

**Comment I-151 K. R. Kummerer**

**Comments concerning "State Route 85 Express Lane Project"**

krkummerer [krkummerer@comcast.net]

Sent: Thursday, February 20, 2014 8:29 AM

To: 85expresslanes

VTA & CALTRANS,

I am submitting to you, "Mr. Roadshow", and the Saratoga City Council my thoughts on the "State Route 85 Express Lane Project".

Comments Concerning "State Route 85 Express Lane Project"

I-151-1

I have lived in Saratoga since 1978 and have been aware of the controversies surrounding the Highway #85 extension from its inception. Opponents to the ~1985 ballot measure that would fund the Highway #85 extension by "temporarily" increasing the county sales tax said that the tax wouldn't be "temporary" and that if the measure passed VTA and CALTRANS would do as they pleased regardless of their promises and citizen input. Subsequent events have showed that the opponents were correct. The "temporary" sales tax increase did not pass with the 2/3 vote required for specific projects but with the measure's crafty wording and a compliant judge it was ruled legal even though it clearly violated the spirit of the law. The initial ~10 year "temporary tax increase" is still with us today, 30 years later. VTA and CALTRANS then decided to use a noisy grooved concrete surface because it would provide more traction when the surface was wet thus negating the need for an expensive safety barrier median between same grade opposing lanes. After numerous deaths on the extension this ridiculous decision was finally reversed and a safety barrier was installed. In addition, many voters did not know that 1 of the 3 lanes on Highway #85 would be designated as a carpool lane. This was not widely known until after the vote.

Promises to be sensitive to environmental concerns of the community were similarly ignored. NOTHING meaningful has been done in 30 years to mitigate the freeway's noise level even though many suggestions have been offered by the affected communities. CALTRANS ignored local suggestions and simply tried to re-grind grooved concrete. Needless to say, this did no good.

I-151-2

Now they are trying to rush through a "State Route 85 Express Lane Project" with limited public disclosure and a short public comment time period. Initially public comments were due on Jan 31, just 10 days after the finalization of the plan. The informative letter by Donna Poppenhagen in the Saratoga News on Feb 7 as well as a Feb 14 Saratoga News article describing a recent presentation to the Saratoga City Council on this issue was the first I had ever heard of.

I-151-3

In order to become more fully informed on this issue I visited the VTA web site and was NOT SURPRISED that they barely mentioned the most contentious issue in this plan; the proposed addition of a second carpool lane on Highway #85 between Highway #87 and #280. The proposal to add additional lanes ONLY in this area is simply ridiculous as everyone knows that the real "bottlenecks" during commute hours are at the junctions of 85 with 280 and 237. The potential for increased noise and pollution in the widened section of Highway #85 with no relief in congestion in the "bottleneck" areas should be obvious to everyone. The air in neighborhoods around the Highway #85 freeway already reek of exhaust fumes that were especially noticeable during our long stretches of "Spare the Air" days this winter.

While I know VTA and CALTRANS have to deal with the vociferous complaints of commuters who want free and fast commuting over ever increasing distances 24/7 they also have an obligation to the whole tax-paying public which they seem to ignore in pursuit of their parochial interests. It is long past time for them to be more responsive to the environmental concerns of the communities surrounding Highway #85.

I-151-4

I believe the best way for VTA and CALTRANS to serve the whole community is to designate all 3 commute congested lanes of Highway #85 as express lanes during the morning and evening commute hours. This will reduce the "bottlenecks" and will require no additional lanes in the presently proposed area. There won't be any need to seek federal funding along with its concomitant rules governing freeway use. Some of the money saved as well as the money collected from commuters can be used to FINALLY do something to mitigate the Highway #85 noise level.

K. R. Kummerer

19761 Lanark Lane

Saratoga, Calif.

**Responses to Comment I-151**

**I-151-1**

This comment was forwarded to Caltrans. Only the issues relating to the IS/EA are addressed.

Refer to Master Response N-3 regarding noise from SR 85 in Saratoga.

**Comment I-201 Donna Poppenhagan (2)**

**From:** [d.poppenhagan@comcast.net](mailto:d.poppenhagan@comcast.net)  
**To:** [supervisor.simitian@bos.sccgov.org](mailto:supervisor.simitian@bos.sccgov.org); [assemblymember.fong@ca.gov](mailto:assemblymember.fong@ca.gov); [85expresslanes](#)  
**Subject:** SR 85 Expansion  
**Date:** Friday, February 28, 2014 8:58:40 AM

Hello All;

I am writing to express my deep concerns and opposition to the expansion of two added Express lanes to SR 85 as proposed by VTA/Caltrans for the following reasons:

I-201-1 1. The additional lanes will add more traffic without addressing the current bottleneck at 280/85, nor any of the other points of severe congestion along the corridor. Furthermore, it does nothing to ease the congestion north of 280 which is a parking lot during commute hours.

I-201-2 2. No EIR with alternatives has been scheduled. VTA says one is not necessary. With the projected increase in traffic and the resultant noise/air/light pollution, this statement is absurd.

I-201-3 3. At 67 dB., the noise levels on SR 85 are already above acceptable state and federal levels and this project will greatly increase those levels. This must be fixed!

I-201-4 4. There is a VALID Performance Agreement that states that SR 85 is to be a 6-lane (not 8-lane!) freeway with the median reserved for light-rail. This could be basis for a law suit.

I-201-5 5. The citizens of the small cities along the 85 corridor voted to tax themselves rather than accept Federal monies so trucks would be prohibited from using 85. According to VTA's own admission, they are considering two (2) sources of Federal money, meaning we could not keep heavy, diesel-spewing trucks off the freeway. This is not acceptable.

Please don't allow VTA/Caltrans to go forward with this illegal, ill-conceived project which will only further pollute the environment and fill VTA's coffers without easing traffic congestion or reducing our carbon footprint.

Thank you,  
Donna Poppenhagan  
12487 Fredericksburg Dr.  
Saratoga, CA 95070  
408-867-2615

**Responses to Comment I-201**

**I-201-1**

The commenter's concerns are noted. The proposed project together with other planned projects would provide incremental improvements at choke points along the project corridor, as described in Master Response TR-2.

*I-201-2*

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area, including traffic, noise, air quality, and visual resources. Refer to Master Response GEN-3 regarding preparation of an EIR. Also refer to Master Responses TR-1 regarding traffic, N-1 regarding noise, and AQ-1 regarding air quality, and IS/EA Section 2.4.1 regarding lighting.

*I-201-3*

The comment states that noise levels are already above State and Federal standards. There is no absolute State maximum numeric threshold for freeway noise levels. The comment appears to refer to the Federal noise abatement criteria (NAC) of 67 dBA, which are shown in IS/EA Table 2.2.7-1. It is important to note that the NAC values are used to determine whether noise abatement must be considered, and do not represent levels to which noise must be abated. Master Response N-2 provides additional information about noise abatement evaluated for the project.

The project would increase existing noise levels by 0 to 3 dBA, depending on the location. This level of increase would not be significant, as discussed further in Master Response N-1.

*I-201-4*

The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements. Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

*I-201-5*

The use of federal funds will not have any effect on the existing truck restrictions on SR 85. Refer to Master Responses TR-1 regarding traffic and AQ-1 regarding air quality impacts.

**Comment I-202 Caroline Prasad**

**State Route 85 Express Lane Project**

Caroline Prasad [carolineprasad@yahoo.com]

Sent: Wednesday, February 26, 2014 1:58 PM

To: 85expresslanes

Cc: ctclerk@saratoga.ca.us; elo@saratoga.ca.us; jhunter@saratoga.ca.us; hmiller@saratoga.ca.us; mcappello@saratoga.ca.us; cpage@saratoga.ca.us; supervisor.simitian@bos.sccgov.org; assemblymember.fong@ca.gov

From:

Caroline Prasad

19770 Solana Dr. Saratoga, CA 95070

carolineprasad@yahoo.com

Subject: Objection to the "State Route 85 Express Lane Project" to increase the number of lanes on 85.

Dear Sir/Madam,

I object to the "State Route 85 Express Lane Project" to increase the number of lanes on 85, for the following reasons:

I-202-1

1: I am very concerned that this "State Route 85 Express Lane Project" to increase the number of lanes on 85 will cause a significant increase in noise to the residents who live near the freeway. I live near the freeway and I am already concerned about the noise level which I believe has deteriorated to the point where I request an environmental study to be done, especially in the backyards and 2nd floor of houses close to the freeway. The noise level especially in the 2nd floor of houses like mine close to the freeway and in the backyards is very loud. There is NO mitigation of the noise levels which are already ABOVE Federal standards of 67 dBA. I request quiet pavement technology (available today) to fix this issue first, before any further planning is done to build additional lanes.

I-202-2

2. I am also extremely concerned about air quality which has also significantly deteriorated based on the amount of dust and pollution that I observe near my house, most likely due to increase in traffic over the last several years. For this reason as well, I request an environmental study to be done, especially in the backyards of the homes next to the freeway. I heard the previous study was done at the time of peak unemployment, which is NOT representative of the traffic and environmental condition today.

I-202-3

3: The expanded lanes will do nothing to address the problem of traffic congestion at the freeway choke points, and will only add to congestion. If a long-term traffic congestion solution needs to be found, it needs to be light rail based or something similar, not more buses and express lanes.

I-202-4

4. This proposal does not honor the agreement with the City of Saratoga at the time the 85 freeway was built; the agreement was only for 6 lanes, with the median reserved for light rail/mass transportation, which is NOT express buses. This opens up many legal issues.

I-202-5

5. The space in the center divider of 85 was reserved for future light rail expansion. This will not be possible once the lanes are expanded.

I request the cancellation of the project or at least put it on hold until an environmental study is done and all the points indicated above are adequately addressed.

Sincerely,

Caroline Prasad

Concerned Saratoga Resident

**Responses to Comment I-202**

**I-202-1**

Refer to Master Responses N-1 regarding noise levels and N-2 regarding noise abatement.

The comment appears to refer to the Federal noise abatement criteria (NAC) of 67 dBA, which are shown in IS/EA Table 2.2.7-1. It is important to note that the NAC values are used to determine whether noise abatement must be considered, and do not represent levels to which noise must be abated. Master Response N-2 provides additional information about noise abatement evaluated for the project.

*I-202-2*

Refer to Master Response AQ-1 regarding air quality. The traffic studies for the project were conducted for the worst-case traffic scenario, which is constrained by the capacity of the freeway and is not affected by economic factors such as unemployment. The detailed noise and air quality studies for the project fully accounted for existing and future traffic conditions.

*I-202-3*

Refer to Master Response TR-1 regarding other projects designed to address choke points. Also refer to Master Response GEN-2 regarding light rail in the median.

*I-202-4*

See the response to Comment L-3-4 regarding the agreement with Saratoga. This project does not preclude light rail in the median in the future.

*I-202-5*

An environmental study has been done for the project and further evaluation is not warranted, as described in Master Response GEN-3.

**Comment I-203 Neil Prasad**

**From:** [Neil Prasad](#)  
**To:** [85expresslanes](#)  
**Cc:** [ctclerk@saratoga.ca.us](#); [elo@saratoga.ca.us](#); [ihunter@saratoga.ca.us](#); [hmiller@saratoga.ca.us](#); [mcapello@saratoga.ca.us](#); [craqa@saratoga.ca.us](#); [supervisor.simitian@bos.sccgov.org](#); [assemblymember.fong@ca.gov](#); [Caroline Prasad](#)  
**Subject:** State Route 85 Express Lane Project  
**Date:** Wednesday, February 26, 2014 7:59:41 PM

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From:  
Neil Prasad  
19770 Solana Dr. Saratoga, CA 95070  
[neilprasad4@gmail.com](mailto:neilprasad4@gmail.com)

Subject: Objection to the "State Route 85 Express Lane Project" to increase the number of lanes on 85.

Dear Sir/Madam,

I am sending this email to state that I object to the "State Route 85 Express Lane Project" to increase the number of lanes on 85, for the following reasons:

I-203-1

1: I am extremely concerned that this "State Route 85 Express Lane Project" to increase the number of lanes on 85 will cause a significant increase in noise to the residents who live near the freeway. I live near the freeway and I am already concerned about the noise level which I believe has deteriorated to the point where I believe the noise level violates Federal and other standards, especially in my backyard and the 2nd floor of my house close to the freeway. The noise level especially in the 2nd floor of houses like mine close to the freeway and in the backyards is extremely loud. There is NO mitigation of the noise levels which are already ABOVE Federal standards of 67 dBA. I request quiet pavement technology (available today) to fix this issue first, before any further planning is done to build additional lanes.

I-203-2

2. I am also extremely concerned about air quality which has also significantly deteriorated based on the amount of dust and pollution that I observe near my house, most likely due to increase in traffic over the last several years. Adding additional lanes will exacerbate the problem.

I-203-3

3: The expanded lanes will do nothing to address the problem of traffic congestion at the freeway choke points, and will only add to congestion. If a long-term traffic congestion solution needs to be found, it needs to be light rail based or something similar, not more buses and express lanes.

I-203-4

4. This proposal does not honor the agreement with the City of Saratoga at the time the 85 freeway was built; the agreement was only for 6 lanes, with the median reserved for light rail/mass transportation, which is NOT express buses. This opens up many legal issues.

I-203-5

5. The space in the center divider of 85 was reserved for future light rail expansion. This will not be possible once the lanes are expanded.

I request the cancellation of the project until all the points indicated above are adequately addressed.

Sincerely,

Neil Prasad  
Concerned Saratoga Resident

**Responses to Comment I-203**

*I-203-1*

See the response to Comment I-202-1.

*I-203-2*

See the response to Comment I-202-2.

*I-203-3*

See the response to Comment I-202-3.

*I-203-4*

See the response to Comment I-202-4.

*I-203-5*

See the response to Comment I-202-5.

**Comment I-204 [Number Not Used]**

There is no Comment I-204. This comment number was not used.

**Comment I-205 Jim Pyle**

**SR 85 Express Lanes**

Pyle, Jim S (US SSA) [jim.pyle@baesystems.com]

**Sent:** Thursday, January 23, 2014 9:38 AM

**To:** 85expresslanes

**Cc:** Pyle, Jim (pylepacker@comcast.net)

I-205-1

I am not in favor of any additional lanes being built on CA85 in the City of Saratoga area for the following reasons:

- There is no need
  - The existing commuter lane is not fully utilized during maximum traffic hours. Why would a second high speed commuter lane be necessary?

I-205-2

- Increased noise levels
  - The freeway is already not in accordance with the promised noise levels given in the agreements and Environmental Impact Report with the City of Saratoga and CALTRANS/VTA. An additional high speed lane of traffic will only make this problem worse.

I-205-3

- Deletion of the vehicle weight limit on CA85
  - I am against the use of any federal funds for any improvements on CA85 as that would open up the possibility of deleting the existing weight restrictions currently imposed on the freeway.
  - Adding large trucks to the traffic on CA 85 will increase the noise level (that is readily evident when illegal trucks go down the freeway in front of my house).
  - Truck traffic at night will make the noise level intolerable and reduce the value of my home even further than what occurred when CA85 was opened.
  - Truck traffic will only cause worse traffic slow-downs to what is already slow traffic on the two unrestricted lanes.

I-205-4

The CA85 corridor through the city of Saratoga should remain what it was always intended to be, a commuter freeway only. The freeway already has not given the local residents the promises on noise abatement. The VTA has not followed through with the CA85 bicycle route (something I would use to get to work), nor has there been any work performed on an extension of Light Rail in the CA85 median (another promise not followed).

**Jim Pyle**

Saratoga Resident  
18898 Bonnet Way  
Saratoga CA 95070  
[pylepacker@comcast.net](mailto:pylepacker@comcast.net)  
408 460-2966

**Responses to Comment I-205**

**I-205-1**

As described in Section 1.2.2.1, under “SR 85 HOV Lanes,” some of the existing HOV lane segments, particularly between SR 87 and I-280, experience peak-hour congestion and/or reduced speeds. The traffic study for the proposed project also shows that segments of the HOV lane system would operate at LOS D, E, and F (with decreased speeds and impaired traffic flow) in 2015 and 2035 (Section 2.1.3.2). Refer to Master Response TR-1 regarding improvements to future travel times and speeds with the project.

In regard to the reference to a high-speed commuter lane, note that the project would not change the posted speed limit on SR 85, and express lanes would be subject to the same speed limit as the general purpose lanes.

**I-205-2**

Refer to Master Response N-3 for a discussion of existing noise levels in Saratoga, future noise levels with and without the proposed project, and future noise levels that were predicted in the 1987 Final Environmental Impact Statement for the construction of SR 85.

The noise technical studies show that the project would result in a 0 to 1 decibel increase in traffic noise along the Saratoga portion of SR 85, as described in Master Response N-3. This increase would typically not be perceptible, as discussed in Master Response N-1.

**I-205-3**

The project would not change the existing truck restrictions on SR 85, regardless of whether federal funding is used.

**I-205-4**

The commenter's opposition is noted. Refer to Master Responses N-3 regarding noise in Saratoga and GEN-2 regarding light rail in the SR 85 median.

**Comment I-206 Nick Radov**

**opposed to SR 85 Express Lanes Project**  
Nick Radov [nradov@gmail.com]  
**Sent:** Tuesday, February 11, 2014 9:38 PM  
**To:** 85expresslanes; community.outreach@vta.org; Ngoc.Bui@dot.ca.gov  
**Cc:** Bijan.Sartipi@dot.ca.gov; sleonardis@losgatosca.gov; mjensen@losgatosca.gov; dmcnuttt@losgatosca.gov; jpirzynski@losgatosca.gov; bspector@losgatosca.gov; Mirela R. Radov [mizemun@yahoo.com]

I-206-1 [ I am writing to express my opposition to the SR 85 Express Lanes Project.  
<http://www.vta.org/projects-and-programs/highway/vta-express-lanes-sr-85-express-lanes-project>  
[http://www.dot.ca.gov/dist4/documents/85ExpressLanesProject/front%20matter chapter 1 thru chapter 6.pdf](http://www.dot.ca.gov/dist4/documents/85ExpressLanesProject/front%20matter%20chapter%201%20thru%20chapter%206.pdf)

I-206-2 [ This project will do nothing to solve long term traffic congestion problems. Furthermore it breaches Performance Agreements signed in 1988 - 1990 with Cupertino, Saratoga, Campbell, and Los Gatos. I encourage VTA and Caltrans to abandon this project and instead focus on installing light rail tracks in the median. We need to get commuters out of cars and make mass transit a viable option.

Nick Radov  
102 Bungalow Ter  
Los Gatos, CA 95032  
nradov@gmail.com  
+1-408-396-1100

**Responses to Comment I-206**

**I-206-1**

The commenter's opposition to the project is noted. The project would improve average travel times and speeds on SR 85 through 2035, as described in Master Response TR-1.

*I-206-2*

See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements cited in the comment. VTA is not aware of any additional requirements from a City of Campbell Performance Agreement.

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

**Comment I-207 Rainydae**

**85 express lanes**

rainydae@aol.com

**Sent:** Friday, February 14, 2014 6:38 PM

**To:** 85expresslanes

I-207-1 [ I am very against this proposal. The noise we hear from 85 is already disturbing!  
We can't even open our windows at night and must run the air conditioner instead!  
No bird songs, no crickets! Just big power bills! We say no!

**Responses to Comment I-207**

*I-207-1*

The commenter's opposition to the project is noted. The project would increase existing noise levels by 0 to 3 dBA, depending on the location. This level of increase is less than significant, as discussed in Master Response N-1.

**Comment I-208 Shoba Rao**

**Re: SR-85 express lanes**  
Shoba Rao [shobarao@gmail.com]  
**Sent:** Tuesday, February 25, 2014 9:04 PM  
**To:** 85expresslanes  
**Cc:** ctclerk@saratoga.ca.us; elo@saratoga.ca.us; jhunter@saratoga.ca.us; hmiller@saratoga.ca.us; mcappelo@saratoga.ca.us; cpage@saratoga.ca.us; supervisor.simitian@bos.sccgov.org; assemblymember.fong@ca.gov

Hello VTA representative

I-208-1 [ After reading through the plans on 85 corridor improvement, I strongly disagree to the various aspects of it.

- Noise level is very high in my backyard now. I think this change will only make it worse. I don't agree with analysis by VTA
- the traffic choking problem in SR 85/280 intersection is going to be worse, if anything
- The plan is in violation of the agreement that there will only be light rail instead of express buses. So, it is a legal breach of the agreement
- EIR report is unavailable which makes it very suspicious and misleading

Thanks  
--  
Rgds,  
Shoba.

**Responses to Comment I-208**

**I-208-1**

The opposition to the proposed project and existing noise levels are noted. The project would increase existing noise levels by 0 to 3 dBA, depending on the location. This level of increase is less than significant, as discussed in Master Response N-1.

A detailed traffic analysis was conducted and shows that the project would improve average travel times and speeds on SR 85, as described in Master Response TR-1. Master Response TR-2 discusses congestion at the SR 85/I-280 interchange and other planned projects.

The comment does not identify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements.

The Initial Study/Environmental Assessment (IS/EA) for the project was issued on December 30, 2013. Although the public review period ended on February 28, 2014, the IS/EA will continue to be available at the Caltrans District 4 Environmental Document website at <http://www.dot.ca.gov/dist4/envdocs.htm#santaclara>. The environmental impacts of the proposed project, including the additional express lane in each direction between SR 87 and I-280, have been fully evaluated in the IS/EA and appropriate measures have been included to avoid or minimize impacts. Refer to Master Response GEN-3 regarding preparation of an EIR.

**Comment I-209 Bob Rayl**

	Your Name : Bob Rayl Phone Number : Email Address : <a href="mailto:bobrayl@pacbell.net">bobrayl@pacbell.net</a>
I-209-1	Your Comments to the City Council of Saratoga, California : I do not favor any expansion of Highway 85 through the corridor of the City of Saratoga, except for light rail, because of my concerns of additional by-pass traffic on city streets, air quality and increased noise. The City Council should request a full EIR for the suggested project by VTA and Cal-Trans, and team up with neighboring cities to oppose this project. Most importantly, the Saratoga City Council should not re-negotiate or change any of the existing Freeway Agreement (September 19, 1989) between the State and the City of Saratoga for State Highway Route 85 from Quito Road to Prospect Avenue, I am also amazed, but not necessarily surprised, that city council representatives to the VTA ( Council-members Page and Miller) seem to have not kept the city council, administration and the community up-to-date about any Highway 85 project through Saratoga. Major regional projects by state agencies just do not pop-up over night.
I-209-2	
I-209-3	

**Responses to Comment I-209**

**I-209-1**

The commenter’s opposition to the project is noted. Refer to Master Responses GEN-2 regarding light rail in the median, TR-1 regarding traffic, AQ-1 regarding air quality, and N-1 regarding noise.

**I-209-2**

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area, including noise, air quality, and traffic. Refer to Master Response GEN-3 regarding preparation of an EIR.

See the response to Comment L-3-4 regarding the agreement cited in the comment.

**I-209-3**

IS/EA Chapter 3 and Master Response GEN-6 list the extensive public outreach that has taken place as part of this project, including two community meetings and a City Council meeting presentation in Saratoga.

**Comment I-210 Katherine Reader**

**Comments re: 85 Express lanes**

Katherine Reader [ktreader@comcast.net]

Sent: Wednesday, January 15, 2014 11:09 AM

To: 85expresslanes

I-210-1

I really object to express lanes. This is an absolutely crystal clear message to everyone that money can buy anything. The US didn't used to be so obviously this way and the older I get, the more obvious this becomes. Why don't you just charge everyone for using the "free" ways and you will relieve congestion by keeping all poor and lower-middle-class people off them altogether?

I strongly object to this plan. If rich people want to travel in carpool lanes, they should have to pay a poor person to ride with them; that would help get some unemployed people money, at least!

Katherine Reader  
1831 Van Buren Cir  
Mountain View, CA  
94040-4054  
phone: 650-969-4625

**Responses to Comment I-210**

*I-210-1*

The commenter's opposition to express lanes is noted. The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

**Comment I-211 Lisa Reiche**

**Express lanes will not help**

lisa.cowart@yahoo.com

Sent: Tuesday, January 28, 2014 8:34 AM

To: 85expresslanes

I-211-1

The carpool lane is often clogged with cars already during commute hours. Why would anyone want to pay a toll to sit in the same traffic as everyone else? How will this have any effect in reducing traffic?

Perhaps make it a toll freeway, as we do in other states. Car poolers and motorcycles can be free. Once it costs more to commute than it does to take public transportation, people won't drive so much.

Lisa Reiche  
664 SIERRA AVE. MOUNTAIN VIEW 94041

**Responses to Comment I-211**

*I-211-1*

The carpool/HOV lanes already have areas of congestion, as the commenter notes. The detailed traffic analysis indicates that the congestion will become worse in 2015 and 2035. The project would maintain traffic conditions in the express lanes at or near free-flow conditions through 2035 by adding a second express lane in the median between SR

87 and I-280 (IS/EA Section 2.1.3). The project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1. However, as stated in Master Response GEN-1, travel speeds in the HOV/express lanes must be 45 mph or higher for solo drivers to pay a toll to use the express lanes.

The commenter's recommendation is noted.

**Comment I-212 Dan Rhoads**

**Comments on proposed express lanes on 85**  
Dan Rhoads [dr.hoadsg@gmail.com]  
Sent: Friday, February 14, 2014 3:44 PM  
To: 85expresslanes

I-212-1 Hi: I realized I missed the council meeting where this topic was discussed. However, wanted to add a few comments that may/may not have been stated.  
I agree with the comments on sound concerns, adding more noise above the agreed 60db will not be acceptable to the neighbors in Saratoga nor Los Gatos.

I-212-2 1) Having commuted in the south bound direction during the week days, I fail to see how adding the ability to pay to ride in the carpool lane during commute times will be attractive. This lane is already full with valid carpool cars without having the tolls. I don't see drivers wanting to pay for something that is as slow and congested as the regular lanes. I would think your studies during commute time would show the results I observed as well.

I-212-3 2) This is strictly a "feeling" comment. LA already has these toll lanes for several years. Do we want to have our slogan to be "no better than LA traffic?" Wouldn't think that would sell in Bay area.

Thanks  
--  
Dan,  
[Dr.HoadsG@GMAIL.COM](mailto:Dr.HoadsG@GMAIL.COM)

**Responses to Comment I-212**

**I-212-1**

The project would increase existing noise levels by 0 to 3 dBA, depending on the location. This level of increase would not be significant, as discussed in Master Response N-1.

The comment refers to a 60 dB threshold but does not identify the source of the threshold. The 1987 Final Environmental Impact Statement (EIS) for the construction of SR 85 between US 101 in southern San Jose and I-280 in Cupertino, which includes SR 85 in Saratoga and Los Gatos, stated that noise attenuation would be provided in school and residential areas whenever forecasted noise levels exceed 67 dBA (p. XI-59). The Final EIS also notes that while it would be desirable to meet local noise goals, it is not always practical to do so (p. XI-55).

**I-212-2**

The carpool/HOV lanes already have areas of congestion as the commenter notes, and detailed traffic analysis indicates that the congestion will become worse in 2015 and 2035. The project would maintain traffic conditions in the express lanes at or near free-

flow conditions through 2035 by adding express lane capacity between SR 87 and I-280 (IS/EA Section 2.1.3). The project would improve overall average travel times and speeds on SR 85, as discussed in Master Response TR-1.

However, as stated in Master Response GEN-1, travel speeds in the HOV/express lanes must be 45 mph or higher for solo drivers to pay a toll to use the express lanes.

I-212-3

The comment is noted.

**Comment I-213     Stephen Roberts**

	<b>From:</b> <a href="#">Steve Roberts</a>
	<b>To:</b> <a href="#">85expresslanes</a> ; <a href="#">ctclerk@saratoga.ca.us</a> ; <a href="#">elo@saratoga.ca.us</a> ; <a href="#">jhunter@saratoga.ca.us</a> ; <a href="#">hmiller@saratoga.ca.us</a> ; <a href="#">mcappello@saratoga.ca.us</a> ; <a href="#">cpage@saratoga.ca.us</a> ; <a href="#">Supervisor.simitian@bos.sccgov.org</a> ; <a href="#">assemblymember.fong@ca.gov</a>
	<b>Cc:</b> <a href="#">Steve Roberts</a>
	<b>Subject:</b> 85 Corridor
	<b>Date:</b> Thursday, February 27, 2014 5:37:09 PM
I-213-1	<hr/> <p>Hi All, PLEASE STOP IT. I Oppose Hwy 85 Expansion!!! Thanks</p> <p>Stephen Roberts 119 Cherry Wood Ct. Los Gatos Ca. 95032</p>

**Responses to Comment I-213**

I-213-1

The commenter's opposition to the project is noted.

