

Scott Johnson

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Subject: ESC Draft Environmental Impact Report Comments

ECONOMIC CHALLENGES OF THIS PROJECT

This project presents a real conundrum for the city. By putting the ESC downtown, it increases the traffic and pollution there as most folks go to events via automobiles. It increases pressure on the utility services. But it also will discourage some people who currently attend events in the city core from going there due to these very issues. It is the people going to events in the central city that will pay for this facility with parking fees and increased business activity.

In order to balance that traffic and pollution, public transit will need to be increased. Yet, as stated, the more people who ride transit, the fewer parking fee dollars there will be to pay for this facility. And transit is not available to many arena patrons. Will the offset by placing this project in the city core balance out to make this project successful in paying for itself and not creating a traffic nightmare? Without the right balance, this project will fail.

In order to meet certain CEQA requirements, there needs to be less driving and more use of other modes of transportation, including walking and bike riding. However, I take issue with some of the reduction in vehicle miles traveled (VMT) figures presented in this EIR that professes to meet the CEQA requirements. (See Transportation section.)

And could the city and investors reap a bigger payoff by, instead of an ESC, constructing an imaginative mall and smaller entertainment center that will meet the needs of the many thousands of future downtown residents better than arena? After all, a mall will be open many more hours a day than an arena. The new arena could be built on city land in Natomas, thus saving Natomas' large economic stimulator.

AESTHETICS, LIGHT AND GLARE

Since the final design of the facility had not been produced prior to the release of this report, the description in this Draft EIR may not be the true description of the building. However, since the "final" design was released within the last few days, I feel that I can comment on it. This report states: "The 150-foot tall, rounded, multi-faceted ESC building would be a distinctive, highly visible, iconic building that would be instantly recognizable due to a design unique in the region, and would be especially visible at night..." (Pg. S-8.) This description is not accurate. If the site is built out as the site plan shows, the arena will be surrounded on three sides, except the south, by other buildings. Several of those buildings exist and are not part of the proposed project; supposedly they will remain. The other proposed structures will be new ones. The height of those building may not be known at this time, but it can be assumed that they will be several stories, thus basically obliterating the view of the arena from surrounding streets, except for L Street. Cars may briefly see it before they go through the tunnel on 5th Street.

I personally like the design. As someone who has worked in the architectural field for many years, I feel am qualified to evaluate a building's design. Many people it will think it is too modern. However, what I do question are the materials that have been described for the building exterior. According to The Sacramento Bee: "Following their vow to create an indoor-outdoor building that does justice to Sacramento's warm climate, team architects gave the arena a half-block-long front entry dominated by five glass aircraft hangar doors that can fold upward to create a five-story opening, allowing people in the arena plaza and even motorists on nearby J Street to see directly into the facility." "The structure's façade is a distinctive silvery-white series of vertical panels made out of patterned glass, perforated, see-through aluminum, and Sierra limestone." The Bee is mistaken. I doubt that it will be fully visible from J Street after the other "potential future development" shown on the site plan is constructed.

This design has several problems: Distinctive silvery-white panels, aluminum and limestone could create overwhelming glare and reflect heat into the plaza arena, making it scorching during our very hot summers. Also, the plaza floor material will likely absorb heat and bounce it back into the plaza area. And being that basically it will be surrounded by buildings, there may be a lack of breezes to cool it. In other words, it will be an uncomfortable place to be. In addition, the large glass areas face west and will attract the hot afternoon sun, reflections and bounce glare into the plaza.

There are other problems as well: Opening up the large glass doors will be a problem for HVAC systems and temperature regulation to keep it comfortable when you have thousands of people inside. And having the doors open will attract flies and other bugs, particularly in the food areas. Birds may also be lured inside.

The building is described as having some standing room only areas where attendees may stand both inside and out. There are codes that regulate fire, safety and occupancy standards. This sounds like a real safety hazard to me.

So this highly touted design and site location has a lot of problems that still must be worked out. This structure would be far more impressive in Natomas where it could be viewed from all sides without other structures blocking it; it would even be seen as far away as the I-5 freeway. And there are no immediate neighbors to complain about the noise.

NOISE

There are codes that regulate noise. A while back some guy got a ticket for playing his guitar downtown as reported in The Bee. So it's OK to blast the surrounding businesses, hotels and residential units with noise, sometimes late into the evening---if you are an arena and are owned by the city---but heaven forbid some guitar player strums too loud.

TRANSPORTATION

Where ESC Attendees Come From

This Draft EIR references various data that it used on which to find its conclusions that locating the arena downtown will reduce traffic and pollution enough to meet CEQA requirements. None of this data, that I could find, seemed to be based on the report that Think Big Sacramento put out in July 2011 titled *The Capitol Corridor Impact Report*. Who is Think Big? "Think BIG is a regional initiative launched by Sacramento Mayor Kevin Johnson to facilitate construction of a new entertainment and sports complex ("ESC") that promotes job creation, economic growth, cultural development and civic pride across the greater Sacramento metropolitan area." Think Big's mission is also to: "ENGAGE: The Committee will conduct a series of public meetings and studies to educate the public and mobilize support from key stakeholders in El Dorado, Placer, Sacramento, Sutter, Yolo and Yuba counties."

Why is this important? Because there seems to be confliction between the vehicle miles traveled (VMT) computations in this EIR and the Think Big report.

It is also significant because Think Big, through its various reports, tried to direct the thinking of the public to believe the information it was producing was factual in order to support the building of the ESC downtown. It is important because Think Big also put out an economic report (*The Economic Engine Report*, June 2011) that professes to bring thousands of jobs to the area, bring redevelopment to cure the city core blight area, and bring an economic windfall to the region because of the arena and its surrounding development at the existing mall site. The economic report has been recently updated by the author (*The Renaissance Report*, December 2013), through another organization associated with the Mayor and pro-arena supporters (The4000), which put out different economic numbers and reduced the number of arena-goers. The number of arena and surrounding development visitors will have an effect on the conclusions of this Draft EIR. The validity of these reports is vital to the success of this project. Important decisions by the city are being based on some of the reports---especially the economic ones---put out by Think Big and The4000 group.

