Radius

PROPOSED AND AVAILABLE PARKING AREAS

FIGURE 7

**SUMMARY**

The project proposes to construct a 68,500 seat open-air stadium and a new shared parking structure on two existing surface parking lots in the City of Santa Clara. The project would also relocate an existing substation to the Northern Receiving Station and construct a surface parking lot on the current substation site.

The following is a brief summary of significant impacts and mitigation measures addressed within the body of this EIR. The complete project description and discussion of impacts and mitigation measures can be found in the Sections 2.0 and 4.0 of this EIR, respectively.

Significant Impacts	Mitigation Measures
<p>Implementation of the revised General Plan land use designation allowing up to 75 percent building coverage could impede or redirect flood flows, substantially increase runoff, and impact stormwater systems and groundwater discharge.</p>	<p><b>Hydrology</b></p> <p>Implementation of relevant General Plan policies will reduce impacts from increased building coverage to a less than significant level. Relevant General Plan policies are listed in Section 4.4.3 of this EIR.</p> <p>The City of Santa Clara is one of 13 co-permittees under a Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit issued to the municipalities in Santa Clara Valley, the County of Santa Clara, and the Santa Clara Valley Water District. Under provisions of the NPDES Municipal Permit, projects that disturb more than 10,000 square feet are required to incorporate Best Management Practices for operational non-point pollution control. Specific measures are listed in Section 4.4.3 of this EIR.</p> <p><b>Less Than Significant Impact with Mitigation.</b></p>
<p>Construction activities would result in a significant temporary stormwater quality impact.</p>	<p>1. Burlap bags filled with drain rock will be installed around storm drains to route sediment and other debris away from the drains. 2. Earthmoving or other dust-producing activities would be suspended during periods of high winds. 3. All exposed or disturbed soil surfaces would be watered at least twice daily to control dust as necessary. 4. Stockpiles of soil or other materials that can be blown by the wind would be watered or covered. 5. All trucks hauling soil, sand, and other loose materials would be covered and all trucks would be required to maintain at least two feet of freeboard. 6. All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites would be swept daily (with water sweepers). 7. Vegetation in disturbed areas would be replanted as quickly as possible. 8. All unpaved entrances to the site would be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City. 9. A Storm Water Permit will be administered by the Regional Water Quality Control Board. Prior to construction grading for the proposed land uses, the project proponent will file a "Notice of Intent" (NOI) to comply with the General Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP) which addresses measures that would be included in the project to minimize and</p>

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**Significant Impacts**

**Mitigation Measures**

**Hydrology *Continued***

*Please see previous page.*

control construction and post-construction runoff. Measures will include, but are not limited to, the aforementioned RWQCB mitigation.

As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will implement regular maintenance activities (i.e., sweeping, maintaining vegetative swales, litter control, and other activities as specified by the City) at the site to prevent soil, grease, and litter from accumulating on the project site and contaminating surface runoff. Storm water catch basins will be stenciled to discourage illegal dumping.

The proposed project will be required to record an Operation & Management (O&M) agreement with the City to insure continued maintenance and performance of post-construction measures including CDS units and roof-drainage systems.

**Less Than Significant with Mitigation**

**Vegetation and Wildlife**

Construction activities could result in the abandonment of active raptor nests or destruction of other migratory bird's nests.

- 1) Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February through August, and
- 2) If it is not possible to schedule demolition and construction between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist will inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFG, will determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests will not be disturbed during project construction.

**Less Than Significant With Mitigation**

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**Significant Impacts**

**Mitigation Measures**

**Hazards and Hazardous Materials**

Implementation of the proposed project could expose construction workers and future site users to contaminated soil.

1) Prior to the issuance of grading permits, shallow soil samples shall be taken to determine the location of contaminated soils with concentrations above established construction/trench worker thresholds. The soil sampling plan must be reviewed and approved by the Santa Clara Fire Chief prior to initiation of work. Any contaminated soils found in concentrations above established thresholds shall be removed and disposed of according to California Hazardous Waste Regulations. The contaminated soil removed from the site shall be hauled off-site and disposed of at a licensed hazardous materials disposal site, and 2) A Site Management Plan (SMP) will be prepared to establish management practices for handling impacted groundwater and/or soil material that may be encountered during site development and soil-disturbing activities. Components of the SMP will include: a detailed discussion of the site background; preparation of a Health and Safety Plan by an industrial hygienist; notification procedures if previously undiscovered significantly impacted soil or free fuel product is encountered during construction; on-site soil reuse guidelines based on the California Regional Water Quality Control Board, San Francisco Bay Region's reuse policy; sampling and laboratory analyses of excess soil requiring disposal at an appropriate off-site waste disposal facility; soil stockpiling protocols; and protocols to manage ground water that may be encountered during trenching and/or subsurface excavation activities. Prior to issuance of grading permits, a copy of the SMP must be approved by the City's Director of Planning and Inspection, and the Santa Clara Fire Chief.

**Less Than Significant Impact with Mitigation**

Implementation of the proposed project could expose construction workers and/or nearby sensitive receptors to air-borne asbestos particles and lead-based paint.

The proposed project will conform with the following regulatory programs and implement the following standard measures to reduce impacts due to the presence of ACMs:

1) In conformance with state and local laws, a visual inspection/pre-disassemble survey, and possible sampling, shall be conducted prior to the dismantling of the substation to determine the presence of asbestos containing materials, 2) All potentially friable ACMs shall be removed in accordance with NESGAP guidelines prior to dismantling that may disturb the materials. All dismantling activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos, 3) A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above, and 4) Materials containing more than one percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements.

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**Significant Impacts**

**Mitigation Measures**

**Hazards and Hazardous Materials *Continued***

*Please see previous page*

1) In conformance with state and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of lead-based paint, and 2) During demolition activities, all building materials containing lead-based paint shall be removed in accordance with the Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.

**Less Than Significant Impact with Mitigation**

The stadium site is located within the worst-case release impact zone for two toxic gas facilities and could expose event attendees to toxic chemicals if a worst-case release were to occur.

The proposed project will have to prepare an emergency response plan in coordination with first-responders and other emergency agencies. The plan will include an evacuation plan, medical response plan, and advance warning system, and will detail what parties are responsible for specific response actions. The plan will need to be approved by the City's Director of Planning and Inspection and the Santa Clara Fire Chief prior to issuance of occupancy permits.

**Significant Unavoidable Impact**

**Cultural Resources**

Implementation of the proposed project could have a significant impact on unknown buried prehistoric and/or historic resources.

1) A qualified archaeologist will be on site to monitor the initial excavation of native soil once all pavement and engineered soil is removed from the project site. After monitoring the initial excavation, the archaeologist will make recommendations for further monitoring if it is determined that the site has cultural resources. If the archaeologist determines that no resources are likely to be found on site, no additional monitoring will be required, 2) In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 150-foot radius of the find will be stopped, the Director of Planning and Inspection will be notified, and the archaeologist will examine the find and make appropriate recommendations. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Planning and Inspection, 3) In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC)

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**Significant Impacts**

**Mitigation Measures**

**Cultural Resources *Continued***

*Please see previous page*

immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

**Less Than Significant with Mitigation**

**Transportation**

The project could impact 17 intersections (eight Santa Clara intersections, six San José intersections, one Sunnyvale intersection, and two Milpitas intersections) during at least one weekday study period on up to four NFL event days per year.

CEQA requires that an EIR identify feasible measures that minimize each significant adverse impact identified in the EIR, and that the discussion of mitigation measures shall distinguish between measures proposed by the project proponents and those not included in the project. [Guidelines §15126.4(a)(1)(A)] As discussed in Section 4.8 of this EIR, the project's traffic impacts will not occur very often. The weekday impacts (which might occur for Monday or Thursday night games), would only occur (if at all) once or twice a year if one team occupies the stadium, up to a maximum of four times a year if two teams use the stadium. The Sunday impacts could occur up to ten times a year if one team occupies the stadium and up to 20 times a year if two teams occupy the stadium. This means that the project would only exceed the adopted LOS threshold of significance a maximum of four times per year. For games on Sundays, the Traffic Management Plan will move traffic efficiently in and out of the area, will preclude access, parking and cut-through impacts to residential neighborhoods, and will allow emergency vehicle access if necessary.

The project would impact two CMP intersections in San José during at least one weekend study period on up to 20 NFL event days per year.

The project does not, therefore, propose to implement any physical improvements. The project does propose to implement the traffic control plan described in Section 4.8 and Appendix H of this EIR.

For a maximum of four times per year (depending on whether one team or two plays at the stadium), the project would exceed the adopted threshold on all 16 of these directional freeway segments and one HOV lane under project conditions during at least one of the weekday study periods.

**Significant Unavoidable Impact**

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**Significant Impacts**

**Mitigation Measures**

**Transportation Continued**

The 17 large non-NFL events could significantly impact local intersections and freeway segments on up to four weekdays and 22 weekend days per year but to a lesser extent than NFL events.

*Please see Previous Page*

**Air Quality**

**Regional Air Quality Impacts**

**Regional Air Quality Mitigation**

The proposed project would cause an increase in NOx emissions that exceed the significance thresholds established by BAAQMD on NFL event days.

The proposed project would cause an increase in emissions that exceed the significance thresholds established by BAAQMD on large non-NFL event days.

NFL events in summer and early fall would have significant NO<sub>x</sub> emissions that could increase ozone concentrations in downwind portions of the Bay Area up to 12 times per year.

- 1) Develop a Transportation Demand Management program that would include financial incentives for employees provided by the project to reduce automobile vehicle trips, 2) Encourage use of public transit for events, through advertising and financial incentives, 3) Provide shuttle service between LRT and Caltrain stations, 4) Bicycle amenities should be provided for the project. This would include secure bicycle parking for employees and attendees and safe bike lane connections, 5) Enforce State law idling restrictions of trucks or buses and include signage indicating the restriction and associated fines, 6) Where appropriate, provide 110- and 220-volt electrical outlets at loading docks to or areas where media operations occur to eliminate any idling of trucks or generators to operate auxiliary equipment, 7) Provide exterior electrical outlets to encourage use of electrical landscape equipment, 8) Implement a landscape plan that provides shade trees along pedestrian pathways, and 9) Implement "Green Building" designs, such a Leadership in Energy and Environmental Design (LEED) into buildings to increase energy efficiency, which would reduce the future energy demand caused by the project, and therefore, reduce air pollutant emissions indirectly.