**Comment I-214 Brian Robertson**

**SR 85 Express Lanes**

Brian Robertson [BRobertson@infinera.com]

Sent: Sunday, February 23, 2014 8:42 AM

To: 85expresslanes

I-214-1 Regarding the VTA proposal for adding an Express Lane in addition to the conversion of current diamond lanes being added to HY85 (making it 8 lanes), I oppose proceeding without a full EIR. Further, VTA further needs to respect the 1989 Performance Agreement with the City of Saratoga for 6 lanes (maximum) with light rail. Equally required, is a commitment to repave with "Quiet Pavement" as documented in use by Caltrans to further mitigate the existing noise in excess of the Performance Agreement.

I-214-2 The Evaluation Assessment and Negative Declaration conducted by VTA for noise has much lower decibel ratings (up to 10db less) than what the City of Saratoga recently (summer of 2013) recorded. This was discussed and shared with VTA's John Risto at the February 6<sup>th</sup> Saratoga City Council meeting.

I-214-3 Further, as demonstrated when HY85 was built, the project compliance with 60db was far from being achieved due to the PCC (cement) highway. Even after grinding the sound has continued to worsen up to 70+ db (as measured by the City of Saratoga summer 2013). Over the past years, no money has supposedly been available to neither repave nor use the "quiet pavement" used elsewhere by Caltrans.

I-214-3 As documented on the California Department of Transportation website (<http://www.dot.ca.gov/hq/env/noise/pub/CaliforniaTestsShow.pdf>), starting in 1998, Caltrans had investigated European highways and installed "quiet pavement" on Interstate 80 just east of Davis. And in 2002, they repaved portions of HY280 on top of the same surface we have through Saratoga. The benchmark results do show that as much as a 6.2db reduction can be achieved.

I-214-4 With the existing noise levels documented in the EA stated as approaching or exceeding Federal Noise Abatement criteria, the already projected potential 3db increase does need to be mitigated. Since Caltrans has not met the original design criteria for HY85, how are we to believe they will not exceed the 3db estimate? Noise mitigation must be required. The technology and experience for the "quiet pavement" application has already been demonstrated by Caltrans.

I-214-5 Once again, I strongly request the VTA for a full EIR and to respect the Performance Agreement of 6 lanes and Light Rail. My additional ask, along with the EIR, are for VTA/Caltrans/MTC to repave HY85 through Saratoga (and Cupertino / Campbell / Los Gatos) with "quiet pavement". Clearly, since VTA/Caltrans have the capability to raise/allocate \$170-180 million to HY85, they should have the ability to apportion funds and deploy the technology already tested and proven to reduce noise with "quiet pavement" to help reduce the current limits exceeded.

Thank you.  
Brian Robertson  
Saratoga Resident

**Responses to Comment I-214**

**I-214-1**

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area,

including noise, air quality, and traffic. The technical studies included the additional express lane in each direction between SR 87 and I-280. Refer to Master Response GEN-3 regarding preparation of an EIR.

See the response to Comment L-3-4 regarding the agreement cited in the comment and Master Response N-2 regarding quieter pavement.

*I-214-2*

Refer to Master Response N-4 for a discussion of the SR 85 noise data in the City of Saratoga's 2013 Draft Noise Element compared with that in the 2012 *Noise Study Report* prepared for the proposed project.

*I-214-3*

The comment refers to a 60 dB threshold but does not identify the source of the threshold. At this time, FHWA policy does not allow quieter pavement to be considered as a noise abatement measure (Caltrans TeNS 2013). Quieter pavement is not currently listed in 23 CFR 772 as a noise abatement measure for which Federal funding may be used (Caltrans Protocol, p. 20). Although not considered an abatement measure for purposes of this project, the possibility of applying pavement surfaces that have a noise-reduction benefit, are cost-effective, and meet safety and maintenance requirements, can be considered at the time of final project design and development of contract specifications.

*I-214-4*

Where the future noise level with the project is predicted to approach (within 1 decibel) or exceed the NAC, an impact has been identified, and potential noise abatement has been evaluated in the IS/EA as required by Caltrans and FHWA (IS/EA Section 2.2.7.4, under "Traffic Noise Abatement Evaluation"). None of the evaluated sound wall locations met the Caltrans "feasibility" and "reasonableness" criteria. That does not mean noise levels cannot be reduced or that no other noise abatement can be considered or included in the project. Rather, the feasibility and reasonableness criteria are used to determine whether project-related noise abatement is eligible for federal funding. Potential noise abatement can be considered if non-federal funds are available.

Refer to Master Response N-3 regarding the comment that noise from SR 85 exceeds that expected at the time it was approved.

*I-214-5*

See the response to Comment I-214-1.

**Comment I-215 Mary Robertson (1)**

**Re: Contact the City Council of Saratoga, California Form Submission**

Mary Robertson [robertson.b.m@mindspring.com]

**Sent:** Tuesday, February 04, 2014 8:17 AM

**To:** Gpupdates [gpupdates@earthlink.net]

**Cc:** Barry Chang [barry4assembly@gmail.com]; bob rayl [bobrayl@pacbell.net]; mark@weisler-saratoga-ca.us; john.chen.sjca@mail.com; d.poppenhagen@comcast.net; plam\_93154@yahoo.com; cherielj@earthlink.net; shericourtney@yahoo.com; winnie\_chanlu@yahoo.com; 85expresslanes

Hi All,

I-215-1

For those of you that have not had the opportunity, you might listen to the Saratoga City Council Meeting of 1/16/2013 (last year) when VTA presented. It "might" give you some insight to council feelings by listening to council comments. Some comments may be at end also. In addition you can also listen to council comments for the January 15, 2014 meeting that Cheriell spoke at. Listen to comments at end of video as this is where council discusses 85.

Mary

**Responses to Comment I-215**

**I-215-1**

The comments are noted.

**Comment I-216 Mary Robertson (2)**

On Feb 7, 2014, at 12:42 PM, "Mary Robertson" <[robertson.b.m@mindspring.com](mailto:robertson.b.m@mindspring.com)> wrote:

Dear Mr. Ristow,

Thank you for taking the time to come out to present the VTA proposal on SR 85 on February 5, 2014.

I spoke with you after the meeting to inform you that this proposal was not properly noticed via the project description as posted in the January 30, 2014 San Jose Mercury News and is in fact deceptive to the public.

I pointed out to you and had you read the Mercury News Public Notice description which is as follows:

"What's being planned: The California Department of Transportation (Caltrans), in cooperation with the Santa Clara Valley Transportation Authority (VTA), is proposing to convert the existing High-Occupancy Vehicle (HOV) lanes on State Route (SR)85 to express lanes. The express lanes would allow HOV's to continue to use the lanes without cost and eligible singular occupant vehicles to pay a toll."

I-216-1

1. As you can see above, the description does NOT mention anything about ADDING (2) additional lanes of traffic. It only speaks of Converting EXISTING lanes.

I am asking that you REPOST and properly NOTICE this transformation of SR85 to read, ..... "convert the existing HOV Lanes and add (2) additional Lanes....."

In addition, since this was not properly noticed, I would also request that an extension to public comment be made as well.

Please Advise.

I-216-2

2. I am also asking that you Notice/post in the World Journal or SingTah Daily so as to communicate to various families living along the corridor that do not utilize the Mercury News.

Please Advise.

I-216-3

3. Posted on the MTC website is "Bay Area Plan 2013 (July 2013). It references (2) line item costs associated with SR85. One line item is RTPID 240439 in the amount of \$187 Million. The other line item referenced is RTPID 240742 in the amount of \$791 Million. I have already spoken with John Goodman of the MTC. He has referred me back to the VTA as the source of the costs and

I-216-3,  
cont.

information. I would like to understand how much of the \$791 Million is apportioned to SR85 and for what?

Please Advise.

Thank you for answering, in a timely fashion, my requests and questions above.

Sincerely,

Mary Robertson  
(A long time Santa Clara Valley Resident)

Dear Mr. Ristow,

I-216-4

Thank you for your response. Since the original VTA notice postings were inaccurate (deceptive one might say), it seems to me that it is only right that the Public comment period be extended.

1. With the reissuing of the Public notice, will the public comment period be extended 30 days past the PROPER reposting of this Freeway Expansion?

Please Advise

I-216-5

2. Will VTA be posting public notice in the World Journal and Sing Tah Daily? Many residents in the corridor utilize these papers as their main source of information and certainly have a right to know what is occurring in their native language. While you have the E/A posted in various languages on your site, it is not helpful if the original notice is not communicated to readers of the (2) papers mentioned above.

Please advise

3. Please clarify costs further. As mentioned below, MTC has advised me that all costs, as published in their reports, come directly from the various agencies, in this case VTA. The 2011 document you refer to below from the August 2011 Project Study Report actually indicated that this freeway project as submitted by VTA was going to cost \$1.2 BILLION. Now it appears the same project has been **significantly** reduced to the neighborhood of \$170M to \$187M(as published again by MTC).

I am really having a hard time understanding how a project goes from \$1.2 Billion as published (Table 92 screen shot below and published MTC August,2011) to the current cost levels. That is an 86% reduction in costs and project scope?? That raises a red flag for me!

I have to really wonder what is being left out of this current project (\$170-\$187Million) in total or is the VTA breaking up the project in its totality and performing the entire project as outlined in \$1.2 Billion over a phase-in/peacemeal fashion so as to make it appear costs are lower.

I-216-6 In addition and as indicated below, the most recent Final Plan Bay Area project list as published by MTC July 2013 (again with information submitted by VTA) indicates the RTPID 240439 in the amount of \$187 Million. The other line item referenced is RTPID 240742 in the amount of \$791 Million. What does this \$791Million refer to.? I have given you the RTPID nos. for reference.

Since VTA is a government agency, sunshine law and all, as a member of the taxpaying public, I have real questions as to the REAL dollar costs of this project.

Please advise how such a project can go from \$1.2Billion to \$187 Million.

Please advise: Just as Table 92 has a breakout of costs, I would like the same breakout for the \$170Million to \$187Million Project.

Please advise what the additional \$791 Million as listed by MTC per VTA referencing this SR85 project is to be used for.

Thank you,

Mary Robertson  
(A Long Time Santa Clara Valley Resident and Concerned Taxpayer)

Mr. Ristow,

Thank you for your response below.

I-216-7 I look forward to hearing MTC response to the numbers published in their Published Document which they have indicated, to myself,came from VTA directly. Table 92 was indicated by MTC to have come from VTA and the "exercise" was in reference to the HOV Conversion as well as the HOT addition on SR85.

Since you have indicated the project to cost \$170 million, please advise where I can find the breakout of the costs relating to this project. For instance, excavation cost, road surface/specified cost, signage, center cement median replacement cost, Fast track monitor poles cost, lighting poles cost, road re-stripping

I-216-7 cost, drainage cost, HOT lane monitoring costs, etc. I would like to see the breakout of the costs much as was  
cont. presented in Table 92 which I had attached in the original email.

Thank you for your help with this,

Mary Robertson

### **Responses to Comment I-216**

#### **I-216-1**

The public review and comment period for the proposed project was extended to February 28, 2014, and additional public outreach was conducted to clarify information about the second express lane between SR 87 and I-280, as described in Master Response GEN-6.

#### **I-216-2**

The commenter's recommendation is noted. Project notices have been advertised in *El Observador*, *Sing Tao*, *Korea Times*, and *Viet Nam*, as described in Final IS/EA Section 3.3.

#### **I-216-3**

The proposed project is listed in Plan Bay Area as RTP ID 240439.

The difference in costs from the MTC *Plan Bay Area* Regional Transportation Plan and now is due to an early 2011 estimate prepared for that plan and a refined and updated cost estimate now that studies have progressed further into preliminary engineering. Some project scope and update costs were revised resulting in a lower overall cost estimate. It is still early in the development of the project, and the estimates can change as the project moves forward.

As to the costs, the numbers used (\$187 million revised to \$170 million) are the correct numbers. The form attached to the email may have come from MTC and was prepared for a separate unrelated exercise.

#### **I-216-4**

The public review and comment period for the proposed project was extended to February 28, 2014, and additional public outreach was conducted in mid-February to clarify information about the second express lane between SR 87 and I-280. Refer to Master Response GEN-6 regarding public notices.

#### **I-216-5**

See the response to Comment I-216-2.

#### **I-216-6, I-216-7**

See the response to Comment I-216-3 and Master Response GEN-10 regarding costs.

**Comment I-217 Mary Robertson (3)**

**From:** [robertson.b.m@mindspring.com](mailto:robertson.b.m@mindspring.com)  
**To:** [85expresslanes](#)  
**Subject:** Not in favor of SR 85 Express Lanes Project  
**Date:** Thursday, February 27, 2014 12:25:22 PM

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I-217-1 I am not in favor of the Highway 85 express lane project for the following reasons:

1. The additional lanes from Camden to I 280 violate the performance agreement Caltrans and VTA had with the cities along the corridor to put lightrail in the median of a six lane freeway(current freeway status).

Why are you not adhering to the performance agreement?

2. The Neg Dec E/A indicates on the page signed by Melanie Brent, Deputy District Director of Caltrans that the project description involving SR85 "proposes to convert the existing High-Occupancy Vehicle(HOV) lanes on State Route (SR) 85 to express lanes.....The express lanes would extend along the entire 24.1 mile length of SR85 and 1.5Miles of USH 101...The project would also convert the SR85/ US101 HOV direct connectors in San Jose to express lane connectors, add signs to 4.1 miles of US 101North of SR85 in Mountain View and Palo Alto and to 1.8 miles of US 101 between Metcalf Rd and Bailey Ave. in San Jose, and add an auxiliary lane to 1.1 mile segment of northbound SR 85 between South De Anza Blvd and Stevens Creek Blvd in Cupertino."

On page i of the E/A it indicates," The California Dept of Transportation, in cooperation with the Santa Clara Valley Transportation Authority (VTA), proposes to convert the existing High-Occupancy Vehicle (HOV) lanes on State Route (SR) 85 to express lanes..."

AT NO TIME IS THERE REFERENCE IN THE NEG DEC SIGNOFF NOR REFERENCE IN THE SUMMARY TO ADDING (2) ADDITIONAL LANES IN THE CORRIDOR MAKING THE FREEWAY AN 8 LANE ROAD GOING PREDOMINATELY THROUGH RESIDENTIAL PROPERTIES.

I-217-2 Again on page 1-1, Chapter 1, 1.1 Proposed Project again is listed as : The California Dept of Transportation,...., proposes to convert the existing HOV lanes on State Route 85 to HOT lanes..... This page also references the 2009 Santa Clara VTA Plan 2035 listing this project which again is listed on page 69 and again on page 170 VTP ID "H-1" as converting existing lanes only.

You cannot have it both ways in that you present this E/A as signed off by Caltrans Proposed Negative Declaration as being for "conversion only" and then later in the E/A talks about adding lanes.

How can you possibly claim there is no added affects with additional lanes?

The entire Neg Dec is invalid based on what Caltrans has signed off on (conversion only of existing lanes) vs your presentations of conversion and ADDING (2) lanes.

How can you sign a Neg Dec declaring one thing (conversion of

I-217-2, cont.	existing lanes) and then later add (2) lanes to your project??
I-217-3	3. Adding additional lanes is a TYPE 1 Federal Project requiring a full EIR. Why are you not doing a full EIR??
I-217-4	4. In reviewing your Table S-1 Summary: Land use: The build alternative does indeed affect the median that was reserved for lightrail per the performance agreement the Cities along the corridor have with Caltrans and VTA.
I-217-5	Growth: The build alternative could increase cars in the intended additional lanes corridors by as much as 35-53% assuming full capacity of 1650 cars. This is a substantial increase of vehicles and would be designated by the Feds as a Type 1 Highway project as this is putting additional cars on the road.
I-217-6	Visual Aesthetics: In many parts of the corridor, the freeway is depressed as low as 5-10 feet with berms or sound walls as low as 12 feet. With signs as high as 26 feet and lighting listed as high as 40 feet these would be visually UNCOMPATIBLE with the existing freeway setting or surrounding areas. What type of mitigation would be provided to bordering residences for the light pollution of lighting in which the structures would be substantially higher than the sound walls, as well as visual pollution of toll signs, or express lane entrance/exist signs?
I-217-7	Hazardous Waste/Materials: How is this going to be handled? As I recall, when this original freeway was constructed, hazardous areas were encountered, one not too far away from Blue Hills Elementary School. What type of notice have you provided to the Elementary school and District regarding the additional lanes and ground disturbance. Have the Schools along this corridor been properly notified and had the opportunity to comment on this project??
I-217-8	Air Quality: With an increase of 35-53% in vehicles along corridor between SR87 and I280, there will also be an increase in pollutants. Unless you stop each car every day, the national control standards do not mean a thing. If trucks are allowed in the corridor, the pollutant factor increases further.  How do you plan on mitigating pollutants?
I-217-9	Noise: Current noise Levels conducted by the City of Saratoga regarding SR85 show levels of 67dBA to 71dBA. These are already exceeding Federal abatement standards. In addition a VTA noise Study done September 2001 titled "Evaluation of Noise Mitigation Alternatives for Route 85" showed that PCC is substantially noisier than Quiet pavement. What type of mitigation will you provide to bring the noise levels down below federal standards as was originally promised by Mr. William Kempton, Caltrans Executive, in January 1989 before the City of Saratoga?  You have a current problem in exceeding standards and the fact that an additional 35-53% in capacity will occur will far exceed the 3-5 dBA which will be more than a doubling of sound to the human ear. As we know, the tires to road create high frequencies of sound which are more disturbing than low frequencies of sound to the human ear.  What are the frequencies of sound levels with these additional cars?

I-217-9, cont.	<p>How will you mitigate this additional noise? Will you be installing quiet pavement as was done in San Rafael on 101?</p> <p>How will you mitigate the current noise levels of 67-71dBA currently experienced along this freeway? Will you be installing quiet pavement as was done in San Rafael on 101 and I-80 around Sacramento?</p> <p>The noise studies were conducted in October/November 2011. In researching unemployment numbers for Santa Clara County, a graph from the ST. Louis Federal website depicts the timing of the noise study to be conducted at one of the highest times of unemployment over the past 24 years. High unemployment means less cars on the road for your noise readings.</p> <p>How do you reconcile the noise differences between your study and the City of Saratoga's</p>
I-217-10	<p>Climate change: It is stated that in 2015( assuming the freeway was built then) would have higher carbon dioxide emissions than existing conditions. As indicated above 35-53% more cars would be on the road. More cars in 2015 and more cars in 2035 equal more emissions, more greenhouse gasses. The PSR (October 2010) signed off by Caltrans indicates that this project will be good till 2023 -2028 and then full congestion again. More cars, congestion, more fumes.</p> <p>How do you plan on insuring carbon dioxide emissions, greenhouse gasses, and particulates do not exceed what they are already today?</p>
I-217-11	<p>Deficiencies: This project does not fix the following: 85 North/280 bottleneck that currently exists 85 South/17 bottleneck that currently exists 85 N/EI Camino Real bottleneck that currently exists 85 N and Homestead and Fremont Ave bottlenecks that currently exists etc Your field observations at various points in your traffic study indicated that the lanes in most areas are not congested but merging is a problem. Maybe you should try fixing the merging first by installing more ramp metered lights, a few painted lines designating spots to merge in and out of. In other words, you are not fixing the bottlenecks that currently exist with 3 lanes of traffic. You are adding a 4th lane to further contribute to this bottleneck.</p> <p>The bottom line is that this is an unacceptable project which per your PSR of October 2010 on page 22 indicates may be outdated by 2023. This proposal is a short term solution.</p> <p>Light rail that goes where people want to go is what is needed to move large masses of people out of their cars and into this form of transportation. Light rail will take cars off the road really reducing greenhouse gasses. Light rail is what the median was reserved for.</p> <p>While I will expect an answer to my questions, I would like to reiterate, do not waste my tax dollars on a short term solution! Scrape</p> <p>Thank you, Mary Robertson</p>

## **Responses to Comment I-217**

### **I-217-1**

See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements cited in the comment. Note that no other cities provided comments regarding Performance Agreements for the original construction of SR 85.

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

### **I-217-2**

The IS/EA included and described the proposed addition of a second express lane between SR 87 and I-280. Advertisements in the following newspapers were run on the following days to clarify that the project would include the second express lane: local English-language newspapers (*Mercury News*, February 14, 2014 and *Philippines Today*, February 12, 2014); and foreign-language newspapers (*El Observador*, February 14, 2014—Spanish, *Sing Tao*, February 14, 2014—Chinese, *Korea Times*, February 14, 2014—Korean, and *Viet Nam*, February 14, 2014—Vietnamese).

The second express lane was fully disclosed in the IS/EA, and is shown in Figures 1.1-2 and 1.3-1 of the IS/EA and discussed in Sections 1.2.2.3, 1.3.1, 1.3.1.9, 1.3.1.10, 1.3.5.1, 1.3.5.2, 2.1.1.3, 2.1.2.2, 2.1.3.2, 2.1.4.3, 2.2.6.3, 2.2.7.3, 2.2.7.4, 2.5.1.1, and 2.5.1.2, as well as in Appendix C. The second express lane was also fully analyzed in all of the technical studies for the project.

In addition, the IS/EA has been revised to identify the second express lane on the title page, Negative Declaration, Summary, and beginning of Chapter 1.

### **I-217-3**

The proposed project is a Type I project as defined by 23 Code of Federal Regulations 772.7, as noted in IS/EA Section 2.2.7.3. The Type I designation refers to the level of noise analysis that is required (Caltrans 2011d). The project's noise analysis satisfies the requirements for a Type I project.

The Type I project designation does not relate to the type of environmental document that should be prepared for a project. An Initial Study/Environmental Assessment (IS/EA) was prepared for the proposed project, and many other Type I projects are evaluated in IS/EA reports.

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area. Refer to Master Response GEN-3 regarding preparation of an EIR.

### **I-217-4**

Refer to the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements.

The extension of light rail along SR 85 is not a planned or programmed project. The IS/EA Table S-1 description of land use remains accurate.

**I-217-5**

The comment does not identify the basis for the statement that the Build Alternative would increase vehicles by 35 to 53 percent. It should be noted that 1,650 vph is considered the threshold needed to maintain 45 mph in an HOV/express lane. During the peak hour, when congestion is highest, the express lanes would be managed through toll pricing, and solo drivers would be restricted if necessary to maintain free-flow conditions for HOVs. Also refer to Master Response GEN-1 regarding maintaining speeds of 45 mph or greater.

See the response to Comment I-217-3 regarding the Type I designation.

**I-217-6**

The project would add signs along SR 85, and additional discussion and exhibits about the signs and other project components have been added to IS/EA Section 2.1.4. See the responses to Comments L-1-24 and L-3-20 regarding the signs and lighting.

Unlike the existing lighting along the freeway that illuminates the outside lanes and freeway entrances and exits, the new luminaires will be in the median and will be focused on the inside lanes. The proposed luminaires and other light fixtures would have lighting configured at the minimum necessary illumination level and optimal angle to restrict light to the freeway right-of-way. If needed, the fixtures would be outfitted with shields to prevent light trespass to surrounding properties.

**I-217-7**

The commenter is referred to IS/EA Sections 2.2.5.3 and 2.2.5.4 regarding potential hazardous materials sites. Public outreach for the project is described in IS/EA Chapter 3.

**I-217-8**

Project-related effects to air quality were evaluated in detail as described in Master Response AQ-1, and measures to control dust and emissions during construction are listed in IS/EA Section 2.2.6.4. The project would not change the existing truck restrictions on SR 85.

**I-217-9**

The comment appears to refer to SR 85 noise data in the City of Saratoga's 2013 Draft Noise Element compared with that in the 2012 *Noise Study Report* prepared for the proposed project. Refer to Master Response N-4 for a discussion of these noise data.

The comment states that noise levels already exceed the Federal standard of 67 dBA. The comment appears to refer to the Federal noise abatement criteria (NAC), which are shown in IS/EA Table 2.2.7-1. Where the future noise level with the project is predicted to approach (within 1 decibel) or exceed the NAC, an impact has been identified, and potential noise abatement has been evaluated in the IS/EA as required by Caltrans and FHWA. It is important to note that the NAC values are used to determine whether noise abatement must be considered, and do not represent levels to which noise must be abated.

The comment is incorrect that a 3 dB difference is a doubling of noise. A 3 dB increase in noise level represents a doubling of acoustic energy, rather than a doubling in perceived loudness. As stated in the City of Saratoga Draft Noise Element, a 3 dB change is considered a just-noticeable difference in noise level, and a 10 dB change is subjectively

heard as approximately a doubling in loudness (City of Saratoga Noise Element, p. 5). The sound frequency from vehicles on SR 85 would be the same with or without the project. Refer to Master Response N-2 regarding quiet pavement.

Noise measurements for the 2012 *Noise Study Report* were collected in October and November 2011 and in March 2012. Based on unemployment data for Santa Clara County, the highest unemployment rates in recent years were for 2009 and 2010, before the noise study was conducted.

Although employment levels have increased since the *Noise Study Report* was prepared, it is important to note that the noise measurements and predicted future levels (assuming growth in the area through 2035) reflect the worst hour for traffic noise, when traffic is heavy but still moving at or close to the speed limit. Adding vehicles to the freeway due to an assumption of higher employment would result in congestion and slower speeds, which would decrease, not increase, traffic noise levels. Therefore, a new noise study to capture the effects of higher employment levels would not result in different conclusions.

As discussed in Master Response N-4, there is no conflict between the City of Saratoga's 2013 Draft Noise Element and the 2012 *Noise Study Report* prepared for the proposed project.

*I-217-10*

IS/EA Section 2.5.1.1 provides a project-level evaluation of carbon dioxide (CO<sub>2</sub>) emissions prepared using the most recent project data in accordance with Caltrans modeling standards. The 2010 PSR was prepared before the project design was refined. The technical studies, including detail traffic and air quality studies, were prepared after the PSR.

The Build Alternative would have slightly higher CO<sub>2</sub> emissions in 2015 than existing and No Build conditions (Final IS/EA Table 2.5.1-1, which has been refined to include CO<sub>2</sub> and other GHG components). The project-related increase in 2015 would be 3.7 percent compared with existing conditions and less than 0.5 percent compared with the No Build Alternative.

However, in 2035, the Build Alternative would have substantially lower CO<sub>2</sub> emissions than the No Build Alternative. The 2035 Build CO<sub>2</sub> emissions would also be lower than existing CO<sub>2</sub> emissions.

Greenhouse gas reduction strategies are discussed in IS/EA Section 2.5.1.2. The project would result in negligible changes to air quality and would have long-term air quality benefits, as described in Master Response AQ-1.

*I-217-11*

Reconstructing the SR 85/I-280 interchange or other bottlenecks is not within the scope of the project. Refer to Master Response TR-2 for additional information about other planned improvements that, together with the SR 85 Express Lanes Project, would provide incremental improvements to bottlenecks at major system interchanges.

The statement regarding the 2010 Project Study Report is incorrect; the discussion cited indicates that the HOV lane (that is, the existing HOV lane) would reach capacity between 2023 and 2028. The proposed project would help to address this situation by

adding a second HOV/express lane in the median in each direction of SR 85 between SR 87 and I-280.

Refer to Master Response GEN-2 regarding light rail in the median.

**Comment I-218 Fiona Rodrigues**

**Express lanes on highway 85**

Gary Rodrigues [gary@grodrigues.com]

Sent: Wednesday, January 15, 2014 3:13 PM

To: 85expresslanes

I-218-1

Don't let the HOV lanes on Highway 85 be turned into "express lanes". The change would cause the "Environment-Friendly-Lanes" to be turned into "Rich-Man" lanes. The HOV lanes are getting people to carpool and drive environmentally friendly cars. Don't ruin it.

Fiona Rodrigues  
Saratoga Resident

**Responses to Comment I-218**

**I-218-1**

The commenter's opposition to the proposed project is noted. The express lanes would create additional capacity and maintain priority use for carpools, transit buses, and other HOVs, which would continue to use the lanes for free. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Refer to Master Response GEN-1 regarding the express lanes.

Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

**Comment I-219 Gary Rodrigues**

**Highway 85 Express Lanes**

Gary Rodrigues [garyr@starone.org]

Sent: Wednesday, January 15, 2014 12:37 PM

To: 85expresslanes

I-219-1

Please don't let the HOV lanes on Highway 85 be turned into "express lanes". The change would cause the "Environment-Friendly-Lanes" to be turned into "Rich-Man" lanes. The HOV lanes are getting people to carpool and drive environmentally friendly cars. Don't ruin it.

Gary Rodrigues  
Saratoga Resident

**Responses to Comment I-219**

I-219-1

See the response to Comment I-218-1.

**Comment I-220 Paul Rood**

**From:** [Paul Rood](#)  
**To:** [85expresslanes](#)  
**Date:** Thursday, February 27, 2014 3:18:16 PM

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I-220-1 [ How dare you take our money then charge us to use the road.  
nobody asked for it and nobody wants it!!! this is part of Agenda 21 and it must be stopped. This is  
the camels nose under the tent! [then you have the whole camel]  
This must not proceed!

**Responses to Comment I-220**

I-220-1

The commenter's opposition to the project is noted.

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

**Comment I-221 Steve Rosenblum**

**SR85 Express Lanes**  
Steve Rosenblum(pol1) [pol1@rosenblums.us]  
**Sent:** Friday, February 07, 2014 11:51 AM  
**To:** 85expresslanes

I-221-1 [ I strongly oppose this proposal as it will encourage more automobile traffic on our roads, increasing the emission of global warming gasses. It will also mostly benefit the wealthy at the expense of the poor as only the richer drivers will be willing to pay the tolls to save time, leaving the poorer drivers sitting in stopped lanes. A much better alternative would be to put this money into mass transit options such as express busses and light rail with convenient feeder routes to get people to their work destinations in times comparable to auto travel during commute times.

Stephen Rosenblum  
Palo Alto

**Responses to Comment I-221**

I-221-1

The commenter's opposition to the project is noted. Refer to Master Responses TR-1 and TR-2 regarding traffic and AQ-1 regarding air quality.

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes

provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

Refer to Master Response GEN-7 regarding why transit options are not being implemented instead of the proposed project.

**Comment I-222 Susan Rosenzweig**

**From:** [Susan Rosenzweig](#)  
**To:** [85expresslanes](#)  
**Subject:** VTA Freeway 85 Project  
**Date:** Friday, February 28, 2014 2:39:51 PM

I am a resident of Saratoga and attended the VTA Freeway 85 project meeting held at the Saratoga Library Tuesday evening, Feb 25. As a result of the presentation by the VTA representative, I would like you to address following comments/questions:

- I-222-1 1. The noise measurements you took in 2009 are not valid. We were in the depths of the worst recession since the Great Depression. The traffic had disappeared. Everyone was out of work!! A recent study done by the town of Saratoga, using the same contractor as you did, showed much higher readings, far exceeding the limit agreed upon when 85 was first built.
- I-222-2 2. The original Contract signed by the local community leaders and the County agency in charge at that time, said that the 85 median would be reserved for future light rail. You can not contractually use that for another lane of gas powered vehicles even if they are hybrids.
- I-222-3 3. Using the proposed new lane for Express Buses is not equivalent to light rail!! Hybrid does not equal all electric. You will be adding to the overall Carbon particle-rants in the air when you should be finding the best ways to reduce them. Less cars/busses not more.
- I-222-4 4. The priority for any new funds should be alleviating the rush hour bottleneck at the 85/280 merge. Adding another lane of traffic feeding into that same bottleneck will exacerbate the problem. If that problem is a 280 issue, not an 85 issue as the speaker indicated then concentrate on 280 and not 85!
- I-222-5 5. Your whole approach seems to be short sighted. The valley is expanding in people and jobs. The proposed Express lanes will be obsolete before they are even in place.

Susan Rosenzweig  
[srosenz@comcast.net](mailto:srosenz@comcast.net)  
12154 Marilla Drive, Saratoga  
408-257-1396

**Responses to Comment I-222**

**I-222-1**

Noise measurements for the 2012 *Noise Study Report* were collected in October and November 2011 and in March 2012. Based on unemployment data for Santa Clara County, the highest unemployment rates in recent years were for 2009 and 2010, before the noise study was conducted.

Although employment levels have increased since the *Noise Study Report* was prepared, it is important to note that the noise measurements and predicted future levels (assuming

growth in the area through 2035) reflect the worst hour for traffic noise, when traffic is heavy but still moving at or close to the speed limit. Adding vehicles to the freeway due to an assumption of higher employment would result in congestion and slower speeds, which would decrease, not increase, traffic noise levels. Therefore, a new noise study to capture the effects of higher employment levels would not result in different conclusions.

Also refer to Master Response N-4 regarding a discussion of the Saratoga Noise Element Update noise levels and the IS/EA noise levels.

**I-222-2**

See the response to Comment L-3-4 regarding the agreement and Master Response GEN-2 regarding light rail in the median.

**I-222-3**

Additional express bus service on SR 85 is not included as part of the project but could be considered as part of reinvestment of toll revenue in the project corridor.

The project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1, which in turn would reduce emissions from vehicles idling. Carbon emissions from the project were fully evaluated in IS/EA Sections 2.2.6.3 (under “Evaluation of Potential for Traffic-Related CO Impacts,” for carbon monoxide) and 2.5.1.1 (for carbon dioxide).

**I-222-4**

The proposed project together with other planned projects would provide incremental improvements at the I-280 interchange, as described in Master Response TR-2.

**I-222-5**

The project was proposed to accommodate expected local and regional growth. See IS/EA Section 1.2.2.1 (under “Projected Travel Demand”) for additional information.

**Comment I-223 Carol Ross**

From: Carol Ross [cross2@comcast.net]  
Sent: Thursday, February 27, 2014 12:18 PM  
To: Steven Leonardis; Marcia Jensen; [jpirznski@losgatosca.gov](mailto:jpirznski@losgatosca.gov); BSpector; Diane McNutt  
Subject: Highway 85 toll lines

I-223-1

I understand VTA and Caltrans want to expand highway 85 by adding two toll lanes. I understand that this will hinder future light rail installation. I am a BIG proponent of high speed public transportation. Traveling frequently overseas, I see that we are years behind other countries in providing fast, clean travel options. We can't just keep adding cars. Not only do they cause congestion on the roads, they add to our already polluted air. We have to consider the world our children and grandchildren will have to fix if they can. So please vote against this proposal. Thank you.

Carol Ross

### **Responses to Comment I-223**

I-223-1

This comment was forwarded to Caltrans and VTA by the Town of Los Gatos.

The commenter's opposition to the proposed project is noted. Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

### **Comment I-224 Dave and Christie Ross**

<b>From:</b>	<a href="#">Christie Ross</a>
<b>To:</b>	<a href="#">85expresslanes</a>
<b>Subject:</b>	85 expansion
<b>Date:</b>	Friday, February 28, 2014 4:18:54 PM

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I-224-1 [ NO, NO, NO....I do not approve of the expansion of 85 to add two toll lanes!!!!!! YOU MUST HONOR THE CONTRACT AGREED UPON IN 1990 AND BRING VTA TO LOS GATOS!!!! My gosh no more cars on the road!! Let us encourage the use of mass transit like other countries do. This is a ridiculous and environmentally unhealthy idea!!!

Dave and Christie Ross  
Los Gatos 85/railroad border residence

### **Responses to Comment I-224**

I-224-1

The commenter's opposition to the project is noted.

See the response to Comment L-4-2 regarding the contract cited. The extension of light rail in the median of SR 85 is discussed in Master Response GEN-2. Refer to Master Response GEN-7 regarding transit as an alternative to the proposed project.

**Comment I-225 Alexis Rubin**

**From:** [designsbyalexis](#)  
**To:** [85expresslanes](#)  
**Subject:** We opposed the changes planned for the 8 freeway  
**Date:** Thursday, February 27, 2014 11:27:04 AM

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I-225-1

Living close to the 85 freeway brings an amazing amount of noise whenever my husband and I step outside. We doubt that the noise level has been correctly tested in the past and we are fearful that adding new lanes to this freeway will surely make the noise situation worse. We also are convinced that the particulate matter generated by the tires of even more automobiles will further destroy our neighborhood environment.

The concept of toll lanes in California, the land of the "freeway", is highly objectionable.

Do not go ahead with any changes to the 85 freeway.

Alexis Rubin

**Responses to Comment I-225**

*I-225-1*

The commenter's opposition to the project is noted. The existing noise environment and future noise levels with and without the project were evaluated in detail in accordance with Caltrans and FHWA standards. Project-related noise increases would not be significant, as discussed in Master Response N-1.

The project would result in minimal changes to particulate matter and other pollutants and would have long-term air quality benefits, as described in Master Response AQ-1.

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

**Comment I-226 Mike Ryken**

**Comment on 85 express lane**

Mike Ryken [mike\_ryken@yahoo.com]

Sent: Friday, February 07, 2014 7:42 PM

To: 85expresslanes

I read some are proposing a "solution" to congestion on the 85:

"Carpools with two or more occupants, motorcycles, transit buses, and clean air vehicles with applicable decals will continue to use the express lanes free of charge."

I-226-1

I have carpoled with my wife on the 85 and we have noticed something the last few years: Quite simply, the carpool lane is already as congested and therefore as slow as the other lanes.

There are so many clean air vehicles in the Bay Area that allowing them to use the carpool lane has negated any advantage to using the lane. It is now as congested as the other lanes. Asking someone to pay for use of the lane (through Fastrak) is, quite frankly, offensive. The lane is already as slow as the other lanes and adding another group would probably make it slower. The proposed "solution" is uninspired at best and another money making scheme at worst.

Thanks,  
Mike

**Responses to Comment I-226**

**I-226-1**

The commenter's opposition to the proposed project is noted. The express lanes would create additional capacity and maintain priority use for carpools and other HOVs, which would continue to use the lanes for free. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Also refer to Master Response GEN-1 regarding the express lanes.

The project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1.

**Comment I-227 Alexander Sakhanyuk**

**From:** [Aleksandr Sakhanyuk](#)  
**To:** [SR85expresslanes](#)  
**Subject:** Public Comment from Alexander Sakhanyuk  
**Date:** Friday, February 28, 2014 4:18:58 PM

Hello,

I am Alexander Sakhanyuk and I am a resident of the city of Cupertino. I am writing to inform you that I share the same concerns as those outlined by the city of Cupertino, as discussed in the letter sent to you on February the 26th (link here: <http://cupertino.org/inc/pdf/SR85/SR%2085%20Comment%20Letter%20Final%20Draft%20SIGNED.pdf>)

I-227-1

In addition, I am concerned by the fact that the VTA and Caltrans did not follow through on their promise for mass transportation on SR 85, as outlined in the performance agreements signed with the corridor cities. In my conversation with Jeff Barco, who represented himself as a consultant for the VTA, I was informed that neither agency drafted a plan for the median to be used for mass transportation during the 15 years after the agreements were signed and before the proposal of the current project.

Moreover, I dispute the VTA's claim that the express lanes' potential for use by buses qualifies them as a mass-transit project. Furthermore, the former mayor of Saratoga who signed the performance agreement with the VTA insisted that the mass transportation clause referred to light rail.

I can be reached at 8081 Park Villa Circle, Cupertino, CA 95014.

Best regards,  
Alexander Sakhanyuk

**Responses to Comment I-227**

**I-227-1**

The commenter's opposition to the project is noted. Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. Refer to Master Response GEN-7 regarding transit as an alternative to the proposed project.

See the response to Comment L-3-4 regarding the Performance Agreement signed by the City of Saratoga.

**Comment I-228 Adele Barbara Salle**

**Additional lanes on Highway 85**

Adele Barbara Salle [salle@usfca.edu]

Sent: Monday, January 27, 2014 2:45 PM

To: 85expresslanes

I am writing to you pursuant to the presentation by John Risto, VTA Congestion Officer, to the Cupertino City Council to state that I am vehemently opposed to the addition of two additional lanes to Highway 85 from 280 to the Camden exit in San Jose for the following reasons:

I-228-1

Though I don't deny that traffic is heavy on Highway 85 and a resolution is needed, your solution is a short term remedy. Going north, the added lanes will have to funnel down to the existing configuration at 280 causing considerable backup. The real problem is the area from 280 N to Highway 237. No consideration is being given to this bottleneck. Before long, the highway will be just as congested as it was prior to the remedy addition.

With the addition of new lanes, Mr. Risto stated that more buses and shuttles will use the highway. More buses and shuttles, not to mention more cars, will add to noise pollution that is already considerable to begin with to those who live within 2 - 3 blocks of the highway, and will add to air pollution. It appears that all these changes are being considered without mitigating any increased noise levels, air quality or additional surface street traffic the additional two lanes may bring. I would suggest that VTA pay a visit to any neighborhood close to the highway, especially in the morning and afternoon commute, and stop to listen to the noise coming from it.

I-228-2

Further, philosophically, I have trouble with providing an advantage to those who can afford to pay tolls to drive in the express lanes. It is a little like "let them eat cake." Those who cannot afford the tolls, can just crawl along in the non-express lanes. Of course, if there is too much traffic in the express (pay) lanes, VTA will manage the demand by not allowing more vehicles into the express lane. Could this become a matter of road rage?

I-228-3

I am disappointed that the VTA or its predecessor agency did have enough foresight to see traffic levels into the future and is not exploring other possible options. Before jumping into additional lanes, why not explore extending light rail or study other remedies on main thoroughfares.

Let me repeat, I am vehemently opposed to adding additional lanes to Highway 85 as proposed by the VTA.

Adele Salle  
Resident of Saratoga

**Responses to Comment I-228**

**I-228-1**

The project would improve average travel times and speeds on SR 85 through 2035, as described in Master Response TR-1. The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as discussed in Master Response TR-2.

The potential environmental effects of the second express lane were studied in detail, including for air quality and noise. The project would not result in violations of air quality standards, as described in Master Response AQ-1. The project would increase existing noise levels by 0 to 3 dBA, depending on the location. A 3 dBA change is not a significant impact, as discussed in Master Response N-1.

**I-228-2**

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

A discussion of whether express lanes could cause road rage would require speculation and does not raise an environmental issue that would need to be addressed as part of the environmental process.

**I-228-3**

Refer to Master Response GEN-2 regarding light rail in the median of SR 85. Master Response GEN-7 discusses why transit options are not being implemented instead of the proposed project.

**Comment I-229 Suresh Sankaralingam**

**SR-85 express lanes**

Suresh Sankaralingam [ssuresh25@gmail.com]

**Sent:** Tuesday, February 25, 2014 8:25 PM

**To:** 85expresslanes

**Cc:** ctclerk@saratoga.ca.us; elo@saratoga.ca.us; jhunter@saratoga.ca.us; hmiller@saratoga.ca.us; mcappelo@saratoga.ca.us; cpage@saratoga.ca.us; supervisor.simitian@bos.sccgov.org; assemblymember.fong@ca.gov

Hello VTA representative

After reading through the plans on 85 corridor improvement, I strongly disagree to the various aspects of it.

I-229-1

- Noise level is very high in my backyard now. I think this change will only make it worse. I don't agree with analysis by VTA
- the traffic choking problem in SR 85/280 intersection is going to be worse, if anything
- The plan is in violation of the agreement that there will only be light rail instead of express buses. So, it is a legal breach of the agreement
- EIR report is unavailable which makes it very suspicious and misleading

Thanks

- Suresh

**Responses to Comment I-229**

**I-229-1**

This comment is similar to Comment I-208-1 and is addressed in the response to Comment I-208-1.

**Comment I-230     Jeffrey Schwartz and Paul Krug**

**From:** [jasletra@aol.com](mailto:jasletra@aol.com)  
**To:** [85expresslanes](mailto:85expresslanes)  
**Cc:** [jlebecker@aol.com](mailto:jlebecker@aol.com); [cherieli@earthlink.net](mailto:cherieli@earthlink.net); [waltonsmith@comcast.net](mailto:waltonsmith@comcast.net); [jim\\_hwong@yahoo.com](mailto:jim_hwong@yahoo.com); [jim@jimfoley.com](mailto:jim@jimfoley.com); [AKEDIT@IX.NETCOM.COM](mailto:AKEDIT@IX.NETCOM.COM); [marcia@qizmoqy.com](mailto:marcia@qizmoqy.com); [chris@chrisbums.us](mailto:chris@chrisbums.us); [david14493@sbcglobal.net](mailto:david14493@sbcglobal.net); [e.wyckoff@yahoo.com](mailto:e.wyckoff@yahoo.com); [jasletra@aol.com](mailto:jasletra@aol.com); [busse.bob@gmail.com](mailto:busse.bob@gmail.com); [schist@earthlink.net](mailto:schist@earthlink.net); [Sbogolian@aol.com](mailto:Sbogolian@aol.com); [charlesbutterfieldbkr@yahoo.com](mailto:charlesbutterfieldbkr@yahoo.com); [ron@egoldsolutions.com](mailto:ron@egoldsolutions.com); [Mallory58@aol.com](mailto:Mallory58@aol.com); [waltonsmith@comcast.net](mailto:waltonsmith@comcast.net); [cherieli@earthlink.net](mailto:cherieli@earthlink.net); [robertson.b.m@mindspring.com](mailto:robertson.b.m@mindspring.com); [davea@saratoga.ca.us](mailto:davea@saratoga.ca.us); [jlindsay@saratoga.ca.us](mailto:jlindsay@saratoga.ca.us); [cityhall@saratoga.ca.us](mailto:cityhall@saratoga.ca.us); [planning@saratoga.ca.us](mailto:planning@saratoga.ca.us); [yanniezhaoyahoo.com](mailto:yanniezhaoyahoo.com); [rtaylor@smwlaw.com](mailto:rtaylor@smwlaw.com)  
**Subject:** Public comments on SR 85 Express Lanes Project  
**Date:** Friday, February 28, 2014 2:10:27 PM  
**Attachments:** [Restore\\_Saratoga\\_Highway\\_85.pdf](#)

I-230-1 [ Please include the attached comments as part of the public record on the SR 85 Express Lanes Freeway Expansion Project.

*Jeffrey A. Schwartz*  
1610 La Pradera Dr.  
Campbell, CA 95008  
(408) 379-9400 Work  
(408) 529-4077 Cell  
[jasletra@aol.com](mailto:jasletra@aol.com)

# Restore Saratoga

P.O. Box 2224

Saratoga, CA 95070

February 28, 2014

VTA Board of Directors

Gentlepersons:

Please consider these comments as part of the Public Record concerning the VTA's proposed expansion project for the 85 freeway. These comments are submitted by Restore Saratoga. Restore Saratoga represents several hundred-member families in Saratoga, California, and is committed to preserving those qualities, which make Saratoga a unique and attractive low density, semi rural community.

I-230-2

1. We are shocked and appalled that a project of this magnitude is being proposed without a full Environmental Impact Study (EIS). It is our understanding that the proposal meets the criteria for a Class I project and that Class I projects require full Environmental Impact Reports.<sup>1</sup>

I-230-3

2. It is unclear, and most disturbing to us, that this project could have reached this stage of detailed development with no meaningful public discussion until the last month or so. Elected officials, VTA staff and Caltrans are all aware that this freeway was extremely controversial at its inception in Saratoga and has remained a continuing and major topic of controversy and disapproval within the City of Saratoga ever since, primarily due to concerns with noise pollution and surface street traffic congestion. Meetings in Cupertino and in Saratoga in the last month, with members of the general public just becoming aware of the nature and scope of this project, have reflected overwhelming levels of negative reaction. How did VTA and/or Caltrans spend millions of dollars and several years of planning efforts on this project without taking any steps that would have brought the project to the attention of the general public when it was at the early conceptual stages?

3. Perhaps residents would have known about this project if it were described in VTA's published list of project plans. It is not. The VTA plan 2035 only mentions "A recommendation to convert existing car pool lanes to express lanes on SR 85 and US 101 by 2012 and 2015, respectively." There is nothing that suggests freeway expansion or additional lanes. When was VTA plan 2035 published? The VTA spokesperson said this project has been in the planning stages for several years. If he is correct, was the failure to mention the true nature of this project in VTA's "Plan 2035" a purposeful attempt to avoid broad public awareness? Manny Gonzales, of VTA, has acknowledged that this project will not be in VTA's project plans until "Plan 2040" is published

1

Under 23CFR772.7, FHWA Defines a Type I Project as a proposed Federal or Federal-aid Highway Project for the construction of a highway on a new location, the physical alteration of an existing highway where there is either a substantial horizontal or substantial vertical alteration, or other activities discussed in Section 3 below in the definition of a Type I Project. A Type II Project involves construction of noise abatement on an existing highway with no changes to highway capacity or alignment. A Type II Project is a project that does not meet the classifications of a Type I or Type II project. Type III Projects do not require a noise analysis.

I-230-3, cont.	Restore Saratoga; Comments on proposed 85 Freeway expansion; February 28, 2014.
I-230-4	<p>and that will not be for another six to eight months. Is that correct?</p> <p>4. When the 85 freeway was initially built, the City of Saratoga signed contracts with Caltrans and with the Santa Clara County Traffic Authority (SCCTA). A few years later, VTA absorbed SCCTA. It is our assumption that as the successor agency to SCCTA, VTA is bound by and will honor the contract between the City of Saratoga and SCCTA. Will VTA do that? If not, what is VTA's position with regard to that contract?</p> <p>5. It is important to understand the local context within which this project is proposed. Many residents in our area do not trust information, data or commitments from VTA or Caltrans because of the history of the 85 freeway. Formal commitments were made and agreements reached with the City of Saratoga regarding crucial characteristics of the 85 freeway. The commitments and agreements made with our city regarding landscaping, noise levels and other issues were broken the day the freeway opened and have been breached continuously ever since. Is there a commitment by VTA and/or Caltrans to comply with those commitments and agreements before any new project is completed concerning the 85 freeway?</p> <p>6. We do not vote for the VTA Board. It is an amalgam of representatives from South Bay cities, with disproportionate representation from the City of San Jose. Because of the structure of VTA – which we did not vote for either – the Board terms are relatively short, affording VTA staff more influence and power than is true in elected government jurisdictions. Some key VTA staff and most of the representatives to VTA from Saratoga, Los Gatos, Cupertino and Monte Sereno and Campbell knew this project would be highly controversial in those cities. Why did VTA not proactively and fully inform residents two, three or four years ago that this project was being considered? VTA staff are now engaged in trying to "sell" this project to residents of our communities. Why didn't they make a parallel effort to let us know about this years ago? How is that consistent with principles of good government? Or of democratic process?</p> <p>7. One of the important agreements in Saratoga's contracts regarding the 85 freeway was a provision that no trucks over 9,000 lbs would be allowed on the freeway. We are concerned that this agreement is not currently being enforced. Would you please provide current data on the level of enforcement of this provision, including any memos, letters, emails or other documents between either VTA or Caltrans and the California Highway Patrol regarding trucks on 85, and data reflecting the number of citations given to trucks violating this provision, by month, for the last two years.</p>
I-230-5	<p>8. At a community meeting in Saratoga called for and arranged by a Saratoga resident, a staff spokesperson for VTA was asked questions about the financing of this proposed project. The VTA spokesperson acknowledged that it would be approximately two years, and perhaps more, before financing decisions were made and that while he had been talking about bonds being issued to pay for the construction of the project with the revenue from the toll lanes then paying off those bonds over time, he did not know what kinds of bonds would be issued or whether that would be, in fact, the mechanism for funding this project. He could offer no assurance that the revenue from the toll lanes would be sufficient to pay off the construction indebtedness and also had no information about what would happen if that revenue were insufficient for that purpose. Was the VTA spokesperson accurate or is there more information that is known with certainty about funding this project?</p> <p>9. We believe that by national law or regulation, trucks may use any freeway that has been funded in</p>

Restore Saratoga; Comments on proposed 85 Freeway expansion; February 28, 2014.

I-230-5,  
cont.

all or in part with federal money. We are concerned that if, in the future, federal funds become available for some portion of the proposed project or for some portion of the payback for the construction of this project, or for some unrelated future project involving the 85 freeway, then the restriction against large trucks using the 85 freeway would be lost, and residents would have no recourse. That raises two questions: first, does VTA have some mechanism or contractual vehicle that will bar VTA, Caltrans and any succeeding agencies of interest in the proposed project, from accepting federal funds for any aspect of the project, now and into the future? If so, please explain the specifics of how that binding provision will work. Second, we request that all of the data and analysis for the proposed project be redone with an assumption that heavy trucks will be using the expanded freeway 85, either because federal funds have been used and the trucks cannot be stopped, or because the California Highway Patrol has inadequate resources to enforce that provision, as we believe is the current situation. Please note that Caltrans states that trucks can increase roadway noise levels by 10db. Will you obtain that additional data and conduct those additional analyses?

10. There is a basic constitutional issue that we would like explored and explained. Trucks may not be excluded from a freeway that has been constructed in whole or part with federal funds. The rationale is straightforward. All of us, including truck drivers and trucking companies, have paid taxes that have flowed into federal highway funds. Once those funds are used, it is impermissible to discriminate against truckers or any other segment of industry or society, and those roads must be open to all. Does it not follow that since all residents in our area contributed to the tax dollars that were used to build 85, it should be impermissible to discriminate against low income individuals who cannot afford to pay extra to get out of the heavily congested traffic lanes and into the toll lanes? Why should individuals now paying one very small fraction of the total cost of the projected and expanded highway 85, including all of its infrastructure, be permitted to buy their way out of congestion while poor residents must suffer in that congestion? This is not a matter of who can afford to buy a Ford versus a Lexus, this is a matter of government restrictions on tax funded facilities.

I-230-6

11. There is a basic flaw in this project planning at the most fundamental level. The proposed project cannot achieve its objectives. The reason the 85 freeway resembles a parking lot for miles long stretches in the Northbound commute from Saratoga in the morning rush hours and in the Southbound commute from Saratoga in the afternoon rush hours, is because of bottlenecks getting on and off the freeway at the 280 freeway, at El Camino Real, at 101, at Highway 17 and at other locations. That is, the problem is not with the capacity of highway 85 but instead is with those specific choke points. That has been acknowledged by the VTA spokesperson both at the community meeting in Saratoga on February 25 and the prior Saratoga City Council meeting on February 5, 2014. In each case, the spokesperson for VTA said that VTA and Caltrans were well aware of those choke points but that there were not yet any projects on the books to cure or mitigate those choke points. At the community meeting in Saratoga, the spokesperson further said that there was money for the current toll lane and expansion project for 85 but that there was no money available to fix the choke points. If a water hose is closed at both ends, then introducing more water and more pressure at the middle of the hose is unlikely to change the output.

12. Currently, Saratogans can get on 85 at Saratoga Avenue and merge into the diamond (carpool) lane as quickly as traffic will allow. The proposed project would have no access to either of the toll lanes within the city limits of Saratoga or for a mile to the North and a mile to the South of Saratoga. Essentially, the access to the proposed project would be blocked for Saratogans and we would lose our current access to the carpool lane. Please explain whether this is accurate or not

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I-230-6,  
cont.

and if it is not accurate, how that traffic flow would work.

13. We had believed, perhaps mistakenly, that VTA and Caltrans are committed to reducing the use of fossil fuels and mitigating the pace of climate change. It appears to us that the proposed project would provide incentives for, and increase, the number of single person car trips. Currently, the way drivers can use the diamond lanes and avoid the much more congested regular lanes is to have two or more people in the car. The proposed project would make that irrelevant as long as an individual is willing to pay the toll. That arrangement and the proposed project appear to fly in the face of concern for our environment. If that analysis is inaccurate, please explain.

14. When the 85 freeway was originally purposed, the single most controversial issue was noise. Commitments were made for a variety of ways to attenuate the noise, and commitments were also made about the overall level of noise the freeway would be produce. Those commitments were written into the contracts the City of Saratoga signed about the 85 freeway. Each of those contractual commitments regarding noise was broken and has remained broken. Prior to the construction of the 85 freeway, Saratoga was a very quiet community. Since the freeway was built, over one third of the homes in Saratoga have 24/7 freeway noise. During the construction of the freeway and at any point in its history, including now, the freeway could have been originally surfaced or later resurfaced with material that would substantially reduce the noise created. Neither VTA nor Caltrans as shown the slightest interest in doing that and does not now propose to do that as part of the expansion project under discussion.

15. We do not believe the VTA figures or projections on noise are realistic or accurate. It is our understanding these noise measurements were taken years ago and at a time when unemployment in this valley was close to its nadir. We request that those noise measurements be redone with current traffic conditions. We note that the City of Saratoga, as part of its general plan update cycle, has very recently taken noise measurements along the 85 freeway corridor and that those measurements are substantially higher than the measurements provided by VTA.

I-230-7

16. The VTA predicted freeway noise impact of the addition of two express lanes is questionable and unsatisfactory in the following respects: VTA presented noise impacts are contradictory and unreliable (3dB in written material, a significant increase on the logarithmic dB scale, and 1dB in a presentation to the Saratoga City Council on February 5, 2014. Which is it?). Existing 85 noise levels significantly exceed the original noise predictions of the Santa Clara County Transportation Agency, the responsible agency for highway 85 design and construction.

17. The Highway 85 noise mitigation approaches (suppressed highway, sound walls were negated by installation of a high road noise generating grooved concrete road surface. This roadbed was used although significant domestic and foreign data was available showing significant noise reduction by rubberized asphalt over conventional asphalt (Sacramento County -5.1 to -7.7 dB 1993, Los Angeles County -3 to -7 dB 1991, Phoenix AZ -10 dB (-88%) 1990, Tucson, AZ -6.7 dB (-78%) 1989. (Ref #1 pg. 8). Note that conventional asphalt roadbed noise is already significantly lower than the grooved concrete roadbed used on highway 85.