This EIR will be part of the decision-making process as to whether or not this project is a true benefit to the City of Sacramento and whether it proceeds. Therefore, the public has a right to evaluate the information in this interpretation against other evidence it may have and decide for itself which information provided is accurate and can be used as the basis for comments relating to this project.

Per *The Capitol Corridor Impact Report*: "In an effort to educate itself and the public, the Committee [Think Big] sought out the demographic information [where people live] of the attendees of all the events held at Power Balance Pavilion [Sleep Train Arena], for both basketball and non-basketball related events. Specifically, the committee was interested in knowing where the attendees of these events lived in order to better understand the roll of the entertainment and sports complex as a regional asset. The Committee worked with the National Basketball Association ("NBA") and the Sacramento Kings ("Kings") in order to acquire this data."

The Capitol Corridor Impact Report states that 75% of arena attendees for all events do not come from the City of Sacramento; 62% of arena attendees for basketball events come from outside the city; for non-basketball events, 80% come from areas external to the city. Of the non-Sacramento residents attending events 39% come from counties to the west, north and east of Sacramento. (This figure was derived by adding up the percentages from the various counties listed in Chart 1.) Most of those folks go to the existing arena via I-80 from both the west and east, and I-5 and Hwy. 99 from the north. Generally they now go directly to the arena without passing through downtown Sacramento. And many Sacramento County residents live along the I-80 corridor, west of I-5, in cities

like Citrus Heights and communities like Antelope, Foothill Farms, Carmichael, Fair Oaks, McClellan, etc., and do not enter the city core to get to the existing arena. Now many of them will add mileage and more traffic congestion to their trips.

But the biggest increase in travel mileage will be by the residents of Natomas if the ESC is located downtown. They will likely offset any savings in VMT this EIR has attributed to the people who work and live in the central city and who will walk to functions at the new arena; the downtown residents and workers currently have to drive to the existing arena. Now it is Natomas residents who will have to drive to the city core. These folks from Natomas will be caught in the I-5/I-80 interchange and have to enter downtown via off-ramps where this EIR has indicated there will be significant traffic backups. The EIR may calculate a couple of less miles of driving for some ESC attendees, but additional mileage will be added to the travel of many others. And they will be deposited onto a very congested freeway and multiple congested street intersections in order for them to get to parking within walking distance of a downtown sports complex.

Downtown workers may have a family member who wants to go to ESC events with the worker. So that worker would drive home to get the family member then come back to the event, thus adding more miles to the actual event trip. This could happen with Natomas residents too, who live within a reasonable distance of the arena. The close proximity to Natomas may cause them to make a trip home and back to the arena before games. Did the cell phone pings pick this up? Was this figured into the VMT calculations?

The Capitol Corridor Impact Report also shows that 19% of the non-Sacramento attendees to the existing arena come from counties and cities to the south (San Joaquin) and some from the east (El Dorado County). This is far less than the 39% that presently never enter the I-5 downtown section. Currently that 19% pass through downtown without a lot of traffic congestion on their way to Natomas because they are usually in the through lanes (left-hand lanes). If the arena is downtown, most of them will be forced into the traffic backup trying to get off I-5 onto city streets.

There will likewise be traffic tie-ups at entrances to downtown parking garages while vehicles are waiting to enter. These bottlenecks will create congestion and pollution, despite traffic management actions.

Page 4.10-41 of the Draft EIR *Trip Origin/Destination Adjustments for Relocation of Arena to Downtown* states: “The proportion of all season ticketholders who have Central City purchase zip codes increased by 30 percent for the 2013/2014 season compared to the previous three seasons. Cell phone data show that 10 percent of Kings pre-game trips originate from the Central City and 5 percent of Kings post-game trips return to the Central City.” This report assumes that the increase in ticket sales is because the arena will now be located downtown; it seems to assume that 5 percent of the arena patrons will be downtown residents in the future. It does not tell us how many new Natomas season-ticket holders there are. But this was also a strategy by arena-proponents to encourage fans to buy season tickets to show the Kings and the NBA that they will support the team. It was a marketing ploy. However, some city core residents within walking distance of the ESC may think that they can better afford tickets if they do not have the expense of driving and parking that they now have with the arena in Natomas. Still, this could be a one-time deal. Many of them may not buy tickets in the future depending on several criteria: They can’t afford to continue this support (and couldn’t in the first place but bought season tickets to give the illusion of backing the team so it would stay); the team doesn’t improve and the fans lose faith. The economic situation of the fans will make a huge difference in the future as to their ability to continue this support. The economy has been fickle in the past; it can and will be again in the future at some point.

Now Natomas residents who frequent the arena events will have to drive downtown. Many of those “Central City” residents may still drive as opposed to walking or riding transit. Weather conditions will likely play a role in that decision. Some ESC patrons may be driven there and picked up later, thus contributing to the traffic congestion around the arena. And some of those “return” trip cell-phone pings that the authors of this Draft EIR used to support their case may not be because the phone owners live in the central city but because they have a passenger who lives there or they went there to party after a game. Cell-phone tracking may not be a consistent, dependable statistical representation. So based on some cell phone pings, a lot of assumptions have been made about where people live and traffic patterns in the city.

The population for the zip code 95814 (the zip code in which the arena will reside) is only 9,922 (2010 census). These folks are within easy walking distance of the new arena. But the next three closest zip codes to the new arena, partially within walking distance of the ESC at their nearest edges, have a total population of 42,985. When combined with zip code 95814 = 52,907. This is about half of the population of Natomas. It is hard to imagine that the downtown arena goers will outnumber the number of event attendees who come from Natomas, and who will now have to drive to get to the new arena.