**Significant Unavoidable Impact**

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**Significant Impacts**

**Mitigation Measures**

*Air Quality Continued*

Non-NFL events with an attendance over 20,000 would significantly contribute to emissions of ROG, NO<sub>x</sub>, and non-NFL events with an attendance of 15,000 would significantly contribute to emissions of PM<sub>10</sub> up to 26 times per year.

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Construction activities would result in significant, temporary impacts to local air quality.

- 1) The following dust control measures will be implemented during all construction phases:
- Water all active construction areas at least twice daily and more often during windy periods.
  - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
  - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
  - Sweep daily (preferably with water sweepers) all paved access roads on-site, parking areas and staging areas at construction sites.
  - Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.
  - Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
  - Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
  - Limit traffic speeds on unpaved roads to 15 mph.
  - Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
  - Replant vegetation in disturbed areas as quickly as possible.
  - Suspend construction activities on windy days that cause visible dust plumes that extend beyond the construction site.

2) A Disturbance Coordinator will be designated by the applicant. The Coordinator shall be responsible for responding to any local complaints about construction activities. The Coordinator will determine the cause of the complaint and implement reasonable measures to correct the problem. A telephone number for the Coordinator will be clearly posted at the construction site and included in the notice sent to nearby properties regarding the construction schedule, 3) The project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired

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**Significant Impacts**

**Mitigation Measures**

**Air Quality Continued**

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immediately. This measure means that equipment with continuous dark emissions is in violation of the requirement, 4) Signs shall be posted that indicate diesel equipment standing idle for more than five minutes shall be turned off or operators would be subject to fines. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite, and 5) Reduce vehicle emissions. Properly tune and maintain equipment for low emissions.

**Less Than Significant Impact with Mitigation**

Numerous barbeque activities occurring within 700 feet of the residences could be result in odor complaints which would be an indication of a significant impact.

1) Reserve surface parking within 750 feet of residences for vehicles only. Prohibit tailgating within these areas, and 2) Designate a "disturbance coordinator" to investigate and respond to odor or air quality complaints. Provide the name and contact information for the disturbance coordinator to residents within 750 feet of the stadium or surface parking lots.

**Less Than Significant with Mitigation**

**Noise**

The increase in allowable building size could lengthen construction periods, exposing sensitive receptors to additional construction noise.

Implementation of relevant General Plan policies will reduce noise impacts to a less than significant level. Relevant General Plan policies are listed in Section 4.10.3.1 of this EIR.

**Stadium Event Impacts**

**Stadium Event Mitigation**

1) Tailgating activities would have a significant noise impact on nearby sensitive receptors on game days, 2) Noise from NFL games would have a significant noise impact on nearby sensitive

1) Tailgating activities shall not occur prior to 9:00 am on game days in the Great America Theme Park, Golf and Tennis Club, and stadium parking areas. These parking areas will be barricaded until 9:00 am to preclude event attendees from arriving prior to 9:00 am, 2) Tailgating in surface parking areas within 750 feet of residences will be prohibited. Posted signs and security patrols of these parking areas prior to, during, and after game times will enforce this restriction, 3) The use of loudspeakers, stereo systems, or fireworks within the Great America Theme Park, Golf and Tennis Club, and stadium parking areas would be prohibited. Posted signs and security patrols of these parking areas prior to, during, and after game times will enforce this

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**Significant Impacts****Mitigation Measures**

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**Noise Continued**

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receptors on game days, 3) Noise from large non-NFL sporting events would have a significant noise impact on nearby sensitive receptors on game days, and 4) Concert noise would have a significant impact on the surrounding residential neighborhoods on the one day a year that a concert occurs.

Construction activities will temporarily impact nearby sensitive receptors.

restriction, 4) Post-event clean up activities in parking lots located within 750 feet of residences shall be completed prior to 10:00 pm the day of the game or no earlier than 9:00 am the following morning, 5) A Disturbance Coordinator will be designated by the Stadium Authority to investigate and respond to noise complaints. The name and contact information of the Disturbance Coordinator will be made readily available to all residents and businesses within the project area, and 6) Even with the proposed mitigation, noise levels generated by all NFL game related activities would not be reduced to background noise levels at nearby residences. As a result, NFL events would have a significant unavoidable noise impact.

**Significant Unavoidable Impact**

The applicant will be required to develop a Construction Mitigation Plan that will schedule construction activities to minimize noise disturbances to sensitive land uses. The Construction Mitigation Plan will include but is not limited to the following:

- The holes for the piles will be pre-drilled,
- Pile driving shall be prohibited on weekends and holidays to minimize disturbances at the theme park, Golf and Tennis Club, and residences.
- Construction within 300 feet of any residentially zoned property shall only occur within designated time limits. Construction within 300 feet of any residence will only occur between the hours of 7:00 am to 6:00 pm on weekdays (other than holidays) and between 9:00 am and 6:00 pm on any Saturday that is not a holiday. No construction will be permitted on Sundays or holidays.
- The contractors shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
- Contractors shall equip all internal combustion engine-driven equipment with mufflers that are in good condition and appropriate for the equipment.
- Temporary noise barriers shall be used during grading and foundation work.
- Staging areas and construction material storage areas will be located as far away as possible from adjacent sensitive land uses.
- Unnecessary idling of internal combustion engines shall be prohibited.
- All nearby noise sensitive land uses within the area of impact shall be notified in writing of the

**Significant Impacts**

**Mitigation Measures**

**Noise Continued**

*Please see previous page*

construction schedule.

- A Disturbance Coordinator will be designated by the applicant. The Coordinator shall be responsible for responding to any local complaints about construction noise. The Coordinator will determine the cause of the noise complaint and implement reasonable measures to correct the problem. A telephone number for the Coordinator will be clearly posted at the construction site and included in the notice sent to nearby properties regarding the construction schedule.

**Significant Unavoidable Temporary Impact**

**Energy**

The proposed project would have a significant impact on projected electricity and natural gas supplies.

The proposed project would increase vehicle miles traveled for game attendees resulting in increased gasoline usage.

- 1) The project shall be certified in accordance with the Leadership in Energy and Environmental Design (LEED) requirements, a nationally acceptable benchmark for the design, construction, and operation of high performance green buildings. The level of LEED certification will be at the discretion of the project applicant,
- 2) The project shall exceed Title 24 energy requirements by 10 percent to the satisfaction of the Director of Electric Utility,
- 3) The project shall include a minimum of 27,000 square feet of green roofs,
- 4) The project shall include reflective, *EnergyStar*™ cool roofs. Cool roofs decrease roofing maintenance and replacement costs, improve building comfort, reduce impact on surrounding air temperatures, reduce peak electricity demand, and reduce waste stream of roofing debris,
- 5) The project shall utilize local and regional building materials in order to reduce energy consumption associated with transporting materials over long distances,
- 6) The project shall utilize building products that contain post-consumer recycled materials,
- 7) Although there is not a formal *EnergyStar* program for non-residential buildings, the stadium shall be constructed to meet the same standards as those that apply to the residential program to the extent feasible,
- 8) The stadium shall include a photovoltaic (i.e., solar electric) system. The project proposes a minimum of 20,000 square feet of photovoltaic cells, and
- 9) Geothermal heat pumps should be installed to provide heating, cooling, and hot water. Geothermal heat pumps are generally more efficient and less expensive to operate and maintain than conventional systems.

**Less Than Significant with Mitigation**

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## Cumulative Impacts

The proposed project will result in significant cumulative Transportation, Air Quality, and Global Climate Change impacts. Please see Section 6.0 of this EIR for a complete discussion of cumulative impacts.

### Summary of Alternatives to the Proposed Project

CEQA requires that an EIR identify alternatives to the project as proposed. The CEQA Guidelines specify that an EIR identify alternatives which "would feasibly attain the most basic objectives of the project but avoid or substantially lessen many of the significant environmental effects of the project."

Below is a summary of the project alternatives. A full analysis of the project alternatives is provided in Section 7.0 of this EIR.

#### Candlestick Point

The 86-acre Candlestick Point site contains the existing 49ers stadium and surface parking. The site is surrounded by San Francisco Bay, several recreational areas, residences, and offices. The site is owned by the City and County of San Francisco.

Because there is already a stadium on the Candlestick Point site of comparable size to the proposed project, the Candlestick Point alternative would only result in new significant temporary noise, air quality, and traffic impacts associated with demolition and construction activities comparable to the construction impacts identified for the proposed project site. All other impacts would be avoided because the operation of the stadium would be comparable to the existing conditions.

In June 2008, a plan for redevelopment of Candlestick Point was voted on by the residents of San Francisco as part of the proposed Bayview Waterfront development (Proposition G – Bayview Jobs, Parks and Housing Initiative). The result of the vote was that the residents of San Francisco approved a plan that includes only housing, retail, and open space on Candlestick Point. The voter referendum would preclude a new stadium being built on the Candlestick Point site.

A full analysis of this alternative is provided in Section 7.4.1 of this EIR.

#### Hunters Point

The 172-acre Hunters Point site, located approximately 0.85 miles northeast (as the crow flies) of the existing Candlestick Park, is currently a mix of undeveloped land and an inactive naval shipyard. The site is surrounded by San Francisco Bay, two large parks, and military housing. Portions of this site are currently owned by the City and County of San Francisco and the remainder of the site is owned by the U.S. Navy.

The Hunters Point site is part of the larger 780-acre Bayview Waterfront Project site which includes the Hunters Point Shipyard, Candlestick Point, and the India Basin Shoreline area. The Bayview Waterfront Project, which was initiated by the City of San Francisco, proposes up to 9,000 dwelling units, 645,000 square feet of retail, 2.15 million square feet of office/R&D/Industrial, and a 69,000 seat football stadium. The stadium and associated surface parking would occupy approximately 97 acres of the Hunters Point site. Environmental review has not yet been completed for this project.

