From: VTA Board Secretary
Sent: Wednesday, January 17, 2024 6:14 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Correspondence

VTA Board of Directors:

We are forwarding you the following:

From	Topic
Councilmember Peter Ortiz, City of San Jose	Letter expressing support for the referral submitted by Chairperson Chavez, and Directors Torres, Kamei, Davis, and Jain requesting an update on Small Business Programming and Funding related to BART Phase II
Director Suds Jain	Referral to VTA Board/Staff pertaining to BART Phase II Station Design BOD subcommittee and Station Design Review Committees (DRC)
VTA	VTA's BART Silicon Valley Phase II Extension Project Key Staff Bios

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 N. First Street
San Jose, CA 95134
408.321.5680
board.secretary@vta.org

Santa Clara Valley Transportation Authority
Solutions that move you

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Office of Councilmember Peter Ortiz

East San José, District 5

January 11th, 2024
VTA Board of Directors
70 West Hedding Street
San Jose, CA 95110

Dear VTA Board of Directors,

As the Councilmember Representing the over 100,000 residents of District 5, East San José, I am writing to support the referral submitted by Chair Chavez and Directors Torres, Kamei, Davis, and Jain requesting an update on Small Business Programming and Funding related to BART Phase II.

Ensuring that this project moves forward in an effective and equitable manner that minimizes displacement of our small businesses, particularly along the Alum Rock corridor in my district, is of top priority of mine. Key to that effort is a robust stakeholder engagement process that includes the small business advocacy organizations that have a ground-level relationship with affected businesses to ensure that effective anti-displacement measures can take place.

I look forward to working with VTA to ensure that our small business community prospers alongside BART Phase II.

Sincerely,

The Honorable Peter Ortiz
San José City Councilmember | District 5 – East San José

From: Bailey, Jaye [redacted]>
Sent: Wednesday, January 10, 2024 5:05 PM
To: [redacted]
Cc: Stavem, Christine <[redacted]>; Gonot, Carolyn [redacted]>; Baltao, Elaine <E[redacted]>
Subject: memorandum dated January 8, 2024

Dear Councilmember Jain - Thank you for your memorandum to VTA Board of Directors and VTA Management dated January 8, 2024. General Manager/CEO Carolyn Gonot has referred your correspondence to staff on the BART project as well as the BART Ad Hoc Oversight Committee. The Board Secretary's Office has forwarded your correspondence to the Board.

All the best -

Jaye Bailey

Chief of Staff

Santa Clara Valley Transportation Authority

[redacted] Office

[redacted] Mobile

From: Sudhanshu Jain <[redacted]>
Sent: Monday, January 8, 2024 7:04 PM
To: Gonot, Carolyn <[redacted]>; Alaniz, Bernice <[redacted]>; Maguire, Tom <[redacted]>; Pat Burt <[redacted]>; din[redacted]; Lawson, James [redacted]>; Stavem, Christine <[redacted]>; Baltao, Elaine <[redacted]>; Erica Roecks <[redacted]>
Cc: Gonzalez-Estay, Manolo R <[redacted]>; Lovato, David <[redacted]>; Jonathon Evans <j[redacted]>; [redacted]
Subject: [EXTERNAL] Referral to VTA board and staff from Suds Jain

CAUTION: This Message originated from outside VTA. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Please see attached a board/staff referral from me.

HERE'S A SUMMARY OF MY RECOMMENDATION:

Request that VTA Staff discuss the following two items before June 1, 2024

1. Set up meeting schedule for DRCs for each station and place at least one VTA Board member or Alternate or member's Staff designee on each DRC
2. Set up Subcommittee of BOD consisting of the board representatives to the DRCs such that information can be shared between the DRCs via the board reps.

-- Suds

Board Memorandum:

To: Santa Clara Valley Transportation Authority Board of Directors and VTA Management

From: Director Suds Jain

Date: Sunday, January 8, 2024

Subject: BART Phase II Station Design BOD subcommittee and Station Design Review Committees (DRC)

==========

RECOMMENDATION:

Request that VTA Staff discuss the following two items before June 1, 2024

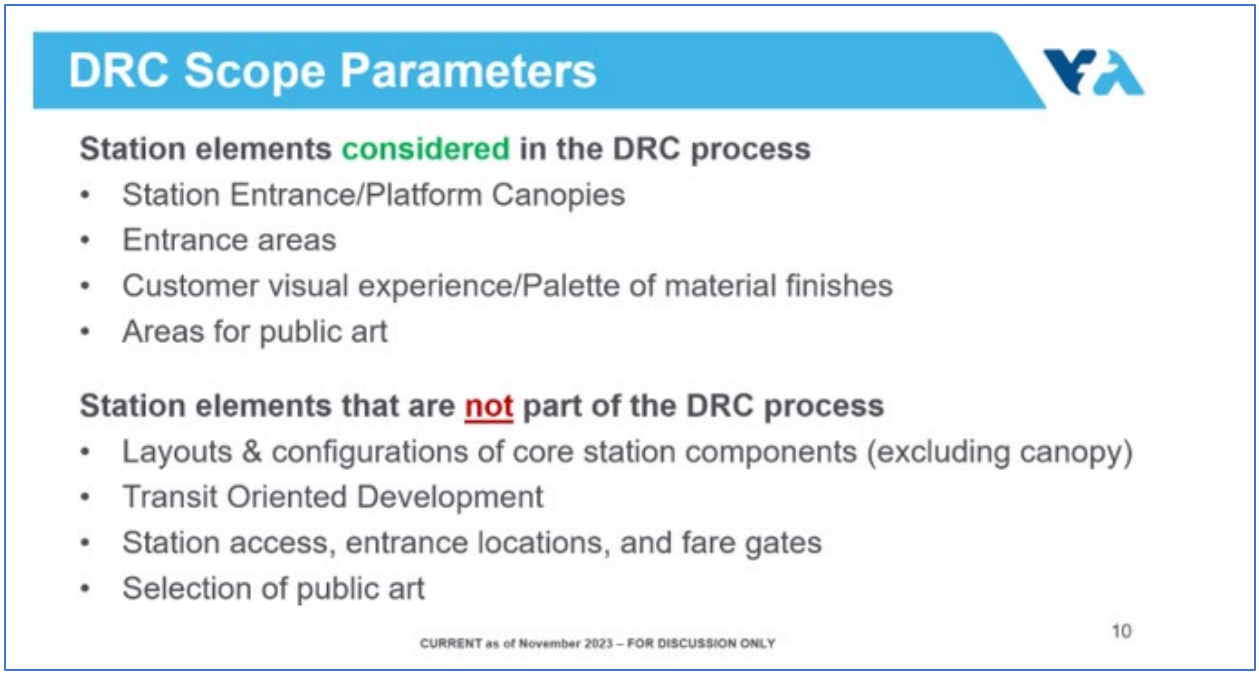
3. Set up meeting schedule for DRCs for each station and place at least one VTA Board member or Alternate or member's Staff designee on each DRC
4. Set up Subcommittee of BOD consisting of the board representatives to the DRCs such that information can be shared between the DRCs via the board reps.

DISCUSSION:

Member Suds Jain joined the VTA board on January 25th, 2022. Almost immediately he met with Jim Lawson to discuss his concerns about the above ground concourse design of the Santa Clara Station that would require Santa Clara residents to traverse 4 sets of stairs. He raised the same concern with Carolyn Gonot in a Feb 3rd, 2022 meeting. He had at least 9 meetings with various staff members in 2022 to discuss the design of the station and the possibility of an underground concourse.

Board President Chappie Jones worked with Suds to get support for the establishment of an Ad Hoc Station Design Board subcommittee. Membership of this committee was announced at the February 2nd, 2023 board meeting under the leadership of new board president Pat Burt. It is now January 2024 and this Station Design committee has yet to meet.

Staff often told Suds that there are already Design Review Committees (DRCs) of residents and city staff members but it turns out that only the Santa Clara DRC has met so far. Reports from members of the Santa Clara DRC is that they have very little control or say into the design process. In fact, many topics are off limits for the DRC as indicated in the following slide from the November 17, 2023 DRC.



Also recently the Santa Clara Station design changed radically and the concourse is now at ground level, saving an estimated $75 million and making the transit experience much easier for our riders. When this was presented to the members of the DRC, the designs for the canopy were not particularly inspiring. Members of the Santa Clara DRC have been clamoring for a more iconic station design.

Suds feels that having a board member sit on the DRC will empower the community members of the DRCs more. He has heard a lot of frustration from Santa Clara DRC members that they feel to constrained in their engagement. Many board members are overloaded so it makes sense to allow for Board alternates or staff members of board members to participate in the DRCs (RECOMMENDATION #1)

The following slide shows the timeline given to the Santa Clara DRC for finalizing the “bones” of the Santa Clara Station. Given that the design was changed radically less than 3 months ago with no community input and the schedule for the entire project was pushed out by 3 years, this compressed schedule of 3 DRC meetings in a month made no sense to Suds:

Santa Clara DRC Schedule

	Nov 17	Dec 8	Dec 15
DRC Meeting #1 – DRC process & overview, station functionality, Project Architect presents station aesthetic concept options	✓		
DRC Meeting #2 – Project Architect presents refined station aesthetic concept options		✓	
DRC Meeting #3 – Project Architect presents station aesthetic concepts to be included in Project design			✓
Community Engagement – Online and in-person engagement		Q1 2024	

CURRENT as of November 2023 – FOR DISCUSSION ONLY

13

There may be good ideas from one DRC that could benefit another station in the project. For this reason, Suds is suggesting that there be a committee of only board members or alternates or staff of board members to meet less frequently than the DRCs in order to exchange ideas (RECOMMENDATION #2)

Option 1: Single Slope Roof

View from Champions Way/Brokaw Road intersection

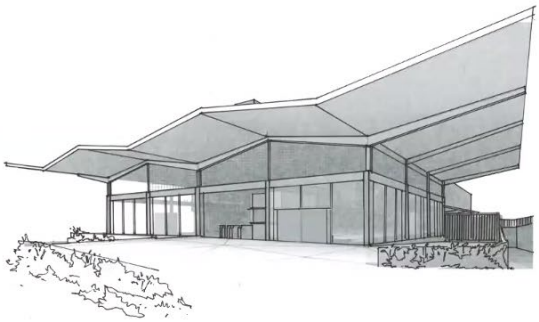
View from Top of Ped Ramp at end of Brokaw Road

CURRENT as of November 2023 – FOR DISCUSSION ONLY

22

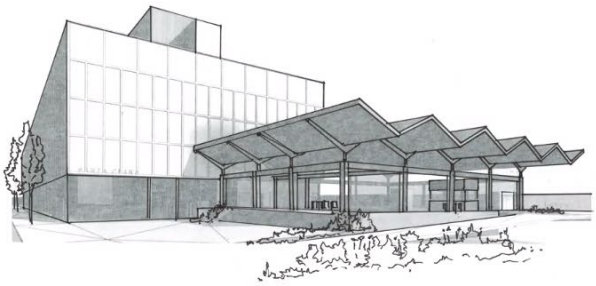
Option 2: Folded Plate Roof – Wide Bay

View from Champions Way/Brokaw Road intersection

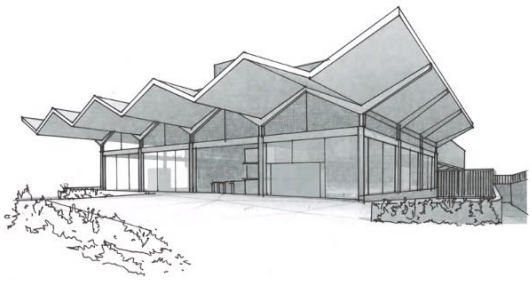


View from Top of Ped Ramp at end of Brokaw Road

Option 3: Folded Plate Roof – Narrow Bay



View from Champions Way/Brokaw Road intersection



View from Top of Ped Ramp at end of Brokaw Road

VTA's BART Silicon Valley Phase II Extension Project
Key Staff Bios
January 17, 2024

Tom Maguire – Chief Megaprojects Officer, VTA

Tom Maguire has 24 years of experience leading major transportation program and project teams. He joined VTA in 2023 as Chief Megaprojects Officer, where he is responsible for all aspects of the BART to Silicon Valley program delivery. In this role, he oversees financial, technical, commercial, and external functions of the program. He ensures that the program's staff, contractors, and stakeholders are aligned around the vision that Santa Clara County voters have consistently supported for over two decades: connecting the Bay Area by bringing BART to Silicon Valley.

Before joining VTA, Tom served for nine years as the Streets Director for the San Francisco Municipal Transportation Agency (SFMTA). In this role, he oversaw the agency's $5 billion Capital Construction program, and the city's Parking and Traffic operations. He was the Executive in Charge of completing the agency's two biggest capital projects – the Central Subway and Van Ness Bus Rapid Transit – which are improving travel for thousands of San Franciscans. He also led efforts to redesign and quick-build hundreds of miles of the city's streets and parking assets in service of Vision Zero and Transit First policy goals.

Tom is a native New Yorker who served as Assistant Commissioner at the New York City Department of Transportation, where he played a key role in shaping PlaNYC, the city's sustainability plan, congestion pricing; and implemented transformative initiatives like Select Bus Service. He also worked at Arup, a global design firm, helping design megaprojects like the Second Avenue Subway, Fulton Transit Center, JFK Airport Terminal 4-5, and the reconstruction of Lower Manhattan after 9/11. Tom has a Master's in City Planning from the University of California, Berkeley, and a B.A. from Rutgers University.

Bernice Alaniz – Director, External Affairs, VTA

Bernice Alaniz has 35 years of project and team management, communications, government affairs and public relations experience in Silicon Valley, 18 of those in transportation. Throughout her career, Bernice has developed and implemented comprehensive public relations, communications, promotional and outreach programs for major transportation capital projects, transit services and non-profit programs.

Appointed in 2019, as the Director of Business Operations and Communications for the BART Silicon Valley Program, Ms. Alaniz has primary responsibility for management reporting and coordination, compliance tracking and documentation, third party agreements, maintaining business, stakeholder and community relations, planning, environmental mitigation and monitoring, development and implementation of construction outreach, education and transportation management plans, small business program and transit oriented communities strategies; communications, media and government relations.

Ms. Alaniz recently held the position of Communications and Public Affairs Director for the Santa Clara Valley Transportation Authority and served as the Communications Director for VTA's BART Silicon Valley Program from 2008-2014. Past projects include Santa Clara County's first 30-mile light rail system and the last 5.3-mile Vasona Light Rail Extension that included tunnel and viaduct construction completed in 2005, 1996 Measure B Transportation Improvement Program that included; the I-880/Coleman Avenue Interchange 2007, SR 152/SR 156 Interchange 2008, I-280/I-880 Interchange 2015, the Santa Clara Pedestrian Underpass to connect Caltrain to future BART service 2017, numerous other highway interchange projects, the County's first Express Lane Project as well as the County's first Bus Rapid Transit Project.

Krishna Davey – Deputy Director, Program Administration, VTA

Krishna Davey has 35 years of experience in infrastructure projects with more than half of that experience in the transit industry. His industry experience spans the lifecycle of a typical multidisciplinary project, from the development of concept, management of design, testing and commissioning, to close out of projects. His transit experience includes implementation of train controls and communications systems for the Santa Clara Valley Transportation Authority and Sound Transit.

Mr. Davey has been with VTA's BART Silicon Valley (BSV) Program for over the last ten years. During this period, he has played a major role in the execution of a Full Funding Grant Agreement with the Federal Transit Administration (FTA) for the BSV Program's Phase I extension; lead the programming efforts for the complex Mission, Warren and Truck-Rail project, an endeavor that involved multiple stakeholders and numerous funding sources; managed planning of the Phase II extension, including several studies on the extension's alignment and tunneling configuration. Mr. Davey is also recognized as a subject matter expert in the transit industry and has been asked on several occasions to present at conferences hosted by American Public Transportation Association, Federal Transit Administration, World Tunnel Congress, Colorado School of Mines.

Ronak Naik – Capital Project Coordinator, VTA

Ronak Naik is a transportation professional for the Santa Clara Valley Transportation Authority (VTA) with over ten years of experience on public sector projects during the planning, design, and construction phases. He served as a Project Engineer on multiple construction contracts for VTA's BART Phase I Extension project to San Jose. Over the last seven years he has been working on VTA's BART Phase II Extension project to Santa Clara, including supporting the environmental clearance process, preparing program reports, supporting agency engagements and technical studies/conceptual design. In his current role, he supports the Chief Megaprojects Officer on day-to-day responsibilities including interdepartmental coordination, preparation of reports for executive staff, managing other internal VTA business operations, and serving as the division's technical liaison with VTA's Board of Directors Office. Ronak holds a Bachelor of Science in Civil Engineering from the University of California, Irvine.

Kevin Kurimoto – Senior Management Analyst, VTA

Kevin Kurimoto has more than 20 years of experience at VTA in various capacities, including the last 15 years working to implement VTA's BART Silicon Valley Extension Project. Responsibilities include the preparation of local, state, and federal funding applications, development of program and project reports, coordination and development of planning, technical, and economic development studies, and agency relations. Mr. Kurimoto holds a Bachelor of Arts degree from San Jose State University.

Rosemarrie Gonzalez – Management Aide, VTA

Rosemarrie Gonzalez has nearly 25 years of experience at VTA in different roles through multiple departments across the agency including Human Resources, Planning, and the BART Extension Program. Over the last 20 years, she has supported the executive leadership on VTA's BART Silicon Valley Program through performing various administrative tasks, preparing staff presentations and reports, and serving as the divisions staff liaison with VTA's Board of Directors Office.

Chuck Morganson – Program Manager, Program Management Team (HNTB/WSP)

Chuck has more than 29 years of program management and civil engineering design experience focused on large transportation projects. He has successfully managed design teams for heavy mass transit, light rail, roadway/highway grade separations, tunnels, transit station development and historic station retrofits. His experience includes design-build, construction manager general contractor and design-bid-build procurements. He has lead teams from the design phase through contractor procurement, construction, and commissioning of systems for revenue service. Through his work on the SVBX Line Segment and Grade Separation projects, he has served as the BART liaison for VTA projects. He served as the program manager for HNTB's BART Architecture and General Engineering Services Contract, SFMTA As-Needed Specialized Engineering Services contract, as well as the SFMTA Central Subway's Track and Systems contract. Chuck recently participated in lessons learned workshops with the FTA at the close out of the SFMTA Central Subway and Van Ness BRT projects.

Chuck holds a BS in Civil and Environmental Engineering from Villanova University and an MBA from University of San Francisco. He is a Certified Construction Manager as accredited by the American National Standards Institute (ANSI®) National Accreditation Board and a registered Professional Engineer in California and Nevada.

Robert Ostermiller – Contract Package 2 (CP2) Project Manager, Program Management Team (HNTB/WSP)

Robert is an industry leader with a broad experience in project and program management, including construction, design, and quality management activities. He has overseen alternative delivery projects for more than 22 years. He was recently the general engineering consultant (GEC) project director on a $5 billion bridge program in Oregon. For five years prior he managed a $1.4 billion SR-91 Corridor Improvement/toll road expansion for RCTC in Orange County and Riverside, California. As the Senior Program Director for this project, Robert brought a clear understanding of best practices and strong leadership to this contract's key challenges and opportunities, as well as the culture, concerns and interests of RCTC, regulatory agencies and stakeholders. He has completed a six-year assignment as GEC executive program manager for the $2.4 billion Intercounty Connector project in Maryland. Prior to that, he was project manager for the GEC on the $1.7 billion multimodal T-REX project in Denver, Colorado. Robert also provided project management services for six years on the $450 million North I-25 Corridor project and the $500 million I-70 Glenwood Canyon project in Colorado. In addition to these assignments in the United States, he worked for nine years in the Middle East and Asia. While he has mainly worked as a consultant to governments, his experience includes three years with the Asian Development Bank, where he traveled across Asia to oversee large infrastructure programs.

Robert is a Certified Construction Manager by the Construction Management Association of America (CMAA), a registered Professional Engineer in Colorado, holds a BS in Civil Engineering, Oregon Institute of Technology and a MS in Business Administration, Southern Oregon State College.

Lurae Stuart – Safety and Security Lead, Program Management Team (HNTB/WSP)

Lurae is a Transit Safety & Security Professional with more than 30 years of experience in transit and rail operations, maintenance, system safety, security, and emergency management. Lurae provides knowledge and application of safety and security risk evaluation, safety management systems and regulatory compliance for transportation systems. She has provided strategic and technical guidance for projects that include safety and security risk strategy and hazard management; project design and development; governance; oversight; and system safety and security implementation. She participates in the development of industry standards in safety and security, public transport modal operation and maintenance, and cyber security. She works across modes, including heavy rail (FRA), and bus and rail (FTA).

Lurae holds a bachelor's degree of Science, Sociology/Psychology from George Fox University and is a graduate of the Leadership APTA program of the American Public Transit Association.

Jonathan Sorrel – Quality Manager, Program Management Team (HNTB/WSP)

Jonathan Sorrell has 40 experience in project management and quality assurance / quality control, and is always looking at ways to "raise the bar" while driving continuous quality improvement initiatives and programs across the board. Experience includes transportation projects for the private and public sectors located in Arizona, Colorado, Louisianna, California, and projects located on Federally Recognized Tribal Lands. Multiple projects won awards in the transit industry. Relevant recent roles are:

Quality Oversight Manager - California High Speed Rail Project; demonstrated success managing conflicting priorities while maintaining focus on details. Performed oversight of the contractor's quality, compliance, and certification programs. Provided guidance for the Safety & Certification Program. Monthly Reporting.

Managed a team of professionals to achieve daily performance goals. Performed Surveillances and Audits internally and externally. Oversight of Inspection and Test Plans. Compiled weekly data for executives to make critical decisions. Issued and resolution of Non-Conformance Reporting (NCR's).