While getting people to ride public transit in order to reduce traffic congestion is a great idea, the more people who do so will reduce the amount of parking revenue needed to pay the “mortgage.” The convenience of riding it and the safety aspects are paramount to getting people to ride transit. But it will be a delicate balancing act because the more people who ride transit, the fewer who will be paying parking fees needed to make bond payments; the more people who drive, the more traffic congestion there will be. And RT

has had severe funding problems the last few years that has drastically curtailed its service, particularly at night. This could happen in the future during another economic downturn.

Peak-Hour Overlap

One of the main reasons that downtown arena proponents have given for putting the arena in the city core is to get people to go shopping, conduct other commerce, and eat downtown before arena events. That economic infusion is essential to make this project work. However, in order to do that, and still get to games/shows on time, event attendees will have to arrive at least two hours before, thus putting them into the thick of the “rush-hour” (5-6 pm) traffic. Just to find a place to park, walk to a place to eat, wait to get seated (at popular restaurants there may be a waiting backlog), order, wait for the meal to be prepared, eat, pay for it, then walk the rest of the way to get to an event on time will force them to come at least two hours before games or performances. Otherwise, they will just eat inside the ESC and the supposed economic benefit of this arena will not be realized. That lack of economic activity and will affect the city’s ability to pay for it. And there certainly will be little or no time for shopping for most arena attendees.

In order to make this project successful, the city, the Kings and surrounding businesses may have to put on additional events to bring more people to the locale around the arena to spend money. It will be with parking fees and ticket surcharges that the city will get the income necessary to make the bond payments on this facility. But those additional occasions will mean more downtown traffic.

Significant and Unavoidable Impact

Unfortunately, this Draft EIR seems to accept many of the traffic problems that will be created by this project as acceptable even though they may cause harm to the city. In several places, in regards to conditions that will degrade the traffic flow, this report states: “...this impact is considered *significant and unavoidable*.” This appears to mean that it’s too bad this is happening, but get used to it and learn to live with it, because no matter how much it might negatively impact your life, it’s here to stay. This troubling response appears several times under various impact categories:

Page 4.10-93: “Impact 4.10-2: The Proposed Project would worsen conditions on freeway facilities maintained by Caltrans.” “Impact Significance After Mitigation: Although payment of the fair share contribution would assist in mitigating the project’s mainline freeway impacts, the impacts may not be fully mitigated with the planned transportation improvements and the timing and funding for the improvements are uncertain. Because payment of the fee does not ensure that the project’s impacts on the I-5 freeway would be fully mitigated, this impact is considered *significant and unavoidable*.”

Page 4.10-94: “Impact 4.10-3: The Proposed Project would worsen queuing on the J Street freeway offramps from I-5.” “Impact Significance After Mitigation: The identified improvements would reduce vehicular queues on the I-5 off-ramps, but not to acceptable or “no project” levels. This mitigation measure is required as part of the ESC construction and/or operation. Therefore, this impact would remain *significant and unavoidable*.”

Page 4.10-99: “Impact 4.10-6: Access to light rail transit would be inadequate.” “During the post-event peak hour, approximately 920 riders would be expected to board LRT trains. The majority of boardings would occur at the 7th/I, 7th/K (St. Rose of Lima Park), 7th/Capitol, 8th/Capitol, or 9th/K stations.” **“Impact Significance After Mitigation:** This mitigation measure would be required as part of the ESC construction and/or operation. Since the City cannot guarantee that all needed improvements would be implemented in a reasonable period of time, this impact therefore is considered *significant and unavoidable* despite a number of these mitigations being feasible and within the control of the City and the project applicant.”

Page 4.10-107: “Impact 4.10-12: The Proposed Project would contribute to cumulatively unacceptable intersection operations in the City of West Sacramento.” “Impact Significance After Mitigation: This impact is considered *significant and unavoidable*.”

Page 4.10-108: “Impact 4.10-13: The Proposed Project would contribute to cumulatively unacceptable operations on freeway facilities maintained by Caltrans.” “Although payment of the fair share contribution would assist in mitigating the project’s mainline freeway impacts, the impacts may not be fully mitigated with the planned transportation improvements and the timing and funding for the improvements are uncertain. Because payment of the fee does not ensure that the project’s impacts on the I-5 freeway would be fully mitigated, this impact is considered *significant and unavoidable*.”

Page 4.10-110: “Impact 4.10-17: Access to light rail transit would be inadequate under cumulative conditions.” “Impact Significance After Mitigation: While some of these strategies and programs in Mitigation Measure 4.10-6 are within the City and applicant’s control, others require approval by and implementation from Regional Transit. Since the City cannot guarantee that all needed improvements would be implemented in a reasonable period of time, this impact therefore is considered *significant and unavoidable*.”

Other Significant Traffic Problems

On **Page 4.10-16** of this DEIR under the heading *Freeways* is this interesting tidbit: “Traffic data for the I-5 mainline was collected from the Caltrans’ PeMS database. AM and PM peak hour data was collected in May 2013. The pre-event peak hour data was chosen so as to include a Kings game at Sleep Train Arena (i.e., data were pulled for the 6-7 PM peak hour on November 12, 2012 when the Kings played a home game with reported attendance of 16,000). As described later in this section, it was necessary to include trips associated with this activity for the purposes of the ‘plus project’ analysis.”

So important decisions about traffic during Kings games was gleaned from one day’s study. It would certainly appear to the average person that more than one day’s worth of data would be necessary to make major decisions about a project of this size and scope.

On **Page 4.10-92** under the heading **Impacts and Mitigation Measure**, subheading **Impact 4.10-1: The Proposed Project would worsen conditions at intersections in the City of Sacramento**, we are told that the levels of service (LOS) would degrade to an F at several intersections within the area. But we are also told that would be OK, per the City’s General Plan (Policy M 1.2.2(a)), “...provided that the project improves other parts of the citywide transportation system within the vicinity of the project site. The Proposed Project would include the following generalized travel benefits and specific multimodal improvements,” which include some pedestrian enhancements. We are also told that by moving the arena downtown from Natomas, thus reducing the VMT by nearly 20% (per this report and debatable) and making some improvements on other parts of the transit system, this F grade at major intersections feeding the route to the arena is OK, even though many of the improvements that supposedly compensate for it may not be at or near the ESC or these intersections.

