
Chapter 1

Introduction

1.1 Project Overview

The Capitol Expressway Light Rail Project is located in the City of San José, as shown in Figure 1-1, and would be implemented in two distinct phases.

The first phase includes pedestrian and bus improvements. These improvements consist of sidewalk, landscaping, and lighting along Capitol Expressway, bus stop improvements at Story Road and Ocala Avenue and the replacement of Eastridge Transit Center. Construction of the pedestrian improvements was completed in March 2013 and the replacement of Eastridge Transit Center began construction in June 2013.

The second phase of the project would include the extension of light rail by 2.3 miles along Capitol Expressway initially from the existing Alum Rock Light Rail Station to Eastridge Transit Center and ultimately to Nieman Boulevard at a future date.

1.2 Prior Environmental Documentation

The federal and state environmental process for the Capitol Expressway Light Rail (CELR) Project was initiated in September 2001 with the publication of a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) in the federal register and the filing of the Notice of Preparation of an Environmental Impact Report (EIR) with the State Clearinghouse. A Draft EIS/EIR was circulated in April 2004, but only a Final EIR was completed as a result of limited opportunities for securing federal funds. In May 2005, the VTA Board of Directors certified the Final EIR and approved the Light Rail Alternative. As a result of Preliminary Engineering, the Light Rail Alternative was modified to address agency comments, improve operations, minimize right-of-way acquisition and lower costs. The VTA Board of Directors certified a Final Supplemental EIR (Final SEIR) and approved these modifications in August 2007.

Due to unprecedented declines in revenues beginning in 2008, the implementation plan for the Light Rail Alternative was modified to construct the project in phases. An Addendum was approved in June 2010 that included the installation of pedestrian and bus improvements as a first phase and the extension of light rail along Capitol Expressway as Phase 2.

In addition to the state environmental process, VTA reinitiated the federal environmental process on September 9, 2009 with a NOI to prepare a Supplemental Draft EIS. The

Supplemental Draft EIS was circulated on May 18, 2012 for 45 days with comments due on July 3, 2012.

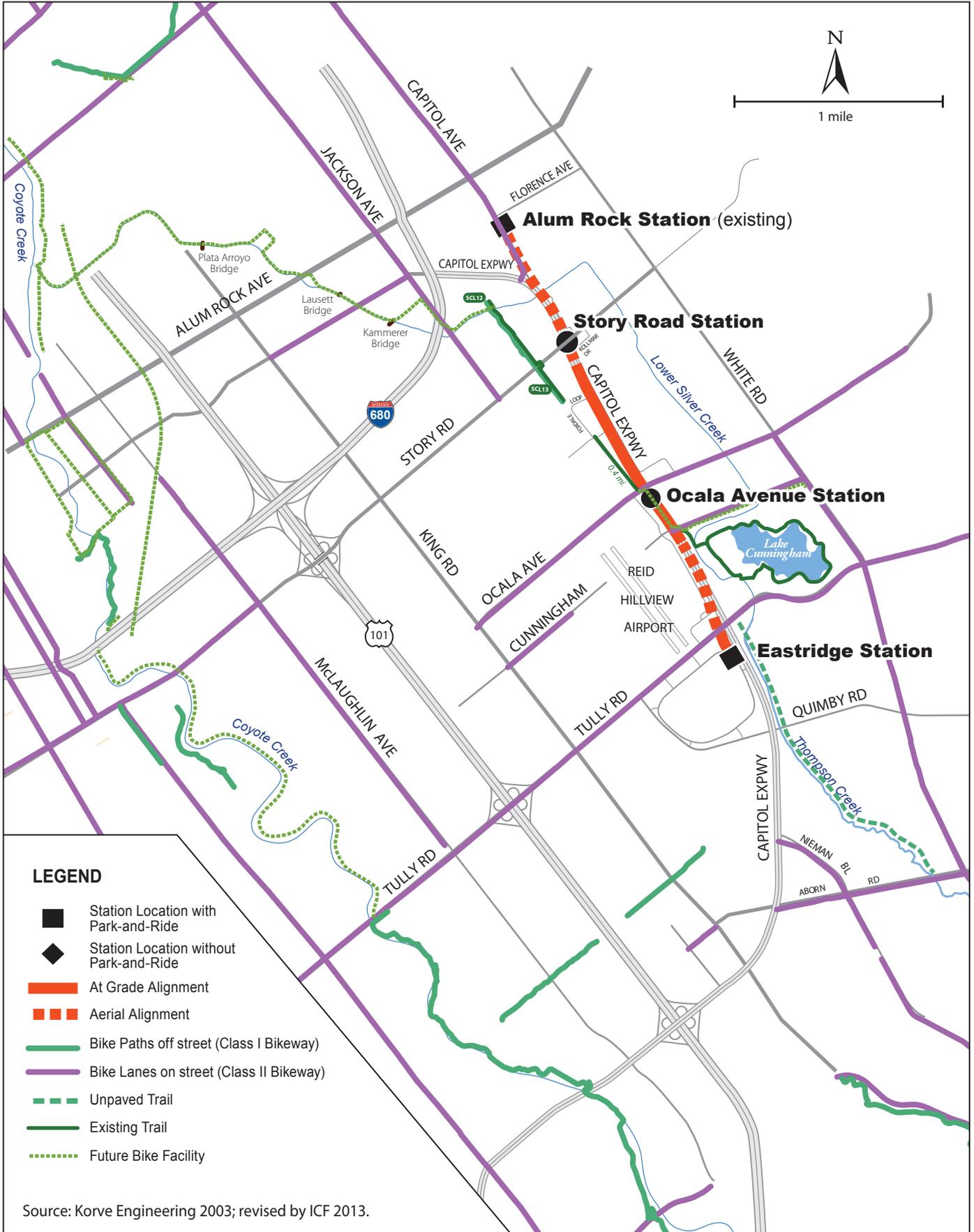
This Subsequent Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to address minor changes to the project and to incorporate changed circumstances and new information from the federal environmental document.

1.3 Explanation for a Subsequent Mitigated Negative Declaration

The California Environmental Quality Act (CEQA) recognizes that between the date projects are approved and the date they are constructed one or more of the following changes may occur: 1) the scope of the project may change, 2) the environmental setting in which the project is located may change, 3) certain environmental laws, regulations, or policies may change, and 4) previously unknown information can come to light. CEQA requires that lead agencies evaluate these changes to determine whether or not they are significant.

The mechanism for assessing the significance of these changes is found in CEQA Guidelines Sections 15162 – 15164. If the changes involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects, further environmental review (in the form of a Subsequent or Supplemental EIR or Negative Declaration) would be warranted per CEQA Guidelines Section 15162 and 15163. If the changes do not meet these criteria, then an Addendum is prepared to document a decision that no subsequent or supplemental review is required.

A Subsequent Mitigated Negative Declaration has been determined to be the appropriate level of environmental documentation because mitigation measures have been incorporated into the project to avoid or substantially reduce significant effects, not previously identified in environmental review of the project, which might otherwise occur as a result of changed circumstances unrelated to project changes.



LEGEND

- Station Location with Park-and-Ride
- ◆ Station Location without Park-and-Ride
- At Grade Alignment
- - - Aerial Alignment
- Bike Paths off street (Class I Bikeway)
- Bike Lanes on street (Class II Bikeway)
- - - Unpaved Trail
- Existing Trail
- - - Future Bike Facility

Source: Korve Engineering 2003; revised by ICF 2013.

**Figure 1-1
Light Rail Alternative (current)**

