

## CHAPTER 9.0: AGENCY AND COMMUNITY PARTICIPATION

This EIS/EIR was prepared on the basis of consultation and coordination with federal, state, and local agencies and with elected officials, community leaders, organizations, and other individuals from the neighborhoods and communities within Fremont, Milpitas, San Jose, Santa Clara, and the SVRTC. This section summarizes the history of that process and describes plans for ongoing and future consultation and coordination efforts.

### 9.1 SUMMARY OF MAJOR INVESTMENT STUDY/ALTERNATIVES ANALYSIS

Prior to the environmental scoping process, VTA conducted extensive public involvement as part of the MIS/AA. Three rounds of public outreach meetings were held in May, July, and October 2001, which provided important input to the MIS/AA. Each round of meetings consisted of the following events: five Community Working Group (CWG) meetings (Fremont, Milpitas, Hostetter/Berryessa, Downtown San Jose, and Santa Clara), four public open house meetings (Fremont, Milpitas, San Jose, and Santa Clara), and additional stakeholder meetings with various interest groups.

This outreach effort resulted in more than 1,000 public comments. Overall, the public showed support for the BART Alternative and was generally not supportive of adding a new mode or technology in the corridor. VTA considered the public's input when recommending the BART Alternative as the Preferred Investment Strategy/Locally Preferred Alternative.

### 9.2 SUMMARY OF SCOPING

The scoping process for the SVRTC project began with formal agency notification. On January 29, 2002, VTA distributed a Notice of Preparation (NOP) to advise interested agencies and the public that an EIR would be prepared. VTA distributed the NOP to approximately 93 agencies, elected officials, and interested parties in the study area. On Wednesday, February 6, 2002, FTA published a Notice of Intent (NOI) in the Federal Register to advise interested agencies and the public that an EIS would be prepared. Agency comment letters in response to the NOP or NOI are included in the *Environmental Scoping Report*, May 2002.

VTA also notified interested organizations and individuals about the study and the public scoping meetings. The public meetings were announced through a general notification mailer produced in four languages (English, Spanish, Chinese, and Vietnamese) that was directly mailed to approximately 90,000 interested organizations, businesses, and residents.

VTA conducted four formal and five informal scoping meetings to gather input and comments prior to undertaking the technical studies and developing the Draft EIS/EIR. A formal agency scoping meeting was held on February 13, 2002; public scoping meetings occurred on February 7, 11, and 13, 2002; the TAC met on February 12, 2002; Santa Clara CWG on March 7, 2002; Milpitas CWG on March 11, 2002; Hostetter/Alum Rock CWG on March 13, 2002; and Downtown San Jose CWG on March 14, 2002. Approximately 220 people in all attended the nine meetings. Copies of the presentation slides and other materials from the scoping meetings, written and verbal scoping comments, attendance sheets, and meeting summaries are included in the *Environmental Scoping Report*, May 2002.

A revised NOP was circulated January 23, 2003 to advise local agencies and others of the need for additional BART core system parking to support the BART Alternative. No additional meetings were held, but the new NOP solicited comments on this aspect of the environmental analysis. Written comments on

the revised NOP were received from the San Francisco RWQCB, BAAQMD, County of Santa Clara, ACCMA, AC Transit, City of Concord, and City of Lafayette. Copies of these agency response letters are included in the *Supplemental Environmental Scoping Report*, March 2003.

### **9.3 SUMMARY OF PUBLIC AGENCY COORDINATION**

VTA regularly consults with other public agencies through agency committees and through the formal process of securing approvals and permits. This section describes the function and organization of VTA agency committees and provides a record of formal consultations relating to the SVRTC project. See Section 9.5 for a listing of meetings held to date.

#### **9.3.1 AGENCY COMMITTEES**

##### **9.3.1.1 Policy Advisory Board**

The PAB provides important policy guidance and decision-making throughout the EIS/EIR process. The PAB is an important forum for discussing corridor-wide issues that extend beyond individual city and county boundaries. PAB meetings typically are scheduled monthly. The PAB consists of 10 elected officials within the SVRTC: one from Alameda County, one from the City of San Jose, one from the City of Santa Clara, one from the City of Fremont, one from Santa Clara County, two from VTA, and three from BART. The list of PAB members follows:

Jim Beall, County of Santa Clara	Ron Gonzales, Chairperson, City of San Jose
Tom Blalock, BART	Scott Haggerty, County of Alameda
Cindy Chavez, VTA/City of San Jose	Joel Keller, BART (Alternate)
Patricia Dixon, VTA/City of Milpitas (Alternate)	John McLemore, City of Santa Clara
Jose Esteves, VTA/City of Milpitas	Gus Morrison, City of Fremont
James Fang, BART	Peter W. Snyder, Vice Chairperson, BART

##### **9.3.1.2 VTA/BART Monthly Coordination**

VTA and BART staffs meet on a monthly basis to review detailed aspects of the SVRTC project, coordinate regarding issues requiring BART review or input, and address any questions or issues relating to BART operations or requirements.

##### **9.3.1.3 Project Development Teams**

The SVRTC project regularly conducts meetings with the PDTs from each of the principal corridor cities. These meetings are scheduled on a monthly basis to review detailed aspects of the SVRTC project and issues unique to each city.