We are further told: “These measures meet the intent of Policy M 1.2.2(a) of the City’s General Plan in that they provide long-term improvements to the City’s local and regional transportation system. However, the street system in the vicinity of the project could experience substantial congestion immediately before, during, and after events unless circulation is managed effectively. The project has proposed to implement an Event Transportation Management Plan (TMP) that would be intended to manage vehicular circulation near the project site, and to optimize the safe and efficient use of multiple modes of transportation to and from events at the ESC (see Appendix L).

Then it is revealed that: “Because the TMP has not yet been finalized and approved by the City, it cannot yet be determined that the project would adequately ‘improve other parts of the citywide transportation system in the vicinity of the project site.’ Accordingly, project impacts to intersections in the City of Sacramento are considered *significant*.”

Per **Page 4.10-10** the following four intersections “currently operate at LOS D, E, or F: J Street/3rd Street/I-5 Off-ramps – LOS F during the AM peak hour and LOS E during the PM peak hour; L Street/3rd Street – LOS D during the PM peak hour; Tower Bridge Gateway/5th Street – LOS D during the PM peak hour; Richards Boulevard/16th Street – LOS E during the AM peak hour. The two intersections that operate at LOS E or F are key “gateway” intersections into Downtown Sacramento.” These intersections are J Street/3rd Street/I-5 Off-Ramps Intersection; Richards Boulevard/16th Street/SR 160 Intersection.

However, in **Table 4.10-31 (Page 4.10-89) INTERSECTION OPERATIONS – CUMULATIVE CONDITIONS** 13 downtown intersections will have a LOS of F: I St/6th St.; I St/7th St.; I St./8th St.; J St./3rd St./I-5 Off-Ramps; J St./5th St.; J St./6th St.; J St./7th St.; J St./8th St.; K St./7th St.; L St./3rd St.; L St./5th St.; L St./6th St.; L St./7th St. Several other intersections degrade to LOS of D or E.

Page 4.10-90: “This congestion [shown in **Table 4.10-31**] would be due to overall increases in traffic into downtown as well as the extension of 5th and 6th Streets in the Railyards Specific Plan area. These facilities would substantially increase north/south traffic in the downtown core.”

Page 4.10-93: “Impact 4.10-2: The Proposed Project would worsen conditions on freeway facilities maintained by Caltrans. “The addition of project trips would cause the following significant impacts to Caltrans freeway facilities: □ Existing LOS F operations during the AM peak hour on the northbound I-5 weave section between P Street and J Street would be worsened to a significant degree (based on the amount of project traffic added). □ The I-5 northbound weave section between I Street and Richards Boulevard would worsen from LOS E to F during the PM peak hour. □ Existing LOS F operations during the PM peak hour on the northbound I-5 weave sections between Richards Boulevard and West El Camino Avenue would be worsened to a significant degree (based on the amount of project traffic added).”

“The degraded operation of these segments is considered a *significant impact*.”

While we are informed that a “fair-share contribution to fund planned transportation improvements” will be made for each building permit for the project that is issued, and that “the City is participating in a multi-agency effort to identify freeway, roadway, and transit improvements, included in the MTP [Metropolitan transportation Plan]” we are then informed: **“Impact Significance After**

Mitigation: Although payment of the fair share contribution would assist in mitigating the project's mainline freeway impacts, the impacts may not be fully mitigated with the planned transportation improvements and the timing and funding for the improvements are uncertain. Because payment of the fee does not ensure that the project's impacts on the I-5 freeway would be fully mitigated, this impact is considered *significant and unavoidable.*"

It must be pointed out that any additional traffic backups on I-5 at rush hour will not only make it more congested for local drivers, it also slows interstate traffic. I-5 serves more than just Sacramento regional drivers. It is the major highway connection between Southern California and Northern California; between California, Oregon and Washington; and between Western Canada and Mexico.

Page 4.10-94 "Impact 4.10-3: The Proposed Project would worsen queuing on the J Street freeway offramps from I-5." "The addition of project trips would cause vehicle queues on the southbound I-5 off-ramp at J Street to spill back beyond the gore point onto the freeway mainline during the AM and pre-event peak hours. The project would also cause vehicle queues on the northbound I-5 off-ramp at J Street to spill back beyond the gore point onto the freeway mainline during the AM peak hour. This degradation is considered *significant.*"

Although the Mitigation Measure did identify some measures to benefit this queuing, such as increasing the green signal times for the off-ramps, implement TMP management strategies, and coordinate message signs with Caltrans, the outcome of this mitigation still remains "significant and unavoidable."

"Impact Significance After Mitigation: The identified improvements would reduce vehicular queues on the I-5 off-ramps, but not to acceptable or "no project" levels. This mitigation measure is required as part of the ESC construction and/or operation. Therefore, this impact would remain *significant and unavoidable.*"

Bridges, Freeway, Street and Transit Improvements May Not Come for Many Years

Page 4.10-77 of the Draft EIR gives some "anticipated travel conditions under cumulative (2035) conditions for the roadway, transit, and bicycle/pedestrian systems. The most recent version of the SACMET regional travel demand model was used to forecast cumulative traffic volumes within the study area."

These cumulative assumptions include several roadway improvements: "I Street Bridge Replacement over the Sacramento River to new location slightly to the north; South Market Crossing Bridge (south of Pioneer Bridge) over the Sacramento River; Truxel Road Bridge over the American River; Carpool high occupancy vehicle (HOV) lanes on I-5 from the US 50/Capital City Freeway to I-80; 3rd Street Conversion Project - converts 3rd Street to two-way operations between Capitol Mall and L Street; I-5 Riverfront Reconnection Project (consisting of removal of the slip ramp from L Street/3rd Street to westbound Capitol Mall/Tower Bridge, and a new at-grade signalized intersection on Capitol Mall at Front Street/2nd Street); Extensions of 5th Street and 6th Street, Railyards Boulevard, and Bercut Drive into the Railyards Specific Plan area; and Sutter's Land Parkway interchange on the Capital City Freeway, including its extension to SR 160/Richards Boulevard/16th Street.