Quality Assurance Manager - Valley Metro; Performed audits including safety and security Certification Verification Report (SSCVR), auditing of projects for contract compliance, collaboration, and presentations with ADOT, FTA, and the Cities of Phoenix, Mesa, Gilbert and Tempe. Maricopa Association of Governments (MAG) Standards and Details voting committee member, Valley Metro Sustainability sub-committee member, and voting member of Consultant and Contractor Selection Committee. Attended Monthly ADOT and FTA Meetings and provided reports and presentations on Work under my purview. Gathered and interpreted data for statistical and analytical review which included critical thinking, monitored work under warranty, performed site inspections/reviews. Establish file systems for traceability.

Certifications include Federal Transit Quality Assurance, Federal Transit System Security, Federal Transit All Hazards Awareness & Preparedness, Federal Transit Project Management, FEMA Preparedness, Safety Management Systems, , U.S.A.C.O.E Quality Management Systems, Facilitator/Partnering, Facilities Planning & Project Management, Material Testing, Non Destructive Testing, Visual Inspection, Forensic Examination, Quality Control and Inspection, Certified Welding Inspection, Certified Welding Educator, Welding, Structural Masonry, Structural Concrete, Post-tensioning, Geotechnical testing, Injury & Illness Prevention Plans, O.S.H.A regulations and requirements, First Aid and CPR.

From: VTA Board Secretary
Sent: Wednesday, January 17, 2024 6:42 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Information: Approved 2024 Appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees
Importance: High

VTA Board of Directors:

Please see the attached 2024 appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees that were approved at the January 11, 2024, VTA Board of Directors meeting.

Thank you.

VTA Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B-1
San Jose, CA 95134-1927
Phone: 408-321-5680

Santa Clara Valley Transportation Authority

Date: January 11, 2024
Current Meeting: January 11, 2024
Board Meeting: January 11, 2024

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority Board of Directors

THROUGH: General Manager/CEO, Carolyn M. Gonot

FROM: Chief External Affairs Officer, Jim Lawson

SUBJECT: 2024 Board Member Committee Appointments and PAB Extensions

Policy-Related Action: No **Government Code Section 84308 Applies: No**

ACTION ITEM

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Sudhanshu "Suds" Jain, Alternate Board Member (Santa Clara)
SECONDER:	Dev Davis, Board Member (San Jose)
AYES:	Blankley, Burt, Chavez, Davis, Foley, Jain, Kamei, Lopez, Mahan, Montano, Torres
ABSENT:	Otto Lee

RECOMMENDATION:

Approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2024.

EXECUTIVE SUMMARY:

- The committee assignments are based on the recommendations of the Board Chairperson.
- The Board of Directors approves the appointments for the Board standing committees and other committees at the first meeting of the calendar year.
- The term of the appointment is one calendar year.

STRATEGIC PLAN/GOALS:

This is an administrative item.

FISCAL IMPACT:

There is no fiscal impact.

BACKGROUND:

The VTA Administrative Code specifies five Board standing committees:

1) Administration and Finance (A&F)
2) Congestion Management Program and Planning (CMPP)
3) Safety, Security, and Transit Planning and Operations (SSTPO)
4) Capital Program Committee (CPC)
5) Governance and Audit (G&A)

The Administrative Code further specifies that at its first meeting in January, the Board of Directors approves the members and chairpersons of all Board standing committees based on recommendations for these positions provided by the Board Chairperson. The term of appointment is one year, coinciding with the calendar year. Only directors, not alternates or ex-officio members, are eligible for appointment to standing committees. However, Board alternate members are eligible for VTA appointment to joint powers boards (JPBs), policy advisory boards (PABs), and ad hoc committees.

PABs are established by the Board of Directors for each major transit and highway corridor under study by VTA. They provide input, perspective and recommendations to the VTA Board of Directors and administration. The purpose of the PABs is to ensure that the local jurisdictions most affected by major transportation capital improvement projects are involved and have a voice in guiding the planning, development and design of those projects. The Board establishes each PAB with a defined purpose, and once that purpose has been fulfilled it is the Board's purview to retire the PAB from service.

DISCUSSION:

Submitted for consideration are recommended appointments to the indicated committees:

- **Board Standing Committees**

  Administration and Finance (A&F)
  Marie Blankley (Chair)
  Cindy Chavez
  Sergio Lopez
  Matt Mahan

  Congestion Management Program and Planning (CMPP)
  Otto Lee (Chair)
  Carmen Montano
  Rosemary Kamei
  Omar Torres

Safety, Security, and Transit Planning and Operations (SSTPO)
Dev Davis (Chair)
Omar Din
Pat Burt
Pam Foley

Capital Program Committee (CPC)
TBD

Governance & Audit (G&A)
Cindy Chavez (Chair)
Sergio Lopez (Vice Chair)
Marie Blankley (A&F)
Otto Lee (CMPP)
Dev Davis (SSTPO)

- **Joint Powers Boards (JPBs)**

  Peninsula Corridor (Caltrain) Joint Powers Board
  Cindy Chavez
  Dev Davis
  Pat Burt

  Capitol Corridor Joint Powers Board
  Suds Jain
  Omar Torres

  I-680 Sunol SMART Carpool Lane Joint Powers Board
  Suds Jain

  Santa Clara Valley Habitat Plan Joint Powers Board
  Ann Calnan
  Lani Lee Ho, Alternate

- **Policy Advisory Boards (PABs)**

  Diridon Station Policy Advisory Board
  Cindy Chavez

  Eastridge to BART Regional Connector Policy Advisory Board
  Sylvia Arenas

Mobility Partnership
Marie Blankley
Tom Cline
Mark Turner

Silicon Valley Regional Interoperability Authority (SVRIA)
Mark Turner, Policy
Rich Bertalan, TAC

- **Other**

  VTA Committee for Transportation Mobility & Accessibility (ex-officio member)
  Pam Foley

  Ad Hoc Grade Separation Committee
  Pat Burt
  Margaret Abe-Koga
  Omar Din

  Ad Hoc BART Steering Committee
  Pat Burt
  Cindy Chavez
  Matt Mahan
  Suds Jain
  Dev Davis
  Omar Torres

The appointments will take effect immediately following Board approval.

Prepared by: Board Office
Memo No. 8893

From: VTA Board Secretary
Sent: Friday, January 19, 2024 1:30 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Correspondence: Week Ending 1/19/24

VTA Board of Directors:

We are forwarding to you the following correspondence:

From	Topic
VTA Staff	FTA Project Management Oversight (PMOC) Monthly Report for BSV II

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone **408-321-5680**

Santa Clara Valley Transportation Authority
Solutions that move you

BART SILICON VALLEY PHASE II EXTENSION PROJECT

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

CITIES OF SAN JOSÉ AND SANTA CLARA, CA

FTA Region IX

Status as of November 30, 2023

PROJECT MONITORING REPORT

Draft – January 09, 2024

Final – January 11, 2024

PMOC Contract Number: 69319519D000021
Task Order Number: 69319522F30057N

Project Number: 1
Project Type: New Starts
Project Phase: Project Delivery
Task Order Issued September 21, 2022

OP Nos. Referenced: 1, 25

AtkinsRéalis
4600 S. Ulster Street, Suite 1100
Denver, CO 80237

Jena Montgomery, Program Manager, 720.475.7107, Jena.Montgomery@AtkinsRealis.com
(On project since July 2020)
Emile Jilwan, Task Order Manager II, 510.506.3697, Emile.Jilwan@AtkinsRealis.com
(On project since August 2021)

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1. Executive Summary

A. Project Description

Bay Area Rapid Transit (BART) Silicon Valley Phase II (BSVII) is an approximately 6.0-mile extension of the BART system from the existing terminus at the Berryessa / North San Jose BART Station through downtown San Jose to the proposed Santa Clara Station in the City of Santa Clara. BSVII includes a total of four stations: three below-grade (28th Street / Little Portugal Station, Downtown San Jose Station, and Diridon Station) and one at grade (Santa Clara Station). BSVII also includes two parking garages, two mid-tunnel ventilation/emergency egress facilities and the Newhall storage Yard and Maintenance Facility (NYMF). Forty-eight vehicles will be paid for with project funds but are included in the procurement for BART Federal Transit Administration (FTA) Core Capacity grant program fleet upgrades. The project is being designed and constructed by Santa Clara Valley Transportation Authority (VTA), will be owned by VTA, and operated and maintained by BART. Service is planned to operate in the opening year from 4:00 AM to 1:00 AM on weekdays and from 6:00 AM to 1:00 AM on weekends, with trains every 7.5 minutes during the weekday peak period, every 7.5-15 minutes off-peak during the weekday, and every 20 minutes on evenings and weekends.

B. Project Status

BSVII is in the New Starts Project Development phase. The project new baseline cost and schedule estimates for a New Starts Entry to Engineering review and risk assessment were submitted to FTA/PMOC on October 11, 2023. The project new baseline cost and schedule estimates are total project cost of $12.237B and Revenue Service Date in October of 2036.

FTA issued a Record of Decision (ROD) to the BSVII project in June 2018. BSVII was selected for advancement under the Expedited Project Delivery (EPD) Pilot Program on September 21, 2021. In October 2022, VTA submitted a letter to FTA requesting the BSVII project be allowed to re-enter the New Starts Project Development phase of the Capital Investment Grants (CIG) program and seeking a Letter of No Prejudice (LONP). On December 1, 2022, FTA agreed to move the project from the (EPD) Pilot Program back into the Project Development phase as a New Starts project. FTA also approved a LONP covering expenses VTA incurred when it started in New Starts Project Development in March 2016, through the Project's migration to the EPD Pilot Program, as well as for all remaining work on the project, thereby matching the pre-award authority VTA had been given while it was in the EPD Pilot Program for the New Starts Basis total project cost of $9.318 billion.

The project implementation plan had previously been that BSVII would be delivered through four major design-build construction contract packages: Systems Construction Package 1 (CP1); Tunnel and Trackwork Construction Package 2 (CP2); Newhall Yard and Maintenance Facility and Santa Clara Station Construction Package 3 (CP3); and Stations Construction Package 4 (CP4).

CP2 has progressed based on its original procurement. The VTA Board of Directors approved the award of the CP2 Progressive Design Build contract on May 5, 2022. CP2 Limited Notice to Proceed (LNTP) for a 90-day innovations phase was issued on June 9, 2022; NTP1 was issued

for Programming Services on September 7, 2022; and NTP1A was issued for Stage 1 Design Professional Services on February 21, 2023.

All major packages other than CP2 were re-evaluated and subject of a Peer Review in November 2022. Since then, VTA has selected Design-Bid-Build delivery for all work previously identified as CP1, CP3 and CP4, and now described as Systems and Facilities. *VTA is in the process of determining how this remaining construction work will be packaged for bids. Then it can be communicated to the PMOC and incorporated into the project management documents.*

C. Major Issues and/or Concerns

The December 2022 schedule was updated to reflect the New Starts Basis and monthly updates were generated through April 2023. The April 2023 schedule update moved the Revenue Service Date (RSD) out from July 29, 2033, to February 22, 2034. This further extends the schedule delay beyond VTA's New Starts Basis RSD of March 2033. The Project Management Oversight Contractor (PMOC) remains concerned that much of that extension is due to delays experienced in early activities. Further delays are occurring while some activities have paused while value engineering and the new baseline development have been underway.

PMOC has long been concerned that until VTA reconfigured its contract implementation planning, updates schedule, cost, and risk assessment for the program, the project estimate is under-representing the total cost due in part to contingency, inflation, and an optimistic base schedule and risk profile*. VTA's current cost and schedule baseline and risk and contingency management plan reflect a substantial increase in the project cost and extension of the project schedule. VTA's new baseline documents are under review by PMOC in preparation for an upcoming risk workshop and assessment.*

PMOC is concerned that two key VTA BSVII positions (Program Director and Construction Director) are currently vacant and that VTA may have difficulties filling these key positions with qualified transit individuals due to the high demand for transit professionals in the U.S. and especially in the California market.

Due to frequent turnover and vacancies in key BSVII positions, PMOC is concerned about the lack of succession planning and inadequate transition periods in dealing with attrition and turnover.

D. Table 1 Core Accountability Items

		Original (Grant)	FTA Current P65 Forecast (EPD Letter of Intent)	VTA New Starts Basis (Sept 2022) [7]	PMOC Assessment of Current Forecast [7]
Cost	Capital Cost Estimate[1]	N/A	$9.148B	$9.318B	No change from LOI. Pending VTA project delivery re-packaging, new baseline, and risk refresh.
Contingency	Unallocated Contingency	N/A		$875M[2]	
	Allocated Contingency	N/A		$854M[2]	
	Total Contingency	N/A	$2.653B[3]	$1.729B[2]	
Schedule	Revenue Service Date	N/A	June 21, 2034[5]	March 1, 2033[4]	

Project Progress		**Amount ($M)**	**Percent of Total**
Total Expenditures	Actual cost of all eligible expenditures completed to date[6]	*$758*	*8.13%*
Planned Value to Date	Estimated value of work planned to date	N/A	N/A
Actual Value to Date	Actual value of work completed to date	N/A	N/A

Contract Status		**Amount ($)**	**Percent**
Total Contracts Awarded	Value of all contracts (design, support, construction, equipment) awarded: % of total value to be awarded	*$1,122*	N/A
Construction Contracts Awarded	Value of construction contracts awarded: % of total construction value to be awarded	0	0
Physical Construction Completed	Value of physical construction (infrastructure) completed: % of total construction value completed	0	0

Rolling Stock Vehicle Status	**Date Awarded**	**No. Ordered**	**No. Delivered**
Heavy Rail Vehicles	N/A	48 (planned)	0

[1] FTA P65 Capital Costs include a sum of year of expenditure (YOE) $389.72M in finance costs based on the EPD submission, whereas VTA New Starts Basis includes YOE $564.95M in finance costs.
[2] Contingency amounts are base year dollars taken from VTA's New Starts Basis SCC Cost Estimate (September 2022).
[3] PMOC P65 risk on Stripped and Adjusted Base Cost of $6.495B at EPD risk assessment.
[4] VTA's New Starts Basis RSD was not supported with a detailed schedule submission, and the project baseline has yet to be revised to reflect the revised project delivery methodology.
[5]Based upon recommended 125% of remaining duration of critical path as of PMOC risk assessment conducted May 2021 (PMOC P65 RSD was February 2, 2034).
[6]*Includes standard cost categories (SCC) 40, 60 and 80 expenditures in Project Development, reported through October 30, 2023, based on accruals. Percentage calculated based on New Starts Basis Total $9.318B.*
[7] *The BSVII team has prepared new baseline documents for Entry to Engineering which are currently under review.*

2. PMOC Observations and Findings

A. Summary of Monitoring Activities

The PMOC oversight commenced in July 2020. PMOC has since received numerous documents and coordinated with VTA via email and telephone conversations. *This report covers project status and documents received through November 30, 2023 (and including the October monthly reporting that was received December 2, 2023). The monthly PMOC oversight call was conducted on December 14, 2023, discussion at which covered those documents received in November 2023.*

VTA submitted their Expedited Project Delivery (EPD) Pilot Program application on April 7, 2021, and FTA/PMOC Risk Workshops were held on May 10-12, 2021. FTA selected the Bay Area Rapid Transit (BART) Silicon Valley Phase II (BSVII) project to advance in the EPD Pilot Program in September 2021 and on October 25, 2021, FTA issued a Letter of Intent (LOI) to obligate funds for BSVII contingent upon VTA meeting specified conditions by October 25, 2023.

In October 2022, VTA submitted a letter to FTA requesting the BSVII project be allowed to re-enter the New Starts Project Development phase of the Capital Investment Grants (CIG) program and seeking a Letter of No Prejudice (LONP). On December 1, 2022, FTA agreed to move the project from the (EPD) Pilot Program back into the Project Development phase as a New Starts project. FTA also approved a LONP allowing the extension of pre-award authority to the activities that are not allowed under Project Development phase of the New Starts (NS) CIG program, activities such as long lead procurement and construction.

In October 2022, VTA also presented FTA with a roadmap of activities and milestones assuming they progress to a Full Funding Grant Agreement (FFGA) in the CIG Program. FTA will continue to work with VTA regarding the roadmap and anticipated time limits for the various milestones and activities with initial focus on the roadmap to Entry to Engineering.

October 5, 2023, VTA staff presented the BSVII Cost and Schedule new baselines to the VTA Board of Directors as an Information Item. October 20, 2023, VTA staff and VTA Board of Directors held a workshop and discussed the BSVII Cost and Schedule new baselines. VTA transmitted the cost and schedule new baselines to FTA/PMOC on October 11, 2023. BSVII baseline cost and schedule estimates submitted to FTA are *total project cost of $12.237B and Revenue Service Date in October of 2036.*

B. Project Management Plan (PMP) and Sub-Plans

The following PMP and Sub-Plan documents include documents that were reviewed by the PMOC for BSVII program EPD readiness:

Document Title	Revision	Dated
Project Management Plan (PMP)	0.C	April 9, 2021
Management Capacity and Capability Plan (MCCP)	0.E	April 16, 2021
Risk and Contingency Management Plan (RCMP)	0.C	April 16, 2021
Quality Management Plan (QMP)	0.D	April 19, 2021
Real Estate Acquisition Management Plan (RAMP)	0.B	September 30, 2020
Safety and Security Management Plan (SSMP)	0.B	April 20, 2021
BART Rail Fleet Management Plan (RFMP) FY2020 to FY2036	D	September 2019
Third Party Agreement Management Plan	0.C	April 18, 2021
Project Delivery and Procurement Plan	0.F	April 16, 2021
Project Implementation Plan	C	September 30, 2020

On December 1, 2022, FTA agreed to allow the BSVII program to re-enter the New Starts Project Development phase of the Capital Investment Grants (CIG) program. Around the same time as the change in federal funding source and the update of the project budget, VTA also re-evaluated the project delivery scheme. Looking ahead to the New Starts Entry to Engineering request, VTA submitted 39 documents on May 26, 2023, including the following updates to the PMP and sub-Plans to FTA to be reviewed by the PMOC:

Document Title	Revision	Dated
Project Management Plan (PMP)	1	May 1, 2023
Management Capacity and Capability Plan (MCCP)	1.A	May 1, 2023
Risk and Contingency Management Plan (RCMP)	0.D	May 22, 2023
Quality Management Plan (QMP)	2	May 1, 2023
Real Estate Acquisition Management Plan (RAMP)	0.C	May 1, 2023
Safety and Security Management Plan (SSMP)	0.C	May 1, 2023
BART Rail Fleet Management Plan (RFMP) FY2020 to FY2034	F	February 2023

Document Title	Revision	Dated
Third Party Agreement Management Plan	1	May 1, 2023
Project Delivery and Procurement Plan	0.G	May 1, 2023
VTA Bus Fleet Management Plan	1	May 2023
VTA LRT Fleet Management Plan	1	April 2023

PMOC recommendations and comments from the EPD readiness review as related to OP20, OP22, OP23, and OP24 were provided to VTA informally to help VTA prepare for the submissions needed for Entry to Engineering readiness. PMOC conducted an initial review of the new submissions in support of the Entry to Engineering risk assessment and readiness review and provided preliminary summary comments regarding inconsistencies and incomplete elements to VTA on June 27, 2023. *VTA submitted 37 documents on November 22, 2023, including the following updates to the PMP sub-Plans to FTA to be reviewed by the PMOC:*

Document Title	Revision	Dated
Quality Management Plan (QMP)	*2*	*November 1, 2023*
Real Estate Acquisition Management Plan (RAMP)	*0.C*	*November 1, 2023*
Project Delivery and Procurement Plan	*0.G*	*November 1, 2023*
2023 Bus Fleet Management Plan	*1.0*	*November 2023*

PMOC will be reviewing the new submissions and will provide input to PMOC's upcoming Oversight Procedure (OP) 51 Readiness to Enter Engineering review. PMOC's OP 51 report will be one of the inputs to FTA's determination regarding BSVII's status in entry into Engineering Phase of the Capital Investment Grants (CIG) Program.

C. Management Capacity and Capability

Refer to Section B above for revision and submittal status of the Management Capacity and Capability Plan (MCCP) and other PMP Subplans to support VTA's New Starts request to enter Engineering.

VTA has several professional services contracts awarded by which consultants have been supporting VTA in the project development phase. VTA consultants are managed under the HNTB/WSP joint venture Project Management Team (PMT) and the MM/W joint venture General Engineering Consultant (GEC). The PMT and the GEC include professional resources providing program management and multiple specialized engineering services.

At the December 14, 2023, monthly meeting, VTA presented an updated "VTA's BART Silicon Valley Phase II Extension Program Organization" of the Key Positions reflecting the following updates:

- *A new VTA Chief Megaprojects Officer replacing the outgoing VTA BSV Chief Program Delivery Officer.*
- *A new VTA Program Director (currently vacant) will oversee the consultant Program Manager.*
- *A new VTA Construction Director (currently vacant) will oversee the Contract Package 2 (CP2) Project Manager.*
- *VTA introduced the new Contract Package 2 (CP2) Project Manager.*

At the December 14, 2023, monthly meeting, VTA indicated they are actively recruiting for the VTA Program Director and the VTA Construction Director positions currently vacant.

D. National Environmental Policy Act (NEPA) Process and Environmental Mitigation

FTA signed the BSVII Record of Decision (ROD) in June 2018. BSVII project staff has converted the Mitigation Monitoring and Reporting Program (MMRP) from the ROD into a new format for tracking that is called the Environmental Commitments Record (ECR). Applicable environmental mitigation requirements were integrated into each of the contract packages via the ECR and the Design Requirements and Best Management Practices matrix. A NEPA re-evaluation was completed, submitted to FTA, and approved by FTA HQ in March 2021 in support of the requirements associated with VTA's EPD selection. On December 1, 2022, FTA agreed to allow the BSVII program to re-enter the New Starts Project Development phase of the Capital Investment Grants (CIG) program.

