

3/13/2007 2:27:42 PM

Jones, Barbara M.

Foley & Lardner LLP

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LETTER P-26

March 13, 2007

VIA FACSIMILE AND E-MAIL

Tom Fitzwater
VTA Environmental Planning Department
3331 North First Street, Building B
San Jose, CA 95134-1906

Re: Public Comments on Draft Supplemental Environmental Impact Report ("DSEIR"), SCH #2002022004, dated January 2007, for the BART Extension to Milpitas, San Jose and Santa Clara

Dear Mr. Fitzwater:

Thank you for this opportunity to comment on the Draft Supplemental Environmental Impact Report for the BART Extension to Milpitas, San Jose, and Santa Clara ("BART Extension Project"). We are presenting this comment letter on behalf of Milpitas Station, LLC. This letter focuses on proposed design changes that affect property owned and under development by Milpitas Station, LLC, located northeast of the intersection of Montague Expressway and Piper Drive, and approximately 600 feet from the future Montague/Capitol Station and related parking structure and ancillary facilities. In particular, we are concerned about Design Change 14, and your consideration of aerial options instead of the retained cut feature previously addressed in the FEIR.

To be certain, Milpitas Station, LLC supports completion of the BART Extension Project. However, we oppose Design Change 14 insofar as it may utilize a aerial option instead of the retained cut feature. An aerial alignment will pose adverse noise and vibration impacts to our future, planned project. Milpitas Station, LLC is proceeding with plans for a 661- to 730-unit residential development at the northeast quadrant of the intersection of Montague Expressway and Piper Drive (the "MS residential project"). The MS residential project includes two residential towers (mid- or high-rise) that are planned to be placed within about 200 feet of the extension alignment along Piper Drive north of Montague Expressway.

P-26.1

Although the area is currently zoned for commercial or industrial use, the City of Milpitas has approved the concept Transit Area Specific Plan for this and other properties that convert the use to high density and very high density residential use. The City has advised MS and VTA that the Transit Area Plan should be finalized in early June, 2007.

P-26.2

The MS residential project is a "probable future project" as contemplated in the CEQA Guidelines. A future project should be considered as part of an EIR project analysis if it: (1) is reasonably foreseeable; and, (2) will likely change the scope or nature of the considered project's environmental effects. (See, Laurel Heights Improvement Association v. Regents of the University of

BOSTON
BRUSSELS
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DETROIT
JACKSONVILLE

LOS ANGELES
MADISON
MILWAUKEE
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ORLANDO

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SAN DIEGO
SAN DIEGO/DEL MAR
SAN FRANCISCO
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TALLAHASSEE
TAMPA
TOKYO
WASHINGTON, D.C.

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FOLEY & LARDNER LLP

Tom Fitzwater
March 13, 2007
Page 2

California (1988) 47 Cal.3d 376.) Thus, CEQA requires that reasonably anticipated projects also be considered in your analysis of environmental effects.

P-26.2
cont.

The DSEIR indicates that either (long or short) aerial alignment from Curtis Avenue to Trade Zone Boulevard would currently adversely impact 68 to 70 residential units with noise, whereas either retained cut alignment would impact only 19 units. The MS residential project includes more than 660 residential units that would be directly and adversely impacted by noise and vibration from the BART Extension Project, but is neither mentioned nor contemplated in the DSEIR analysis. Therefore, we request that you consider and provide analysis of impacts related to the MS residential project in the DSEIR, and reject the aerial alignment options. The retained cut alignment will most effectively mitigate the noise impacts. Further, we request that the extension utilize a floating slab track or other more effective mitigation for vibration impacts from Montague/Capitol Station north to Curtis Avenue.

P-26.3

Thank you again for this opportunity to comment on the DSEIR. Milpitas Station, LLC supports and joins the comment letter submitted by the City of Milpitas dated February 28, 2007.

Very truly yours,

Richard L. Moskitis

RESPONSE TO COMMENT LETTER P-26

Foley & Lardner, LLP

P-26.1 *The commentor's opposition to an aerial option (as reflected in Design Change 14) is noted. The VTA staff and SVRT Policy Advisory Board recommendation to the VTA Board of Directors is for the Retained Cut Long Option.*

The commentor states that it is "proceeding with plans" to build a future residential project at the northeast quadrant of the intersection of Montague Expressway and Piper Drive, but the City of Milpitas staff confirmed that no development application has been submitted as of May 7, 2007 for this particular project. Also, the City of Milpitas has not yet published a draft of the Transit Area Specific Plan, a draft Environmental Impact Report for this plan, or initiated CEQA documents for any specific development projects that may ultimately be built pursuant to such an area-wide plan.

P-26.2 *See Response to Comment P-26.1. As the commentor notes, the area northeast of Montague Expressway and Piper Drive is currently zoned for commercial or industrial use. In addition, portions of this area are vacant. In accordance with the CEQA Guidelines, the SEIR's analysis of the environmental impacts of the proposed BART project is based on an examination of the changes to the existing physical conditions in the affected area as those conditions existed at the time VTA published its Notice of Preparation for the SEIR in August 2006. See CEQA Guidelines §§ 15125, 15126.2(a).*

Moreover, any residential development that the commentor may propose to build in the future pursuant to the Milpitas Transit Area Specific Plan, once such a plan is adopted, is not part of VTA's proposed BART Project. Any future residential project that the commentor may ultimately develop is a separate and distinct project, which would be under the City of Milpitas' jurisdiction and which would have to be reviewed under CEQA by the City before it is considered for approval. At such time when the City conducts an environmental review for such a future project, the City will need to impose appropriate mitigation measures to address the impacts of that project, including impacts resulting from the project in terms of exposing new residences to noise.

Nor is any future development project that the commentor may propose to build pursuant to the as-yet unfinalized Milpitas Transit Area Specific Plan a "probable future project" for cumulative impact purposes. As noted above, VTA is unaware of any environmental review by the City of Milpitas under CEQA for the commentor's desired future project, and the City of Milpitas has yet to publish a draft of the Milpitas Transit Area Specific Plan or a draft EIR for that plan. Therefore, the analysis of the possible future environmental impacts that may result from the development of a residential project by the commentor -- especially the evaluation of site specific impacts such as noise, which are dependent on a variety of detailed design features (e.g., setbacks, how many windows would be included in the façade, whether windows would be double-paned, etc.) – is speculative and would not be meaningful at this juncture. Again, this analysis will occur at such time when the City conducts a CEQA review for a specific development that commentor may propose to build.

P-26.3 *Refer to Responses to Comments P-26.1 and P-26.2. At such time when the City of Milpitas conducts an environmental review under CEQA for a specific development that*

the commentor may propose to build, the City will be required to impose appropriate mitigation measures.

LETTER P-27

Hurley, Kim

From: Dalila Rojas [drojas@ci.santa-clara.ca.us]
Sent: Friday, March 16, 2007 4:55 PM
To: vtabart.seircomments
Subject: Bart to Silicon Valley comments

Tom Fitzwater,

I recently became away of the proposal to bring Bart to the Silicon Valley.

Two issues that concern me are as follows:

1. Having a 5-6 story parking structure at the Santa Clara Station is unreasonable. It would be better to share the burden with the HP Pavillion having EACH with a parking structure of only 3-4 stories.

P-27.1

This makes more sense because the HP Pavilion hosts several events throughout the year, where they would benefit from having a large parking structure.

Additionally, there are several events in downtown San Jose, where a large parking structure located at the HP Pavillion would be ideal for patrons attending the events.

And lastly, to preserve the site line at the Santa Clara station. Having a HUGE 5-6 story parking structure would look terribly out of place and would dwarf the surrounding buildings.

P-27.2

2. The second issue which greatly concerns me is moving the Tracks 175 feet away from the Pulte Homes.

P-27.3

First of all, there are too many train derailments that happen every year and by having the homes located so close to the tracks, really puts these people's lives in danger.

Secondly, these trains typically carry highly toxic chemicals, which in the past, when Trains derail have caused an evacuation of a 3 mile radius.

Thirdly, the dust and noise from the tracks would be unbearable

P-27.4

for those living in the homes closest to the tracks.

P-27.4 cont.

Please refer to the following articles:

3/9/07 www.gulfcoastnews.com/GCNnewsRailRoadDanger.htm

"Forrest County Train Derailment Reminds Coast of Potential Danger"
"The railroad line's proximity to busy businesses and neighborhoods makes chemical spill derailment a real concern."

1/7/07 www.utu-canada.com/National%20Legislative%20Office/_Jan_07_2007

"Twenty-four rail cars went off the track in Quebec town of Montmagny . . . in the heart of a residential neighborhood."

11/20/05 www.pe.com/digitalextra/metro/trains/graniteville.html

Toxic Cargo "Disaster holds lessons for a region that has all the ingredients for a dangerous rail accident: increasing train traffic, heavy automobile traffic, a growing population and an array of toxic materials passing through on the rails every day."

2/9/03 www.atsdr.cdc.gov/hac/pha/tamoroa/ttd_pl.html

Tamaroa Train Derailment, Illinois "residents within a 3-mile radius of the derailment were evacuated." "derailed cars contained hydrochloric acid, vinyl chloride, methanol, or formaldehyde."

1/3/01 www.usatoday.com/news/ndswed02.htm

"A Union Pacific train derailed on the outskirts of a southern Arizona town, spilling about 10,000 gallons of sulfuric acid and forcing residents of some 75 homes to evacuate overnight."

Let me know if I can provide you with further information.

Thank you,

Dalila Rojas
1104 Delno St.
San Jose, CA 95126

RESPONSE TO COMMENT LETTER P-27

Dalila Rojas

P-27.1 *The opposition to a 5- to 6-story parking structure at the Santa Clara Station and support of 3- to 4-story parking structures at the Santa Clara Station and Diridon/Arena Station near the HP Pavilion are noted.*

Following input from the SVRT Policy Advisory Board and further discussions with interested parties, VTA staff will not be making a recommendation regarding parking at the Diridon/Arena Station. VTA will continue to work with the various parties to develop a comprehensive parking management strategy for the area.

However, subsequent discussions with the City of Santa Clara have lead to consideration of a parking structure with up to 6-levels to accommodate the Santa Clara Station's 2030 parking demand of 1,730 spaces. The option of having up to 6-levels of parking provides flexibility to reduce the garage footprint as compared to a 3- to 4-level parking structure.

P-27.2 *Visual simulations of a 4- and 6-story parking garage are provided in the Draft SEIR, Figures 4.16-16 and 4.16-17. The visual analysis concluded that neither of these parking garage options would result in a significant visual impact.*

P-27.3 *There have only been two mainline revenue vehicle derailments within the entire BART system in the past 10 years. Therefore, derailments are extremely rare. Hazardous materials carried by the BART vehicles include train batteries and fluorescent lights. Ni-cad batteries for the trains contain hazardous constituents, NAOH, nickel and cadmium. Hazardous constituents include small amounts of alkaline. While in use on the trains, they are considered a product with hazardous constituents, the same as a car battery. It does not become a hazardous waste until ready for disposal or there has been a release of the substance to the environment. As a waste, most batteries are managed as a "universal waste" – a hazardous waste that is commonly generated and considered relatively low risk for hazards. They can also be recycled.*

Based on the articles referenced in the comment, the comment appears to be directed at existing freight and passenger train movements that are closer to residences to the west and have a greater potential to impact residences.

P-27.4 *BART would not be a major contributor of dust. An analysis of noise impacts was prepared for the yard and shops maintenance facility area. The conclusion regarding the facility, as stated in the Draft SEIR, Chapter 4, page 184, was that the "noise will be similar to, but substantially less than, the noise from various types of existing train equipment operating on the mainline tracks today." BART operations to and from the Santa Clara Station would also not result in significant noise impacts because of the substantial distance separation between the trackway and residences and the existing passenger and freight train activity in-between.*

Hurley, Kim

LETTER P-28

From: Roy Nakadegawa [rnakadegawa@myfastmail.com]
Sent: Friday, March 16, 2007 4:06 PM
To: vtabart.seircomments
Subject: Comments on VTA SEIR



rnakadegawa.vcf

March 16, 2007

Mr. Tom Fitzwater
VTA Environmental Planning
Fax 408-321-5787
Via; vtabart.seircomments@vta.org

Comments on VTA SEIR

As an Environmental Impact study, one of the most serious environmental to review has not being made. It is becoming more evident that at the rate we are producing CO₂ we are going to suffer dire consequences, so we need to reduce it. Moreover, by continual accommodation of auto access to justify BART projects does not address this problem. Autos are the greatest contributor of CO₂, a major source of Greenhouse Gas (GHG), which an environment study should have included, but the SEIR does not study this and does not even acknowledge this problem. The consequence of GHG emission has more serious consequence and is of more importance than coping with congestion, air pollution, and various impacts of noise, water, vibration, socioeconomics, energy, etc, etc that the SEIR analyzes. Reliable studies Increasingly are predicting dire effects will occur if we continue our current trends in contributing GHG that contributes to Global Warming and if we do not reduce the emission, we will suffer its dire effects.