18. The Santa Clara County Transportation Agency (SCCTA) also apparently ignored the California Environmental Quality Act Guidelines (CEQA) for transportation noise. "The California Environmental Quality Act state that transportation noise will have a significant impact if it 'Increased substantially the ambient noise levels for adjoining areas'. There are several criteria CEQA uses to access (sic) the transportation noise impact on a project.

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- a. If the exposure of persons to or generation of noise levels in an excess of standards established the local general plan or other applicable standards.
- b. If the projects results in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- c. If the projects result in substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project.” (Reference 1, Appendix under Table 6).

19. Sacramento County Noise Element Standards for acceptable residential transportation noise is a weighted day/night average of 60 dB with 75 dB conditionally acceptable. (Reference 1, Appendix Table 5). Measured Highway 85 noise is already 70 dB and the VTA predicts an increase for the proposed express lane additions of 1 to 3 dB. However, based on previous unreliable agency predictions, noise will probably actually increase by 5 to 6 dB.

20. VTA provides neither assurance that the maximum predicted sound levels will not be exceeded nor has proposes noise reduction remedies to bring sound levels to/below the predicted maximum in the event the predicted maximum is exceeded. VTA is not even considering reducing roadbed noise to within standards defined by the California Environmental Quality Act Guidelines and suffers no consequences if noise exceeds predictions or accepts any responsibility for the damage done by excess noise to residential neighborhoods.

**Summary of Key Noise Issues**

I-230-7,  
cont.

A. The VTA determined Highway 85 noise increase from two additional express lanes is questionable in the following respects: VTA has presented contradictory data in different presentations (3 dB and 1 dB). The VTA predecessor, The Santa Clara County Transportation Authority (SCCTA), grossly underestimated Highway noise impact on Saratoga. When it was shown to be unsatisfactory, VTA, who assumed responsibility from SCCTA, took neither responsibility for nor, action to bring the roadbed into compliance with predicted noise values.

B. VTA is only presenting a increase in noise levels over an already unacceptable roadbed noise level. VTA shows no intent to use well established roadbed technologies (rubberized asphalt) commonly used in other California districts (the counties of Sacramento, Orange, and Los Angeles) as well as in the Arizona cities of Phoenix and Tucson, that are shown to significantly reduce roadbed noise (up to 10dB) through residential areas.

C. Highway 85 far exceeds California State requirements for roadway noise though residential districts.

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I-230-8

21. The VTA study is flawed with respect to their determining the need for two express lanes each in north and south direction for the following reasons. Morning northbound commute traffic is not impeded by inadequate lane carrying capacity, but by:

- a. Exit ramp limitations at Highway 280, at Highway 82 (the El Camino Real) at which traffic backup reduces 85 from three to two lanes.
- b. And by merger congestion at the Highway 17/Los Gatos Blvd/Winchester Blvd onramps.

<p>I-230-8, cont.</p>	<p>Restore Saratoga; Comments on proposed 85 Freeway expansion; February 28, 2014.</p> <ul style="list-style-type: none"> <li>c. Evening southbound commute traffic is not impeded by inadequate lane carrying capacity, but by merger congestion at the Winchester/Highway 17/Los Gatos Blvd onramps. After completion of these mergers at about Camden Avenue traffic flows at speed limit.</li> </ul> <p>22. VTA proposes no improvement to the Highway 82 exit ramp congestion and proposes limited modifications to the Highway 280 exit ramp, which will not correct this traffic backup problem into the right lane of Highway 85.</p> <p>23. Adding two express lanes without correcting the traffic flow impediments at these intersections will only increase the parking lot capacity of Highway 85, but will neither reduce travel time nor increase freeway capacity.</p> <ul style="list-style-type: none"> <li>a. Crossover traffic from the two HOV lanes to the 280-exit ramp will further constrict traffic flow in the general-purpose lanes and increase accident risk.</li> <li>b. Even after correcting traffic flow impediments, adding HOV toll lanes will provide marginal, if any, mitigation of congestion or reduction in pollution according to Pravain Varaiya of UC Berkeley and Jaimyoung Kwon of Cal State Hayward report "Effectiveness of High Occupancy Vehicle (HOV) Lanes in the San Francisco Bay Area."</li> </ul> <p>24. The proposed two toll express lanes restricted entries will be well before and after Saratoga Avenue on ramps, which will effectively deny Saratoga residents the use of these lanes and restrict Saratoga to the two right lanes instead of the current three.</p> <p><b>Summary of Key Traffic Issues</b></p> <p>A. The VTA solution to congestion on Highway 85 is flawed because it neither resolves northbound downstream choke points at Highway 280 and 82 that back exiting vehicles into the far right lane and occasionally into the two right lanes, reducing usable lanes by 33% and occasionally 67%, nor does it resolve the merging congestion of the Highway 17/Winchester/Bascom-Los Gatos Blvd on ramps.</p> <p>B. The crossover from the two express lanes into already backed up vehicles at exits will further exacerbate highway congestion and pose a safety hazard.</p> <p>*****</p> <p>25. Traffic analysis should not focus exclusively on freeway traffic. The impact of the proposed project on traffic on our surface streets cannot be underestimated. Please present a detailed explanation of the impact of this project on Saratoga's surface streets.</p> <p>26. At the City Counsel meeting in Saratoga on February 5, the VTA spokesperson made it clear that improving the commute for residents of the West Valley Suburbs was not the primary goal and that that was to improve the commute for individuals from South San Jose and South County who are commuting to 101 and the Mountain View area. To the extent that is true, the freeway will become more unavailable to residents in Saratoga and that will displace some current freeway traffic onto our city streets. The interchange with the 85 freeway in Saratoga, at Saratoga Avenue, is already a grade D intersection and the location of frequent car accidents. Even a slight increase in traffic at that location will have a major negative impact on the City of Saratoga. Please explain how that intersection will not have a significant negative impact from this project.</p>
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I-230-8, cont.	<p>27. Since Saratoga residents will not be able to use carpool lanes or toll lanes if the projected project is built, residents may choose to substitute surface streets for work commutes. That may produce serious safety hazards on residential streets and particularly around school sites.</p>
I-230-9	<p>28. While noise and traffic have dominated the discussion of the impact of the 85 freeway on Saratoga, questions of lights spill and air pollution are both serious. Saratoga is semi rural and most of the city does not have streetlights. At night, light from the freeway dominates the city landscape. The proposed project would provide a major increase lights spill, in part because four lanes will hold more cars than three lanes and in part because the complex nature of the car lane/toll lane entries, exits, toll collection stations, etc. will require large, high mast lighting at very frequent intervals. In short, after dark, Saratoga will not look the same if this project is built as proposed, and we will take another step away from the semi rural environment which many of us treasure. Please provide graphic representations of every lighted feature of the existing and proposed 85 freeway, within the city limits of Saratoga, and include a map showing the location of each such lighted feature within Saratoga's city limits, including those features that will be repetitive. We also request an analysis of light spill from the proposed expanded freeway at each of the four sites in that proposed freeway that will have the highest lighting levels of all freeway locations within Saratoga, comparing those four proposed sites to both current ambient light levels with the current freeway configuration, and separately compared to ambient light levels that would characterize those location if no freeway was there.</p>
I-230-10	<p>29. We do not believe that it is realistic to propose this project and suggest that it will have no significant impact on air pollution for homes along the freeway corridor. Home owners who have lived I the same house before and after the construction of the freeway all have stories about the change in the ambient levels of dust in their houses and dirt outside. A 33% increase in the number of lanes can be expected to create a 33% increase in the amount of dust, dirt and other pollutants. Please explain.</p>
I-230-11	<p>30. We request a detailed explanation of why a 33% increase in the number of lanes on the freeway will not produce a 33% increase in the amount of CO2 generated and in the other airborne pollutants associated with car and truck traffic.</p> <p>31. The dirt and dust created when the freeway was built ruined landscaping for some residents and created a wide variety of other hazards. We request a specific timetable for the construction of the project as proposed, in terms of years and months, and a specific and detailed description of mitigation measures that will prevent significant impact during construction due to construction noise and airborne particulate matter during construction.</p> <p>32. The City of Saratoga contracts with Caltrans and SCCTA regarding the 85 freeway, allow for three lanes of freeway traffic in each direction and guarantee that the median area between the three lanes in each direction will be reserved for mass transit. The discussions at the time of the approval of those contracts were entirely about light rail and it was clear at that time that the references to mass transit or mass transportation meant light rail. There is a specific reference to light rail in one of the two contracts, further reinforcing that interpretation. We regard it as ludicrous and an extremely cynical exercise in semantics for VTA to now suggest that they in good faith believe that the references in those contracts to mass transit and mass transportation are consistent with using express busses in the toll lanes. We would like a specific answer about whether it is VTA's position that express buses meet that requirement of our cities contracts pertaining to the freeway and a statement of whether Caltrans interprets</p>

I-230-11, cont.	those contract provisions as meaning express bus service. If either Caltrans or VTA has obtained a legal opinion about that question, we request a copy of that opinion.
I-230-12	33. We are concerned that the VTA spokesperson was unable to explain how express bus service might serve Saratogans in any fashion. Please provide us with detailed plans for the use of express bus service on the freeway from locations within Saratoga. Please include in those detailed plans, the proposed locations of parking for patrons of the express buses, pick up and drop off locations, and routes through our city streets to and from the pick up and drop off locations and parking locations.  34. Finally, we would renew our request that you abandon your plan to try to obtain environmental review approval for this project through the use of a negative declaration or modified negative declaration and instead follow the dictates of common sense and conduct a full environmental impact study, and evaluate this proposed project against reasonable alternatives, specifically including a “no project” alternative.
Sincerely,  Paul Krug            Jeffrey A. Schwarz, Ph.D.  For the Steering Committee, Restore Saratoga	

**Responses to Comment I-230**

**I-230-1**

This comment submittal is included in the Final IS/EA and therefore is part of the public record for the project.

**I-230-2**

These and all other public comments submitted for the proposed project are part of the administrative record for the project.

The project is a Type I project as defined by 23 Code of Federal Regulations (CFR) 772.7, as noted in IS/EA Section 2.2.7.3. The Type I designation refers to the level of noise analysis that is required (Caltrans 2011d). The project’s noise analysis satisfies the requirements for a Type I project.

The Type I project designation does not relate to the type of environmental document that should be prepared for a project. An Initial Study/Environmental Assessment (IS/EA) was prepared for the proposed project, and many other Type I projects are evaluated in IS/EA reports.

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. NEPA requires an EIS to be prepared when the proposed project as a whole has the potential to “significantly affect the quality of the human environment.” Under NEPA, significance is a function of both context and intensity (40 CFR 1508.27). The environmental impacts of the proposed project, have been fully evaluated in the IS/EA and appropriate measures have been included to avoid or minimize impacts. Also refer to Master Response GEN-3 regarding preparation of an EIR.

*I-230-3*

IS/EA Chapter 3 and Master Response GEN-6 list the extensive public outreach that has taken place as part of this project, including two community meetings and a City Council meeting presentation in Saratoga. The outreach began when the project was in its early conceptual stage. The public review and comment period for the proposed project was extended to February 28, 2014, and additional public outreach was conducted to clarify information about the second express lane between SR 87 and I-280.

The Valley Transportation Plan 2035 was published in 2009. It is not correct that the description of the project in the Valley Transportation Plan 2035 was an attempt to avoid public awareness. The project is included in the project list for the Valley Transportation Plan 2040, which dates from 2011 and is available on VTA's website (VTA 2011). The project description in the RTP (ABAG and MTC 2013) and TIP (MTC 2013) for the nine-county Bay Area includes the second express lane between SR 87 and I-280.

Master Response GEN-8 provides information about how the project was developed and ultimately included a second express lane in the median in each direction of SR 85 between SR 87 and I-280.

Refer to Master Responses N-1 regarding noise and AQ-1 regarding air quality.

*I-230-4*

See the response to Comment L-3-4 regarding the agreement with the City of Saratoga.

It is outside of the scope of the environmental process for this project to address commitments made as part of an earlier project. The environmental effects of the proposed project have been fully evaluated and compared with the existing conditions and the No Project Alternative, and appropriate avoidance and minimization measures have been included. Concerns raised by members of the public during the 60-day comment period have been addressed as part of the environmental process.

In regard to item 6, VTA began public outreach for the proposed project in 2004. IS/EA Chapter 3 and Master Response GEN-6 list the extensive public outreach that has taken place as part of this project, including two community meetings and a City Council meeting presentation in Saratoga.

*I-230-5*

The current truck restriction on SR 85, which is included in California Vehicle Code Section 35722 and Santa Clara County Ordinance Section B17-5.3, does not apply to all trucks over 9,000 pounds. The following vehicles are exempted: Police and Fire Department vehicles, passenger buses, recreational vehicles, and utility vehicles which need to enter the area for the purpose of providing services, making pickups or deliveries of goods, wares and merchandise, or delivering construction materials to sites within the restricted highway segment and have no other means of access, while actually involved in and transacting such activities. The project would not change the truck restriction or requirements to enforce the restriction. Data about truck restriction enforcement does not pertain to the proposed project's environmental process.

Refer to Master Response GEN-10 regarding project funding, cost, and return.

As previously stated, the current truck restriction on SR 85 is included in California Vehicle Code Section 35722 and Santa Clara County Ordinance Section B17-5.3. Neither Caltrans nor VTA are aware of any current provision that would require changes to the truck restrictions as a result of federal transportation funding for projects on SR 85. It is not clear which federal condition is referenced in the comment. The technical analyses for the project, including for noise, accounted for the existing truck restrictions. As the restrictions would not change, the technical findings remain applicable. Also refer to Master Response GEN-9 regarding federal funding and the truck ban.

The express lanes do not constitute discrimination against low-income persons, as discussed in detail in IS/EA Section 2.1.1 and Master Response EJ-1 regarding express lane users.

#### *I-230-6*

The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

The comment states that the project cannot achieve its objectives. The project's objectives, as outlined in IS/EA Section 1.2.1, are to manage traffic in the congested HOV segments of the freeway between SR 87 and I-280, and maintain consistency with provisions defined in AB 2032 (2004) and AB 574 (2007) to implement express lanes in an HOV lane system in Santa Clara County. The IS/EA demonstrates that the project would achieve these objectives. The carpool/HOV lanes already have areas of congestion, and detailed traffic analysis indicates that the congestion will become worse in 2015 and 2035. The project would maintain traffic conditions in the express lanes at or near free-flow conditions through 2035 by adding a second express lane in the median between SR 87 and I-280 (IS/EA Section 2.1.3). The project would also improve overall average travel times and speeds on SR 85, as discussed in Master Response TR-1. The express lanes would be consistent with the provisions defined in AB 2032 (2004) and AB 574 (2007).

In regard to item 12, the development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

In regard to item 13, it should be noted that the express lanes would maintain priority use for carpools and other HOVs, which would continue to use the lanes for free. If the lanes become congested, tolls will be increased to deter solo drivers from entering the lanes, or the toll signs will be changed to read "HOVs only" and only HOVs will be allowed in the lanes. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Refer to Master Response GEN-1 for additional information.

Climate change is discussed in IS/EA Section 2.5. Measures to help reduce greenhouse gas emissions are outlined in IS/EA Section 2.5.1.2, and strategies to address climate change are discussed in IS/EA Section 2.5.1.3.

I-230-7

Refer to Master Response N-3 regarding the existing noise levels in Saratoga, future noise levels with and without the proposed project, and future noise levels that were predicted in the 1987 Final Environmental Impact Statement (EIS) for the construction of SR 85.

At this time, FHWA policy does not allow quieter pavement to be considered as a noise abatement measure (Caltrans TeNS 2013). Item 15 appears to refer to SR 85 noise data in the City of Saratoga's 2013 Draft Noise Element compared with that in the 2012 *Noise Study Report* prepared for the proposed project. Refer to Master Response N-4 regarding these noise data.

Also in regard to Item 15, noise measurements for the 2012 *Noise Study Report* were collected in October and November 2011 and in March 2012. Based on unemployment data for Santa Clara County, the highest unemployment rates in recent years were for 2009 and 2010, before the noise study was conducted. Although employment levels have increased since the *Noise Study Report* was prepared, it is important to note that the noise measurements and predicted future levels (assuming growth in the area through 2035) reflect the worst hour for traffic noise, when traffic is heavy but still moving at or close to the speed limit. Adding vehicles to the freeway due to an assumption of higher employment would result in congestion and slower speeds, which would decrease, not increase, traffic noise levels. Therefore, a new noise study to capture the effects of higher employment levels would not result in different conclusions.

The commenter states that the noise data presented for the project are contradictory (Item 16); however, both statements cited in the comment are accurate. The project would increase existing noise levels by 0 to 3 dBA, depending on the location within the 33.7-mile project corridor. Along the Saratoga portion of SR 85, the project would increase existing noise levels by 0 to 1 dBA. Even a 3 dBA increase does not constitute a significant increase on the logarithmic dB scale, as discussed in Master Response N-1. Refer to Master Response N-3 regarding the comment that existing SR 85 noise levels in the IS/EA significantly exceed the original noise predictions of the Santa Clara County Traffic Authority (not the Santa Clara County Transportation Agency as referenced in the comment).

The comment about the roadbed pavement (Item 17) is noted. A 2002 project found that texture grinding the pavement of SR 85 changed the frequency but not the noise level, compared with the existing longitudinally grooved portland cement concrete (Parsons 2003). Also refer to Master Response N-2 regarding noise abatement.

In regard to Item 18, project-related noise was evaluated with respect to CEQA as described in IS/EA Sections 2.2.7.1 (under "California Environmental Quality Act") and 2.2.7.5. The first CEQA criteria listed in the comment (Item a) refers to standards established by local general plans or other applicable standards. State highways are not subject to local noise standards and ordinances. The second and third CEQA criteria (Items b and c) were analyzed in IS/EA Sections 2.2.7.3 for permanent noise changes and 2.2.7.4 for temporary construction noise. Permanent noise changes would be less than significant, as described in IS/EA Section 2.2.7.5. Construction noise levels would not be substantially higher than existing hourly average traffic noise levels on SR 85 except

during temporary pile driving, and measures are included to minimize project construction noise, as described in IS/EA Section 2.2.7.4.

The Sacramento County Noise Element Standards cited in Item 19 are noted; however, State highways are not subject to local noise standards or ordinances. Existing worst-hour noise levels along SR 85 in Saratoga range from 51 dBA Leq(h) to 67 dBA Leq(h), and the project would increase noise levels by 0 to 1 dBA, depending on location (refer to Master Response N-3). The comment does not provide evidence for the statement that the project will increase noise by 5 to 6 dB.

With respect to Item 20, a noise analysis was conducted for the project in accordance with applicable State and federal requirements, and noise reduction measures have been evaluated as described in IS/EA 2.2.7.4. Refer to Master Responses N-1 regarding the noise findings and N-2 regarding noise abatement. Also refer to the response to Item 18 above regarding CEQA.

Summary Items A, B, and C are addressed above.

#### *I-230-8*

Refer to Master Response TR-2 regarding existing congestion and items 21-23. The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

The detailed traffic analysis for the project, which is summarized in IS/EA Section 2.1.3.2, shows that in both 2015 and 2035, some HOV lane segments of SR 85 would have decreased speeds and impaired traffic flow. The second express lane in the median in each direction of SR 85 would help to accommodate increased HOV lane use and provide other congestion reduction benefits as described in Master Response GEN-1. Moreover, the traffic studies show that the project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1.

The comments in items 24 and 27 address the proposed access zone in relation to SR 85 interchanges in Saratoga. The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

For items A and B, refer to Master Responses TR-2 regarding other planned projects and GEN-4 regarding access.

In regard to items 25 through 27, refer to Master Response TR-3 regarding local intersections.

#### *I-230-9*

The comment is correct that there will be additional lighting installed along SR 85. The purpose of the lighting is to better illuminate the freeway for driver safety. The new lighting will be installed in the median, and the light will be directed on the lanes nearest the median. This is in contrast to existing lighting along the corridor, which is along the outside lanes.

There are 24 existing luminaires along SR 85 within Saratoga inside and just outside of the sound walls along the corridor and on overcrossings of SR 85, as described in the response to Comment L-3-20. The project would add approximately seven luminaires in the median for each of the two access zones (one northbound, one southbound) that are proposed between Saratoga Avenue and Winchester Boulevard. The exact locations of these access zones would be determined during the project design phase, so it is unclear how many, or if any, of the luminaires would be in Saratoga city limits.

The proposed luminaires and other light fixtures would have lighting configured at the minimum necessary illumination level and optimal angle to restrict light to the freeway right-of-way. It will be focused on inside lanes, nearest the median. If needed, the fixtures would be outfitted with shields to prevent light trespass to surrounding properties.

See the response to Comment L-3-21 regarding light spill. Evaluation of ambient light levels for a hypothetical existing condition without SR 85 is unrelated to the environmental process for this project.

SR 85 in Saratoga is entirely depressed below the grade of surrounding development. Therefore, the lighting will have a minimal effect because it will be focused on the median and shielded by sound walls and trees between residential development and SR 85. Additional information about the lighting is included in Final IS/EA Section 2.1.4.3 and the responses to Comments L-3-20 and L-3-21.

#### *I-230-10*

Items 29 and 30 state that the project would increase the number of lanes on SR 85 by 33 percent and would therefore be expected to increase dust, dirt, CO<sub>2</sub>, and other pollutants by 33 percent. Project-related changes to air quality were fully evaluated in the *Air Quality Impact Assessment* and *Mobile Source Air Toxics* technical reports (URS 2013l, m). The reports, which are summarized in IS/EA Section 2.2.6.3, account for the second express lane that would be added in each direction of SR 85 between SR 87 and I-280. The data do not show that a 33 percent increase in the number of lanes between SR 87 and I-280 would result in a 33 percent increase in dust, dirt, and other pollutants for the following reasons.

*Carbon monoxide emissions would increase no more than 14 percent in 2015 and would decrease in 2035.* Carbon monoxide (CO) emissions for the Build Alternative would generally be lower than the No Build Alternative. For the 2015 PM peak hour at the worst-case freeway segment, 1-hour and 8-hour emissions were found to be higher than No Build by 14 percent and 12 percent, respectively. This increase is the result of additional vehicles using SR 85 where some merging areas or access zones would have slower speeds during the worst traffic hour. Elsewhere along the corridor for the 2015 PM peak hour, Build Alternative CO emissions would be lower. In 2035, Build CO emissions would be lower than No Build in the AM and PM peak hours (IS/EA Table 2.2.6.3) because of increased traffic demand and the inability of the No Build Alternative to accommodate the demand. In 2035, both alternatives would have lower CO emissions than in 2015. It should be noted that the CO analysis used conservative traffic assumptions to represent worst-case conditions.

*Mobile source air toxics would increase no more than 7 percent.* For mobile source air toxics (MSATs), Build Alternative emissions would be 2 to 4 percent higher than No

Build in 2015, and 5 to 7 percent higher than No Build in 2035. Future MSAT emissions for both alternatives would be substantially lower in 2015 and 2035 than with existing conditions (new IS/EA Table 2.2.6.4).

*Carbon dioxide emissions would increase no more than 0.5 percent in 2015 and would decrease in 2035.* For carbon dioxide (CO<sub>2</sub>), the Build Alternative would also have slightly higher emissions in 2015 than the No Build Alternative (Final IS/EA Table 2.5.1-1). The project-related increase would be less than 0.5 percent. However, in 2035, the Build Alternative would have substantially lower CO<sub>2</sub> emissions than the No Build Alternative. The 2035 Build CO<sub>2</sub> emissions would also be lower than existing CO<sub>2</sub> emissions.

*Particulate matter emissions are expected to decrease through 2040.* Airborne dirt and dust are components of particulate matter. PM<sub>10</sub> and PM<sub>2.5</sub> are strongly associated with diesel truck traffic. The project would not change the existing truck restrictions on SR 85, therefore additional diesel truck traffic and associated PM<sub>10</sub> and PM<sub>2.5</sub> emissions would be negligible. In addition, the project would reduce delay time and increase speeds compared to the No Project Alternative, which in turn would reduce vehicle idling and resultant air emissions, including particulate matter.

PM<sub>2.5</sub> emissions are also modeled as part of the regional air quality conformity analysis process by the Metropolitan Transportation Commission (MTC). MTC's analysis accounts for increases in vehicle emissions regionwide, not just from this project. The analysis used data inputs for the winter season, when the Bay Area experiences its highest levels of PM<sub>2.5</sub>. The analysis shows that regional PM<sub>2.5</sub> emissions are expected to decrease by 26 percent between 2008 and 2040 due to local and regional transit and freeway operational improvements (MTC 2014).

In regard to item 31, project construction would take place in the existing right-of-way, primarily in the median and shoulder areas adjacent to the existing lanes. The measures listed in IS/EA Section 2.2.6.4 were included to control construction dust and particulate matter and will be required of the construction contractor during all construction operations. Additional information about construction noise abatement has been added in IS/EA Section 2.2.7.4.

A specific timetable for the project construction will be developed as part of detailed project design. Although the overall project construction duration is estimated at 1.5 years, construction activities would be temporary, concentrated in specific areas within the right-of-way over a period of several days to a few weeks. See responses to comments L-1-13 and L-1-16 for additional information.

#### *I-230-11*

See the response to Comment L-3-4 regarding the agreement cited in the comment and Master Response GEN-2 regarding light rail in the SR 85 median.

Additional express bus service on SR 85 is not included as part of the project but could be considered as part of reinvestment of toll revenue in the project corridor. VTA currently operates three express buses that use SR 85 (routes 102, 168, and 182). Information about bus stops and Park and Ride lots for those and other routes is available at [http://www.vta.org/Getting-Around/Schedules/By-Type#Express Bus Service](http://www.vta.org/Getting-Around/Schedules/By-Type#Express%20Bus%20Service).

I-230-12

See the response to Comment I-230-2. The IS/EA includes evaluation of the No Project Alternative.

**Comment I-231 Carmen R. Segnitz**

**Expanding Hwy 85 from 280 south through Cupertino, Saratoga, Los Gatos**

Jan Segnitz [jsegnitz@gmail.com]

Sent: Wednesday, February 26, 2014 6:16 PM

To: 85expresslanes

To the VTA,

I-231-1

I am a resident of Monte Sereno.  
I am categorically opposed to plans to widen Hwy 85.  
The original performance agreement said that this would not happen, that the 46 ft wide current median would be maintained, that consideration would be given to using the median for, mass transit, possibly extending the light rail, but nothing else.

I-231-2

Expansion that triggered use of federal dollars would open up 85 to big rigs, increasing congestion, noise, pollution...all highly undesirable.  
How would the undesirable impact of these problems be studied, mitigated, and most importantly avoided all together.

How would the impact of a fast track lane be studied. What would be the cost, funding . Where would parking for cars for people getting on & off be created, at what cost, paid for by whom ???????

All of this sounds like a terrible idea, the kind of irresponsible expansion that communities mourn forever, and wonder how any responsible stewards of our community allowed to occur.

I, we, the community want answers, and we want these terrible ideas and plans to be abandoned forever.

Respectfully,

Jan Segnitz MD  
Monte Sereno, Ca

**Responses to Comment I-231**

I-231-1

The commenter's opposition to the proposed project is noted. Refer to Master Response N-1 regarding noise.

I-231-2

The project would not change the width of the SR 85 right-of-way. The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding specific performance agreements.

**Comment I-232 Jan Segnitz**

**Expanding Hwy 85 from 280 south through Cupertino, Saratoga, Los Gatos**

Jan Segnitz [jsegnitz@gmail.com]

Sent: Wednesday, February 26, 2014 6:16 PM

To: 85expresslanes

To the VTA,

I-232-1

I am a resident of Monte Sereno.  
I am categorically opposed to plans to widen Hwy 85.  
The original performance agreement said that this would not happen, that the 46 ft wide current median would be maintained, that consideration would be given to using the median for, mass transit, possibly extending the light rail, but nothing else.

I-232-2

Expansion that triggered use of federal dollars would open up 85 to big rigs, increasing congestion, noise, pollution...all highly undesirable.  
How would the undesirable impact of these problems be studied, mitigated, and most importantly avoided all together.

How would the impact of a fast track lane be studied. What would be the cost, funding . Where would parking for cars for people getting on & off be created, at what cost, paid for by whom ????????

All of this sounds like a terrible idea, the kind of irresponsible expansion that communities mourn forever, and wonder how any responsible stewards of our community allowed to occur.

I, we, the community want answers, and we want these terrible ideas and plans to be abandoned forever.

Respectfully,

Jan Segnitz MD  
Monte Sereno, Ca

**Responses to Comment I-232**

**I-232-1**

The commenter's opposition to the proposed project is noted. The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding specific performance agreements. Also refer to Master Response GEN-2 regarding light rail in the median.

**I-232-2**

The comment is incorrect that use of federal funding would open up SR 85 to big rigs. The project would not change the existing truck restrictions on SR 85.