While it is known that some work has been done on the extensions of streets through the Railyards project, it was not stated in this section whether or not this work is funded for completion. However, nowhere could I find a timeframe for when this or other listed work will be completed; how much it will cost; if it has been funded; if funded, where will the money come from; if not funded where and when can possible funding be expected. Whether or not the funding aspects of this project may ordinarily be part of an EIR, funding is necessary for these transportation projects and these projects are necessary for the transportation well-being of the region. The public has a right to know this information.

Not mentioned as a project to be completed anytime soon is the light rail line extending to Natomas and the airport in order to serve those areas and connect to the transit hub in order to make it a true intermodal terminal. When will this be funded and completed? This project alone would take many vehicles off city streets, particularly if it goes to Natomas.

Future Traffic Growth

In addition to the arena traffic, future residential and business growth in the area will increase traffic and pollution. SACOG has estimated that nearly 1 million new residents will be added to the Sacramento region in the next 25 years. Some of them may live in downtown Sacramento; but many will likely work there and live elsewhere; and many of them will drive to their employment, thus significantly increasing traffic and pollution. It is highly unlikely that Regional Transit will have the funding to extend transit service, particularly light rail, to meet all these needs.

We already know that the Railyards and Township 9 projects together have planned about 30,000-40,000 future residents. Although light rail will pass through these developments, one can reasonably expect that most of these households will have at least one

vehicle. There will be other central city residential projects also. While some of the residents may work downtown---which is why many of them will choose to live in one of these downtown developments---that does not mean that all working family members will be employed in the city core; and those non-downtown workers will likely have an automobile to transport them to their jobs. Even many downtown workers, who are also residents, may drive to their jobs for a variety of reasons.

While the Kings organization states it has plans to construct several mix-used buildings around the arena, this development is not guaranteed to happen. In the meantime, the mall will be demolished for the arena building and the shopping that exists now may never fully be replaced there. This lack of shopping opportunity for downtown residents and businesses will force them to have to travel to other downtown locations to shop for items they may have previously been able to purchase at the existing mall. And because there may not be a major covered mall with free parking in the immediate area any time soon---with many different types of shopping possibilities under one climate-controlled roof---those residents will likely have to drive out of the city core to shop at a one-stop suburban mall. If they do shop in the city core, they probably will have to drive around to find parking. It is very inconvenient to tote packages on light rail.

Transit Also Creates Traffic Congestion

What this Draft EIR doesn't anticipate, that I can find, is that transit creates traffic and its own pollution. The more transit the city has to reduce personal vehicular traffic, there is a certain offset to that reduction. In the future, the intermodal hub will be home to Amtrak, light rail, Greyhound buses, RT buses, shuttles, taxis, vehicles dropping off and picking up travelers, and possibly high-speed rail. There will be bicycle and pedestrian traffic trying to reach the hub. It is estimated that this hub eventually could have as many as 15 million travelers passing through each year. While this transit hub is necessary to the city's future smart growth, to take a large amount of vehicles off the roads, it will also add to traffic congestion around the arena area. These various travel modes will jockey for space in order to pick up and drop off passengers and interfere with automobile traffic on its way to its destination. The intermodal hub will only be a few blocks from the arena and close to some of the busy intersections on I Street. Public transit may take some vehicles off the road, but it will add long light rail trains, which will slow or stop traffic, and have buses stopping, starting, clogging intersections and generally interfering with other street vehicles.

There is talk about a street-car route through downtown; this will also add to the traffic congestion when it competes for space with automobiles and other modes of transportation on city streets. And there is effort by some RT supporters to get a ticket surcharge placed on arena tickets to help pay for transit. However, why should arena goers pay for RT when most attendees will not be using it and will instead be paying to park?

Other Traffic Issues

An Event Transportation Management Plan may actually add miles to a vehicle's travel by forcing the vehicle to follow routes that are not in the direction that drivers want to go.

Adjusting signals at certain intersections to have a longer green signal, such as at I-5 and J Street, may help relieve the traffic backup on I-5, but it will lengthen traffic waits at the streets crossing J Street, thus backing up traffic on those streets.

In order to get more people onto light rail and buses, RT needs to be able to provide reliable service for ESC events, for downtown workers and for residents. RT has had a difficult time the last few years during this past recession providing service and security to passengers. This is something that comes and goes with the economic cycles and will happen again in the future. The city cannot depend on public transit to solve the traffic problems downtown. Consequently, many people will have to drive and park for ESC events.

Another traffic problem is the streets that have been "calmed" over the past few years. The city---or whoever paid for these "devices"---spent a lot of money to interrupt traffic patterns through certain neighborhoods. Some of these diversion tactics were due to complaints in residential neighborhoods about the amount of traffic and the vehicles' speeding through them. Now these very devices, signage, and rerouting tricks may create more traffic congestion, pollution and vehicle miles traveled by causing disruptions in through traffic and forcing vehicles to detour to other streets. This will be frustrating and dangerous to drivers who are not familiar with the downtown street system and are trying to maneuver out of the city core.

The boat section of I-5 near the J-Street off-ramp is notorious for flooding. Although new pumps were installed in recent years, severe storms could still trigger water problems in that area, thus causing traffic delays or stoppage. How will that be handled? How will traffic be detoured to the arena?

Also, does 5th Street where it passes under the mall site have any flooding problems during heavy rains? If so, how will that be handled?