P-28.1

Yet no analysis was made on GHG gas since is not a required element to be consider in the conventional EIR but again it has a greater influence on our environment.

The SEIR spends so much effort and detail to address the accommodation of auto, whereas reviewing many traffic and transit studies over decades, it is clear that we will never solve for congestion and that transit does not relieve congestion, but transit will reduce CO₂

P-28.2

emission. A Metro as San Jose BART Extension (SJX) when compared to other countries metros, they rarely provide public parking for auto access because they serve high density corridors that we lack. In lieu, for suburban to urban trips, which SJX is, they provide less costly commuter rail.

P-28.2 con't.

To reduce GHG emission we need to reduce auto use, since the CO₂ emission rate of vehicles in the Bay Area is 10% greater over the nation average. We need to enhance transit and direct land development that favors transit. The SEIR indicates all stations except Down Town station which does not provide any parking, its overall major access 59% will be by autos (46-89%). SEIR merely complies with current demand and does little on auto use reduction. Over 11,100 parking spaces are to be provided and most all will be in structures that will cost about \$500 million, whereas no mention is made on providing increased feeder bus access.

By allowing congestion to build and with fuel price increasing it is a fact that transit use increases. But by accommodating the auto, this essentially maintains status quo development including more sprawl, which increases auto use as a vicious cycle.

If over 20 year period one invested the allocated \$500 Mn for parking to provide feeder buses, this would amount to \$25 Mn per year. At bus costing \$100 per hour, one can provide 250,000 bus hours service per year. 70-80% of 3 County BART (3CB) riders access during 2 hours peak hours, so one can provide roughly 900-1,000-bus hour service each weekday. For six stations, this provides 150-170 hrs per station free bus service. Assuming parking charges will instituted to be revenue neutral, a charge for the feeder bus system could be imposed as well to continue or even expand the service.

P-28.3

The SEIR does mention that VTA will expand their bus fleet to 650 vehicles, implying that the increased transit service will hardly be noticeable.

Parking in structures requires about \$4.50/day/space to be revenue neutral, whereas most 3CB parking is still free. Currently they charge at only ten stations and none of these stations charges this amount. This creates a serious social inequity problem in that most of the parking is used by the more affluent users, so they are provided a discriminatory subsidy along with a large subsidy per mile since most of

P-28.4

the parking is at suburban sites (a trip over 14 mile per mile charge is 1/3 of inner city trips). In addition, the 3CB BART Board has an unwritten policy that unwisely requires each existing Parking space replaced 1:1 upon redevelopment, which has deterred construction of any TOD let alone a decent one. Will VTA establish a policy of removing expensive structured parking to construct a decent TOD because the structured parking is located in the prime location where the focus of the TOD should be? If not a TOD with immediate parking will create an auto-oriented environment.

P-28.4 con't.

As to adequacy of the number of parking spaces, most of 3CB parking was used up to capacity within a few years because there was no charge for its use. There is no mention of whether VTA will charge for parking to control its use once the parking is filled.

As for land development, with little or no parking, the land around the station can be readily constructed with a more desirable pedestrian TOD, which would stimulate added denser development nearby. Land development is a great factor on generating ridership, but no analysis or mention is made on Land Use and Development around stations. Also the SEIR does not mention whether the suggested MTC requirement of X number of Households within one half-mile radius will be required. Is it assumed that TODs or increased density around stations will occur? If so, is VTA requiring a commitment of communities for more dense development?

P-28.5

It is surprising that Santa Clara County is funding SJX overall construction and operation, which will cost over \$7 Billion when including interest, ion that almost 2/3 of the users who will use it, live outside the County. How is this extension to continue operation for after a few years of operation where it is expected the this funding would be exhausted with current funds.

P-28.6

Sincerely

Roy Nakadegawa P.E.
Former BART and AC Transit Director, serving 32 years
Member of 2 TRB standing committees

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Roy Nakadegawa P.E.
rnakadegawa@myfastmail.com
phone: 510-526-5094; fax: 510-526-5094

751 The Alameda Berkeley, CA 94707

RESPONSE TO COMMENT LETTER P-28

Roy Nakadegawa

P-28.1 *Greenhouse gases are mentioned in the Air Quality sections of both the 2004 FEIR and Draft SEIR. A major contributor to greenhouse gases is automobile emissions. The BART Extension is designed to provide a transit alternative to automobile use. However, to promote ridership, parking is provided at some stations. This does result in shorter automobile travel distances. The Draft SEIR, Chapter 4, Section 4.8, Energy, Table 4.8-1 quantifies the reduction in vehicle miles traveled with the SEIR. Compared to Without Project, the BART Extension has 147,600,000 fewer vehicle miles traveled in 2030. Therefore, the BART Extension contributes to a reduction in greenhouse gas emissions.*

P-28.2 *The primary mode of access to the stations will be by automobile. However, bus connections are an important part of the project. As shown in the Draft SEIR, Chapter 4, Table 4.2-9, 7-45 percent of boarders would access the stations by bus. In fact, every station except the Downtown Station has a bus transit center included as part of the station design.*

P-28.3 *The VTA Ridership forecast model (using assumptions based on FTA guidance) was used to project boardings at each station. The model inputs include land use densities and the results identify boardings by mode of access. Draft SEIR, Chapter 3, Table 3.3-2 identifies a fleet of 568 VTA buses not 650 buses. The increase in buses is to increase service including service to the BART station bus transit centers. Therefore, the use of feeder buses to increase ridership has been included in the Project.*

P-28.4 *VTA fully supports TOD development around BART stations. At this time, VTA does not anticipate establishing a policy of removing structured parking to construct TOD. In the future, VTA may consider charging for parking to control parking structure use.*

P-28.5 *On January 6, 2005, the VTA Board of Directors approved the Joint Development Program to create a long-term source of revenue to support VTA's operations while creating station areas and transit corridors, which are vibrant, prosperous, community assets that create a strong transit-oriented development, supportive of Metropolitan Transportation Commission's TOD policy. The approved program includes an extensive process by which VTA can solicit and evaluate development proposals and select qualified developers for chosen sites. The approved Joint Development Program has identified future BART stations as potential Joint Development sites.*

Through the environmental process, VTA clears the "worst-case" scenario of the horizontal and vertical footprint necessary to provide the facilities needed for the BART operations. In a parallel but separate visioning process, VTA, in cooperation with local agencies, is evaluating potential transit-oriented development and parking supplies for BART stations. As land use plans are not actual projects at this point, they cannot be evaluated in detail in the SVRT environmental process. If developments envisioned become projects, by a developer or in partnership with VTA, each project will be environmentally evaluated at the appropriate time.

P-28.6 *VTA is pursuing various options to fund BART operations.*

LETTER P-29

✦ Fax Cover Sheet ✦

Date Sent: March 16, 2007	Pages to Follow: 0
Attention: Mr. Tom Fitzwater	Fax#: 408/321-5787
Company: VTA	Dept.: Environmental Plg

Message:

I am a homeowner located in the Newhall Neighborhood near the proposed BART tunnel and the Santa Clara Station and I am concerned about the following:

- 1) Noise mitigation at the end of Newhall Street where the proposed tunnel returns to above ground rail operation. I do not know of any measures included in the plan which will dampen or deflect the sound this will generate into our neighborhood. P-29.1

- 2) Parking structures considered for the proposed BART station should take into account the effects of increased traffic flow will have on our Quality of Life, the overall design of the other structures in the area, and equalization of the size and volume of parking facilities and spaces made available to riders at all of the proposed stations. P-29.2

Please consider these issues as part of the EIR for the BART extension project.

Best Regards,



Craig Iverson
1078 Delno Avenue
San Jose, CA 95126
Ph 408-988-4144
email: civerson@mindspring.com

471-E Nelo Street, Santa Clara, CA 95054 - PH 408/988-4144, FX 408/988-4650

RESPONSE TO COMMENT LETTER P-29

Craig Iverson

P-29.1 *Residences in the older part of this neighborhood are a substantial distance from the alignment and no significant noise impact is projected. For the new residences on Campbell Avenue, no significant noise impact is projected from BART operations. The new residential projects approved by the City of San Jose and located on Campbell Avenue (1180-1184 Campbell Avenue, 1270 Campbell Avenue and Altura) include a 10- to 14-foot-high wall provided by the developer to mitigate wayside noise from freight, commuter and BART trains. Supporting noise analysis is contained in "Noise Impact Evaluation for BART Train Operation on SVRT Project North of I-880" dated May 8, 2007 that is available upon request.*

P-29.2 *The parking structures have been sized to support the parking demand identified in the ridership model. The number of parking spaces was then used in the traffic analysis to evaluate traffic impacts at intersections. Draft SEIR, Chapter 4, Section 4.2 Transportation and Traffic addresses the traffic impacts from station parking and identifies mitigation measures where feasible to reduce those impacts to acceptable levels. VTA is working and will continue to work with the City of Santa Clara to develop station architectural design compatible with the surrounding land uses.*

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WILLY SCHOLTEN

PAGE 01

LETTER P-30

VTA
ENV. ANALYSIS

2007 MAR 16 A 9:52

07.03.16

To: Tom Fitzwater
VTA Environmental Planning
San Jose CA 95134.
Fx# 408 321 5787

Comment: Draft SEIR: BART to SJ & Coyote Creek.

Two major and expensive projects:
BART to downtown SJ and
Coyote Creek Flood Protection Project
are presently running parallel, *without much overlap.*

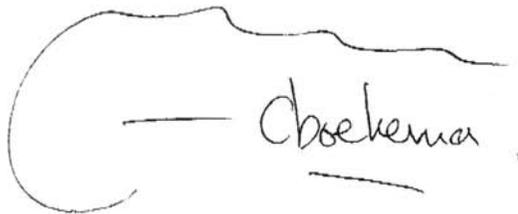
At the SEIR hearings and Coyote Creek community meetings, I have not seen (nor heard) any evidence of communication(s) of the project leaders concerning shared project parts: the Coyote Creek crossing and bridge(s) and their impact on the neighborhoods: f.i. Naglee Park.

We strongly suggest collaboration between the VTA and SC Valley Water District. We also would like to see improved communications and cooperation of involved SJ City and SC County Departments.

***It would be great to read in the SEIR,
and to hear at next public meetings,
about much improved communications and collaboration
between parties involved.***

Thank you much,

Carel Boekema
175 Arroyo Way
San Jose CA 95112
408 924 5260
BoekemaC@aol.com



P-30.1

RESPONSE TO COMMENT LETTER P-30

Carel Boekema

P-30.1 *The four SEIR public hearings focused on the BART Extension Project design changes that occurred from the Conceptual Engineering phase to the Preliminary Engineering phase, and the potential environmental impacts of those design changes. In the 2004 FEIR, BART would cross under Coyote Creek at the East Santa Clara Street bridge in a tunnel. There would be no impact to the bridge, as the tunnel would be deep enough to avoid the bridge foundations (see Appendix C, Figure C-43). In the SEIR, there has been no change to this design and, therefore, this crossing was not highlighted during the public hearings on the subsequent environmental document. However, staff was available to address any questions or concerns from the public at these meetings.*

For the Coyote Creek crossing location, VTA has coordinated extensively with the Santa Clara Valley Water District and the City of San Jose regarding the design of the BART Project and any potential impacts to these agencies' existing facilities or planned improvements. As the project is developed through subsequent engineering phases, further coordination with these and other agencies, as well as additional public outreach, would occur.

Hurley, Kim

LETTER P-31

From: Jerry Krinock [jerry@ieee.org]
Sent: Friday, March 16, 2007 3:28 PM
To: vtabart.seircomments
Subject: Comments

About 15 years ago the City of San Jose reconstructed the street in front of our house. I tried to explain to the engineer in charge that we needed a storm drain near our corner because there was going to be a puddle there, but she said "No, we don't need one there". So now we have this wonderful wheelchair ramp which fills with a couple inches of water whenever it rains. So people coming by in wheelchairs get to grab muddy tires.

Last year, the City of San Jose rezoned the area between the Newhall Railroad Yard and Campbell Ave. for high-density residential, and there are now two and three story condominiums being built there. The 2nd and 3rd floor windows are both above the wall which was recently built to separate them from the railroad yard.

Although the SEIR does mention noise at the proposed Santa Clara station (dismissing the issue out of hand with no calculations), there is no mention even made of the situation at Newhall.

P-31.1

So, I am going to give you folks a chance to make some better predictions this time by contradicting my assertion that the people up there may not appreciate the increased noise. In particular, I'd like to see some measurements or simulation results showing the effect of trains entering or exiting a tunnel, as they will just south of Newhall, at high speeds. It looks like their windows may be less than 50 meters from the BART tracks.

And then keep it in the record, please.