Coordination between VTA and FTA is ongoing as VTA continues to conduct technical analysis required to re-evaluate NEPA in support of the requirements associated with New Starts and recent changes to the project. At the December 14, 2023, monthly meeting VTA reiterated that they are targeting the end of the year 2023 for FTA's approval of the NEPA re-evaluation.

At the December 14, 2023, monthly meeting, VTA reported the following NEPA / Environmental Mitigations Status:

- *Review of KST Submittals for Compliance with Environmental Requirements*
  - *Design and Construction Noise and Vibration Submittals*
  - *Architectural Historic Resource Instrumentation and Monitoring Plans*
- *Preparation of Quarterly Environmental Compliance Record Update*
- *Preparation of NEPA/CEQA Document and Supporting Technical Report*

The BSVII Project 2023 Q3 MMRP Report was the latest reported to be posted on VTA's website.

E. Project Delivery Method and Procurement

VTA's plan for project delivery has evolved over recent years. VTA developed a Project Delivery and Procurement Plan (Revision 0.F dated April 16, 2021) which referenced the Project

Implementation Plan. Those documents reflected the BSVII project baseline contracting plan which consisted of four distinct Design-Build contract packages for Systems (CP1), Tunnel and Trackwork (CP2), Santa Clara Station/Newhall Yard (CP3), and Underground Stations (CP4).

Package Number	**Construction Contract Package Name**	**2022 Delivery Method**
CP1	Systems	Design Build
CP2	Tunnel and Trackwork	Progressive Design Build
CP3	Newhall Yard, Santa Clara Station and Parking Garage	Design Build
CP4	Underground Stations	Design Build

VTA determined in early 2023 that Design Bid Build will be used to procure the Systems and Facilities construction that is not completed by the Progressive Design Builder for CP2. VTA has yet to determine, and communicate, the contract packaging scheme for all scope other than CP2 and the Diridon Temporary Parking. This remaining scope is sometimes still referred to as CP1, CP3, and CP4 as identified above, but more generically described as Systems and Facilities. In the below table, the decision to procure the Systems and Facilities construction via Design Bid Build is documented.

Construction Contract Package Name	**2023 Delivery Method**
Systems (formerly CP1)	Design Bid Build
Tunnel and Trackwork (CP2)	Progressive Design Build
Facilities (formerly CP3 and CP4)	Design Bid Build

Between fall 2020 and 2022, VTA initiated a three-step procurement process for the BSVII contract packages, including Requests for Industry Feedback (RFIF), Requests for Qualifications (RFQ), and Requests for Proposals (RFP). Historic data documenting dates for select procurement activities are reported in the following table for the four contract packages included in baseline contracting plan.

Milestones		Contract Packages			
		CP1	**CP2**	**CP3**	**CP4**
Request for Qualifications	RFQ Release	2/26/21	12/29/20	9/13/21	6/29/21
	SOQ Response	5/18/21	3/19/21	11/30/21	9/23/21
	Shortlist	6/30/21	5/11/21	2/3/22	RFQ cancelled March 1, 2022.
Request for Proposals	Pre-Final	4/15/22	7/19/21	5/20/22	
	Final	RFP was cancelled December 31, 2022.	9/24/21	RFP was cancelled December 31, 2022.	
	RFP Response		12/10/21		

Requests For Qualifications were issued for all 4 packages. The RFQ of CP4 (Stations) was cancelled on March 1, 2022. The Statements of Qualifications (SOQs) for CP1 (Systems), CP2 (Tunnel and Trackwork), and CP3 (Newhall Yard and Santa Clara Station) were evaluated and resulted in the following:

- CP1 (Systems) – 2 Prime contractors being shortlisted.
- CP2 (Tunnel and Trackwork) – 3 Prime contractors being shortlisted.
- CP3 (Newhall Yard and Santa Clara Station) – 3 Prime contractors being shortlisted.

The Final Tunnel and Trackwork (CP2) RFP was released on September 24, 2021, with the final addendum to this RFP released November 24, 2021. BART Silicon Valley Phase II Tunnel Partners (B2TP) and Kiewit Shea Traylor (KST) Joint Venture submitted proposals on December 10, 2021. VTA completed negotiations with the highest ranked team and issued a Notice of Recommended Award to KST. The Contract award was approved by the VTA Board of Directors on May 5, 2022. Limited Notice to Proceed (NTP) was issued June 9, 2022, NTP1 was issued for Programming Services on September 7, 2022, and subsequently increased the lump sum not to exceed with Letter #12, dated November 10, 2022, authorizing KST to proceed with Early Works Packages design and estimating. VTA issued KST NTP1A for Stage 1 Design Professional Services on February 21, 2023. *Amendment #1, valued at $144M was executed in October 2023 for the Tunnel Boring Machine Purchase Order.*

In November 2022, VTA held the Contract Packaging and Delivery Peer Review to receive feedback on the delivery approaches to be used for all contract packages other than CP2 (Tunnel

and Trackwork). The RFPs for CP1 (Systems) and CP3 (Newhall Yard and Santa Clara Station) were cancelled on December 31, 2022, pending reevaluation of contract packaging and delivery methods.

On March 2, 2023, VTA transmitted to FTA and the PMOC the "Contract Packaging and Project Delivery Draft Report" dated February 28, 2023. Taking the Contract Packaging and Project Delivery Peer Review panel feedback into account, VTA concluded that Design-Build (DB) was not the preferred approach for the remaining contracts other than CP2. Since then, VTA has selected Design-Bid-Build delivery for all work previously identified as CP1, CP3 and CP4, and now described as Systems and Facilities.

At the October 12, 2023, monthly meeting VTA reported the Construction Management Services RFP was released on September 25, 2023, with a schedule for the final addendum to be issued October 24, 2023, and proposals due on November 15, 2023, then anticipated oral interviews on December 11, 2023, and award in January 2024. The scope of the CM Services contract is the entire construction program, not just CP2 as previously reported. *VTA did not provide an update of the CM Services procurement at the December 14, 2023, monthly meeting.*

F. Design

VTA has been progressing designs and reassessing the division of scopes of work for all major packages other than CP2.

CP2 Tunnel and Trackwork – *At the December 14, 2023, monthly meeting, VTA noted the following progress:*

Advance Partial Design Units (APDU) – Final Design:

- *APDU 1 – TBM General Arrangement Drawings – In VTA Review*
- *APDU 2 Pre-Cast tunnel liner 85% design submittal (with reinforcement) – KST incorporating VTA comments.*
- *APDU 3C - West Portal TBM launch structure SOE (Support of Excavation) and 3E ground improvement design - KST incorporating VTA comments.*
- *APDU 3D – West Portal Caterpillar SOE Final Design – KST incorporating VTA comments.*
- *APDU 5A - DTSJ Chase building demolition, civil & maintenance of traffic (MOT) packages – KST incorporating VTA comments.*
- *APDU 12A – Diridon Station Enabling Works and Utilities 100% - in VTA review.*
- *APDU 14 – 28th Street Station Enabling Works 100% - in VTA review.*
- *APDU 20 – Track and Tunnel Alignment 100% design – KST incorporating VTA comments.*

Advance Partial Design Units (APDU) - Issued for Construction

- *APDU 3A – West Portal initial sitework*

5 of 8 total 60% design units received to-date:

- *D10 – Bored Tunnel Design – Basis of Design complete. 60% Design Approved as Noted, comment resolution in process.*

- *D15 – Tunnel Internal Structures - Basis of Design complete. 60% Design Approved as Noted, comment resolution in process.*
- *D25 – Diridon Station Design – Basis of Design complete. 60% Design Approved as Noted, comment resolution in process.*
- *D45 – West Portal Design – Basis of Design complete. 60% Design Approved as Noted, comment resolution complete.*
- *D20 – Trackwork - 60% Design – In VTA review.*

3 pending 60% design units:

- *D30 – Downtown San Jose Station – Basis of Design complete. Anticipated receipt on January 25, 2024.*
- *D35 – 28th Street / Little Portugal Station – Basis of Design complete. Received December 14, 2023.*
- *D40 – East Portal – Basis of Design complete. Anticipated receipt end of December 2023.*

Program-wide, Facilities and Systems Engineering – *At the December 14, 2023, monthly meeting, VTA noted the following progress:*

- *Design Status:*
  - *Systems (CP1) - 35%*
  - *NYMF and Santa Clara Station (CP3) - 28%*
  - *Underground Stations (CP4) - 31%*
- *Establishing the DCM changes to be included in Group 4, Prioritizing DCM changes that impact KST's designs. BART engaged in review of items requiring DCM modification.*
- *GEC conducting engineering analysis for few outstanding Value Engineering (VE) options. Direction provided to the GEC to incorporate approved VE items.*
- *Refining interface design requirements definition (between KST and GEC) due to VE, design development and code requirements.*

At the December 14, 2023, monthly meeting, in response to Action Item 151, the BART representative clarified that the train control system for the Mainline and Yard Transfer Tracks will be Communication Based Train Control (CBTC). The Yard and Shop tracks will be on manual under the control of the Transportation Yard control.

Due to the cancellation of procurements for CP1, CP3, and CP4 and potential re-packaging of scope, the completion status for the RFP volumes is on hold and was not included in VTA's reporting for this period. Percent complete and RFP volume status reporting will resume as appropriate after the procurement strategy and timeline is finalized.

G. Value Engineering and Constructability Reviews

VTA conducted a Value Engineering (VE) workshop in early 2020 based upon the 10% design (submitted December 2019) which consisted of the 55-foot diameter single bore running tunnel with center platforms. The VE workshop was facilitated by a third-party consultant and the resulting report remains in draft status. The workshop was "a shortened version of a formal Value Engineering Study" required by FTA for Capital Investment Grants (CIG) projects.

However, several of the recommended VE elements were applicable and incorporated into the EPD configuration. Stage 1 initial innovations vetting, as well as iterative design and cost estimating exercises, will accomplish further value engineering under the CP2 PDB procurement.

The Draft Constructability Review Report was written in August 2020 addressing biddability and buildability of the EPD configuration. No update has been received on this report or any of the proposals originated within it.

VTA conducted a peer review September 22, 23, and 25, 2020. VTA established action items to implement based on the peer recommendations and is tracking the implementation of those action items in their risk register.

At the July 13, 2023, meeting VTA reported that a three-day facilitated Value Engineering (VE) workshop was held the week of June 19, 2023, and the report is in development. At the August 10, 2023, meeting VTA reported that Constructability reviews were held on July 20 and 21, 2023. *At the December 14, 2023, meeting, VTA stated that the Constructability Report is being finalized and is anticipated to be submitted to FTA/PMOC in December 2023.*

H. Real Estate Acquisition and Relocation

Refer to Section B above for revision and submittal status of the Real Estate Acquisition Management Plan (RAMP) and other PMP Subplans to support VTA's New Starts request to enter Engineering.

VTA's implementation of the acquisition program is in progress. *VTA previously provided a ROW Acquisition Summary, Appendix B, to their Monthly Progress Report, which has been omitted since the May 2023 report. VTA had previously identified 82 total parcels* with acquisitions needed, including full and partial acquisitions, subsurface tunnel easements, temporary construction easements (construction staging areas), and permanent easements. *During the December 14, 2023, monthly meeting VTA presented a high-level summary, as of October 2023, of the Real Estate Acquisition / Relocation Status per the following Real Estate Summary Table:*

Description	Approved Legals and Plats	Appraisal process Completed	Offers Made	Purchase Agreements Signed	Board Adoption of RON	Eminent Domain Actions Filed	RELOCATION		Possession Obtained
							Required	*Completed*	
Total Parcels = *75* [1]	59	58	58	21	*32*	*24*	38/12 parcels	10	24

[1] *Total Parcels 75 (6 additional building protective easements may be required pending design)*

During the December 14, 2023, monthly meeting VTA reported the following:

- *The parcels that were previously identified for mid-tunnel ventilation facilities have been eliminated from the count of total parcels, dropping that number from 82 to 75.*

- *Progress (75 active parcels):*
    - *Legal/Plats Approved: 79%*
    - *Appraisals Completed: 77%*
    - *Offers made: 77%*
    - *Possession: 32%*
    - *Purchase Agreements Signed: 28%*
- *Outstanding parcels (16 parcels):*
    - *7 Parcels near Santa Clara station (different LLCs, but same principal)*
    - *2 East portal properties (private property)*
    - *2 Tunnel Easements (private property)*
    - *5 Public agency owned parcels (Diridon, tunnel easements, JPB, County)*

I. Public Involvement/Outreach/Communications

At the December 14, 2023, monthly meeting, VTA provided the following Public Involvement/Outreach/Communications updates:

- *Public and Stakeholder Meetings and Presentations - 34 (First half Q4 2023)*
    - *Design Review Committee Meetings*
        - *Santa Clara: Nov. 17, Dec. 8, Jan. 5, and Jan. 19.*
        - *28th Street, Downtown San José, and Diridon: 4 meetings each beginning late January.*
        - *December 14 meeting postponed – Station Configuration update for Ad Hoc Steering Committee for VTA's BSVII.*
        - *January 4 – Business Resource Program Board Presentation*
- *Tabling Events - 750 Engagements (First half Q4 2023)*
    - *Creative Cultural Event of East San José – December 3*
    - *Fiesta Navideña - December 8*
    - *Station Area Pop-Ups - Whole Foods (November 14), Santa Clara Caltrain (November 20)*
- *Electronic and social media (First half Q4 2023)*
    - *19 Social Media Posts, 6300 engagements*
    - *4 Construction Notices*
    - *7 Blogs*

J. Third-Party Agreements and Utilities

Refer to Section B above for revision and submittal status of the Third-Party Agreement Management Plan and other PMP Subplans to support VTA's New Starts request to enter Engineering.

The Third-Party agreement tracking matrix is updated and submitted to the FTA/PMOC monthly. The third-party agreement tracking matrix provides detailed information including a listing of all the critical and non-critical agreements and permits, and their anticipated or actual execution dates. Per OP39, "critical third-party agreements are required before Construction, or

Operations can begin, the absence of which may significantly change the cost, scope, and schedule."

At the December 14, 2023, monthly meeting, VTA provided the following Third-Party Agreements updates:

- *Critical Agreements required prior to FFGA: 26.*
  - *25 Executed, and 1 Open.*
  - *The open critical agreement (UPRR Final Engineering Agreement for CP2 work) is anticipated to be executed prior to the end of December 2023.*
- *Critical Agreements post FFGA: 6 (mainly Operations and Maintenance Agreements, not started).*

As noted in previous reports, VTA is pursuing a re-use strategy for the tunnel spoils that will require environmental clearance (by a lead agency other than FTA) and permits prior to implementation of that sustainability solution. The latest Third-Party Agreement tracking log has a separate tab that identifies associated permits needed for the re-use of the tunnel spoils at the South San Francisco Salt Pond. This is regardless of the funding source for the environmental clearance and with the understanding that if not obtained (either by BSVII or others), the contractor will use alternative disposal.

Summary of Planned Utility Relocations

Utility Type	Planned Relocations[1]
Communications	30
Electrical	9
Gas	6
Sanitary Sewer	6
Storm Drain	7
Water	7
Total Relocations	**65**

[1] *Utilities to be protected in place are not included in this summary.*

During the December 14, 2023, monthly meeting VTA reported the following:

- *West Portal:*
  - *PG&E 115kV interconnection service: Estimated power available Q2 2025. Relocation of overhead power poles associated with 115kV started in November 2023 by PG&E.*
  - *Cogent (formerly Sprint) preliminary relocation layout design for Cogent facility has UPRR concurrence. Cogent review is ongoing. Anticipated to be completed by February 2024.*
- *Diridon West Vent Shaft (WVS):*
  - *Caltrain is reviewing the WVS SOE (Support of Excavation) design, a follow up meeting is scheduled in February 2024.*

- *Zayo construction Notice to Owner (NTO) has been issued.*
- *AT&T relocations layouts are under design by Utility owner.*
- *PG&E electrical relocation is under design by PG&E.*

- *East Portal:*
  - *KST continues to advance the design of the utility relocation layouts at the east portal with utility owners.*
  - *San Jose Water Company relocation alignment is completed.*

K. Construction

During the December 14, 2023, monthly meeting VTA reported the following construction activities and status of progress:

Construction Early Work Packages update - Early Works Package Negotiations:

- *EWP 1A - TBM procurement executed - Technical review initiated in Germany.*
- *EWP 2A - Segment molds: under final negotiation*
- *EWP 3A - West Portal initial sitework: negotiations completed December 13, 2023.*
- *EWP 7A - Instrumentation & Monitoring: negotiations complete, incorporation into contract via future amendment number 4.*
- *EWP 11A – TBM and Plant Power (Design and Long Lead Items) – negotiations expected to be complete by end of December 2023.*

Construction – West Portal:

- *EWP 3A – West Portal starts soon – KST/VTA cost negotiations recently closed.*
- *EWP 7A - Instrumentation & Monitoring:*
  - *Continuing Right of Entry discussions with UPRR and SSWP process with Caltrain for the installation of existing track instrumentation and monitoring devices.*
  - *Developing SSWP with Caltrain to pothole existing utilities in Caltrain Right of Way.*
- *Completed additional exploratory geotechnical borings and investigations for the TBM Launch structure.*
- *PG&E to remove two non-energized service drops in the West Portal yard by the end of December 2023.*

<u>Facilities–Downtown San Jose, Diridon Station, 28thStreet/ Little Portugal:</u>

- *Developing early work and major construction facilities CTMP (Construction Traffic Management Plan) No. 4.*
- *Completed Supplemental geotechnical boring investigations.*
- *Property protection assessment development ongoing.*

<u>Project-wide:</u>

- *KST developing Pre and Post Construction Property Survey plans.*
- *Developing obstructions report/plan for existing structure foundation investigations.*

<u>Diridon Station Temporary Parking. Contract V22160:</u>

- *Concrete column edge protection prime painting completed. Yellow safety painting of interior columns and bases in progress.*
- *Rooms build-out stud framing complete. Drywall in progress pending structural framing inspection by City.*
- *Trash area canopy roof and framing complete.*
- *Interior bay lights installed.*
- *Conduits for cameras and fire alarm horns and strobes in progress.*
- *Exterior elevation painting in progress.*

L. Vehicle Technology and Procurement

Expansion of BART's existing fleet to serve the BSVII service to Santa Clara is included in BART's Rail Fleet Management Plan (RFMP). Forty-eight vehicles have been identified in the BSVII budget. However, all vehicles will be procured under BART's vehicle procurement contracts not through a separate VTA procurement. *BART's current RFMP includes sixty vehicles that VTA will be capitally responsible for, but only the forty-eight required for BSVII will have a federal interest through the BSVII grant. No update was provided at the December 14, 2023, monthly meeting.*

M. Project Cost

VTA did not provide a Cost Report and Trends Register covering October 2023 as part of their monthly reporting. VTA has provided FTA and the PMOC their new baseline cost estimate reflecting status through July 2023. This new baseline cost estimate will be reviewed in accordance with FTA's OP 33 Project Cost Review. The PMOC has received those documents for supporting VTA's Entry to Engineering and are currently conducting a completeness review. Until VTA resumes standard reporting and review of the new baseline is complete, PMOC will have limited updates to this section of our monthly report.

The following is a summary of VTA's SCC Cost Estimate Workbook submission associated with their New Starts rating request in August 2022. This working budget, also referred to as VTA's New Starts Basis, is in place until the new baseline effort is complete.

SCC	Base Year Dollars w/o Contingency ($)	Base Year Dollars Allocated Contingency ($)	Base Year Dollars TOTAL ($)	YOE Dollars TOTAL ($)
10 GUIDEWAY & TRACK ELEMENTS	1,402,611,590	211,095,837	1,613,707,427	1,781,417,743
20 STATIONS, STOPS, TERMINALS, INTERMODAL	1,401,548,777	227,335,502	1,628,884,280	1,876,483,510
30 SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS	208,610,864	61,691,476	270,302,339	315,238,795
40 SITEWORK & SPECIAL CONDITIONS	249,180,987	39,672,536	288,853,523	315,018,472
50 SYSTEMS	489,311,625	75,839,731	565,151,356	685,070,957

SCC	Base Year Dollars w/o Contingency ($)	Base Year Dollars Allocated Contingency ($)	Base Year Dollars TOTAL ($)	YOE Dollars TOTAL ($)
60 ROW, LAND, EXIST. IMPROV.	168,313,887	145,550,424	313,864,311	321,581,867
70 VEHICLES (48)	173,880,000	8,694,000	182,574,000	208,440,828
80 PROFESSIONAL SERVICES	1,950,744,657	83,817,088	2,034,561,745	2,257,833,697
90 UNALLOCATED CONTINGENCY			875,000,000	991,570,760
100 FINANCE CHARGES			431,059,911	564,953,067
TOTAL (SCC 10-100):			**8,203,958,892**	**9,317,609,696**

VTA has reported expenditures through October 31, 2023, including accruals, which total $758M. Project costs have remained within SCC 40, SCC 60, and SCC 80 thus far. Project commitments have been updated to include SCC 10, Guideway & Track Elements for the procurement of the TBM, as well as SCC 40, SCC 60, and SCC 80 and total $1,122M through October 31, 2023.

The updated project capital cost estimate, including SCC Workbook, Baseline Schedule, Basis of Schedule, and Basis of Estimate is currently under review with VTA's new baseline of the project cost and schedule as of October 2023. At the December 14, 2023, meeting, VTA indicated that most elements are available and the PMOC is awaiting back-up information and conducting the completeness review.