The cost and time required for hazardous materials clean up, infrastructure and roadway/transit improvements, and permitting make the Hunters Point site inconsistent with the following objectives:

- Locate the stadium on a site that can be readily assembled and that enables the development of the stadium within budget and on schedule;
- Locate the stadium on a site that is served by existing streets and highway infrastructure adequate to reasonably accommodate local and regional game-day automobile circulation;
- Locate the stadium on a site that is readily accessible by public transportation, preferably two or more modes of regional public transit.

While air quality impacts from cars would be less than those from the proposed project, air quality impacts from demolition, grading, and hazardous materials clean up are unknown and could be significant. It is not currently known if the noise impacts would be greater than or comparable to the proposed project. In addition, the secondary impacts of the proposed roadway and transit improvements are unknown.

A full analysis of this alternative is provided in Section 7.4.2 of this EIR.

#### **Pier 70**

The 74-acre Pier 70 site, located approximately 2.8 miles (as the crow flies) north of Candlestick Park, is currently developed with warehouses, offices, industrial buildings, and surface parking lots. The proposed stadium would replace several warehouses, a garage, two powerhouses, an industrial building, and an office building. The site is surrounded by San Francisco Bay and industrial buildings, and is currently owned by the Port of San Francisco.

Hazardous materials, site access, and permitting issues make the Pier 70 site inconsistent with the following objectives:

- Locate the stadium on a site that can be readily assembled and that enables the development of the stadium within budget and on schedule;
- Locate the stadium on a site that is served by existing streets and highway infrastructure adequate to reasonably accommodate local and regional game-day automobile circulation;
- Locate the stadium on a site where a substantial percentage of the parking needed on game days and during other major events could be provided in existing parking facilities which are not in use during evenings and weekends and are located within a 20-minute walking distance of the stadium.

This site has size constraints and, as a result, there would be insufficient area for all parking to be located on-site in surface lots. Because of the minimal surface parking provided by the surrounding industrial land uses, there would not be sufficient parking in the surrounding area to make up the difference. Some of the parking would likely require one or more parking structures, which would the 49ers team believes, be more expensive than the proposed project. Development of the site is further constrained by the presence of multiple historic structures and the presence of weak soils/bay mud. There are no historic structures on the proposed project site. Therefore, the demolition, alternation, or relocation of historic structures to accommodate the stadium would be a new significant impact.

While air quality impacts from cars would be less than those from the proposed project, air quality impacts from demolition, grading, and hazardous materials clean up are unknown and could be significant. Lack of adequate roadway capacity, unstable soils, and possible loss of historic structures could also result in new or more significant impacts than those from the proposed project. Noise impacts would, however, be less than those from the proposed project because the site is not located near sensitive receptors.

It is not known if the property would be sold or leased by the Port of San Francisco to the team for a stadium.

A full analysis of this alternative is provided in Section 7.4.3 of this EIR.

### **Pier 80**

The 74-acre Pier 80 site, located approximately 2.3 miles (as the crow flies) north of Candlestick Park, is currently used to load and unload cargo ships. The proposed stadium would replace several warehouses and a cargo storage area. The site is surrounded by San Francisco Bay and industrial buildings, and is currently owned by the Port of San Francisco.

Site size, access, and permitting issues make the Pier 80 site inconsistent with the following objectives:

- Locate the stadium on a site that can be readily assembled and that enables the development of the stadium within budget and on schedule;
- Locate the stadium on a site that is served by existing streets and highway infrastructure adequate to reasonably accommodate local and regional game-day automobile circulation;
- Locate the stadium on a site where a substantial percentage of the parking needed on game days and during other major events could be provided in existing parking facilities which are not in use during evenings and weekends and are located within a 20-minute walking distance of the stadium.

This site has size constraints and, as a result, there would be insufficient area for all parking to be located on-site in surface lots. Because of the minimal surface parking provided by the surrounding industrial land uses, there would not be sufficient parking in the surrounding area to make up the difference. Some parking would have to be provided in very large parking structures which would be more expensive than the proposed project.

Air quality impacts would be less than the proposed project and noise impacts would be avoided.

It is not known if the Port of San Francisco would be willing to sell or lease the property to the team for a stadium.

A full analysis of this alternative is provided in Section 7.4.4 of this EIR.

### **Piers 90-94 Backlands/Piers 94-96**

The Piers 90-94 Backlands/Piers 94-96 site, located approximately 1.9 miles (as the crow flies) northeast of Candlestick Park, is currently used to load and unload cargo ships. For this alternative, the stadium would be located on a currently vacant area of the site within the Pier 90-94 development

site which is described below. The site is surrounded by San Francisco Bay and industrial buildings, and the property is currently owned by the Port of San Francisco.

In March 2003, the Port initiated a public planning process to produce a development strategy for the Piers 90-94 Backlands. In March 2004, after several public meetings and workshops, the Port presented draft development concepts for the Piers 90-94 Backlands. The development concept is for 740,000 square feet of warehouse/light industrial space which, if developed, would limit the availability of land for development of a stadium

Site access, parking, and permitting issues make this site inconsistent with the following objectives:

- Locate the stadium on a site that can be readily assembled and that enables the development of the stadium within budget and on schedule;
- Locate the stadium on a site that is served by existing streets and highway infrastructure adequate to reasonably accommodate local and regional game-day automobile circulation;
- Enhance the game day experience for fans by accommodating activities such as tailgating;
- Locate the stadium on a site where a substantial percentage of the parking needed on game days and during other major events could be provided in existing parking facilities which are not in use during the evenings and weekends and are located within a 20-minute walking distance of the stadium.

Planned redevelopment of the site could be incompatible with the land area requirements for a stadium. Furthermore, the geological constraints of the site (landfill on top of bay mud) are much greater than the other pier sites or the proposed project site and could pose a significant public safety threat or would require substantially more expensive design solutions. Air quality impacts would be less than the proposed project and noise impacts would be avoided.

A full analysis of this alternative is provided in Section 7.4.5 of this EIR.

### **Baylands**

The Baylands site is a 540-acre area located approximately 0.7 miles southwest of Candlestick Park, of which a portion could be used for the proposed stadium. The portion of the site analyzed is located within the City of Brisbane and is privately owned by the Universal Paragon Corporation.

The Baylands site is part of a proposed Specific Plan currently being analyzed by the City of Brisbane. The owner of the site indicated that they were planning for office and retail uses at the site and that a stadium may not be compatible with the proposed Specific Plan.

Inadequate site access and the possible need for a freeway interchange would substantially increase costs and might result in a significantly longer implementation period than would the currently proposed project. This would be inconsistent with the project proponent's objective of locating the stadium on a site that can be readily assembled and that enables the development of the stadium within budget and on schedule. In addition, the construction of roadway improvements could result in unknown secondary impacts.

The property owners have indicated that they do not want a stadium constructed on this site. The applicant's inability to procure title to the site would make the site infeasible. If the property owner

were to agree to sell a portion of the property for the construction of an NFL stadium, the need to construct a freeway interchange and other roadway improvements could produce additional noise and air pollution and could have growth inducing impacts that cannot be known at this time.

A full analysis of this alternative is provided in Section 7.4.6 of this EIR.

### **San Francisco Airport**

The 65-acre San Francisco Airport (SFO) site, located approximately 6.0 miles (as the crow flies) south of Candlestick Park on the opposite side of Highway 101 from SFO, is currently vacant land. The site is surrounded by SFO, a residential neighborhood, and Highway 101. The site is currently owned by the San Francisco Airport Authority.

The relatively narrow configuration of the site would make site design difficult and could be incompatible with a large stadium.

The size of the site and the surrounding residential neighborhood would result in insufficient parking for a stadium on this site. This would be inconsistent with the applicant's objectives to 1) ensure that adequate parking for patrons (estimated to require approximately 19,000 spaces) and employees is available for use on game days and during other major events; and 2) locate the stadium on a site where a substantial percentage of the parking needed on game days and during other major events could be provided in existing parking facilities which are not in use during evenings and weekends and are located within a 20-minute walking distance of the stadium.

The City and County of San Francisco has indicated that they do not want a stadium constructed on this location. The applicant's inability to procure title to the site would make the site infeasible. In addition, this site may result in greater noise impacts than the proposed project site, may contain endangered species, and could be incompatible with SFO operations. There are no endangered species on the proposed project site. Therefore, the loss of individual garter snakes and their habitat to accommodate the stadium would be a new significant impact.

A full analysis of this alternative is provided in Section 7.4.7 of this EIR.

### **Moffett Airfield**

The Moffett Airfield site is a 750-acre site, located approximately 28 miles southeast of Candlestick Park and 3.9 miles east of the proposed project site. The property is a former Naval Air Station and is owned by the federal government (under stewardship of NASA Ames). NASA Ames and the California Air National Guard currently occupy a portion of the site. No specific site on Moffett Airfield was identified for the proposed stadium.

NASA Ames intends to redevelop part of the site into a research and development center for the nation's space program. According to representatives of the team, the federal government has not indicated that any other portion of the site is available for private development. If, however, a portion of the site were to be made available, the development of the NASA R&D center would not preclude other development on-site because of the size of the site.

Air quality impacts would be similar to the proposed project. Noise impacts would be avoided because there are currently no sensitive receptors in the immediate project area.

The applicant's inability to procure title to the site would make the site infeasible.

A full analysis of this alternative is provided in Section 7.4.8 of this EIR.

### **Zanker Road**

The Zanker Road site is approximately 450 acres and is located approximately 30 miles southeast of Candlestick Park and 2.3 miles southwest of the proposed project site in the City of San José. Approximately 90 of the 450 acres are used for the operation of the San José/Santa Clara Water Pollution Control Plant (WPCP) and the remaining 360 acres is used for buffer lands. The site is jointly owned by the City of San José and the City of Santa Clara with San José being the majority share holder. The City of Santa Clara is an 18 percent joint owner of the treatment plant lands and both San José and Santa Clara and the other tributary agencies for the plant would have to concur on any uses proposed on the buffer lands.

The buffer lands serve to protect nearby land uses from odors and safety hazards (i.e., chlorine and sulfur dioxide) associated with operations of the plant and for the disposal of recycled water to assist in limiting dry weather flows to the Bay and minimizing the WPCPs impact on salt marsh habitat. The applicant has not had any discussions with the City of San José to determine the availability of the land for use as a stadium.