More Than One Thing Happening at a Time

While this Draft EIR suggests that there will be few overlapping major events at Raley Field and the ESC, there could be other events at the Convention Center, Community Center Theater, Music Circus, or Cal Expo that could result in traffic that will affect the city core travel when combined with the ESC traffic. While Cal Expo is not downtown, it is off a major freeway (Business 80) that has tremendous traffic backup during peak traffic hours every day. Events at Cal Expo could affect ESC attendees who may come via Business 80. And there is talk of a possible future expansion of the Convention Center, so that it can hold more and larger conventions. This would increase traffic in the central city, particularly when there are events at the arena.

LEED CERTIFICATION

The problem with declaring this facility LEED certified and subject to Senate Bill 743 is that this building cannot be certified until one year after it is constructed. Consequently, how can it be proclaimed to meet the requirements of Senate Bill 743 before it is even built and these requirements can be measured? It can't and it will be too late by that time. This is a ruse to get this arena built no matter the circumstances and whether the citizens of Sacramento want it or not. This is to prevent lawsuits that might derail the project. See following statements:

Page 1-2: 1.3.1 Senate Bill 743/Public Resources Code 21168.6.6: Pursuant to PRC Section 21168.6.6, the Draft EIR and Final EIR shall include the following notice:

“THIS EIR IS SUBJECT TO SECTION 21168.6.6 OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT THE LEAD AGENCY NEED NOT CONSIDER CERTAIN COMMENTS FILED AFTER THE CLOSE OF THE PUBLIC COMMENT PERIOD FOR THE DRAFT EIR. ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTION 21168.6.6 OF THE PUBLIC RESOURCES CODE.”

Page 4.10-33: Senate Bill 743/Public Resources Code 21168.6.6

On September 27, 2013, Governor Brown signed Senate Bill 743 (SB 743) which, among other things, added Section 21168.6.6 to the Public Resources Code (PRC Section 21168.6.6). PRC Section 21168.6.6 modifies certain CEQA procedures as they apply to qualifying projects.

To meet the definition of “Downtown arena” under PRC Section 21168.6.6, the proposed ESC must receive Leadership in Energy and Environmental Design (LEED) Gold certification for new construction within one year of completion of the first NBA season. Strategies proposed to qualify the project for LEED Gold certification are described in Chapter 2, Project Description. The “Downtown arena” also must take the following steps to minimize operational traffic congestion and reduce global climate change impacts:

- 1. Achieve and maintain carbon neutrality or better by reducing to at least zero the net emissions of greenhouse gases from private automobile trips (automobiles and light vehicles) to the Sacramento ESC as compared to the baseline, and as verified by the Sacramento Metropolitan Air Quality Management District (SMAQMD);*
- 2. Achieve a per attendee reduction in greenhouse gas emissions from automobiles and light trucks compared to per attendee greenhouse gas emissions associated with the existing arena during the 2012-13 NBA season that will exceed the carbon reduction targets for 2020 and 2035 achieved in the Sacramento Area Council of Governments (SACOG) sustainable communities strategy; and*
- 3. Achieve and maintain vehicle-miles-traveled per attendee for NBA events at the ESC that is no more than 85 percent of the baseline.*

The relationship of the proposed ESC to step 3 is discussed in this chapter. As presented in Tables 4.10-20 and 4.10-30, below, the Proposed ESC would achieve a per attendee VMT reduction greater than required under the threshold established in step 3 under existing plus project conditions as well as under cumulative conditions.

AIR QUALITY

Public transit is imperative to help lessen vehicular pollution. But transit is not available to many arena patrons and they will have to drive, increasing traffic congestion and pollution, particularly as they circle block after block looking for a place to park, and stopping and idling at signals and stop signs.

How well will the underground arena parking garages handle all the fumes from thousands of idling cars that will be leaving after events? Normally, the mall parking is not fully utilized every day and when it is, the shoppers are usually coming and going all day. Most of the arena patrons will all be trying to leave or enter at the same time, thus causing severe exhaust emissions accumulation, particularly as they stop when leaving to pay for parking.

CULTURAL RESOURCES

The Crocker may lose some of its parking as a result of the city's plans to give away the parking near it to help finance the arena. That lot also serves as a source of income for the museum. This would be tragic and the city should reconsider the giving of this parking area to the arena investors.

The Community Center Theater may lose a funding source for its necessary renovations. This is unacceptable to many theater attendees who have been waiting for years for this makeover. This could also result in costly lawsuits.

Arena events may affect Old Sacramento's businesses due to fewer visitors there because of the crowds, traffic and loss of parking spaces to ESC attendees, and increase in parking fees due to the arena. While the arena may increase some visitors to Old Sac, others will stay away.

LAND USE AND PLANNING

The existing arena site in Natomas has plenty of parking that could be used to help pay for the ESC instead of having to use downtown parking fees to build it in the city core.

The downtown parking funds could then be available for other useful projects: getting infrastructure completed in the Railyards so that development can proceed there; continuing with expansion of the transit hub; proceeding with development along the riverfront. These three projects will help bring more central city dwellers, workers, visitors, and tourists, 24/7/365. An arena is only used a few hours a week.

One development activity that the city should be focusing on is getting the riverfront developed. That will encourage more people downtown 24/7/365 days per year and have many more active hours than an arena. The riverfront could have residential and retail units, entertainment venues and recreation attractions, such as expanded water activities.

The city will make a huge mistake in getting rid of the Natomas land. If the city wants another type of sports team in the future, such as soccer, football, or baseball, it will need that land and the existing parking on it.

According to city leaders and central city business interests, the purpose of putting the arena downtown is to stimulate business activity there, accelerate development in the Railyards project, and to encourage more spending in the city core. However, replacing the mall with an arena is not the best use of that land. The future thousands of residents and workers are going to need a large, covered mall that is easily accessible, with plenty of free parking.

Renovation or replacement of the existing mall, if done right, can do the very things that this particular arena project is supposed to do: bring more residents, new businesses, and consumers to the city core. If it includes the right mix of popular and specialty stores, the right mix of office and residential spaces, it can be a boom to downtown without the added traffic and crowds of an arena, which will not really be providing that much commerce. The "Economic Engine Report" published by Think Big only shows \$5 of "other retail" spending per arena attendee. That is not enough to have most businesses stay open during arena events, as shopping by attendees will be miniscule.