During the December 14, 2023, monthly meeting VTA provided the following updates regarding the ongoing cost new baseline effort:

- *New baseline cost estimate documents were submitted to FTA/PMOC on October 11, 2023.*
- *New baseline cost estimate presented to the VTA Board in October.*
- *Ongoing discussions with FTA/PMOC regarding new baseline cost estimate.*
- *Various additional detail data was provided to PMOC in November.*

N. Project Schedule

VTA did not provide a schedule report or schedule files covering October 2023 as part of their monthly reporting. VTA has provided FTA and the PMOC with a second revision of the new baseline schedule which has a data date of August 1, 2023. This new baseline schedule will be reviewed in accordance with FTA's OP 34 Project Schedule Review as part of the risk assessment process. Until VTA resumes standard reporting and review of the new baseline is complete, PMOC will have limited updates to this section.

The Integrated Master Project Schedule (IMPS) is comprised of a summary schedule plus the following twelve individual schedules:

1. Program Management and Administration
2. Right-of-Way Acquisition
3. Design

4. Advertise, Bid, and Award
5. Utilities
6. Third Party
7. Vehicles & Parking
8. Testing and Commissioning
9. Systems
10. Contract Package 2
11. Yard/SC Station
12. Underground

VTA previously reported several provisional extensions to the RSD since the EPD baseline was submitted in April 2021. *Prior to the new baseline, the most recent schedule update was for the April 2023 reporting period (data date May 1, 2023), the Revenue Service Date was last adjusted from July 29, 2033, to February 22, 2034, and the Substantial Completion to May 12, 2033.*

During the December 14, 2023, monthly meeting VTA reported the following updates regarding the schedule new baseline effort in progress:

- *New baseline schedule presented to the VTA Board in October.*
- *A revised new baseline schedule was submitted to FTA/PMOC on November 8, 2023.*
- *Ongoing discussions with FTA/PMOC regarding new baseline schedule.*
- *Progress update through October period to be issued in early December.*
- *Monthly schedule updates after baseline data date to be provided to FTA/PMOC.*

O. Project Risk

Overall Status

PMOC reviewed various versions of the Risk and Contingency Management Plan (RCMP) leading up to VTA's EPD selection. On May 26, 2023, VTA submitted an updated RCMP (Rev. 0.D dated May 22, 2023) with the above-noted PMP Subplans to support VTA's New Starts request to enter Engineering. On October 11, 2023, VTA submitted another revision of the RCMP associated with the new baseline cost and schedule.

VTA reported having continued their on-going risk review meetings with project and discipline teams, updating risk response plans and risk register. *VTA has (or will have) included the FTA and PMOC in the BSVII Risk review sessions for May, June, July, August, September, and October 2023.*

VTA also indicated, as per CP2 contract requirements, the KST team is anticipated to include a risk register following the review of the Configuration Design submittal. The BSVII team will review KST's identified risks with BSVII disciplines and revise the Program Risk Register as appropriate and establish a dedicated joint VTA/KST CP2 Project Risk Register that will be reviewed with the KST team on a regular basis.

The project risk profile may well have changed either favorably or unfavorably since the EPD submission and is likely further impacted as the project has moved back into the New Starts program.

The PMOC is currently unable to make any factually based risk assessment given the new baseline efforts underway by VTA to re-establish the Project Cost and Schedule that reflects their planned delivery and updated packaging strategy, along with awarded CP2 contractor (KST) approved innovations. For the period ending *October 31*, 2023, VTA reported the following risk updates.

New Risk: *None for the period*

Retired Risk: *None for the period*

Increased Risk: *None for the period*

Reduced Risk:

BSV-136 Unanticipated BART objections to agreed EVS. *Continued resolution of EVS approach with BART to address their OM&S concerns including mid-tunnel facilities and other innovation related changes to requirements.*

Per VTA, the Safety and Security Review Committee (SSRC) met on 10/25/23 and, based upon the recommendation of the FLSSC, accepted the Emergency Ventilation System (EVS) concept of design and deletion of the mid-tunnel facilities (the SSRC includes BART safety and executive members). With this, the probability and impacts of the risk are reduced. As the design matures, any further issues from BART mechanical can be solved through design adjustments.

The PMOC acknowledges this reduced risk scoring.

Note: *There were three other risk reductions, but their scoring changes were minimal and did not move the risk from their current "Medium" coded category (e.g., BSV-135, BSV-180, and BSV-199). Provided in the table below are the Top 10 risks as reported by VTA for the period (please also refer to Attachment E for additional risk detail).*

VTA October, 2023 Risk Register Top 10		
Risk ID	**Risk Title**	**VTA Risk Score**
BSV-203	Timely readiness and cost of the West Portal TBM launch facility.	20
BSV-005	Unanticipated or inadvertent damage to historic buildings, critical utility & other structures due to vibration and/or settlement.	12
BSV-029	VTA financial capacity / funding plan to finance potential project cost increases.	12
BSV-036	Shortage of construction labor to support aggressive schedule resulting in competition for resources.	12
BSV-096	Testing and Commissioning delays due to various factors.	12
BSV-132	Management capacity with staff continuity and availability of employees with technical experience to replace departing staff.	12
BSV-170	KST proposed Stage 2 Lump Sum price increase VTA CP2 budget.	12
BSV-201	East Portal - Complicated ROW acquisitions with Kolander and A&B properties.	12
BSV-204	Delays in Temporary Power S&H construction and long-lead transformer procurement.	12
BSV-208	KST Overall Design approach leading to higher project cost and potential for delays due to redesign to fit within budget.	12

During the PMOC monthly meeting held December 14, 2023, VTA presented the following progress updates:

- *Ongoing internal Risk Review meetings with Program, Project, Discipline Leads and key stakeholders.*
- *Continue refresh of Program Risk Register consistent with cost and schedule new baseline submitted to the FTA/PMOC.*
- *Continue review of key BSVII Program Risks with BART and FTA/PMOC members.*
- *No new risk added, or existing risk retired during this period.*

NOTE: Previous PMOC reporting provided combined risk analysis and assessment documentation, but until VTA completes their revised bottom-up estimates for each contract package and schedule new baseline as well as a risk refresh effort being completed, these analyses have been postponed.

P. Quality Assurance/Quality Control

PMOC reviewed various versions of the Quality Management Plan (QMP) leading up to VTA's EPD selection. On May 26, 2023, VTA submitted an updated QMP (Rev. 2 dated May 1, 2023) with the above-noted PMP Subplans to support VTA's New Starts request to enter Engineering. *PMOC reviewed the revised QMP and provided preliminary summary comments to VTA on June 27, 2023.*

During the December 14, 2023, monthly meeting VTA reported the following quality activities:

- *Completed Quality Specifications 01 43 00 and 01 45 00*
- *Continue review of the KST QMP (QMP, QAP, DQMP and CQMP)*

- *Updated the BSVII QMP and addressed PMOC comments*

Q. Safety and Security

VTA and BART previously indicated an intent to conduct joint Fire Life Safety and Security Committee (FLSSC) and Safety and Security Review Committee (SSRC) meetings for the early phase of the BSVII program.

The monthly SSRC meetings commenced in January 2021, with the latest meeting held October 25, 2023. On August 30, 2023, VTA issued the SSRC charter. The SSRC is chaired by VTA Program Administrator and includes VTA (Security Specialist, Chief of System Safety & Security, System Safety & Security Lead, and project managers), BART (engineering, operations, system safety, and police), BSVII Program Management Team, Federal Transit Administration, and the Project Management Oversight Contractor.

The first FLSSC meeting was conducted on October 7, 2021. FLS (Fire Life Safety) continues to monitor project progress, but there are no significant updates to report. The second FLSSC meeting was scheduled for May 11, 2023, then cancelled; the next meeting was held on October 18, 2023, when removal of the mid-tunnel ventilation facilities and the current design for the EVS were discussed.

On August 30, 2023, VTA issued the FLSSC charter. The FLSSC charter is co-chaired by VTA Chief Program Delivery Officer and BART Assistant General Manager of Operations. It includes committee members from the Cities of San Jose and Santa Clara fire and police departments, Santa Clara Sheriff, California Public Utilities Commission (CPUC), BART (engineering, system safety, and police), and VTA (System Safety & Security, and project managers). The CPUC is the State Safety Oversight Agency (SSOA) as certified by FTA.

During the December 14, 2023, monthly meeting VTA reported the following System Safety and Security Risk Management / Certification activities:

- *The draft TVA has been distributed to SSI-cleared individuals for review.*
- *The draft PHA is undergoing internal quality review. This PHA has been combined with a FLSSC PHA that was provided as part of previous FLSS activities.*
- *The SSMP and SSCP (Safety and Security Certification Plan) were updated to address additional PMOC comments and comments from CPUC. The drafts will be submitted with other documents for PMOC and CPUC review.*
- *Due to VTA leadership changes, the SSRC and FLSSC were not held in November. The SSRC scheduled for December will be cancelled due to the unavailability of enough regular attendees.*

- *KST hosted an Operational Hazard Assessment for tunnel structures November 14, 2023, to gather information about BART processes and procedures and assess if there are issues that need to be addressed further.*

PMOC notes a potential concern associated with Management Capacity and Capability that the November committee meetings were reportedly cancelled due to leadership changes. Project progress and committee activities should be maintained as changes in leadership are implemented. The change in VTA staffing and leadership should include an overlap to facilitate a smooth transition of committee leadership.

R. Americans with Disabilities Act (ADA)

VTA produced an Accessibility Report to meet the EPD application requirements specified in the NOFO (Notice of Funding Opportunity). *No update was provided at the December 14, 2023, monthly meeting.*

S. Buy America

VTA has committed to meeting the Buy America requirements in their PMP documentation. Additional details regarding how they intend to meet the 70-percent content threshold and their management of contractor requirements have yet to be made available to the PMOC for review.

VTA is including a notification in the RFQ to all prospective bidders that Buy America requirements will be part of each contract. VTA sets the expectation that each supplier and subcontractor will be required to research and present findings for verification. Additional work is needed to coordinate the requirements and compliance at a program level. VTA indicated that their contract technical teams will provide input regarding that program coordination.

No update was provided at the December 14, 2023, monthly meeting. PMOC recommends that VTA revisit their plan for Buy America implementation and management with respect to Buy America Build America changes as well as the program's adjusted delivery plan.

T. Start-Up, Commissioning, Testing

VTA and their contractors will be responsible for Phase 1 and 2 system integration testing. Upon successful completion of Phase 2 system integration testing, the system will be turned over to BART to complete Phase 3 system integration and pre-revenue testing. As noted above, VTA has established a Rail Systems Organization (RSO) teaming with BART to manage systems and operations input to project development and address related issues. The RSO is developing the System Integration Testing Program Plan. The testing plan will define BART Phase 3 System Integration Testing (SIT) to be Operations Control Center (OCC) validation of tests previously performed. The intent of Phase 3 is not to introduce new tests to be performed. However, if there are system validation failures during SIT Phase 3 BART will have the right to perform new tests until all testing discrepancies are cleared.

No update was provided at the December 14, 2023. monthly meeting.

U. Action Items Table

Item No.	Item	Responsible Party	Date Identified	Date Due	Date Complete	Status / Action Required
133	Confirm Baseline regarding Tunnel Excavated Materials	VTA	5/11/2023	6/8/2023		**Open** Provide associated CP2 contract reference(s) documenting the baseline. Closure pending meeting in action item #144 below.
139	Provide a copy of the Salt Ponds Clearance Project schedule to PMOC.	VTA	9/14/2023		10/11/2023	***Closed –*** *Select dates were inserted to the BSVII integrated master schedule in lieu of providing the Salt Ponds Project Schedule.*
144	Set breakout meeting for Salt Ponds discussion and resolution of Action Item #133	VTA	10/12/2023	10/31/2023		**Open –** *meeting scheduled 1/11/2024*
146	Provide new baseline cost estimate backup in spreadsheet format (including the independent cost estimate)	VTA	10/12/2023	10/20/2023	*12/14/2023*	***Closed***
147	Identify where contract packaging plan is spelled out or provide a narrative	VTA	10/12/2023	*11/30/2023*	*12/15/2023*	***Closed–*** *Contract Implementation Plan (CIP) provided with latest PMP documents.*
148	*Conduct a transition and introduction meeting with FTA (Region 9) and PMOC regarding Program Chief staffing.*	*VTA*	*11/9/2023*	*11/30/2023*	*11/16/2023*	***Closed***

Item No.	Item	Responsible Party	Date Identified	Date Due	Date Complete	Status / Action Required
149	*Provide list of DCM amendments included in Group 3 and Group 4, including status of development and/or approval.*	*VTA*	*11/9/2023*	*11/30/2023*		***Open***
150	*Generate documentation supporting the change in scope for elimination of the Mid-Tunnel Facilities.*	*VTA*	*11/9/2023*	*12/31/2023*		***Open***
151	*Provide scope change backup for going straight to CBTC on the mainline but not the yard*	*VTA*	*11/9/2023*	*12/31/2023*	*12/14/2023*	***Closed –*** *Mainline and Transfer Track will be CBTC. Yard and Shop tracks will be on manual under the control of Yard control.*
152	*Provide timeline for CBTC Implementation between Warm Springs & Berryessa*	*VTA*	*12/14/2023*	*01/11/2024*		***New***
153	*Provide detailed design completion prior to Risk Assessment workshop*	*VTA*	*12/14/2023*	*01/11/2024*		***New***
154	*Provide Construction Management Services Procurement update*	*VTA*	*12/14/2023*	*1/11/2024*		***New***

3. Project Monitoring Report Attachments

Attachment A. List of Acronyms

Attachment B. Monthly Meeting Agenda

Attachment C. Monthly Meeting Attendees

Attachment D. List of Documents Received

Attachment E. VTA Top 10 Project Risks

Attachment F. PMOC Memorialized Risk Analyses

Attachment G. Project Milestones/Key Events

Attachment H. Project Map

Attachment I. Memorialized Summary Risk Schedule

A. List of Acronyms

ADA	Americans with Disabilities Act
BART	Bay Area Rapid Transit
BIM	Building Information Modeling
BSVII	BART Silicon Valley Phase II
CAGR	Compound Annual Growth Rate
Caltrans	California Department of Transportation
CBC	California Building Codes
CBTC	Communications Based Train Control
CCB	Change Control Board
CIG	Capital Investment Grants
CMGC	Construction Manager / General Contractor
CoC	Certificate of Conformance
CPUC	California Public Utilities Commission
CQMP	Construction Quality Management Plan
CSC	City of Santa Clara
CSJ	City of San Jose
CQMP	Construction Quality Management Plan
CTMP	Construction Transportation Management Plan
DMP	Design Quality Management Plan
EVS	Emergency Ventilation Structure
EPD	Expedited Project Delivery
FLSS	Fire, Life, Safety and Security
FTA	Federal Transit Administration
GMP	Guaranteed Maximum Price
IDR	Interdisciplinary Review
IMPS	Integrated Master Project Schedule
IWP	Integrated Work Program
LOE	Level of Effort
LS	Lump Sum
MCCP	Management Capacity and Capability Plan
MSS	Market Saturation Study
NDA	Non-disclosure Agreement
NEPA	National Environmental Policy Act
NFPA	National Fire Protection Association
NOFO	Notice of Funding Opportunity
NYMF	Newhall Yard and Maintenance Facility
NTO	Notice to Owner
OP	Oversight Procedure
PCJPB	Peninsula Corridor Joint Powers Board
PDB	Progressive Design Build
PHA	Preliminary Hazard Analysis
PM	Project Manager
PMOC	Project Management Oversight Contractor
PMP	Project Management Plan
QA/QC	Quality Assurance/Quality Control

QAP	Quality Assurance Plan
QMP	Quality Management Plan
RAMP	Real Estate Acquisition Plan
RCMP	Risk and Contingency Management Plan
RFIF	Request for Industry Feedback
RFMP	Rail Fleet Management Plan
RFP	Request for Proposal
RFQ	Request for Qualifications
ROW	Right of Way
RSO	Rail Systems Organization
RVTM	Requirements Verification Traceability Matrix
SCC	Standard Cost Categories
SOQ	Statement of Qualifications
SSI	Sensitive Security Information
SSMP	Safety and Security Management Plan
SSOA	State Safety Oversight Agency
SSRC	Safety and Security Review Committee
STOPS	Simplified Trips-On-Project Software
SVBX	Silicon Valley Berryessa Extension
SVTC	Silicon Valley Transit Consultants
TBM	Tunnel Boring Machine
TOD	Transit Oriented Development
TVA	Threat and Vulnerability Analysis
TWG	Technical Working Group
U.S.C.	United States Code
VE	Value Engineering
VTA	Santa Clara Valley Transportation Authority

B. Monthly Meeting Agenda

Monthly Coordination Meeting/Teleconference
VTA BART Silicon Valley Extension Phase II
Thursday, December 14, 2023 – 1:00pm (Pacific)
Conference Connection: MS Teams

1. Introductions/Roll Call
2. Key Agency-level updates (organization, financial, legal, safety, COVID-19, etc.)
3. Action Items from latest Monthly Call
4. Issues and Concerns from latest Monthly Meeting
5. Project Status
    a. Project Management Organization Updates
        i. PMP and sub-plans
        ii. Management Capacity and Capability
    b. Project Summary Description
    c. Key Project Issues
        i. Update on the EVS and the Mid-Tunnel Ventilation Facilities
        ii. Update on Temporary Power S&H construction and long-lead transformer procurement.
        iii. TBM Procurement Update
        iv. Release date of the Cost and Schedule new baselines
    d. NEPA / Environmental Mitigations
    e. Project Delivery Method and Procurement Status
        i. Project-Wide
        ii. Systems DBB (Design Bid Build)
        iii. CP2 PDB
        iv. Facilities DBB/CMGC
        v. Stations DBB/CMGC
    f. Design Status
        i. Project-Wide
        ii. Systems
        iii. CP2 – Tunnel & Trackwork
        iv. Facilities
        v. Stations
    g. Real Estate Acquisition/Relocation Status
    h. Public Involvement/Outreach
    i. Third-Party Agreements
    j. Utilities
    k. Construction
    l. Project Controls
        i. Schedule Updates
        ii. Cost and Expenditures Updates
        iii. Change Order Status
        iv. Contingency Status
    m. Project Risk Management
    n. Quality Assurance / Quality Control

    o. System Safety and Security
6. New Action Items
7. Upcoming Monthly Coordination Meetings:
    a. February 08, 2024, 1:00pm (Pacific)
    b. March 14, 2024, 1:00pm (Pacific)

C. Monthly Meeting Attendees

Organization	Name	E-mail	12/14/2023
FTA Region IX	Susan Ko	susan.ko@dot.gov	x
VTA	Afshin Abtahi	aabtahi@vtabsv.com	x
VTA	Bernice Alaniz	bernice.alaniz@vta.org	x
VTA	Khair Amini	KhairMohammad.Amini@vta.org	x
VTA	Kannu Balan	kbalan@vtabsv.com	x
VTA	Hassan Basma	hassan.basma@vta.org	x
VTA	Erik Blum	eblum@vtabsv.com	x
VTA	Allison Daniels	allison.daniels@vta.org	x
VTA	Krishna Davey	krishna.davey@vta.org	x
VTA	John Funghi	jfunghi@vtabsv.com	x
VTA	Rosemarrie Gonzalez	rosemarrie.gonzalez@vta.org	x
VTA	Kevin Kurimoto	kevin.kurimoto@vta.org	x
VTA	Samantha Mccleary	Samantha.mccleary@vta.org	x
VTA	Ronak Naik	ronak.naik@vta.org	x
VTA	Robert Ostermiller	rostermiller@vtabsv.com	x
VTA	Jonathan Sorrell	jsorrell@vtabsv.com	x
BART	Shane Edwards	medward@bart.gov	x
BART	Ni Lee	nlee@bart.gov	x
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PMOC	Mignon Allen	amallen@dovetailconsulting.net	x
PMOC	Laurel Espenlaub	Laurel.espenlaub@atkinsrealis.com	x
PMOC	Beth Sprague	Beth.sprague@atkinsrealis.com	x

D. List of Documents Received

Document	Received
Amendment to the KST Contract for TBM Procurement	*11/2/2023*
New Baseline Schedule, Cost, and Risk Documents	*11/15/2023*
SCC New Starts Finance Cost	*11/17/2023*
PMPs and Sub Plans Rev B	*11/22/2023*
Response to comments	*11/22/2023*
Craft Labor Estimate Manual Calculation	*11/30/2023*

E. VTA Top 10 Project Risks

Risk ID	Risk Title	Risk Description	Risk Score	Action Items Description
BSV-203	Timely readiness and cost of the West Portal TBM launch facility	Cause: Constructability challenges of the West Portal caterpillar shaft; permit/ design review coordination with UPRR, disagreement between KST / VTA on EWP estimates, approval of EWP. Risk: Longer time to design and construct West Portal facility Impact: Delays to launch of TBM operations	20	1. Following input from constructability review workshop, KST to finalize design of EWP 3C (SOE) construction & CP2 to finalize scope and make a Go/No Go decision. 2. Develop documentation for VTA Nov Board approval on EWP Budgets. 2. Start Caterpillar Shaft construction by Jan 2024
BSV-005	Unanticipated or inadvertent damage to historic buildings, critical utility and other structures due to vibration and/or settlement.	Unanticipated or inadvertent damage to buildings (especially historic buildings), structures and/or utilities caused by vibration and/or settlement during construction leading to additional cost to mitigate. Mainly focused downtown along Santa Clara St, but extending to the area encompassed by settlement trough.	12	7. Obtain access (PTE) to perform structural inspection on properties which are identified as Group A structures in the technical requirements - this will help contractor in expediting mitigation designs. 8. KST to develop instrumentation and monitoring program for the sensitive structures. VTA to support KST in obtaining access to install and monitor instrumentation as appropriate.
BSV-029	VTA financial capacity / funding plan to finance potential future project cost increases.	Project is currently at an early stage of design. Changes in cost may result from further design development and coordination with stakeholders. It is conceivable that future cost estimates will exceed current available funding, necessitating the identification of additional funding sources and/or debt financing. This could result in a) delays in progressing the project, b) changes to scope in order to align with identified funding and project cost.	12	1. Complete cost estimate on 30% design, including incorporating input from VE efforts into program cost estimate for submission to FTA. 2. Update the financial plan following completion of cost estimates and agreement with FTA on project cost. 3. Identify secondary mitigation and review with BART as applicable.
BSV-036	General construction labor shortage / labor premiums resulting in delays or increased cost.	With so many on-going concurrent projects in the state, and the potential for more projects ramping up due to Federal /State stimulus to create jobs, there may be a shortage of skilled labor to support aggressive project milestones. In addition, competition of resources for skilled labor (operators, electricians, tunnel moles, etc.) and equipment creating the need to pay a premium.	12	1. Perform an update of Market Saturation Study to include assessment of the post-COVID economic cycle as related to labor market. 2. Continue to monitor economic trends and impacts. 3. Continue the project public outreach efforts.
BSV-096	Testing and Commissioning delays due to various factors.	Testing and commissioning delays due to: - Insufficient time allocated to the schedule for testing activities. - Inadequate installation verification and QA/QC processes implemented. - Failed testing of equipment and/or testing parts requiring major rework. - Improper handoff from other CPs to systems contractor	12	1. Elicit and define requirements from stakeholders and capture in the contract documents. 2. Develop detailed resources loaded schedule for system's testing, commissioning and training activities. 3. Rigorous implementation of lessons learned including integrating BART's Operations (Maintenance and Engineering) team into the design, construction and testing phases of the program. 4. Agree on the framework and durations of the T&C program. 5. Introduce the Rail Acceptance Officer early on during the testing phase. 6. Establish joint testing and commissioning organization, under an experienced systems integration manager. Ensure Project key personnel include: Interface/Integration Manager (Facilities Design), Systems Design Integration and Systems Testing/Start-Up Manager.
BSV-132	Program staffing capacity and continuity (VTA/ PM/CM/ Design) to support long program timeline	Cause: BSVII Program continues over 10+ years, key personnel changes, limited availability of talent locally Impact: Knowledge gaps during project implementation, lead to ineffective contract interface management and integration / turn-overs from one to another contractor and finally to BART, resulting in impacts to scope, schedule and budget.	12	1. Develop succession plan for each key personnel that includes a second or an identified person that can take over for the individual that retires or leaves the project so that there are no gaps in the knowledge and effectiveness of key performers. 2. Extend this plan to VTA, VTA's consultant team and BART given the importance of the management of scope, schedule, and budget to achieve project goals.
BSV-170	KST proposed Stage 2 Lump Sum price increase VTA CP2 budget.	During the design development, potential challenges arising with scope growth, complicated means and methods, and current market conditions may result in KST proposed Stage 2 GMP higher than VTA's current NSPD basis.	12	4. Review KST's Configuration Design estimate to identify potential areas of major difference between VTA and KST and work throughout the Stage 1 period to resolve the difference. 5. Identify secondary mitigations to relieve pressure on VTA budget.