##### **9.3.1.4 Technical Advisory Committee**

The TAC provides agency coordination and technical input in the development of the EIS/EIR. The TAC consists of staff representatives from various agencies including: FTA; VTA; Alameda County Transportation Authority (ACTA)/ACTIA, BART, ACE; Caltrans; the cities of Fremont, Milpitas, San Jose, and Santa Clara; MTC; and others. TAC meetings have been scheduled quarterly or more often as needed throughout the study. Current TAC members are the following, in alphabetical order by agency:

Tony Divito, AC Transit	David Minister, Earth Tech, VTA Consultant
Stacey Mortensen, ACE	Michele Bellows, EnviroTrans Solutions, ACTA/ACTIA Consultant
Brian Schmidt, ACE	Rebecca Kohlstrand, EnviroTrans Solutions, ACTA/ACTIA Consultant
Dawn Argula, Alameda County Board of Supervisors	Ron Fisher, FTA
Dennis Fay, ACCMA	Dwayne Weeks, FTA
Jean Hart, ACCMA	Jerome Wiggins, FTA Region 9
Beth Walukas, ACCMA	Chris Brittle, MTC
Art Dao, ACTA/ACTIA	Steve Heminger, MTC
Christine Monsen, ACTA/ACTIA	Doug Johnson, MTC
Kathy Mayo, BART	Therese McMillan, MTC
Paul Medved, BART	Marc Roddin, MTC
Malcolm Quint, BART	Anthony Quicho, Peninsula Corridor Joint Powers Board (Caltrain)
Dick Wenzel, BART	Dennis Korabiak, San Jose Redevelopment Agency
Jim Bass, Caltrans	Leslie Little, San Jose Redevelopment Agency
Wade Greene, Caltrans, District 4	George Fowler, SCVWD
Stewart Ng, Caltrans, District 4	Steve Bui, SCVWD
Martin Boyle, City of Fremont	Marc Klemencic, SCVWD
Lisa Goldman, City of Fremont	Lyndel Melton, SCVWD
Cindy Maxwell, City of Milpitas	Jose Ortiz, SCVWD
Joe Oliva, City of Milpitas	Sue Tippets, SCVWD
Dave Clarke, City of San Jose	Tim Chan, VTA
Patricia Colombe, City of San Jose	John Donahue, VTA
Kelly Doyle, City of San Jose	Michael P. Evanhoe, VTA
Hans Larsen, City of San Jose	Tom Fitzwater, VTA
Janis Moore, City of San Jose	Carolyn Gonot, VTA
Laurel Prevetti, City of San Jose	Lisa Ives, VTA, Project Manager
Craig Temple, City of San Jose	Jim Lightbody, VTA
Ben Tripousis, City of San Jose	George Naylor, VTA
Jim Webb, City of San Jose	Mike Tasosa, VTA
Sayed Fakhry, City of Santa Clara	Arch Walters, VTA
David Pitton, City of Santa Clara	Ann Jamison, Wyn & Grace, VTA Consultant
Steve Yoshino, City of Santa Clara	

### **9.3.2 AGENCY CONSULTATIONS RELATED TO NEPA AND OTHER ENVIRONMENTAL LAWS**

#### **9.3.2.1 Consultations with Resource Agencies Related to Endangered Species Acts**

Consultation with the USFWS and NOAA Fisheries under Section 7 of the federal ESA and with the CDFG under the CESA is required if the project will have impacts to special status biological species. On March 13, 2002, prior to conducting the field surveys, team biologists and VTA representatives met with CDFG staff to discuss the project and identify natural resource environmental concerns. A subsequent coordination meeting was held on March 27, 2002 with ACOE staff. Brief tours of the major waterways in the corridor were conducted for both agencies prior to the formal fieldwork. In February 2002, USFWS, NOAA Fisheries, and CDFG were contacted to request a listing of rare, threatened, endangered, and candidate species that may occur in the project vicinity. Copies of the USFWS, NOAA Fisheries, and CDFG replies to this request are included in Appendix C. Notes of agency meetings and personal contacts are included in the BWRTR.

The BWRTR and Draft EIS/EIR have been distributed to USFWS, NOAA Fisheries, ACOE, and CDFG for review. Consultation with USFWS, NOAA Fisheries, and CDFG is being carried out in accordance with the terms and requirements of the ESA and CESA and their enabling regulations to address anticipated impacts to steelhead, and Chinook salmon, and to develop minimization and compensatory measures to fully address these impacts. USFWS and NOAA Fisheries will review the BWRTR and this environmental document to identify the measures to reduce harm or compensate for impacts to the species and stipulate the measures to be carried out and special conditions to be observed in constructing and operating the project.

It is anticipated that either a Letter of Concurrence (LOC) that the project is not likely to adversely affect the special status species, or an Incidental Take Statement with Minimization Measures and other terms and conditions will be issued by the federal resource agencies. It is anticipated that the agencies will execute the LOC prior to circulation of the Final EIS/EIR. Issuance of the LOC or Incidental Take Statement will conclude consultation requirements under the federal ESA. Subsequent to this issuance, CDFG will be requested to issue its determination that the conclusions, minimization measures, and other terms and conditions are consistent with the provisions and requirements of the CESA. Receipt of CDFG's consistency determination will conclude consultations under CESA.

#### **9.3.2.2 Consultation Pursuant to Section 106 of the National Historic Preservation Act**

The Native American Heritage Commission (Commission) was consulted to request a Sacred Lands file search and to obtain the names of Native American contacts who may have an interest in the SVRTC project. The Commission reported no known Sacred Lands within the archaeological APE and provided a list of 12 Native American contacts. A letter was sent and follow-up telephone calls were made asking each contact to share any relevant concerns, information, or recommendations regarding cultural resources. Responses from Native American contacts are included in the ASSR.

