



NOTICE OF AVAILABILITY

October 3, 2018

To:
Reviewing Agencies, Organizations, and
Individuals

From:
Santa Clara Valley Transportation Authority
Environmental Programs
3331 North First Street, Building B-2
San Jose, CA 95134-1927

SUBJECT: Notice of Availability of a Draft Second Supplemental Environmental Impact Report for the Eastridge to BART Regional Connector: Capitol Expressway Light Rail Project

The Santa Clara Valley Transportation Authority (VTA), as the lead agency under the California Environmental Quality Act (CEQA), has prepared a Draft Second Supplemental Environmental Impact Report (Draft SEIR-2) for the Eastridge to BART Regional Connector: Capitol Expressway Light Rail Project (EBRC-CELR or Project). We request the views of your agency as to the content of the Draft SEIR-2, which is germane to your agency's statutory responsibilities in connection with the proposed project. The Draft SEIR-2 will supplement the Final Environmental Impact Report (Final EIR) (SCH 2001092014), Final Supplemental Environmental Impact Report (Final SEIR-1), and the Subsequent Initial Study/Mitigated Negative Declaration (Subsequent IS/MND), which were certified by the VTA Board of Directors in May 2005, August 2007, and March 2014, respectively. Your agency may access the Draft SEIR-2, Final EIR, Final SEIR-1, and Subsequent IS/MND at the following link: <http://www.vta.org/projects-and-programs/transit/capitol-expressway-light-rail-project/library>.

The project description, location, public review period dates, public meeting information, summary of significant impacts, presence of hazardous materials sites within the project area pursuant to California Government Code Section 65962.5, and information on where the draft document can be found for review are contained in the attached materials. A copy of the Draft SEIR-2 is is not attached.

Because of the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 45 days after receipt of this notice. Comments are respectfully requested by Monday, November 19, 2018.

Please send your written comments to Christina Jaworski at the address shown above. We request that the name for a contact person in your agency be provided with your response.

Project Title: Eastridge to BART Regional Connector: Capitol Expressway Light Rail Project (formerly named "Downtown East Valley Capitol Expressway Corridor" and "Capitol Expressway Corridor")

Project Applicant, if any: Santa Clara Valley Transportation Authority

Date: 10/03/18

Signature:

Name: Christina Jaworski
Title: Senior Environmental Planner
Telephone: (408) 321-5789



October 3, 2018

Notice of Availability: Draft Second Supplemental Environmental Impact Report for the Eastridge to BART Regional Connector: Capitol Expressway Light Rail Project

The Santa Clara Valley Transportation Authority (VTA), as the lead agency under the California Environmental Quality Act (CEQA), has prepared a Draft Second Supplemental Environmental Impact Report (Draft SEIR-2) for the Eastridge to BART Regional Connector: Capitol Expressway Light Rail Project (EBRC-CELR or Project) located in the City of San José. The Draft SEIR-2 supplements the Final Environmental Impact Report (Final EIR) (SCH 2001092014), Final Supplemental Environmental Impact Report (Final SEIR-1), and the Subsequent Initial Study/Mitigated Negative Declaration (Subsequent IS/MND), which were certified by the VTA Board of Directors in May 2005, August 2007, and March 2014, respectively. The Draft SEIR-2 as well as the Final EIR, Final SEIR-1, and Subsequent IS/MND are available at: www.vta.org/eastridgetobart. The project, as described in these previous environmental documents, is known as the “approved project”.

The approved project (discussed below under *Approved Project*) was to be implemented in two distinct phases. Phase 1 consisted of pedestrian and bus improvements, including sidewalk, landscaping, and lighting along Capitol Expressway; bus stop improvements at Story Road and Ocala Avenue; and the replacement of Eastridge Transit Center. Construction of the pedestrian and bus improvements was completed in 2012 and the replacement of Eastridge Transit Center was completed in 2015. Phase 2 consisted of the extension of light rail along Capitol Expressway between the existing Alum Rock Light Rail Station and Eastridge Transit Center, a distance of approximately 2.4 miles. The project elements included in Phase 2 have not been implemented.