Risk ID	Risk Title	Risk Description	Risk Score	Action Items Description
BSV-201	East Portal - Complicated ROW acquisitions with Kolander and A&B properties	Cause: Kolander and A&B properties - Potential for litigation with owner, unclear BPE requirements, removal of access to street, cell tower and business relocations Risk: Potential untimely finalization of technical documents needed for BPE, access closure, delays in tunnel easement language finalization Impact: Delays in obtaining either easement or final acquisition	12	1. VTA to obtain access (PTE) to A&B for building strengthening and status of Billboards. 2. VTA to work with property owner to redesign access, obtain city permits and reconstruct new access. Target Aug 2025. 3. VTA Real Estate to acquire Kolander property and relocate business by Aug 2025. 4. KST to develop detailed schedule that forecasts need-by dates. 5. For A&B properties, KST to confirm that the Marburg Way solution is acceptable to them. 6. VTA to develop a list of priority issues to discuss/resolve with KST.
BSV-204	Delays in Temporary Power SNH construction and long-lead transformer procurement	Cause: Long-lead procurement of step-down transformer (from 115kV to 34.5kV) for TBM temporary power. Impact: Delays in construction of SNH and power ready for PG&E drop-in.	12	1. Complete design and PO support documentation for early works package. 2. Execute early works package #11 to avoid delay to TBM assembly. 3. Direct KST to expedite step-down transformer procurement. 4. Explore availability of step-down transformer within BART to avoid delays.
BSV-208	KST Overall Design approach leading to higher project cost and potential for delays due to redesign to fit within budget	Cause: KST design packages not providing all design elements required in the said design level (e.g. 60% design not including all necessary design functions); Also, not demonstrating design capability to fit design into budget. Risk: design to de-risk contractor, higher contractor mark-ups, Impact: Complicated and costly project profile leading to challenges with VTA in effectively negotiating with KST on costs resulting in added costs and schedule.	12	1. Explore risk sharing with KST - direct contractor on certain design concepts vs. nudging them. 2. Direct Contractor to obtain competitive price on various packages. 3. Look into negotiating Stage 1 contract to include in contract, for KST to meet, a target price and target schedule. 4. Conduct constructability meetings with KST to pinpoint/ address cost increases. 5. Bring on additional resources on-site to support Stage 2 negotiations and bring estimate down within the ICE range. 6. Explore developing alt. design concepts in-house to highlight efficiency-related opportunities for use in price negotiation.

Source: BSVII Monthly Progress Report October2023

F. Project Milestones/Key Events

Milestone	Planned Date
General Key Milestones	
Contract Package 1_Systems Design Bid Ready & Review	10-Mar-27
Contract Package 3_Newhall Yard and Santa Clara Station Design Bid Ready & Review	22-Jan-26
Contract Package 4_Stations and Support Facilities Design Bid Ready & Review	9-Jan-26
Start of Revenue Service	22-Oct-36
Construction Contracts Key Milestones	
Contract Package 1_Systems	
Contract Package 1 NTP Systems	18-Apr-28
Track Testing Completion	17-Jan-36
Systems Testing Completion Turn Over to BART	18-Jan-36
Contract Package 2_Tunnel and Trackwork	
Contract Package 2 NTP2 Tunnel & Trackwork	15-Nov-24
Order TBM	29-Sep-23
Deliver TBM	30-Jun-25
Start of Tunneling	4-Dec-25
Start of Trackwork	7-Aug-28
Contract Package 3_Newhall Yard and Santa Clara Station	
Contract Package 3 NTP Newhall Yard and Santa Clara Station and Parking Garage	3-Feb-27
Santa Clara Station Fit-Out Completion	26-Dec-29
Santa Clara Station Parking Garage Construction Completion	20-Sep-30
Newhall Yard Trackwork Completion	18-Sep-31
Contract Package 4_Stations	
Contract Package 4 NTP Stations and Support Facilities	25-Mar-27
Diridon Station Fit-Out Completion	27-Jun-33
DTSJ Station Fit-Out Completion	20-Sep-32
28th Street Station Fit-Out Completion	6-Oct-33
28th Street Station Parking Garage Construction Completion	12-Nov-32

Source: VTA's BART Silicon Valley Phase II Extension Project Basis of Schedule, New Starts Entry to Engineering Revision A, September 19, 2023

G. Project Map

From: VTA Board Secretary
Sent: Friday, January 19, 2024 11:13 AM
To: VTA Board of Directors
Cc: Calnan, Ann
Subject: From VTA: EIR SCOPING NOTICE: VTA's Beneficial Reuse of Excavated Material in Tidal Marsh Restoration Project
Importance: High

VTA Board of Directors:

Please feel free to share the notice below and the flyers with your constituents. Thank you.

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NOTICE OF PREPARATION

The U.S. Fish and Wildlife Service (USFWS) and the Santa Clara Valley Transportation Authority (VTA), in cooperation with the Santa Clara Valley Water District (Valley Water), are proposing the Beneficial Reuse of Excavated Material in Tidal Marsh Restoration (Beneficial Reuse Project) in South San Francisco Bay. The Beneficial Reuse Project would place up to approximately 3.5 million cubic yards of excavated material (soils) into several former salt production ponds around South San Francisco Bay to raise the pond bottoms for the purpose of accelerating the timeline for tidal marsh habitat restoration. Much of the material will come primarily from tunneling operations for VTA's BART Silicon Valley Phase II Extension Project.

Please see attached the Project Description and a summary flyer of pertinent information.

SCOPING MEETINGS

Two public scoping meetings (one virtual and one in-person) will be held.

- The virtual meeting will be held via Zoom on Tuesday, February 6, 2024, at 6:00 p.m. To register for the virtual meeting,
- please go to https://www.vta.org/projects/vta-beneficial-reuse-project.
- The in-person meeting will be held on Wednesday, February 7, 2024, from 5:30 p.m. to 7:00 p.m., at the Alviso Branch Library located at 5050 N. First Street, San Jose, CA 95002. This location is served by VTA Bus 59.

The details of the public scoping meetings will also be posted on the VTA website (https://www.vta.org/projects/vta-beneficial-reuse-project). Project information will be presented at the meetings.

Persons needing reasonable accommodations in order to attend and participate in the public scoping meetings should email beneficial.reuse@vta.org sufficiently in advance of the meeting to allow time to process the request. All meeting facilities are accessible to persons with disabilities. Individuals who require language translation, American Sign Language, or other assistance are requested to contact VTA's Community Outreach and Public Engagement team at (408) 321-7575 or beneficial.reuse@vta.org, at least five (5) business days before the public information meeting.

COMMENT DUE DATE

Comments regarding the scope of analysis and content for the EIS/EIR are invited from all interested parties. **Please submit comments no later than 5 p.m., Tuesday, February 20. 2024**. However, we would appreciate your response at the earliest possible date.

Please send your email comments to beneficial.reuse@vta.org or written comments via postal mail to Ann Calnan at the address shown below with "Beneficial Reuse Project" as the subject. Emailed comments are preferred. Public agencies that provide comments are asked to include the name of a contact person for the agency.

Ann Calnan, Environmental Lead
Santa Clara Valley Transportation Authority
Environmental Programs Office
3331 North First Street, B-2
San Jose, CA 95134-1927

FOR FURTHER INFORMATION

Details about the Beneficial Reuse Project will be posted on the VTA website (https://www.vta.org/projects/vta-beneficial-reuse-project) as the project is further developed.

From: VTA Board Secretary
Sent: Friday, January 19, 2024 12:31 PM
To: VTA Board of Directors
Subject: VTA General Manager Carolyn Gonot's Statement Regarding Auditor General's Report

VTA Board of Directors,

Please see VTA General Manager/CEO Carolyn Gonot's statement regarding the Auditor General's Report on VTA's BART Silicon Valley Phase II.

We ask that you refer all media inquiries to the VTA Media Hotline: 408-464-7810.

Thank you.

STATEMENT
Auditor General's Report on BART Silicon Valley

Carolyn M. Gonot
General Manager
Santa Clara Valley Transportation Authority
January 19, 2024

I am grateful for the Board of Directors' oversight and that of the Ad hoc Committee. I accept the two key recommendations of the Auditor General's (AG) report. To that end, we at the Santa Clara Valley Transportation Authority (VTA) are already in the process of implementing the AG's recommendations. The changes we already have in place are entirely geared toward correcting any deficiencies and communication lapses we may have had in the past.

The BART Silicon Valley Project, like so many multi-billion dollar "mega projects" across the globe, is facing rapidly escalating costs due to supply chain and workforce shortages as well as the most inflationary infrastructure pricing environment in decades. I have taken steps recently to bring new leadership to the agency to oversee this critically important project and to ensure the type of oversight and management that is necessary for a major regional project of this magnitude, scope and importance.

This week, our new Chief Megaprojects Officer Tom Maguire and his team engaged in a thorough three-day risk review of the project in concert with experts from the Federal Transit Administration. The results of this rigorous process, including further revisions to the project's expected cost and schedule, will be reported promptly to our Board and all our stakeholders. I will also be launching a new, timelier, communications approach to ensure our Board and stakeholders are accurately informed of all

developments as they occur. In short, we believe we are already on the right track in accordance with the recommendations of the AG.

BART Silicon Valley represents the future of downtown San Jose, Silicon Valley, Northern California and our state. The completion of this extension is a promise that has been made to the valley, the region, to taxpayers, and to voters. The Santa Clara Valley Transportation Authority has been among the nation's leaders in bringing commuters back to transit since the pandemic. We know the importance of this project in giving Bay Area commuters a path out of the punishing congestion on our highways. This critical rail extension represents the final jewel in the crown of Bay Area transportation projects.

My team and I are looking forward to coordinating and cooperating fully with the AG and the Ad hoc Committee as this project moves ahead. We look forward to providing the Committee and our stakeholders with a more comprehensive response to the report in the weeks to come.

###

Santa Clara Valley Transportation Authority
3331 N. First Street, Bldg B | San Jose, CA 95134
24-hr Media Line: 408-464-7810

Valley Transportation Authority
Solutions that move you

Notice of Preparation
of a Draft Environmental Impact Statement/Environmental Impact Report for the Beneficial Reuse of Excavated Material in Tidal Marsh Restoration Project

SUPPLEMENTAL PROJECT INFORMATION

Introduction

The U.S. Fish and Wildlife Service (USFWS) and the Santa Clara Valley Transportation Authority (VTA), in cooperation with the Santa Clara Valley Water District (Valley Water), propose the Beneficial Reuse Project in South San Francisco Bay. The Beneficial Reuse Project would place excavated or other "fill" material into several former salt production ponds around South San Francisco Bay to raise the pond bottoms for the purpose of accelerating the timeline for tidal marsh habitat restoration. The Beneficial Reuse Project would be analyzed in a joint federal environmental impact statement and state environmental impact report (EIS/EIR). The USFWS is the lead agency under the National Environmental Policy Act (NEPA) for the EIS. VTA is the lead agency under the California Environmental Quality Act (CEQA) for the EIR. The EIS/EIR would analyze the Beneficial Reuse Project at both a "project" level and a "programmatic" level.

The Beneficial Reuse Project would be analyzed at a project level by explicitly evaluating the transport and placement of up to 3.5 million cubic yards of excavated material from VTA's BART Silicon Valley-Phase II Extension Project (BSVII Project) for the purpose of raising the deeply subsided pond bottoms (Figure 1). For the project-level analysis, the Beneficial Reuse Project would be implemented at the Pond A8 Complex (consisting of Ponds A5, A7, A8, and A8S), Pond A12, and Pond A13 within the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). These ponds are owned by the USFWS and are part of the Alviso Pond Complex. The Beneficial Reuse Project would also be implemented at Pond A4, which is owned by Valley Water. These ponds were selected for analysis at the project level as they are relatively close to the BSVII Project site compared to other ponds in the South Bay.

The Beneficial Reuse Project would also be analyzed at a programmatic level by evaluating the transport and placement of excavated material from future projects yet to be identified. Placement of such material could occur in the Ravenswood Pond Complex (except Ponds SF2), the Alviso Pond Complex (including the A8 Complex, A12, and A13 and excluding A22 and A23), and Pond A4 (Figure 2). The programmatic analysis would allow other project proponents to use the EIS/EIR as the basis for their future projects that would also transport and place excavated material into the ponds for the purpose of raising pond bottoms. These other project proponents would need to conduct additional environmental analysis at the project-level once their projects are sufficiently defined.

The Beneficial Reuse Project and the BSVII Project are two separate, independent projects. The BSVII Project, as analyzed in VTA's 2018 *BART Silicon Valley-Phase II Extension Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report and Section 4(f) Evaluation* (BSVII Project SEIS/SEIR) and subsequent applicable NEPA re-evaluations and CEQA addenda, will be implemented regardless of whether the Beneficial Reuse Project is implemented. If the Beneficial Reuse Project is not implemented, all excavated material generated by the BSVII Project would be transported to the disposal sites identified in the BSVII Project SEIS/SEIR, which includes landfills and quarries.

Background

San Francisco Bay has lost an estimated 85 percent of its historic tidal marsh habitats to fill or alteration, which has caused populations of marsh-dependent fish and wildlife to decline. The filling and altering of these habitats have also decreased water quality and increased local flood risks. Restoration of the former salt production ponds to tidal marsh habitat would begin to reverse these trends and improve the overall health of the bay.

The former salt production ponds will need enormous quantities of fill to raise pond bottoms and facilitate tidal marsh restoration. Previous environmental documents that evaluated restoration of the former salt production ponds did not consider importing fill for the purpose of raising pond bottoms because it was assumed that tidal action or other natural processes would eventually transport needed sediment into the ponds, thereby raising the bottoms over time. However, relying solely on natural processes would take many decades. Moreover, recent analysis has shown that San Francisco Bay does not contain enough sediment to sustain the existing marshes or restore the former salt production ponds in the face of sea-level rise. The Beneficial Reuse Project would help supplement natural sediment transport processes and accelerate the timeline for the ultimate restoration of tidal marsh habitat in the former salt ponds.

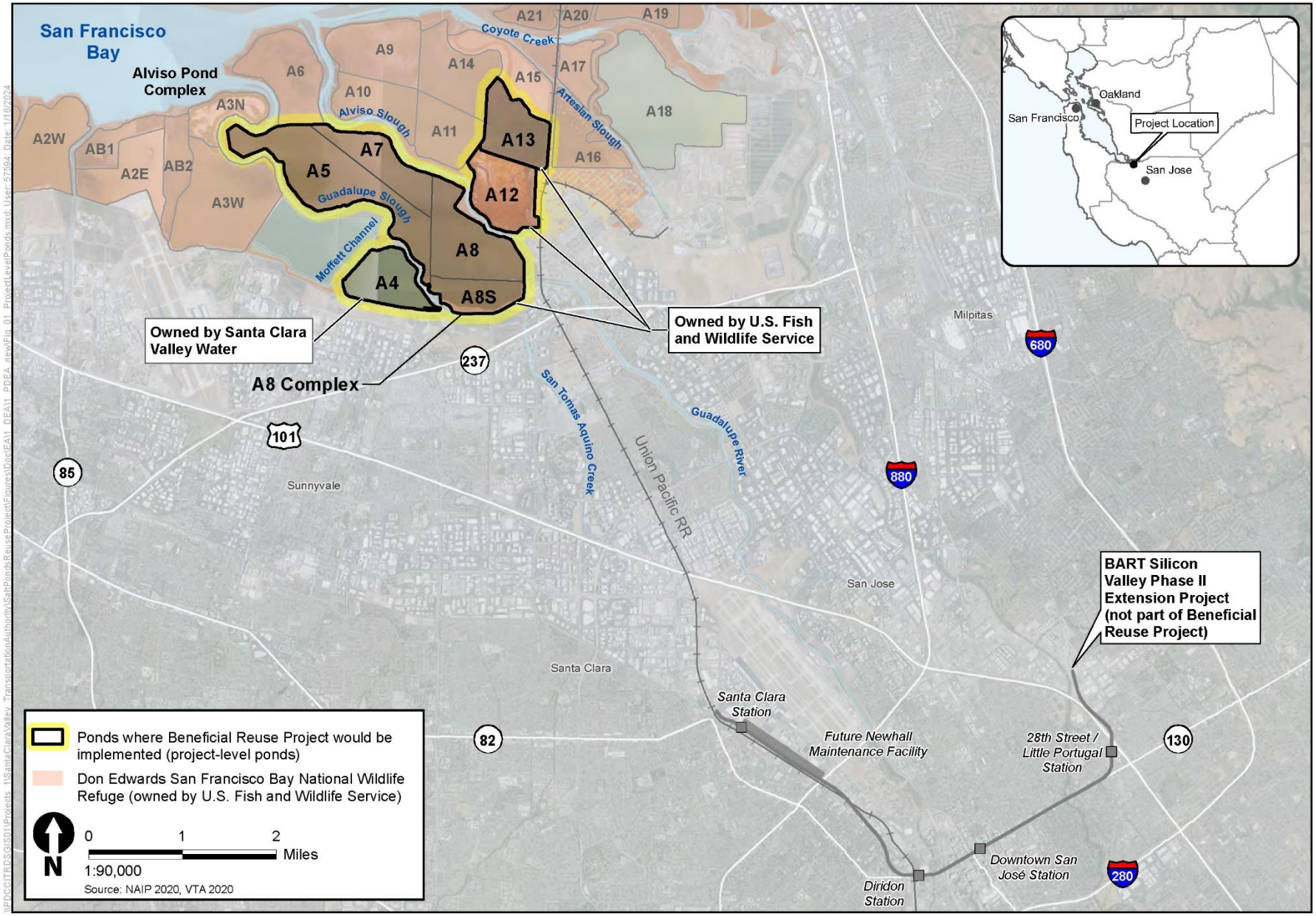

Figure 1. Project-Level Ponds

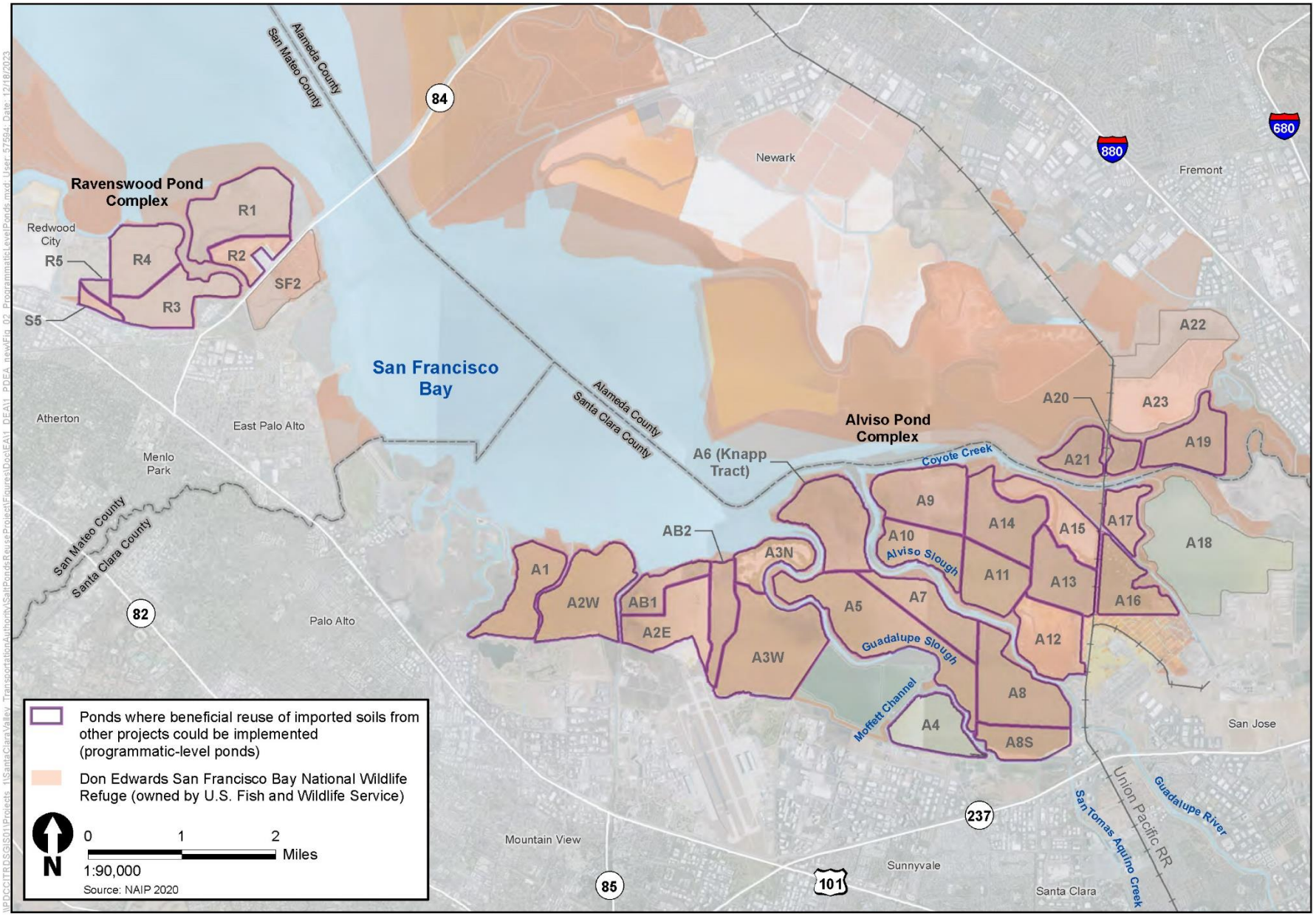

Figure 2. Programmatic-Level Ponds

Purpose and Need for the Action

The purpose of the Beneficial Reuse Project is to:

- Transport BSVII Project tunnel excavation material and other excavated material to select former salt production ponds in South San Francisco Bay for beneficial reuse.
- Place excavated material within select ponds to raise the elevation of pond bottoms to accelerate the timeline for and increase the certainty of tidal marsh restoration.
- Place excavated material in the Pond A8 Complex and/or other select ponds with legacy mercury to cover and bury contaminated sediments to reduce the potential for mercury to enter the aquatic environment.