The stadium might be considered an incompatible land use next to the WPCP. The site serves a specific function as a buffer zone between the WPCP and other land uses in the area. While no formal analysis has been completed, it is possible that construction of any large structure on this site could interfere with WPCP operations. The interference with plant operations could have secondary unknown impacts and could preclude the expansion of the plant in the future.

This site would have air quality and noise impacts comparable to the proposed project site. The site could have jurisdictional wetlands. There are no jurisdictional wetlands on the proposed project site so the loss of wetland habitat to accommodate the stadium would be a new significant impact. There are also no endangered species on the proposed project site. The loss of individual Burrowing Owls and their habitat to accommodate the stadium would be a new significant impact. The available area is, however, larger than the area needed to construct a stadium with surface parking. Therefore, it might be possible to avoid construction in designated wetlands and Burrowing Owl habitat.

The City of San José has not indicated that any portion of the WPCP buffer lands is available for private development. Previous proposals to place private land uses on the buffer lanes have been found inconsistent with the basic purpose of protecting the plant from complaints about odors and concerns about hazardous materials impacts. The applicant's inability to procure title to the site would make the site infeasible.

A full analysis of this alternative is provided in Section 7.4.9 of this EIR.

### **San José State**

The 55-acre San José State site is located approximately 40.0 miles (as the crow flies) southeast of Candlestick Park and 8.9 miles southeast of the proposed project site in San José. It is currently occupied by Spartan Stadium and a vacant field used for parking. Surrounding land uses include an

up-gradient paved-over Superfund site used to store cars, a residential neighborhood (located approximately 550 feet north for the site), a recycling facility, San José Sharks Ice Center (an indoor ice center), sports fields, and the San José Municipal stadium. The property is currently owned by San José State University. The applicant has not had any discussions with San José State University to determine the availability of the land for purchase.

This property has size constraints, which means insufficient area for surface parking. In addition, there is not enough parking in nearby existing lots which makes this site inconsistent with the project proponent's objectives to 1) ensure that adequate parking for patrons and employees is available for use on game days and during other major events, and 2) locate the stadium on a site where a substantial percentage of the parking needed on game days and during other major events could be provided in existing parking facilities which are not in use during evenings and weekends and are located within a 20-minute walking distance of the stadium. In addition, the lack of available surface parking would require a change in the project design to utilize structured parking and there is no obviously suitable and/or available location(s) for parking structures.

The site does not have adequate site access and is, therefore, inconsistent with the project proponent's objective to locate the stadium on a site that is served by existing streets and highway infrastructure adequate to reasonably accommodate local and regional game-day automobile circulation.

This site would have air quality and noise impacts comparable to the proposed project site.

San José State University has not indicated that site is available for sale. The applicant's inability to procure title to the site would make the site infeasible.

A full analysis of this alternative is provided in Section 7.4.10 of this EIR.

### **Santa Clara Fairgrounds**

The 136-acre Santa Clara Fairgrounds (fairgrounds) site, located approximately 42.0 miles (as the crow flies) southeast of Candlestick Park and 9.2 miles southeast of the proposed project site in an unincorporated area of Santa Clara County. It is currently a mix of vacant land, pavement, and several large pavilions. The property is surrounded by a residential neighborhoods, industrial development, and Oak Hill Cemetery. The land is currently owned by the County of Santa Clara.

As of June 2009, the County is no longer in negotiations with any private developer to sell and redevelop the property. A County supervisor has recently stated that the County would be open to negotiations with the 49ers team should the proposed project not be approved. While the redevelopment of the fairgrounds has been the subject to public controversy for several years, the County's willingness to allow a stadium to be constructed on the site would make this a viable alternative to the project site. The proposed stadium and associated surface parking would occupy most of this site. If a stadium were approved on this site additional development would be severely restricted and new residential land uses would be unlikely. It could, however, be constructed with some structured parking and some use could be made of parking on low intensity industrial properties in the area.

The site has sufficient roadway capacity and there is currently bus service to the site; however, train services are 1.25 miles or more away from the site. The lack of multiple public transit modes within a reasonable walking distance of this site makes the site inconsistent with project proponent's objective

to locate the stadium on a site that is readily accessible by public transportation, preferably two or more modes of regional public transit.

This site is adjacent to residential neighborhood, although it would be possible to place the stadium on the site and have greater separation between the residences and the stadium than at the project site. This would reduce noise impacts compared to the proposed project. This site would have greater air quality impacts than the proposed project site given there are fewer public transportation options.

A County supervisor has recently stated that the County would be open to constructing a stadium on this site. If, however, the County were to find a new private developer for the site, the applicant's inability to procure title to the site, should the County sell to a private developer, would make the site infeasible.

A full analysis of this alternative is provided in Section 7.4.11 of this EIR.

#### **No Project Alternative**

The CEQA Guidelines [§15126(d)4] require that an EIR specifically discuss a "no project" alternative, which should address both "the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project is not approved, based on current plans and consistent with available infrastructure and community services."

The No Project alternative could have two possible scenarios since the site is virtually all developed. The first is to retain the existing land uses on the four Sub-Areas with no modifications to any part of the site. The second would be to redevelop any or all of the Sub-Areas with land uses consistent with the current General Plan designation. Under either scenario, the substation would remain in its current location so there would be no modification to Sub-Areas B or D and no new impacts on either site.

The "No Project" alternative could result in significant traffic impacts and, as a result, it could also have significant regional air quality impacts. While there would be an incremental increase in ambient noise due to the increase in traffic it would likely not be a perceptible increase within the residential neighborhoods. This alternative would avoid the significant noise impacts identified in this EIR which are the result of crowd noise and amplified music. Neither scenario under the No Project alternative would meet any of the objectives of the project proponent (the 49ers team). Should conditions remain physically unchanged on all of the properties, other than construction of the previously approved parking structure, the impacts of that scenario would be substantially less than those of the proposed project. That alternative would be environmentally superior to the proposed project.

A full analysis of this alternative is provided in Section 7.5.1 of this EIR.

#### **Reduced Stadium Size Alternative**

NFL teams operate in stadiums of varying sizes, the smallest being Lucas Oil Stadium with 63,000 seats and the largest being FedEx Field with 80,000 seats. More than half of the 31 existing NFL stadiums have between 63,000 and 69,000 seats. The number of seats per stadium is critical to the economic viability of the franchise. To reduce the identified traffic and, subsequently, air quality impacts of the proposed project, the stadium seating capacity would need to be reduced.

The Reduced Stadium Size alternative would reduce the impacts from traffic and air quality to a less than significant level. It would not, however, be large enough to be support standard NFL operations. The size would make the project infeasible because it would be inconsistent with its fundamental purpose. Furthermore, it would not meet the applicant's objectives of 1) developing a state-of-the-art stadium with approximately 68,500 seats and 2) designing the stadium so that it is expandable to 75,000 seats for hosting NFL Super Bowls. While the reduction in traffic and air quality impacts makes this alternative environmentally superior to the proposed project, it is not a feasible alternative.

A full analysis of this alternative is provided in Section 7.5.2 of this EIR.

#### **Enclosed Stadium Design Alternative**

The Enclosed Stadium alternative would have most of the same impacts as the proposed project except that the stadium would be fully enclosed with a roof. Impacts identified for the proposed project would remain the same under this alternative with the exception of lighting, noise, and energy.

The Enclosed Stadium alternative would meet all of the project proponent's objectives. In addition, this alternative would reduce the impacts from crowd noise in the stadium to a less than significant level and would eliminate the visible light increases from stadium lighting, further reducing a less than significant impact. Energy use could increase significantly with the enclosed stadium because it would require more of the stadium area to be climate controlled. The project, however, proposes solar power and other design features to reduce overall energy consumption. An enclosed stadium design would offer more opportunities for solar panels, heat-reflective roofs, and other design features to reduce energy consumption. The extent to which enclosing the stadium would increase energy use for heating and cooling and the project's contribution to global climate change could be substantial. This alternative is environmentally superior to the proposed project.

A full analysis of this alternative is provided in Section 7.5.3 of this EIR.

#### **Great America Main Lot Design Alternative**

The Great America Main Lot Alternative would locate the proposed stadium and parking garage west of project site on what is now the main parking lot of the theme park. The existing 51-acre parking lot is surrounded by the theme park and a residential neighborhood to the south, office buildings and Great America Parkway to the west, Tasman Drive and the convention center to the north, and San Tomas Aquino, the overflow parking lot, and the Northern Receiving Station to the east.

The size (including height and massing), seating capacity, and uses of the stadium would be the same as that of the proposed project. The substation would be relocated to the receiving station site and the stadium would utilize existing parking within the project area through shared use agreements with the property owners. The main differences between the Main Lot alternative and the proposed project is that a larger parking garage would be built adjacent to the stadium site, Centennial Boulevard would not be vacated or altered, and the existing 49ers training facility would not be modified.

The Great America Main Lot alternative would avoid noise impacts to the residential neighborhood to the east and reduce noise impacts to some residences to the south. The southern neighborhood would still experience significant impacts from crowd noise. The stadium would still be clearly visible but would appear farther away from the residential land uses and less prominent. All other impacts would be comparable to the proposed project. The avoidance in noise impacts to one residential area and the

reduction of noise impacts in another residential area makes this alternative environmentally superior to the proposed project.

A full analysis of this alternative is provided in Section 7.5.4 of this EIR.

**Areas of Known Controversy**

Issues raised by residents of Santa Clara and staff of nearby cities included concerns related to increased traffic and spillover impacts from traffic on residential neighborhoods, noise, and land use compatibility.

SANTA CLARA CENTENNIAL 2001



NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE 49ers STADIUM PROJECT

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PROJECT APPLICANT: San Francisco 49ers National Football League Team

FILE NO: PLN2008-06947 / CEQ2008-01060

The San Francisco 49ers NFL Football Team proposes to construct a football stadium for 68,500 seats on an existing parking lot in the City of Santa Clara. Approval of the proposed stadium and related facilities, including off-site event parking, will require actions by the City of Santa Clara, including the preparation and certification of an Environmental Impact Report (EIR) to support zoning amendments and other entitlements.