Letters were also sent to 25 local historical agencies and organizations requesting information regarding known or potential historic resources in the project vicinity. These agencies and organizations included the following:

Santa Clara County Planning Office

City of Milpitas Planning Department

Alameda County Planning Department

Alameda County Historical Society

City of San Jose Planning Department

Santa Clara County Historical Heritage Commission

City of San Jose Historic Preservation Officer

Heritage Council of Santa Clara County	Victorian Preservation Association
Milpitas Cultural Resources Preservation Board	City of Santa Clara
Milpitas Historical Society	Historical and Landmarks Commission
Historical Preservation Society of Santa Clara	Santa Clara County Historical and Genealogical Society
History San Jose and Historical Association	South Bay Historical Railroad Society, Inc.
Preservation Action Council of San Jose	California Trolley and Railroad Corporation
San Jose Historical Landmarks Commission	National Railroad Historical Society
San Jose Redevelopment Agency, East	Central Coast Chapter
Santa Clara Street Revitalization Committee	Caltrain
Los Fundadores–Santa Clara	

Responses were received from Los Fundadores–Santa Clara and the City of Milpitas. Follow-up meetings were held with the City of San Jose Historic Preservation Officer. Coordination with the historical agencies and organizations is ongoing.

FTA and VTA are coordinating with SHPO regarding the inventory of cultural resources within the SVRTC, the eligibility of these resources for listing on the NRHP, and the impacts of the SVRTC alternatives to such eligible resources. The ASSR and HRER were submitted to SHPO on March 19, 2003. SHPO concurred in the identification efforts and determinations of eligibility in letters dated June 9, 2003 and July 9, 2003; a copy of each letter from SHPO is included in Appendix C. Coordination with SHPO is ongoing. A PA or MOA and supporting HPTP will be developed in consultation with the Native American community, historical organizations, appropriate city and county historic preservation bodies, SHPO, and ACHP. The PA or MOA and HPTP will identify the process for completing the identification and evaluation of cultural resources within the SVRTC and define the process for addressing impacts and avoiding, minimizing, or mitigating any adverse effects. The PA or MOA and HPTP will be executed prior to circulation of the Final EIS/EIR.

### **9.3.3 PERMITS AND APPROVALS**

Table 9.3-1 at the end of this section summarizes the permits and approvals required for the project.

### **9.3.4 AGENCIES CONSULTED**

Public agencies consulted during the preparation of this environmental document, including those that received a copy of the EIS/EIR, are the following:

#### **9.3.4.1 Federal Agencies and Representatives**

Bureau of Indian Affairs	General Services Administration
Council of Environmental Quality	National Oceanic and Atmospheric Administration Fisheries Service
U.S. Department of Transportation, Office of the Secretary	National Transportation Safety Board
Federal Emergency Management Administration	Native American Heritage Commission
Federal Highway Administration	Surface Transportation Board
Federal Railroad Administration	U.S. Army Corps of Engineers

U.S. Department of Agriculture  
U.S. Department of Commerce  
U.S. Department of Energy  
U.S. Department of Housing and Urban  
Development

U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Fish and Wildlife Service  
U.S. Senators and Representatives

#### **9.3.4.2 State Agencies and Representatives**

Air Resources Board  
Department of Transportation (Caltrans), District 4  
Caltrans Division of Rail  
Department of Fish and Game  
Department of Housing and Community  
Development  
Department of Parks and Recreation  
Department of Water Resources  
Energy Commission  
Native Plant Society

Office of Historic Preservation (State Historic  
Preservation Officer)  
Office of Planning and Research  
Public Utilities Commission  
State Clearinghouse  
State Lands Commission  
State Resources Agency  
State Senators and Assembly Members  
Water Quality Control Board

#### **9.3.4.3 Local and Regional Agencies**

Alameda County  
Alameda County Congestion Management Agency  
Alameda County Transportation Authority  
Alameda County Transportation Improvement  
Agency  
Alameda County Flood Control and Water  
Conservation District  
Altamont Commuter Express  
Bay Area Air Quality Management District  
California Trolley and Railroad Corporation  
City of Fremont  
City of Milpitas  
City of San Jose  
City of Santa Clara  
Covenant Holder, South Bay Historical Railroad  
Society  
Heritage Council of Santa Clara County  
Historical Preservation Society of Santa Clara  
Metropolitan Transportation Commission

Milpitas Cultural Resources Preservation Board  
Milpitas Historical Society  
Peninsula Corridor Joint Powers Board  
Preservation Action Council of San Jose  
Regional Water Quality Control Board  
San Francisco Bay Area Rapid Transit District  
San Francisco Bay Conservation and  
Development Commission  
San Jose Redevelopment Agency  
San Jose Historical Landmarks Commission  
Santa Clara County  
Santa Clara County Historical Heritage  
Commission  
Santa Clara Historical Landmarks Commission  
Santa Clara Valley Water District  
Sonoma State University Information Center  
South Bay Historical Railroad Society, Inc.  
Transportation Agency for Monterey County