Sincerely,

Jerry Krinock
1023 Newhall St. (pretty much out of earshot)
San Jose, CA 95126

RESPONSE TO COMMENT LETTER P-31

Jerry Krinock

P-31.1 *Residences in the Newhall area are a substantial distance from the alignment and no significant noise impact is projected. For the new residences on Campbell Avenue, no significant noise impact is projected from BART operations. The new residential projects approved by the City of San Jose and located on Campbell Avenue (1180-1184 Campbell Avenue, 1270 Campbell Avenue and Altura) include a 10- to 14-foot-high wall provided by the developer to mitigate wayside noise from freight, commuter and BART trains. The City of San Jose approved environmental documentation for the new residential developments. These studies are available from the City and provide quantification of noise impacts from a variety of sources including BART operations. Supporting noise analysis is contained in "Noise Impact Evaluation for BART Train Operation on SVRT Project North of I-880" dated May 8, 2007 that is available upon request.*



A T S A March 14, 2007

LETTER P-32

VTA
ENV. ANALYSIS

2007 MAR 16 P 2:14

Mr. Tom Fitzwater
Environmental Planning Manager
Santa Clara Valley Transportation Authority
Environmental Planning, Building B
3331 North First Street
San Jose, CA 95134-1906

RE: Comments on Draft Supplemental Environmental Impact Report for Silicon Valley Rapid Transit Corridor Dated January 2007

Dear Mr. Fitzwater:

We have carefully reviewed the referenced Draft Supplemental Environmental Impact Report (Draft SEIR) regarding potential impacts on HP Pavilion and would like to offer several comments. As you are aware from our earlier comment letters regarding the Draft EIR and Final EIR for this project, we have strong interests in terms of potential effects of this BART extension project on traffic, parking, and pedestrian functions for HP Pavilion, both during construction and following construction of this project.

To begin our comments on the Draft SEIR, we would like to express concurrence and support for all seven comments presented in a letter to you from Chris Morrisey of the San Jose Arena Authority dated March 14, 2007. Important steps to help avoid negative impacts during construction are addressed in Chris's comments 1, 3, 5, 6, and 7. Follow-through actions to help avoid negative impacts on parking upon completion of the project are addressed in Chris' comments 3 and 4. An important step to help ensure overall adequacy of traffic and parking operations upon completion of the project is addressed in Chris' comment 2.

P-32.1

Chris Morrisey's comment 4 relates to the two parking options presented in the Draft SEIR for the Diridon/Arena Station, either a garage with 1,320 spaces or zero spaces. Under this comment, Chris states, "the Arena Authority strongly advocates that prior to final action being taken on this issue that other parking options be identified and ultimately considered." He further explains why the two parking options addressed in the Draft SEIR are inadequate and the issues that require additional investigation.

P-32.2

We would like to expand upon Chris Morrisey's comment 4, because we believe the Draft SEIR is seriously deficient in terms of addressing parking for the Diridon/Arena Station. The Final EIR (FEIR) for this project, which was certified in December 2004, indicated that two large multi-level parking structures would be built for the Diridon/Arena Station, one adjacent to and immediately west of HP Pavilion and the other east of the Diridon Caltrain Station and south of West San Fernando. The FEIR indicated a requirement for 2,262 park and ride spaces at the Diridon/Arena Station to accommodate BART customers. Page 4.2-15 in the FEIR states: "Adequate parking is

P-32.2

525 West Santa Clara Street San Jose California 95110
t 408.267.4275 f 408.999.5797 www.hppavilion.com

important for BART to prevent spill over into neighborhoods surrounding the proposed stations. The park-and-ride demand was projected as part of the ridership modeling. It took into account any parking supply limitations at stations as well as how far passengers would be willing to drive to BART.”

Table 4.2-12 in the Draft SEIR presents the requirement for 2,262 spaces at the Diridon/Arena Station from the FEIR and also indicates for purpose of the Draft SEIR that this parking requirement has been reduced by about 42 percent to just 1,313 to 1,319 spaces. Despite this requirement for about 1,320 spaces, the Draft SEIR postulates that another viable parking option for the Diridon/Arena Station is to provide no spaces for BART users. In our judgment, the Draft SEIR does not address the following major questions affecting potential environmental impacts associated with parking at the Diridon/Arena Station:

- a) What is the basis for the 42 percent reduction in park-and-ride space requirements for the Diridon/Arena Station under the Draft SEIR, as compared to the FEIR?
- b) If the park-and-ride space requirement for the Diridon/Arena Station is 1,320 spaces, what impacts would occur in the Diridon/Arena area if no spaces are provided? The Draft SEIR indicates a projection that the parking demand at the Santa Clara Station would increase by 815 spaces if no parking were provided at the Diridon/Arena Station. What is the basis for that projection? What happens to the remaining 500 park-and-ride users? If no parking is provided at the Diridon/Arena Station and if a substantial number of BART park-and-ride users still drive to this station, what would be the impacts on nearby neighborhoods, on parking for Caltrain users, and on parking for HP Pavilion customers? To what extent would BART park-and-ride users cause negative impacts by parking in unauthorized spaces, such as the HP Pavilion parking lot?

For several years, VTA staff have participated in discussions with staff from the City, San Jose Arena Authority, and San Jose Arena Management regarding parking needs in the Diridon/Arena Station area. One theme that has been consistent throughout all these discussions is that parking in the Diridon/Arena area has to be addressed in a comprehensive manner that accounts for all existing and anticipated future users. Two specific documents that address such a comprehensive approach to analyze parking needs in the Diridon/Arena area are:

- a) “Discussion Framework: Determining Parking Alternatives in HP Pavilion/Diridon Station Area,” produced by City Department of Transportation staff in March 2006
- b) “Parking Management Plan 2006/2007 Update – Restated Implementation Plan Recommendations,” prepared by City staff dated February 27, 2007

P-32.3, cont.

P-32.4

P-32.5

Mr. Tom Fitzwater

3

March 14, 2007

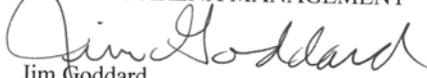
Given the major unanswered questions regarding the two parking options for the Diridon/Arena Station presented in the Draft SEIR and given that a process has been initiated by the City to complete a comprehensive analysis of parking needs in the Diridon/Arena Station area, we believe the VTA should not select a specific parking outcome for the Diridon/Arena Station through this Draft SEIR. We support the idea of selecting a specific parking solution for the Diridon/Arena Station in conjunction with the Final EIR for the BART project if a comprehensive parking analysis can be completed prior to issuance of the Final EIR.

↑
P-32.5, cont.

We appreciate your consideration of comments expressed in this letter, and we look forward to continued coordination with VTA staff regarding this BART extension project.

Sincerely,

SAN JOSE ARENA MANAGEMENT



Jim Goddard

Executive Vice President and General Manager

- c. Chris Morrisey, San Jose Arena Authority
- Jim Ortbal, City Department of Transportation
- Abi Maghamfar, City Redevelopment Agency
- Jim Benschopf, Wenck Associates, Inc.

Get letter page count

RESPONSE TO COMMENT LETTER P-32

HP Pavilion

- P-32.1** *Refer to Responses to Comments P-56.1 through P-56.7 for responses to the San Jose Arena Authority comments.*
- P-32.2** *Refer to Response to Comment P-56.4 addressing the San Jose Arena Authority comment.*
- P-32.3** *The Draft SEIR parking demand at the Diridon/Arena Station is less than what was projected in the 2004 FEIR. One key reason is the use of ABAG's 2003 "Smart Growth" Land Use Projections that assume intense development in downtown areas and future transit stations. The Diridon/Arena Station is assumed to evolve into a downtown type of station supporting high-rise office development. Downtown stations, especially because they are congested, do not typically support park-and-ride demand. The model assumes more pedestrian, bike, and transit access similar to downtown Oakland, Berkeley, and San Francisco. Also, refer to Response to Comment P-56.4.*
- P-32.4** *The proposed Diridon/Arena Station provides excellent intermodal transfer opportunities between many rail and bus transit lines. The station also offers many opportunities for future high-density transit-oriented developments. VTA's position is that it will be more cost-effective to encourage transit connections and development opportunities, rather than build a parking structure. By providing no parking, there is no expectation of finding parking at the Diridon/Arena Station. If parking spill over were to occur, the City of San Jose could consider a parking management plan that could include a number of strategies including a permit program.*
- Supplemental analysis was performed to evaluate the effects of the Diridon/Arena Station No Parking Option. With the elimination of the parking structure at the Diridon/Arena Station, the majority of the Park-and-Ride (PNR) traffic projected to use the Diridon/Arena Station would access the Santa Clara Station as an alternative. The results of the analysis show that, with the shift of PNR trips from the Diridon/Arena Station to the Santa Clara Station, operating levels of intersections in the vicinity of the Diridon/Arena Station would improve (as a result of less PRN traffic in the area), with the exception of the intersection of Autumn Street and Julian Street. With the extension of Autumn Street to connect with Coleman Avenue, some of the PNR traffic that would normally use the Diridon/Arena Station would access the Santa Clara Station via the Autumn/Julian intersection. The impact at this intersection would be mitigated to an acceptable level with the addition of a third eastbound through lane on Julian Street. In addition, with the No Parking Option and the addition of 815 parking spaces at the Santa Clara Station, approximately 1,200 fewer daily boardings are projected compared to the Parking Structure Option.*
- P-32.5** *The preference for not selecting a parking option at this time is noted. VTA supports the idea for further discussion between the City of San Jose, San Jose Arena Authority and HP Pavilion regarding a comprehensive parking management strategy for the area. However, the SEIR has addressed the environmental impacts from both the Parking*

Structure and No Parking Options in discussions of Design Change 42. The Final SEIR is scheduled to go before the VTA Board of Directors at their June 7, 2007 meeting.

Following input from the SVRT Policy Advisory Board and further discussions with interested parties, VTA staff will not be making a recommendation regarding parking at the Diridon/Arena Station. VTA will continue to work with the various parties to develop a comprehensive parking management strategy for the area.

LETTER P-33



March 19, 2007

Mr. Tom Fitzwater
Environmental Planning Manager
VTA Community Outreach, Building B
3331 North First Street
San Jose, CA 95134-1927

Re: Draft SEIR BART Extension to Milpitas, San Jose and Santa Clara

Dear Mr. Fitzwater:

Preservation Action Council of San Jose (PAC) is dedicated to preserving San José's architectural heritage through education, advocacy, and events. We aim to integrate a strong commitment to historic preservation into the land use and development decisions of the City of San José that affect historic resources, as well as into the private decisions of property owners and developers. We try to bring owners and developers together to create historically sensitive projects that make economic sense.

As Executive Director of the organization, I am formally representing PAC**SJ* in providing comments to the Draft Supplemental EIR for the BART Extension. I do so as a Historic Preservation professional, meeting the Secretary of the Interior's Standards to perform identification, evaluation, registration, and treatment activities with my field in compliance with state and federal environmental laws within the criteria of the National Park Service outlined in 36 CFR Part 61.

After reviewing the Draft Supplemental EIR for the BART Extension to Milpitas, San Jose and Santa Clara, Preservation Action Council asserts that this document is fundamentally inadequate in satisfying CEQA requirements for the analysis of impacts to historic and cultural resources. Simply deferring consideration of potential impacts and alternatives to historic and cultural resources to a Memorandum of Agreement after certification of a final EIR is insufficient and raises significant questions about VTA's compliance with the law should this EIR be Certified.

P-33.1

Le Petit Trianon 72 N 5th St Suite 9 San José CA Mail: PO Box 2287 San José CA 95109-2287
www.preservation.org info@preservation.org
Phone/Fax: 408.998.8105
PAC**SJ* is a 501 (c) 3 non-profit organization EIN: 77-0254542

The SEIR dramatically changes the scope of impact to historic resources and identifies an area of several blocks for a new downtown station that was not considered for the FEIR while simultaneously offering no analysis of a specific project impact nor does it consider alternatives beyond identifying three potential sites in one of those blocks. It is so general as to provide no useful information upon which to make an evaluation. There is absolutely no way that the impacts to cultural resources can even begin to be measured based on the contents of this document. The appendices have not been made available to the public, so there can be no independent evaluation or reading of the historic resources reports upon which all further assertions (such as they are) are made. Without access to that information, there is no way to even begin to understand the full scope or ramifications of the project.

P-33.2

P-33.3

While it says an MOA will be developed to explore where specifically within the multiple block area a BART station should be injected, the 35% drawings (not made available to the public but procured by PAC through a request to the City of San Jose under the Freedom of Information Act) show considerable energy and effort has already been directed toward the Bank of America building as apparently the preferred and only site. If options M1-A and M1-C (p. 83) are actually being considered, why has there been no energy directed toward exploring the feasibility of alternative sites?

