

VALLEY TRANSPORTATION AUTHORITY

BART SILICON VALLEY
EXTENSION PHASE II -
EXTENSION PROJECT
PUBLIC HEARING

**CERTIFIED
ORIGINAL**

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

Date: Wednesday, January 25, 2017
Time: 7:00 p.m.
Location: MEXICAN HERITAGE PLAZA
1700 Alum Rock Avenue
San Jose, California
Reported By: Noelia Espinola, CSR
License Number #8060

#52737

Advantage *ARS* Reporting
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A P P E A R A N C E S

For the VTA: EILEEN GOODWIN,
Meeting Facilitator

LEYLA HADAYAT,
Project Manager

TOM FITZWATER,
Environmental Program
Manager

The Reporter: ADVANTAGE REPORTING SERVICES
BY: NOELIA ESPINOLA,
CSR #8060
1083 Lincoln Avenue
San Jose, CA 95125
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1 P-R-O-C-E-E-D-I-N-G-S

2
3 MS. GOODWIN: So let me go ahead and start
4 getting people up. Because we don't have a center
5 aisle, this may be a little tricky. So I'm going to
6 read a few people. And then just kind of get in line,
7 if you would, on either side, and we'll just bring you
8 up.

9 So we're going to start with Korey
10 Richardson. And then -- is it Sam Moon? Great.
11 You're second. And then Mark Roest.

12 MR. ROEST: Roest (pronunciation).

13 MS. GOODWIN: Roest.

14 MR. ROEST: Can I hold the card, ma'am?

15 MS. GOODWIN: Sure. Absolutely. Just I have
16 to remember.

17 MR. ROEST: It's my notes.

18 MS. GOODWIN: Okay. Great. And then
19 following that will be Elliott.

20 Elliott, where are you? Okay.

21 MR. RICHARDSON: All right. My name is Korey
22 Richardson. I live at 781 South 22nd Street.

23 And in terms of the east-west option, I do
24 like the east option. It is closer to San Jose State.
25 You can -- I think they have about 30,000 students. So

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 I think it would really serve BART best by, you know,
2 building the east option.

3 Also, if you look at downtown, the east has a
4 lot more developable sites the further you go east on
5 East Santa Clara Street. So -- and then the west
6 option, everything is kind of already built up. So I
7 wanted to say that.

8 Also, the north-south -- is that -- as I
9 understand it, I think the south option is closer to
10 where the -- like the office complexes are going to be
11 built. And north would be closer to SAP. And I think
12 the south option is better because -- you know, if
13 someone is going to go to work for business, they're
14 dressed up. They don't want to walk very far. When if
15 someone is going to go to, like, SAP, they're just
16 wearing casual clothes. They can walk an extra couple
17 thousand yards or whatever that is.

18 And -- okay. The single-bore versus
19 twin-bore, just whatever one is cheaper. And as long
20 as -- and I'm not worried about the noise because, you
21 know, East Santa Clara Street is such a busy street
22 anyways, so you're not going to hear anything.

23 All right. Thank you.

24 MS. GOODWIN: Thank you, Korey. Thank you
25 very much.

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T1-1,
cont.

T1-2

T1-3

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Next.

MR. RICHARDSON: Can I have my card back?

MS. GOODWIN: Yes. Absolutely.

MR. NGUYEN: Hi. This is Tam Nguyen. I'm living in 24 Street.

And my concerns are -- you know, when we have the Alum Rock station built, my worry is about the traffic mitigation measure that we are going to apply for that area. Because it seems like we're going to have, like -- based on presentation, there's going to be, like, 2,000 parking or something in that area. So I would like to see more about, you know, mitigation measure, because a lot of cars are going to get into 28 Street and Santa Clara Avenue corner.

So right now it seems like we just have, like, one entrance or two entrance on 28th. So that area probably going to be packed, you know, in the morning or, you know, in the 5:00 p.m., you know, hours. So Alum Rock station probably going to be a little bit more -- you know, working on the local roads access for that station.

And then the second concerns are we're looking for, like, the advanced design on the station. Because it's like -- you know, it's going to bring the neighborhood a little bit upscale. And

T1-4

T1-5

T1-6

1 (unintelligible) design and friendly design. Because
2 right now some of the station up in the city is like,
3 you know, downgrade, and it's like a lot of, you know,
4 places not safe. And, you know, it's -- you know,
5 attract more criminals into it. So something like that
6 should be in the -- you know, should be the
7 socioeconomy impact to the local resident as well.

8 Thank you.

9 MS. GOODWIN: Thank you very much.

10 So Mark will be followed by Elliott. And
11 right now Elliott is my last card. Are there other
12 cards that I do not have?

13 Okay. I'll come get that.

14 Mark.

15 MR. ROEST: Mark Roest, and I grew up in East
16 San Jose and live in San Mateo.

17 Earthquake impact on a twin-bore while it's
18 an open trench. Greenhouse gas impact of
19 concrete-making. Also total dollar cost of concrete
20 and of the concrete specifically needed for structural
21 supports, because I'd like to be able to compete
22 against that structurally.

23 Quiet wheels versus loud wheels. BART
24 deliberately chose the loud wheels and made an excuse
25 that was fraudulent when they built BART, so we would

T1-6,
cont.

T1-7

T1-8

T1-9

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 like to see the quiet wheels on instead. I have to put
2 earplugs and hold my ears like that.

3 And possible ultra-high-performance concrete
4 used instead of regular concrete will cut --
5 drastically cut the total requirement, especially if
6 you also use captive column structure geometry. That's
7 U.S. Patent 3501880, captivecolumn.com.

8 Put the ultra-light bidirectional monorail
9 that Ron Powers, Powers Design International, built --
10 ordered a scale model of. Put that into the site
11 station design so you can actually have feeders where
12 you have ultra-light bidirectional monorails with high
13 capacity feeding in. You won't need as much car
14 parking if you integrate the entire transportation
15 system that way and with (unintelligible) needs beyond
16 that.

17 Let's see. How much time have I got left?

18 UNIDENTIFIED SPEAKER: A minute, 30 seconds.

19 MR. ROEST: A minute and 30 seconds. Okay.

20 UNIDENTIFIED SPEAKER: Speak closer to the
21 microphone, please.

22 MR. ROEST: All right. So bidirectional
23 monorail is -- you know, you get close headways because
24 you're going in opposite directions, and you have a
25 loop at the end. That -- there is a -- there's a

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T1-9,
cont.

T1-10

T1-11

1 model -- the tooling for making that is sitting in a
2 warehouse in Los Angeles. It was done for a proposed
3 San Diego monorail that never happened.

4 The ultra-high-performance concrete is --
5 becomes a ceramic and sets at about 15 minutes at room
6 temperature. And I'm working with somebody who is
7 doing that. We're also looking at actually making the
8 columns out of the high-performance concrete and --
9 what's that -- and basalt -- basalt (pronunciation).
10 So can really cut the time -- I mean, can really cut
11 the construction time. You can cut the cost. Cut the
12 materials. You can cut the greenhouse gas.

13 MS. GOODWIN: Great. Thank you.

14 All right. We've got Elliott, followed by
15 Philip.

16 PHILIP: I was just curious to know what the
17 relation is going to be to the Guadalupe Creek and the
18 Coyote Creek elevations and any impacts --

19 MS. GOODWIN: I think you're Philip.

20 PHILIP: Yes.

21 MS. GOODWIN: Okay. It was Elliott first,
22 but go ahead. No, no. You're fine. You've started.
23 Let's give you a start-over.

24 PHILIP: I just want to know what the
25 relation was going to be and get some information

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 regarding the environmental impact for the salmon
2 coming upstream or whatever we might have that's going
3 to be for the environment, regarding the creeks and
4 stuff.

5 And I'd like to applaud the VTA for their
6 work on Phase I. They did great. I love it. Thank
7 you.

8 MS. GOODWIN: Thank you. Thank you, Philip.
9 Is Elliott here?

10 UNIDENTIFIED SPEAKER: Probably left.

11 MS. GOODWIN: Maybe he left.

12 Anybody else want to make a comment before we
13 close the public hearing part?

14 Helen.

15 MS. GARZA: I just want to say that we need
16 to be very, very careful about the transportation
17 and -- and the housing -- what is going to happen to
18 those people? Will it be -- any of the people in the
19 area be affected by this with losing their homes and
20 the traffic that will be caused, interruption of the
21 traffic and the businesses. They need to be protected.

22 MS. GOODWIN: Okay. Helen, would you
23 introduce yourself, just for the record.

24 MS. GARZA: Okay. I'm Helen Garza.

25 MS. GOODWIN: That's perfect.

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T1-12,
cont.

T1-13

T1-14

T1-15

1 MS. GARZA: Plata Arroyo Neighborhood
2 Association.

3 MS. GOODWIN: Thank you.

4 All right. Anybody else?

5 All right. Yes, in the back. Come on down,
6 please. And if you wouldn't mind giving us your name
7 and giving your comment.

8 MR. ROSA: I'll give you my name.

9 MS. GOODWIN: All righty.

10 MR. ROSA: My name is Louis Rosa.

11 MS. GOODWIN: Rosa.

12 MR. ROSA: Rosa.

13 MS. GOODWIN: And if you can speak into the
14 mic, that would be great. And you've got three
15 minutes.

16 MR. ROSA: I played football in college. And
17 I have a concussion.

18 MS. GOODWIN: Okay.

19 MR. ROSA: I played with Gary Plummer. I
20 used to have to block him every day. You know what?
21 It was easy to block because I went low, took his knees
22 out.

23 I just wanted to say that I need -- I need
24 some assistance because -- because of all the
25 football-playing I did. I did it my whole life.

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

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MS. GOODWIN: Okay.

MR. ROSA: All right. Thank you.

MS. GOODWIN: Thank you. Thank you, Louis.

Anybody else want to have a comment before we close the meeting?

All right. Seeing none, the meeting will stand formally adjourned. But, again, if you wanted some questions answered, if you want to touch base with folks with the red tags on, they'll be here until 8:00. And we will be clearing the room at around 8:00 o'clock.

So thank you very much for coming out this evening. And if you have a neighbor who wants to join us in Santa Clara or San Jose, we are going to be giving the same presentation then.

(End of public comments at 7:46 p.m.)

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STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

I, NOELIA ESPINOLA, Certified Shorthand Reporter in and for the State of California, do hereby certify:

That said hearing was taken down by me in shorthand at the time and place therein named, and thereafter reduced to computerized transcription under my direction.

I further certify that I am not interested in the outcome of this hearing.

Date: February 9, 2017
Noelia Espinola
NOELIA ESPINOLA
Certified Shorthand Reporter
License No. C-8060

Response to Comment Letter T1

Transcript 1: Alum Rock Public Hearing – January 25, 2017

Korey Richardson

- T1-1 The comment in support of the Downtown San Jose Station East Option is noted.
- T1-2 The comment in support of the Diridon Station South Option is noted.
- T1-3 The comment in support of the less expensive boring option is noted. In addition to cost, several other factors will go into the Single-Bore vs. Twin-Bore Option selection including construction traffic impacts, disruption to downtown, risks, and completion schedule.

Tam Nguyen

- T1-4 As described in Chapter 3, *NEPA and CEQA Transportation Operation Analysis*, 17 intersections and 20 freeway segments were analyzed in the vicinity of Alum Rock/28th Street Station for the BART Extension. Under 2035 Forecast Year Conditions, measured against the City of San Jose level of service (LOS) standards, one intersection (King Road and McKee Road) would operate at an unacceptable LOS during both peak hours in the vicinity of Alum Rock/28th Street. However, this intersection is projected to operate at an unacceptable level of service under 2035 Forecast Year No Build conditions as well. Under 2035 Forecast Year Conditions, 12 freeway segments would operate at unacceptable LOS F during at least one of the peak hours. However, because the BART Extension would not add traffic representing 1 percent or more of the segment's capacity to any of the impacted freeway segments, the BART Extension would not exceed the significance threshold. Because the BART Extension would not exceed the significance threshold at any of the study intersections or on any of the freeway segments in the vicinity of Alum Rock/28th Street Station, no traffic mitigation is required.

As described in Volume I, Chapter 2, *Alternatives*, there would be 1,200 parking spaces provided at Alum Rock/28th Street Station to accommodate the BART park-and-ride. Table 3-31, *2035 Forecast Year BART Extension Alternative Park-and-Ride Demand*, shows that Alum Rock/28th Street Station is projected to require approximately 1,560 parking spaces. Parking demand would be monitored and, if parking demand exceeds supply, VTA would evaluate measures to promote greater non-vehicular access to the station.

- T1-5 As described in Volume I, Chapter 2, *Alternatives*, access to Alum Rock/28th Street Station would primarily be from McKee Road and North 28th Street at the north end of the station site, and from Santa Clara and North 28th Street at the

south of the site. As shown in revised Figure 2-5, *Alum Rock/28th Street Station Plan (Twin-Bore-and-Single-Bore)* and new Figure 2-A, *Alum Rock/28th Street Station Plan (Single-Bore)*, new or modified traffic signals would be provided at the intersections of North 28th Street and McKee Road, and North 28th Street at St. James Street and at Five Wounds Lane to provide access to the station parking structure and passenger loading areas.

See response to comment T1-4 regarding traffic impacts at intersections or freeway segments in the vicinity of Alum Rock/28th Street Station.

- T1-6 The design of the station will be finalized after certification of the Final SEIS/SEIR. Safety is very important to VTA and BART. BART and VTA will continue their existing safety and security procedures and policies for the Phase II Extension, including the BART Police Department coordination with local Santa Clara County Sheriff's law enforcement, fencing, lighting, designated passenger walkways, Closed Caption TV, and having emergency call boxes.

Mark Roest

- T1-7 All structures, including tunnels, underground cut-and-cover stations, and tunnel portal structures, are designed in accordance with all applicable requirements, including the Uniform Building Code and BART Facilities Standards design criteria, which specify earthquake loads and the means by which structures shall resist such loads. Similarly, during construction, safety features will be required to minimize the risks from earthquakes. This comment does not raise an environmental issue.
- T1-8 Section 5.5.10, *Greenhouse Gas Emissions*, provides information regarding Greenhouse gas emissions for construction.
- Section 9.4.1, *Capital Costs*, provides an estimate of the total construction costs of the project. The costs of concrete are included in the \$4.69 billion project cost in year of expenditure. The cost of concrete will be determined during the engineering phase once a tunneling methodology is selected. The comment does not raise an environmental issue.
- T1-9 BART's new fleet of vehicles includes newly designed wheels that would result in quieter vehicles. In addition, approximately 5 miles of the 6-mile extension would be within a tunnel, and, therefore, wheel noise would not be an issue for aboveground noise receptors.
- T1-10 Ultra high performance concrete (UHPC) is a relatively new advancement in concrete technology; however, for underground construction there is little precedent for its use. The decision on the use of UHPC will be up to the contractor, as this is not currently planned to be a required contract specification. The commenter does not raise an environmental issue.

T1-11 In 2001, VTA completed a Major Investment Study (MIS) that evaluated the alignment and transportation technology. This study resulted in the selection of the Union Pacific Railroad corridor as the alignment. Station locations included Milpitas, Berryessa, Alum Rock, Downtown San Jose, Diridon, and Santa Clara with a maintenance and storage facility at Newhall Yard. BART was selected as the preferred technology. This MIS was adopted by the VTA Board of Directors in November 2001. The VTA Board of Directors have continued to support this project through certification and approval of the recommended project in the 2004 Final EIR and 2007 Final Supplemental EIR.

Phillip

T1-12 As described in Section 6.4, *Biological Resources and Wetlands*, construction of the tunnel under Coyote Creek and the Guadalupe River would not disturb special-status species in and around the waterways, including the western pond turtle or Central California coast steelhead for Coyote Creek and special-status bats in the riparian area, western pond turtles, Central California coast steelhead, or Chinook salmon for the Guadalupe River. There would be no disturbance to special-status species because tunnel boring would occur below the creek bed and the use of heavy equipment in the vicinity of the creek would be entirely underground. In addition, construction staging areas in the vicinity of the creek would be in already disturbed and urban areas.

Also refer to responses to comments S2-2 through S2-4 applicable to the California Department of Fish and Wildlife's comment letter regarding (1) construction of the tunnel and how such technology addresses ground settlement and hydraulic fracking, (2) the use of conditioning fluids or slurries, and (3) the location of construction staging areas near streams.

T1-13 The commenter's support for BART Phase I is noted.

Helen Garza

T1-14 As discussed in Section 4.14, *Socioeconomics*, the BART Extension would result in 1 residential displacement and 23 to 34 business¹⁸ displacements.

The comment raises a real estate issue that is addressed in Master Response 5, *Real Estate Acquisition for VTA Projects*, which covers the following topics:

- What Types of Real Property Does VTA Purchase?
- How are Property Owners Protected When VTA Purchases Real Property?

¹⁸ The range provided for business displacements is associated with the property needs for the four optional locations considered for the Stockton Avenue Ventilation Structure. The final decision will depend on the environmental analysis conclusions and property negotiations and will be made during Final Design.

- When Will Property Owners Know Whether Their Property Will Be Acquired?
- When Does VTA Purchase Real Property for Transportation Projects?
- When and How Will Property Owners Be Contacted?
- What are the Steps During the Acquisition Process?
- How are Properties Valued and What Compensation is Paid by VTA?
- What If I Don't Want to Sell My Property to VTA?

For relocation, the availability of alternate sites would vary; however, the economy is characterized by a comfortable vacancy rate in the BART Extension area, which could easily accommodate the need for relocation space in a similar price range.

T1-15 Traffic impacts associated with the project are described in Chapter 3, *NEPA and CEQA Transportation Operation Analysis*. As described, a total of 17 signalized intersections and 20 freeway segments in the vicinity of Alum Rock/28th Street Station; 29 signalized intersections and 18 freeway segments in the vicinity of Diridon Station; and 16 signalized intersections and 20 freeway segments in the vicinity of Santa Clara Station were analyzed. All study intersections are within the Cities of San Jose and Santa Clara, and the BART Extension would not exceed the significance threshold at any of the study intersections or on any freeway segment in the vicinity of the BART stations; traffic impacts would be less than significant.

See response to comment T1-14 regarding impacts on businesses.

VALLEY TRANSPORTATION AUTHORITY

BART SILICON VALLEY
EXTENSION PHASE II -
EXTENSION PROJECT
PUBLIC HEARING

**CERTIFIED
TRANSCRIPT**

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

Date: Thursday, January 26, 2017
Time: 7:00 p.m.
Location: SANTA CLARA SENIOR CENTER
1303 Fremont Street
Santa Clara, California
Reported By: Noelia Espinola, CSR
License Number #8060

#52738

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Services, LLC

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A P P E A R A N C E S

For the VTA: BRANDI CHILDRESS,
Meeting Facilitator

LEYLA HADAYAT,
Project Manager

TOM FITZWATER,
Environmental Program
Manager

The Reporter: ADVANTAGE REPORTING SERVICES
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P-R-O-C-E-E-D-I-N-G-S

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3 MR. STALLMAN: Hi. Jim Stallman. I live in
4 Saratoga.