PARKING: ON-STREET AND PARKING STRUCTURES

How will the city handle the arena parking increases in the residential neighborhoods nearby, such as Alkali and Mansion Flats that will likely have many arena attendees trying to park in those neighborhoods?

How will the city handle the traffic as arena attendees circle block after block looking for a place to park, particularly spaces that do not have meters on them in residential areas?

How will traffic be directed into and out of the underground arena parking so that it will not create traffic jams and accidents?

How will the parking for the rest of the mall be separated from the arena parking so that mall parking for shoppers is not taken over by arena attendees? If there is not close-by parking for shoppers, they will stop going to the mall, thus hurting businesses there. In addition, shoppers will not want to walk several blocks in weather extremes with their purchases.

POPULATION AND HOUSING

Since there is estimated to be 30,000-40,000 future residents in the Railyards and Township 9 projects alone, with many other residential projects that will eventually be built in the city core, there needs to be easy access from those residential areas to shopping. The location of the existing mall is handy for the thousands of downtown workers. It will be just a short drive, walk or light rail ride for thousands of residents in the area. While I understand that the Railyards and Township 9 projects will have retail spaces mixed with the residential units, there will still be the need for a large, covered mall where one can go and do the majority of ones shopping without having to get in a car and drive, or ride light rail, to assorted strip-malls. And light rail may not go to many areas where one needs to do business. That is why the current location of the mall is the best one. It is on the light rail line and near many central city businesses. But combining it with an arena will discourage many shoppers due to lack of parking directly next to it, or under it, which is exclusively for mall use, and the crowds around the arena. Many of those potential shoppers may end up driving to other large, covered regional malls for free, and easier, parking and the advantage of being shielded from the extreme heat or cold rain. A covered mall with a variety of stores, such as Macys, Sears, Penney's, and other popular retailers, at a variety of income levels, will be a lot more convenient for most people for one-stop shopping. The plan to eliminate the majority of the existing mall for an arena does not make sense from a planning standpoint.

PUBLIC SERVICES

With more people attending ESC events, often times as many as 18,000+, there will be a greater need for police service to control crowds, direct traffic and prevent or solve crime in the central city. There will also need to be fire and ambulance service. Since the city is hoping for more people to come early and stay late, there may be a longer time-frame for these services than is currently required at Sleep Train Arena. And if there are more nights of entertainment, due to a new arena drawing more people, at least initially, there will be a greater need for police, fire and EMT's. What will be the availability of such personnel even if paid for by the Kings? Will that leave enough personnel for other parts of the city?

There will need to be increased security at parking garages, particularly the ones near the arena? How much will that cost? Who will pay for it?

Will there be parking directly under the arena? If so, how will it be protected from terrorist attacks? The NBA has said in the past that it doesn't like parking under arenas. If cars have to be searched, it will be a nightmare.

RECREATION

Too many recreational activities in a condensed area can actually discourage many people from going to that locale. Too many "assets" may actually become "liabilities." While the ESC may draw many people who don't live in the city, traffic, crowds, pollution, crime and high parking fees may keep many others away. Consequently, location of these assets must be carefully considered. The city already has, and is planning on adding, other entertainment and educational attractions in the future. Those must be carefully planned so that they complement each other and don't discourage patronage to other venues by causing too much traffic, crowds, and parking problems in a concentrated area.

UTILITIES

In my past EIR comments I asked: Can the sewer and waters systems handle all those ESC half-time flushes, which will be a heavy at intermission of arena events? Here is the answer per this DEIR:

Page 2-58 of DEIR: *Wastewater*

"The wastewater system for the proposed ESC would connect to the City's Combined Sewer System (CSS) at a number of locations around the project site, including near 5th and J Street, 5th and L Streets, 7th and J Streets, and near on 7th near the alley between K and L Streets (see Figure 2-27). The system would employ internal temporary storage tank(s) to ensure that the peak discharges from the site during events would not exceed the receiving capacity of the existing system. The peak discharge from the proposed ESC is anticipated to occur during halftime of a sold-out NBA game. It is anticipated that temporary storage tank(s) would be located below the Event level, with pumping equipment sized sufficiently to permit discharge into the Combined Sewer System at a rate that would not exceed current peak rates. Preliminary estimates indicate that an approximately 11,000 gallon tank would be sufficient to hold peak flows for 30-40 minutes, allowing the system to normalize the discharge into the receiving conduits at flow rates that would not exceed current peak flows."

“Future buildings constructed in the PUD area would be required to meet the City’s requirements for management of flows to the Combined Sewer System.”

In other words, waste storage tanks may be required for the proposed construction surrounding the arena. If there are residential units constructed as planned, they will likely also be producing a lot of waste during most arena events: water from kitchen and bathroom functions and laundry. What happens if the arena tank, and these other tanks, leak or malfunction? When is the sewer system going to be updated to handle this and future capacity requirements? Who is going to pay for this?

HYDROLOGY AND WATER QUALITY (Page S-11)

“For the most part, potential project effects related to flooding and water quality would be avoided through required compliance with a complex set of permits, codes, and other regulatory plans overseen by the City, County, the Sacramento County Regional Sanitation District, and the Central Valley Regional Water Quality Control Board. In the vicinity of the Downtown project site, the existing storm drainage facilities, including the Combined Sewer System and Basin 52, flood during intense storms due to insufficient capacity; thus, the management of runoff of storm drainage from the project site requires careful planning and design. Because the project drainage systems have not yet been designed, it is possible that the Proposed Project could exacerbate existing conditions. By designing the project stormwater systems to ensure that the project runoff entering the City’s drainage systems would not exceed current peak flows, the potential effect would be mitigated to insignificance.”

What are worrisome are these comments: “In the vicinity of the Downtown project site, the existing storm drainage facilities...flood during intense storms due to insufficient capacity...” and “the project drainage systems have not yet been designed, it is possible that the Proposed Project could exacerbate existing conditions.”

