

To: California Department of Transportation  
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## Introduction

The following is our Comment on the "Draft Environmental Impact Report/Environmental Assessment" ("Report") for the I-280/I-880/Stevens Creek Boulevard Improvement Project ("Project") which was dated November 1, 2010.

The authors ("We") of this Comment are the elected Board of the Burbank Community Association (aka "BCA"), a local neighborhood improvement association serving and representing the interests of the residents of this 400 acre area of unincorporated Santa Clara County (the "Burbank Community"). We are on the Distribution List for the Report (Chapter 6) as an Organization. Please see our website at [www.burbankcommunityassn.com](http://www.burbankcommunityassn.com).

The Project is within, or abuts, the area of the Burbank Community. The project particularly impacts that portion of the Burbank Community known locally as "Bradley Manor," an area that lies west of Bascom Avenue, south of Stevens Creek Boulevard, north of I-280, and east of I-880. The project also affects the Burbank Community north of Stevens Creek Boulevard and east of I-880, and that portion of the Burbank Community that lies south of I-280 and east of I-880.

The Board's concerns for the Burbank Community in regard to this Project relate to

- Noise
- Pedestrian and Bicyclist Safety and Access
- The Natural Environment
- Community Cohesion
- Local traffic

## I. Noise Abatement and Mitigation

### A. The Noise problem

The Board agrees with the statement on page 135 of the Draft EIR/EA (Cumulative Impacts) that "the project would incrementally contribute to overall noise levels," but we disagree with the following dependent clause and conclusion: "however, future increases in noise...will not be substantial. Therefore, the cumulative noise impact would not be substantial."

The logic of this statement would permit unlimited placement of "straws on the camel's back." As long as each straw had a de minibus weight, the camel's back would never break. Obviously, this is a logical fallacy.

Appendix A, CEQA Checklist, Section XVIII ("Mandatory Findings of Significance") asks: "Does the project have impacts that are individually limited, but cumulatively considerable." We would answer this question in the affirmative.

The residents of the Burbank Neighborhood, and Bradley Manor in particular, have been forced to endure ever increasing levels of noise for more than 50 years from the intersection of two major freeways and two large arterials, with little or no mitigation. Bradley Manor has been unprotected from freeway noise since the installation of the freeways: no sound walls, no vegetation, and no attempt to reduce pavement-surface noise. The one sound wall on Pfeffer Lane (south of I280) does not shield Bradley Manor and may actually reflect sound into our neighborhood.

Therefore, the Board is very concerned the Department will pay particular attention to Noise Abatement and Noise Mitigation.

Section 2.13.3 of the Draft EIR/EA states:

"The project area is exposed to relatively high levels of noise from vehicular traffic. Vehicles traveling on the freeways and local streets ... produce Leq(h) noise levels that exceed FHWA's noise abatement criteria at various land uses that are located adjacent to these roadways."

Figure 12, "Noise Receptor Locations," reveals that virtually all the locations where noise levels were monitored are immediately adjacent to the freeways or arterials. Burbank residents have experienced that freeway noise does not confine itself to the areas immediately adjacent to the roadways. The "technical Noise Report (September 2009)" appears to be deficient in that it did not include any receptors not immediately adjacent to the roadways. Sound travels, and the study does not appear to acknowledge this fact. **The study should be repeated with several receptors in the interior of the Bradley Manor area and other areas of our community.**

#### B. Noise Abatement and Mitigation

The Draft EIR/EA concludes its section on noise and noise abatement with an "inten[tion] to incorporate noise abatement in the form of barriers at 1-880, with respective lengths and average heights of ... 1,100 feet/6-12 feet for Soundwall #2A, and 2,070 feet/6-14 feet for Soundwall #2B." Soundwalls 2A and 2B are located at the southwest perimeter and western perimeter of the Bradley Manor area.

### i.) Soundwalls

With regard to the noise abatement effort using soundwalls, the Burbank Community Association is concerned that Soundwalls 2A and 2B will be constructed before, or contemporaneously with, Soundwall 1 (west of I-880). If Soundwall 1 is constructed first, sound may be bounced into Bradley Manor and substantially worsen the noise from I-880 in Bradley Manor. **We therefore recommend that Soundwall 2 and Soundwall 2A be constructed simultaneously, or before, Soundwall 1.**

### ii.) Other Noise Abatement Techniques

The Department fails to mention and consider other Noise Abatement techniques. In particular, the Department fails to mention the use of **low-noise pavement materials**. Such low-noise pavement is already being used in the Bay Area, most notably on Highway 101 between San Carlos and the San Francisco Airport. This pavement material results in a significantly lower noise from tire-tread on pavement. Part of the obnoxious noise from the I-280/I-880 freeways is due to tire-tread noise. It is manifest as a whine or rumble. Where the pavement is also segmented, tire noise produces noticeable and obnoxious "tire-slap," which is in addition to the previously mentioned tire-tread noise.

