



May 29, 2014

The Honorable Emily Lo, Mayor
City of Saratoga
13777 Fruitvale Avenue
Saratoga, CA 95070

Re: Proposed Highway 85 Expansion

Dear Mayor Lo:

Thank you for your May 22, 2014 letter to VTA Chair Ash Kalra on the referenced project. Chairman Kalra has requested that I respond directly to you on this matter. In the letter, you cited the 1989 Performance Agreement between the City of Saratoga and the Santa Clara County Traffic Authority, a VTA predecessor agency. Please be assured that VTA values the concerns and opinions of city councils and community groups regarding our projects. The recent discussions and public presentations on the contemplated SR 85 improvements are an example of this. Finding creative and effective solutions to transit and transportation challenges requires close cooperation among the communities we all serve. With regard to the specific issue you raise, we are prepared to provide the following response:

As you may know, the dynamics of the traffic issues in Silicon Valley are fluid and change over time. Certainly, we can all agree that what may have been envisioned over 30 years ago may not always be what is best for the region today.

We are currently working through the process that will require significant future decisions regarding this project. The staff is following the CEQA process that requires evaluating alternatives to reduce significant environmental impacts. In addition, we are required to identify mitigation measures to reduce significant impacts. Concerning your observation and comment submitted to Caltrans concerning noise impact, a comparison of originally expected noise levels with existing noise measurements was conducted. The conclusion is that existing noise levels are not substantially different from those projected in the environmental studies conducted to approve the original construction of SR 85. This issue was raised in several comments on the Initial Study with Proposed Negative Declaration/Environmental Assessment (IS/EA). A more detailed response will be provided in the Final IS/EA.

Concerning the applicability of the 1989 Performance Agreement for the construction of SR 85, we have referred your position to our General Counsel, who is of the opinion that the provision you cite is unenforceable to the extent it restricts VTA's ability to independently exercise its legislative authority.

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However, as you know, VTA is constantly striving to work with the cities within its jurisdiction to ensure that proper public input is weighed and considered before it makes any final decisions on major traffic improvements. That is certainly our intent with regard to any future improvements to SR 85.

Thank you for your letter and we look forward to working with the City of Saratoga as well as the other jurisdictions seeking to relieve congestion along the SR 85 corridor.

Sincerely,

A handwritten signature in blue ink, reading "Nuria Fernandez". The signature is written in a cursive style with a large, stylized initial "N".

Nuria Fernandez
General Manager
Santa Clara Valley Transportation Authority