As the Lead Agency, the City of Santa Clara will prepare an EIR for the above-referenced Project. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and potential environmental effects are contained in the attached materials.

According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. In addition to providing written comments, you may attend one of two sessions of a Scoping Meeting that have been set for September 2, 2008 at 3:30 and 6:30 PM in the City of Santa Clara Council Chambers (see address below). Each session will be approximately one hour long and, following a presentation of the project description, will provide an opportunity for agencies and the public to identify issues that they believe should be addressed in the EIR that will be prepared for this project.

To respond in writing, agencies should identify a contact person. Please send your response to:

Jeff Schwilk, Associate Planner
City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 95050

RECEIVED

AUG 20 2008

PLANNING DIVISION

Kevin L. Riley
Kevin L. Riley, AICP
Director of Planning and Inspection

Date: August 15, 2008

NOTICE OF PREPARATION  
OF A  
ENVIRONMENTAL IMPACT REPORT  
FOR  
THE 49ers STADIUM PROJECT

August 2008

*Introduction*

The San Francisco 49ers NFL Football Team proposes to construct a football stadium for 68,500 seats on an existing parking lot in the City of Santa Clara. Approval of the proposed stadium and related facilities, including off-site event parking, will require actions by the City of Santa Clara, including the preparation and certification of an Environmental Impact Report (EIR) to support zoning amendments and other entitlements.

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate a project and its potential for significant impacts on the environment; to examine methods of reducing adverse impacts; and to consider alternatives to the project.

The EIR for the proposed project will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. The EIR will address the significant or potentially significant effects of the proposed project. In accordance with the requirements of CEQA, the EIR will include the following:

- An executive summary including a summarized project description and a list of identified significant impacts and proposed mitigation;
- A detailed project description;
- A description of the existing environmental setting, environmental impacts, and mitigation measures for the project;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) the growth inducing impacts of the proposed project; and (c) cumulative impacts including global climate change.

*Project Location*

The proposed project is comprised of multiple sites which are not directly adjacent to one another. The general location of the project is the area bound by Highway 101, State Route 237, Lawrence Expressway, and the Guadalupe River in the City of Santa Clara. Figures 2 and 3 have been provided to show the general location of the project area. A more detailed description of the project location is provided below.

As shown on Figures 1 and 4, the project site is comprised of four separate properties including the proposed stadium site (site C), the proposed parking garage site (site A), the existing substation (site B), and the proposed substation receiver site (Site D). In addition, numerous public and privately owned properties have been identified for the possible utilization of existing off-site surface parking (see Figure 5).

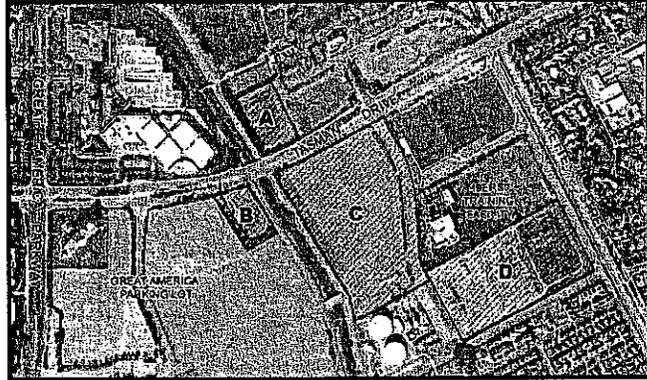


Figure 1 – Project Locations

The stadium site encompasses approximately 22.0 acres located generally at the southwest corner of the intersection of Tasman Drive and Centennial Boulevard in the City of Santa Clara.

The joint-use parking garage that would provide a portion of the necessary parking for the facility is proposed on 2.0 acres on the north side of Tasman Boulevard, immediately east of San Tomas Aquino Creek.

The existing substation is on 2.1 acres located at the southwest corner of San Tomas Aquino Creek and Tasman Drive; the proposed substation receiver site is a 14.2-acre property located immediately southeast of the stadium site that contains the Silicon Valley Power's Northern Receiving Station.

The project is proposing to use existing off-site parking to be located throughout the industrial and commercial area within walking distance of the proposed stadium site. Figure 5 shows the locations of the candidate parking areas.

***Project Description***

The proposed project includes four specific components:

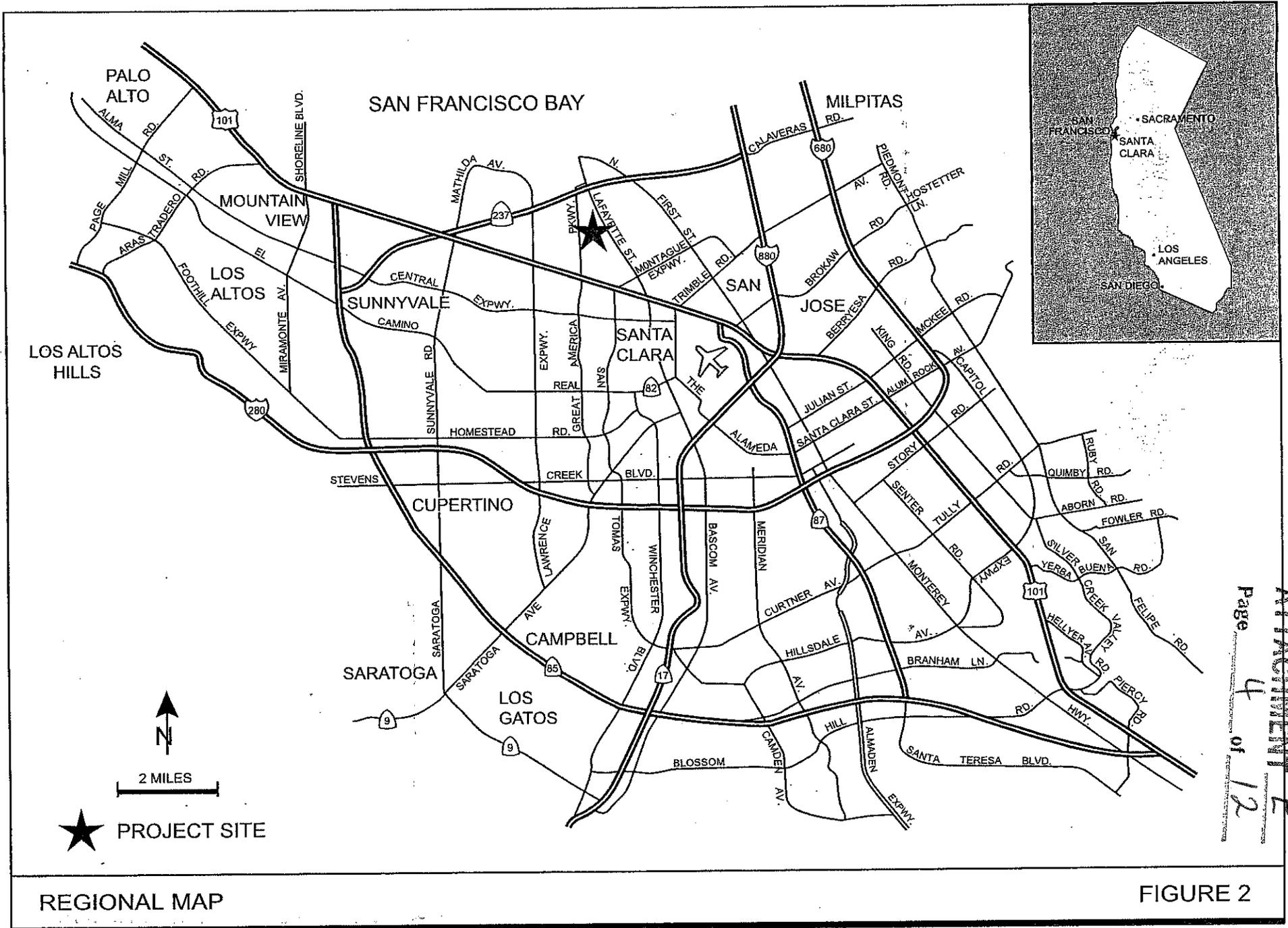
- Stadium
- Substation Relocation
- Off-Site Surface Parking
- Parking Garage (Shared Use)

Each of these project components are described below.

**Stadium Component**

The proposed stadium site is bounded on the north by Tasman Drive, on the east by the Santa Clara Youth Soccer Park (soccer park) and the existing Marie P. DeBartolo Sports Centre<sup>1</sup>, on the south by Silicon Valley Power's Northern Receiving Station (receiving station) and the City of Santa Clara's North Side Water Storage Tanks (water storage tanks), and on the west by San Tomas Aquino Creek. Most of the stadium site is currently designated as an overflow parking lot for the nearby California's Great America theme park (Great America).

<sup>1</sup> The Marie P. DeBartolo Sports Centre is the current training facility and corporate headquarters for the San Francisco 49ers football team and will be referred to in this document as the training facility.