Following project approval (discussed below under *Prior Environmental Documents*), work began on Preliminary Engineering (PE) for Phase 2, which advanced designs to a greater level of detail. Because of the nature of the design changes recently proposed during PE (discussed below under *Changes to the Approved Project*), VTA determined that additional environmental review was required and that a Supplemental Environmental Impact Report was the appropriate level of documentation (SEIR). An SEIR is prepared only if minor additions or changes would be necessary to make the previous EIR adequately apply to the changed situation. According to Section 15163(b) of the CEQA Guidelines, the SEIR needs to only contain the information necessary to make the previous EIR adequate for the project as revised.

The Second Subsequent IS serves to focus the analysis in the Draft SEIR-2 on the potential for new significant impacts or a substantial increase in the severity of previously identified significant effects that would result from the proposed changes to the approved project. As such, the potential transportation, environmental justice, noise and vibration, air quality and climate change, and construction impacts associated with the proposed changes to the approved project are the subject of the Draft SEIR-2. Other environmental resource areas, where there are no impacts or where impacts can be mitigated to a less than significant level, are the subject of the Second Subsequent IS. The resource areas analyzed in the Second Subsequent IS include Biological Resources, Community Services, Cultural Resources, Electromagnetic

Fields, Energy, Geology/Soils/Seismicity, Hazardous Materials, Hydrology & Water Quality, Land Use, Safety & Security, Socioeconomics, Utilities, and Visual Quality.

Prior Environmental Documents

The federal and state environmental process for the approved project was initiated in September 2001 with the publication of a Notice of Intent to prepare an Environmental Impact Statement (EIS) in the federal register and the filing of the Notice of Preparation of an Environmental Impact Report (EIR) with the State Clearinghouse. A Draft EIS/EIR was circulated in April 2004, but only a Final EIR was completed as a result of limited opportunities for securing federal funds.

In May 2005, the VTA Board of Directors certified the Final EIR (hereafter referred to as the "2005 Final EIR") and approved the Light Rail Alternative. As a result of Preliminary Engineering, the Light Rail Alternative was modified to address agency comments, improve light rail operation, minimize right-of-way acquisition, and lower costs. To address these modifications, the VTA Board of Directors prepared and certified a Final Supplemental EIR (Final SEIR) and approved the modifications in August 2007 (hereafter referred to as the "2007 Final SEIR").

Due to unprecedented declines in revenues beginning in 2008, the implementation plan for the Light Rail Alternative was modified to construct the project in phases. An Addendum to the Final SEIR was approved in June 2010 that included the installation of pedestrian and bus improvements as Phase 1 and the extension of light rail along Capitol Expressway as Phase 2.

In addition to the state environmental process, VTA reinitiated the federal environmental process on September 9, 2009, with a Notice of Intent to prepare a Supplemental Draft EIS. The Supplemental Draft EIS was circulated on May 18, 2012, for 45 days with comments due on July 3, 2012. The federal environmental process under the National Environmental Policy Act (NEPA) was suspended in 2017 as a result of limited opportunities for securing federal funds.

A Subsequent Initial Study (IS)/Mitigated Negative Declaration (MND) was approved in March 2014 (hereafter referred to as the "2014 Subsequent IS/MND") that eliminated the Ocala Station, eliminated sidewalk widening and sound wall relocation north of Ocala Avenue, and expanded the Eastridge Park-and-Ride lot.

Project Location

The approved project is located along Capitol Expressway, generally between Capitol Avenue and Quimby Road in the City of San José in Santa Clara County. Exhibit 1 depicts the project alignment with the proposed changes to the approved project (discussed below under *Approved Project* and *Proposed Changes to the Approved Project*).

Approved Project

The approved project would consist of the extension of light rail along Capitol Expressway between the existing Alum Rock Light Rail Station and Eastridge Transit Center, a distance of approximately 2.4 miles. Light rail would operate primarily in the median of Capitol Expressway within exclusive and semi-exclusive rights-of-way. To provide the additional right-of-way to accommodate light rail, HOV lanes would be removed

between Capitol Avenue and Tully Road. The alignment would include an elevated section that would extend north of Capitol Avenue to south of Story Road, and an elevated crossing of Tully Road. The approved project would include new light rail stations at Story Road (aerial) and Eastridge Transit Center (at-grade). At Eastridge Mall, the Park-and-Ride lot would be expanded to accommodate parking. The approved project would also include traction power substations at Ocala Avenue and Eastridge Transit Center. Five 115-kilovolt electrical transmission towers and two tubular steel poles would be relocated from the median of Capitol Expressway to the east side of Capitol Expressway in order to accommodate the approved project.