The environmental impacts of the project have been studied in the IS/EA, and the cost and funding is identified in IS/EA Section 1.3.3. Also refer to Master Response GEN-10 regarding funding, cost, and return. Parking is not associated with express lanes; therefore, no additional parking facilities are proposed.

**Comment I-233 Tony Sehgal**

**From:** [Tony Sehgal](#)  
**To:** [85expresslanes](#)  
**Subject:** SR 85 Express Lanes Project  
**Date:** Friday, February 28, 2014 10:38:31 AM

Please do not more forward with this project!

- I-233-1 1. Proposed 2 lanes are between Camden Ave. and De Anza Blvd. ONLY
- I-233-2 2. No Additional Lanes to be Added between Sunnyvale and Mt. View on 85
- I-233-3 3. Toll to be charged on HOV and Additional Lanes for Single Occupancy Vehicles
- I-233-4 4. Saratogans will not be able to access additional Lane on 85N as it ends at De Anza Blvd.
- I-233-5 5. There is no Fix to the Highway 280/85 N interchange so you will now have 4 lanes merging to 3--Further congestion
- I-233-6 6. Noise level increase, air quality, possibility of light/sign pollution for those bordering/in proximity to freeway. THERE IS NO PLANNED MITIGATION FOR ANY OF THIS!
- I-233-7 7. This breaks Performance Agreement with the bordering cities in which the center median was reserved for lightrail.
- I-233-8 8. This does nothing to reduce greenhouse gasses which we are continually reminded create the "climate change" we are experiencing.
- I-233-9 9. This does nothing to help with "spare the air" days, current noise levels, air quality etc.
- I-233-10 10. Auxiliary lane between De Anza Blvd and Stevens Creek Blvd.

Thanks  
Tony

**Responses to Comment I-233**

**I-233-1**

The commenter's opposition to the project is noted.

The three items listed are elements of the project description. It should be noted that HOVs would use the express lanes for free, as described in Master Response GEN-1.

**I-233-2**

Saratoga residents would be able to access the second express lane by entering the northbound SR 85 express lane access zone between Winchester Boulevard and Saratoga Avenue, as shown in Figure 1.3-2, which has been added to IS/EA Section 1.3.1.1.

The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

**I-233-3**

The proposed project together with other planned projects would provide incremental improvements at the I-280 interchange, as described in Master Response TR-2.

**I-233-4**

Noise, air quality, and visual impacts were studied as part of the IS/EA. Refer to Master Responses N-1 regarding noise, AQ-1 regarding air quality, and the response to Comment L-3-21 regarding project-related visual changes in Saratoga. Measures to avoid or minimize effects from project-related noise and air quality are listed in IS/EA Sections 2.2.7.4 and 2.2.6.4, respectively. The project design includes elements to avoid or

minimize light trespass from new lighting and signs as discussed in IS/EA Section 2.1.4.3.

**I-233-5**

The comment does not specify which agreement is cited. However, see the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements cited in the comment.

**I-233-6**

Climate change is discussed in IS/EA Section 2.5. The project would have a long-term beneficial effect on carbon dioxide emissions compared to the No Build Alternative, as shown in IS/EA Table 2.5.1-1. Carbon dioxide is the dominant greenhouse gas from vehicle emissions.

The project would result in less than significant noise and air quality impacts and would have long-term air quality benefits, as described in Master Responses N-1 and AQ-1, respectively.

**I-233-7**

The auxiliary lane is an element of the project description.

**Comment I-234 Chris Seitz**

**85 comment**  
Chris Seitz [cseitz2@yahoo.com]  
**Sent:** Tuesday, January 28, 2014 4:45 PM  
**To:** 85expresslanes

I-234-1 [ Hi  
I'm a resident that uses 85 daily and uses the carpool lane after entering 85 at saratoga going north in the morning and the reverse in return.  
I find it highly objectionable that the plan would not have an entrance to the carpool lane for those coming on at saratoga.  
This is a complete degradation of the status quo. Residents here would go from having a carpool lane to access to being locked out.  
Please amend this.

I-234-2 [ Also, I'm certainly not interested in having this stretch opened up to trucks either

Thanks  
Chris Seitz  
408 806 5427

**Responses to Comment I-234**

**I-234-1**

The commenter's concern is noted. The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

I-234-2

The project would not change the existing truck restrictions on SR 85.

**Comment I-235 Robert Silva**

<p>Robert [rsilva95722@att.net] <b>Sent:</b> Wednesday, January 15, 2014 11:38 AM <b>To:</b> 85expresslanes</p>
<p>I-235-1 [Great idea. That way the rich will go to the car pool lane and us poor folk will have less cars in the poor folk lanes. Thanks.</p>

**Responses to Comment I-235**

I-235-1

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

**Comment I-236 Judy and Dan Simpson**

<p><b>From:</b> <a href="#">Don Judy Simpson</a> <b>To:</b> <a href="#">85expresslanes</a> <b>Subject:</b> No on 85 Toll Lane <b>Date:</b> Wednesday, February 26, 2014 9:55:21 PM</p>
<p>I-236-1 [We live in Saratoga. We understood that a "light rail" system was promised for the center space between left and right vehicle passage lanes. The VTA plans for a "Toll Lane" ignore Saratoga residents altogether. We won't be able to ENTER or EXIT the new Toll Lane! All we will get is increased smog, noise, congestion, and lower real estate prices!</p> <p>We say NO on 85 Toll Lane.</p> <p>Judy and Don Simpson 18543 Ravenwood Drive Saratoga, CA 95070</p>

**Responses to Comment I-236**

I-236-1

The commenter's opposition to the project is noted. Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

The closest access zones for the northbound and southbound SR 85 express lanes are between Saratoga Avenue and Winchester Boulevard, as shown in IS/EA Figure 1.3-2. The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

Technical studies show that the project would meet air quality standards (see Master Response AQ-1); increase noise by only 0 to 1 decibel along the Saratoga portion of SR 85 as described in Master Response N-3 (which would typically not be perceptible, see Master Response N-1); and improve average travel times and speeds on SR 85 (see Master Response TR-1). There is no evidence that the project would lower real estate values.

**Comment I-237 Bobby Siu**

**85 expansion - Saratoga**  
BobbyS [bobbysiu@yahoo.com]  
Sent: Tuesday, February 18, 2014 10:15 PM  
To: 85expresslanes

Hi,

I-237-1

I'm writing as a concerned Saratoga resident that is currently impacted by the existing freeway noise caused by highway 85. I recently learned that expansion plans are being investigated. I beg you to stop this plan as it will cause additional noise pollution to all of us that border the highway. The existing noise seems to increase every year, please do not inflict more pain on us.

Thanks  
Bobby Siu

**Responses to Comment I-237**

**I-237-1**

The noise technical studies show that the project would result in a 0 to 1 decibel increase in traffic noise along the Saratoga portion of SR 85, as described in Master Response N-3. This increase would typically not be perceptible, as discussed further in Master Response N-1.

**Comment I-238 Deanna Slocum (1)**

**SR 85 Express Lanes**  
Deanna [djslocum@gmail.com]  
Sent: Friday, February 28, 2014 5:20 PM  
To: 85expresslanes

Hello,

I-238-1

I am writing to protest the changing of HOV lanes to express lanes. I have an electric car because I care about the env just so I could drive in the HOV lane and now I learn I'm going to have to pay additionally to drive in the HOV lane because you're converting to and expressly HOV lanes should be used for people who are trying to help the environment

**Responses to Comment I-238**

I-238-1

Alternative fuel vehicles with California Department of Motor Vehicles-issued green or white stickers would be able to continue to use the express lanes for free until January 1, 2019 (<http://www.arb.ca.gov/msprog/carpool/carpool.htm>).

**Comment I-239 Deanna Slocum (2)**

**SR 85 Express Lanes**

Deanna [djslocum@gmail.com]

Sent: Friday, February 28, 2014 5:33 PM

To: 85expresslanes

I-239-1 Hello,  
I am writing to protest the changing of HOV lanes to express lanes. I have an electric car because I care about the environment. One of the "thank-you" actions I have come to enjoy and even depend on is the privilege to drive in the HOV lane. Now, anybody who pays will have that privilege as well - without having made any commitment to keep our air clean. The HOV lane should be a privilege only to those doing their part to make the world a better place - not for anybody who pays the most money.

Very frustratedly,  
Deanna Slocum  
1208 Parkington  
Sunnyvale 94087

**Responses to Comment I-239**

I-239-1

See the response to Comment I-238-1.

**Comment I-240 Carol Small**

**We are opposed!**

Carol Small [carolsmall2@comcast.net]

Sent: Wednesday, February 19, 2014 12:07 PM

To: 85expresslanes

Dear sirs,

I-240-1 As residents of Saratoga near De Anza Blvd, my husband and I are very disappointed about the expansion of 85. We have lived here---on Northampton Drive---since 1975. We remember the sounds of the birds. With the proposed expansion, we get more noise and more traffic. We will not benefit at all from the new lane, as we always enter the freeway at De Anza when we are traveling north.

Please reconsider this proposal.

Sincerely,  
Carol L. Small

19567 Northampton Drive  
Saratoga

## Responses to Comment I-240

### I-240-1

The noise technical studies show that the project would result in a 0 to 1 decibel increase in traffic noise along the Saratoga portion of SR 85. Refer to Master Response N-3 regarding project-related noise in Saratoga. The project is not expected to significantly increase traffic, as described in Master Response TR-1.

The commenter would be able use the express lanes by entering the northbound access zone between De Anza Boulevard and Stevens Creek Boulevard, as shown in new IS/EA Figure 1.3-2. It is correct that the northbound express lane will be a single lane in that area.

In addition, continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4. The development of the current access points is described in Master Response GEN-4.

## Comment I-241 Phil Smith

	<p><b>Comments</b> Phil Smith [philbilly@me.com] Sent: Wednesday, January 15, 2014 10:09 AM To: 85expresslanes</p>
	<p>To whom it may concern,</p>
I-241-1	<p>I'm opposed to the idea of converting the carpool lanes on SR 85 to paid express lanes. While I'd like the option to use the lanes personally, there are a couple of reasons for my opposition.</p> <p>First, having the carpool lanes provides significant incentive for people to, well, carpool. This reduces congestion and pollution. It also helps us, as a society, conserve petroleum. Changing to paid express lanes just enables personal convenience and raises money for agencies that should be able to do just fine with the income, sales and excise taxes as well as vehicle registration fees and fuel taxes.</p>
I-241-2	<p>Which brings me to my second point. This seems to me to be just another way to make life more convenient for those with resources and less convenient for those without. If you want to raise more money from people who have it, do it the old fashioned way: raise their taxes. The proper use of tax revenue is to purchase public goods. giving disproportionate benefits to people who already have resources is not a public good.</p>
	<p>Sincerely,</p> <p>Phil Smith 2132 Blossom Crest Way San Jose, CA 95124</p>

## Responses to Comment I-241

### I-241-1

The commenter's opposition to the proposed project is noted. The express lanes would create additional capacity and maintain priority use for carpools and other HOVs, which would continue to use the lanes for free. In addition, express lane tolls would provide a

revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Refer to Master Response GEN-1 for additional information.

**I-241-2**

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

**Comment I-242 Jayne Sonnenschein (1)**

	<p><b>From:</b> <a href="#">J. Sonnenschein</a> <b>To:</b> <a href="#">85expresslanes</a> <b>Cc:</b> <a href="mailto:sleonardis@losqatosca.gov">sleonardis@losqatosca.gov</a>; <a href="mailto:miensen@losqatosca.gov">miensen@losqatosca.gov</a>; <a href="mailto:dmcnuttt@losqatosca.gov">dmcnuttt@losqatosca.gov</a>; <a href="mailto:ipirzynski@losqatosca.gov">ipirzynski@losqatosca.gov</a>; <a href="mailto:bspector@losqatosca.gov">bspector@losqatosca.gov</a> <b>Subject:</b> Stop Highway 85 Expansion <b>Date:</b> Thursday, February 27, 2014 7:06:02 PM</p>
	<p>To whom it may concern,</p>
I-242-1	<p>I live in the Old Adobe Neighborhood off Quito Rd. I have been a resident of Los Gatos since 1991, pre-Highway 85. I appreciate using the Hwy and am grateful the original planning committee made minimal on &amp; off ramps through our quiet town. Unfortunately my neighborhood is raised above the level of Highway 85 which causes noise &amp; dirt to flow up over the sound walls &amp; into my neighborhood resulting in increased highway sounds &amp; a noticeable dust particulate that settles in &amp; outside my home.</p> <p>The current Quito road "Bridge Replacement" plan (that is already funded) proposes to remove up to 25 of the large mature trees near Quito &amp; Old Adobe road that currently acts as a natural buffer &amp; reduces some of the automobile noise &amp; roadway dust pollution from Hwy 85.</p>
I-242-2	<p>I strongly oppose the VTA &amp; Caltrans current plans to add additional toll lanes to the Highway 85 using the land that was agreed to be saved for future Mass Transit. This is a direct breach of the Performance Agreement signed in 1988 -1989 with Cupertino, Saratoga, Campbell and Los Gatos.</p>
I-242-3	<p>Their proposal to expand highway 85 by adding two toll lanes will not solve the traffic congestion that is caused by the bottleneck on the stretch of Hwy from 280 to 101. It will only increase the number of vehicles that will collect at that point. Furthermore I am concerned that the project could end up using Federal dollars which will then cause HWY 85 to be available for large trucks &amp; other vehicles that are currently prohibited on this road... I can't imagine living in Los Gatos if the vehicles on Highway 85 become like Hwy 101.</p>
I-242-4	<p>Additionally, VTA states that Express busses will be used as Mass Transit, and have no plans for future light rail. Putting express buses on Highway 85 will only add to the air pollution &amp; noise that affects all the residents of the Old Adobe Neighborhood &amp; Los Gatos residents.</p> <p>Please stop this project, it is a short term band-aid and not a very good solution to the bigger problem.</p> <p>Thank you, Jayne Sonnenschein 239 Plaza La Posada Los Gatos, CA 95032</p>

**Responses to Comment I-242**

**I-242-1**

The commenter's opposition to the proposed project is noted. Refer to Master Responses N-1 regarding noise and AQ-1 regarding air quality. Tree removal for the Quito Road bridge replacement is not part of the proposed SR 85 Express Lanes Project.

See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements cited in the comment. Note that the City of Campbell did not comment on the project.

**I-242-2**

The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

**I-242-3**

The project would not change the existing truck restrictions on SR 85. The use of federal funds will not have any effect on the existing truck restrictions.

**I-242-4**

The commenter's opposition to the project is noted. The proposed project does not include express bus service beyond that which is already provided on SR 85.

**Comment I-243**

There is no Comment I-243. This comment number was not used.

**Comment I-244 Rajat Srivastava**

	<p><b>From:</b> <a href="#">Rajat Srivastava</a> <b>To:</b> <a href="#">85expresslanes</a> <b>Cc:</b> <a href="#">Rajat Srivastava</a> <b>Subject:</b> Review of the process of environmental review for the proposed SR85 express lanes project <b>Date:</b> Thursday, February 27, 2014 7:05:59 PM</p>
I-244-1	<p>All, Thank you for extending the public comment period. I drive daily on 85 from Saratoga to Mountain View and am very familiar with all the issues and choke points.</p>
I-244-2	<p>- I need to understand who made the decision to not have an EIR done and what was the basis of that decision. This is a \$170M + project. - There is no need to accelerate traffic till the choke points: who made the decision &amp; why to not resolve the choke points and why was that not studied in-depth first? This would be really the simplest approach to reducing congestion.</p>
I-244-3	<p>- Why is there a blatant violation of the agreement with the City of Saratoga, signed in 1989? Who approved this violation and under what grounds?</p>
I-244-4	<p>- I need to understand the full and exhaustive details of the sound study (noise pollution) done for this project. Who did it, when was it done, under which specific conditions (days/times/seasons) and with which measurement tools and from what distance?</p>
I-244-5	<p>- Same (full and exhaustive details) for the air pollution study and specific correlation to spare the air day numbers.</p>
	<p>Sincerely Rajat Srivastava</p>

## **Responses to Comment I-244**

### **I-244-1**

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area. Refer to Master Response GEN-3 regarding preparation of an EIR.

### **I-244-2**

The proposed project together with other planned projects would provide incremental improvements at choke points along the project corridor, as described in Master Response TR-2.

### **I-244-3**

See the response to Comment L-3-4 regarding the agreement cited in the comment.

### **I-244-4**

The *Noise Study Report* (Illingworth and Rodkin 2012) provides this information and is available at: <http://www.dot.ca.gov/dist4/envdocs.htm#santaclara>, under “State Route 85 Express Lanes Project, Initial Study with Proposed Negative Declaration/Environmental Assessment.” In addition, refer to Master Responses N-3 and N-4 regarding noise in Saratoga.

### **I-244-5**

The *Air Quality Impact Assessment* and *Mobile Source Air Toxics* technical reports (URS 2013l, m) are available at: <http://www.dot.ca.gov/dist4/envdocs.htm#santaclara>, under “State Route 85 Express Lanes Project, Initial Study with Proposed Negative Declaration/Environmental Assessment.”

No methodology exists for correlating Spare the Air Day numbers with air quality impacts from individual projects.

**Comment I-245 Jim Stallman (1)**

Comment submittal from Jim Stallman

I-245  
-1 --> **A new HOT lane project, SR85 HOT, is being launched in Santa Clara County (SCC) which fails to fix a POC in the project area.** The POC is pre-ADA and has grades that are too steep for ADA. The landings are also inside the sound wall cutting off Aux Lanes which could be extended to eliminate a needless bottleneck. The HOT lane project will actually double the lane count of the freeway leading up to this bottleneck and yet nothing is being done to relieve the bottleneck.

This is yet another chance (or 3rd strike) for SCC to actually comply with The Caltrans directive DD-64 Routine Accommodation (RA) which now goes by the name Complete Streets (237 HOT and 880 HOV being the recent 1st and 2nd strikes).

We have an opportunity to keep this regional project off of the This is Stupid list.

I-245  
-2 The section where the POC resides is ROW constrained due to the POC. There was a partial Aux lane put in already but it would extend back to the previous onramp (making it a complete Aux lane) if the POC landing wasn't in the way. Rebuilding the POC and realigning the center of the freeway in that stretch would match what the SR85 HOT project is doing in the rest of the corridor. The reason it isn't being done where the POC is would likely be because VTA doesn't want to fix the POC.

Why not get a win-win-win out of this project by actually making it do what it is suppose to be doing instead of leaving a debilitating flaw?

I-245  
-3 The upstream portion of the SR85 HOT project is adding an Aux lane and a 2nd HOV lane. Along with a recent partial interchange makeover project which added a 2nd lane to the 280nb to 85nb connector ramp, the section with the out of date and in the way POC will continue to be 3 lanes with a planned 6 lanes feeding it. The backup in the morning is already red up to 10am in the morning and doing the SR85 HOT project will actually make this worse since we all know that adding more freeway lanes adds more traffic.

Until VTA Freeway Project Planning gets a good read on RA and comes to terms with it, nothing will change of course, and the larger ticket Bike/Ped issues will continue to get ignored along the CTD4 roadways in SCC - having to rely on separate funding to get done if ever - in violation of MTC Resolution 3765: <http://www.mtc.ca.gov/planning/bicyclespedestrians/res3765final.pdf>

I-245  
-4 Background on 1st and 2nd strikes VTA failures to abide by / comply with RA. 237 HOT failed to restore the Class 1 Bike Path in the project stretch. San Jose spent #330k of "bike money" to finally get the path restored in violation of MTC Resolution 3765. 880 HOV converted a 2 way bike/ped/car bridge into a freeway offramp eliminating a crossing of Coyote Creek for bike/peds in the 880 corridor at Brokaw. This project spent an obscene amount of money (\$94M) to build a 2 mile long extra lane (no sound wall either) for 880 where ROW and structures already existed and wouldn't pony up \$200k to build a bridge for bikes/peds over Coyote Creek. This was documented in the EIR with a blatant lie by VTA saying that the project was not doing work in the quadrant of the interchange where the crossing for bikes was being severed (even though it obviously was).

## Responses to Comment I-245

### I-245-1

The comment does not identify which pedestrian overcrossing (POC) is cited. Based on Comment I-246 from the same commenter, it appears that the POC is between Homestead Road and Fremont Avenue.

Improvements to the POC are not part of the current project scope. The commenter's recommendations would require additional right-of-way and reconstruction of the POC in a different location to meet standards.

The proposed project would help to alleviate congestion within this bottleneck by allowing for some solo drivers to shift into the express lane. Toll revenue from the express lanes would be used to fund future projects in the corridor.

### I-245-2

See the response to Comment I-245-1.

### I-245-3

The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2. The project would improve overall average travel times and speeds on SR 85, as described in Master Response TR-1.

### I-245-4

The comment addresses previous highway projects and does not provide an environmental comment on the current project.

## Comment I-246 Jim Stallman (2)

### SR 85 Express Lanes - input

Jim Stallman [2jimstallman@gmail.com]

Sent: Tuesday, January 07, 2014 11:59 AM

To: 85expresslanes

Cc: Paul Goldstein [marmot@stanford.edu]; Emily Lo [emilylo@mplusa.com]; Martin Murphy [marengo@gmail.com]; Howard Miller [hmiller@saratoga.ca.us]; Chuck Page [cpage@saratoga.ca.us]

<http://www.vta.org/Give-Your-Input-on-SR-85-Express-Lanes#.UsxYGMT5mK3>

I-246-1

1. Complete aux lane 85nb Homestead to Fremont including ADA rebuild of the POC
2. Complete aux lane 85sb which begins at Stevens Creek Blvd (SCB) to De Anza Blvd (DAB)
3. Provide HOT or HOV (bypass) lanes for onramps where they are missing (incl nbDAB, sbSar)

Note that the original 85 Extension Project had several design flaws affecting LOS and also leading to 5 fatalities including a CHP officer. Do things right this time.

Jim Stallman  
19740 Braemar Drive  
Saratoga, CA 95070

## Responses to Comment I-246

I-246-1

See the response to Comment I-245-1 regarding the northbound auxiliary lane and POC.

The extension of the auxiliary lane on southbound SR 85 from Stevens Creek Boulevard to De Anza Boulevard is not warranted because the proposed project would provide operational improvements in this area.

The project does not propose to modify any ramps; therefore, construction of HOV bypass lanes is not included in the current project scope. VTA and Caltrans developed plans for HOV bypass lanes, traffic operations systems, and ramp metering improvements along the corridor under MTC's Freeway Performance Initiative Program. Construction was completed in mid-2014, and the metering was activated in late January 2015.

## Comment I-247 Jim Stallman (3)

### Access pathway for SR85 HOT project

Jim Stallman [2jimstallman@gmail.com]

Sent: Thursday, January 23, 2014 8:09 PM

To: 85expresslanes

The SR85 extension project severed direct pedestrian access from north Saratoga to its sports park. Saratoga has a proposed project to reconnect to the neighborhood. This connection is also the missing link in a bike route across 4 cities connecting to West Valley College in the same corridor served by SR85.

Permission from Caltrans will be needed since the project consists of a path next to the inside of the freeway sound wall at the Cox Avenue crossing of SR85.

I-247-1

The project may be viewed at the **Trail-Related Proposed Capital Improvement Projects** section at the City of Saratoga website: <http://www.saratoga.ca.us/civicax/filebank/blobdload.aspx?blobid=7959> ( <http://www.saratoga.ca.us/cityhall/comms/pebtac/default.asp> )

Please make the "Congress Springs Park Northside Access" project part of the SR85HOT authorization so that permission for Saratoga to restore this connection can happen.

Thank you.

## Responses to Comment I-247

I-247-1

The comment is noted regarding a future pedestrian access that requires Caltrans approval.

**Comment I-248 Jim Stallman (4)**

**Re: SR 85 Express Lanes - input**

Jim Stallman [2jimstallman@gmail.com]

Sent: Thursday, February 06, 2014 7:29 PM

To: 85expresslanes

Cc: Emily Lo [emilylo@mplususa.com]; Martin Murphy [marengo@gmail.com]; Howard Miller [hmiller@saratoga.ca.us]; Chuck Page [cpage@saratoga.ca.us]; Kevin Jackson [kjbiker@netzero.net]; Iveta Harvancik [iharvancik@saratoga.ca.us]; jill hunter [jhunter95070@yahoo.com]; Manny Cappello [mcappello@saratoga.ca.us]; bchang@cupertino.org; john.ristow@vta.org

Comment submittal for SR85 HOT proposal

- I-248-1 1. **Sunnyvale bottleneck** - move centerline north by rebuilding POC which allows for aux lanes both sides reaching Homestead to Fremont and show the rebuilt to ADA standards POC in Table S-1 Traffic and Transportation / Pedestrian and Bicycle Facilities line item Mitigation column
- I-248-2 2. Support proposed **Congress Springs Path in Saratoga** and show this in Table S-1 Traffic and Transportation / Pedestrian and Bicycle Facilities line item Mitigation column
- I-248-3 3. See that **quiet pavement** is used - either micro-ground PCC or rubberized asphalt (used on HWY17/ECR) - see that this is explicitly stated in Table S-1 Noise line item Mitigation column - not the wishy washy verbage that is there now
- I-248-4 4. Provide **transit node in median at SCB** like Cristin Hallissy, CTD4, is doing in San Ramon and show this in Table S-1 Traffic and Transportation / Pedestrian and Bicycle Facilities line item Mitigation column - this is a left over, undone, item from the Traffic Authority West Valley Extension EIR/Plan - *providing this connection for the De Anza College transit node would also feed more transit patrons from the SCB Bus Rapid Transit line to the north county express bus network*
- I-248-5 5. Change "Gilroy" to "Los Gatos" on sb 101 signage in Mt. View
- I-248-6 6. Provide entrance / exit to HOV/HOT lane(s) starting  $\frac{1}{2}$  mile from Saratoga Avenue in both directions
- I-248-7 7. Add **HOV/HOT bypass lanes to all signalized onramps** like the nb Saratoga Avenue ramp has - *don't know why this didn't happen with the West Valley Extension project originally*
- 8. Activate dynamic onramp signals based on freeway speed

I-248-8	9. Extend HOV/HOT lane hours 1 hour later than currently posted
I-248-9	10. <b>Plant trees</b> to a achieve a density of 200 per mile both sides (400 total per mile) with replacement surveillance extending 10 years
I-248-10	<u>To make the SR85 HOT project successful, extend I-280 HOV lanes to Page Mill Rd. in Palo Alto (gets rid of the Magdalena 4 to 3 to 4 lane insidious backup for sb I-280) and apply to make these a single lane HOV/HOT from SR85 to Page Mill Rd.</u> I suspect that this route segment could possibly generate the most revenue of any HOT lane in the state provided it also included an HOV/HOT direct connector for SR85 to I-280 northbound - along with making the VTA bus running this route (VTA 102) a quicker trip by 10 to 15 minutes in the morning and saving 2 to 5 minutes for the VTA bus lines (VTA 101, 102, & 103) using this route for the pm commute southbound

### **Responses to Comment I-248**

#### **I-248-1**

See the response to Comment I-245-1.

#### **I-248-2**

See the response to Comment I-247-1. The proposed project does not impact existing pedestrian and bicycle facilities, and therefore mitigation is not required or proposed.

#### **I-248-3**

Refer to Master Response N-2 regarding quiet pavement.

#### **I-248-4**

A transit node in the median is not part of the project or needed to mitigate an impact. However, the comment is noted and would need to be addressed as a separate project.

#### **I-248-5**

This comment is noted but is not part of the project.

#### **I-248-6**

Express lane access zones are planned between Saratoga Avenue and Winchester Boulevard, as shown in Figure 1.3-2, which has been added to IS/EA Section 1.3.1.1. The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

#### **I-248-7**

HOV/HOT bypass lanes are not part of the project but can be considered in the future.

Item 8 of the comment will be considered during the next design phase.

#### **I-248-8**

The recommended extension of express lane hours of operation is noted.

**I-248-9**

The commenter's recommendation to plant trees is noted. In accordance with Caltrans policy, landscaping and irrigation that is damaged or removed during project construction would be replaced in kind. For safety reasons, fixed objects such as trees cannot be placed within 30 feet of traffic lanes on a freeway.

**I-248-10**

Refer to Master Response TR-2 regarding a future study of the I-280 corridor from US 101 to the San Mateo County line.

**Comment I-249 Peggy and Peter Stark**

<p><b>Personal Protest</b> Stark [starkpg@comcast.net] <b>Sent:</b> Wednesday, February 26, 2014 10:56 AM <b>To:</b> 85expresslanes</p> <p>To whom it might concern,</p> <p>I-249-1 [ Regarding paid fees for express lanes: Many car pool users will simply refuse to pay the fee to use the same diamond lane which they have been using, and cram onto the other 2 lanes. Our original 1989 agreement to build the HWY included the use of the middle section ONLY for LRC. Now you want to use it for express buses? This plan if realized will guarantee more pollution, noise and congestion.</p> <p>Outraged, Peggy and Peter Stark Saratoga, CA.</p>
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**Responses to Comment I-249**

**I-249-1**

The express lanes would create additional capacity and maintain priority use for carpools and other HOVs, which would continue to use the lanes for free. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Refer to Master Response GEN-1 for additional information.