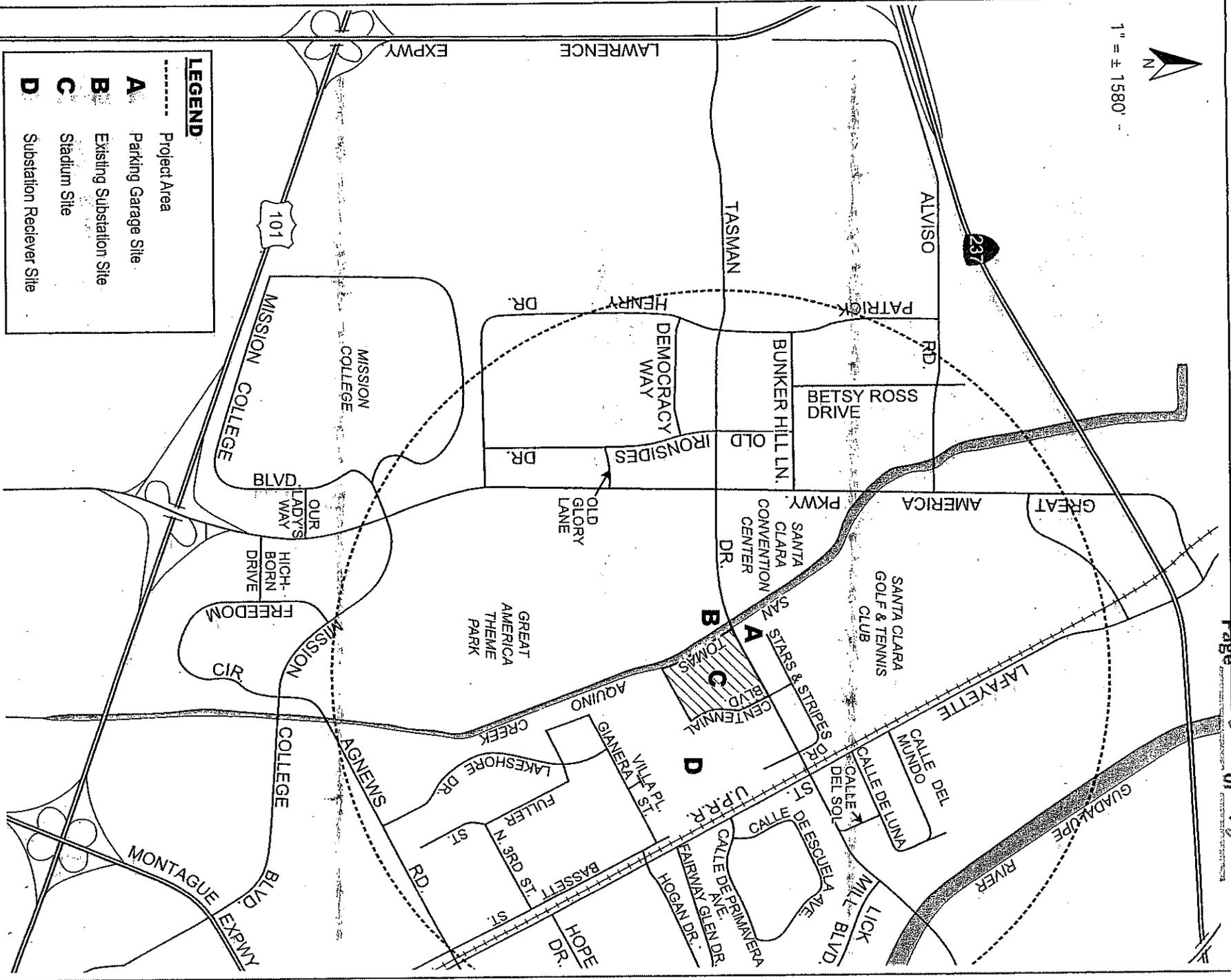
REGIONAL MAP

FIGURE 2

ATTACHMENT E  
 Page 4 of 12



1" = ± 1580'

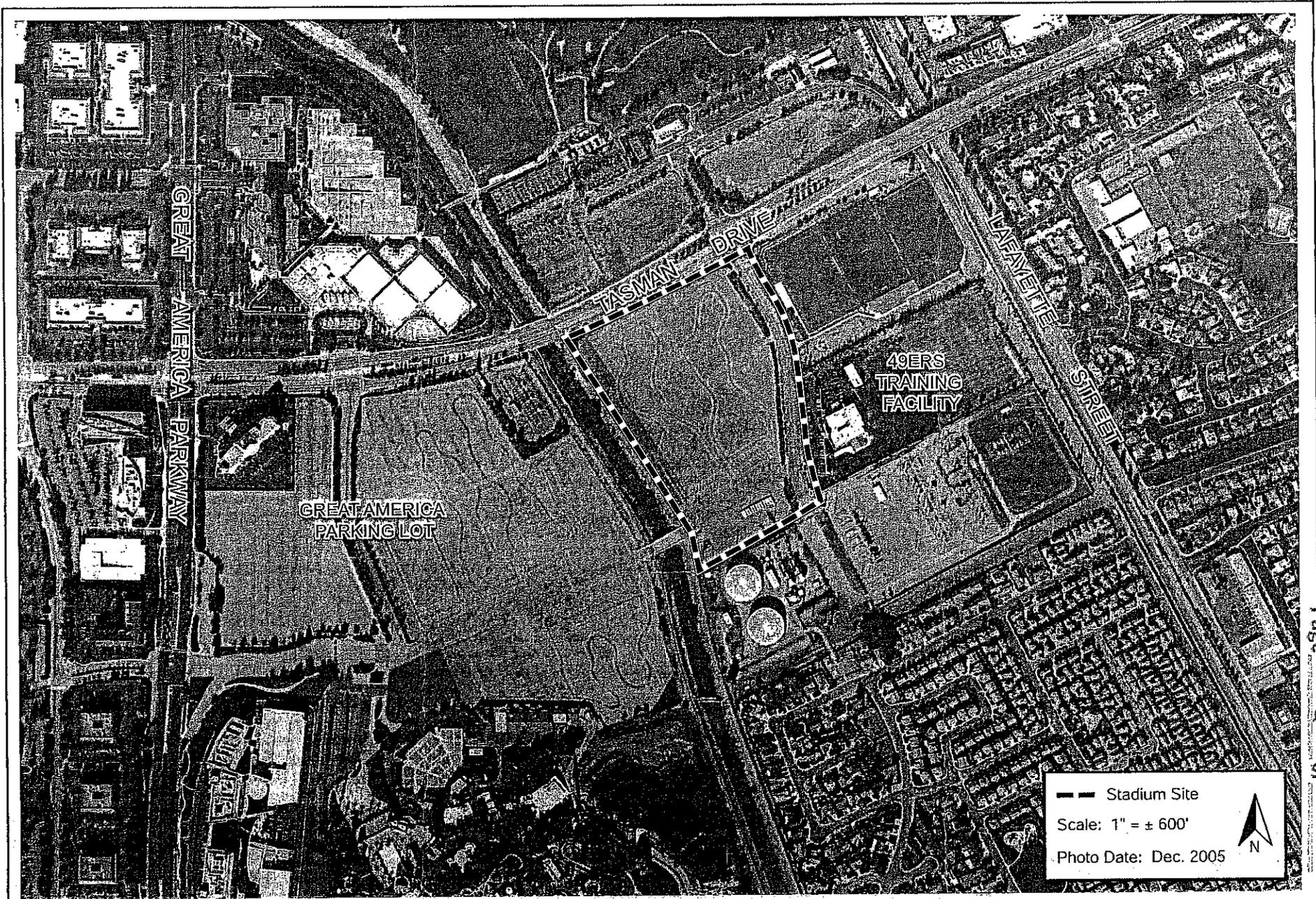


**LEGEND**

- Project Area
- A** Parking Garage Site
- B** Existing Substation Site
- C** Stadium Site
- D** Substation Receiver Site

VICINITY MAP

FIGURE 3



--- Stadium Site  
Scale: 1" = ± 600'  
Photo Date: Dec. 2005



PROJECT AREA

FIGURE 4



- xxxx Parking Supply
- - - 15 Minute Walking Radius
- 20 Minute Walking Radius

AVAILABLE PARKING AREAS

FIGURE 5

The stadium would be developed and owned by a public agency to be formed by the City of Santa Clara and the City's Redevelopment Agency. The stadium would be leased to the San Francisco 49ers (49ers team), a National Football League (NFL) franchise, for playing home games during the NFL pre-season, regular season, and post-season and other NFL related events. In addition to football events, use of the stadium may range from incidental use of meeting room facilities within the main building, including support of Convention Center activities, to significant activities such as concerts and other sporting events that could use a significant amount of the available seating. Approximately 20 non-NFL related significant events per year are contemplated.

The proposed stadium would have a permanent seating capacity of up to 68,500 seats and will be designed to expand to approximately 75,000 seats for special events. An NFL Super Bowl game would be an example of a special event requiring additional seating. The stadium structure would have a maximum height of 175 feet above the ground surface with light standards on top of the structure reaching a maximum height of 200 feet above the ground surface. The stadium would be five levels on the east, north, and south sides and nine levels (referred to as the Suite Tower) on the west side. The event level of the stadium (i.e., ground level) would include the playing field, locker rooms, main commissary, facilities for groundskeeping staff, operations (including management, security, and janitorial), truck docks, and facilities for various other support functions. The event level will be constructed at approximately the existing site elevation (an average of 12 feet above sea level<sup>2</sup>). The press as well as TV and/or radio broadcast personnel will have facilities at the Press Level located on the top floor of the west side. The box office, 49ers Team store, Stadium Authority office, and for-lease commercial space will be located on ground level along the Tasman Drive frontage.

In order to accommodate the stadium as proposed, Centennial Boulevard south of Tasman Drive will need to be abandoned and the roadway removed. A two-lane access driveway will be added along the eastern boundary of the stadium site to provide access to the soccer park. With the new two-lane driveway, access to the soccer park will not change. Vehicular access to the training facility and the receiving station will be from Stars and Stripes Boulevard which is accessed via Centennial Boulevard north of Tasman Drive. During significant events, including NFL games, Tasman Drive may be temporarily closed to vehicle access (with the exception of emergency vehicles) between Great America Parkway and Centennial Boulevard to accommodate crowds entering and leaving the stadium. In addition to the temporary closing of Tasman Drive, the widening of the existing overflow parking lot bridge and the construction of a pedestrian-only bridge south of the Tasman Drive bridge over San Tomas Aquino Creek are also contemplated to enhance pedestrian movement.

### **Substation Relocation Component**

The existing electrical substation equipment located on the Tasman Substation site, immediately west of San Tomas Aquino Creek, may be relocated to the west end of Silicon Valley Power's Northern Receiving Station. Specifically, the electrical equipment would be placed west of the 60k bus structure and just south of the Control House building. Relocation of the substation would include abandonment, removal, and relocation of portions of the transmission lines serving the substation and surrounding properties. An existing electric service that serves the Light Rail would remain along Tasman. The abandoned substation site could be developed with additional surface parking.

<sup>2</sup> USGS, Milpitas Quadrangle California 7.5 Minute Topographic Map, NW/4 San José 15" Quadrangle.

### Parking Component

The proposed 68,500 seat stadium would require 17,125 parking stalls under the City's zoning requirements. It is estimated, however, based on historic usage of the existing 49ers team stadium that approximately 19,000 attendee parking stalls and 1,740 employee parking stalls will be required for NFL Football events and other large non-NFL events. The anticipated parking demand could not be accommodated on the stadium site and would require approval of a parking arrangement or master plan that utilizes off-site parking facilities for events.