**The Board of the Burbank Community Association wants the Department to use low-noise pavement materials for all new road, approach, and fly-over segments.** In addition, by way of mitigation for the effects of past freeway impacts on our community, the Board wishes that the Department **resurface the I-280 and I-880 freeways with low noise pavement, and to eliminate pavement segmenting, for at least one-half mile in any direction from the junction of the freeways.**

Finally, the Department makes only passing reference to vegetation, primarily as a mitigation for adverse aesthetic effects. We believe the Department should **consider the use of vegetation as an adjunct technique in noise abatement.**

### iii.) Noise Mitigation

The Department has not considered the funding of **residential sound insulation**, such as double pane windows or wall insulation, as a mitigation for home affected by adverse levels of noise. We urge the Department to consider this mitigation technique, as has been done for residents near the San Jose Mineta Airport. The cumulative effects of past freeway construction and expansion, when added to the incremental noise increase from the proposed instance project, require the Department to consider all mitigation techniques.

## II. Pedestrian and Bicycle Access and Safety

The Department addresses Pedestrian and Bicyclist Access and Safety in Section 2.6 of the Draft EIR/EA (pp. 60 - 80). However, the attention of this section is devoted almost exclusively to automobile traffic and the ways to promote its efficient movement.

There is virtually no mention of the safety of bicyclists, or of access for bicycles, in this section. Section 2.6.2.3 ("Existing Bicycle and Pedestrian Facilities") merely mentions that, "According to bikeways maps published by VTA and the City of San Jose, there are no bike lanes on any of the local streets in the project area. "

That section also makes a misstatement of fact in declaring that "[s]idewalks are present along both sides of local streets." (Section 2.6.2.3, p 63). In fact, there is a pedestrian walkway only on the south side of Forest Avenue as it crosses under I-880. This causes pedestrians to take a complicated path in walking to or from the Valley Fair Shopping Center along Forest Avenue and increases their exposure to impact by automobile.

Figure 6, "Study Intersections," fails to show the intersection of Forest Ave and I-880. **The Forest Avenue under-crossing should be included in the Study Intersections.**

The Department makes no effort to verify the accuracy of this VTA's assessment in its published maps, accepts them as definitive, and makes no mention of any intention by the Department to remedy the lack of bicycle lanes or paths within the project area and neighborhoods immediately adjacent to the project area.

Neither does the Department state any intention to promote the safety of bicyclists on the arterials adjacent to and part of the project, regardless of the existence or non-existence of bicycle lanes.

Similarly, aside from the construction of a new pedestrian bridge over I-280 as a replacement for the existing over-crossing, there are few specifics as to pedestrian safety and access.

Only when we get to Section 2.6.3 (p. 77) do we encounter a reference to "Pedestrian/Bicycle Facilities" which is promised in the Section title. Unfortunately, it is an empty reference, devoid of any substance:

"This section describes the effects of the project on traffic, transit, and pedestrian and bicycle facilities." Laboring on to section 2.6.3.5 we finally learn the extent of the Department's plans for addressing Safety and Access concerns for pedestrians and bicyclists:

"[T]he reconfiguration of the I-880/Stevens Creek Boulevard interchange will improve safety for pedestrians and bicyclists traversing that area."

There we have it: only the bald assertion that the Stevens Creek I-880 interchange will

somehow "improve safety for pedestrians and bicyclists traversing that area." There is no mention of sidewalks, physical barriers separating pedestrians and auto traffic at the Stevens Creek interchange, and no promise of bicycle lane markings or bicycle paths.

**We reject Section 2.6 of the Draft EIR/EA because it is defective and deficient in that it fails to state with any degree of specificity the extent and means of achieving the goals of safety and access for pedestrians and bicyclists as required by 23 CFR 652.**

Because it forms the basis for the conclusions of Section 2.6 and is incorporated therein by reference (Section 2.6.2), **we reject also the "technical Traffic Operations Analysis Report (June 2010)." We require that the study be performed anew, with specific attention to pedestrian and bicyclist safety and access.**

**At a minimum, we require specific plans for the complete separation of pedestrians from automobile traffic all along Stevens Creek Boulevard within the Project limits.**

**We require the establishment of bicycle lanes or bicycle paths all along Stevens Creek Boulevard and other arterials within the Project limits.**

**We require a pedestrian path to be constructed on the north side of Forest Avenue.**

**We require enhancements to the pedestrian path underneath I-880 along Moorpark Avenue.** Such enhancements shall include lighting, and netting to eliminate pigeon roosting and fecal matter deposits on the pedestrian way underneath the I-880 structures.