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding specific performance agreements.

Note that the proposed project does not include express bus service beyond that which is already provided on SR 85.

Potential effects to noise and air quality were evaluated in detail and found to be less than significant, as described in Master Responses N-1 regarding noise and AQ-1 regarding

air quality. The project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1.

**Comment I-250 Scott Stauter (1)**

**SR 85 Express Lanes**

Scott Stauter [scott@stauter.org]

**Sent:** Monday, January 13, 2014 9:56 PM

**To:** 85expresslanes

I-250-1

Having a single HOV lane seems to be an incentive to get more people to car pool, or drive non-polluting vehicles. This seems to be a good motive. Making the HOV lane available for money seems to favor the 1% of the population. To take away another lane from the 99%, so a few of the very rich can go a little faster seems to be a very elitist idea. I find this plan to be very repulsive. All taxpayers paid for the highway, and it would make me very angry to be sitting in heavy traffic, watching the Tesla's and Lamborghini's go speeding by in the underutilized lanes.

This lame scheme appears just to make a profit for some entity. The corporation who collects the tolls is the one who gets the windfall, and the 99% of the public who drives on the supposed "freeway" gets the shaft.

Please do not go through with this lame plan.

Scott Stauter

Mountain View

**Responses to Comment I-250**

**I-250-1**

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5.

*I-151-2*

The commenter's opinions about outreach for the project are noted. The public outreach history for the project is described in the IS/EA. Chapter 3 and Master Response GEN-6 list the extensive public outreach that has taken place as part of this project over the past several years. This has recently included two community meetings and a City Council meeting presentation in Saratoga. Additional outreach was conducted to clarify information about the second express lane between SR 87 and I-280.

The original length of the public comment period was 30 days, from December 30, 2013, to January 31, 2014. In addition, the comment period was extended to 60 days as a result of public interest in the project.

*I-151-3*

The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

The project's potential to increase noise and air pollution has been studied in detail as part of the environmental process. Refer to Master Responses N-1 through N-5 regarding noise and AQ-1 regarding air quality.

*I-151-4*

The commenter's opinions and recommendation to make all lanes of SR 85 into express lanes during commute times are noted. The use of federal funding for the project would not affect the existing truck restrictions on SR 85.

**Comment I-152 Lita Kurth (1)**

**single lanes for the wealthy**

L.A. Kurth [lakurth@yahoo.com]

Sent: Wednesday, January 15, 2014 5:35 PM

To: 85expresslanes

Dear Rep. Fong,

I-152-1

Thanks so much for alerting me to this proposal. I'm so disheartened that citizens of a democracy would auction off every convenience and every thing set up to benefit the environment just so that people to whom money is no object can flout the rules and show everyone that having money means you have better access to public facilities whether that be schools, highways, parks, or other benefits. I strongly disagree.

Revenue can best be raised by raising the state income tax, and yes, that would raise my own taxes because I am not poor; I'm just a very strong supporter of whatever remnants of democracy we still have left.

Sincerely,

Lita Kurth

1043 Warren Ave.

San Jose 95125

(working near 85 in Cupertino, living in San Jose)

**Responses to Comment I-152**

**I-152-1**

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

**Comment I-153 Lita Kurth (2)**

**the death of carpools**

L.A. Kurth [lakurth@yahoo.com]

Sent: Thursday, January 30, 2014 10:47 AM

To: 85expresslanes

Dear legislative personnel,

I-153-1

I'm really troubled by this proposal.

Carpool lanes were set up to encourage and reward environmentalism, but now they're to be sold off to anyone with money! Those who have gone through the trouble of arranging a carpool will now receive no more benefit than a single person driving an Escalade; in fact, they will be negatively impacted because carpool lanes will quickly become just like any other lane. I am outraged. Is every public good for sale? Should we let people with more money have priority use of public parks and libraries and schools? Why not? It will bring in more revenue. We have better ways of bringing in revenue: taxes, especially higher taxes on luxury cars. And I'm not a poor person myself. I just think we can't afford to stop rewarding environmentalism when it's so obvious what a climate crisis we're in, and I want to live in an equal-opportunity democracy, not a Russia-style plutocracy.

I am certain that other states, counties, and countries have reached solutions we can implement. I truly and honestly think this step is undemocratic and leads to even more inequality.

Cordially,

Lita Kurth, 1043 Warren Ave., San Jose, CA 95125

**Responses to Comment I-153**

I-153-1

The commenter’s opposition to the proposed project is noted. Refer to Master Response EJ-1 regarding income equity of express lanes. The project would create additional capacity for carpools and maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor.

**Comment I-154 Michele Kwong**

**Highway 85 Comments**  
jmkwong1@comcast.net  
**Sent:** Wednesday, January 15, 2014 1:26 PM  
**To:** 85expresslanes

To whom it may concern:

I-154-1 [ I am opposed to converting the Highway 85 carpool lanes into express lanes in order to ease traffic congestion, because the carpool lanes already often move slower than the regular lanes!

Your logic is faulty, because the carpool lanes were originally designed to cause LESS cars driving on the road (with 2 or more people riding together, instead of driving separately).

If you allow single-driver cars into the carpool lane, then that will defeat the purpose of the carpool lanes. Also, it won't ease congestion, but will just move the congestion into the carpool lanes and cause the carpool drivers to suffer even more than they are suffering now!

For these reasons, I strongly urge you NOT to convert the Highway 85 carpool lanes into paid express lanes.

Thank you,  
Michele Kwong

**Responses to Comment I-154**

I-154-1

The commenter’s opposition to the proposed project is noted. The carpool/HOV lanes already have areas of congestion, and detailed traffic analysis indicates that the congestion will become worse in 2015 and 2035. The project would maintain traffic conditions in the express lanes at or near free-flow conditions through 2035 (IS/EA Section 2.1.3).

The project would create additional capacity for carpools and maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. In addition, the project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1.

**Comment I-155 C D Lacy**

**Express lanes**

C D Lacy [thedommy@yahoo.com]

Sent: Sunday, January 26, 2014 10:01 AM

To: 85expresslanes

I-155-1

Hwy 85 was not supposed to be built without the light rail system down the median. VTA needs to live up to that promise. We are trying to maintain a healthy environment for our citizens with all future generations in mind. Our representatives need to have a mass transportation system that rings the entire Bay Area!! So, make it happen.  
Sent from my iPad

**Responses to Comment I-155**

**I-155-1**

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

The comment does not specify which promise is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements between the cities and Santa Clara County Traffic Authority.

**Comment I-156 Peter Lam (1)**

**Express lanes expansion concern**

Peter Lam [plam\_95134@yahoo.com]

Sent: Wednesday, February 05, 2014 11:36 AM

To: 85expresslanes

Dear VTA council members:

I-156-1

My name is Peter Lam and had been a Saratoga residents for the last 13 years. My home at Marilla Drive is directly backed against the sound wall of the highway 85.

Over the years, the elevated freeway noise (78 decibel level vs 67 ) had prevent our family as well as our neighbors from going outside our backyard for gathering or any outside activities due to the high level noise pollution from the freeway. This is really ashamed given California has afforded us the pleasant and sunshine weather throughout the years for us to enjoy. On top of that, we also have to live with the air pollution coming out from the heavy car traffic Freeway

Any expansion to the Highway 85 through the corridor of City of Saratoga will make the situation worse, create more bottle neck for the interchanges between Highway 85 & 280 and Highway 85 and 17.

I-156-2

Therefore, I respectfully request VTA and Caltran for a full EIR report for the suggested expansion. The impact statement posted on your website do not address any of my concerns on these matter.

At the end of the day, the expansion do not benefit the resident of City of Saratoga and will only worsen the quality of life for all of us in the neighborhood that are in proximity to this Highway.

Sincerely,  
Peter Lam  
A concerned Saratoga resident

**Responses to Comment I-156**

**I-156-1**

The noise technical studies show that the project would result in a 0 to 1 decibel increase in traffic noise along the Saratoga portion of SR 85, as described in Master Response N-3. This increase would typically not be perceptible, as discussed further in Master Response N-1.

See the response to Comment I-157-1 regarding the noise measurement at the commenter's property.

The project is not expected to increase air pollution, as discussed in Master Response AQ-1, and project-related congestion relief would reduce emissions from vehicles idling.

The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

**I-156-2**

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area, including noise, air quality, and visual resources. Since no specific environmental topics are raised, specific responses cannot be provided. Refer to Master Response GEN-3 regarding preparation of an EIR.

**Comment I-157 Peter Lam (2)**

**Re: Express lanes expansion concern**  
Peter Lam [plam\_95134@yahoo.com]  
Sent: Wednesday, February 26, 2014 5:12 PM  
To: 85expresslanes

I-157-1

Dear Mr. Ngoc and VTA Council members,  
I am writing to you to follow up on the topic of 85 Express lane expansion to add a HOT lane to the North/South bound 85 Corridor between De-Anza and Winchester Blvd.

After having an opportunity to read through the IS report posted on your website, your technical analysis on the noise impact on this freeway is flawed with inaccuracy data point on the noise level of this freeway created to our neighborhood and to the homes that have their backyard against the freeway sound-wall. The report suggested a measurement of 61- 67 db level threshold which meet the federal guideline for noise abatement.

I was able to get a hold a noise dosemeter to measure the noise at my back yard at different point in time. I measure consistently around 71 to 78db level . The 71 db is at 9pm night time and 78db is at the height of traffic hour between 8-9pm or 5-7p.m. These noise level are definitely above the federal threshold for noise abatement. With any common sense, adding additional 2 HOT lanes to this 85 corridor would only make the noise pollution worse.

I respectfully that VTA get an environment assessment of this project as this is certainly a big concern for my neighborhood.

Sincerely,  
Peter Lam

A concerned Saratoga resident.

**Responses to Comment I-157**

**I-157-1**

Chapter 5 of the *Noise Study Report* (Illingworth and Rodkin 2012) for the proposed project discusses the study methods and procedures followed during the noise monitoring survey for the proposed project. These methods and procedures are consistent with Caltrans and FHWA requirements for studies of highway noise in California. Noise measurements were made by trained field staff with calibrated sound level meters. The data collected at each site are accurate and reflect an average noise over the duration of the measurement period. It is unclear how the commenter's measurements were conducted (i.e., was the dosemeter calibrated, was it on fast or slow response, were they peak or average noise levels, etc.), all of which could explain the higher readings.

Receptor ST-51, located at 20159 Marilla Court, was selected as an acoustically equivalent receptor that represented all residential receptors (including the commenter's residence) west of SR 85 on Marilla Drive, Marilla Court, or Knollwood Drive. Residential receptors in this area are currently shielded by a 12-foot sound wall (identified in the IS/EA as SW10; see Appendix A, Sheet 9). Predicted future noise levels at first-row receptor ST-51 was 62 dBA  $L_{eq}$ , which is below the NAC for Category B residential land uses. Noise impacts were not identified in this segment because future noise increases would not be considered substantial, and worst-hour noise levels would not approach or exceed the NAC.

Refer to the response to Comment L-1-15 (under "Nighttime Noise Levels") regarding the project's potential to affect noise levels at night.

Refer to Master Response GEN-3 regarding the project's environmental document.

**Comment I-158 Karen Law**

<b>From:</b>	<a href="#">Karen Law</a>
<b>To:</b>	<a href="#">85expresslanes</a>
<b>Subject:</b>	No to VTA Project on Highway 85
<b>Date:</b>	Friday, February 28, 2014 10:39:50 AM

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Hi,

I-158-1 [ I live in Saratoga right next to highway 85. I want to share my concerns below regarding the Proposed Highway 85 Toll Lanes project:

I-158-2 [ - Proposal does not solve the traffic congestion problems  
- We, as Saratoga residents, already paying property tax for this highway. It should be free, and not toll.  
- Increase of pollution and noise level.

I-158-3 [ Above said, I strongly against the VTA Project on Highway 85 and hope your agency can take this into consideration.

Best Regards,  
Karen

**Responses to Comment I-158**

**I-158-1**

The project would provide incremental improvements to traffic congestion on SR 85, as described in Master Responses TR-1 and TR-2.

It should be noted that the express lanes would maintain priority use for carpools and other HOVs, which would continue to use the lanes for free, as described in Master Response GEN-1. Only solo drivers would pay a toll to use the lanes, assuming capacity is available to accommodate them.

**I-158-2**

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

**I-158-3**

The project would not result in significant noise and air quality impacts and would have long-term air quality benefits, as described in Master Responses N-1 regarding noise and AQ-1 regarding air quality.

**Comment I-159 Meir Levi (1)**

	<p><b>Paid express lane on Highway 85.</b> Meir Levi [meirlevi@yahoo.com] <b>Sent:</b> Tuesday, January 28, 2014 3:32 PM <b>To:</b> 85expresslanes</p>
I-159-1	<p>Our house abuts to this freeway. In my view, paid express lane, will end up with, less people willing to pay to use it, ar more drivers cram onto the free lanes. That will result with more and more cars "parking" on the road during rash hours More noise and more air pollution in our backyards</p> <p>Therefore, I vehemently object to any paid express lane, or other methods which will not reduce the noise level in our backyards.</p> <p>NO TO PAID EXPRESS LANE</p> <p>Meir Levi 13126 Anza Drive Saratoga, CA 95070</p>

**Responses to Comment I-159**

**I-159-1**

The commenter's opposition to the project is noted. The detailed traffic analysis conducted for the project shows that it would improve average travel times and speeds on SR 85, as described in Master Response TR-1. Potential effects to air quality and noise are discussed in Master Responses AQ-1 regarding air quality and N-1 regarding noise.

**Comment I-160 Meir Levi (2)**

**Objection to planned expresslane**  
Meir Levi [meirlevi@yahoo.com]  
Sent: Wednesday, February 26, 2014 10:21 AM  
To: 85expresslanes

I-160-1 Our house abuts to the nosiest part of the freeway. Therefore, I object to any, and all proposals to build any road which will cause more noise, and more pollution.

I-160-2 Furthermore, unlike HWY 280 north, most commuters on 85 are salaried employees, who will be hard pressed to pay fee to use the express lane. In fact, many car pool users, do so to save money and time communing back and forth. This proposal seem to defeat that purpose.

I-160-3 The priorities should be given:  
a) further noise abatement on the free way (Rubberized lanes, coat the walls with noise absorbing material).

I-160-4 b) our agreement back in 1989 to build the freeway, was that divider section will be used to build LRC - nothing else. Simple connect the existing LRC station in Mt.View through 85 down back to the Santa Teresa station. A parallel line to existing one.

Meir Levi  
13126 Anza Drive  
Saratoga

**Responses to Comment I-160**

**I-160-1**

The commenter's opposition to the project is noted. Refer to Master Responses N-1 through N-5 regarding noise. The IS/EA address other environmental topics and concludes that the project would not have significant impacts.

**I-160-2**

The project would create additional capacity for carpools and maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor.

**I-160-3**

Refer to Master Response N-2 regarding quiet pavement and other project-related noise abatement.

**I-160-4**

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. The comment does not specify which agreement is cited; however, see the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements.

**Comment I-161 Deborah Levoy**

To Ngoc Bui, Associate Environmental Planner  
Department of Transportation, Environmental Planning, MS 8B  
P.O. Box 23660  
Oakland, CA 94623

1/27/2014

Dear Mr. Bui,

I-161-1

I strongly oppose the conversion of High-Occupancy Vehicle lanes on 85 to express lanes. I am very disappointed that you have proposed such a plan. We are in a serious climate crisis and need to focus aggressively on solutions to that crisis, rather than moving backward with plans that will result in spewing even more carbon into the atmosphere.

Your plan would not help with traffic congestion, but would result in an increase in air and carbon pollution. Instead, public transit options such as frequent, comfortable EV express busses, and more park and ride areas, would provide less expensive, easier, and lower impact transportation options, increasing the quality of life in our communities and reducing long-term health and climate impacts.

I-161-2

Silicon Valley should apply our political and technological leadership to demonstrate how advanced public transit systems can provide solutions that increase quality of life and convenience while reducing environmental impacts. This is not a new concept - our country is greatly behind other western countries who are already implementing such leadership and systems. This would not only improve residents' quality of life, it would make Silicon Valley one of the most desirable places to live and do business in the world.

I appreciate your consideration of my comments.

Best,



Deborah Levoy  
537 N. 18th St.  
San Jose, CA 95112

**Responses to Comment I-161**

**I-161-1**

As part of the detailed technical studies for the project, emissions of carbon dioxide (CO<sub>2</sub>), the dominant greenhouse gas from vehicle emissions, were evaluated for the existing, future Build, and future No Build conditions. The Build Alternative would have slightly higher emissions in 2015 than the No Build Alternative (IS/EA Table 2.5.1-1). The project-related increase would be less than 0.5 percent. However, in 2035, the Build Alternative would have substantially lower CO<sub>2</sub> emissions than the No Build Alternative. The 2035 Build CO<sub>2</sub> emissions would also be lower than existing CO<sub>2</sub> emissions. Therefore, the project would have long-term beneficial effects to CO<sub>2</sub> emissions.

The project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1, and would not result in significant noise and air quality impacts, as described in Master Responses N-1 regarding noise and AQ-1 regarding air quality.

I-161-2

The commenter's recommendations are noted. Master Response GEN-7 discusses why transit options are not being implemented instead of the proposed project. The project would provide revenue for HOV, transportation, and transit service improvements such as additional express bus service in the corridor.

**Comment I-162 Gary Linafelter**

**85 express lanes**

Gary Linafelter [GLinafelter@SantaClaraCA.gov]

**Sent:** Wednesday, January 22, 2014 3:31 PM

**To:** 85expresslanes

I-162-1 [ I do not wish to see express lanes on 85.  
Thanks,  
Gary Linafelter  
5519 Lauren Dr  
San Jose, CA 95124

**Responses to Comment I-162**

I-162-1

The commenter's opposition to the project is noted.

**Comment I-163 Patty Linder**

**Express Lanes on highway 85**

patty4282 [patty4282@gmail.com]

**Sent:** Wednesday, January 15, 2014 7:32 PM

**To:** 85expresslanes

I-163-1 [ I am opposed to creating toll lanes on Highway 85. This benefits only those who can afford to pay the toll, when all taxpayers foot the bill, so I think this is elitest and undemocratic.  
I suggest opening the diamond lanes to all traffic; the relief of congestion would be better for the environment than reserving them for high occupancy vehicles.

Sincerely,

Patty Linder  
839 Bend Ave  
San Jose

## Responses to Comment I-163

### I-163-1

The project would maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. Studies in California and elsewhere show that express lanes provide time and convenience benefits to drivers of all income levels. Refer to Master Response EJ-1 regarding express lane users.

The commenter's opposition to diamond/HOV lanes is noted.

## Comment I-164 Johnathan Liu

**Concerned about the 85 Express Lane Project**  
Jonathan Liu [jliu865@yahoo.com]  
**Sent:** Tuesday, January 28, 2014 10:00 PM  
**To:** 85expresslanes

To who it may concern,

I am a residence of the City of Saratoga and I am writing to express my deep concerns about the 85 Express Lane Project described here ([http://www.dot.ca.gov/dist4/documents/85ExpressLanesProject/front%20matter\\_chapter\\_1\\_thru\\_chapter\\_6.pdf](http://www.dot.ca.gov/dist4/documents/85ExpressLanesProject/front%20matter_chapter_1_thru_chapter_6.pdf)).

I-164-1 This proposed project will have negative impact on the environments along the way, and hence I am strongly opposed to the project. Here are my specific requests at this point --

I-164-2 **1. Please perform a full EIR for this \$170 million project that affects multiple cities**  
**2. It is not appropriate to charge on a public funded freeway that's paid by the local sales taxes**  
**3. Instead of expanding 85 to more lanes, which doesn't solve the real problem, please work on a real fix to the traffic jam at the junctions of 85 & 280, 85 & 237, 85 & 17.**

I-164-3 the 85 project as proposed now is a terrible idea that cost a lot but achieve nothing. Please make sure a full EIR is performed for all the cities impacted.

Sincerely,  
Jonathan  
Residence of the City of Saratoga

## Responses to Comment I-164

### I-164-1

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area. Refer to Master Response GEN-3 regarding preparation of an EIR.

### I-164-2

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

### I-164-3

The proposed project together with other planned projects would provide incremental improvements at congested interchanges along the project corridor, as described in Master Response TR-2.

See the response to Comment I-164-1 regarding preparation of an EIR.

**Comment I-165 Emily Lo**

**Emily Lo comments requesting EIR**

Emily Lo [emilylo@mplusa.com]

**Sent:** Tuesday, February 25, 2014 2:58 PM

**To:** 85expresslanes

Dear Mr. Bui,

I am the Mayor of Saratoga and like to express my personal position on the Proposed Negative Declaration Environmental Assessment (IS).

I-165-1 The concerns brought forward by Saratoga's analysis today on the IS draft, particularly in relation to impact on noise, air quality, and traffic requires an EIR on this project.

As a concerned citizen, I therefore request that a full EIR be prepared.

Note: I am sending this on a personal capacity, and not on behalf of the City of Saratoga.

Regards,  
Emily Lo

**Responses to Comment I-165**

**I-165-1**

Refer to Master Responses N-1 through N-4 regarding noise, AQ-1 regarding air quality, and TR-1 regarding traffic.

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area, including noise, air quality, and traffic. Refer to Master Response GEN-3 regarding preparation of an EIR.

**Comment I-166 Michael Ludwig (1)**



3331 N. First Street, San Jose CA 95134-1927  
(408) 321-7575 TDD: (408) 321-2330  
Fax: (408) 321-7537  
community.outreach@vta.org

**SR 85 Express Lanes Project  
Draft Environmental Document Public Meeting  
Comment Card**

Name: Michael Ludwig  
Address: 701 Curtner Ave. Apt. #281 San Jose 95125-2065  
E-mail Address: \_\_\_\_\_

Meeting attended: SR85 Express Lanes Project Draft Environmental Document Public Meeting

I-166-1

Comments: I hope these HOT lanes are going to be HOT lanes 24/7! That is, that they will never be open to solo drivers not paying a toll! Having the current HOV lanes open to solo drivers during most hours of the week <sup>only</sup> encourages people to drive alone during those hours, thus decreasing the efficiency of the freeway as a whole, as

(If you require more room for additional comments, please use the backside of this card)  
Please note that all comments must be received by January 31, 2014

TO BACK

I-166-1, cont.

measured in terms of people moved per hour! Because there is no time advantage to being an HOV! This is true no matter whether the General Purpose lanes are congested (and thus slow-moving or stopped) or whether those lanes are free-flowing (and thus fast-moving)!

**Responses to Comment I-166**

I-166-1

The express lane hours of operation would be the same as the current HOV lane hours of operation. The proposed project would maintain priority use for carpools and other HOVs. If the lanes become congested, tolls will be increased to deter solo drivers from entering the lanes, or the toll signs will be changed to read "HOVs only" and only HOVs will be allowed in the lanes, as described in Master Response GEN-1.

**Comment I-167 Michael Ludwig (2)**

	 SANTA CLARA Valley Transportation Authority
3331 N. First Street, San Jose CA 95134-1927 (408) 321-7575 TDD: (408) 321-2330 Fax: (408) 321-7537 community.outreach@vta.org	
<b>SR 85 Express Lanes Project Draft Environmental Document Public Meeting Comment Card</b>	
Name: <u>Michael Ludwig</u>	
Address: <u>701 Curtner Ave Apt. #281 San Jose</u>	
E-mail Address: <u>95125-2085</u>	
Meeting attended: SR85 Express Lanes Project Draft Environmental Document Public Meeting	
I-167-1	<b>Comments:</b> <u>This project is a good idea. I have several counter-arguments to those who say ALL lanes should be open to ALL cars. (1) This increases the efficiency of the freeway as a whole in terms of <del>the</del> people moved per hour. (2) To those who say highway lanes are not subsidized by taxpayers (that is paid for solely by user fees), does that really <del>is</del> TO BACK</u>
(If you require more room for additional comments, please use the backside of this card) Please note that all comments must be received by January 31, 2014	

I-167-1,  
cont.

include taxpayer-funded police and fire costs to sort out and clean up collisions? (3) To those who say that taxpayers do not subsidize highway lanes (that is, they are paid for solely by user fees) I'm positively sure that does not take into account pollution costs (including its clean-up)! And that when these costs are factored in, highway lanes do end up being subsidized by the taxpayer!

**Responses to Comment I-167**

I-167-1

The commenter's support for the project is noted.

**Comment I-168 Michael Ludwig (3)**



3331 N. First Street, San Jose CA 95134-1927  
(408) 321-7575 TDD: (408) 321-2330  
Fax: (408) 321-7537  
community.outreach@vta.org

**SR 85 Express Lanes Project  
Draft Environmental Document Public Meeting  
Comment Card**

Name: Michael Ludwig  
Address: 701 Curtner Ave Apt #281 San Jose 95125-2088  
E-mail Address: \_\_\_\_\_

Meeting attended: SR85 Express Lanes Project Draft Environmental Document Public Meeting

I-168-1

Comments: Thank you for having the two-foot gap  
between the HOT lane and the General Purpose  
lanes! It will improve safety! The current  
HOV lane configuration, with no such separation,  
is definitely less safe! Because fast-moving  
cars in the HOV lane are too close to  
slow-moving (or stopped) cars in the General Purpose  
lanes! **TO BACK**

(If you require more room for additional comments, please use the backside of this card)  
Please note that all comments must be received by January 31, 2014

I-168-1  
cont.

lanes! So whatever you do, do NOT  
get rid of this safety gap!

**Responses to Comment I-168**

I-168-1

The commenter's support for the 2-foot-wide double-line striped buffer zone is noted.

**Comment I-169 Michael Ludwig (4)**



3331 N. First Street, San Jose CA 95134-1927  
(408) 321-7575 TDD: (408) 321-2330  
Fax: (408) 321-7537  
community.outreach@vta.org

**SR 85 Express Lanes Project  
Draft Environmental Document Public Meeting  
Comment Card**

Name: Michael Ludwig  
Address: 701 Curtner Ave, Apt. #281 San Jose 95125-2085  
E-mail Address: \_\_\_\_\_

Meeting attended: SR85 Express Lanes Project Draft Environmental Document Public Meeting

Comments: I am disappointed that both of these  
meetings are in bad places to take transit  
from the meeting. This meeting at the Colabazas  
Library is a long distance from any bus route,  
and service near the Cambrian Library ends  
at about 6:30pm.

I-169-1

**Responses to Comment I-169**

I-169-1

The comment about the meeting locations is noted. Meeting locations and times were selected in an effort to allow maximum attendance from members of the public along the 33.7-mile project corridor.

**Comment I-170 Stephen Mahnke (1)**

I-170-1	<p><b>Highway 85 expansion project - keep promise to develop light rail</b> Stephan Mahnke [smahnke@yahoo.com] <b>Sent:</b> Sunday, February 09, 2014 12:43 PM <b>To:</b> 85expresslanes</p>
	<p>To whom it may concern:</p>
	<p>As a Campbell resident I have been looking forward to the prospect of expanding the light rail network using the 85 corridor. This will reduce the dependence on cars.</p>
	<p>Unfortunately the current plans to use the available space in the 85 median to expand the use of express lanes will block the expansion of light rail. The additional lanes will mean more traffic as well as an increased noise level.</p>
	<p>I hereby urge the Department of Transportation to honor the agreement from 1988 to maintain the available space for light rail extension.</p>
	<p>Thank you for your attention to this matter.</p>
	<p>Best Regards, Stephan Mahnke Campbell, CA</p>

**Responses to Comment I-170**

**I-170-1**

The commenter's opinion about the proposed project is noted. Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

Master Response TR-1 provides information about traffic improvements with the project compared to the No Build condition in 2015 and 2035.

The noise technical studies show that the project would not result in a significant traffic noise impact, as discussed in Master Response N-1.

The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the agreements.

**Comment I-171 Stephen Mahnke (2)**

**From:** [Stephan Mahnke](#)  
**To:** [85expresslanes](#)  
**Subject:** Re: Highway 85 expansion project  
**Date:** Thursday, February 27, 2014 6:49:24 PM

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To whom it may concern:

I would like to add some further specific items to further address my concerns with expanding highway 85:

I-171-1 1. I see light rail as the preferred form of mass transportation, and for this, the median of highway 85 should remain reserved. Light rail will provide the means to transport a large number of people without local emissions on a predictable schedule. Light rail is not impacted by traffic congestion or car accidents blocking lanes on the freeway. I do not see express buses as a comparable and viable alternative. A study on the prospective ridership of a light rail line along this corridor must be done.