**Table 9.3-1: Agency Approvals**

<b>Agency</b>	<b>Baseline Alternative</b>	<b>BART Alternative</b>
U.S. Fish and Wildlife Service	N/A	Consultation for effects to habitat for special status plants, steelhead, and Chinook salmon fisheries and approve conceptual mitigation plan.
National Oceanic and Atmospheric Administration Fisheries Service	N/A	Consultation for effects to habitat for steelhead and Chinook salmon fisheries and approve conceptual mitigation plan.
U.S. Army Corps of Engineers	N/A	Approve individual Section 404 permit for effects to wetlands and other waters of the U.S.
Federal Railroad Administration	N/A	Coordination regarding common corridor and crossing Caltrain/UPRR ROW.
Federal Highway Administration	Approve plans for busway connectors with I-680 and I-880.	Approve plans for ramp modifications at US 101 and BART crossings of SR 237, SR 87, SR 82, US 101, and I-880
California Department of Fish and Game	Consultation for effects to western burrowing owl and loggerhead shrike habitat and approve MOA and conceptual mitigation plan.	Consultation for effects to western burrowing owl and loggerhead shrike habitat and approve MOA and conceptual mitigation plan. Execute 1601 Streambed Alteration Agreement.
California Department of Transportation	Approve plans for busway connections to I-880 and I-680.	Approve plans for ramp modifications at US 101 and BART crossings of SR 237, SR 87, SR 82, US 101, and I-880.
State Office of Historic Preservation	N/A	Approval of MOA describing procedures for protection and mitigation of impacts to historic and cultural resources pursuant to Section 106 of the National Historic Preservation Act and 36 CFR Part 800.
California Public Utilities Commission	N/A	Coordination regarding common corridor.
San Francisco Bay Area Rapid Transit District	Approve plans for Busway Connector to BART Warm Springs Station	Approve project per VTA/BART Comprehensive Agreement
Regional Water Quality Control Board	Approve Section 401 Water Quality Certification, including Waste Discharge Requirements, if any. Approve Section 402 General Construction Activity NPDES Permit (includes developing and implementing a SWPPP) for construction phase impacts and project-specific compliance measures.	Approve Section 401 Water Quality Certification, including Waste Discharge Requirements, if any. Approve Section 402 General Construction Activity NPDES Permit (includes developing and implementing a SWPPP) for construction phase impacts and project-specific compliance measures.
Santa Clara County	No permitting requirements identified.	No permitting requirements identified.
Santa Clara Valley Water District	Issue encroachment permit if construction comes within specified limits of the top of bank of any Santa Clara County stream.	Issue encroachment permit if construction comes within specified limits of the top of bank of any Santa Clara County stream.
Alameda County Flood Control District (Zone 7)	Issue encroachment permit if modifying culverts or drainage channels.	Issue encroachment permit if modifying culverts or drainage channels.
City of Fremont	N/A	Encroachment permit for construction in city ROW.
City of Milpitas	N/A	Encroachment permit for construction in city ROW.
City of San Jose	N/A	Encroachment permit for construction in city ROW.
City of Santa Clara	N/A	Street opening permit requirement for construction in the city ROW.
N/A = Not Applicable		

## 9.4 SUMMARY OF PUBLIC OUTREACH

The public involvement program employs a variety of means, including individual and group contacts, targeted information meetings, workshops, fact sheets and newsletters, circulation of draft documents, and formal public meetings to incorporate the broad community outreach goals of VTA. The activities are:

- Include all the diverse communities, promoting public awareness through each phase of the project.
- Address community needs, issues and concerns.
- Provide timely and accurate project information.
- Enhance communication with schools, businesses, and other groups in the community.
- Build understanding and support for transportation and congestion management programs and projects.
- Revise outreach efforts to meet project and community needs.

This section describes the organizational structures, meetings, and media through which VTA conducts the outreach and public involvement program for the SVRTC.

### 9.4.1 COMMUNITY WORKING GROUPS

VTA established four CWGs for the SVRTC environmental study. The purpose of the CWGs is to communicate project information to key members of the community and facilitate community input and participation. CWGs were established for the City of Milpitas, the San Jose Hostetter/Alum Rock neighborhood, the Downtown San Jose area, and the City of Santa Clara. Group members include the leaders of neighborhood and business associations, community organizations, advocacy groups, major property owners, and planning commissioners as listed below:

#### 9.4.1.1 Milpitas CWG Affiliates

Calprop Corporation/Parc Metropolitan – Homeowners Association	Peoples Association Structural Engineers
City of Milpitas Bicycle Transportation Advisory Committee	Pioneer Mobile Home Park
Community Care Property Management	Planning Commission
Cornish & Carey Commercial Real Estate	Professional Constructors, Inc./The Crossings
Custom Drywell	Property Owner
Friendly Village Mobile Home Park	Residents
Great Mall	Sister Cities Commission
Marriott International, Inc.	Solectron
Milpitas Chamber of Commerce	Summerfield Homeowners Association
Milpitas Unified School District	Sunnyhills Homeowners Association
	Telecommunications Commission



**9.4.1.2 Hostetter/Alum Rock CWG Affiliates**

Adobe Systems Incorporated, Mailstop W11  
Assembly member Elaina Alquist's Office  
Berryessa Citizens' Advisory Council  
Berryessa Union School District  
East Santa Clara Street Business Association  
Olinder Neighborhood Food Program

Philips Semiconductors  
Plato Arroyo Neighborhood Association  
Residents  
Tradan Springs  
Portuguese Chamber of Commerce  
Santa Clara Unified School District

**9.4.1.3 Downtown San Jose CWG Affiliates**

24<sup>th</sup> Street Neighborhood Association  
Business Owner  
Campus Community Association  
College Park Neighborhood Association  
Downtown Leadership Forum  
East Santa Clara Street Business Association  
Hensley Historic District  
HP Pavilion at San Jose  
Hispanic Chamber of Commerce  
Horace Mann Neighborhood Association  
Julian/St. James Neighborhood Association  
Market Almaden Neighborhood Association  
Northside Neighborhood Association  
Olinder Neighborhood Association

Parking & Transportation Committee  
Roosevelt Park Community Action Team  
Roosevelt Park Neighborhood Association  
Rosemary Gardens Neighborhood Association  
San Jose Arena Authority  
San Jose Chamber of Commerce  
San Jose Downtown Association  
San Jose Downtown Resident Association  
San Jose State University  
Shasta Hanchett Park Neighborhood Association  
University Neighborhood Coalition  
Vietnamese Community Leader  
Vietnamese Chamber of Commerce

