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## NEWS RELEASE

# Cupertino City Council Authorizes Litigation Against Caltrans and VTA

### FOR IMMEDIATE RELEASE

**City of Cupertino, CA – May 13, 2015** – The Cupertino City Council unanimously voted last night to authorize litigation against Caltrans and VTA for failure to do a full Environmental Impact Report and certifying the Express Toll Lane project for Highway 85 on a negative declaration.

Council also announced its intent to join with other cities that have standing in this case. On June 2, a study session is scheduled for the City Council to hear from various parties and experts on what preferred alternatives might be available. “We want and need the mass transit corridor that we were promised with various ballot measures,” said Cupertino Mayor Rod Sinks. “Since 1992, regional transportation plans have had light rail through the corridor.”

In February of last year, the City Council has expressed several fundamental concerns with the project and its environmental review.

- The Initial Study fails to adequately evaluate the project's environmental impacts or to propose effective mitigation measures, rendering the document inadequate under both the California Environmental Quality Act ("CEQA"), and the National Environmental Policy Act ("NEPA").
- The project has the potential to hinder or preclude altogether light rail transit along the SR 85 corridor.
- Widening highways is an antiquated approach to meeting travel demand yet Caltrans fails to consider a single transit-based alternative.
- The project, as currently designed is socially inequitable and fails to achieve its own goals.
- The City is concerned that federal funding for the project will require the existing truck weight limit on SR 85 to be removed, which would create a significant environmental effect that must be analyzed.

A letter detailing the City's objections, along with the transportation report prepared by MRO Engineers are available at the city of Cupertino website, [www.Cupertino.org/SR85](http://www.Cupertino.org/SR85).

The State Route 85 Express Lanes Project would convert the existing High-Occupancy Vehicle (HOV) lanes on SR 85 to express lanes, allowing single-occupant vehicles to pay a toll to use the lanes. The express lanes would extend along the entire 24.1-mile length of SR 85 and 1.5 miles of US 101 from the southern end of SR 85 to Metcalf Road in San Jose.

Cupertino, CA, is on the western edge of Silicon Valley against the foothills of the Santa Cruz Mountains. With a population of 58,000 within 13 square miles, Cupertino is 42 miles south of San Francisco and home to Apple Inc. and many other high-tech companies.

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