P-33.4

Based on the limited information that has been provided, the only logical conclusion that can be reached is that the Bank of America building has already been selected as the preferred site and that this document intends to circumvent appropriate analysis of impacts to said resource. PAC strongly opposes certification of this SEIR based on its inadequacy. Additionally, at which time an MOA process is undertaken, PAC formally requests inclusion in any further discussion relative to cultural resources.

P-33.5

Respectfully Submitted,

Megan Bellue
Executive Director

RESPONSE TO COMMENT LETTER P-33

Preservation Action Council of San Jose

P-33.1 *As explained in response to Comment L-5.3, in accordance with the CEQA Guidelines, VTA is committing to a specific mitigation performance standard and is not improperly deferring mitigation. In particular, with respect to the impacts to historic resources identified in the Draft SEIR, in accordance with the CEQA Guidelines, section 15064.5(b)(3), VTA will commit to the performance standards for historical resources mitigation as set forth in The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (U.S. Department of the Interior, National Park Service, 1995) (Standards & Guidelines), or to equivalent mitigation measures that will provide an equivalent level of protection for historical resources. The Standards & Guidelines acknowledge the need to alter or add to a historic building to meet continuing or new uses but notes that it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Standards set forth in the Standards & Guidelines for the rehabilitation of a historic building include, but are not limited to, the following: 1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships; 2) The historic character of property will be retained and preserved; 3) Each property will be recognized as a physical record of its time, place, and use; 4) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved; and 5) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. In addition, as recommended by the Standards & Guidelines, the advice of qualified historic preservation professionals, such as architects, architectural historians, and others who have experience in working with historic buildings, has been and will continue to be obtained as the design of the station entrance progresses beyond the 35 percent level. This will ensure that any potentially significant impacts to historical resources will be mitigated to a level of less than significant. In accordance with the CEQA Guidelines, section 15064.5(b)(4), this mitigation will be made enforceable through conditions of Project approval. Thus, VTA is committing to mitigation now, and is not improperly deferring mitigation until the future. VTA will execute a Memorandum of Agreement (MOA) with the appropriate government and historic preservation bodies to ensure the most effective approach to mitigation of impacts to historical resources.*

P-33.2 *The scope of potential impacts in the Draft SEIR is not dramatically different than previously analyzed in the 2004 FEIR. In any event, the Draft SEIR was prepared specifically to address those differences, and to ensure that any changes in potential impacts were fully evaluated and mitigated. The 2004 FEIR, the Draft SEIR, and their supporting technical documents have analyzed potential impacts to historical resources in and around what is now defined as the new Downtown San Jose Station. These technical documents are listed below and in the bibliography of the 2004 FEIR or Draft SEIR and are available to the public upon request.*

- *JRP Historical Consulting Services, Draft Technical Memorandum Historical Resources Evaluation Report for SVRTC EIS/EIR Alternatives, January 2003.*
- *JRP Historical Consulting Services, Draft Technical Memorandum Impacts Analysis for the Purposes of CEQA for SVRTC EIS/EIR Alternatives, January 2005.*

- *JRP Historical Consulting LLC, Addendum Draft Technical Memorandum to the Historical Resources Inventory and Evaluation Report, November 2006.*
- *JRP Historical Consulting LLC, Draft Technical Memorandum CEQA Impacts Analysis for the SVRTC EIS and Supplemental EIR Alternatives, January 2007.*

The 2004 FEIR presented and analyzed two stations in the downtown area, the Civic Plaza/San Jose State University and Market Street stations. The 2004 FEIR identified one station entrance option at the Market Street Station that would have an adverse effect on the Firato Delicatessen/Ravioli building at 28 East Santa Clara Street (APN 467-22-045), one of the contributing elements of the San Jose Downtown Commercial Historic District (District).

The Draft SEIR presents and analyzes one station in downtown, the Downtown San Jose Station, and identifies one station entrance, for which there are three different options under consideration, that would require physical changes to a contributing element(s) of the District and could result in a substantial change to the historic building. Although considered a new station, the Downtown San Jose Station is generally within the same footprint as the formerly proposed Market Street Station described in the 2004 FEIR. It extends underground from Second to San Pedro streets while the Market Street Station extended underground from First Street to Almaden Avenue. Three of the station entrances identified for the Downtown San Jose Station were already identified in the 2004 FEIR as station entrances for the Market Street Station. These three station entrances are the M-1A entrance at the Firato Delicatessen/Ravioli building at 28 East Santa Clara Street (APN 467-22-045); the M-5A entrance on the north side of East Santa Clara Street between First and Market streets; and the M-7 entrance at the southwest corner of East Santa Clara and Market streets. The Draft SEIR identified the same potentially significant impact to the Firato Delicatessen/Ravioli building that was identified in the 2004 FEIR. The other station entrance options, M-5A and M-7, do not affect historic properties. The 2004 EIR also identified station entrance option M-4, on the north side of East Santa Clara Street between First and Second streets, that would result in an adverse impact to the St. Francis Block at 17-25 East Santa Clara Street (APN 467-21-024), a building eligible to be considered a historic resource under CEQA. This station entrance option was eliminated from further consideration.

Moreover, it is important to note that the Project design changes being analyzed are along a 16.1-mile long transit line with multiple stations and multiple facilities. Alternatives to the Project as a whole were appropriately analyzed in the 2004 FEIR.

In addition, the current Project design is at the 35 percent level and specific design elements, including the precise station entrance for the Downtown San Jose Station, have not yet been determined or selected. VTA has conducted a reasonable and thorough analysis of the potential impacts of all of the various Project stations and facilities, based on what is feasible in light of the current level of design for the 16.1-mile project. As Project design continues to be developed, the assessment of specific station entrances will be refined. In accordance with CEQA, the analysis in the SEIR provides sufficient information for informed and reasoned decision-making and public participation by identifying the historic resources that could be affected, by describing the types of impacts that might occur, and by identifying appropriate mitigation.

P-33.3

The 2004 FEIR, the Draft SEIR, and their supporting technical documents have identified and analyzed potential impacts to historical resources for the Project. The technical reports prepared to identify and evaluate historical resources potentially impacted by the Project are listed in the bibliographies of the 2004 FEIR or Draft SEIR and are available to the public upon request. Also, refer to Response to Comment P-33.2, above.

P-33.4 *The MOA will be developed to ensure that there is an agreement in place to execute the appropriate mitigation measures in the most effective manner, not to explore where the new BART stations would be located. Several alternative locations for the downtown area station have been and are being considered and analyzed in the 2004 FEIR and Draft SEIR. Moreover, as noted above, the 2004 FEIR analyzes alternatives and options to the Project as a whole.*

With respect to the Downtown San Jose Station, the Draft SEIR, Appendix C, Figures C-45 and C-46 show the 35 percent design plans for the downtown San Jose area. Appendix D, Figures D-12 through D-15 show the 35 percent station designs for the Downtown San Jose Station. Figure D-14 also shows the proposed entrances to the station including the three entrance options on the south side of East Santa Clara Street between First and Second streets. These three station entrance options, M-1A, M-1B, and M-1C, are shown on Figure D-14 and impacts of these options on historic architectural resources are discussed in the Draft SEIR, Chapter 4, page 83. All three options for this station entrance are being considered for the Project. Other station entrances were considered in the 2004 FEIR as part of Design Option 9, Civic Plaza/San Jose State University Station Entrance Locations, and Design Option 11, Market Street Station Entrance Locations.

P-33-5 *All three station entrance options for the Downtown San Jose Station, M-1A, M-1B, and M-1C, are still under consideration. Contrary to the commentor's assertion, no one of these options has been selected as the preferred site. Staff presentations to the SVRT Policy Advisory Board on April 25, 2007 did not have a staff recommendation on this design option. VTA's Board of Directors will make the final selection after consideration of the information in the 2004 FEIR and SEIR.*

If station entrance option M-1B is selected, the historic property at 8-14 South First Street, APN 467-22-097, the Bank of America/Bank of Italy Building, would be affected. This station entrance may result in a substantial adverse change to the Bank of America/Bank of Italy Building as identified in the Draft SEIR and its supporting technical documents. Potentially significant impacts to historical resources were also identified for station entrance options M-1B and M-1C. All three station entrance options are being considered for the Project. Whichever option is ultimately selected, if impacts cannot be avoided, VTA will adhere to the Secretary of Interior's Standards & Guidelines or equivalent measures to ensure that alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes of the historic properties and that impacts are mitigated to less than significant levels.

In April 2005, Project staff met with Mr. Alex Marthews, former Executive Director of PAC of San Jose to discuss the Project, including the San Jose Downtown Station, the Ravioli Building/Firato Delicatessen, and Diridon/Arena station. VTA will continue to consult with the PAC of San Jose.



LETTER P-34

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VTA
ENV. ANALYSIS

2007 MAR 16 P 4: 22

March 16, 2007

Mr. Tom Fitzwater
Santa Clara Valley Transportation Authority
Environmental Management Department
3331 N. First Street, Building B-2
San Jose, CA 95134

Re: BART Extension to Milpitas, San Jose, and Santa Clara Draft Supplemental Environmental Impact Report (SEIR)

Dear Mr. Fitzwater,

After review of the BART extension to Milpitas, San Jose and Santa Clara Draft Supplemental Environmental Impact Report, the San Jose Downtown Association (SJDA) has the following comments:

Page 22 - Design Change 39 - Downtown San Jose Crossover

We are pleased to see that the length of the crossover section of the tunnel right of way has been reduced. However, neither the original EIR of 2004 or this SEIR contain an impact analysis of any site alternative, even though moving the crossover to the east could significantly reduce the detrimental impact on both traffic flow and business viability in the downtown core area. This is a serious deficiency in both documents and ignores the prolonged negative consequences that will be suffered by businesses along Santa Clara Street for an estimated four-year construction period. There are additional sites along the corridor, such as the area in front of the closed San Jose Medical complex, that would still place the crossover equal distance between the single Downtown Station and the Alum Rock station. Now that the Civic Center station is eliminated and the medical center has closed, the SEIR is inadequate without an environmental impact analysis of an alternative site.

P-34.1

Page 22 - Design Change 40 – Downtown Station

The SEIR has analyzed a number of alternative sites for entrances and ancillary uses. BART entrances should be seen from the street, but should also provide space for retail activity or concessions where possible. Any ventilation facilities, fresh air intakes, or other ancillary structures associated with the Downtown Station should be located to the

P-34.2

rear of the alternative sites, out of view from the sidewalk. The Santa Clara Street frontages of the sites should be developed in a storefront configuration to allow commercial use. It is important to the economic viability of downtown to keep Santa Clara Street an active pedestrian area, with contiguous entrances to buildings or businesses. It is extremely important not to create dead spots in the very center of the commercial district.

P-34.2

The SEIR gives two options, above or below ground, for the placement of the emergency generator. The generator will have fewer impacts if placed below ground and that should be the preferred alternative.

P-34.3

Noise from vents and generators will have significant impacts to pedestrians and residents. Of specific concern is recent information that vents and generators will have to be operated overnight for unspecified amounts of time. These potential noise impacts - especially to residents - during the "wee hours" should be identified in the SEIR.

P-34.4

The SEIR does not analyze the placement of BART traffic control and related utility devices that may be placed in the sidewalk area. If there is a need for such devices in the sidewalk area, they should be combined with other existing Light Rail devices and traffic control boxes and all placed underground.

P-34.5

Sidewalks in the downtown core must not be obstructed. The preferred alternative for emergency exits should be hatches in the sidewalk area.

P-34.6

Page 23 and 24 – Design Change 42 – Diridon/Arena Station and Alignment

The current station design shows two entrances on the south side of the station box, but no entrances on the north side closer to the HP Pavilion. The SEIR should analyze an entrance on the north as a part of this environmental clearance, in the event that an entrance closer to HP Pavilion becomes a desired alternative.

P-34.7

Page 24 – Design Change 43 – Traction Power Substation near Diridon/Arena Station

This design change relocates the Traction Station from underground to above ground at the corner of W. Santa Clara Street and White Street. The Traction Power Substation is a large structure, but the SEIR does not provide any visual concepts or describe possible design mitigations. This corner is a major gateway to the downtown from the west. It requires landscaping and artwork similar to the treatment given to other downtown gateways. The SEIR provides no analysis of the Visual Quality and Aesthetic impacts of this change nor offers any mitigation. To be certified as complete, the SEIR must study an alternative that places the Traction Power Substation underground either at the proposed site or elsewhere near the station. Traction Power Substations can be underground and have been placed underground at other locations on the BART right of way.

P-34.8

Both the original EIR and the SEIR are incomplete in their analysis of impacts and mitigations where BART intersects Los Gatos Creek and Guadalupe River downtown, specifically the project's role in completing sections of the river park trails adjacent to the project.

P-34.9

Thank you for this opportunity to comment on the BART Extension SEIR. We look forward to the successful construction of BART in our downtown and will continue to follow the process with great interest.