I-171-2 2. As I do live in close approximation to highway 85 I am concerned about an increase in noise and pollution. As the economy in the Silicon Valley has significantly improved over the last two years, so has the number of cars on the freeway. Any noise and pollution measurement studies should be repeated to reflect the current conditions in peak traffic.

I-171-3 3. As I do travel on 85 northbound between Saratoga Ave and highway 101, I see the main bottle necks the 85-237 interchange and the 85-280. As the express lane will remain one lane between 280 and highway 101, I do not see how express lanes, other than limiting merge points, increase the number of cars which can travel during peak time. The structure of these interchanges needs to be improved first.

I-171-3 Changing lanes or adding carpool lanes can have a negative impact on the overall traffic flow. One example is the recent addition of the carpool lane from 237 to 101 on 880 southbound. Here the new carpool lane has created a merging mess at the 880-101 interchange.

As a measurement of improvement the travel time for all cars, general and carpool/express lanes should be taken as a measurement. I do not see measuring the improvement for the cars traveling on the express lanes as a sole indicator of the success of the project.

I-171-4 4. Contracts between the City of Saratoga and the Santa Clara Traffic Authority from February 6th, 1989, and the City of Los Gatos and the Santa Clara Traffic Authority from October 23rd, 1990, clearly state that the median of highway 85 is reserved for mass transportation, and specifically state light rail in the agreement.

I do see the Valley Transportation Authority as the successor of the Santa Clara Traffic Authority, as it inherited the function of being responsible for the freeway planning in the region. Hence it is bound to the agreements with the cities of Los Gatos and Saratoga to reserve the median of highway 85 for light rail expansion.

I-171-5 5. Parts of the original agreement to build the freeway 85 have not been fulfilled yet - these include landscaping and noise levels. Before investing in any expansion of the freeway 85, these shortcomings must be addressed first.

Given these concerns, I strongly object the current proposal of the expansion of the freeway 85 to increase the lanes to 4, as well as the conversion of the existing carpool lane to an express lane.

Thank you for your consideration.

Best Regards,

### **Responses to Comment I-171**

#### ***I-171-1***

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. Also refer to Master Response GEN-7 regarding transit as an alternative to the proposed project.

#### ***I-171-2***

The project would result in less than significant noise and air quality impacts and would have long-term air quality benefits, as described in Master Responses N-1 regarding noise and AQ-1 regarding air quality. The studies were conducted for the worst-case traffic scenario, which is constrained by the existing capacity of the freeway and therefore does not change due to economic factors.

#### ***I-171-3***

The proposed project and other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

The effects of changing the SR 85 HOV lanes into express lanes and adding a second express lane in the median in each direction between SR 87 and I-280 were evaluated in detail as part of the traffic analysis for the project. Potential traffic changes in both the HOV/express and general purpose lanes are summarized in IS/EA Section 2.1.3.2. The project would improve average travel times and speeds on SR 85, as described in Master Response TR-1.

#### ***I-171-4***

See the responses to Comments L-3-4 (Saratoga) and L-4-2 (Los Gatos) regarding the contracts cited in the comment. Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

#### ***I-171-5***

The focus of this IS/EA is the proposed project and the analysis of its environmental impacts.

The commenter's opposition to the project is noted.

**Comment I-172 Paul Makepeace**

**From:** Paul Makepeace  
**To:** 85expresslanes  
**Cc:** hmiller@saratoga.ca.us; cpade@saratoga.ca.us; Wilma Yeung  
**Subject:** 85 Express Lanes questions  
**Date:** Friday, February 28, 2014 4:45:20 PM

Hello URS,

I-172-1 In the meeting at the Saratoga Library Community Room recently we were reassured that accepting federal assistance wouldn't affect truck usage on 85. This is a federal condition so how is VTA in a position to say trucks won't be permitted to use 85 after accepting federal funding?

What are expected frequency of the proposed express buses using the central lanes?

What types of buses are proposed? (Passenger capacity, engine type, etc)

What are the proposed schedules of these buses?

What routes will they connect with?

I-172-2 What do the proposals entail for express bus users wrt to increased parking needs?

What usage fees are projected for these parking facilities?

How will the construction of this additional parking be funded?

What impact studies have been made on these parking facilities?

Where would their exit & entry points be?

I-172-3 What studies based on projected traffic patterns have been made on when they would have to leave their express lanes to reach the freeway off ramps?

I-172-4 What studies preceded the SR-85 Express Lanes project that resulted in the conclusion that adding two vehicle lanes was a better use of funds than implementing Light Rail, which that area was contractually earmarked for?

I-172-5 Why was the technical analysis not available for public scrutiny online even three days before the deadline for commentary? (We were told "we can look into putting it online or providing a disc" as late as 2/25!)

Thanks,  
Paul Makepeace,  
18668 Aspesi Drive, Saratoga

**Responses to Comment I-172**

**I-172-1**

The current truck restrictions on SR 85 are included in California Vehicle Code Section 35722 and Santa Clara County Ordinance Section B17-5.3. Neither Caltrans nor VTA are aware of any current provision that would require changes to the truck restrictions as a result of federal transportation funding for projects on SR 85. It is not clear which federal condition is referenced in the comment.

**I-172-2, I-172-3**

VTA currently operates three express buses that use SR 85 (routes 102, 168, and 182). Information about bus stops and Park and Ride lots for those and other routes is available

at [http://www.vta.org/Getting-Around/Schedules/By-Type#Express Bus Service](http://www.vta.org/Getting-Around/Schedules/By-Type#Express%20Bus%20Service). Additional express bus service and parking facilities on SR 85 are not part of the project, but additional express bus service could be considered as part of reinvestment of toll revenue in the project corridor.

**I-172-4**

The history and status of the proposed extension of light rail in the SR 85 median is discussed in Master Response GEN-2.

**I-172-5**

The traffic studies for the project were requested to be made available online on January 22, 2014, and were uploaded to the Caltrans District 4 Environmental Documents website on January 24, 2014. The complete set of project technical reports was made available on the Caltrans website in February 2014.

**Comment I-173 Judith Marlin**

**Questions**  
Judy [g.ames@comcast.net]  
Sent: Monday, March 03, 2014 8:41 PM  
To: 85expresslanes

I-173-1 1. How can this project go through since the agreement states 85 will be a 6 lane highway with a 46 ft. median.

I-173-2 2. Since the agreement states the median can be used for future mass transit, what is the official definition for "mass transit" since I don't see how private company buses qualify. Light rail would be the appropriate transit.

I-173-3 3. I understand that there isn't funding for the project, but it is to go forward anyway. Are we local taxpayers to be stuck with the eventual bill?

I-173-4 4. If the Feds come in then the current restrictions on semi -trucks would be eliminated. What are your plans (and funding) for noise abatement? The current abatement doesn't do much to dull the sound that is there now.

I-173-5 5. Most of the current congestion on highway 85 is where 85 intersects with 280. Since you currently don't know how to fix this problem, how are we to deal with it when traffic is drastically increased and has more and more huge trucks?

6. How are the exit and entrance lanes to handle all the additional traffic?

Without adequate funding and considering the lack of planning, I'm at a loss to understand how you can consider going through with the project. Please advise.

Judith E. Marlin  
108 Brocastle Way  
Los Gatos, CA. 95033  
g.ames@comcast.net

**Responses to Comment I-173**

**I-173-1**

The comment does not specify which agreement is cited; however, see the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding the Performance Agreements.

**I-173-2**

See the response to Comment I-91-6 for a definition of mass transit.

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2.

**I-173-3**

Refer to Master Response GEN-10 regarding funding, cost, and return.

**I-173-4**

The use of federal funds will not have any effect on the existing truck restrictions on SR 85. Refer to Master Response N-1 regarding noise.

**I-173-5**

The proposed project together with other planned projects would provide incremental improvements at the I-280 interchange and other bottlenecks along the project corridor, as described in Master Response TR-2. Also see Master Response TR-1 regarding improvements to average travel times and speeds on SR 85 with the project. The express lanes would offer immediate congestion relief using the existing right-of-way.

The restrictions on trucks would not change with the project.

Refer to Master Response GEN-10 regarding funding, cost, and return.

**Comment I-174 Ellen Green Mastman**

**From:** [Ellen Green Mastman](#)  
**To:** [85expresslanes](#)  
**Subject:** Highway 85 growing noisier  
**Date:** Thursday, February 27, 2014 5:12:46 PM

To whom it may concern,

I-174-1 I was present at the VTA meeting last Tuesday night at the Saratoga Public Library. The issue of widening 85 and reducing congestion is not a no-brainer. As a person who commutes to work at different times on different days I can vouch for that fact that Traffic has grown worse in the past year to the point of doubling waiting time on the freeway at both morning and afternoon rush hours. Yet when it is not rush hour, I can travel smoothly and easily. It is truly a growing problem that parallels the growth in population and increase in employment levels over the past few years as economic recovery chugs forward. One day last month it took me just under 90 minutes to get to Palo Alto at about 10 AM. So my first set of questions. question is this: At what

I-174-2 time of day were the noise studies performed? What was the number of employed workers at that time in history compared with today?

I-174-3 My second set of questions has to do with mass transit as an alternative to car travel from Saratoga. Sadly, the disjointed, poorly scheduled offerings of mass transportation around this area make it impractical in many cases to go anywhere in any form of transport except a car (or truck, I suppose). Schedules do not match up easily and trains are just too infrequent. Believe me, I have tried! It would seem that an effort to co-ordinate and increase options for mass transportation would help a great deal more. For example, what

I-174-3, cont.	<p>chance do we have to bring light rail to this area? Would light rail schedules, BART schedules and Bus Schedules ever be co-ordinated? What about plans for FREE parking near light rail and BART stations? We have often considered using mass transportation to go up to San Francisco to attend a cultural event or dinner, but we are always daunted by how long the trip takes. By the time we get done with driving to light rail or BART we might as well just drive to the city. And don't even ask about trying to take mass transportation to any of the airports! By the time we drive to Bart and pay for parking the time and cost are both so great they become non-starters.</p>
I-174-4	<p>And finally: Has anyone considered relieving congestion by smoothing the entrance and exits from and to HWY 85, especially at DeAnza and HWY 280 instead of just piling more lanes into the same old bottle necks?Where can I find reports about those studies? I do not think they have been done. What about placing light rail in</p>
I-174-5	<p>the center of 85 instead of just more lanes in which cars and the proposed "express buses" will face ever greater congestion? What about widening the lanes from which</p>
I-174-6	<p>one enters the freeway from some of the more congested entrances and exits like Cupertino at De Anza and Stevens Creek near DeAnza College?</p>
I-174-7	<p>Finally, the noise pollution and air pollution are killers. Making an honest effort to ameliorate noise pollution and air pollution is the only way for decision makers to live with a clean conscience. Can you honestly tell me</p>
I-174-8	<p>that piling up more cars and trucks and buses is</p>

I-174-8, cont.	<p>superior to well functioning, quiet, clean light rail transportation for a growing area of well employed individuals who share similar work schedules? Who would take those express buses if they do not coordinate perfectly with trains and light rails and if getting to the buses is expensive and slow?</p> <p>Hoping to hear answers from you soon and hoping find good solutions to the real problems we all face. Sadly there are lots of questions.</p> <p>Sincerely, Ellen Mastman</p>
-------------------	---

**Responses to Comment I-174**

**I-174-1**

The commenter's observations are noted.

**I-174-2**

All Caltrans highway noise analyses are required by 23 Code of Federal Regulations 772 to be done in terms of the worst noise hour for traffic. The worst noise hour represents the maximum number of vehicles traveling at the speed limit. The *Noise Study Report* (NSR; Illingworth and Rodkin 2012) for the proposed project collected more than 140 measurements along the proposed project corridor at various times of day to determine the worst hour for traffic noise over the 33.7-mile study corridor (NSR Tables 6-1 and 6-2). The worst hour for traffic noise varies depending on location.

Noise measurements for the 2012 NSR were collected in October and November 2011 and in March 2012. Based on unemployment data for Santa Clara County, the highest unemployment rates in recent years were for 2009 and 2010, before the noise study was conducted.

Employment levels have increased since the NSR was prepared; however, it is important to note that the noise measurements and predicted future levels (assuming growth in the area through 2035) reflect the worst hour for traffic noise, when traffic is heavy but still moving at the speed limit. Adding vehicles to the freeway due to an assumption of higher employment would result in congestion and slower speeds, which would decrease, not increase, traffic noise levels. Therefore, a new noise study to capture the effects of higher employment levels would not result in different conclusions.

**I-174-3**

This comment does not directly relate to the proposed project but is noted by Caltrans and VTA. It should be noted that VTA does not currently charge for parking.

*I-174-4*

The proposed project together with other planned projects would provide incremental improvements at bottlenecks along the project corridor, as described in Master Response TR-2.

*I-174-5*

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. Master Response TR-1 provides information about traffic improvements with the project compared to the No Build condition in 2015 and 2035.

*I-174-6*

The proposed project would add an auxiliary lane along a 1.1-mile segment of northbound SR 85 between the existing South De Anza Boulevard on-ramp and Stevens Creek Boulevard off-ramp to improve traffic operations during peak periods.

*I-174-7*

The project would result in less than significant to noise and air quality impacts and would have long-term air quality benefits, as described in Master Responses N-1 regarding noise and AQ-1 regarding air quality.

*I-174-8*

The history and status of the proposed extension of light rail in the median of SR 85 is discussed in Master Response GEN-2.

Additional express bus service on SR 85 is not included as part of the project but could be considered as part of reinvestment of toll revenue in the project corridor.

**Comment I-175 Dennis McCarney (1)**

**From:** [Dennis McCarney - 95032](mailto:Dennis.McCarney-95032)  
**To:** [85expresslanes](#)  
**Subject:** highway 85 express lane project  
**Date:** Friday, February 28, 2014 2:04:16 PM

- I-175-1 Dear VTA,  
I attended a meeting at the Saratoga City Library February 25, 2014 to listen to your representative John Wistow explain your plan to expand highway 85 with Express Lanes. At a high level it seems VTA wants to turn the HOV lane into a toll lane that single occupant cars could use during commute times for a variable fee (basically fastrac). I also heard that there would be commuter busses using these lanes, all of this is suppose to some relieve congestion along the highway 85 corridor. Many of the residents wanted to know where these busses would be coming from and who would be using them. Your representative stated that the busses could get off the highway and pick people up and then return to the highway. Everyone wanted to know where the parking for the people being picked up would be as people would have to drive their car and park in order to board the bus.
- I-175-2 Like many of the people at the meeting that has driven this highway we all know ( and your representative admitted) that the real problem is not along highway 85 but where highway 85 and highway 280 intersect. The interchange is one giant bottleneck and adding lanes along highway 85 so you can get more traffic to interchange will not relieve congestion but cause more of it.
- I-175-3 The issues that this proposal bring to the residents that live along highway 85 is more pollution , more noise and more traffic on local street as the on ramps back up. I would like a copy of all the environmental studies that have been conducted that show adding more traffic to highway 85 will relieve congestion without causing environmental harm to habitat around the freeway. I am very interested in the study that would show this will not have a harmful effect on the human population from airborne pollution.
- I-175-4 I am opposed to this project because it will not solve the real problem which is the highway 85/highway 280 interchange. As you know there is an existing performance agreement in place that spells out that highway 85 is to be a 6 lane facility with a 46 foot wide median. It also states that the median was to be reserved for mass transportation. Your representative stated you consider the busses as mass transportation to which everyone in the audience laughed (busses are a 1960's solution to mass transit). Today mass transportation is light rail, which we all expected would be put down the center (just like what has been done with highway 85 further south) not busses with more pollution. Some folks in the audience think this is just a way for Google to have more of their private busses on the road.
- I-175-5 By now you have received responses from the cities and know they do not support this proposal, private citizens are forming a group to start collecting funds to mount a citizens challenge to this proposal. This project is going to generate a lot of press if it goes forward and you should be in the position to explain how it makes sense when everyone can see the problem is with the 85/280 interchange.
- I-175-6 The idea that you can float some bonds and then pay them off with money collected from tolls is wishful thinking in an extreme state of denial.  
This project makes no sense and it is very sad that an agency charged with transportation is favoring a proposal that would put more cars and busses polluting rather than pursue a project to install light rail. I think you may find that hard to defend when interviewed.
- I have raised many issues here which I am sure you have investigated and have answers for and I look forward to reading the solution to each of the issues raised. For the record I am totally against the highway 85 express lanes project.

Dennis McCarney  
116 Montclair Rd.  
Los Gatos, CA 95032

**Responses to Comment I-175**

**I-175-1**

This comment is addressed in the response to Comment I-14-1.

**I-175-2**

This comment is addressed in the response to Comment I-14-2.

**I-175-3**

This comment is addressed in the response to Comment I-14-3.

**I-175-4**

The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) regarding specific performance agreements.

The Performance Agreement does not specify that the median must be reserved for light rail or define mass transportation as rail instead of transit buses. Buses that use clean air technology are an affordable and flexible mass transportation solution that support local and regional air quality goals.

**I-175-5**

This comment is addressed in the response to Comment I-14-4.

**I-175-6**

This comment is addressed in the response to Comment I-14-7.

**Comment I-176 Dennis McCarney (2)**

-----Original Message-----

From: Dennis McCarney - 95032 [mailto:djm95032@mac.com]

Sent: Sunday, February 23, 2014 10:10 PM

To: Council

Subject: Highway 85 expansion - Town Position

Dear Los Gatos Town Council,

I-176-1

Many of us have become aware of a plan by Caltrans and the VTA to expand highway 85 by adding toll lanes. We are aware of the original Performance Agreement by VTA with Los Gatos, Saratoga, Campbell & Cupertino that has the 6-lane restriction with a median of 46 feet. It is hard to see how the plan by Caltrans and VTA does not violate this agreement.

Could you explain the town's position on this ? The deadline for public comment is February 28, 2014 so most of us are very suspicious that it's not the typical government "we know what's good

I-176-1,  
cont.

for the people they don't need to be concerned" mentality. Since this has not been publicized and the deadline is approaching I think it is important the the Town Council make their position known and explain how this could be going on without their knowledge.

I will be contacting the agencies involved to let them we are opposed to this violation and question the lack of public involvement and ability to give input considering the deadline.

Thank You

Dennis McCarney

**Responses to Comment I-176**

I-176-1

This comment was forwarded by the Town of Los Gatos. The commenter is referred to the official comment from the Town of Los Gatos (Comment L-4).

Extensive outreach for the proposed project was conducted and the comment period was extended by 30 days, as described in Master Response GEN-6.

**Comment I-177 Margaret McCartney (1)**

<p><b>Expanding the freeway to 8 lanes</b> Margaret McCartney [mdmknit@comcast.net] <b>Sent:</b> Saturday, February 15, 2014 3:37 PM <b>To:</b> 85expresslanes</p> <p>I-177-1 [ I have lived in the 85 corridor in Saratoga for almost 30 years and I am appalled at the intentions of making this freeway any worse than it is now. The dirt that lands on my trees and plants has increased. Stop this insult to the environment! Margaret McCartney</p>
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**Responses to Comment I-177**

I-177-1

The commenter's opposition to the project is noted. Refer to Master Response AQ-1 regarding air quality.

**Comment I-178 Margaret McCartney (2)**

<p><b>Do not do this!</b> Margaret McCartney [mdmknit@comcast.net] <b>Sent:</b> Wednesday, February 26, 2014 10:57 AM <b>To:</b> 85expresslanes</p> <p>I-178-1 [ I have lived on the 85 corridor for 30 years. Before 85 was built I had a lovely, peaceful backyard. Since then, the noise required us to put in double pane windows, and the dirt particles that now coat the leaves on my fruit trees, outdoor furniture and in the house are unhealthy. (I am a retired RN)</p> <p>WE WANT LIGHT RAIL IN THE CENTER MEDIAN if expansion is necessary, NOT BUSES THAT WOULD ADD TO THE NOISE AND AIR POLLUTION.</p> <p>Listen to the residents of Saratoga, Los Gatos and Cupertino. Margaret D. McCartney</p>
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**Responses to Comment I-178**

I-178-1

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. Refer to Master Response GEN-7 regarding transit as an alternative to the proposed project.

**Comment I-179 Tom McGinley**

**85 Toll Lane**

Tom McGinley [tom@constructionplans.org]

**Sent:** Wednesday, January 15, 2014 10:05 AM

**To:** 85expresslanes

I-179-1 [Great Idea!!

Tom McGinley  
Executive Director  
Peninsula Builders Exchange  
650-591-4486  
[Tom@ConstructionPlans.org](mailto:Tom@ConstructionPlans.org)

**Responses to Comment I-179**

I-179-1

The commenter's support for the project is noted.

**Comment I-180 Michael McWalters**

**SR 85 Express Lanes**

Michael McWalters [mmcwalters@earthlink.net]

**Sent:** Thursday, January 09, 2014 7:29 AM

**To:** 85expresslanes

I-180-1

My concern is cheaters. If the VTA is going to do this properly then CAMERAS MUST BE INSTALLED to capture the cheaters! I've seen numerous cars cutting in and out of that lane in SB I680 and SB I880 - Hwy 237 commuter lane/express lane.

NO BUS SERVICE to or from Alviso M - F from 8:30AM - 3:30 PM and NO WEEKEND SERVICE!  
Environmental Justice!

Michael McWalters  
2052 Gold Street #136  
Alviso, Ca 95002  
408-262-4406

**Responses to Comment I-180**

I-180-1

The California Highway Patrol is responsible for enforcing all laws that apply to express lanes and HOV lanes.

The comment about bus service to and from Alviso is noted.

**Comment I-181 P. Clark Miller**

**From:** [condoralpha@comcast.net](mailto:condoralpha@comcast.net)  
**To:** [85expresslanes](#)  
**Subject:** HiWay 85 widening  
**Date:** Friday, February 28, 2014 4:00:08 PM

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VTA:

I-181-1 [ Please stop the head-long rush to widen Hi Way 85 through Saratoga/Cupertino/Los Gatos.

The pollution, traffic and sound levels need to be thoroughly evaluated before proceeding any further.

I hope you will listen to your fellow citizens and not only the special interests.

P. Clark Miller

19401 Shubert Drive  
Saratoga, CA 94070

**Responses to Comment I-181**

**I-181-1**

Air quality, traffic, noise, and other potential environmental effects were fully evaluated in the IS/EA. Refer to Master Responses AQ-1 regarding air quality, TR-1 regarding traffic, and N-1 regarding noise. Master Response GEN-6 describes the extensive public outreach that has taken place as part of this project over the past several years.

**Comment I-182 Vivian Mills (1)**

**From:** [vivianmills@comcast.net](mailto:vivianmills@comcast.net)  
**To:** [85expresslanes](#)  
**Subject:** Stop adding lanes 85 frwy  
**Date:** Friday, February 28, 2014 3:18:33 PM

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To whom it may concern,

I-182-1 [ I am writing to you regarding the building of additional lanes - 2 express & HOV lane & auxillary lane from De Anza & Stevens Creek Blvd. I have lived in Saratoga (along the 85 corridor) for 15 years and **I do not want** this extensions & additions to the 85 frwy. I do not want more noise levels or dust or more pollution in my neighborhood. I strongly believe that this project will not alleviate or fix the traffic problem on the 85 Freeway, according to studies I have heard done in our area. The noise levels already exceed the Federal Standards of 87 dBA. Rather than expanding fix this to a safe noise level as promised and do not add to it. Please no more building on this freeway. I know that this will cause more pollution, congestions & increase noise levels as well as more confusion to the section of the 85 corridor.

A concern citizen & resident of Saratoga area,

Vivian Mills  
Saratoga, CA 95070

**Responses to Comment I-182**

I-182-1

The commenter’s concerns are noted. Traffic, noise, air quality, and other potential environmental effects were fully evaluated in the IS/EA. The project would improve average travel times and speeds on SR 85, as discussed in Master Response TR-1, and result in less than significant noise and air quality impacts. Also refer to Master Responses N-1 regarding noise, AQ-1 regarding air quality, and TR-1 regarding traffic.

**Comment I-183 Vivian Mills (2)**

	<p><b>From:</b> <a href="mailto:vivianmills@comcast.net">vivianmills@comcast.net</a> <b>To:</b> <a href="#">85expresslanes</a> <b>Subject:</b> Stop 85 Frwy expansion - lanes &amp; HOV <b>Date:</b> Friday, February 28, 2014 3:33:19 PM</p> <hr/>
	<p>To whom it may concern,</p>
I-183-1	<p>I wish to express my <b>opposition</b> to the Caltrans/VTA Project to Convert the HOV lanes to HOT + SOV. I am against the project that proposes to add 2 Express lanes to the center median of the 86 frwy and against building an Auxiliary lane between De Anza &amp; Stevens Creek - these lanes are already confusing intersection and will be frequently congested. As a resident in Saratoga for 15 years, I am already displeased with the existing noise levels of the 85 FRWY noise levels - which is already above the Federal Standards of 67dBA. I demand that you bring the safe noise levels as promised and fix this problem instead of adding to it. If you allow this project to happen not only will the noise level rise but also the pollution, congestion, &amp; increase grid lock. This will overall lower our quality of life as we know it here in my neighborhood located just off of Allendale (near West Valley College).</p>
I-183-2	<p>Please stop this madness now!</p>
	<p>Concern citizen &amp; resident of Saratoga,</p> <p>Vivian Mills Serra Oak Court Saratoga, CA 95070</p>

**Responses to Comment I-183**

I-183-1

The commenter’s opposition to the project is noted. Refer to Master Response TR-1 regarding traffic.

I-183-2

The noise technical studies show that the project would result in a 0 to 1 decibel increase in traffic noise along the Saratoga portion of SR 85, as described in Master Response N-3. This increase would typically not be perceptible, as discussed further in Master Response N-1.

The comment states that noise levels are already above the Federal standard of 67 dBA. The comment appears to refer to the Federal noise abatement criteria (NAC), which are shown in IS/EA Table 2.2.7-1. It is important to note that the NAC values are used to determine whether noise abatement must be considered, and do not represent levels to which noise must be abated.

The project would meet air quality standards and reduce congestion and gridlock. Refer to Master Responses AQ-1 regarding air quality and TR-1 regarding traffic.

**Comment I-184 Henry Millstein**

**SR 85 Express Lanes**

Henry Millstein [hmillstein@earthlink.net]

**Sent:** Thursday, January 30, 2014 9:00 PM

**To:** 85expresslanes

I-184-1

I find that the proposal to open carpool lanes to any driver paying a fee is a wretched idea that subverts the very purpose of carpool lanes. These lanes were designed to promote environmentally responsible driving. Opening them to single drivers willing and able to pay undermines that purpose. It may also result in such lanes becoming so crowded that there is no longer any incentive to use them. We have an urgent need to protect our air and our resources. That is the point of carpool lanes, and there is no other.

Sincerely,  
Henry Millstein  
1604 Collingwood Avenue  
San Jose, CA 95125

**Responses to Comment I-184**

**I-184-1**

The commenter's opposition to the proposed project is noted. The project would create additional capacity for carpools and maintain priority use for carpools and other HOVs, as described in Master Response GEN-1. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Also refer to Master Response AQ-1 regarding air quality.

**Comment I-185 Gary Mitchell**

**comments on 85 toll lanes**

Gary Mitchell [wb6yru@ix.netcom.com]

**Sent:** Friday, January 24, 2014 3:51 PM

**To:** 85expresslanes

I am opposed to toll lanes.

We are told the supposed goal for toll lanes is to "provide congestion relief in the region."

I-185-1 The number of cars won't be changing. The number of lanes won't be changing. Toll lanes are just a new way to squeeze money out of already stressed commuters.

What's needed are more lanes and more possible routes, not new ways for the government to dig into our pockets.

Gary Mitchell  
San Jose, CA

**Responses to Comment I-185**

**I-185-1**

The commenter's opposition to toll lanes is noted. The project would add a second express lane in the median to each direction of SR 85 between SR 87 and I-280, as well as an auxiliary lane along a 1.1-mile segment of northbound SR 85 between South De Anza Boulevard and Stevens Creek Boulevard.

The purpose of the net toll revenue, after payment of direct expenses (meaning operating and maintenance expenses for the express lanes), is to fund HOV, transportation, and transit service improvements in the SR 85 corridor.