The required parking will be provided through existing and planned parking facilities in the immediate project area. New parking facilities will include the proposed shared parking structure north of Tasman Drive (discussed below), proposed surface parking immediately east and south of the stadium, and the additional surface parking proposed to replace the existing Tasman substation site. Existing parking lots in the area that could be utilized for large event parking include the main Great America parking lot, the undeveloped lots adjacent to the parking structure site (south of and adjacent to the Santa Clara Golf and Tennis Club), and the surface parking lots and structured parking of nearby businesses (most of which are located west of San Tomas Aquino Creek on both sides of Great America Parkway). These parking facilities, many of which are underutilized during weeknights and weekends, could be made available by contractual arrangements for large events at the stadium. Circumstances related to development or redevelopment of any or all of these parking sites could result in changes to the master parking plan over time. It is contemplated that rights to use off-site parking facilities will require land use entitlements within a prescribed parking overlay.

### Parking Garage Component

The new six-story parking garage would be located on approximately two-acres of a four-acre site directly across Tasman Drive from the proposed stadium. As stated above, the parking structure would have up to 1,780 parking stalls which would be utilized by the stadium, the convention center, and the Great America theme park<sup>3</sup>. Vehicular access to the parking structure will be provided directly from Tasman Drive and from Stars & Stripes Boulevard via Centennial Boulevard. A clear span pedestrian bridge could be included to connect the garage to the Convention Center across San Tomas Aquino Creek to the west.

### *Potential Environmental Impacts of the Project*

The EIR will identify the significant environmental effects anticipated to result from development of the project as proposed. The EIR will evaluate impacts from the proposed project in the following specific environmental categories:

#### *1. Land Use*

The project sites are located in a developed urbanized area surrounded by commercial, industrial, and residential land uses. The EIR will describe the existing land uses adjacent to and within the project area. Land use impacts which would occur as a result of the proposed project will be

<sup>3</sup> The proposed stadium site is currently designated as an overflow parking lot for the Great America theme park with 1,823 parking spaces. The proposed parking structure and surface parking lots north of Tasman Drive would provide approximately 2,570 parking spaces (1,780 in the garage and 790 in the surface lots) which would offset the loss of parking on the stadium site.

analyzed, including the compatibility of the proposed and existing land-uses in the project area. Due to the need for off-site parking and possible conflicts with other businesses in the project area, the EIR will also address the adequacy of the proposed parking plan. Mitigation measures will be identified for significant impacts, as warranted.

2. *Visual Resources*

The project vicinity includes a theme park, a golf course, a convention center, multi-story commercial and industrial buildings, and a residential neighborhood. The EIR will describe the existing visual setting of the project area and the visual changes that are anticipated to occur as a result of the proposed project. The EIR will also discuss possible light and glare issues and possible shade and shadow impacts from development of the proposed stadium. Mitigation measures will be identified for significant impacts, as warranted.

3. *Geology*

The project is located in Seismic Zone 4, which is the most seismically active region in the United States. The EIR will discuss the possible geological impacts associated with seismic activity and the existing soil conditions on the project sites. Mitigation measures will be identified for significant impacts, as warranted.

4. *Hydrology*

While the project sites are near or adjacent to San Tomas Aquino Creek which is designated as a 100-year flood zone, the project sites are located in Flood Zone X. Flood Zone X is an area subject to a 500-year flood; an area subject to a 100-year flood with depths of less than one foot or with drainage areas of less than one square mile; or an area protected by levees from a 100-year flood. The EIR will address the possible flooding issues of the sites as well as the effectiveness of the storm drainage systems and the project's effect on storm water quality. Mitigation measures will be identified for significant impacts, as warranted.

5. *Biological Resources*

The project sites currently contain some landscape trees and shrubs. The EIR will provide a discussion of the loss of trees on-site. The EIR will also address the proposed expansion of the two bridges over San Tomas Aquino Creek and the possible impact to habitat and special status species within the creek channel. Lastly, the EIR will address the possibility of the loss of burrowing owls and/or burrowing owl habitat. Mitigation measures will be identified for significant impacts, as warranted.

6. *Hazards and Hazardous Materials*

The stadium site is surrounded by industrial and commercial businesses and City utility facilities. The site is within the San José International Airport flight path and noise contour area. The EIR will summarize known hazardous materials conditions on and adjacent to the project sites, and will address the potential for the proposed development to be significantly impacted by hazardous materials and other hazards. Mitigation measures will be identified for significant impacts, as warranted.

7. *Cultural Resources*

Most of the City of Santa Clara is considered a sensitive area for prehistoric and historic resources because of the nearby local waterways, the known occupation of the area by the Costanoan (Ohlone) tribe, and the presence of the Santa Clara mission. The EIR will address the known presence of historic and archaeological sites in the project area and the likelihood for unknown resources to be found during construction of the project. Mitigation measures will be identified for significant impacts, as warranted.

8. *Transportation and Circulation*

The EIR will examine the existing traffic conditions in the vicinity of the project area including traffic conditions in nearby jurisdictions (i.e., San José, Milpitas, and Sunnyvale). A transportation impact analysis will be prepared for the proposed project in order to identify the transportation impacts of the proposed project on the existing local and regional transportation system and the planned long-range transportation network. In addition, the EIR will qualitatively analyze the adequacy of both vehicular and pedestrian access and circulation plans. Parking impacts on surrounding areas will be analyzed relative to significant stadium events. Mitigation measures will be identified for significant impacts, as warranted.

9. *Air Quality*

The EIR will address the regional air quality conditions in the Bay Area and will identify the proposed project's impacts to local and regional air quality. Temporary construction related impacts such as construction vehicle exhaust and air-borne particulates (i.e., dust) will also be discussed. Mitigation measures will be identified for significant impacts, as warranted.

10. *Noise*

The existing noise environment on-site is created primarily by local traffic on Tasman Drive and Lawrence Expressway as well as aircraft fly-overs and operation of the Great America theme park. The EIR will discuss impacts to the proposed project from existing noise levels on the project site. The EIR will also discuss the increase in ambient noise levels in the project area that would result from implementation of the proposed project. Increases in the ambient noise levels could result from increased traffic, stadium event noise, and temporary construction noise. Noise levels will be evaluated for consistency with applicable standards and guidelines in the City of Santa Clara. Mitigation measures will be identified for significant impacts, as warranted.

11. *Utilities*

Implementation of the proposed project will result in an increased demand on utilities and public facilities compared to existing conditions. The EIR will examine the impacts of the project on public services, including utilities such as sanitary and storm drains, water supply, and solid waste management. In accordance with SB 610, a formal Water Supply Assessment will be prepared for the proposed project. Mitigation measures will be identified for significant impacts, as warranted.

12. *Public Services*

Implementation of the proposed project will result in an increased demand on some public services, such as police and fire protection. The EIR will address the availability of public facilities and service systems to support large events at the proposed stadium (including security

and traffic management) and the possible need for private security service. The EIR will also address the potential for the project to require the construction of new police and/or fire facilities. Mitigation measures will be identified for significant impacts, as warranted.

13. *Alternatives*

The EIR will examine alternatives to the proposed project including a "No Project" alternative and one or more alternative development scenarios depending on the potential impacts identified. Alternatives discussed will be chosen based on their ability to reduce or avoid identified significant impacts of the proposed project while achieving most of the identified objectives of the project.

14. *Significant Unavoidable Impacts*

The EIR will identify those significant impacts that cannot be avoided, if the project is implemented as proposed.

15. *Cumulative Impacts*

The EIR will include a Cumulative Impacts section which will address the potentially significant cumulative impacts of the project when considered with other past, present, and reasonably foreseeable future projects in the area. A discussion of the projects contribution to global climate change will also be included in this section.



October 1, 2008

Jeff Schwilk, Associate Planner  
City of Santa Clara, Planning Division  
1500 Warburton Avenue  
Santa Clara, CA 95050  
(also via fax: 408-247-9857)

**Re: 49ers Stadium Project – Notice of Preparation (NOP) of an Environmental Impact Report (EIR)**

Dear Mr. Schwilk,

This is a follow-up to the meeting held on September 24, 2008 attended by staff representatives of the Cities of Santa Clara and Sunnyvale concerning a few project applications within Santa Clara. The comments below constitute a preliminary feedback on the NOP of an EIR for the 49ers Stadium Project. We look forward within the next few weeks to participate in other meetings with Santa Clara staff and the traffic consultants. These meetings would be focused on transportation related issues associated with the individual projects.

- Sunnyvale applies certain CMP analysis criteria to City intersections. According to the CMP guidelines, signalized intersections and all intersections with ten or more vehicular trips per lane per movement need to be analyzed. Study intersections should include Tasman/Reamwood, Tasman/Adobe Wells, Tasman/Lawrence, Tasman/Vienna, Tasman/Fair Oaks, Lawrence/Elko, Lawrence/Lawrence Station, Lawrence/Lakehaven, Lawrence/US 101, Fair Oaks/Weddell, and Fair oaks/US 101. Beside the weekday peak commute periods, the analysis should cover Pre and Post game periods and other events to take place at the stadium. Sunnyvale staff believe at a minimum this should include Monday night, Thursday night, as well as each of Saturday and Sunday for day and night events. An analysis of the peak hour of adjacent street traffic on a weekday assuming an event is occurring should also be performed.
- Corridor analysis should include Tasman Drive, Lawrence Expressway and Fair Oaks Avenue. The Tasman corridor analysis should cover potential traffic congestion and associated impacts on emergency service access to Sunnyvale neighborhoods. For example, the mobile home park located to the west of Patrick Henry Drive has a single access off of Tasman Drive. Consequently congestion on Tasman Drive could severely impact access to this mobile home park including access of emergency vehicles.