The need for the Beneficial Reuse Project is as follows:

- The BSVII Project will generate a considerable amount of excavated material on a daily basis during construction of the 5-mile-long tunnel and other facilities. The material must be hauled offsite regularly to keep pace with construction and limited onsite storage facilities.
- The former salt production ponds in South San Francisco Bay require large quantities of sediment to raise the elevation of deeply subsided pond bottoms to eventually reach marsh plain elevation where tidal marsh restoration can occur (by others). Placing excavated material into the pond bottoms would accelerate the timeline for eventual tidal marsh restoration relative to sedimentation from natural processes (i.e., tidal action) alone. This is especially important in the face of sea-level rise and the sediment deficit in San Francisco Bay.
- There is high mercury concentration in the sediments of the Pond A8 Complex and nearby ponds as a result of historic mining operations in the Guadalupe River watershed. Natural tidal action can cause the resuspension of sediment containing mercury and increase the potential for bioaccumulation of mercury in aquatic organisms. Placing excavated material into the pond bottoms would cover sediment contaminated with mercury and reduce the potential for mercury to spread into the aquatic environment.

Project Benefits

The Beneficial Reuse Project would provide several benefits. For the project level analysis, direct, immediate benefits include construction waste reuse, as well as reductions in emissions of greenhouse gases and other air quality pollutants by diverting transport of excavated material to the salt ponds – only a few miles away from the BSVII Project construction site – which would otherwise be destined for landfills and quarries much farther away. Indirect benefits applicable to all projects placing excavated material into the pond bottoms would result from facilitating future restoration of tidal marsh habitat by raising the bottoms of former salt production ponds, allowing vegetated marsh to be restored much more quickly when tidal action is restored in the near future. When tidal action is restored in ponds that are currently isolated from the bay and vegetated marsh becomes established, either naturally or through habitat restoration projects, the marsh would provide such benefits as sea-level rise resilience, water quality improvements, flood risk management, habitat creation for threatened and endangered species, and greenhouse gas sequestration.

Project Location

Project-Level Ponds

The project-level ponds are located in South San Francisco Bay in Santa Clara County, California (Figure 1). Pond A8 Complex (consisting of Ponds A5, A7, A8, and A8S) is located in the City of San Jose and the City of Santa Clara. Ponds A12 and A13 are located in the City of San Jose. Pond A4 is located in the City of Sunnyvale and the City of San Jose. Pond A8 Complex, Pond A12, and Pond A13 are within the Refuge's Alviso Pond Complex. Pond A4 is immediately southwest of the Alviso Pond Complex.

The project-level ponds are generally bounded by Ponds A3N, A6, A10, A11, A14, A15 to the north; the Union Pacific Railroad (UPRR) corridor, Alviso Marina County Park, and the Guadalupe River/Alviso Slough to the east; San Tomas Aquino Creek, Sunnyvale Baylands County Park, and the Sunnyvale Water Pollution Control Plant to the south; and Guadalupe Slough and Moffett Channel to the west. The cities surrounding or near the project-level ponds include Mountain View to the west; Sunnyvale, Santa Clara, and San José (Alviso District) to the south/southwest; and San José and Milpitas to the east.

Programmatic-Level Ponds

The programmatic-level ponds are located in South San Francisco Bay and include the Ravenswood Pond Complex (except Pond SF2), the Alviso Pond Complex (including the A8 Complex, A12, and A13 and excluding A22 and A23), and Pond A4 (Figure 2). The ponds that are excluded include designated snowy plover critical habitat. The Ravenswood Pond Complex is in San Mateo County and the Alviso Pond Complex is in Santa Clara and Alameda Counties. The Ravenswood Pond Complex is north and south of State Route (SR) 84 in the city of Menlo Park. The cities surrounding or near the Ravenswood Pond Complex include Redwood City, Atherton, and East Palo Alto. The Alviso Pond Complex is east of U.S. 101, north of SR 237, west of Interstate (I) 880, and south of Coyote Creek. The cities surrounding or near the Alviso Pond Complex include Mountain View to the west; Sunnyvale, Santa Clara, and San José (Alviso District) to the south/southwest; and San José and Milpitas to the east.

Proposed Action Alternative

As described below, the Proposed Action Alternative includes the following:

- Project-level components of the Beneficial Reuse Project would send as much excavated material as feasible from the BSVII Project to the project-level ponds.
- Programmatic-level components of the Beneficial Reuse Project would include the beneficial reuse of imported soil from projects other than the BSVII Project to the programmatic-level ponds.

Project-Level Components

This section describes the projected volume of excavated material, hauling methods and routes, material placement methodologies and infrastructure improvements, and other improvements required for implementation of the Beneficial Reuse Project at the project level.

Volume and Quality of Excavated Material

The Beneficial Reuse Project would transport up to 3.5 million cubic yards of excavated material from the BSVII Project to the project-level ponds. It is not anticipated that all of the excavated material generated by the BSVII Project would be transported to the project-level ponds due to instances of inclement weather or other reasons. Thus, the placement of 3.5 million cubic yards of excavated material represents a worst-case scenario for the purpose of environmental clearance at a project level in the EIS/EIR. Any excavated material generated by the BSVII Project that is not transported to the project-level ponds would be transported to landfills and quarries, as analyzed in VTA's 2018 BSVII Project SEIS/SEIR and subsequent applicable NEPA re-evaluations and CEQA addenda for the BSVII Project.

All excavated materials reused at the former salt production ponds must meet the criteria established in the San Francisco Regional Water Quality Control Board Master Quality Assurance Project Plan for Don Edwards San Francisco Bay National Wildlife Refuge. For the BSVII Project, VTA will work with the San Francisco Regional Water Quality Control Board and San Francisco Bay Conservation and Development Commission to ensure that all excavated material placed into the former salt production ponds meets the criteria that ensures the material will not pose a risk to wildlife or water quality.

Hauling Methods and Routes

The BSVII Project SEIS/SEIR, and subsequent applicable NEPA re-evaluations and CEQA addenda, analyzed the environmental effects of hauling excavated tunnel material from the future BSVII Project Newhall Maintenance Facility, as well as material from other excavation sites, along local streets to freeways and eventual disposal sites (i.e., landfills and quarries). The haul routes were designed to minimize travel on local streets prior to accessing U.S. 101, I-280, I-880, and SR 87. The BSVII Project SEIS/SEIR did not analyze a haul route on SR 237, nor did it analyze hauling material by rail.

The Beneficial Reuse Project would include two methods for hauling tunnel and other excavated material from the BSVII Project to the project-level salt ponds: truck haul method and rail haul method.

- **Truck Haul Method.** The Beneficial Reuse Project would include the use of trucks to haul material along U.S. 101 and I-880, as analyzed in the BSVII Project SEIS/SEIR. The Beneficial Reuse Project assumes use of a truck haul route on SR 237, then use of local streets to reach the project-level ponds. Because more than one pond may serve as a destination for material placement at any given time, several local roads may be used to access the ponds. Figure 3 shows the truck haul method, including the possible routes along local roads and SR 237 to the project-level ponds. Routes were selected to avoid residential areas to the maximum extent possible.
- **Rail Haul Method.** The Beneficial Reuse Project would include the use of rail to haul material from the future BSVII Project Newhall Maintenance Facility. This method would include construction of additional tracks at the maintenance facility, an option to construct a spur track near Pond A12, and an option to use an existing spur track that leads to the GreenWaste Zanker Resource Recovery Facility near Los Esteros Road. Figure 4 shows the rail haul method.
    - **Newhall Maintenance Facility Improvements**. For the rail haul method, improvements would be required at the future BSVII Project Newhall Maintenance Facility (Figure 5). The tunnel excavated material would be delivered to a storage bin area by conveyor. The storage bin area would be surrounded by a haul road for trucks and two sets of loading tracks for railcars, allowing the material to be loaded into trucks and/or railcars. Crossover tracks between the existing UPRR mainline and the storage tracks would be installed to provide access to/from the mainline.
    - **Pond A12 Spur Option**. Under this option, a new rail spur would be constructed between the UPRR mainline and Coastal Flood Protection Levee Reach 1 (the location of the Alviso Slough Trail) east of Pond A12 (Figure 4). Transport of excavated material from the rail spur to the project-level ponds would either be by conveyor belt or truck. If by conveyor belt, the conveyor belt would take the material directly to Pond A12 over the levee or to Pond A13. Alternatively, trucks would be used to transport the excavated material after it is offloaded from the railcars to Ponds A12, A13, A8 Complex, or A4. Transport of the excavated material by truck would depend on which pond is the final destination and involve several routes, either on local roads only or on SR 237 for part of the trip. Figure 3 shows the truck haul method, including the possible routes on local roads and SR 237 to the project-level ponds. Routes were selected to avoid residential areas to the maximum extent possible.
    - **Los Esteros Spur Option**. Under this option, an existing rail spur that leads to the GreenWaste Zanker Resource Recovery Facility from the UPRR mainline would be used to transport material to a site south of Los Esteros Road (Figure 4). The existing 15-degree curve at the intersection of the spur and the UPRR mainline would be reconfigured to between 7 and 12 degrees to be in compliance with UPRR safety requirements for a six-axle locomotive. South of Los Esteros Road, two storage tracks would be constructed to allow the train to be unloaded. A siding would be constructed on the south side of the existing spur from the reconfigured curve to Grant Boulevard, giving UPRR the ability to run around an empty/loaded train to position its locomotive(s) on the correct end of the train before returning to the future BSVII Project Newhall Maintenance Facility.

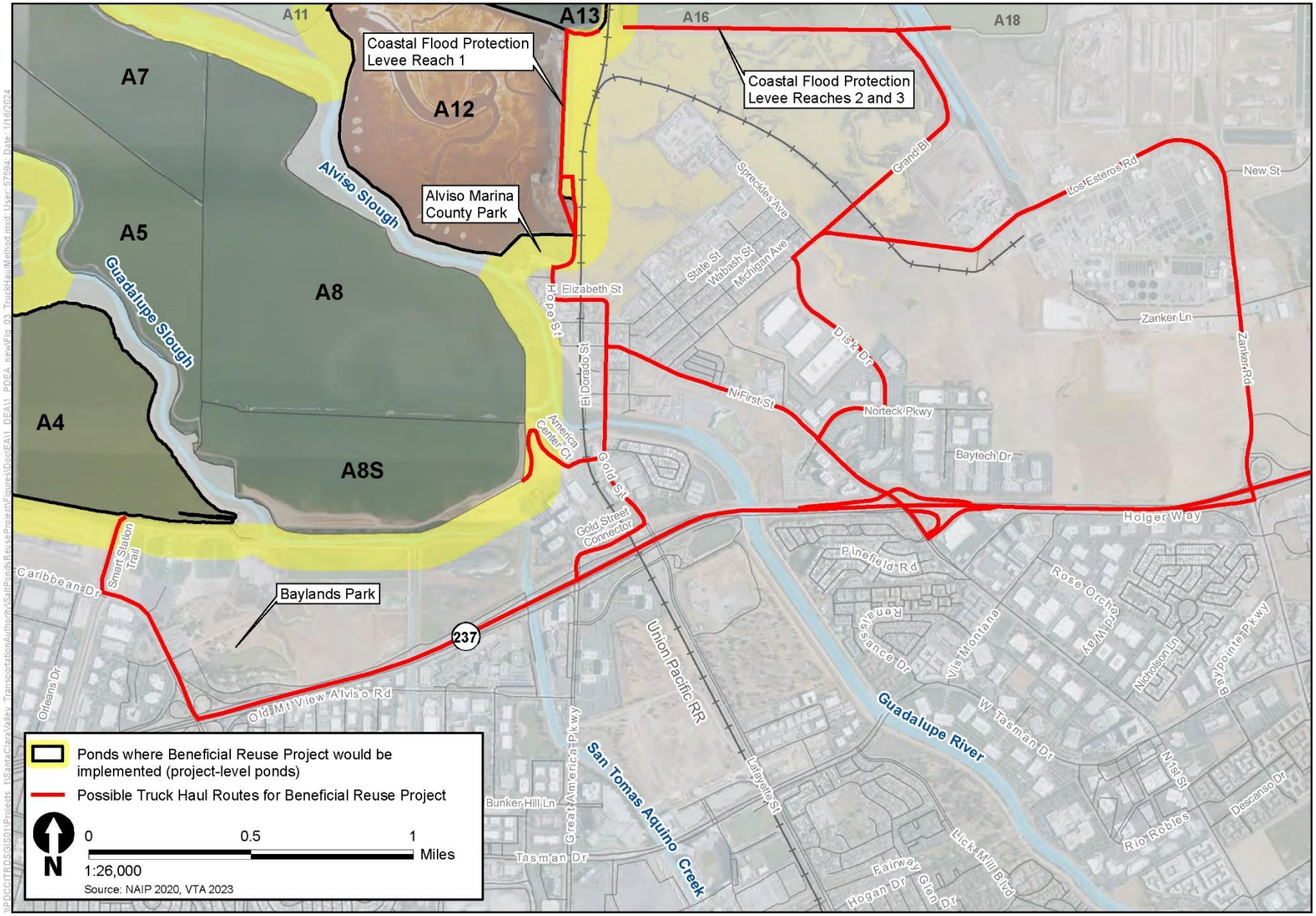

Figure 3. Truck Haul Method

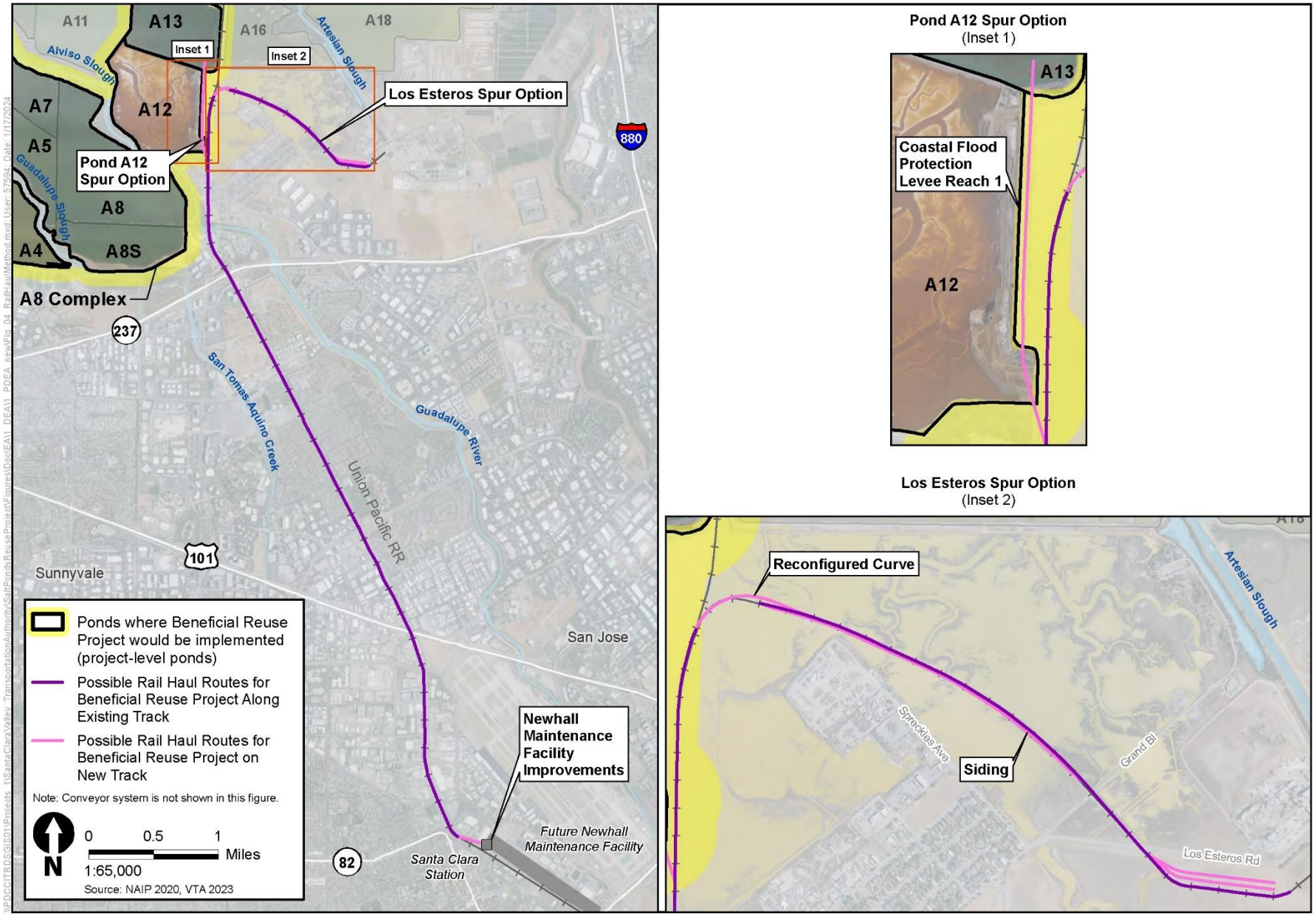

Figure 4. Rail Haul Method

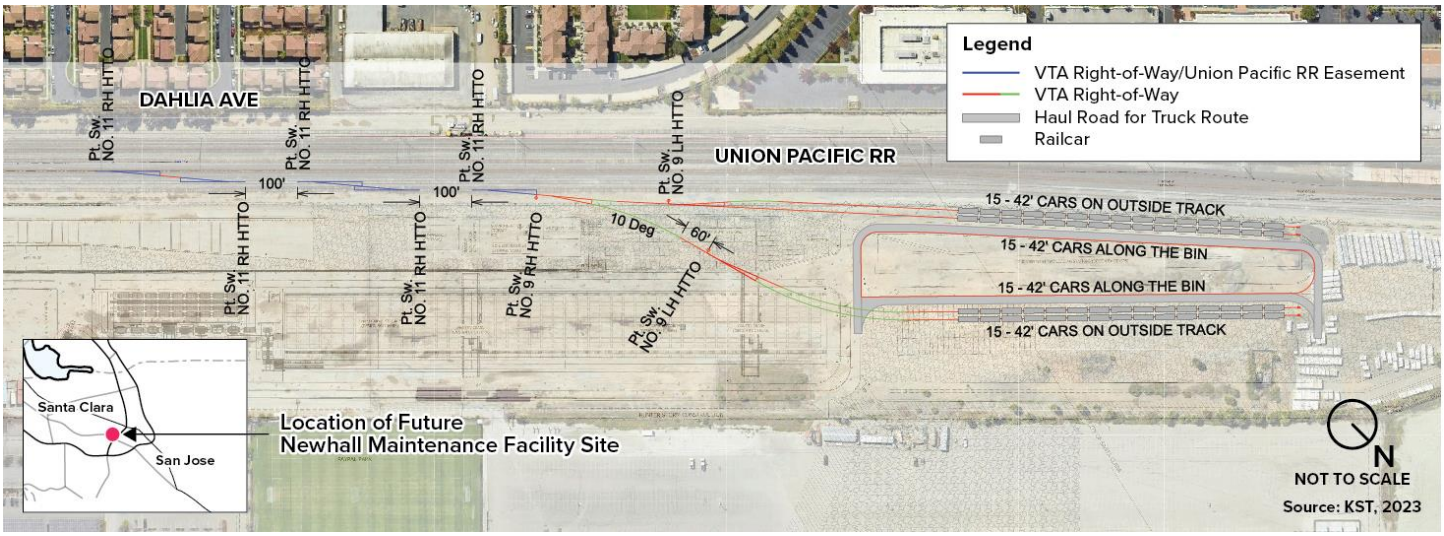

Figure 5. Improvements at the Future BART Silicon Valley Phase II Extension Project Newhall Maintenance Facility

Transport of the excavated material from the rail spur to the project-level ponds would either be by conveyor belt or truck. If by conveyor belt, a conveyor system would be constructed adjacent to the existing spur, cross over the UPRR mainline, and then cross over the Pond A12 levee. The conveyor belt would take material directly over the levee to Pond A12 or Pond A13. Alternatively, trucks would be used to transport the material after it is offloaded from the railcars to Ponds A12, A13, A8 Complex, or A4. Transport of the excavated material by truck would depend on which pond is the final destination and involve several routes, either on local roads only or on SR 237 for part of the trip. Figure 3 shows the truck haul method, including the possible routes on local roads and SR 237 to the project-level ponds. Routes were selected to avoid residential areas to the maximum extent possible.