Sincerely,



Scott Knies
Executive Director

Cc: Michael Burns
Les White
Harry Mavrogenes
Art Bernstein

RESPONSE TO COMMENT LETTER P-34

San Jose Downtown Association

P-34.1 *The 2004 FEIR appropriately analyzed alternatives to the project as a whole. It is not feasible or reasonable to evaluate alternatives for each and every specific component of this 16.1-mile project. In any case, the proposed location of the crossover immediately adjacent to the downtown San Jose station is the most operationally efficient cost effective location that has the least impacts to the community. Separating the crossover from the station, as suggested by the commentor, is not a feasible option. It would require both structures (the crossover and the station) to increase in length, thereby [substantially] increasing costs and environmental impacts from construction. The crossover would need to be longer to accommodate the increased train speeds. This is not necessary if the crossover is located adjacent to the station, where speeds are reduced. The station would increase in length because station facilities previously located above the crossover would now be located within an extended station box. These increases would add new costs and environmental impacts that the currently planned configuration avoids.*

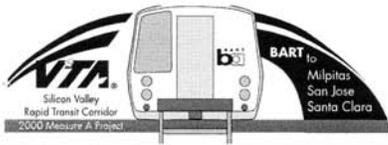
The suggested alternative site in front of the closed San Jose Medical complex would significantly reduce the effectiveness of the crossover, as it would be located farther away from the mid point of the tunnel and the crossovers on either side. This would likely require an additional crossover to be placed in the westerly end of the tunnel, at significant expense and with increased impacts to the community in that location. Therefore, the current crossover site is designed to maximize efficiency and the alternative suggested would result in greater construction impacts as a result of excavations occurring at two locations along Santa Clara Street instead of one location as proposed.

P-34.2 *The commentor's preference for facilities to be located at the rear of sites is noted. Locating facilities closer to Santa Clara Street and the Downtown San Jose Station reduces costs and the size of equipment. For example, ventilation equipment may need to be larger to handle greater distances. VTA will continue to work with the City to refine the locations of downtown facilities in an effort to accomplish both VTA and Downtown Association goals.*

P-34.3 *The San Jose Downtown Association's preference for the emergency generator being placed underground is noted.*

P-34.4 *Since the exposure to noise is very brief, and not unlike noise to which the average pedestrian is commonly exposed walking down an urban street in a downtown area, FTA has not recognized pedestrians as a noise-sensitive receptor. However, VTA has analyzed noise impacts from vents and emergency generators on residences. A separate ancillary facilities noise analysis was prepared by Wilson, Ihrig & Associates Inc. to address the downtown area and is referenced in the bibliography for the Final SEIR. The Project will comply with the BART noise design criteria, which are 50-60 dBA for high density residential during the daytime and 45-55 dBA during the nighttime. Sound attenuators inline between the fans and surface are the identified methodology to reduce noise impacts to acceptable levels.*

- P-34.5** *The comment regarding the placement of traffic control and related utility devices is noted. VTA will coordinate with the City of San Jose to optimize the location of these ancillary facilities.*
- P-34.6** *The commentors preferring emergency exits as hatches in the sidewalk is noted. VTA will work with the City of San Jose to refine the locations of the emergency exits and other facilities in an effort to avoid sidewalk obstructions.*
- P-34.7** *Should the North Bus Transit Center Option be selected by the VTA Board of Directors, the potential for reconfiguring the west station entrance to the northside will be considered.*
- P-34.8** *The relocation of the traction power substation is discussed in the Draft SEIR, Chapter 4, page 212. The text notes that the proposed relocation area includes other transportation-related uses, such as a train depot, railroad tracks, light rail facilities, and a bus transit center to the south and east. To the north is an auto related commercial use and to the west is commercial. Therefore, an aboveground substation at this location is compatible with surrounding land uses and does not result in a significant visual impact.*
- Regarding the comment that the corner is a gateway to the downtown from the west, this corner does not carry any greater distinction beyond the text in the City of San Jose General Plan's that addresses "gateways". In fact, all state routes and highways that traverse the City are identified as "gateways". Therefore, the entire length of The Alameda, State Highway 82, is a "gateway". VTA and BART will continue to work cooperatively with the City of San Jose to ensure that community concerns regarding the aesthetics of ancillary structures is addressed. Architectural design drawings will be developed during the 65 percent design phase and shared with the community.*
- In the 2004 FEIR, two station configurations with underground Traction Power Substations were analyzed. The SEIR provides a complete analysis of an alternative station configuration with a substation location at street level. The reasons for this change were described in Chapter 3, page 24 and included reducing the size of the Diridon/Arena Station box and realignment of the tunnel to reduce construction under railroad tracks.*
- P-34.9** *The Project will be in a tunnel configuration under both Los Gatos Creek and Guadalupe River and will not adversely affect these water bodies. The river park trails will also not be impacted during construction. Therefore, there are no adverse impacts and no mitigation is required.*



LETTER P-35

VTA ENV. ANALYSIS

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2007 FEB 27 P 4: 20

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BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA COMMENT CARD

Thank you for your interest in the BART Extension project. VTA is working closely with local jurisdictions on region-wide strategies to address traffic congestion, mobility and air quality concerns. This project is an important part of these efforts. (Please Print Clearly)

Name: Susan Bradley Date: February 22nd, 2007

Address: P.O. Box 1104
San Jose, CA 95108-1104

Home Phone: (408) 995-3478 Work Phone: _____
must leave a message

E-mail: _____ Company: _____
Organization or Affiliation

Please comment on the Draft Supplemental Environmental Impact Report:

I think that it is good that you are thinking of not disturbing the parking at Diridon Station while BART is being built, and are thinking about putting lots of parking at the Santa Clara station. I think that, after BART is operating, and people can use the parking at Santa Clara station and access it by BART from Diridon Station, you could build a parking garage at Diridon station. This way, there would be plenty of parking at Santa Clara station, and also plenty of parking at Diridon station once the parking garage there is complete.

P-35.1

Comments can also be e-mailed to vtabart.seircomments@vta.org, faxed to (408) 321-5787, or mailed to Tom Fitzwater, VTA Environmental Planning, Building B, 3331 North First Street, San Jose, CA 95134-1906 by March 16, 2007.

RESPONSE TO COMMENT LETTER P-35

Susan Bradley

P-35.1 *The support for the proposed parking at the Santa Clara Station and a future parking garage at the Diridon/Arena Station is noted.*

Following input from the SVRT Policy Advisory Board and further discussions with interested parties, VTA staff will not be making a recommendation regarding parking at the Diridon/Arena Station. VTA will continue to work with the various parties to develop a comprehensive parking management strategy for the area.

RESPONSE TO COMMENT LETTER P-36

Richard Tretten

- P-36.1** *The opposition to the No Parking Option at the Diridon/Arena Station is noted.*
- Following input from the SVRT Policy Advisory Board and further discussions with interested parties, VTA staff will not be making a recommendation regarding parking at the Diridon/Arena Station. VTA will continue to work with the various parties to develop a comprehensive parking management strategy for the area.*



LETTER P-37

5

SPEAKER CARD

Name: Robert Van Cuseff Affiliation: Five Wounds NAC

Address: 54 N 33rd St San Jose CA 95116

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:
I AM CONCERNED, AS ALWAYS, THAT I
HAVE YET TO SEE THE VTA ~~BE~~ PRESENT
A REGIONAL TRANSIT PLAN, DISCUSSING
THE INTEGRATION OF BART, LIGHT RAIL,
BUS AND AUTO.

P-37.1

Please continue on reverse if needed



LETTER P-38

last 6

SPEAKER CARD

Name: Helen Garza Affiliation: Alum Rock Area

Address: 50 BEVERLY Blvd SAN Jose Ca 95114

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:
Five Wounds Church - ice Capital / many many well cracked
Traffic on Alum Rock Behind 5 Wounds dangerous / Residential area
Parking
Traffic on to 101 of Alum Rock -
Need parking on Monterey Rd / Dept and Buses to feed to
Bus service need to be improved before Boat is put in
Walking

P-38.1

P-38.2

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-37

Robert Van Cleef

P-37.1 *In February 2005, VTA published Valley Transportation Plan 2030 (VTP 2030). It is intended to provide a planning and policy framework for developing and delivering transportation projects and programs over the next 25 years. The Plan identifies existing and future transportation-related needs, considers all travel modes, links land use and transportation funding and decision-making, examines alternative courses of action, and identifies what can be accomplished with the projected available funding. BART, light rail, bus and other transit modes are all discussed in VTP 2030. VTP 2030 is available upon request.*

RESPONSE TO COMMENT LETTER P-38

Helen Garza

P-38.1 *VTA will be responsible for any structural damage related to the construction and/or operation of the BART Project. Draft SEIR, Chapter 4, Section 4.2 Transportation and Transit addresses traffic impacts including intersections surrounding the Alum Rock Station. The BART Police Department will provide police services on BART property. The City of San Jose Police Department is responsible for enforcing traffic laws to minimize dangerous conditions outside BART facilities. The parking structure at the Alum Rock Station is designed to accommodate 2,500 spaces. Additional overflow spaces will be provided at the Berryessa Station. If necessary, the City of San Jose could implement parking restrictions in the neighborhood to eliminate any spill over parking.*

P-38.2 *The intersection of U.S. 101 and Santa Clara Street/Alum Rock Avenue was determined to have significant unavoidable traffic impacts in 2030 with the Project (see Draft SEIR, Chapter 4, pages 42-43). No cost effective feasible mitigation measure was identified. Additional bus service will be provided to support the Alum Rock Station. However, a park-and-ride lot at Monterey Road and Capitol Expressway was not included in the Project. A large park-and-ride lot is located farther to the west at State Route 87 and Capitol Expressway where a light rail station is also located. The Capitol Expressway LRT station on the Guadalupe Line would connect to the BART Downtown Station.*



LETTER P-39

SPEAKER CARD

Name: Helen GARZA Affiliation: ALU MROCK

Address: 50 BEVERLY BLVD. San Jose CA 95116

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

Please continue on reverse if needed

Helen GARZIA

Santa Clara st.

I am opposed to a station on Alum Rock Ave.

I believe the station should stop at Berryassia with feeder buses to other transportation and stations.

P-39.1

I believe there should also be feeder stations, or park and ride along 101 starting in San Martin that would provide buses to make use of light rail at Santa Teresa. This would eliminate traffic along 101 to Santa Clara/Alum Rock Ave and the necessity for a parking garage being built behind Five Wounds Church.

A parking garage is not acceptable in this district, as it will lower the value of homes in this area. It was said at the other meeting there are homes to be moved. This is a very close nit community and by moving people out, you will be breaking up families and disrupting people's lives that have built and sustained this community.

P-39.2

Bringing construction to Alum Rock Ave will cause a disruption of the businesses and many will be affected and may close completely, which would be detrimental to the Portuguese and Hispanic community who depend on these

P-39.3

businesses for every day functioning and some for survival.

P-39.3 cont.

Noise from light rail will lower values of projected high-rise buildings. VTA said they can only sound proof buildings of 1 story. There is no way VTA can sound proof the 2 and 3 story homes and apartments as sound travels up.

P-39.4

Parking behind Five Wounds Church is unacceptable, as it would be dangerous for both our children and adults attending schools and activities in the area (both day and night).

P-39.5

Attacks, car jacking, purse snatching, kidnapping, rape, and robbery of persons using the church and VTA could be a target of people using the garage as a waiting place. Our children, our elderly, our feeble, and our handicapped citizen's quality of life and well being would be in jeopardy.

Traffic congestion in the mornings and evenings would be indescribable. As it is, traffic is backed up every morning at 101 and Santa Clara/Alum Rock Aves back pass Story Road and every evening passed 13th street.

P-39.6

RESPONSE TO COMMENT LETTER P-39

Helen Garza

- P-39.1** *An alternative in which the BART line would stop at Berryessa Station is not under consideration at this time for the state environmental clearance documentation. The Alum Rock Station is designed to serve east and south San Jose and provide a transit alternative. The parking structure is designed to accommodate these riders. The parking structure has been located adjacent to U.S. 101 and would not displace any residences.*
- P-39.2** *The ridership projections for the Alum Rock Station are based on providing parking. Therefore, the parking garage is an important component in justifying a station at this location. No homes would be acquired in the Alum Rock Station area as part of the Project. In addition, no evidence was provided that a BART station parking garage would lower the value of homes in the area. The opposite may be true in that the cities of Milpitas, San Jose, and Santa Clara are all evaluating various transit-oriented development opportunities around the BART stations, along with developer initiated general plan amendments and rezoning applications.*
- P-39.3** *As stated in the Draft SEIR, Chapter 4, page 220 VTA will establish a Community Construction Information/Outreach Program to keep the community well informed of construction activities. This will include working with the City of San Jose to minimize disruptions to businesses. The Project is investigating a number of strategies to effectively reduce or eliminate temporary effects of construction on the adjacent community. These strategies focus on scheduling, communication, and development of site-specific measures that will be implemented as the various construction activities commence in those locations. The process of identifying appropriate measures will be completed during the Final Engineering phase of the project.*
- P-39.4** *The comment appears to reference "light rail" noise in error. Currently, there are no high-rise buildings along the above ground portions of the alignment. If high-rise buildings are proposed, the developer should provide adequate noise insulation recognizing that the BART Project is an approved project prior to their development. The Draft SEIR, Chapter 4, page 220 does address 2- and 3-story homes and the need to provide noise insulation to approximately 425 residences.*
- P-39.5** *There is no evidence to support the comment that BART parking facilities are more dangerous than other land uses. In addition, a BART Transit Police Station is located in the southwest portion of the parking garage at the Alum Rock Station. This will also assist in deterring criminal activities.*
- P-39.6** *Draft SEIR, Chapter 4, Section 4.2, Transportation and Transit, addresses traffic impacts from the Project. As stated in the Draft SEIR, Chapter 4, page 53 identifies the four intersections with significant traffic impacts from the Alum Rock Station. This includes*

24th Street and Santa Clara Street (PM only), US 101 and Santa Clara Street (PM only), McLaughlin Avenue and Story Road AM only), and King Road and Mabury Road (PM only). All other intersections operate at acceptable levels including those for which mitigation is identified.