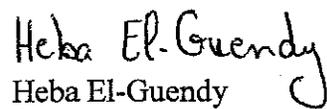
**ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707  
TDD (408) 730-7501**

- Analysis of potential traffic infusion within the Fairwood residential areas. Streets to be analyzed should at least include Wildwood Avenue, Blazingwood Drive and Sandia Avenue. The Level of Service (LOS) analysis at the intersection of Lawrence Expressway/Lakehaven Drive should take into account U-turns from northbound to the southbound traffic direction.
- Analysis of what would be reasonable walking distances for such events along with associated parking distribution in the surrounding areas. The parking analysis should include the potential for parking at Mission College and potential traffic infusion on Wildwood Avenue. The analysis should also include the potential for parking and traffic impacts in the residential neighborhoods to the west of Sandia Avenue – Manzano Way and utilizing the Calabazas Creek trail and pedestrian bridge to walk to/from the stadium.
- The project's parking analysis should also cover the potential for events attendees parking their vehicles within the City of Sunnyvale near light rail stations (such as within the Moffett Park area) then riding the train to the stadium.
- Description and illustration of a detailed traffic control plan, including information on how differing jurisdictions (Santa Clara, Sunnyvale, County of Santa Clara, CHP) can coordinate traffic control during games and other events.
- Review of post event traffic conditions and associated signal timing plans along with hardware and software requirements in order to provide any specialized "flush" timing plans.
- Detailed information on any proposed alternative transportation services for games and other events. Assumptions regarding alternative means for traveling to/from the stadium need to be realistic and achievable in light of their implementation and monitoring plan.

Thank you for the opportunity to provide feedback on the NOP of an EIR for this significant project. We look forward to personally discussing transportation related matters in the near future, as well as other meeting opportunities at key points of the project planning.

In the meantime should you have any questions or need additional information, please do not hesitate to contact me at (408) 730-2713.

Sincerely,

  
Heba El-Guendy  
Senior Transportation Planner  
Transportation and Traffic Division

- c. Andrew Miner, Principal Planner, Planning Division, Sunnyvale Community Development Department.

**PLANNING COMMISSION MINUTES OF AUGUST 24, 2009****2009-0654 - Overview of the City of Santa Clara Draft Environmental Impact Report for the Proposed 49ers Stadium – AM**

**Andrew Miner**, Principal Planner, presented the staff report. He said staff will provide a letter to the City of Santa Clara regarding the Draft Environmental Impact Report (DEIR) with input and comments from the Sunnyvale Planning Commission, City Council and staff. Mr. Miner discussed some of the issues related to the DEIR. He said other Departments in the City of Sunnyvale will also be reviewing the DEIR including Public Safety, the Office of the City Attorney, and Public Works. He said this is a regional project affecting other cities including San Jose and Milpitas. Mr. Miner said **Jack Witthaus**, Sunnyvale Transportation and Traffic Manager is present this evening to address questions. **Trudi Ryan**, Planning Officer, commented that the Planning Commission's focus tonight is to review the adequacy of the DEIR and not on the merits of the project.

**Comm. Rowe** discussed with staff the parking concerns, the need for clarification about estimated number of events both weekend and non-weekend, and the possible use of Baylands Park for parking. Comm. Rowe said she is concerned that there would not be a public hearing until the final draft is available. Comm. Rowe discussed with **Jack Witthaus**, Sunnyvale Transportation and Traffic Manager, trip assignments and the need for more information. Comm. Rowe discussed with Mr. Witthaus cumulative impact analysis and the need for consideration of a longer term cumulative impacts analysis. Comm. Rowe discussed with staff that the stadium is a little less than a mile from the Sunnyvale border. Comm. Rowe discussed the number of seats in the stadium. Comm. Rowe referred to the staff report and discussed possible emergency evacuation plans if necessary due to nearby possible toxic release. Staff discussed that there are impacts of the proposed stadium on Sunnyvale, San Jose, Milpitas, and other agencies including VTA (Valley Transportation Authority). Comm. Rowe asked about affects on increased Spare-the-Air days. Comm. Rowe discussed impacts of tailgating and loud noise and asked about the notification process from their disturbance coordinator. Comm. Rowe asked whether the citizens of Santa Clara could place a referendum should they not want the stadium. Ms. Ryan replied that is possible, as in any city. Comm. Rowe discussed with staff the many modes of regional transportation in the area and how schedules and services might be affected. Comm. Rowe asked about the affects of sharing parking with neighboring businesses.

**Comm. Sulser** asked questions about how the project might require additional involvement by Sunnyvale Public Safety officers to control affected intersections during events and who would be responsible to pay for the additional coverage. Staff said the Sunnyvale Public Safety is asking for additional information about

affects in coverage. Additionally, Mr. Witthaus mentioned that Public Safety response times could be negatively impacted in affected areas during events at the stadium.

**Comm. Klein** discussed with staff concerns about affects on traffic in different areas including the Lawrence and 237 intersection, and the Lawrence and Wildwood area. Comm. Klein discussed the traffic impacts with staff and the effects on weeknight traffic and Sunday traffic and levels of service. Comm. Klein discussed bike lanes and said he does not think they are adequate on Tasman, especially during increased traffic due to events at the stadium. Comm. Klein discussed noise and air quality impacts the project. Comm. Klein said he has concern about tailgating in parking lots when the stadium might share parking on a weeknight with a nearby business.

**Comm. McKenna** commented that she is concerned that public transit may not be the great option that some think it might be for providing transportation to the site. Comm. McKenna said off-site parking is a real issue. Comm. McKenna said that this is going to be a publicly financed stadium and more events may be needed than expected to make the project economically feasible. Comm. McKenna said that the public safety demands are legitimate concerns raised.

**Comm. Hungerford** said he agrees that two of the bigger issues are parking and traffic. He commented that the traffic concerns should also include the concept of traffic affects on global warming and green house gas emissions. Comm. Hungerford said for a project of this size that the carbon dioxide levels should be reviewed. Comm. Hungerford expressed concern that there is a creek next to proposed stadium and there needs to be mitigation measures to protect the creek and consider storm water drainage. Comm. Hungerford said he was pleased to see comments and mitigation measures for energy consumption including the use of solar panels and heat pumps.

**Comm. Rowe** commented that consideration needs to be given to scheduling of events in order to determine the conflicts with neighboring sites. Comm. Rowe discussed with staff that the project needs to be reviewed to determine if additional fire stations need to be built in Sunnyvale.

**Comm. Klein** asked staff where the San Jose border is. Staff said they thought the Guadalupe Creek might be the border. Comm. Klein asked about the evacuation plans for possible chemical releases.

**Comm. McKenna** suggested that the Draft EIR should be provided on the Sunnyvale website as it is provided on the Santa Clara website. Staff said they would look into that with Comm. Rowe commenting the report is large and difficult to open for slower computer connections.

**Chair Chang** agreed with other comments regarding parking concerns and the short review period of the document. Chair Chang commented about the safety of neighborhoods from the behavior of fans after a win or a loss and the need to protect citizens and property.

**Comm. Klein** discussed light pollution making sure it is addressed in the Draft EIR and possible ways to reduce light impacts. Staff mentioned that the report lists a covered stadium as an environmentally superior project because it reduces lighting and noise impacts on surrounding uses.

**Chair Chang opened the public hearing.**

**Jim Griffith**, a resident of Sunnyvale and Danbury Place, near Tasman Drive, expressed concerns about parking, the effects of light rail, the Fresh and Easy store currently being built in the neighborhood and the concern of creating more parking issues at these sites. He said the parking in this neighborhood is already scarce, and this project may make things significantly worse if adequate parking is not provided. He said he is cautiously optimistic that this project could bring business to Sunnyvale, however it will affect his neighborhood. Mr. Griffith said he hopes the traffic study took into account approved new developments near Lawrence and 237 with staff saying it is uncertain whether new development was taken into account.

**Comm. Klein** expressed concern that the Fair Oaks/101 exit could become an alternative route to the proposed stadium, and said that the exit is sub-par and the effects on that intersection would affect commute traffic.

**Comm. Rowe** asked that decibel levels in the lower bass levels be addressed as a concern in the letter.

**Chair Chang closed the public hearing.**

**Chair Chang** confirmed with staff that no motion is necessary and the comments of the Planning Commission would be included in the City of Sunnyvale's letter to the City of Santa Clara.

**Mr. Miner** said staff's goal is to provide the letter to the City of Santa Clara before September 14, 2009; however, the City of Sunnyvale would be asking for more time to review the project.



August 26, 2009

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

Re: Consideration of extending the 45-day Review Period for the 49ers Stadium Draft Environmental Impact Report

Dear Mr. Riley:

Thank you for allowing the City of Sunnyvale to review the proposed 49ers Stadium Draft Environmental Impact Report (DEIR). Various departments of the City of Sunnyvale are reviewing this large and complex report, and we are striving to meet the 45-day review deadline on September 14, 2009. It is important to the decision-makers and community that all affected parties have adequate time to review the project, especially given its regional impacts.

We are, therefore, requesting the City of Santa Clara extend the review period to allow time for thorough and accurate review of the DEIR. It seems an additional two week review period would be appropriate (60 day total review period) given the project's impact not only on the City of Santa Clara, but also on Sunnyvale and surrounding areas.

Additionally, when the City of Sunnyvale Planning Commission reviewed the DEIR at a public hearing on August 24, 2009, several members were concerned about the lack of a public hearing on the DEIR. According to the Public Notice of Availability sent out on July 29, 2009, comments are to be submitted to the City of Santa Clara by September 14, 2009, and hearings by the Planning Commission and City Council will be held only on the Final EIR in October 2009. Again, a project of this size, scale and regional importance will likely have many issues and concerns from various parties, and a public hearing on the Draft EIR would likely be helpful to insure all issues are raised and all parties have an opportunity to respond to the document.

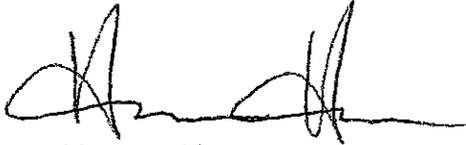
Thank you for your consideration in this matter. Please notify us of the City of Santa Clara's consideration to the issues raised in the letter so we can proceed accordingly.

**ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707  
TDD (408) 730-7501**

49er's Stadium DEIR  
City of Sunnyvale Comments  
August 26, 2009  
Page 2 of 2

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', written over a horizontal line.

Hanson Hom  
Director, Community Development Department

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