**9.4.1.4 Santa Clara CWG Affiliates**

Alviso Street Neighborhood Group  
Alviso Homeowners Group  
Business Owners  
Chamber of Commerce  
Historical and Landmark Commission  
Hunter Properties/Tech Station

Old Quad Homeowners Association  
Planning Commission  
Residents  
Santa Clara Unified School District  
Santa Clara University  
South Bay Historic Railroad Society

## **9.4.2 PUBLIC MEETINGS AND WORKSHOPS**

Public meetings, workshops, and stakeholder meetings have been conducted and will continue throughout the environmental process to provide project information and receive input. This section summarizes some of the key activities to date. The meetings are announced through media releases, invitations to CWG members, general notification mailers, and the SVRTC project website. Meeting announcements are produced in multiple languages: English, Spanish, Chinese, and Vietnamese. Spanish and Vietnamese interpreters are provided at meetings according to need. The cities of Milpitas, San Jose, and Santa Clara also assist with distribution of notices.

### **9.4.2.1 Twelve Station and Urban Design Workshops**

From April to October 2002, VTA conducted three rounds of community workshops in four areas: Milpitas, Hostetter/Alum Rock, downtown San Jose, and Santa Clara. The twelve workshops were designed to provide information and receive public input to refine station and urban design concepts for the BART stations. The CWGs, the general public, and surrounding communities were invited to the workshops and approximately 340 people participated.

The community addressed a wide range of comments, including facility layout, station access, intermodal connectivity, impacts, and land use issues. Community members emphasized the importance of multi-modal access to the stations and efficient connections with other transit modes. Many stressed the need for cooperative development efforts with the cities and neighborhood land use plans. Others requested a thorough evaluation of the station impacts on traffic and circulation, as well as on residences and businesses. The public also recommended that station facility designs complement the unique style of the surrounding community.

### **9.4.2.2 Public Meetings on Project Description for the EIS/EIR**

In May 2002, VTA conducted community meetings and presentations to provide project information and receive public input to further refine the project definition for the EIS/EIR. The public meetings were announced through a media release, a general notification mailer, display advertisements, and the SVRTC project website.

Comments were received from three public and CWG meetings, as follows: Santa Clara CWG/public meeting May 13, 2002; Hostetter/Alum Rock/Downtown San Jose CWG/San Jose public meeting on May 15, 2002; and Milpitas CWG/public meeting on May 16, 2002.

Community input from the project definition meetings focused on station and alignment options for the BART Alternative. Community members asked for studies regarding construction impacts on the surrounding community. Others expressed the need for thorough public information regarding construction staging locations, hours of construction, emergency vehicle access, and parking and traffic impacts. Some members of the public recommended analysis of tunnel construction impacts on residences, businesses, and the environment in downtown San Jose.

### **9.4.2.3 Project Update Community Open Houses**

In December 2002, VTA held three community open houses and three CWG meetings to provide project information and receive public input on the alignment and station concepts for the BART Alternative: Milpitas CWG/community open house December 4, 2002; Hostetter/Alum Rock/Downtown San Jose CWG/San Jose community open house December 5, 2002; and Santa Clara CWG/community open house December 9, 2002.

The community open houses were announced through a media release, a general notification mailer, display advertisements, and the SVRTC project website. The public meeting announcement mailer was produced in four languages (English, Spanish, Chinese, and Vietnamese) and was mailed to the study mailing list of approximately 76,600 interested organizations, businesses, and residents.

Additional CWG meetings were held in May to present updated project characteristics and preliminary environmental information. The meetings were held in: Milpitas on May 12, 2003; Hostetter/Alum Rock on May 14, 2003; downtown San Jose on May 15, 2003; and Santa Clara on May 19, 2003.

Comments from the community open houses addressed station and alignment options and areas of environmental analysis for the BART Alternative. Community members asked for a thorough evaluation of noise and vibration impacts on residences and businesses along the alignment; impacts to cultural resources, the visual and aesthetic environment, traffic and parking, and property values; and impacts due to construction. Many supported strong intermodal connectivity with light rail and Caltrain. Coordination with local land use plans and development opportunities also was expressed. Some emphasized the importance of access to stations for bicycles, pedestrians, buses, and automobiles.

#### **9.4.2.4 Other Stakeholder and Community Meetings**

In addition to the public meetings, VTA continues to make presentations upon request to community groups and stakeholders. Representative groups where VTA has made presentations include the League of Women Voters, the San Jose Downtown Association, the Fourth Annual Neighborhood Summit, SJSU, HP Pavilion, and the Strong Neighborhoods Initiative groups.

Individual stakeholder meetings have also been held as requested or appropriate to identify issues affecting the project definition or studies. Some of these meetings have included representatives of the following groups: Sierra Club, San Jose State University Association Student Government, Silicon Valley Manufacturing Group, Bay Rail Alliance, Transportation and Land Use Coalition (formerly the Bay Area Transportation and Land Use Coalition), California Alliance for Jobs, League of Women Voters, South Bay Labor Council, Modern Transit Society, and the Downtown Business Association.

On April 11, 2002, VTA hosted a special CWG meeting on the proposed airport connection between Santa Clara/San Jose and SJIA. Two airport connection options, a direct BART connection and an APM, were presented and comments were taken. Members of the Milpitas, Hostetter/Alum Rock, Downtown San Jose, and Santa Clara CWGs were invited and approximately 42 people attended.