OTHER ISSUES:

Economics

It needs to be noted that the 3 million visitors that are touted [recently revised to 1.6 million] for the downtown are mostly redistributed arena patrons from Natomas to the city core. These are not all “new” visitors to the area, just relocated ones.

This proposal for a new arena at the site of the Downtown Plaza mall, with the city paying for 2/3 of the new arena, has the potential to put the city in economic harm by using its existing parking funds---and other city assets---to pay for the ESC. If the arena, and the surrounding development that is proposed, does not provide the amount of income from parking and tax revenues necessary to pay for the arena financing, the city will have to make up the bond payments in other ways.

Renovating or replacing the existing mall, instead of substituting it with an arena, will help further the redevelopment of the K Street mall as well.

Economic downturns come every few years. All this development must be carefully planned in order to make sure that too much economic benefit isn’t planned too quickly, or too slowly, that may not materialize and leave the city worse off with half-completed projects, or ones that will not come to fruition because the others they are dependent on do not occur. Or the area is over-built and the development cannot be rented or sold.

A well-planned renovation of the existing mall site---without an arena---into multi-story mixed use retail, with popular stores, covering a wide range of income level, office, and residential space will be just as effective for economic benefit, if not more so, than a combination arena/mall complex. The resulting traffic, crowds, lack of on-site parking for shoppers, higher parking rates and safety issues caused by an arena may result in a mediocre or deficit economic return for the mall and the city.

The new proposed arena is taking the place of a much needed mall. As the thousands of future residents move into the Railyards and Township 9 projects, they will need a large center for shopping. In order to make these two---and other city core residential projects---palatable to potential inhabitants, shopping must be convenient. So if the arena is built at the existing mall site, a new large mall should be built in the Railyards, north of the Amtrak tracks (not on the city’s transit land). It must have a roof in order to handle the extreme weather conditions we have here in Sacramento.

But the best place for the mall is the existing site because of its proximity to the many city core workers at the state, county, federal and city government buildings, and the many nearby businesses.

Location Alternatives:

“THE EIR WILL IDENTIFY AND EVALUATE ALTERNATIVES TO THE PROPOSED PROJECT.”

This DEIR did not vet the Natomas location enough to prove its worth because the city already had its mind made up that a downtown site was preferred. North Natomas has been identified as “urban center high” in the City’s 2030 General Plan. Keeping the arena there, will save existing businesses and prevent many of those folks from having to drive downtown for employment, adding even more downtown traffic. After all Natomas has almost ¼ of the city’s population. District 1, of which Natomas is a part, was the fastest growing district in the last 10 years, growing much faster than other city districts. Once the building moratorium is lifted, it could be fast-growing again.

The current arena site in Natomas already has the necessary infrastructure to the site (sewer, water, electrical, etc.), easy access to freeways, plenty of parking, and proper zoning.

Since most arenas only have a life expectancy of roughly 20-25 years before they need major renovation or replacement, where will a new one be located at that time if the city gives away the Natomas land?

While the city and many downtown businesses proclaim that the city core is the best location for economic reasons, the vast number of studies on sports facilities state that they do not produce the economic benefits decreed and often result in economic harm to the public entities financing them. Sports complexes just redistribute limited discretionary entertainment dollars from other entertainment activities. Actually, much of that money leaves the area with the entertainers who perform there. Many of the team’s players do not live full-time in the area, so they take large sums of their salaries out of the region also.

The supposed purpose of placing the ESC downtown, per marketing put out by the city for years, is to bring more activity to the city core to eliminate some of the blight areas there and to stimulate development in the 250+/- acre Railyards project. However, this really doesn’t make sense as an arena only has a few hours of operation per week. The businesses that will likely do well around it are arena-centric businesses like bars, nightclubs, restaurants and sports-related stores. These likewise will have limited hours of robust use and most of the workers in these types of businesses make low wages. Consequently, the purpose for making this drastic locale change from Natomas to the central city doesn’t seem logical. Yet, that relocation can cause great harm to Natomas because there are already many of these types of businesses that have established around the existing arena that will either go out of business or will have to move their locations.

The city core will develop most successfully when the many future residents in the Railyards and Township 9 projects start moving in. Gradual growth is better than quickly throwing up lots of development around the proposed new location of the arena, at the Downtown Plaza site, as the types of development that grow naturally will be what is really needed by those future residents. Suddenly building a bunch of new structures, when there is plenty of empty real estate space already---to do development for the sake of doing development---that may sit idle because it is not the type of development that is really needed, will create more economic havoc than it will solve.

Consequently, the existing site in Natomas is the best location as it is easier for the majority of people to access than a city core site. The Natomas site also has easy freeway access, major streets to funnel the traffic to the freeways, plenty of parking, already handles the thousands of half-time flushes (sewer and water), has the right zoning, and has land next to it that could be used for additional sports facilities in the future that also could share the parking and other amenities.

NORTH NATOMAS ECONOMIC EFFECTS (Page 5-18)

This Draft EIR downplays the effect that moving the arena from Natomas to downtown will have on the Natomas economy. In 2010 and part of 2011 the Natomas Chamber of Commerce, supported by many Natomas businesses, presented a privately-funded proposal to the city to keep the Kings and the arena in Natomas. The time, money and effort that group put in to keep the arena in their neighborhood was because they felt it has a positive commercial benefit, plus is a dynamic and affirmative civic amenity for them. Their local economy will be affected.

MISCELLANEOUS COMMENTS

If my comment is long, it is because of the length of this DEIR. There were still plenty of questions it did not answer. Another troubling aspect of it is the time allotted for public review. The public was given six weeks to review and comment on over 5,000 pages. This is nowhere near enough time for the average person, not versed in reading and evaluating environmental reports, to study it, review materials referenced in it, do other research and comment on it. This process was too rushed to thoroughly accomplish this arduous task.

Yours truly,

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