

# California Department of Transportation

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660  
[www.dot.ca.gov](http://www.dot.ca.gov)



Governor's Office of Planning & Research

**Nov 08 2021**

November 8, 2021

**STATE CLEARINGHOUSE**

SCH #: 2017032023  
GTS #: 04-SCL-2017-00959  
GTS ID: 5553  
Co/Rt/Pm: SCL/VAR/VAR

Angela Obeso, Principal Transportation Engineer  
City of Sunnyvale  
456 W Olive Ave  
Sunnyvale, CA 94086

## **Re: Mary Avenue Overcrossing Project Notice of Preparation (NOP) for Draft Environmental Impact Report (DEIR)**

Dear Angela Obeso:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Mary Avenue Overcrossing Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the October 2021 NOP.

### **Project Understanding**

The proposed project would extend Mary Avenue in the City of Sunnyvale from its terminus at Almanor Avenue North, over US-101 and State Route (SR)-237, to 11<sup>th</sup> Avenue at Discovery Way. The overcrossing would be 0.5-miles in length and include a 0.3-mile bridge structure over both freeways. The proposed project has been planned to relieve traffic congestion and provide north-south multimodal connection between the Moffett Park Specific Plan area and other parts of the City of Sunnyvale.

### **Design**

We commend the City of Sunnyvale's initiative to build the pedestrian and bicycle overcrossing as it will provide numerous benefits. In addition to alleviating a highway barrier and providing dedicated access to bicyclists and pedestrians, the project will support the next generation of roadway users as Caltrans continues to encourage a modal shift towards active transportation. Regarding Alternative 2: HOV lanes, with sidewalks and protected bicycle facilities, allows the ability to convert the HOV lanes to bike lanes. This would provide a cost-effective solution should the need for additional bike capacity arise.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

### **Cultural Resources**

There is an archaeological site within the project area that has been determined eligible to the National Register of Historic Places. The site extends into Caltrans' Right-of-Way (ROW), and thus it is a State-owned historical resource subject to compliance with Public Resources Code (PRC) 5024. The City of Sunnyvale will need to conduct cultural resource technical studies in support of the DEIR and the Caltrans encroachment permit. These studies must be prepared in accordance with the Caltrans-SHPO PRC 5024 MOU and the Caltrans Standard Environmental Reference (SER) Chapter 2 ([link](#)). All cultural resource technical studies for work within Caltrans ROW must be reviewed and approved by the Caltrans District 4 Office of Cultural Resource Studies (OCRS). An encroachment permit will not be issued until Caltrans is fully satisfied that the City of Sunnyvale is in compliance with CEQA and PRC 5024. Caltrans highly recommends early coordination before the completion of the DEIR, and we are available for a meeting to further discuss Caltrans' requirements.

### **Bridges, Trestles, Culverts and Other Structures in Riparian Environments**

Some project-level activities may affect riparian flow patterns upstream of bridges, trestles, culverts, or other structures for which Caltrans holds responsibility. Please ensure your project-level environmental documents include hydrological studies to determine whether such impacts will occur and to identify appropriate mitigation measures.

### **Habitat Restoration and Management**

Project-level activities related to habitat restoration and management should be coordinated with local and regional Habitat Conservation Plans and Caltrans, where our programs share stewardship responsibilities for habitats, species, and/or mitigation routes.

### **New Connection to Local Street**

Any new connection of local streets or roads to an existing State freeway will require a revision to the existing freeway agreement.

### **Construction-Related Impacts**

Potential impacts to Caltrans' ROW from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>. Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

### **Utilities**

Any utilities that are proposed, moved or modified within Caltrans' ROW shall be discussed. If utilities are impacted by the project, provide site plans that show the location of existing and/or proposed utilities. These modifications require a Caltrans-issued encroachment permit.

### **Lead Agency**

As the Lead Agency, the City of Sunnyvale is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

### **Equitable Access**

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

### **Encroachment Permit**

Please be advised that any permanent work or temporary traffic control that encroaches onto the ROW requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating the State ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to [D4Permits@dot.ca.gov](mailto:D4Permits@dot.ca.gov).

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Angela Obeso, Principal Transportation Engineer  
November 8, 2021  
Page 4

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Lisel Ayon at [Lisel.Ayon@dot.ca.gov](mailto:Lisel.Ayon@dot.ca.gov). Additionally, for future notifications and requests for review of new projects, please email [LDIGR-D4@dot.ca.gov](mailto:LDIGR-D4@dot.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is written in a cursive, flowing style with a long horizontal tail stroke extending to the right.

MARK LEONG  
District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse