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August 2, 2010

Ann Swift, City Clerk (for inclusion in public record)
City of Piedmont
120 Vista Avenue
Piedmont, CA 94611

Re: Moraga Canyon Sports Fields Project Draft EIR

Dear Council Members and Mayor:

I am writing about some of the areas in which the draft EIR for the above referenced proposed project is inadequate.

Increased Risks During Emergencies

The draft EIR failed to consider the significant adverse impact the sports field(s) project will create during an emergency. Moraga is part of the city of Oakland's emergency evacuation plan for thousands of residents and is an emergency route for police and fire fighters. Whether fire fighters are racing east to fight a hills fire, or from Shepherd Canyon to a fire in Piedmont, the additional congestion and traffic on Moraga before, during, and after games and practices will slow them down. When a wildfire broke out in the Mountain View Cemetery in October 2000, it ran along the border of our neighborhood and raced toward Moraga in Piedmont. The creation of additional congestion on Moraga, Broadway Terrace, and the streets between them (including Clarewood and Harbord) will significantly delay the arrival of firefighters to fight future wildfires. This will risk the loss of homes, both in Oakland and Piedmont.

Further, nearby escape routes, *e.g.*, Clarewood, have serious potential for landslides after an earthquake. Moraga needs to be available. The north side, near Maxwelton, already is likely to slide, but residents currently can escape through Blair Park. The proposed wall along Moraga will prevent this, risking lives.

Negative Traffic Impacts

The draft EIR also failed to adequately consider the additional traffic on Moraga and the significant adverse impacts of additional traffic on side streets through Oakland on the north side of Moraga. Because others have commented on many traffic issues, I limit myself to two particular topics: (1) the intersections of Harbord and Maxwelton; and (2) the impacts on streets north of Moraga.

As to the intersection of Moraga and Harbord, the draft EIR begins with erroneous assumptions about traffic use, then fails to consider all of the significant adverse impacts the development will cause. As one who frequents this intersection and often turns left from southbound Harbord on to eastbound Moraga, I can testify that delays of more than a minute are not uncommon now. In July 2010 alone, I have waited for an opportunity to turn left for over 80 seconds. Other drivers sometimes peel out quickly, squealing their tires and risking an accident to make a left turn. This intersection is already at full capacity for left turns. The Blair Park proposal not only will increase the amount of traffic going through this intersection, but will also create the additional risks of drivers making dangerous U-turns here. Some drivers will unquestionably exit Blair Park eastbound because the right turn is easier, then make a U-turn at this intersection (or after turning on to Harbord). This has not been properly evaluated and the proposed mitigation measure of a traffic light at Moraga and Harbord clearly was made without an adequate study of the site.

The intersection of Moraga and Maxwellton also has not been properly studied. Maxwellton has a steep grade, is narrow, and because of parked cars, is often effectively a one lane road. It is already difficult to transverse. But if the proposed development goes forward, cars will turn left from Moraga on to Maxwellton and travel through our neighborhood (Hilltop Crescent, Amy, Maxwellton, Harbord) to Clarewood and Florence. Further, people coming to the sports facility will come in the other direction. This will cause an increase of traffic throughout our neighborhood and will jam Maxwellton entirely from Moraga to Hilltop Crescent, as cars meet from opposite directions.

The draft EIR also did not consider the significant adverse impact caused by increased traffic on Harbord and other streets between Moraga and Broadway Terrace. It seems to assume that every car going to and from the proposed sports facility will go to and from Piedmont. The reality is that teams will come from elsewhere in the Bay Area to play at the field. And many will travel to and from the fields from Broadway Terrace via Florence, Clarewood, and Harbord. Indeed, Piedmont parents and players also will come from outside Piedmont at times and will go places other than Piedmont after games and practices, impacting these streets. Simply using the existing distribution of traffic is unrealistic and inadequate. Traffic is already excessive on some of these streets. An honest evaluation of the impact of additional traffic on this area must be considered.

Negative Noise Impacts

The draft EIR failed to properly consider the increased adverse impact from noise imposed on our neighborhood north of Moraga (Amy, Maxwellton, Harbord, Stark Knoll, and Hilltop Crescent in Oakland). It erroneously assumes that there is no noise impacting any location beyond 300 feet, and that any impact from increased noise would not be significant if the noise does not exceed legal limits. The standard is not "legal limits" but "significant adverse impact." The increased noise from a sports facility, as well as the increased traffic noise from Moraga itself, will create significant adverse impacts

individually and cumulatively. The increased noise will particularly impact our quality of life because noise from the proposed sports facility will not be "white noise" (as with distant traffic), but harsh, dramatic sounds (the sound of aluminum bats, crowd noise, and car doors slamming). Indeed, the increased elevations of the proposed fields bring the complex into direct sight and sound of several homes in our neighborhood. And the high wall bordering the south side of Moraga will bounce sound higher into our neighborhood.

The fact that the increased noise that will be imposed on our neighborhood was not even considered is a serious fault in the draft EIR. But further, what the draft EIR did consider is highly flawed. For one thing, it does not consider the "canyon effect." This canyon is deep, narrow, and curved. Sound bounces and travels in unpredictable ways. The sound impact needs to be studied properly. Instead, it seems that the consultants merely went to a few houses and listened for a few minutes at each. Any honest evaluation of noise and its impact needs an honest baseline. This requires a measurement of noise at different times of day, on different days of the week, and when different activities are taking place. It also requires an analysis of noise generated from the increased elevation of the proposed fields and of noise deflecting off the proposed retaining walls. None of this was considered adequately.

Negative Lighting Impacts

The draft EIR failed to consider the significant adverse impact of lighting on our neighborhood of Oakland or other neighborhoods. Apparently the consultants assumed that because the city of Piedmont does not currently propose lighting at Blair Park that lighting there need not be considered. This failed to recognize that the city of Piedmont previously guaranteed the neighbors of Coaches Field that there would never be lighting there. Now it is proposed. At some point, the city also will seek to light the fields at Blair Park, causing extended hours of use of the fields. The impacts of such future lighting at Blair Park must be considered now, both as to its own impact, and as to additional, cumulative, detrimental impacts that will flow from increased hours of use of the fields. *Bozung v. Local Agency Formation Comm.*, 13 Cal.3d 263, 283-284 (1975).

Negative Visual Impacts

The draft EIR also failed to consider the visual adverse impacts on our neighborhood in Oakland. Some of our homes (on Stark Knoll, Maxwellton, and Hilltop Crescent) will have direct line views of the proposed bridge and the retaining wall on the south side of Moraga rather than a forested hillside. The final EIR must consider this negative impact.

Negative Wildlife Impacts

The draft EIR listed wildlife observed on certain days, but no effort was made to determine what has been observed by near-by residents. Considering only raptors, at our home, we regularly observe (both in flight and roosting) great horned owls, sharp-shinned

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hawks, and cooper's hawks, and occasionally red shouldered hawks, kestrel falcons, and osprey. None of these were just "fly-overs." The elimination of habitat for hunting prey, roosting, and nesting through the clear cut of so many trees at Blair Park will negatively impact each of these raptor species. How significant this impact will be needs to be evaluated properly. The consultants should work with groups (*e.g.* the Audubon Society) to determine the significance of the impacts on these raptors, as well as to other species.

Sincerely yours,

Jon K. Adams