The truck haul method and the rail haul method could be used exclusively or in combination. As mentioned previously, for environmental clearance, the EIS/EIR will assume that up to 3.5 million cubic yards would be transported to the project-level ponds. To provide the most conservative analysis (i.e., worst-case scenario for each type of haul method), it is assumed that up to 3.5 million cubic yards of material would be transported to the project-level ponds either exclusively by truck or exclusively by rail. Any combination of truck and rail would not represent a worst-case scenario for the purposes of environmental analysis.

Material Placement Methodologies and Infrastructure Improvements

The Beneficial Reuse Project would include three methods for the placement of excavated material within the project-level ponds once it is offloaded near a pond shoreline by truck or conveyor belt: conventional equipment method, hydraulic methodologies, and/or conveyor system methodologies. The Beneficial Reuse Project could use one, two, or all three of these methodologies at any project-level pond.

- **Conventional Equipment Method.** Placement using conventional equipment would involve offloading the material near a pond shoreline and then pushing the material into the pond using bulldozers (Figures 6 and 7). Long-reach excavators on barges (for deep water) or amphibious excavators (for shallow water) within the pond could also be used to move the material from the shoreline and into the pond. This method could require the construction of unpaved access facilities within a pond to facilitate placement of the material (Figure 8). This method could use a turbidity curtain or other mechanism to prevent sediment from moving into adjacent sensitive habitat areas (Figure 8).

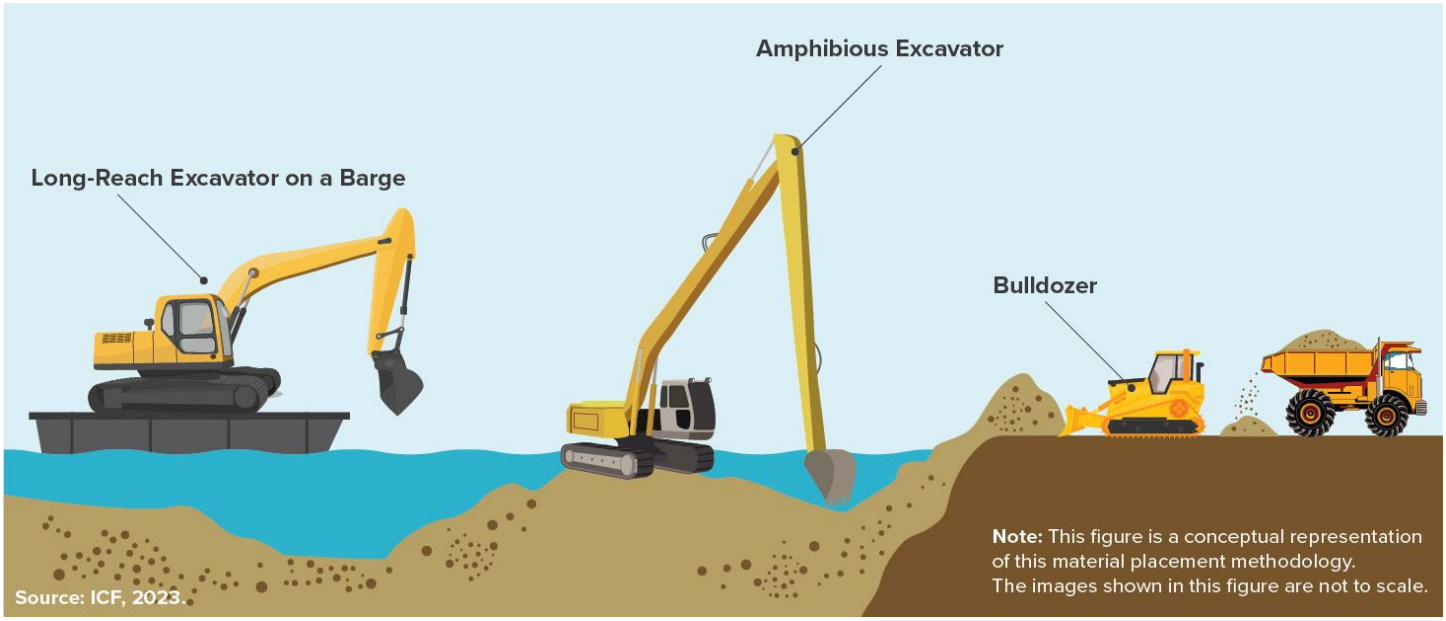

Figure 6. Material Placement Methodology: Conventional Equipment

Figure 7. Example of Amphibious Excavator

Figure 8. Examples of Turbidity Curtain and Unpaved Access Facility

- **Hydraulic Methodologies.** Hydraulic methodologies would involve offloading the material at a pond shoreline and then using pumps to move soil with either a cutter suction dredge or an excavator-mounted mobile slurry pump. The cutter suction dredge would use a cutterhead to both excavate and suction material before pumping it through a discharge pipeline (Figures 9 and 10). As part of the cutter-suction-dredge method, a sheet pile bulkhead, or similar, could be constructed to provide a defined edge at the shoreline of a pond (Figure 11). The sheet pile bulkhead would be constructed using a crawler crane with either a vibration hammer or a hydraulic impact hammer. An alternative is to construct a basin using a sheet pile bulkhead, in which material would be deposited and then pumped through a discharge pipeline (Figure 12); the excavator-mounted mobile slurry pump would use a pump system to suction material before pumping it through a discharge pipeline (Figure 13). These methods could use a turbidity curtain or other mechanism to prevent sediment from moving into adjacent sensitive habitat areas (Figure 8).

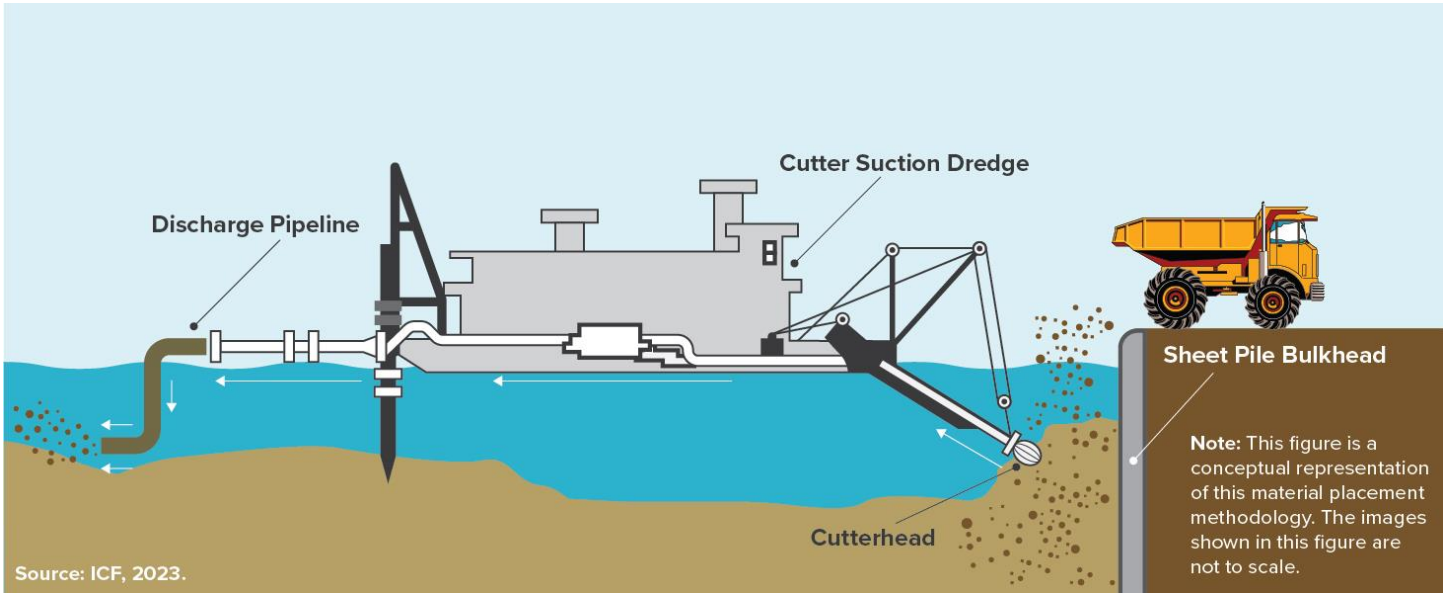

Figure 9. Material Placement Methodology: Hydraulic via Cutter Suction Dredge

Figure 10. Examples of Cutter Suction Dredge

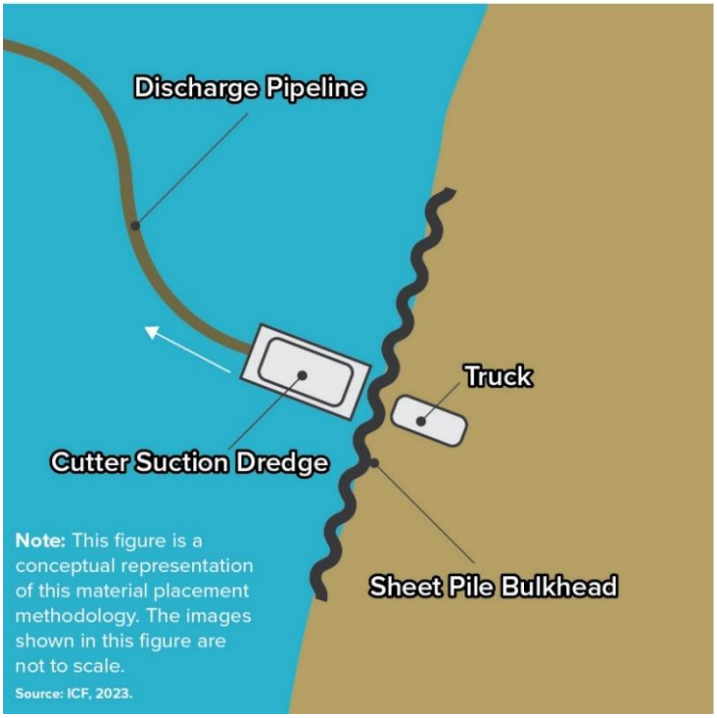

Figure 11 Sheet Pile Bulkhead

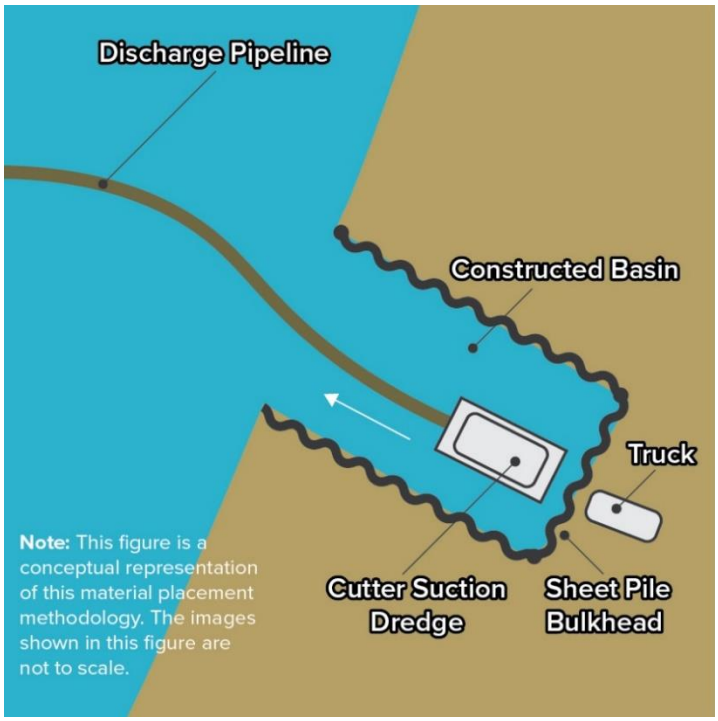

Figure 12. Constructed Basin

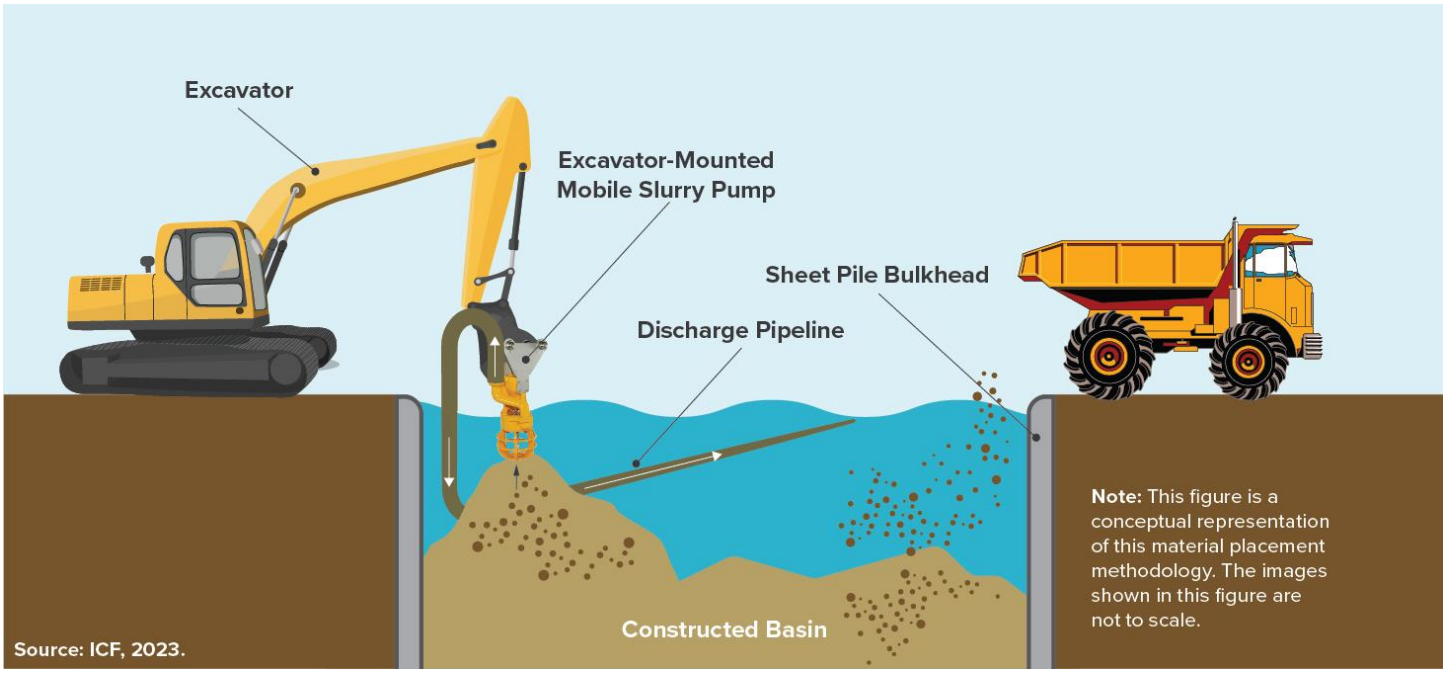

Figure 13. Material Placement Methodology: Hydraulic via Excavator-Mounted Mobile Slurry Pump

- **Conveyor System Methodologies.** Conveyor system methodologies would involve offloading the material near a pond shoreline and then loading it into a hopper, which would dispense the material with either a continuous conveyor (Figures 14 and 15) and would require the construction of unpaved access facilities within a pond (Figure 8) or a floating conveyor (Figure 16). The continuous conveyor system would use a hopper fitted with conveyors, which would extend perpendicular to the unpaved access facility as the hopper travels along and distributes material from the conveyor on each side of the unpaved access facility into the pond. The conveyors would be located on either portable modular barges or wood timber pads (i.e., crane mats). The floating conveyor system would use a hopper on a pond shoreline that would be fitted with a conveyor that would distribute material into the pond. The conveyors would be located on either portable modular barges or wood timber pads (i.e., crane mats). This method could use a turbidity curtain or other mechanism to prevent sediment from moving into adjacent sensitive habitat areas (Figure 8).

The temporary infrastructure improvements associated with the Beneficial Reuse Project would include the construction of unpaved access facilities around and possibly into or through the ponds, material drop-off locations, staging areas, and stockpile areas for each project-level pond. Improvements to the existing unpaved access facilities in the vicinity of the project-level ponds could include road widening, aggregate placement for all-weather access, and fill placement to provide access to the shoreline. Improvements to the existing paved access facilities in the vicinity of the project-level ponds could include adjustments to intersection traffic signals, new traffic signals, intersection striping modifications, and widening.

The Beneficial Reuse Project would not require changes to any existing levees. However, it may require ramps to be constructed over existing levees at Ponds A12 and A13. The ramps would not affect the structural integrity of the levees. Trucks would use some existing levees at some ponds as access facilities, as approved by the U.S. Army Corps of Engineers.

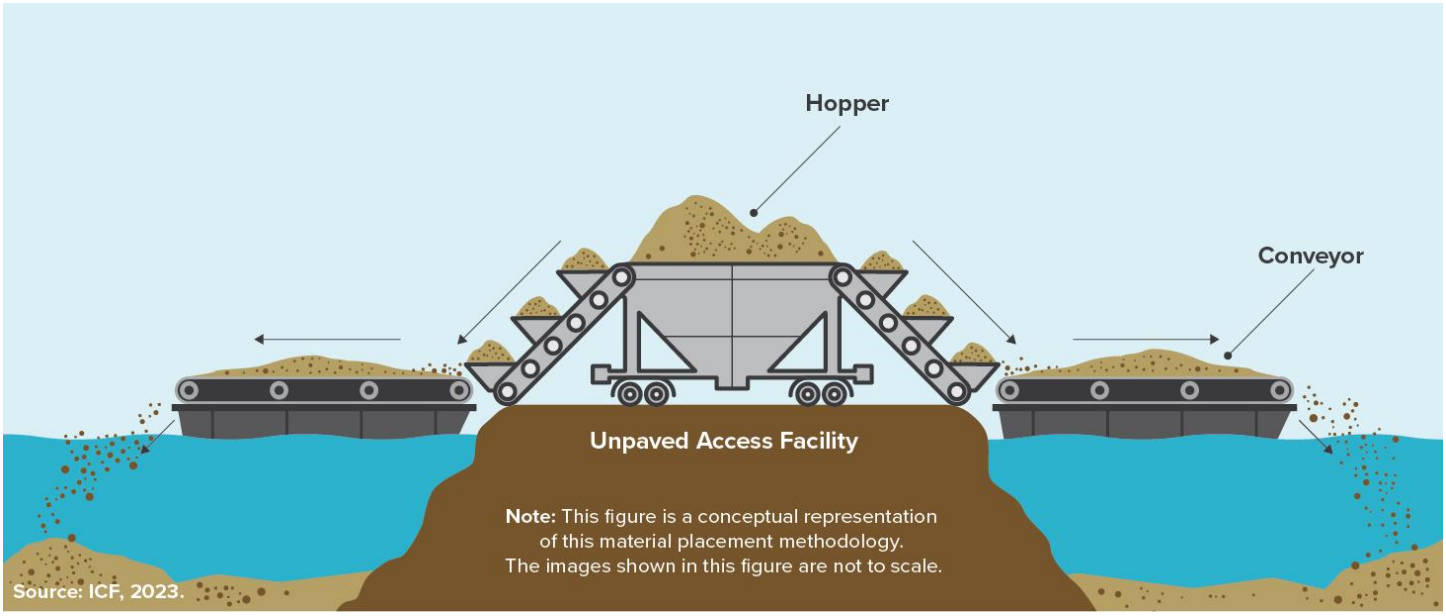

Figure 14. Material Placement Methodology: Continuous Conveyor System

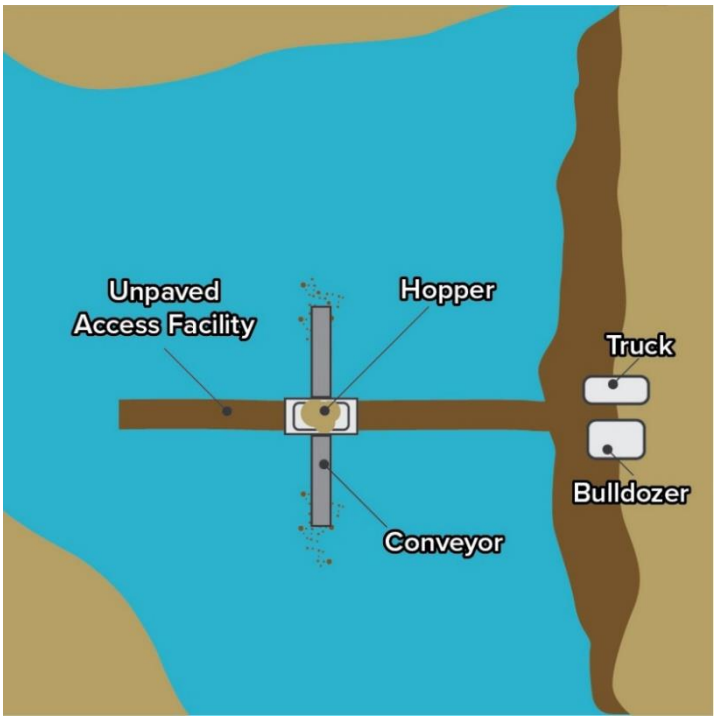

Figure 15. Material Placement Methodology: Continuous Conveyor System (Aerial View)