**We require the construction of wheelchair access on the sidewalk of the MacArthur Avenue bridge over I-280.** There is currently about a ten-inch drop-off and no curb-cuts at both ends of this sidewalk.

### III. The Environment

"Roughly 5 acres of landscaping will be removed within the I280 corridor and roughly 12 acres of landscaping will be removed with the I-880 corridor." (Report, Section 2.7.3, Visual/Aesthetics, p. 92).

**The planned removal of 5+ acres of soil and vegetation along I-280 and 12+ acres along I-880 requires mitigation in the form of in-kind conversion from pavement to soil and vegetation in the adjacent community.** This will reduce pavement run-off into the San Francisco Bay via our local streams, will help to sequester carbon, and will help the visual and aesthetic aspects of our community. If there is no land available along the

freeway corridors for landscaping replacement, then the replacement/mitigation shall be done within the adjacent community. **We suggest landscaped street medians, park strips or a pocket park within the Burbank Community as a possible mitigation.** All of Bradley Manor, and most of the Burbank Community, has no landscaped medians and no parks strips on the residential streets adjacent to the Project area. We have no parks of any size in the 400 acres of the Burbank Community.

#### IV. Community Cohesion

Mitigation is necessary to compensate for the loss of community cohesion following the construction of the I-280 and I-880 freeways. We believe that **an appropriate mitigation for loss of community cohesion would be to reconnect our severed community with a pedestrian over-crossing at Scott Street extending over the I-880 freeway.**

#### V. Local Traffic

**We are concerned that local traffic not be increased or impeded during Project construction and after its completion.** We are also concerned with damage to roadway surfaces during construction. In particular we are concerned with access and road conditions on Moorpark and Parkmoor Avenues.

Although our community does not directly abut Tisch Way, **we are concerned that making Tisch a one-way street, as proposed in the "5-legged" design, will result in inconvenience and longer travel times for Burbank residents.** We also oppose the one-way in general as requiring more automobile travel with the resulting increase in pollution, noise, and traffic volumes. One-way streets, in general, are more dangerous to pedestrians because they enable and encourage greater vehicular speeds and volumes.

#### VI. Summary

The Board makes the following recommendations:

##### A. Noise

1. **Soundwalls 2 and 2A shall be constructed**, and they shall be constructed **no later than Soundwall 1.**
2. Noise due to pavement-tire contact shall be reduced by the following methods:
  - a. **low-noise pavement surface** everywhere within the project limits, and extending no less than one-half mile in each direction from the freeway interchange.
  - b. **re-pavement of roadway surfaces to reduce segmentation** and resultant "tire-slap"
3. Payment for **window and wall insulation for residents** most impacted by noise.
4. **Repeat the technical Noise Report (September 2009) with monitoring locations**

**that are more interior** (away from immediately adjacent to the freeways).

#### B. Pedestrian/Bicyclist Safety and Access

1. **Complete separation of pedestrians from automobile traffic** all along Stevens Creek Boulevard within the Project limits. Such separation shall **include physical barriers wherever possible**.
2. **Bicycle lane markings or bicycle paths** all along Stevens Creek Boulevard and other arterials within the Project limits.
3. **Curb-cuts** at the ends of the sidewalk along the MacArthur Avenue bridge across I-280.
4. **Construction of a sidewalk on the north side of Forest Avenue** at the intersection of I-880 under-crossing and continuing to the nearest sidewalk in either direction.
5. **Improve the pedestrian path underneath I-880 along Moorpark Avenue**, by installing lighting and pigeon netting. Construct a railing or other traffic barrier on this segment.
6. **Repeat the "technical Traffic Operations Analysis Report (June 2010)"** with specific attention to pedestrian and bicyclist safety and access, and containing specific and detailed recommendations for pedestrian and bicyclist safety and access.

#### C. Environment

1. **Require in-kind conversion from pavement to soil and vegetation** of 17+ acres within the community adjacent to the Project limits. Consider neighborhood street medians, park strips or pocket parks as mitigation.

#### D. Community Cohesion

1. **Reconnect our community with a pedestrian bridge over I-880 at Scott Street.** This will also address pedestrian/bicyclist safety and access issues.

#### E. Local Traffic

1. **Avoid or mitigate local traffic increases** in our community during and after construction.
2. **Reject one-way status for Tisch Way.**

Sincerely yours,

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