LETTER P-40

✓ (5)

SPEAKER CARD

Name: R.E. VAN CLEEF Affiliation: 5 Wounds/Brookwood Terrace NAC

Address: 54 N 33rd ST 95116

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

VTA Should Look At Bus Congestion on SANTA CLARA
AND REVISIT ADDING A LIGHT RAIL TUNNEL TO THE
BART PROJECT.

P-40.1

Please continue on reverse if needed



SPEAKER CARD

✓ (5)

Name: R.E. VAN CLEEF Affiliation: 5 Wounds/Brookwood Terrace NAC

Address: 54 N 33RD ST ST 95116

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

YOU NEED TO ASSESS THE IMPACT OF VIBRATION FROM
CONSTRUCTION PROJECT ON THE 5 WOUND CHURCH

P-40.2

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-40

R.E. Van Cleef

P-40.1 *VTA is currently evaluating a Santa Clara/Alum Rock Transit Improvement Project that includes bus and light rail alternatives to provide improved transit opportunities. The light rail alternative operates at street level and not underground. Undergrounding the light rail alternative is cost prohibitive and therefore a tunnel to the BART Project is not feasible.*

P-40.2 *The vibration impacts from Project operations were addressed in the Draft SEIR, Chapter 4, Section 4.12, Noise and Vibration, and were determined to be less significant for Five Wounds Church. The Draft SEIR, Chapter 4, Section 4.18, Construction, pages 259-260 address potential surface settlements related to construction activities. Mitigation measures are provided to reduce impacts. These measures include pre-construction condition surveys of the interiors and exteriors of selected structures, construction monitoring, and post construction repair and/or compensation if required.*



LETTER P-41

1

SPEAKER CARD

Name: Danny Garza Affiliation: MAPA

Address: 2151 Old Oakland Rd # 97 95131

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

- P-41.1 ① School children protection / crossing guards / and
- P-41.2 ② Buildings to complement Spanish Style Creek through
- P-41.3 ③ 24 Hour security including parking Garage and metal Buildings
- P-41.4 ④ VTA should take out measures to insure integrity of 5 Wards during construction and
afterwards due to vibration from underground activity from BART

Please continue on reverse if needed



LETTER P-42

2

SPEAKER CARD

Name: Paula Velsey Affiliation: 5 Wards Brookwood Terrace SW1

Address: 174 N. 24 St, San Jose 95116

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

- P-42.1 ① I am concerned about 2 things - one is that ^{the} suggested realignment near the 17th St bridge toward the North side of S Clara St might cause problems for a possible future hospital site on the SJ Medical Center, since hospitals are held to stricter seismic standards.
- P-42.2 ② Our community is concerned that ANY parking structure at the Alum Rock station ~~would~~ ^{traffic on} overwhelm on and off ramps to I-10, especially considering it would be the 1st stop from the south, and growth is planned for Coyote Valley in addition to with policies.

Please continue on reverse if needed

This would also severely impact the 5 Wounds church and school, and increase dangers to users of these 2 institutions. BART never is able to provide enough parking, so the overflow parking would severely affect surrounding neighborhoods, forcing the imposition permit parking, which is a nuisance & not cheap.

P-42.2
con't.

P-42.3



LETTER P-43

✓ (3)

SPEAKER CARD

Name: R. E. VAN CREEK Affiliation: 5 Wounds / Broken Terrace NAC

Address: 54 N 33rd St SJ 95116

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:
I WOULD LIKE TO SEE MORE REGIONAL CONSIDERATIONS
TAKEN INTO EFFECT.
EXAMPLE:
BUILD A REGIONAL TRANSPORTATION CENTER NEAR
101 & CAPITAL, TIED TO CALTRAIN, LIGHT RAIL AND
BART VIA LIGHT RAIL, TO KEEP CARS SOUTH
OF CAPITAL

P-43.1

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-41

Danny Garza

- P-41.1** *The safety of children on public streets is a responsibility of the San Jose Police Department and these concerns should be addressed directly to the City and not VTA.*
- P-41.2** *Refer to Response to Comment P-6.2.*
- P-41.3** *The BART Police Department will provide police services for all BART Extension Project facilities, stations, garages, and trains. The police work 24 hours a day, 365 days a year.*
- P-41.4** *The Draft SEIR, Chapter 4, Section 4.18, Construction, page 259-260 addresses potential surface settlements. Mitigation measures are provided to reduce impacts. These include pre-construction condition surveys of the interiors and exteriors of selected structures, construction monitoring, and post construction repair and/or compensation. The vibration impacts from operations were addressed in Chapter 4, Section 4.12, Noise and Vibration, and were determined to be less significant for Five Wounds Church. VTA will be responsible for any structural damage related to the construction and/or operation of the BART Project. VTA will also ensure that funds are available to repair any damage caused by the Project.*

RESPONSE TO COMMENT LETTER P-42

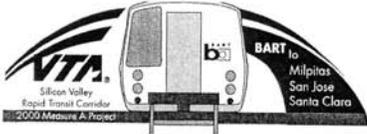
Paula Velsey

- P-42.1** *The proposed alignment is beneath Santa Clara Street as shown the Draft SEIR, Appendix C, Figure C-44. A northern alignment is not addressed in the Draft SEIR nor is it under consideration.*
- P-42.2** *Draft SEIR, Chapter 4, Section 4.2, Transportation and Transit, addresses traffic impacts from the Project. As stated in the Draft SEIR, Chapter 4, page 53 identifies the four intersections with significant traffic impacts from the Alum Rock Station. This includes 24th Street and Santa Clara Street (PM only), US 101 and Santa Clara Street (PM only), McLaughlin Avenue and Story Road AM only), and King Road and Mabury Road (PM only). All other intersections operate at acceptable levels including those for which mitigation is identified.*
- P-42.3** *Parking has been constrained at the Alum Rock Station in response to community concerns. To compensate, additional parking has been provided at the next station to the north, Berryessa Station. Permit parking may be a possible solution with the cost to be worked out with the City of San Jose.*

RESPONSE TO COMMENT LETTER P-43

R.E. Van Cleef

P-43.1 *The BART Project is designed to improve transit opportunities to and from the East Bay and Santa Clara County and in particular along the I-880 and I-680 corridors and serve downtown San Jose and Santa Clara. Also, refer to Response to Comment P-13.1.*



LETTER P-44

3331 North First Street, Building B, San Jose, CA 95134-1906

VTA Community Outreach

Phone (408) 321-7575 Fax (408) 321-7576
TDD (408) 321-2330 www.vtabart-vta.org

**BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA
COMMENT CARD**

Thank you for your interest in the BART Extension project. VTA is working closely with local jurisdictions on region-wide strategies to address traffic congestion, mobility and air quality concerns. This project is an important part of these efforts. (Please Print Clearly)

Name: Danny Garza Date: 2-28-07
Address: 2151 Old Oakland Rd #97
San Jose CA 95131
City State Zip
Home Phone: 408 225-3415 Work Phone: _____
Area Code Number Area Code Number
E-mail: iconworkrdanny@aol.com Company: _____
Organization or Affiliation

Please comment on the Draft Supplemental Environmental Impact Report:

VTA/BART to insure 5 weekends church
for damages due to construction and
surrounding properties P-44.1

VTA/BART has not answered questions in
timely manner & it has been a great
diservice to the community starting
with Lim Fees - P-44.2

24 Hour security at all stations is needed
considering new crime on BART property and
around neighborhood P-44.3

VTA NEVER - NEVER planned to change
any plans no matter what community
input was P-44.4

Comments can also be e-mailed to vtabart.seircomments@vta.org, faxed to (408) 321-5787, or mailed to Tom Fitzwater, VTA Environmental Planning, Building B, 3331 North First Street, San Jose, CA 95134-1906 by March 16, 2007.

RESPONSE TO COMMENT LETTER P-44

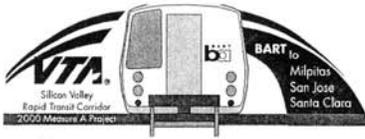
Danny Garza

P-44.1 *Refer to response to Comment P-37.1.*

P-44.2 *The comment did not raise a specific environmental concern so no response is required.*

P-44.3 *Refer to response to Comment P-37.3.*

P-44.4 *Engineering Plans for the Project have been evolving since 2002. Conceptual Engineering (10 percent) was completed in 2004. Preliminary Engineering (35 percent) was completed in 2006. The Project is now in the 65 percent engineering phase. Changes to the plans have been ongoing and guided by input from City partners, Community Working Groups, key stakeholders, and the public. This input is considered in the context of planning, engineering, and operational criteria and is implemented if found to be beneficial.*



LETTER P-45

3331 North First Street, Building B, San Jose, CA 95134-1906

VTA Community Outreach

Phone (408) 321-7575 Fax (408) 321-7576
TDD (408) 321-2330 www.vtabart-vta.org

**BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA
COMMENT CARD**

Thank you for your interest in the BART Extension project. VTA is working closely with local jurisdictions on region-wide strategies to address traffic congestion, mobility and air quality concerns. This project is an important part of these efforts.

(Please Print Clearly)

Name: Christopher Frey Date: 2/13/07

Address: PO BOX 2368
San Jose CA 95109
City State Zip

Home Phone: 408-839-3005 Work Phone: 408-765-3197
Area Code Number Area Code Number

E-mail: cjfrey@alum.berkeley.edu Company: _____
Organization or Affiliation

Please comment on the Draft Supplemental Environmental Impact Report:

- ① Need to ensure that the guadalupe river trail is not blocked during or after construction P-45.1
- ② Creek and river crossings must allow for current or future multi-use trails on creeks and rivers, particularly to allow a future LG creek trail to connect to Guadalupe River trail. P-45.2
- ③ Must provide a parking structure at Diridon P-45.3
- ④ I support the reduction of stations. Why not eliminate Berryessa and Calaveras as well. P-45.4

Comments can also be e-mailed to vtabart.seircomments@vta.org, faxed to (408) 321-5787, or mailed to Tom Fitzwater, VTA Environmental Planning, Building B, 3331 North First Street, San Jose, CA 95134-1906 by March 16, 2007.