On April 29, 2002, VTA held a downtown San Jose informational workshop to address tunneling and BART project coordination with the Downtown East Valley Project. The meeting announcement was mailed and e-mailed to CWG members and a notice was sent to businesses and residents in areas through which the BART Alternative would be in tunnel. VTA also worked with the City of San Jose to distribute notices to interested parties. A press release was distributed and the meeting was posted on the SVRTC project website. Approximately 78 people attended this downtown San Jose informational workshop.

VTA hosted two station entrance workshops on September 26 and 30, 2002, at the Theatre on San Pedro Square to discuss the entrances to the Civic Plaza/SJSU and Market Street stations. The presentation included an overview of the BART project and the types, criteria, and potential locations for station entrances. The meetings, noticed by business associations and San Jose city staff, were targeted for property owners, business owners, and the general public.

#### **9.4.2.5 Public Meetings on MOS Scenarios**

In September 2003, VTA conducted a series of five public workshops and four CWG meetings to present the MOS scenarios and to receive public input. VTA was also invited to attend a public hearing in Milpitas, a Strong Neighborhoods Initiative meeting in Five-Wounds/Brookwood Terrace, and an East Santa Clara Street Business Association meeting.

Approximately 250 comments were received at these meetings as well as by phone, fax, mail, and e-mail. The comments focused on the need to include a station in east San Jose that would provide access for transit users to the east and alleviate traffic and parking demand in Milpitas. The public also voiced the desire to retain the full-build BART Alternative and look for other funding sources. In addition, the possibility of combining the Civic Plaza/SJSU and Market Street stations was expressed. Community members also asked VTA to confirm ridership, employment projections, and funding constraints in determining a preferred MOS scenario.

On October 6, 2003, VTA brought two new MOS scenarios to the PAB for consideration: MOS-1E and MOS-1F. After reviewing the trade-offs for the six MOS scenarios and in response to public input, the PAB decided to include MOS-1E and MOS-1F as sub-options to the BART Alternative in this EIS/EIR document and the New Starts process.

#### **9.4.3 NEWSLETTERS AND FACT SHEETS**

Newsletters are produced to describe the study, notice key milestones, report VTA's efforts to address community issues, and provide information on future activities. The newsletter is the primary tool to summarize corridor-wide issues and activities for a broad audience. Fact sheets are also developed and distributed for broad dissemination of project highlights and to respond to frequently asked questions. Three newsletters and three formal fact sheets have been produced to date as follows:

March 2001	– Newsletter Issue 1 - Major Investment Study
April 2001	– Newsletter Issue 1 - Spanish Language
February 2002	– Fact Sheet - Scoping Information
February 2002	– Newsletter Issue 2 - BART Extension Approved by VTA
March 2002	– Fact Sheet - Project Overview (English, Spanish, Vietnamese and Portuguese)
April 2002	– Public Notice - VTA Downtown San Jose Meeting, Featuring Tunneling
April 2002	– Fact Sheet - Subway Overview
April 2002	– Public Notice - Station and Urban Design Workshop 1
May 2002	– Public Notice - Public Meetings
June 2002	– Public Notice - Station and Urban Design Workshop 2
September 2002	– Newsletter Issue 3 - Approved Project Description for Environmental Study
September 2002	– Public Notice - Station and Urban Design Workshop 3
December 2002	– Public Notice - Community Open House Meetings
December 2002	– Fact Sheet - Key Project Phases and Targeted Timeline
December 2002	– Fact Sheet - Key Milestones and the Public Outreach Schedule for Environmental Phase

- December 2002 – Fact Sheet - Real Estate Section
- December 2002 – Fact Sheet - Frequently Asked Questions December 2002
- May 2003 – Fact Sheet - Preparing an Environmental Impact Statement/Environmental Impact Report for a Major Transit Project
- May 2003 – Fact Sheet - Frequently Asked Questions Regarding Budget Process
- September 2003 – Public Notice - Minimum Operating Segment
- September 2003 – Fact Sheet - Minimum Operating Segment Scenarios
- September 2003 – Fact Sheet - Frequently Asked Questions September 2003

**9.4.4 NEWSPAPER DISTRIBUTION LIST**

VTA sends public notices regarding the SVRTC project to the following newspapers for publication:

Alameda Journal	Hokubei Mainichi	Pinnacle
Alameda Times-Star	India-West	Redwood City Almanac
Alianza Metropolitan News	International Daily News	Redwood City Independent
Almanac	Investor's Business Daily - Silicon Valley Bureau	Russian Life Newspaper
Argus	Korea Central Daily	San Francisco Business Times
Berryessa Sun	Korea Community News	San Francisco Chronicle
California Voice	Korea Post	San Francisco Examiner
Californian	La Oferta Review	San Jose Business Journal
Campbell Reporter	Los Altos Town Crier	San Jose Mercury News
Carmel Pine Cone	Los Gatos Weekly Times	San Mateo County Times
Castro Valley Forum	Manila Mail	Santa Clara Weekly
Cupertino Courier	Milpitas Post	Santa Cruz County Sentinel
Daily Review	Monterey County Herald	Saratoga News
El Mensajero	Morgan Hill Times/San Martin News	Sing Tao Daily
El Mundo	Mountain View Voice	Sunnyvale Sun
El Observador	Newcomer News	Thoi Boa
El Sol	Northern California Construction Bulletin	Times Newspaper Group
Filipino Guardian	Nuevo Mundo	Tri-Valley Herald
Free Lance	Oakland Tribune	Vietnam Liberty News
Fremont Bulletin	Palo Alto Daily News	Vietnam Daily News
Gilroy Dispatch	Palo Alto Weekly	Willow Glen Resident
Hispanic Business Journal		
Silicon Valley		

#### **9.4.5 PROJECT INFORMATION WEBSITE**

The project website ([www.vtabart-vta.org](http://www.vtabart-vta.org)) provides information to the public about the SVRTC project. The website is updated on a regular basis to offer the most current project information. The site contains study information, project calendar, newsletters, presentation materials, public meeting summaries, and public comment summary reports. The site also allows the public to submit comments directly.

