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# Chapter 6

## Agency and Community Participation

This chapter discusses the agency and community participation efforts conducted by VTA in preparing this EIS. Coordination and consultation with various federal, state, and local agencies; elected officials; community leaders; organizations; and other individuals from neighborhoods and communities within the Downtown/East Valley study area were achieved through a variety of means, including public agency coordination, a public scoping process, and an extensive public involvement and community outreach program.

### Section 6.1 Summary of Scoping

#### Purpose and Process of Scoping

NEPA specifically requires the lead agency to consult with federal agencies that have jurisdiction over the proposed action by law or special expertise. The lead agency must also solicit appropriate information from the public during EIS preparation.

Scoping is an important element in the decision-making process of determining the focus and content of the EIS. It is in the scoping process that potentially significant environmental impacts—those that give rise to the need to prepare an EIS—should be identified and programmed for further study. Scoping allows public agencies and interested parties to learn more about the project and to provide input on the project’s purpose and need, alternatives, environmental and community impacts to be evaluated, and methodologies to be used. The input received during the scoping process will help define the environmental studies to be considered and to keep the EIS focused on impacts that are truly significant.

#### Notice of Intent

NEPA and FTA require that an NOI to prepare an EIS be filed with EPA and appear in the Federal Register. The NOI for the Capitol Expressway Light Rail EIS appeared in the Federal Register on September 16, 2009. The NOI provided a description of the project area and scope, stated the project’s purpose and need, presented the

preliminary alternatives, and identified the probable effects that would be analyzed in the EIS. A copy of the NOI is included as Appendix A.

## Coordination Plan

In accordance with the Federal “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” (SAFETEA-LU), Section 6002, a coordination plan was prepared to outline coordination points and opportunities for agency review and comment during the EIS process. This plan is available electronically at the project website: [http://www.vta.org/projects/capitol\\_rail\\_project/index.html](http://www.vta.org/projects/capitol_rail_project/index.html). The Coordination Plan includes description of agencies invited to participate. The following agencies accepted this invitation and will assist the lead agencies, FTA and VTA, with review of the Draft Supplemental EIS: City of San Jose, Santa Clara Valley Water District, and Santa Clara County Roads and Airports Department.

## Public Scoping Meeting

An environmental scoping meeting for the Capitol Expressway Light Rail project was held on September 30, 2009 from 6:00 p.m. to 7:30 p.m. at the Eastridge Shopping Center located at 2200 Eastridge Loop Road in San Jose, California. During the meeting, the public made comments about the project. In addition, written comments were submitted via mail, email, fax and/or the project website. The scoping information packet and scoping summary report is available on the project website at [http://www.vta.org/projects/capitol\\_rail\\_project/index.html](http://www.vta.org/projects/capitol_rail_project/index.html).

## Section 6.2 Summary of Public Agency Coordination

Public agencies formally or informally contacted and consulted during the preparation of this environmental document are listed below. These agencies received copies of the NOI and received notification of the public scoping meeting.

### Federal Agencies

- Federal Transit Administration
- U.S. Environmental Protection Agency, Region IX
- U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office
- U.S. Army Corps of Engineers

### State Agencies

- California Department of Transportation, District 4
- California Transportation Commission
- California Department of Toxic Substances Control
- California Department of Fish and Game

- State Office of Historic Preservation
- Native American Heritage Commission
- California Public Utilities Commission
- California Regional Water Quality Control Board, Region 2

### **Local and Regional Agencies**

- Bay Area Air Quality Management District
- Metropolitan Transportation Commission
- Regional Water Quality Control Board
- Alum Rock Union School District
- City of San Jose
- Santa Clara County
- Santa Clara Valley Water District
- Association of Bay Area Governments

## **Section 6.3 Summary of Ongoing Public Involvement**

VTA has conducted an extensive public information and outreach program since January 2001. The program has consisted of stakeholder interviews, community open houses, public meetings, and numerous presentations to community-based organizations, including businesses and neighborhood associations. A list of the major public meetings is provided in Appendix J. The public outreach component of the program has also included public meeting notices, advertisements, press releases/advisories, phone calls, fact sheets, website updates, information display boards, door-to-door meet and greets, participation in community events and festivals, general project information materials, and summaries of public comments that incorporated multi-lingual and special needs applications.

The purpose of the public involvement program was to solicit input from the community regarding the conceptual design for the Capitol Expressway Corridor. From the beginning of the conceptual engineering in January 2001 to September 2010, there have been several public meetings (including the environmental scoping meeting[s]) open houses, and project presentations about the Capitol Expressway Corridor (and the Capitol Expressway Light Rail Project) to community groups and organizations. In addition, there have been a significant number of project presentations about the larger Downtown/East Valley Plan.

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