



## **DISCUSSION:**

The FRR & LBC Project will take place primarily within the existing UPRR corridor, extending approximately six miles from north of the UPRR Warm Springs Yard in the City of Fremont to the south end of the UPRR Milpitas Yard in the City of Milpitas. Work to be completed includes track relocation, utility relocation, and modifications to specific roadway, creek, and flood control channel crossings. Project design requirements and best management practices reduce impacts to acceptable levels in all topical areas except biological resources. Mitigation measures have been identified to reduce biological impacts to less than significant levels. Specific mitigation measures include the replacement of Congdon's Tarplant, replacement of wetlands and waters of the United States, construction techniques to minimize impacts to creeks and/or flood control channels, and preconstruction surveys for nesting raptors, swallows and migratory birds.

The IS/MND was circulated for public review for 34 days beginning on August 13, 2007, and ending on September 16, 2007. A Notice of Availability was published in several local newspapers including the Milpitas Post (August 9, 2007), the Fremont Argus (August 10, 2007), and the Fremont Bulletin (August 11, 2007). Regional and local jurisdictional agencies such as the U.S. Fish and Wildlife Service, Bay Area Regional Water Quality Control Board, the City of Fremont, and Santa Clara Valley Water District and impacted property owners were also notified. VTA received no comments on the IS/MND during the public comment period.

The final IS/MND is provided as Attachment A and the Mitigation Monitoring and Reporting Plan is provided as Attachment B.

## **ALTERNATIVES:**

There are no alternatives to the recommended action since it is a requirement of the agreement with UPRR.

## **FISCAL IMPACTS:**

The total cost of the project is approximately \$210 million. VTA's share is \$111 million and would be funded through TCRP or Measure A funds. Other funding partners include the Alameda County Transportation Improvement Authority, City of Fremont and Santa Clara Valley Water District.

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