#### **9.5 ONGOING PUBLIC OUTREACH**

A legal notice was filed with the Santa Clara County Clerk regarding the availability of the Draft EIS/EIR on March 16, 2004. A Notice of Availability of the Draft EIS/EIR was published in the Federal Register on March 26, 2004. Notices of availability were sent to affected and interested agencies, organizations, and individuals, as indicated in Chapter 10, *Agencies and Organizations*.

Direct mailings to interested parties were prepared providing information regarding the release of the Draft EIS/EIR, the timing of public hearings, the public comment period, and locations where the document would be available for public review. The environmental document has also been made available for review on VTA's website.

VTA will continue to conduct regular coordination meetings with the CWGs, PAB, BART, PDT, and TAC throughout 2003. VTA will provide periodic updates to the VTA/BART Boards of Directors at key milestones and conduct quarterly FTA coordination meetings to provide project updates. VTA will also continue to communicate with corridor property owners. Public presentations will continue to keep stakeholders, the public, and the media informed about the environmental process. Newsletters will continue to be produced to describe the EIS/EIR process, notice key milestones, report VTA's efforts to address community issues, and provide information on future activities.

#### **9.6 CHRONOLOGY OF COORDINATION**

This section includes a chronology of public outreach and coordination activities conducted to date during preparation of the EIS/EIR.

March 2001	– Published Newsletter Issue 1
April 2001	– PAB meeting
April 2001	– PAB meeting
April 2001	– TAC meeting
May 2001	– PAB meeting
June 2001	– PAB meeting
July 2001	– Meeting with special-interest regional stakeholders
August 2001	– PAB meeting
September 2001	– PAB meeting
October 2001	– Meeting with special-interest regional stakeholders
January 22, 2002	– VTA/BART monthly coordination
January 22, 2002	– Meeting with the Alum Rock Strong Neighborhoods Initiative
January 29, 2002	– Distributed a Notice of Preparation

- January 30, 2002 – PAB meeting
- January 30, 2002 – Published an announcement of scoping meeting in Thoi Boa
- January 30, 2002 – Published an announcement of scoping meeting in Santa Clara Weekly
- January 31, 2002 – Published an announcement of scoping meeting in El Observador
- January 31, 2002 – Published an announcement of scoping meeting in Milpitas Post
- February 2002 – Published Newsletter Issue 2
- February 1, 2002 – Published an announcement of scoping meeting in Sing Tao Daily
- February 3, 2002 – Published an announcement of scoping meeting in the San Jose Mercury News
- February 6, 2002 – Published a Notice of Intent (NOI) in the Federal Register
- February 7, 2002 – Public scoping meeting, Milpitas
- February 11, 2002 – Public scoping meeting, San Jose
- February 12, 2002 – TAC scoping meeting
- February 13, 2002 – Agency scoping meeting
- February 13, 2002 – Public scoping meeting, Santa Clara
- February 19, 2002 – VTA/BART monthly coordination
- March 7, 2002 – Santa Clara CWG meeting
- March 11, 2002 – Milpitas CWG meeting
- March 13, 2002 – Hostetter/Alum Rock CWG meeting
- March 13, 2002 – Meeting among team biologists and CDFG staff to discuss the project and identify natural resource environmental concerns
- March 14, 2002 – Downtown San Jose CWG meeting
- March 19, 2002 – VTA/BART monthly coordination
- March 21, 2002 – PDT meetings
- March 27, 2002 – Coordination meeting with ACOE staff
- March 27, 2002 – PAB meeting
- April 2002 – Published Subway Overview Fact Sheet
- April 6, 2002 – Meeting with League of Women Voters
- April 11, 2002 – Special CWG/public meeting on the proposed airport connection between Santa Clara/San Jose and SJIA
- April 15, 2002 – Milpitas CWG/public workshop #1, Milpitas Station and Urban Design
- April 16, 2002 – VTA/BART monthly coordination
- April 17, 2002 – Hostetter/Alum Rock CWG/public workshop #1, East San Jose Station and Urban Design
- April 18, 2002 – PDT meetings
- April 18, 2002 – Downtown San Jose CWG/public workshop #1, Downtown San Jose

