

VTA'S BART SILICON VALLEY PHASE II EXTENSION PROJECT

**Draft Supplemental Environmental Impact Statement/
Subsequent Environmental Impact Report
and Draft Section 4(f) Evaluation**

Volume I

December 2016



**U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**



SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

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Appendix D.3 – Draft Programmatic Agreement

Supporting Documentation

(Supporting documentation is available on the enclosed CD and on VTA's web site at www.vta.org/bart.)

Scoping

Environmental Scoping Report

Technical Studies and Reports

Air Quality

Air Quality Study

Biological Resources

Special-Status Species Lists

Cultural Resources

Archaeological Resources Technical Report¹

Supplemental Built Environment Survey Report

Preliminary Finding of Effects

Geology, Soils, and Seismicity

Geotechnical Memorandum

Hazardous Materials

Initial Site Assessment

Noise and Vibration

Noise and Vibration Technical Report

Section 4(f)/6(f)

Section 4(f)/6(f) Technical Report

Socioeconomics and Environmental Justice

Socioeconomics and Environmental Justice Technical Report

Transportation

Transportation Impact Analysis of the BART Extension

Transportation Impact Analysis of the BART Extension and VTA's Transit-Oriented Joint Development

Water Resources, Water Quality, and Floodplains

Hydrology and Water Quality Technical Report

Location Hydraulic Study

¹ Available upon request to qualified professionals.

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VTA'S BART SILICON VALLEY PHASE II EXTENSION PROJECT

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT/ SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND DRAFT SECTION 4(f) EVALUATION

PREPARED PURSUANT TO:

National Environmental Policy Act of 1969, § 102 (42 U.S. Code [U.S.C.] § 4332); and Public Law 112-141; 49 U.S.C. § 303 (formerly Department of Transportation Act of 1966, §4(f)); National Historic Preservation Act of 1966, § 106 (16 U.S.C. § 470f); Clean Air Act (42 U.S.C. § 7401 et seq.); Clean Water Act, Section 404 (33 U.S.C. § 1344); Endangered Species Act (7 U.S.C. § 136; 16 U.S.C. § 1531 et seq.); 49 Code of Federal Regulations (CFR) § 622.101; 23 CFR Part 771 and 774; 40 CFR Parts 1500 - 1508; Executive Order 11990 (Protection of Wetlands); Executive Order 11988 (Floodplain Management); Executive Order 12898 (Environmental Justice); California Environmental Quality Act (CEQA), Public Resources Code § 21000 et seq.; and the State of California's CEQA Guidelines, California Administrative Code, § 15000 et seq.

The Federal Transit Administration (FTA) may issue a single Final Supplemental Environmental Impact Statement/Record of Decision document pursuant to Public Law 114-94 and 23 U.S.C. 139 (n)(2), unless the FTA determines statutory criteria or practicability considerations preclude issuance of the combined document. In that case, FTA would issue a Final Supplemental Environmental Impact Statement followed by an amendment to the Record of Decision, as needed.

by the

**FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION**

and the

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

Cooperating Agencies:

San Francisco Bay Area Rapid Transit District

Leslie T. Rogers
Regional Administrator, Region IX
Federal Transit Administration

Date of Approval

Nuria I. Fernandez
General Manager
Santa Clara Valley Transportation Authority

Date of Approval

ABSTRACT

VTA's BART Silicon Valley Program consists of a 16-mile extension of the Bay Area Rapid Transit (BART) system from BART's Warm Springs Station in southern Fremont in Alameda County into Santa Clara County through the Cities of Milpitas, San Jose, and Santa Clara. BART's Warm Springs Station is currently under construction and scheduled to open in 2017. VTA's BART Silicon Valley Program is being implemented in two phases: the Phase I Berryessa Extension Project (Phase I) and the Phase II Extension Project (Phase II). Phase I is a 10-mile extension currently under construction and scheduled to be open in late 2017. The remaining approximately 6-mile extension of VTA's BART Silicon Valley Program, called Phase II, is the subject of this combined Draft Supplemental Environmental Impact Statement and Subsequent Environmental Impact Report (SEIS/SEIR), which includes both a National Environmental Policy Act (NEPA) and a California Environmental Quality Act (CEQA) analysis.

This Phase II NEPA SEIS is being prepared to address the remaining 6 miles of the 16-mile SVRTP Alternative that was studied in the 2010 Final EIS but not approved. In 2010, FTA issued a Record of Decision for the Phase I 10-mile extension that is currently under construction. Considerable time has passed since the prior EIS was prepared in 2008–2009; therefore, this document evaluates changes in existing conditions, regulatory requirements, and project design to the remaining 6 miles of the Silicon Valley Program from Berryessa to Santa Clara since the 2010 EIS.

