
Chapter 2

Introduction

Section 2.1 Scope of the Supplemental EIR

According to CEQA Guidelines 15163(b), the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. The Supplemental EIR augments the previously certified EIR to the extent necessary to address the changed conditions and to examine environmental effects, mitigation measures, and design options accordingly.

In preparing the Supplemental EIR, VTA has referenced the Final EIR and made use of that document and its supporting administrative record as necessary and appropriate. As a result, the Supplemental EIR is focused on providing new information on the environmental effects of the project that is not included in the Final EIR. Where the analysis from the Final EIR applies, the Supplemental EIR incorporates by reference the appropriate sections of that document.

Section 2.2 Public Participation in Environmental Review

As part of the environmental process, there will be several opportunities for the public and agencies to comment on the environmental document.

- **Notice of Preparation**

VTA issued a Notice of Preparation (NOP) on August 23, 2006, and held a Scoping Meeting on September 6, 2006. The NOP was sent to 250 agencies, community organizations, residents, and businesses. In addition, flyers were mailed to 5,400 properties located 1/8 of a mile from the corridor. Eighteen comments were received on the scope and content of the Supplemental EIR, which can be found in Appendix A.

- **Draft Supplemental EIR**

When the Draft Supplemental EIR is completed, VTA will request comments from the public and agencies on the adequacy of the environmental analysis. A public hearing will also be held to receive verbal comments. VTA will respond to all comments in the Final Supplemental EIR.

- **Final Supplemental EIR**

Prior to consideration by the VTA Board of Directors, all commenting agencies and individuals will receive a copy of the Final Supplemental EIR with VTA’s response to their comments. Any additional comments on the Supplemental EIR can be provided in writing or in person at the VTA Board of Directors’ meeting.

Section 2.3 Uses of the Supplemental EIR

It is proposed that this Supplemental EIR be relied upon in issuing appropriate project-specific discretionary approvals necessary to implement this project. These actions include the following approvals by the agencies indicated:

- San Francisco Bay Regional Water Quality Control Board: National Pollutant Discharge Elimination System General Industrial/General Construction Storm Water Discharge Permits.
- California Department of Fish and Game: Migratory Bird Treaty Act and Burrowing Owl issues.
- Santa Clara County: Encroachment Permit for use of Capitol Expressway right-of-way.
- City of San Jose: Encroachment Permit for use of Capitol Expressway and other City right-of-way.
- Santa Clara Valley Water District: Encroachment Permit for use of District right-of-way and Construction Permit.

Section 2.4 Organization of the Supplemental EIR

The organization of the Supplemental EIR generally follows the organization of the Final EIR, especially for the environmental analysis. The readers should consider this Supplemental EIR together with the Final EIR since the Supplemental EIR does not repeat information in the Final EIR that has not changed.

The Draft Supplemental EIR includes the following sections:

■ **Chapter 1: Executive Summary**

Briefly discusses the reasons for preparing the Supplemental EIR, generally describes the approved project, and summarizes the proposed changes to the approved project. This section identifies the impacts, mitigations, and the level of significance of the impacts after mitigation in table format.

■ **Chapter 2: Introduction**

Describes the scope of the Supplemental EIR, public participation, the uses of the Supplemental EIR, the organization of the Supplemental EIR, and the certification process for the Supplemental EIR.

■ **Chapter 3: Proposed Design Changes**

Details the proposed changes to the approved project.

■ **Chapter 4: Alternatives Considered**

Simply states that no additional alternatives were considered in this Supplemental EIR.

■ **Chapter 5: Environmental Setting, Impacts, and Mitigation**

Presents new information regarding the environmental setting, describes the effect of the project changes on the environment, identifies new significant impacts or an increase in severity of previously identified impacts, and recommends mitigation measures to reduce impacts so they are no longer significant.

■ **Chapter 6: Other CEQA Considerations**

Discusses other environmental issues of importance to CEQA, including significant and irreversible environmental changes, cumulative effects, and growth inducing effects.

■ **Chapter 7: References**

List of sources referenced in the Supplemental EIR.

■ **Chapter 8: List of Preparers**

Lists key VTA staff and consultants who contributed to the preparation of the Supplemental EIR.

Section 2.5 Certification of the Supplemental EIR

The Draft Supplemental EIR, together with responses to comments on the Draft Supplemental EIR and any modifications or corrections to the Draft Supplemental EIR, will constitute the Final Supplemental EIR. The VTA Board of Directors will review the Final Supplemental EIR, the Final EIR, and any public testimony or comments. Based on that information and all other substantial evidence, the VTA Board of Directors will decide whether to certify the Final Supplemental EIR and approve the proposed changes to the project. As CEQA Guideline 15163(e) requires, the VTA Board of Directors will make a finding for each potentially significant effect shown in the Final EIR as revised, as well as the Supplemental EIR.