	Station and Urban Design
April 24, 2002	– PAB meeting
April 29, 2002	– Downtown San Jose informational workshop featuring tunneling, SVRTC Project coordination with the Downtown East Valley Project
May 2, 2002	– Published an announcement of public meetings in El Observador
May 3, 2002	– Published an announcement of public meetings in Thoi Boa
May 5, 2002	– Published an announcement of public meetings in the San Jose Mercury News
May 9, 2002	– Published an announcement of public meetings in The Argus, Milpitas Post, and Sing Tao Daily
May 10, 2002	– Meeting with the San Jose Downtown Association
May 11, 2002	– Presentation at the Fourth Annual Neighborhood Summit
May 13, 2002	– Santa Clara CWG/public meeting
May 15, 2002	– Public meeting including Hostetter/Alum Rock, Downtown San Jose CWGs
May 16, 2002	– Milpitas CWG/public meeting
May 16, 2002	– PDT meetings
May 21, 2002	– VTA/BART monthly coordination
May 29, 2002	– PAB meeting
June 18, 2002	– VTA/BART monthly coordination
June 20, 2002	– Milpitas CWG/public workshop #2, Milpitas Station and Urban Design
June 24, 2002	– Santa Clara CWG/public workshop # 2, Santa Clara Station and Urban Design
June 26, 2002	– Hostetter/Alum Rock CWG and public workshop #2, East San Jose Station and Urban Design
June 27, 2002	– Downtown San Jose CWG/public workshop #2, Downtown San Jose Station and Urban Design
August 15, 2002	– PDT meetings
August 28, 2002	– Meeting with the Silicon Valley Manufacturing Group
September 2002	– Published Newsletter Issue 3
September 17, 2002	– VTA/BART monthly coordination
September 19, 2002	– PDT meetings
September 23, 2002	– Milpitas CWG/public workshop #3, Milpitas Station and Urban Design
September 26, 2002	– Hosted a station entrance workshop at the Theatre on San Pedro Square
September 30, 2002	– Downtown San Jose Business Community, Station Entrance workshop at the Theatre on San Pedro Square
October 1, 2002	– Hostetter/Alum Rock CWG/public workshop #3, East San Jose Station



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	and Urban Design
October 2, 2002	– Downtown San Jose CWG/public workshop #3, Downtown San Jose Station and Urban Design
October 8, 2002	– TAC meeting
October 15, 2002	– VTA/BART monthly coordination
October 17, 2002	– PDT meetings
October 30, 2002	– PAB meeting
November 19, 2002	– VTA/BART monthly coordination
November 21, 2002	– PDT meetings
November 27, 2002	– Published an announcement of meetings and open houses in Thoi Boa
November 28, 2002	– Published an announcement of meetings and open houses in El Observador
November 28, 2002	– Published an announcement of meetings and open houses in the Milpitas Post
November 29, 2002	– Published an announcement of meetings and open houses in the Sing Tao Daily
	– Published Fact Sheet: Key Project Phases and Targeted Timeline, Published Fact Sheet: Key Milestones and the Public Outreach, Published Fact Sheet: Real Estate Section, Published Fact Sheet: Frequently Asked Questions
December 2002	December 2002, Schedule for Environmental Phase
December 1, 2002	– Published an announcement of meetings and open houses in the San Jose Mercury News
December 4, 2002	– Published an announcement of meetings and open houses in the Santa Clara Weekly, Milpitas CWG/public meeting and open house
December 5, 2002	– Meeting with Hostetter/Alum Rock and Downtown San Jose CWGs, Public open house
December 9, 2002	– Meeting with Santa Clara CWG, Public open house
January 14, 2003	– TAC meeting
January 16, 2003	– PDT meetings
January 21, 2003	– VTA/BART monthly coordination
January 23, 2003	– Distributed revised Notice of Preparation
January 27, 2003	– Quarterly FTA meeting
February 18, 2003	– VTA/BART Monthly Coordination
February 20, 2003	– PDT meetings
March 18, 2003	– VTA/BART Monthly Coordination
March 20, 2003	– PDT meetings
March 26, 2003	– PAB meeting
April 8, 2003	– TAC meeting

April 15, 2003	– VTA/BART Monthly Coordination
April 17, 2003	– PDT meetings
May 2003	– Published Fact Sheet: Preparing an Environmental Impact Statement/ Environmental Impact Report for a Major Transit Project, Published Fact Sheet Frequently Asked Questions Regarding Budget Process
May 12, 2003	– Milpitas CWG meeting
May 14, 2003	– Hostetter/Alum Rock CWG meeting
May 15, 2003	– Downtown San Jose CWG meeting
May 15, 2003	– PDT meetings
May 19, 2003	– Santa Clara CWG meeting
May 20, 2003	– VTA/BART Monthly Coordination
May 28, 2003	– PAB meeting
June 17, 2003	– VTA/BART Monthly Coordination
July 8, 2003	– TAC meeting
July 15, 2003	– VTA/BART Monthly Coordination
July 17, 2003	– PDT meetings
August 20, 2003	– VTA/BART Monthly Coordination
August 21, 2003	– PDT meetings
September 2003	– Published Fact Sheet - Minimum Operating Segment Scenarios
September 2003	– Published Fact Sheet - Frequently Asked Questions September 2003
September 5, 2003	– PAB meeting
September 6, 2003	– Announced community meetings in the San Jose Mercury News
September 8, 2003	– Milpitas CWG meeting
September 8, 2003	– Milpitas community meeting
September 10, 2003	– Downtown San Jose CWG meeting
September 10, 2003	– Downtown San Jose community meeting
September 11, 2003	– Santa Clara CWG meeting
September 11, 2003	– Santa Clara community meeting
September 13, 2003	– Announced community meetings in the San Jose Mercury News
September 15, 2003	– Hostetter/Alum Rock CWG meeting
September 15, 2003	– Hostetter/Alum Rock community meeting
September 16, 2003	– VTA/BART Monthly Coordination
September 16, 2003	– Attended Milpitas City Public Hearing
September 18, 2003	– PDT meetings
September 18, 2003	– Northern San Jose community meeting
September 23, 2003	– Attended Five Wounds/Brookwood Terrace Strong Neighborhood Initiative

- meeting
- September 25, 2003 – Quarterly FTA meeting
  - September 30, 2003 – Attended East Santa Clara Street Business Association meeting
  - October 6, 2003 – PAB meeting
  - October 17, 2003 – BART Land Use Tour
  - October 21, 2003 – VTA/BART Monthly Coordination
  - November 18, 2003 – VTA/BART Monthly Coordination