

Ballpark Final SEIR

City Council

Appeal of Certification

Public Hearing

June 15, 2010

Requirements for EIR Certification

- CEQA requires FEIR certification
- City of San José is lead agency & applicant
- Final SEIR is City's document
- Director of PBCE is City's designated CEQA administrator (SJMC Title 21)
- Planning Commission certifies EIRs
- City Council certifies on appeal

Why a Supplemental EIR?

- 2007 Final EIR, certified February 28, 2007
- “Modified project” proposed (9,000-13,000 fewer seats)
- Initial Study prepared to assess environmental clearance by Addendum or SEIR
- SEIR prepared due to undisclosed significant freeway segment traffic impact

2007 Final EIR

Significant Unavoidable Impacts

- Nine freeway segments on SR 87 & I-280
- Long term air quality
- Noise – W. San Fernando traffic, stadium events, short term construction, fireworks
- Demolition of two historic resources & Historic Diridon Station direct & indirect
- Light and glare from nighttime operation
- Cumulative – above plus visual resources

2010 Final SEIR Additional Significant Unavoidable Impacts

- Six freeway segments [I-680 (1) & I-880 (5)]
- Long term traffic from Park Avenue narrowing
- Cumulative – greenhouse gas emissions

Parking

- Modified Project reduces parking demand (3330-4810 spaces) from 2007 FEIR
- Current Downtown parking supply exceeds FSEIR projected simultaneous demand
- No significant parking impact
- No substantial evidence has been presented to the contrary

SEIR Process

- Notice of Preparation – 11/17/09
- Public scoping meeting – 12/16/09
- DSEIR public review – 2/12/10 – 3/29/10
- Diridon GN Committee Meeting – 2/17/10
- Community meeting – 3/18/10
- First Amendment – 5/7/10 (12 calendar days)
- Planning Commission Hearing – 5/19/10
- Appeals filed – 5/24/10

What is the Final SEIR?

- Draft SEIR, and
- Comments received on the Draft SEIR, and
- List of persons, organizations or agencies commenting on DSEIR, and
- City's responses to significant environmental points raised in review process (First Amendment)

CEQA Recirculation Criteria

- Recirculation would be required if significant new information has been added to the SEIR, e.g. new significant impact or mitigation measure
- Recirculation is not required for any new information added for clarification
- Decision to not recirculate must be supported by substantial evidence

No Proposed Project

- No specific ballpark project is proposed for consideration at this time
- No other project related Council action is being considered at this time
- Adoption of a resolution with findings is not required at this time
- Notice of Determination will not be filed

Staff Recommendation

The City Council certify the Final SEIR based on the following:

- City Council has read & considered the Final SEIR,
- The Final SEIR has been completed in compliance with CEQA, and
- The Final SEIR reflects the independent judgment & analysis of the City