Proposed Changes to the Approved Project

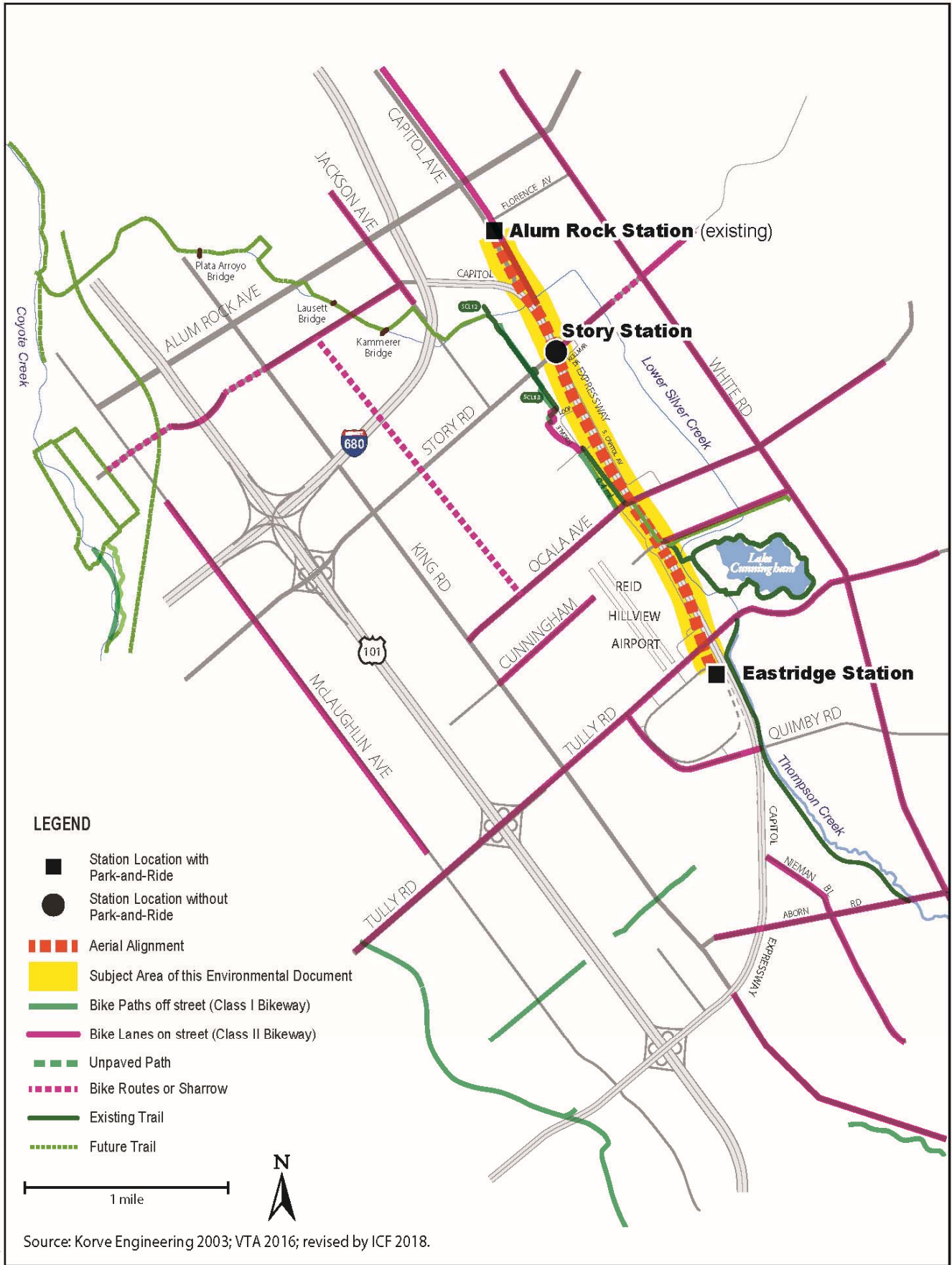
VTA is proposing changes to certain elements of the approved project, as follows:

- Extension of the aerial guideway to grade-separate the Ocala Avenue and Cunningham Avenue intersections;
- Revisions to Capitol Expressway roadway lane configurations (including the conversion of the existing HOV lanes to general purpose traffic lanes and maintaining eight lanes between Story Road and Capitol Avenue);
- Modifications to Eastridge Station platforms and track;
- Reduction in parking spaces at Eastridge Park-and-Ride lot;
- Minor shift in the location and straightening of the Story Station pedestrian overcrossing;
- Modification to Story Station pedestrian access;
- Relocation of a construction staging area;
- Relocation of Pacific Gas and Electric (PG&E) electrical transmission facilities; and
- Extension of construction duration and modification to the construction scenario.