**Comment I-186 Davina Morgan-Witts**

**From:** Davina Morgan-Witts  
**To:** 85expresslanes  
**Cc:** [ctclerk@saratoga.ca.us](mailto:ctclerk@saratoga.ca.us); [elo@saratoga.ca.us](mailto:elo@saratoga.ca.us); [jhunter@saratoga.ca.us](mailto:jhunter@saratoga.ca.us); [hmillier@saratoga.ca.us](mailto:hmillier@saratoga.ca.us); [mcappello@saratoga.ca.us](mailto:mcappello@saratoga.ca.us); [cpage@saratoga.ca.us](mailto:cpage@saratoga.ca.us); [supervisor.simitian@bos.sccgov.org](mailto:supervisor.simitian@bos.sccgov.org); [assemblymember.fong@ca.gov](mailto:assemblymember.fong@ca.gov)  
**Subject:** H85 Express Lanes Project  
**Date:** Thursday, February 27, 2014 9:54:11 AM

Dear Sirs

I am writing to object to the proposed express lane project on H.85. There are any number of reasons why this is a flawed plan - here are a few of the more pressing:

- I-186-1 • Legal agreements were signed with cities including Saratoga before the highway was built stating many things including agreed maximum noise levels and that the central space would be reserved for exclusive use by public transit - with light rail specifically referenced. When VTA was formed you inherited these agreements from your preceding agency - you can't simply ignore them for your own convenience. Many of these original contractual points were broken and now you plan to break the promise of dedicated public transit.
  - I-186-2 • The express lanes will not solve the congestion problems. This is a very fundamental point and one that it seems the VTA are consistently choosing to ignore while trying to force through this express lane project. The area along Saratoga is not the core problem - as confirmed by the VTA itself - the bottle necks are further up around 280 and Stevens Creek and it seems there are currently no plans to resolve these. If anything, increasing the flow of traffic going into these bottle necks will actually make things slower and more dangerous.
  - I-186-3 • The decibel level on the freeway is already substantially higher than what was promised. I find it extremely concerning that the VTA produces stats for noise levels that are much lower than the levels that the cities have recorded in their own surveys. The impression is that the VTA is willfully choosing to ignore the cities on this matter.
  - I-186-4 • If Federal money is used for the project then there will be heavy trucks on H85 - which again is not in keeping with the agreements signed when H85 was built with funding from local communities - precisely so as to avoid having heavy vehicles on the road. Not only with heavy vehicles add to the congestion, they will also add to the noise.
  - I-186-5 • The valley has a pressing need for public transport to meet its growing population - a few extra express buses simply will not do the job. What is needed is vision to create a plan for the future, not a stop-gap for now. It is not just the residents of San Jose who want public transport. We, the residents of cities along the H.85 corridor need it too - express buses are going to be no use to us as there will be no way for us to get on to them within our communities. But, at the end of the day, irrespective of use or need of the buses, they are outside the original agreement for H85 - that there would be a dedicated public transit system in the central area, specifically light rail.
  - I-186-6 • A full EIR needs to be completed. It is not sufficient for VTA to say that they're done all the checks required in an EIR - it is still not an EIR.
- I-186-6 Speaking personally, it is unlikely that we will be affected by the increased noise and pollution levels from expanding the highway, as we are some way from it, so please do not read this as a "NIMBY" response to change. I am writing as a concerned citizen of the Bay Area who wants to see robust solutions to our current and future transport issues. Over and above the fact that expanding the freeway in this section is clearly in contradiction to signed legal agreements, I simply don't see that it will solve the current problem, or be the right solution for the long term.

Sincerely,

Davina Morgan-Witts  
13494 Briar Court  
Saratoga, CA 95070

**Responses to Comment I-186**

**I-186-1**

The commenter's opposition to the project is noted. See the response to Comment L-3-4 regarding the Saratoga agreement cited and Master Response GEN-2 regarding light rail in the SR 85 median.

**I-186-2**

The project would provide incremental improvements to traffic congestion on SR 85, as described in Master Response TR-1. Refer to Master Response TR-2 regarding other planned improvements along SR 85.

**I-186-3**

The comment is noted regarding promised noise levels from SR 85. Master Response N-3 discusses existing noise levels in Saratoga, future noise levels with and without the proposed project, and future noise levels that were predicted in the 1987 Final Environmental Impact Statement (EIS) for the construction of SR 85.

The comment appears to refer to SR 85 noise data in the City of Saratoga's 2013 Draft Noise Element compared with that in the 2012 *Noise Study Report* prepared for the proposed project. Refer to Master Response N-4 regarding these noise data.

**I-186-4**

The use of federal funds will not have any effect on the existing truck restrictions on SR 85.

**I-186-5**

Master Response GEN-7 discusses why transit options are not being implemented instead of the proposed project. Refer to Master Response GEN-2 regarding light rail in the median of SR 85. The proposed project does not include additional buses along SR 85.

**I-186-6**

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area, including noise and air quality. Refer to Master Response GEN-3 regarding preparation of an EIR.

See the response to Comment L-3-4 regarding the Saratoga agreement.

**Comment I-187 Chris Morris**

**No toll lanes**

Chris Morris [cmorris@apr.com]

Sent: Wednesday, January 15, 2014 11:55 AM

To: 85expresslanes

I-187-1 [ We already have one too many toll lanes in Northern California. We have paid our taxes for years to have a highway system. Now you want to charge us to drive on those same roads or to set up a toll system like other states. No.



Chris Morris

**Responses to Comment I-187**

**I-187-1**

The commenter's opposition to the project is noted. The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

**Comment I-188 VP Murali**

**From:** [Murali VP](#)  
**To:** [85expresslanes](#)  
**Subject:** Carpool/HOV from Saratoga Ave  
**Date:** Thursday, February 27, 2014 12:53:38 PM

I-188-1 At present without the express lanes when I have 2 or more people in my car I can enter into or exit from HOV lane anywhere close to Saratoga Ave. Will it still be possible for me to do that once express lanes project is completed and opened for use? No smart answers please, eg. "yes but you have to drive X miles before you can enter the HOV/Express lane or exit HOV/Express lane X miles before you reach Saratoga Ave" rather than a straightforward "No".

How can this project taking away a convenience that I currently have be beneficial to me?

I-188-2 My house is close to 85, the noise level is so high that I stay indoors morning and evening with windows and doors closed. Adding another express lane is only going to increase traffic and speed of cars meaning more noise. Regardless of how much more the fact that it is certainly more is unacceptable to me. I strongly oppose this project and want it permanently aborted.

If VTA is not benefiting from this project then I need VTA to provide me a list of practical ways by which citizens can permanently stop the project from moving forward.

I-188-3 I want a clearly written (in email) description of how VTA, VTA's board of directors or its employees are going to benefit from this project regardless of the size of benefit or whether benefit be in the near term or in the long-term.

When I bought the house VTA did not tell me its plans to add express lane. Due to additional noise and pollution the added express lane would bring (an undeniable fact regardless of whatever the study shows), the re-sale value of my house is going to drop, I will be loosing some peace of mind and won't have even the current level of peaceful living and I will have to stay indoors even more taking away the enjoyment of being at the yard when I am at home, will VTA compensate me for it and how?

- Murali.

**Responses to Comment I-188**

**I-188-1**

Conceptual access zones are shown in Figure 1.3-2, which has been added to IS/EA Section 1.3.1.1. The closest access zones for the northbound and southbound SR 85 express lanes are between Saratoga Avenue and Winchester Boulevard.

The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

**I-188-2**

The commenter's opposition to the project is noted. The noise technical studies show that the project would result in a less than significant traffic noise impact, as discussed further in Master Responses N-1 and N-3.

**I-188-3**

The purpose of the public review period for the IS/EA is to provide an opportunity for the public to comment on the project. The comment questions how VTA would benefit from the project. VTA's role is to develop and deliver projects in accordance with local and regional transportation planning. The project has been studied as part of that planning since 2005, as described in IS/EA Section 1.1.2. See IS/EA Section 1.2 for detailed information about the purpose and need for the project and IS/EA Chapter 3 about the history of public outreach for the project.

The project would result in less than significant noise and air quality impacts and would have long-term air quality benefits, as described in Master Responses N-1 regarding noise and AQ-1 regarding air quality. There is no evidence that the project would affect the value of the commenter's property.

**Comment I-189 Tim Nedom**

I-189-1	<p><b>85 Express Lanes Project</b> Tim Nedom [timn@iarchive.com] <b>Sent:</b> Thursday, January 16, 2014 2:30 PM <b>To:</b> 85expresslanes</p> <p>Assemblymember Fong,</p> <p>I urge you to vote against the proposal to convert the carpool lanes on State Route 85 to express lanes. Under the current law, every driver can already utilize the carpool lane as long as they have at least 2 people in the vehicle or if they drive a car that qualifies for the HOV stickers. The only way to reduce congestion is to reduce the number of cars on the road. Converting carpool lanes to express lanes will result in additional congestion and a decrease in the number of people that actually carpool. Citizens should not have the option to pay their way out of the commuting crisis, because it is only going to get worse.</p> <p>Sincerely,</p> <p>Tim Nedom Senior Solutions Consultant Integrated Archive Systems 650.528.4359 (direct) 408.205.7262 (mobile) 650.390.9997 (fax) STRICTLY PERSONAL AND CONFIDENTIAL. This email may contain confidential and proprietary material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.</p>
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**Responses to Comment I-189**

**I-189-1**

This comment was also sent to the Honorable Paul Fong, State Assembly District 28.

The express lanes would create additional capacity and maintain priority use for carpools and other HOVs, which would continue to use the lanes for free. In addition, express lane tolls would provide a revenue source for HOV, transportation, and transit service improvements in the SR 85 corridor. Refer to Master Response GEN-1 for additional information about express lanes.

**Comment I-190 Melodie Nelson**

**From:** [Melodie Nelson](#)  
**To:** [85expresslanes](#)  
**Subject:** STOP this plan on 85!  
**Date:** Thursday, February 27, 2014 3:51:08 PM

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I-190-1 [ This will be poor decision!!! Please review before implementing! This has been tried before and does not work! Even in the newspaper, Mr. Roadshow agreed, siting studies and when this has actually been implemented in our area

Please do not do this, all the surrounding Cities do not want this,

Thank you,  
Melodie Nelson  
Saratoga

**Responses to Comment I-190**

*I-190-1*

The commenter's opposition is noted.

**Comment I-191 Richard J. Nevle**

Cc: State Senator Jim Beall  
2105 S. Bascom Ave.  
Campbell CA 95814

Cc: Assembly Member Nora Campos  
100 Paseo De San Antonio, Suite 319  
San Jose, CA 95113

To Ngoc Bui, Associate Environmental Planner  
Department of Transportation, Environmental Planning, MS 8B  
P.O. Box 23660  
Oakland, CA 94623

1/27/2014

Dear Mr. Bui,

I strongly oppose the conversion of High-Occupancy Vehicle lanes on 85 to express lanes. I am very disappointed that you have proposed such a plan. We are in a serious climate crisis and need to focus aggressively on solutions to that crisis, rather than moving backward with plans that will result in spewing even more carbon into the atmosphere.

I-191-1

Your plan would not help with traffic congestion, but would result in an increase in air and carbon pollution. Instead, public transit options such as frequent, comfortable EV express busses, and more park and ride areas, would provide less expensive, easier, and lower impact transportation options, increasing the quality of life in our communities and reducing long-term health and climate impacts.

Silicon Valley should apply our political and technological leadership to demonstrate how advanced public transit systems can provide solutions that increase quality of life and convenience while reducing environmental impacts. This is not a new concept - our country is greatly behind other western countries who are already implementing such leadership and systems. This would not only improve residents' quality of life, it would make Silicon Valley one of the most desirable places to live and do business in the world.

I appreciate your consideration of my comments.

Best,



Richard J. Nevle  
537 N. 18th St.  
San Jose, CA 95112

**Responses to Comment I-191**

I-191-1

Please see the responses to Comments I-161-1 and I-161-2.

**Comment I-192 Neil D. Newman**

**From:** [Neil D. Newman](#)  
**To:** [85expresslanes](#); [community.outreach@vta.org](#)  
**Subject:** State Route 85 Express Lanes Project  
**Date:** Wednesday, February 26, 2014 7:51:04 PM

Dear Sirs;

I would like to express my disapproval about the VTA/CALTRANS project for converting the current State Route 85 HOV lane into Express Lanes.

I-192-1

My specific concerns are as follows:

I-192-2

1. There is no mitigation of the noise levels which are already above the Federal standards of 67dBA. Additional Express Lanes and truck usage will only make this worse. In addition, there will be an increase of light pollution for the community as the new Express Lane signage will be higher and more brightly lit.

I-192-3

2. This project does not honor the existing, valid, Performance Agreement that states that SR 85 is to be a 6-lane Freeway with the median being reserved for future Light Rail. Future Mass Transit improvements here will not be possible.

I-192-4

3. As a Saratoga resident, I will not be able to enter the southbound lanes until after Winchester Blvd., and northbound not until after DeAnza Blvd. We Saratoga residents who are carpooling are effectively losing our access to an available lane for several miles. We are going from 3 available lanes to 2 for several congested miles.

I-192-5

4. If Federal money is to be used, then trucks will be allowed in this section on SR 85 and this will also impact safety, noise, and access.

I-192-6

5. This plan does not address the already known choke points at the 280/85/Stevens Creek interchange.

Thank you for listening. I am urging the VTA/CALTRANS officials to NOT APPROVE this SR85 Express lane Plan.

Thank you.

Neil D. Newman - 35-year Saratoga Resident

Neil D. Newman  
12563 Scully Avenue  
Saratoga, CA 95070-3907 USA  
tel. 408 255-1527  
cell 408 828-2704

**Responses to Comment I-192**

**I-192-1**

The comment states that noise levels are already above the Federal standard of 67 dBA. The comment appears to refer to the Federal noise abatement criteria (NAC), which are shown in IS/EA Table 2.2.7-1. It is important to note that the NAC values are used to determine whether noise abatement must be considered, and do not represent levels to which noise must be abated. Master Response N-2 provides additional information about noise abatement evaluated for the project.

The project would increase existing noise levels by 0 to 3 dBA, depending on the location. This level of increase would not be significant, as discussed further in Master Response N-1.

The project would not change the existing truck restrictions on SR 85.

*I-192-2*

The project is expected to add one new overhead sign structure within Saratoga city limits, as shown in Final IS/EA Table 2.1.4-2. Approximately 14 new luminaires may be added in the Saratoga vicinity; however, as described in the response to Comment L-3-21, it is unclear how many would ultimately fall within the city limits. The new luminaires would be in the median and would be focused to restrict light to the freeway corridor. Significant light pollution in Saratoga is not expected.

*I-192-3*

See the response to Comment L-3-4 regarding the Performance Agreement. Master Response GEN-2 discusses light rail in the median of SR 85, and Master Response GEN-7 discusses why transit options are not being implemented instead of the proposed project.

*I-192-4*

The closest southbound access zone is between Saratoga Avenue and Winchester Boulevard. A northbound access zone is also planned between Saratoga Avenue and Winchester Boulevard; as the comment notes, the next access zone to the north is between De Anza Boulevard and Stevens Creek Boulevard.

The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

*I-192-5*

The use of federal funds will not have any effect on the existing truck restrictions on SR 85.

*I-192-6*

The proposed project together with other planned projects would provide incremental improvements at choke points along the project corridor, as described in Master Response TR-2.

**Comment I-193      Macedonio Nunez**

**SR 85 Express Lanes**

Macedonio Nunez [mnunez@saratoga.ca.us]

Sent: Thursday, January 16, 2014 4:04 PM

To: 85expresslanes

Cc: John Cherbone [jcherbone@saratoga.ca.us]

I-193-1

I work for the City of Saratoga Public Works Department and I am inquiring about the SR 85 Express Lanes Project. According to the maps there are no entry and exit points for the express lanes near the SR85/Saratoga Ave interchange. The SR85/Saratoga Ave interchange is the major hub in the City of Saratoga and I am inquiring why there are no entry and exit points for the express lanes.

Thank you,

Macedonio Nunez, P.E.  
Associate Engineer  
City of Saratoga - Public Works  
Tel: (408) 868-1218  
Fax: (408) 868-1218

**Responses to Comment I-193**

*I-193-1*

Conceptual access zones are shown in Figure 1.3-2, which has been added to IS/EA Section 1.3.1.1. The closest access zones for the northbound and southbound SR 85 express lanes are between Saratoga Avenue and Winchester Boulevard.

The development of the current access points is described in Master Response GEN-4. Continuous access—like the existing SR 85 HOV lane, with no buffer separation—will be considered during detailed project design, as discussed in Master Response GEN-4.

**Comment I-194      Elizabeth Orr**

From: Elizabeth Orr [elizabethorrwritenow@gmail.com]

Sent: Wednesday, February 19, 2014 12:09 PM

To: BSpector

Subject: 85

I-194-1

PLEASE DO NOT EXTEND HWY. 85. IT WOULD BE AN ECONOMIC AND ENVIRONMENTAL DISASTER FOR THOSE OF US WHO LIVE NEXT TO IT. WE WERE PROMISED THIS WOULDN'T HAPPEN.

ELIZABETH ORR

120 HENNING CT.

LOS GATOS, CA 95032

**Responses to Comment I-194**

*I-194-1*

The commenter's opposition to the proposed project is noted. The IS/EA addresses environmental impacts and includes avoidance and minimization measures where necessary to reduce impacts.

**Comment I-195 Chuck Page**

**Hwy 85 Express Lane IS questions/comments**  
Chuck Page [chuck@chuckpage.org]  
Sent: Friday, February 28, 2014 7:04 PM  
To: 85expresslanes

I-195-1 1. The noise study was done when Silicon Valley employment was at a low point and traffic on our local freeways, including Hwy 85, was significantly less than it is now that the economy is better. Please perform another noise study under conditions that represent the "normal" or today's amount of traffic. Also, I request that traffic counts be performed during the noise testing, to confirm the amount of traffic that is on the road today,

I-195-2 2. Traffic counts should be made to determine the percentage of traffic that gets off where. For example, in the Northbound direction of Hwy 85, the bottleneck during rush hours and other times is severe at Rt 280. Adding an exchange lane south of that point will only exacerbate the congestion because the additional lane will help more people get to the chokepoint faster.

I-195-3 3. How many cars (what percentage) get off the 85N to 280S? Unless that percentage is huge, and accommodations to exit the traffic faster are performed, there will be a HUGE backup (as there is today) for vehicles heading North on 85 as they approach 280. The emissions of this idling traffic will be detrimental to the environment. Please define the emissions and how they'll increase due to the increased traffic.

I-195-4 4. VTA talked about making the added express lane (vs the converted HOV lane) into an "Express Bus" Lane. This was presented to Saratoga residents at the 2/25 meeting at the Saratoga Library, and I suspect it is misleading and disingenuous. VTA stated that the lane would ONLY be used by express buses at one point. Please define the actual use of this lane, the intended amount of traffic.

I-195-5 5. Traffic counts and estimates that were made during the economic recession of 2006+ must be redone in order to reflect a more accurate usage of Hwy 85. From these revisions VTA must prove what increase to the noise, emissions, etc., in Saratoga and surrounding cities will be.

Thank you,

Chuck Page  
**Candidate for CA Assembly District 28**  
District Life & Financial Svcs Specialist, Farmers Insurance Co  
City Council Member, City of Saratoga  
(408) 839-9555 mobile  
(408) 541-1763 fax

**Responses to Comment I-195**

**I-195-1**

Noise measurements for the 2012 *Noise Study Report* were collected in October and November 2011 and in March 2012. Based on unemployment data for Santa Clara County, the highest unemployment rates in recent years were for 2009 and 2010, before the noise study was conducted.

Although employment levels have increased since the *Noise Study Report* was prepared, it is important to note that the noise measurements and predicted future levels (assuming growth in the area through 2035) reflect the worst hour for traffic noise, when traffic is heavy but still moving at or close to the speed limit. Adding vehicles to the freeway due to an assumption of higher employment would result in congestion and slower speeds,

which would decrease, not increase, traffic noise levels. Therefore, a new noise study or additional traffic counts to capture the effects of higher employment levels would not result in different conclusions.

*I-195-2*

As noted in IS/EA Section 2.1.3.1 (under “Traffic Operations Analysis Study Area and Methods”), the most recent mainline and ramp counts were used as well as additional traffic volume counts conducted at bottleneck areas.

The proposed project together with other planned projects would provide incremental improvements at the I-280 interchange and other bottlenecks along the project corridor, as described in Master Response TR-2. In addition, other projects are planned that would help to relieve congestion on SR 85 in the vicinity of the I-280 interchange. These projects are summarized in Master Response TR-2.

*I-195-3*

The detailed traffic and air quality studies for the project fully accounted for existing and future traffic conditions at the I-280 interchange and other locations along the project corridor. Refer to Master Responses TR-2 regarding traffic and AQ-1 regarding air quality.

*I-195-4*

The project does not include an exclusive “Express Bus Lane.” Additional express bus service on SR 85 is not included as part of the project but can be considered as part of reinvestment of toll revenue in the project corridor. For a detailed description of the current project, see IS/EA Section 1.3. Traffic data are provided in IS/EA Section 2.1.3.

*I-195-5*

The traffic studies for the project were conducted for the worst-case traffic scenario, which is constrained by the capacity of the freeway and is not affected by economic factors such as unemployment. The detailed noise and air quality studies for the project fully accounted for existing and future traffic conditions. Also see response to Comment I-195-1.

**Comment I-196 Dipesh Patel**

**Proposed CA-85 project**  
Dipesh Patel [dipesh.ifpatel@gmail.com]  
**Sent:** Friday, January 31, 2014 5:10 PM  
**To:** 85expresslanes

Dear All,

I-196-1 [ I have just found out about the proposed CA85 project to convert it from 6 lanes to 8 lanes. As you can imagine this is very concerning for us and I would like to see a full Environmental Impact Report (EIR) and understand what the mitigation is going to be for: Noise from additional cars, Air Quality, Light Pollution with 40FT high structures.

I-196-2 [ It is also not appropriate to charge on a public funded freeway that is paid for by Local Sales Taxes! And please fix the bottleneck on 85N at I280 intersection.

I-196-3 [ I look forward to the report and your reply.

Thanks,  
Dipesh

**Responses to Comment I-196**

**I-196-1**

California Public Resources Code Sections 21080(d) and 21082.2(d) require the preparation of an EIR for projects with significant environmental effects. The determination that the proposed project would not have significant environmental effects was based on a detailed and comprehensive review of each technical study area, including noise, air quality, and visual resources. The technical studies included the additional express lane in each direction between SR 87 and I-280. Refer to Master Response GEN-3 regarding preparation of an EIR. Also refer to Master Responses N-1 and N-2 regarding noise and AQ-1 regarding air quality. Lighting is addressed in IS/EA Section 2.1.4.

**I-196-2**

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

**I-196-3**

The proposed project together with other planned projects would provide incremental improvements at the I-280 interchange, as described in Master Response TR-2.

**Comment I-197 Don Patterson**

**Comments on 85 Express Lane**

Pattersoni@aol.com

**Sent:** Wednesday, January 15, 2014 4:36 PM

**To:** 85expresslanes

I-197-1

Here is another example of our government stealing our money. The general tax payer paid for highway 85 and WE ought to be able to use it. The commuter lane is enough, taking more of our money is unacceptable. The idea that it will help reduce traffic is ridiculous! This just another way to take our money. The government wants ALL our money and continues to find ways to steal it!

LEAVE 85 THE WAY IT IS!!! STOP TRYING TO SEAL OUR MONEY!!!

Respectfully,  
Don Patterson

**Responses to Comment I-197**

I-197-1

The express lane toll for solo drivers is a user fee, as described in Master Response GEN-5. SR 85 will continue to have two general purpose lanes in each direction that do not have tolls or vehicle occupancy requirements.

The detailed traffic analysis for the proposed project shows that it would improve average travel times and speeds on SR 85, as described in Master Response TR-1.

**Comment I-198 Gwen Pinkston**

**From:** [Gwen Pinkston](#)  
**To:** [85expresslanes](#)  
**Subject:** No on 8 lanes for Hwy 85  
**Date:** Thursday, February 27, 2014 3:03:03 PM

I-198-1

Just a short note to express my distress at your plans for Hwy 85. The original agreement was for a maximum of 6 lanes with the possibility of light rail running down the middle area now left open. Your plans in no way conform to the original agreement and I would like to go on record as opposing your current plan.

Sincerely,  
Gwen Pinkston  
64 year resident of Los Gatos

**Responses to Comment I-198**

I-198-1

The commenter's opposition to the project is noted. The comment does not specify which agreement is cited. See the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos).

**Comment I-199 Kermit Pope**

**From:** [Kerry Pope](#)  
**To:** [85expresslanes](#)  
**Cc:** [Kerry Pope](#); [Dennis McCamey](#); [Dennis McCamey](#)  
**Subject:** Expansion of Highway 85 express lanes  
**Date:** Thursday, February 27, 2014 3:07:19 PM

To whom it may concern:

I-199-1 My name is Kermit Pope and a Los Gatos resident, along with my family at 120 Montclair Road, Los Gatos. We are deeply concerned about VTA's planned expansion of the Highway 85 express lanes. VTA's representative who spoke at a gathering of residents in Saratoga on February 25 either did not know, or was unwilling to answer many questions put forth from the audience.

I-199-2 1. What independent studies has VTA commissioned to evaluate the benefits of expanding these lanes? Will congestion be reduced by the simple expansion of lanes without addressing the limitations of the current I-280/Hwy 85 and Hwy 17/Hwy 85 interchanges? Won't we simply have the same number or more cars to funnel into an inadequate artery?

I-199-3 2. We were told about an express bus lane that would pick up passengers at various locations. The VTA representative could not tell us where passengers would be picked up, where they would park their cars or what utilization VTA expects. What are the answers to these questions?

I-199-4 3. We are deeply concerned about noise, additional neighborhood pollution and the effect on property values. What is VTA's evidence that we will not be impacted in these ways?

I-199-5 4. Why is VTA proposing this construction instead of a light rail solution similar to that which already exists on Hwy 85's southern end? Was this not part of the agreement reached when 85 was built to begin with?

I look forward to hearing from VTA. At this point, I am squarely in the AGAINST camp on this project and will remain so until VTA offers compelling proof that the benefits outweigh the cost.

Sincerely,

Kermit Pope

**Responses to Comment I-199**

*I-199-1*

The commenter's concerns are noted. Also see responses to the comments below.

*I-199-2*

The proposed express lanes were fully evaluated in the IS/EA for the project, Environmental studies for the proposed project included preparation of the 27 technical reports listed in Appendix G of the IS/EA. The technical reports addressed noise, traffic, air quality, cultural resources, paleontological resources, biological resources, community impacts, hydraulics and water quality, hazardous waste, geology, and visual impacts. These studies were prepared by consultant professionals in each subject and were reviewed by Caltrans and VTA environmental or engineering staff before the studies could be approved for reference and inclusion in the IS/EA.

The project would improve average travel times and speeds on SR 85, as described in Master Response TR-1. The proposed project together with other planned projects would also provide incremental improvements at the I-280 and SR 17 interchanges, as described in Master Response TR-2.

*I-199-3*

VTA currently operates three express buses that use SR 85 (routes 102, 168, and 182). Information about bus stops and Park and Ride lots for those and other routes is available at [http://www.vta.org/Getting-Around/Schedules/By-Type#Express Bus Service](http://www.vta.org/Getting-Around/Schedules/By-Type#Express%20Bus%20Service).

Additional express bus service on SR 85 is not included as part of the project but can be considered as part of reinvestment of toll revenue in the project corridor. Ridership, routing, and the addition of stations and other new features would be studied and environmentally evaluated as a separate project.

*I-199-4*

Air quality, traffic, noise, and other potential environmental effects were fully evaluated in the IS/EA. The project would result in less than significant noise and air quality impacts and would have long-term air quality benefits, as described in Master Responses N-1 regarding noise and AQ-1 regarding air quality. There is no evidence that the project would affect property values.

*I-199-5*

Light rail in the median of SR 85 was not carried forward because it was determined not to be reasonable or practicable, as described in Master Response GEN-2. The comment does not specify which agreement is cited; however, see the responses to Comments L-1-2 (Cupertino), L-3-4 (Saratoga), and L-4-2 (Los Gatos) in regarding the agreements.

The response to Comment L-1-4 discusses the benefit-cost analysis for the project.

**Comment I-200 Donna Poppenhagen (1)**

**public debate deadline/85**

d.poppenhagen@comcast.net

**Sent:** Friday, January 24, 2014 4:23 PM

**To:** 85expresslanes

Dear Mr. Bul,

I-200-1

It has recently come to my attention that VTA plans to not only convert the existing HOV lane to an express lane on HWY 85, but also to *add* 2 more lanes. I am deeply concerned about the negative impact these additional lanes will have on all communities along the 85 corridor. Since few people are aware of this change, I believe its imperative that the public debate deadline be extended from the Jan. 31, cutoff date to allow for proper public understanding and input. This, I believe is a reasonable and fair request.

I look forward to your reply.

Thank you,  
Donna Poppenhagen

**Responses to Comment I-200**

**I-200-1**

The public review and comment period for the proposed project was extended to February 28, 2014, and additional public outreach was conducted to clarify information about the second express lane between SR 87 and I-280. See IS/EA Chapter 3 for more information regarding public outreach.