RESPONSE TO COMMENT LETTER P-45

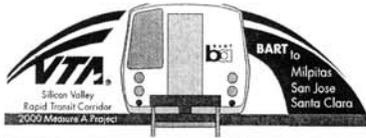
Christopher Frey

P-45.1 *As shown in Draft SEIR, Appendix C, Figure C-46 the top of the BART tunnel would be approximately 40 feet below the Guadalupe River and 20 feet below the Los Gatos Creek. Therefore, no construction impacts to the trail would result from the TBM and tunnel construction. A construction staging area is located under State Route 87, which allows for the construction of a sump pump, and is depicted in Chapter 4, page 246, Figure 4.18-36. The figure is only a general representation and this construction staging area would not impact an existing multi-use trail along the Guadalupe River.*

P-45.2 *Refer to Response to Comment P-45.1.*

P-45.3 *Two options are being considered at the Diridon/Arena Station – Parking Structure and No Parking Option. The preference for the Parking Structure Option is noted. Following input from the SVRT Policy Advisory Board and further discussions with interested parties, VTA staff will not be making a recommendation regarding parking at the Diridon/Arena Station. VTA will continue to work with the various parties to develop a comprehensive parking management strategy for the area.*

P-45.4 *The Berryessa Station is a key location to support ridership from east San Jose and areas to the south. The Berryessa Station would accommodate the additional parking demand from the Alum Rock Station beyond the 2,500 parking spaces constraint that the City of San Jose has imposed on this station. The station would also support major efforts by the City of San Jose to develop a transit village around the Berryessa Station. The anticipated residential and commercial development would provide people with living and working options that reduce dependency on automobiles and maximize transit ridership. The South Calaveras Station is a future station that is not part of the current funding plan. This station was environmentally cleared at a program-level in the FEIR and is not environmentally cleared in the SEIR. Prior to construction, subsequent environmental clearance at a project level would be required.*



LETTER P-46

VTA Community Outreach

3331 North First Street, Building B, San Jose, CA 95134-1906

Phone (408) 321-7575 Fax (408) 321-7576
TDD (408) 321-2330 www.vtabart-vta.org

**BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA
COMMENT CARD**

Thank you for your interest in the BART Extension project. VTA is working closely with local jurisdictions on region-wide strategies to address traffic congestion, mobility and air quality concerns. This project is an important part of these efforts. (Please Print Clearly)

Name: Jim Stallman Date: 15 Feb 2007
 Address: 19740 Braeman Drive
Saratoga CA 95070
City State Zip
 Home Phone: 408 267 9797 Work Phone: _____
Area Code Number Area Code Number
 E-mail: j.stallman@comcast.net Company: _____
Organization or Affiliation

Please comment on the Draft Supplemental Environmental Impact Report:

- A. Report is missing and needs to include:
1. Project must include accommodation and no delay to SC Station P-46.1
 - Bike Ped POC, connection to Brokaw rideable by bikes - P-46.2
 2. Project needs to identify and fund a POC at Newhall in S.C. I.S.D.
 3. Project must identify all formal and informal ped crossings of ROW P-46.3
and provide continued access for peds at those locations.
 4. Project must be built with ped access along ROW per P-46.4
VTA BPAC.
 5. Project must include Bike Station facilities at all stations P-46.5
except Berryessa and South Calaveras

Comments can also be e-mailed to vtabart.seircomments@vta.org, faxed to (408) 321-5787, or mailed to Tom Fitzwater, VTA Environmental Planning, Building B, 3331 North First Street, San Jose, CA 95134-1906 by March 16, 2007.

RESPONSE TO COMMENT LETTER P-46

Jim Stallman

- P-46.1** *The support for not delaying the Santa Clara Station and facilities is noted.*
- P-46.2** *The 2004 FEIR and SEIR both include a pedestrian overcrossing between the Santa Clara Caltrain Station and the planned Santa Clara BART Station. This overcrossing is also designed to accommodate bicycles.*
- P-46.3** *The BART ROW would be fenced and secured with no at grade pedestrian crossings, formal or informal, across the BART ROW. This is necessary for safety purposes. Pedestrian grade separated crossings are provided at all stations and where roadways are grade separated from the BART trackway.*
- P-46.4** *The VTA ROW does not provide sufficient space to provide pedestrian access along the entire at grade portion of the alignment. Where sufficient ROW exists, VTA is willing to discuss potential pedestrian access as long as the BART safety standards are achieved. Pedestrian access is encouraged at all station locations.*
- P-46.5** *To improve bicycle connectivity through the BART station areas, VTA would construct bike lanes along existing or new streets within the station area of four stations (Montague/Capitol, Berryessa, Alum Rock, and Santa Clara Stations). In addition, bicycle parking would be provided at all the stations based on the requirements for bicycle parking facilities included in the BART and VTA transit station design guidelines. Draft SEIR, Table 4.2-13 summarizes the recommended bicycle parking facilities by station.*



LETTER P-47

13

SPEAKER CARD

Name: STEVE VAN PELT Affiliation: _____

Address: 272 DAKWORTH PL, MENLO PARK 94025

I would like to speak

I would like to be added to the mailing list

I would like my comments to be read by the Moderator

Comment: Where will operational funds come from?

P-47.1

Please continue on reverse if needed



4

SPEAKER CARD

Name: John Urban Affiliation: Newhall Neighborhood Assoc

Address: 1051 Hamline St

I would like to speak

I would like to be added to the mailing list

I would like my comments to be read by the Moderator

Comment: _____

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-47

Steve Van Pelt

P-47.1 *VTA is pursuing various options to fund BART operations.*



LETTER P-48

VTA ENV. ANALYSIS

VTA Community Outreach

3331 North First Street, Building B, San Jose, CA 95134-1906

2007 MAR -8 P 2: 11

Phone (408) 321-7575

Fax (408) 321-7576

TDD (408) 321-2330

www.vtabart-vta.org

BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA COMMENT CARD

Thank you for your interest in the BART Extension project. VTA is working closely with local jurisdictions on region-wide strategies to address traffic congestion, mobility and air quality concerns. This project is an important part of these efforts. (Please Print Clearly)

Name: Eli Segall Date: 2/28/07
 Address: 1095 The Alameda
San Jose CA 95126
City State Zip
 Home Phone: _____ Work Phone: (408) 200-1038
Area Code Number Area Code Number
 E-mail: _____ Company: SVCN
Organization or Affiliation

Please comment on the Draft Supplemental Environmental Impact Report:

Please send me any and all updated project information and meeting announcements.

Thank you.

P-48.1

Comments can also be e-mailed to vtabart.seircomments@vta.org, faxed to (408) 321-5787, or mailed to Tom Fitzwater, VTA Environmental Planning, Building B, 3331 North First Street, San Jose, CA 95134-1906 by March 16, 2007.

RESPONSE TO COMMENT LETTER P-48

Eli Segall

P-48.1 *Your name will be added to the VTA SVRT master mail list data base that receives updated project information and meeting notices.*



LETTER P-49

✓ (S)

SPEAKER CARD

Name: The-Vu Nguyen Affiliation: _____

Address: 65 N. Eight St.; San Jose, CA

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

* Construction phrase :
- closing the streets will affect local businesses.
What are some of your strategies to help those businesses?

P-49.1

Please continue on reverse if needed



LETTER P-50

✓ (6)

SPEAKER CARD

Name: M. Blanchard Affiliation: _____

Address: 735 Faerm Circle

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

My property in Milpitas is in a flood
plane. What about BART tracks in case
flood?

How late @ night do the trains run?
(and early)

P-50.1

P-50.2

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-49

The-Vu Nguyen

P-49.1 *Construction strategies include but are not limited to minimizing the duration of street closures and minimizing street closures during business hours. Marketing strategies could include ad campaigns for affected businesses that are designed to facilitate maintaining existing customers through enhanced signage and other promotional efforts.*

VTA will develop a construction education outreach program. The program will include outreach to all communities along the project corridor and provide general construction related information. After the completion of 65 percent engineering phase, VTA, in coordination with the cities, will develop strategies to minimize the impacts of construction along the project corridor.

RESPONSE TO COMMENT LETTER P-50

D.J. Blanchard

P-50.1 *During the Preliminary Design phase, VTA coordinated with the Santa Clara Valley Water District to construct a multi-cell box culvert at the BART crossing of Berryessa Creek that would be consistent with planned flood control projects by the District and the U.S. Army Corps of Engineers. These projects would provide flood protection from a 100-year flood event within the cities of Milpitas and San Jose, including the BART alignment from south of Calera Creek to south of the Montague/Capitol Station (which also includes the trackway west of Folsom Circle).*

Information about the planned flood control projects by the Santa Clara Valley Water District and the U.S. Army Corps of Engineers on Berryessa Creek are available on the District's website at: [http://www.valleywater.org/Water/Watersheds - streams and floods/Watershed info & projects/Coyote/index.shtm](http://www.valleywater.org/Water/Watersheds_-_streams_and_floods/Watershed_info_&_projects/Coyote/index.shtm).

P-50.2 *As stated in the Draft SEIR, Chapter 3, page 37, the BART trains would operate every day from 4:00 a.m. to 1:00 a.m.*



LETTER P-51

✓ (1)

SPEAKER CARD

Name: JOE WITT Affiliation: _____

Address: SAN JOSE CA

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment:

QUESTIONS - BART EXTENSION STOPS WILL HAVE
 WHAT TYPE OF LAVATORY ACCOMMODATIONS:
 1) CURRENT UNDERGROUND BART STOPS HAVE HAD LAVATORIES
 CLOSED SINCE 9/11.
 2) BART STOPS RESTROOMS ACCOMMODATE ONLY
 ONE PERSON AT A TIME. AND BART USES THOUGHT TO
 BE ANATOMICALLY DIFFERENT FROM AIR TRAVELERS

P-51.1

Please continue on reverse if needed



SPEAKER CARD

✓ (2)

Name: Robert S. Allen Affiliation: ABLE Commute

Address: 223 Donner Ave, Livermore, CA 94551-4700

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

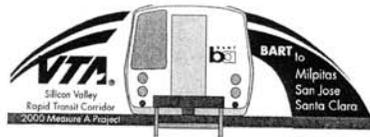
Comment:

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-51

Joe Witt

P-51.1 *The plans for each of the stations include one men's and one women's restroom consistent with BART practices.*



LETTER P-52

VTA ENV. ANALYSIS

VTA Community Outreach

3331 North First Street, Building B, San Jose, CA 95134-1206 MAR -6 P 3:49

Phone (408) 321-7575 Fax (408) 321-7576
TDD (408) 321-2330 www.vtabart-vta.org

BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA COMMENT CARD

Thank you for your interest in the BART Extension project. VTA is working closely with local jurisdictions on region-wide strategies to address traffic congestion, mobility and air quality concerns. This project is an important part of these efforts. (Please Print Clearly)

Name: Jie Yuan Date: 03/03/2007
 Address: 1533 Prosperity Ct
San Jose CA 95131
City State Zip
 Home Phone: 408 259-8905 Work Phone: 408 584-2223
Area Code Number Area Code Number
 E-mail: jie-yuan@amat.com Company: Applied Materials Inc.
Organization or Affiliation

Please comment on the Draft Supplemental Environmental Impact Report:

I'm living in a house that is just besides the rail-line which will become BART Extension. I have large concerns on the noises and vibrations from the operation of the train. In order to consider the effects the BART Extension making on my life, I hereby request the VTA demonstrate the noises and waves to my neighborhood and me. I also want to obtain the detail info about city limit about the noise pollution and acts relating to neighborhood about this issue.

Thank you!

P-52.1

Comments can also be e-mailed to vtabart.seircomments@vta.org, faxed to (408) 321-5787, or mailed to Tom Fitzwater, VTA Environmental Planning, Building B, 3331 North First Street, San Jose, CA 95134-1906 by March 16, 2007.

RESPONSE TO COMMENT LETTER P-52

Jie Yuan

P-52.1 *Draft SEIR, Chapter 4, Section 4.12, Noise and Vibration, addresses impacts along the alignment. Where BART operational noise would exceed the Federal Transit Administration (FTA) noise threshold for Severe Impact, noise mitigation has been included to reduce noise. Just south of Hostetter Road, absorptive material on the retaining wall is included as noise mitigation to reduce noise to less than severe levels (see Draft SEIR, Figures 4.12-1s and 4.12-1t). Similarly, for vibration impacts, floating slab under the trackway is the mitigation included to reduce impacts to less than severe levels.*



LETTER P-53

7

SPEAKER CARD

Name: Kelly J. Harford Affiliation: CITY EMPLOYEE

Address: CITY OF MILPITAS

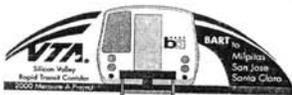
- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment: NOISE IMPACTS AT TERRACE GARDENS SENIOR HOUSING COMPLEX

- 150 UNITS OF SENIOR HOUSING COMPLEX
- EXCEED NOISE STANDARDS BY 14 DECEL LEVEL
- PLEASE KEEP SENSITIVE NATURE OF SENIOR HOUSING COMPLEX WHEN ADDRESS ENVIRONMENTAL IMPACTS

P-53.1

Please continue on reverse if needed



LETTER P-54

8

SPEAKER CARD

Name: Monty Britton Affiliation: North Milpitas Resident

Address: 1515-68 N. Milpitas Blvd.