The approved project with the proposed changes is anticipated to have 2,980 boardings in 2023 and 4,534 boardings in 2043. Travel time for the Light Rail Alternative between Alum Rock Station and Eastridge Transit Center is estimated to be 4.3 minutes. The capital cost of the approved project with the proposed changes is projected to be \$453.

Significant Environmental Impacts

The Second Subsequent IS and Draft SEIR-2 identify significant impacts to the following resources: transportation, air quality and climate change, biological resources, energy, environmental justice, geology, hazardous materials, hydrology and water quality, noise and vibration, safety and security, socioeconomics, utilities, visual quality, and cumulative effects. Many of these impacts can be fully mitigated but some cannot. The impacts that would remain significant and unavoidable, as discussed in the Draft SEIR-2, are listed below:



Source: Korve Engineering 2003; VTA 2016; revised by ICF 2018.

Graphics: ... 0001.08 (6/21/18) AB

Exhibit 1
Proposed Changes to Capitol Expressway Light Rail Project

Transportation (Operation and Construction)

- **Capitol Expressway and Story Road intersection.** The proposed changes to the approved project would result in a significant impact under existing (2017), year 2023, and year 2043 conditions, caused by the removal of the HOV lanes and the addition of HOV lane traffic into the remaining general purpose lanes. No feasible mitigation was identified for these impacts.
- **Capitol Expressway and Ocala Avenue intersection.** The proposed changes to the approved project would result in a significant impact at this intersection under existing (2017), year 2023, and year 2043 conditions, caused by the removal of the HOV lanes, the removal of a northbound left-turn lane on Capitol Expressway, and the addition of HOV lane traffic into the remaining general purpose lanes. No feasible mitigation was identified for these impacts.
- **Transportation impacts during construction.** The proposed changes to the approved project would require lane closures on Capitol Expressway during construction, which may cause select study intersections to temporarily operate at LOS F, impacting passenger vehicles, buses, and trucks. The proposed changes to the approved project may also result in the temporary closures of bikeways, bus stops, and sidewalks in the corridor during construction. The duration, times, and locations of temporary closures during construction cannot be predicted with certainty. As a result, this impact would be "Significant and Unavoidable".

Noise and Vibration (Operation and Construction):

- **Nighttime exceedance (10:00 pm to 7:00 am) of the Federal Transit Administration (FTA) vibration levels from light rail operation at homes within 100 feet of the proposed aerial guideway.** The proposed aerial guideway and ballasted track on embankment sections would cause an exceedance of the nighttime impact criteria of 72 vibration decibels (VdB) at 73 sensitive receiver locations during light rail operation. Most of the impacts are anticipated to occur between 6:00 am and 7:00 am when VTA would be operating at peak service levels. VTA identified tire derived aggregate (TDA), 5-Hertz floating slab track (FST) or bridge bearing vibration isolation system, and speed reductions from 55 mph to 35 mph as potential mitigation measures. VTA is recommending to include TDA on embankment sections to mitigate one impact. However, VTA is not recommending to include FST, bridge bearing vibration isolation, or implement nighttime speed restrictions to eliminate the other 72 impacts. As a result, this impact would be "Significant and Unavoidable".
- **Daytime exceedance of the Federal Transit Administration (FTA) construction noise criteria from pile driving activity at unobstructed homes and businesses that are within 300 feet of pile driving activity.** The noise impacts from pile driving would have a duration of 8 to 15 days per sensitive receiver. Pile driving would exceed the construction noise impact criteria of 80 Leq at residences and 85 Leq at commercial properties at 156 sensitive receiver locations. Mitigation consisting of noise cushions and temporary noise barriers would be implemented; however, noise impacts from pile driving would remain "Significant and Unavoidable" at 2 residences.