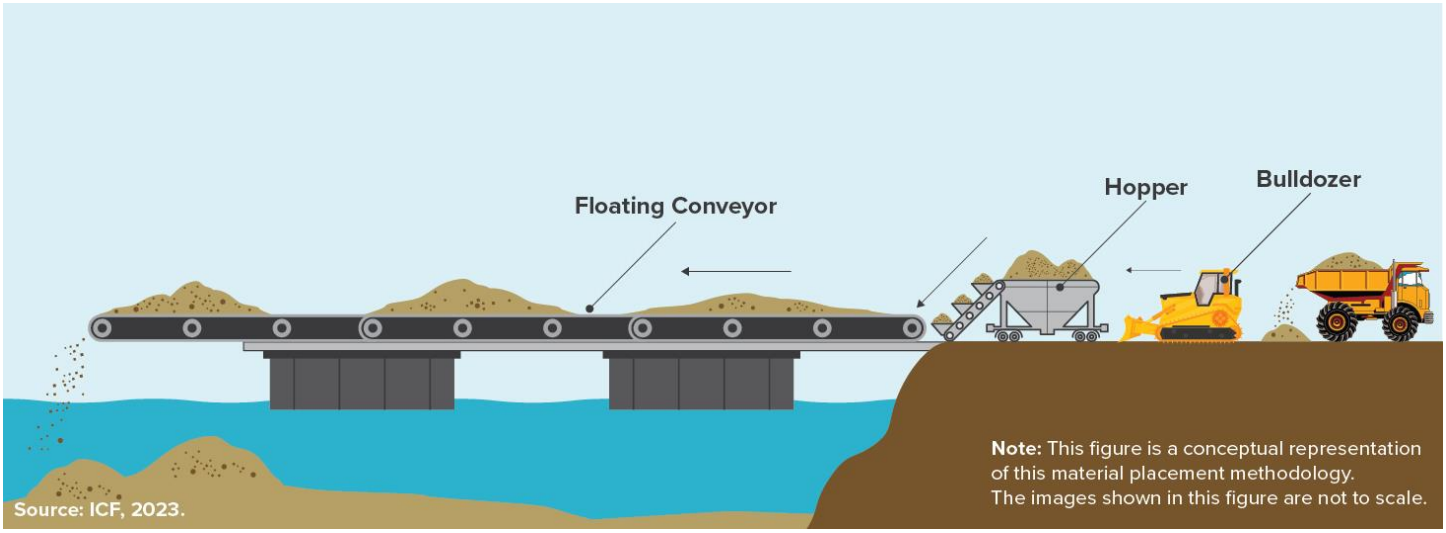

Figure 16. Material Placement Methodology: Floating Conveyor System

Programmatic-Level Components

The programmatic analysis would evaluate the addition of excavated material from future projects yet to be identified for all the ponds covered in the EIS/EIR. The programmatic analysis would allow other project proponents to use the EIS/EIR as the basis for their future projects that would also transport and place excavated material into the ponds for the purpose of raising pond bottoms. These other project proponents would need to conduct additional environmental analysis at the project-level once their projects are sufficiently defined.

The programmatic analysis would include reasonable assumptions for a sufficient volume of fill to contribute to tidal marsh restoration without overfilling ponds such that tidal exchange is restricted. In addition, the programmatic analysis would include

reasonable assumptions for the transport of material as well as the schedule for when the material would be available for beneficial reuse. Furthermore, the programmatic analysis would assume the same material placement methodologies and the same types of infrastructure improvements as in the project-level analysis. Together, the programmatic-level ponds, the access roads that would be used for hauling, the unpaved access facilities that would be used for placement of material, the staging areas, the stockpile areas, and the areas where required infrastructure improvements would be implemented comprise the programmatic-level components.

The programmatic analysis would assume that material would be transported by truck. If other project proponents intend to use rail options, they will have to coordinate with UPRR before the use of rail will be considered in their project-level analysis. Overall, the programmatic analysis will tend to be of a more qualitative nature than the project-level analysis in the EIS/EIR.

Construction Schedule

For the project-level analysis, construction of the BSVII Project tunnel and other facilities associated with the BSVII Project will generate the excavated material to be used by the Beneficial Reuse Project. However, until the Beneficial Reuse Project is approved and all regulatory agency permits are secured, no excavated material can be transported to the salt ponds for the purpose of raising the pond bottoms. It is anticipated that approval of the Beneficial Reuse Project by the USFWS and VTA under NEPA and CEQA, respectively, and the acquisition of permits will occur by early 2026. It is also anticipated that the construction of the BSVII Project tunnel will begin shortly thereafter. It is projected that the BSVII Project tunnel and other facilities associated with the BSVII Project, which will produce the excavated material for beneficial reuse at the salt ponds, will take approximately three years to complete.

For the programmatic-level analysis, the construction schedule for projects by other project proponents would be determined once their projects are sufficiently defined and environmentally cleared.

Scope of the Project

The scope of the Beneficial Reuse Project's project-level components would begin once the excavated material from the BSVII Project is hauled via truck to where I-880 and SR 237 intersect (because the BSVII Project's haul routes did not assume use of SR 237) or the excavated material from the BSVII Project is loaded onto railcars at the future BSVII Project Newhall Maintenance Facility (because the BSVII Project did not assume the use of rail to haul excavated material). Excavation for the BSVII Project tunnel and other facilities is not part of the Beneficial Reuse Project and not within the scope of this EIS/EIR. Similarly, truck haul routes from the future BSVII Project Newhall Maintenance Facility, or other BSVII Project construction sites, to local streets and freeways are not part of the Beneficial Reuse Project and not within the scope of this EIS/EIR. This information is included in VTA's 2018 *BART Silicon Valley-Phase II Extension Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report and Section 4(f) Evaluation*.

The scope of the Beneficial Reuse Project's programmatic-level components would begin once the excavated material is hauled via truck to local streets in the vicinity of the programmatic-level ponds. The scope of the Beneficial Reuse Project's programmatic-level components does not include hauling via truck on any freeways because the sources of the excavated material are unknown at this time. The scope of the programmatic-level components would end once all the projected amount of excavated material from other projects is deposited into the programmatic-level ponds.

The Beneficial Reuse Project would raise the pond bottoms for the purpose of accelerating the timeline for future tidal marsh habitat restoration. The restoration of tidal marsh habitat is not part of the Beneficial Reuse Project and not within the scope of this EIS/EIR. The evaluation of the potential effects of tidal marsh restoration at both the project-level ponds and the programmatic-level ponds is or will be included in one or more of the following documents:

- Final EIS/EIR for the South Bay Salt Pond Restoration Project – Programmatic and Phase 1 in December 2007 (State Clearinghouse [SCH] No. 2003032079);[1]
- Final EIS/EIR for the South Bay Salt Pond Restoration Project – Phase 2 in April 2016 (SCH No. 2013092010);[2]
- Final EIS/EIR for South San Francisco Bay Shoreline Project in 2015;[3]
- EIS/EIR to be prepared for the Calabazas/San Tomas Aquino Creeks – Marsh Connection Project; and[4]
- Future CEQA and NEPA environmental clearance to be provided for the Pond A4 Resilient Habitat Restoration Project from a Categorical Exemption and Section 404 Nationwide Permit, respectively.[5]

Post-Construction Project Features

After all excavation for the BSVII Project is complete and no additional material is available, the construction equipment associated with the Beneficial Reuse Project would be removed. Sheet pile bulkheads would also be removed. Any unpaved access facilities constructed within the ponds would be dismantled and the material would be used to raise the pond bottoms. If the Los Esteros Spur Option is implemented, the two storage tracks south of Los Esteros Road would be removed. All other infrastructure improvements would either remain in place for further use or be removed.

No-Action Alternative

Under the No-Action Alternative, all excavated material generated by the BSVII Project would be transported to the disposal sites identified in the BSVII Project SEIS/SEIR, which include landfills and quarries. No excavated material from the BSVII Project or any other project would be sent to any of the Beneficial Reuse Project project-level or programmatic-level ponds to be placed in the ponds for the purpose of raising the pond bottoms to accelerate the timeline for tidal marsh habitat restoration.

PROBABLE ENVIRONMENTAL EFFECTS

The EIS/EIR is a project-level and programmatic environmental document. The EIS/EIR will identify the anticipated effects (negative and beneficial) of the Beneficial Reuse Project (i.e., the Proposed Action Alternative) and describe and analyze direct, indirect, and cumulative potential environmental impacts of the project alternatives, including the Proposed Action Alternative and the No-Action Alternative, in accordance with NEPA (42 U.S.C. 4371 et seq) and CEQA (14 CCR 15126.6(e)(3)(B)).

Based on preliminary information, VTA has identified the following main subject areas for analysis in the EIS/EIR. The scope of environmental analysis is subject to modification based on public input during the project scoping period.

- **Aesthetics:** An assessment of the visual and aesthetic effects of the Beneficial Reuse Project, such as proposed construction equipment, lighting, and vegetation removal, will be completed and summarized in the environmental document. If necessary, mitigation measures will be identified to reduce or avoid visual and aesthetic impacts.

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1 The Final EIS/EIR for the South Bay Salt Pond Restoration Project – Programmatic and Phase 1 is available here: https://www.southbayrestoration.org/document/final-environmental-impact-statement-environmental-impact-report-december-2007.

2 The Final EIS/EIR for the South Bay Salt Pond Restoration Project – Phase 2 is available here: https://www.southbayrestoration.org/document/phase-2-alvisoravenswood-final-environmental-impact-statementreport.

3 The Final EIS/EIR for South San Francisco Bay Shoreline Project is available here: https://www.valleywater.org/shoreline.

4 More information regarding the Calabazas/San Tomas Aquino Creeks – Marsh Connection Project is available here: https://www.valleywater.org/project-updates/calabazas-san-tomas-aquino-creek-marsh-connection-project

5 More information regarding the Pond A4 Resilient Habitat Restoration Project is available here: https://www.valleywater.org/project-updates/pond-a4-resilient-habitat-restoration-project.

- **Air Quality and Greenhouse Gases:** An air quality and greenhouse gas (GHG) technical report will be prepared to evaluate the air quality and GHG impacts of the Beneficial Reuse Project during construction on the ambient air quality of the study area and the region. The air quality and GHG technical report will evaluate if the Beneficial Reuse Project would expose residences or other sensitive receptors to substantial air quality pollutants. The air quality and GHG technical report will also evaluate whether the Beneficial Reuse Project would substantially increase GHG emissions. The environmental document will summarize the air quality and GHG technical report, identify Best Management Practices, and, if necessary, mitigation measures to reduce impacts on air quality and GHG.
- **Biological Resources:** A biological resources technical report will be completed to identify sensitive wildlife, plants, and habitat present within the study area for the Beneficial Reuse Project. The biological resources technical report will be summarized in the environmental document and, if necessary, mitigation measures to reduce or avoid impacts on biological resources will be identified.
- **Cultural Resources:** An archaeological resources technical report and a built-environment technical report will be completed to determine if cultural resources would be impacted by the Beneficial Reuse Project. The reports will be summarized in the environmental document and, if necessary, mitigation measures to reduce or avoid impacts on cultural resources will be identified.
- **Energy:** An energy analysis will be conducted that evaluates the energy use of the Beneficial Reuse Project during construction. The environmental document will evaluate whether the Beneficial Reuse Project would result in the wasteful, inefficient, and unnecessary consumption of energy. If necessary, mitigation measures will be identified to reduce or avoid impacts on energy.
- **Geology and Soils:** A geological analysis will be completed to identify geologic hazards, such as active faults, landslides, and liquefiable soils to be present in the vicinity of the Beneficial Reuse Project. If necessary, mitigation measures to reduce or avoid geological impacts will be identified.
- **Hazards and Hazardous Materials:** A hazardous materials technical memorandum will be prepared to determine if there is the potential to encounter hazardous waste contamination during construction of the Beneficial Reuse Project. The memorandum will be summarized in the environmental document. If necessary, mitigation measures will be identified to reduce or avoid impacts on hazardous materials.
- **Hydrology and Water Quality:** A water quality and hydrology technical report will be prepared to evaluate the short and long-term effects of the Beneficial Reuse Project on water quality and hydrology. The report will be summarized in the environmental document. The environmental document will identify Best Management Practices, and, if necessary, mitigation measures to reduce or avoid impacts on water quality and hydrology.
- **Land Use and Planning:** Potential land use impacts will be evaluated, including whether the Beneficial Reuse Project would divide an established community or conflict with any land use plan, policy, or regulation. If necessary, mitigation measures to reduce or avoid impacts on land use will be identified.
- **Noise:** A noise and vibration technical report will be prepared to evaluate noise and vibration impacts of the Beneficial Reuse Project during construction. Current noise levels will be measured, and future noise levels will be modeled based on anticipated activity during construction. The environmental document will summarize the noise and vibration technical report and, if necessary, mitigation measures to reduce or avoid impacts on noise and vibration will be identified.
- **Paleontological Resources:** A paleontological resources analysis will be completed to identify the potential for fossils to be present in the vicinity of the Beneficial Reuse Project. If necessary, mitigation measures to reduce or avoid paleontological resources impacts will be identified.
- **Public Services:** Potential public services impacts will be evaluated, including the potential for adverse physical impacts associated with the provision of new or physically altered governmental facilities (e.g., fire, police, and school facilities).

A community impacts assessment technical memorandum will be prepared and summarized in the environmental document. If necessary, mitigation measures to reduce or avoid impacts on public services will be identified.

- **Recreation:** Potential recreation impacts will be evaluated, including the potential for construction of the Beneficial Reuse Project to increase the use of neighborhood and regional recreational facilities (e.g., trails and parks near the Alviso community as well as Alviso Marina County Park and Baylands Park). In addition, the environmental document will evaluate the potential for construction adverse physical impacts associated with the provision of new or physically altered recreational facilities. If necessary, mitigation measures to reduce or avoid impacts on recreation will be identified.
- **Transportation:** The potential adverse impacts related to truck-hauling activities associated with the Beneficial Reuse Project will be evaluated. Potential impacts on bicycle and pedestrian circulation will also be analyzed and summarized in the environmental document. If necessary, mitigation measures to reduce or avoid transportation impacts will be identified.
- **Tribal Cultural Resources:** Native American consultation will be completed to determine if tribal cultural resources would be impacted by the Beneficial Reuse Project. The consultation process will be summarized in the environmental document and, if necessary, mitigation measures to reduce or avoid impacts on tribal cultural resources will be identified.
- **Utilities and Service Systems:** Potential utilities impacts will be evaluated, including potential impacts on utility towers, transmission lines, water supply, wastewater generation, stormwater, and solid waste during construction of the Beneficial Reuse Project. If necessary, mitigation measures to reduce or avoid impacts on utilities and service systems will be identified.

It is anticipated that the Beneficial Reuse Project would not result in significant impacts for the following subject areas: agriculture and forestry resources, mineral resources, population and housing, and wildfire.

CORTESE LIST NOTICE

Pursuant to Public Resources Code 21092.6(a), the Beneficial Reuse Project area is not located on any sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).[6]

COMMENT DUE DATE

Comments regarding the scope of analysis and content for the EIS/EIR are invited from all interested parties. **Please submit comments no later than 5 p.m., Tuesday, February 20. 2024**. However, we would appreciate your response at the earliest possible date. Please send your email comments to beneficial.reuse@vta.org or written comments via postal mail to Ann Calnan at the address shown below with "Beneficial Reuse Project" as the subject. Emailed comments are preferred. Public agencies that provide comments are asked to include the name of a contact person for the agency.

Ann Calnan, Environmental Lead
Santa Clara Valley Transportation Authority
Environmental Programs Office
3331 North First Street, B-2
San Jose, CA 95134-1927

[6] DTSC. 2023. EnviroStor Hazardous Waste and Substances Site List (Cortese). https://dtsc.ca.gov/dtscs-cortese-list/. Accessed: December 7. 2023.

SCOPING MEETINGS

Two public scoping meetings (one virtual and one in-person) will be held.

- The virtual meeting will be held via Zoom on Tuesday, February 6, 2024, at 6:00 p.m. To register for the virtual meeting, please go to https://www.vta.org/projects/vta-beneficial-reuse-project.
- The in-person meeting will be held on Wednesday, February 7, 2024, from 5:30 p.m. to 7:00 p.m., at the Alviso Branch Library located at 5050 N. First Street, San Jose, CA 95002. (This location is served by VTA Bus 59)

The details of the public scoping meetings will also be posted on the VTA website (https://www.vta.org/projects/vta-beneficial-reuse-project). Project information will be presented at the meetings.

Persons needing reasonable accommodations in order to attend and participate in the public scoping meetings should email beneficial.reuse@vta.org sufficiently in advance of the meeting to allow time to process the request. All meeting facilities are accessible to persons with disabilities.

Individuals who require language translation, American Sign Language, or other assistance are requested to contact VTA's Community Outreach and Public Engagement team at (408) 321-7575 or beneficial.reuse@vta.org, at least five (5) business days before the public information meeting.

FOR FURTHER INFORMATION

Details about the Beneficial Reuse Project will be posted on the VTA website (https://www.vta.org/projects/vta-beneficial-reuse-project) as the project is further developed.

BENEFICIAL REUSE OF EXCAVATED MATERIAL IN TIDAL MARSH RESTORATION PROJECT

NOTICE OF PREPARATION

The U.S. Fish and Wildlife Service (USFWS) and the Santa Clara Valley Transportation Authority (VTA), in cooperation with the Santa Clara Valley Water District (Valley Water), are proposing the Beneficial Reuse of Excavated Material in Tidal Marsh Restoration (Beneficial Reuse Project) in South San Francisco Bay. The USFWS is the Lead Agency under the National Environmental Policy Act and VTA is the Lead Agency under the California Environmental Quality Act. The USFWS is issuing a Notice of Intent to prepare an Environmental Impact Statement (EIS) and VTA is issuing a Notice of Preparation of an Environmental Impact Report (EIR) for the Project.

The public scoping period for the joint EIS/EIR will begin on January 19 and end February 20, 2024. During this period, the public is encouraged to provide input on the scope of the Project by attending either an in-person or virtual meeting or providing comments at beneficial.reuse@vta.org.

PROJECT OVERVIEW

The Beneficial Reuse Project would place up to approximately 3.5 million cubic yards of excavated material (soils) into several former salt production ponds around South San Francisco Bay to raise the pond bottoms for the purpose of accelerating the timeline for tidal marsh habitat restoration. Much of the material will come primarily from tunneling operations for VTA's BART Silicon Valley Phase II Extension Project.

Direct benefits of the Project include beneficial reuse of construction waste and a reduction of greenhouse gas emissions by diverting "waste" that would otherwise be taken to landfills much farther away. ***Indirect benefits*** will result from the future restoration of tidal marsh habitat once the former salt production pond bottoms are raised. Re-establishing marshes will also provide sea-level rise resilience, water quality improvements, flood risk management, and habitat creation for threatened and endangered species.

COMMUNITY OPEN HOUSE

Please join us to learn more and provide valuable input into the scope of the Project. Participants will have the opportunity to review displays, watch a brief presentation, and speak with project team members. VTA is facilitating both virtual and in-person opportunities to engage and learn about the project. Comments may be submitted at the meetings or by email at beneficial.reuse@vta.org.

Virtual community meeting:

TUESDAY, FEBRUARY 6, 2024
6:00 PM via Zoom

In-person community open house:

WEDNESDAY, FEBRUARY 7, 2024
5:30 TO 7:00 PM

ALVISO BRANCH LIBRARY
5050 N. First Street,
San Jose, CA 95002

For additional information and to register for the meetings, please visit:
vta.org/projects/vtas-beneficial-reuse-project

Scan QR Code to RSVP and share translation needs or follow this link: https://bit.ly/48lxKPd

¿Puede leer este documento? Si no, podemos ayudarle a leerlo. Si desea recibir asistencia, llame al Departamento de Relaciones con la Comunidad de VTA al (408) 321-7575.

이 문서를 읽을 수 있습니까? 읽지 못하신다면 저희가 도와드릴 수 있습니다. 무료도움이 필요하시다면, VTA 커뮤니티 관계 부서에 (408) 321-7575 로 연락주시기바랍니다.

Kaya mo bang basahin ang dokumentong ito? Kung hindi, matutulungan ka naming basahin ito. Para makatanggap ng libreng tulong, mangyaring tumawag sa Community Relation Department ng VTA sa (408) 321-7575.

您是否能閱讀本文件?若否, 我們能協助您閱讀。欲取得免費協 助, 請聯絡 VTA 社區關係部專線 (408) 321-7575 。

Bạn có thể đọc tài liệu này không? Nếu không, chúng tôi có thể giúp bạn đọc tài liệu này. Để được trợ giúp miễn phí, vui lòng gọi Bộ Phận Quan hệ Cộng đồng của VTA theo số (408) 321-7575.

Beneficial Reuse of Excavated Materials in Tidal Marsh Restoration Project