A CEQA SEIR is being prepared to address substantial changes in the proposed project, including new alternatives considerably different from previous EIRs, and to consider new circumstances and information, such as new existing conditions, regulatory requirements, potential impacts, and mitigation measures. The VTA Board of Directors certified the Final EIR and approved the 16-mile project on December 9, 2004. As preliminary engineering progressed, a number of design changes were identified, and a supplemental document was prepared to evaluate the environmental impacts. The VTA Board of Directors considered these changes and certified the Final Supplemental EIR and approved the revised project on June 7, 2007. The VTA Board of Directors certified a second Supplemental EIR and approved the Phase I 10-mile extension (phasing of VTA's BART Silicon Valley Program) on March 3, 2011.

The alternatives analyzed in this Draft SEIS/SEIR were prepared in accordance with NEPA and CEQA and are described below. There are two alternatives evaluated in this document in accordance with NEPA: the No Build Alternative and the BART Extension Alternative. The NEPA No Build Alternative consists of planned and programmed transit improvements, but does not include the 6-mile BART extension to Santa Clara. The NEPA BART Extension Alternative consists of a 6-mile extension of the BART system from the Berryessa BART Station, currently under construction, through downtown San Jose to the vicinity of the Santa Clara Caltrain Station. The SEIS is intended to satisfy the requirements of the National Environmental Policy Act of 1969 and other environmental requirements that apply to federal actions, such as Section 4(f) of the Department of Transportation Act (49 U.S.C. Section 303) and Section 106 of the National Historic Preservation Act.

There are three alternatives evaluated in this document in accordance with CEQA: the No Build Alternative, the BART Extension Alternative, and the BART Extension with Transit-Oriented Joint Development (TOJD) Alternative. The CEQA No Build Alternative is the same as the NEPA No Build Alternative described above. The CEQA BART Extension Alternative is the same as the NEPA BART Extension Alternative described above. The CEQA BART Extension with TOJD Alternative consists of the 6-mile BART Extension as described above (see CEQA BART Extension and NEPA BART Extension Alternatives) as well as TOJD at the BART Extension's four stations and two tunnel ventilation structure sites. The TOJD has independent utility and is included to support ridership and to be consistent with local and regional land use

planning. No federal dollars would be used to design or construct the TOJD, and no federal approvals are required. Because no federal action is involved, VTA's TOJD, which is consistent with City general plans and approved area plans, would be considered in the cumulative conditions for NEPA purposes.

This Draft SEIS/SEIR evaluates and discloses the environmental effects of the alternatives. Topics of concern include transportation, air quality, cultural resources, and noise and vibration, among other topics. Mitigation measures to reduce or avoid adverse effects are identified in the document.

The project is included in the current Metropolitan Transportation Commission's financially constrained regional plan (Plan Bay Area 2035). The current financial plan in the Draft SEIS/SEIR is based on financial projections and governmental actions that are not finalized. As part of the New Starts process, an updated financial plan will be prepared in advance of the project into Final Design.

The FTA may issue a single Final Supplemental Environmental Impact Statement/Record of Decision document pursuant to Public Law 114-94 and 23 U.S.C. 139 (n)(2), unless the FTA determines statutory criteria or practicability considerations preclude issuance of the combined document. In that case, FTA would issue a Final Supplemental Environmental Impact Statement followed by an amendment to the Record of Decision, as needed.

Notice of the Draft SEIS/SEIR will be published in the *Federal Register*. The public comment period will end February 20, 2017. Written comments should be submitted to Mr. Tom Fitzwater at the address below. Comments may also be submitted by email at BARTphase2EIS-EIR@vta.org or at the public hearings noted below. Information can also be obtained from the project web site (www.vta.org/bart) or from Mr. Fitzwater at (408) 321-5705.

The dates, times, and locations of the public hearings are:

East San Jose Public Hearing
Wednesday, January 25, 2017 (6:00 p.m. to 8:00 p.m.)
Mexican Heritage Plaza, Gallery Room
1700 Alum Rock Avenue, San Jose, CA

Santa Clara Public Hearing
Thursday, January 26, 2017 (6:00 p.m. to 8:00 p.m.)
Santa Clara Senior Center, Room 222
1303 Fremont Street, Santa Clara, CA

Downtown San Jose Public Hearing
Monday, January 30, 2017 (6:00 p.m. to 8:00 p.m.)
City of San Jose- City Hall, Rooms 118-120
200 East Santa Clara Street, San Jose, CA

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