- **Homes within 100 feet of pile driving activity may exceed FTA construction vibration criteria.** There are 64 predicted unmitigated construction vibration impacts, and 0 impacts with the use of non-impact piling methods. However, VTA is not recommending the use of non-impact piling methods at any locations. Therefore, this impact would be “Significant and Unavoidable.”

Air Quality (Construction)

- **Cumulative air quality impacts during construction.** The approved project plus the proposed changes to the approved project would cause further exceedances of existing pollutant concentrations, worsening the cumulative exposure of sensitive receptors to toxic air contaminant concentrations primarily from roadway traffic. Although the contribution of the approved project plus the proposed changes to the approved project to existing pollutant concentrations would not be substantial, there would nevertheless be a worsening of an already cumulatively significant impact. Even with inclusion of mitigation measures to reduce particulate matter and greenhouse gas emissions from construction equipment, this impact would be “Significant and Unavoidable.”

Environmental Justice (Operation and Construction)

- **The proposed changes to the approved project would result in new or more severe significant and unavoidable impacts to environmental justice populations related to transportation, noise and vibration, and cumulative air quality impacts during construction.** Disproportionate and adverse environmental effects to environmental justice populations would result from noise during construction, vibration during construction and operation, and cumulative air quality impacts during construction.

Hazardous Materials Sites

Pursuant to California Government Code Section 65962.5, the lead agency is disclosing that the proposed changes to the approved project are located in an area where there are 27 hazardous materials sites listed on State databases. More information on these sites can be found in Section 3.9 of the Second Subsequent IS, which is located in Volume III.

To Obtain a Copy of the Draft SEIR-2

A copy of the document is available online at www.vta.org/eastridgetobart, and at the following locations:

- VTA, River Oaks Building B Lobby, 3331 North First Street, San José, CA 95134
- VTA, Downtown Customer Service Center, 55-A W. Santa Clara Street, San José, CA 95113
- Reid-Hillview Airport Terminal Building Lobby, 2500 Cunningham Avenue, San José, CA 95122
- San José Public Library, Hillview Branch, 1600 Hopkins Dr., San José, CA 95122
- Dr. Roberto Cruz – Alum Rock Branch Library, 3090 Alum Rock Avenue, San José, CA 95127
- Tully Community Branch Library, 880 Tully Road, San José, CA 95121
- Village Square Branch Library, 4001 Evergreen Village Square, San José, CA 95135

A hardcopy or CD can also be obtained by contacting VTA at (408) 321-5789.

To learn more about the Project and Draft SEIR-2, please attend the following Public Meeting:

October 18, 2018, 6 p.m.
Hank Lopez Center, Multi-Purpose Room
1694 Adrian Way, San José, CA 95122
(This location is served by VTA Transit bus lines 70 and 522.)

To Comment on the Draft SEIR-2

Written comments must be received by 5:00 p.m. on Monday, November 19, 2018. Comments will be accepted at the meeting or can be sent via the following methods to:

Mail: Christina Jaworski, Senior Environmental Planner
Santa Clara Valley Transportation Authority
Environmental Programs
3331 North First Street, Building B-2
San José, CA 95134-1927

E-mail: EBRC-CELR-Comments@VTA.org

For further information regarding the environmental process, to be included on the Project mailing list, or to receive additional information about the Project, please contact Christina Jaworski at (408) 321-5789. Individuals with special needs should contact VTA Community Outreach at (408) 321-7575/TTY (408) 321-2330.

¿Puede usted leer este documento? Si no, nosotros podemos ayudarlo a leerlo. Para recibir asistencia gratuita, por favor llámenos al Departamento de Relaciones con la Comunidad de VTA al (408) 321-7575.

您能看懂本文件嗎？

如您不能，我們可以請人幫助您。如需幫助，請致電 VTA 社區外展部，電話是：(408) 321-7575。

이 문서를 읽으실 수 있습니까?

그렇지 못하실 경우, 읽으실 수 있도록 도와드릴 사람이 있습니다. 무료로 도움을 받으시려면 VTA 지역봉사부 (408) 321-7575 로 전화 주십시오.

Mababasa mo ba ang dokumentong ito? Kung hindi, maari kaming kumuha ng taong tutulong sa iyo na basahin ito. Para sa libreng tulong, mangyaring tumawag sa VTA Community Outreach sa (408) 321-7575.