- I would like to speak
- I would like to be added to the mailing list
- I would like my comments to be read by the Moderator

Comment: I am very happy to see the total grade separation on Dixon Landing road. By sinking Dixon Landing and having BART and Union Pacific go over Dixon Landing. The big payoff for us North Milpitas Residents near Dixon Landing is there will be NO MORE UNION PACIFIC TRAIN

P-54.1

Please continue on reverse if needed

RESPONSE TO COMMENT LETTER P-53

Felix J. Reliford

P-53.1 *The BART operational noise impacts to the Terrace Gardens Senior Housing has been analyzed and determined to be less than significant with only a minor increase in noise. Refer to Draft SEIR, Chapter 4, Section 4.12, Noise and Vibration regarding noise impacts and locations where mitigation is required to reduce noise to acceptable levels. The comment may be referring to the two residences at the Senior Housing complex where vibration, even with mitigation, would exceed the FTA criteria by 1 VdB. An effective mitigation approach is to provide floating slab beneath the trackway to reduce vibration impacts. The Project proposes floating slab as mitigation at this location (see Draft SEIR, Figures 4.12-2g and 4.12-2h). However, even with floating slab as mitigation, the FTA criteria was exceeded by 1 VdB.*

RESPONSE TO COMMENT LETTER P-54

Monty Britton

P-54.1 *The support for the Dixon Landing Road grade separation is noted.*

LETTER P-55

MR. F. RECHARTZ 2/10/2007
I WOULD PLEASE
SEND ME THE SCOPING REPORT
THAT IS MENTIONED IN THE
6.2, 6.4 - SCOPING REPORT
FOR THE BART EXP. TO MILPITAS &
3/ JUNE & CLARK. (2) I WAS ONE OF THE
(3) PEOPLE THAT SENT IN COMMENTS
DURING THE PUBLIC COMMENT PERIOD
6/21/2006 - TO SEP 7, 2006 (3) I AM
NOW DOING DAY WORK AT THE
JUST FOR NOW IN A PHYSIC LIB,
V. P. Frank Condon

P-55.1

P-55.2

P-55.3

RESPONSE TO COMMENT LETTER P-55

Charlie Cameron

P-55.1 *The scoping report has been sent to you as requested.*

P-55.2 *This comment did not raise an environmental concern and therefore no response is required.*

P-55.3 *This comment did not raise an environmental concern and therefore no response is required.*

San Jose Arena Authority

VTA
ENV. ANALYSIS

P.O. BOX 90207
SAN JOSE, CA 95109-3207
FAX 408.977.4784
TTY 408.977.4779

March 14, 2007

2007 MAR 15 P 2:09

LETTER P-56

Tom Fitzwater
Environmental Resources Planning Manager
Santa Clara Valley Transportation Authority
Environmental Planning Department
3331 North First Street, Building B-2
San Jose, CA 95134

Dear Tom:

This letter is in response to the Draft Supplemental Environmental Impact Report on the Silicon Valley Rapid Transit Corridor BART Extension to Milpitas, San Jose and Santa Clara. Please be advised that the comments included in this correspondence specifically relate to the BART extension in the vicinity of HP Pavilion at San Jose and the San Jose Diridon Station. Please note that a number of comments contained in this letter are restated from a May 2004 correspondence sent by the San Jose Arena Authority to the Valley Transportation Authority.

(1) Establishing a Standing BART Construction Coordinating Committee

In an effort to ensure the successful oversight of construction activities in the vicinity of HP Pavilion at San Jose, I strongly encourage the establishment of a standing BART construction coordinating committee. There are a number of agencies that could support the ongoing administration of this committee, including the City of San Jose's Department of Transportation, the Redevelopment Agency, the San Jose Police Department, HP Pavilion Management, the Valley Transportation Authority (and associated project agencies), and the San Jose Arena Authority.

P-56.1

For your reference, the Arena Authority has previously advocated for and facilitated meetings for standing committees specifically created to coordinate construction activities in the vicinity of the Pavilion, including the Vasona Corridor Light Rail Transit Project and the Guadalupe River Park Flood Control Project. These coordination efforts proved to augment the facilitation of identifying, addressing and resolving significant construction and operational issues in the vicinity of the Pavilion. Creating an effective, hands-on committee model that would serve in the oversight of the construction of the BART extension in the Arena/Diridon area would be an essential preliminary step in the efficient administration of this major regional transit project.

(2) Development of a Supplemental Transportation and Parking Management Plan

HP Pavilion at San Jose annually attracts approximately 1.5 million patrons. Due to the Pavilion's proximity to the Downtown core and adjacent residential and commercial neighborhoods, a detailed Pavilion Transportation and Parking Management Plan (TPMP) was developed and employed upon the opening of the building in 1993. The plan, amended and approved by the San Jose City Council in 2005, has served as the foundation for the effective management of event vehicular traffic, parking and pedestrian activity in the vicinity of the Pavilion. The TPMP is currently administered by the City of San Jose's Department of Transportation, with input from the San Jose Arena Authority, HP Pavilion Management, the San Jose Police Department and the Santa Clara Valley Transportation Authority.

P-56.2

Tom Fitzwater
March 14, 2007
Page 2

The construction of the BART extension in the vicinity of HP Pavilion at San Jose will have significant impacts on the ongoing vehicular traffic movement and parking facility access during Pavilion event operational days. With this in mind, a supplemental BART extension construction transportation and parking management plan should be developed and accepted to support the current City Council-approved Pavilion TPMP. I would encourage VTA representatives from the BART extension project to participate in the creation of a supplemental BART extension transportation and parking management plan with the appropriate representatives from the City of San Jose, the Arena Authority, and HP Pavilion Management.

P-56.2
cont.

(3) Addressing Off-Site Parking Facility Issues

Per the terms of the Amended and Restated San Jose Arena Management Agreement between the City of San Jose and HP Pavilion Management, the City will make available certain off-site parking facilities for use by Pavilion patrons on event days. As such, the City will continue to actively pursue best efforts to achieve and maintain at least 6,350 off-site parking spaces within one-half mile of the West Santa Clara Street entrance to the Pavilion.

P-56.3

Additionally per the Management Agreement, the City will make its best efforts to secure approximately one-half of the 6,350 off-site parking spaces (3,175) within one-third of a mile of the Pavilion's West Santa Clara Street entrance. As addressed in the Draft Supplemental EIR, off-site parking facilities in the vicinity of the Pavilion will experience significant impacts with inventories greatly reduced by the construction of the BART extension. Due to this, a coordinated effort between the essential stakeholders will need to occur in order to address the loss of off-site parking spaces during construction; the identification of temporary replacement off-site parking spaces during construction; and the reintroduction of permanent parking spaces at the completion of the project.

(4) Addressing Additional Parking Facility Issues

There are currently only two proposed options identified in the Draft Supplemental EIR relating to additional parking in the vicinity of the Pavilion: Option #1: Parking Structure Option that includes 1320 additional parking spaces; and Option #2: No Parking Option or 0 parking spaces. Due to the limited options presented in the report, the Arena Authority strongly advocates that prior to final action being taken on this issue that other parking options be identified and ultimately considered. One of the most critical components to the successful implementation of the Pavilion parking management plan involves the existence of an adequate inventory of off-site parking facilities that are designed not only to support the ongoing operation of the Pavilion, but the critical transit services and commercial operations in the Arena/Diridon area as well.

P-56.4

Additionally, any new parking structure contemplated in the vicinity of the Pavilion will need substantial parking, traffic and event impact analysis prior to the final determination of location, capacity and design. This analysis would need to be conducted in concert with events at the Pavilion as well as during off-peak Pavilion operational hours. Furthermore, any impacts of a parking structure on the adjacent residential neighborhoods will need to be identified and addressed through the evaluation process.

Tom Fitzwater
March 14, 2007
Page 3

(5) Identifying Critical BART Construction Issues

Please be advised that the Arena Authority is very interested in continuing to expand discussions on the issues identified in the Draft Supplemental EIR as the issues relate to construction planning, mitigation and implementation. These would include discussions on the following construction-related items: Construction equipment staging areas; truck hauling routes; construction hours in the vicinity of the residential neighborhoods; construction dust and noise mitigation measures; temporary alternative vehicular routes in the vicinity of the Pavilion; and temporary alternative pedestrian routes in the vicinity of the Pavilion.

P-56.5

(6) Pavilion Event Coordination and BART Extension Construction

HP Pavilion at San Jose typically conducts 175 events each year, with many events attracting over 17,000 patrons. Typical Pavilion events occur during the evening hours throughout the week and on weekends, although weekday, daytime events do occur as well. Coordinating critical BART extension construction phases with Pavilion events will be essential to the success of both ongoing Pavilion operations and BART extension construction progress.

P-56.6

(7) Community Outreach

A comprehensive, ongoing community outreach program will need to be employed to ensure that construction issues impacting the adjacent residential and commercial neighborhoods are identified and addressed in a well-thought out fashion. This would include community outreach opportunities up to, through and following completion of the project in the vicinity of the Pavilion and the Downtown core. The idea of expanding the current BART Community Working Group is one viable option that has recently been suggested by VTA personnel.

P-56.7

Tom, in closing, the Arena Authority appreciates the opportunity to comment on this important regional transportation project. Please contact me with any comments or questions. I can be reached at 408-977-4783 or at morrisey@sja.com.

Sincerely,



Chris Morrissey
Executive Director

cc: Members of the Arena Authority Board of Directors
Members of the Arena Events Operations Committee
Jim Benshoof, Wenck Associates, Inc.
Jim Goddard, HP Pavilion Management
Jim Helmer, Department of Transportation
Dennis Korabiak, Redevelopment Agency
Paul Krutko, Office of Economic Development
Hans Larsen, Department of Transportation
Abi Maghamfar, Redevelopment Agency
Jim Ortbal, Department of Transportation
Henry Servin, Department of Transportation

RESPONSE TO COMMENT LETTER P-56

San Jose Arena Authority

P-56.1 *As construction approaches, VTA will establish a working committee to coordinate activities in the Diridon/Arena Station area. VTA has appreciated the participation of the San Jose Arena Authority in past construction projects.*

P-56.2 *The interest in establishing a Supplemental Transportation and Parking Management Plan is noted. VTA supports the idea for further discussion between the City of San Jose, San Jose Arena Authority and HP Pavilion Management regarding parking management strategies for the area.*

P-56.3 *VTA has analyzed the impacts resulting from the temporary loss of parking due to construction (see Draft SEIR, Chapter 4, page 255). The Draft SEIR concludes that there are no readily available sites for temporary parking in the vicinity, and has concluded that the loss of parking during construction is a significant and unavoidable impact. Upon identifying the parking impacts associated with the SVRT tunnel and station construction in the Diridon Station area, project staff explored opportunities for temporary replacement parking within walking proximity to the impacted area, approximately 0.25 miles, that could be made available for a four-year period beginning in 2010. Given the impacted parking was up to approximately 560 spaces, approximately 5 acres would be required. Sites in the immediate area are already used for parking, occupied with buildings or businesses, or planned for development before the SVRT construction year. Acquiring developed property (e.g. east of Autumn; south of San Fernando) was not considered a viable, practical option as it would result in displaced businesses. Certain other properties with vacant lands or vacated buildings (e.g. west of White Street), or underutilized surface parking lots (e.g. east of Los Gatos Creek) were pending development and would not be available. It was following this assessment that staff concluded that one of the most viable options for addressing the temporary parking impacts in the Diridon Station area is to consider a shuttle bus program from outlying parking lot(s) to the Diridon Station. Another option that will be considered is potentially discounting VTA transit passes for event attendees during the construction period.*

Separate from the SEIR process, the City of San Jose is requesting VTA assistance in developing parking management strategies to comprehensively address the parking challenges posed by development efforts to transform Diridon into a downtown area with high density development and more pedestrian, bike and transit amenities. VTA is committed to supporting the City of San Jose in this effort. VTA supports a coordinated effort to address the temporary loss of parking during project construction and to identify opportunities for temporary replacement parking that may arise.

P-56.4 *The SEIR has analyzed two parking options for the Diridon/Arena Station. The ridership modeling results indicate that with a 1,315 space parking structure, an estimated 11,236 boardings would occur at this station in 2030. With the No Parking Option, and 815 parking spaces shifted to the Santa Clara Station, ridership decreases by approximately 1,200 daily boardings, because it is less convenient to access the Santa Clara Station. If the Santa Clara Station parking structure does not increase its capacity to accommodate 815 parking spaces as discussed in the Draft SEIR, there is projected to be up to 2,100*

fewer boardings per day in 2030. Therefore, the lack of parking at the Diridon/Arena Station is acknowledged in a decrease in Project ridership. Also, refer to Response to Comment P-56.3 regarding temporary parking options

Nevertheless, VTA agrees that a comprehensive, area-wide parking assessment would be beneficial and supports a cooperative joint effort with the City of San Jose and Diridon/Arena stakeholders to address long-term parking strategies.

Following input from the SVRT Policy Advisory Board and further discussions with interested parties, VTA staff will not be making a recommendation regarding parking at the Diridon/Arena Station. VTA will continue to work with the various parties to develop a comprehensive parking management strategy for the area.

P-56.5 *The Standing BART Construction Coordinating Committee mentioned in Comment P-56.1 seems the appropriate way to address these concerns. As stated in Response to Comment P-56.1, VTA would support establishing such a committee.*

P-56.6 *Refer to Responses to Comments P-56.1 and P-56.5.*

P-56.7 *The Project intends to implement a community involvement/community outreach program, which will include advance notification to Downtown San Jose community members regarding construction and expected traffic impacts. In addition, a project website with construction information will be updated on a regular basis, and there will be a construction hotline for community members to call to ask questions, to voice concerns or to make comments. Community meetings will also be held, as appropriate.*

Public outreach representative(s) will coordinate closely with the Contractor to ensure there are responses to comments, concerns, and to make sure that the Contractor is following contract and regulatory requirements to mitigate and/or abate construction impacts. The Contractor will be required to implement abatement procedures and to work closely with the community to minimize disturbance.