5 Number one, please don't take away bus
6 service money to build BART II.

7 And, number two, have the EIR addendum look
8 at how BART I resulted in loss of bus service, and
9 don't let it happen with BART II. See attached. I
10 have some stats here.

11 MS. CHILDRESS: I'll take those from you.
12 Thank you for coming to our meeting.

13 Do we have another person who is ready for a
14 comment?

15 Are you ready? You don't have to stand. I
16 can...

17 MR. OWENS: Robert Owens, 2984 Aspen Drive,
18 Santa Clara, California.

19 I think you should consider the no-build
20 option. I think particularly the extension of this
21 project into Santa Clara is not in the best interest of
22 the city of Santa Clara or its residents.

23 I believe the traffic projections are
24 insignificant. There is no real need for transit of
25 this nature between the city of Santa Clara and San

T2-1

T2-2

T2-3

T2-4

3

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 Jose.

2 I believe your funding options are
3 speculative. Basically, you're relying on carbon tax,
4 which I think is speculative. There are demands being
5 made by the State of California that that money be used
6 for the high-speed rail system. I think, also, your
7 anticipated federal funding is in danger at the current
8 time. The current fiscal -- federal fiscal situation
9 is uncertain.

T2-5

10 I think that the -- in one way, the only --
11 one of the most significant reasons why this extension
12 is proposed is to have your maintenance facility at the
13 end of the project, and Santa Clara is the only
14 location you can build a maintenance facility.

T2-6

15 I think the rest of the project should be
16 maybe continued, but I do not believe it should be
17 extended into Santa Clara.

T2-7

18 MS. CHILDRESS: Anyone else that would like
19 to go on the record? Remember that you do have those
20 blue cards. If there is something you wanted to ask
21 later or provide comment, you can certainly mail that
22 in to us, postage-free on the back there.

23 Last call.

24 Okay. So that concludes our formal comment
25 period. Thank you so much for being here. We will be

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

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here for the next 15, 20 minutes, so feel free to walk
around the room, speak with staff, look at boards.
Again, thanks for spending your evening with us.

(End of public comments at 7:42 p.m.)

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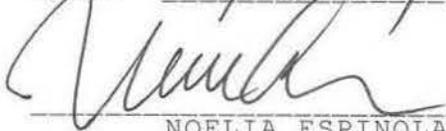
STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

I, NOELIA ESPINOLA, Certified Shorthand Reporter in and for the State of California, do hereby certify:

That said hearing was taken down by me in shorthand at the time and place therein named, and thereafter reduced to computerized transcription under my direction.

I further certify that I am not interested in the outcome of this hearing.

Date: February 9, 2017



NOELIA ESPINOLA
Certified Shorthand Reporter
License No. C-8060

Response to Comment Letter T2

Transcript 2: City of Santa Clara Public Hearing – January 26, 2017

Jim Stallman

T2-1 VTA has developed an overall funding strategy to build the Phase II Extension that includes federal, state, and local funding sources, as shown in Table 9-4, *Capital Cost and Source of Capital Funding for the Phase II BART Extension Alternative*. This strategy of identifying \$4.91 billion worth of funding sources (which provides some flexibility by exceeding the cost estimate) is based on a capital cost estimate of \$4.69 billion, which includes stations at Alum Rock, Downtown San Jose, Diridon, and Santa Clara; the Newhall Maintenance Facility; and additional contingency. Of the sources that have been identified in the funding plan, local sources are tax measures that have been approved by voters and have values totaling \$2.5 billion set aside for the project's capital cost. State sources include the Traffic Congestion Relief Program (\$160 million) and Cap and Trade program funds (up to \$750 million). Federal sources include funding from the Federal Transit Administration's New Starts program (\$1.5 billion). There is no intention to take away bus service money to build BART Phase II.

T2-2 VTA's Next Network project is a redesign of VTA's transit network and is one component of an overall Transit Ridership Improvement Program. The Transit Ridership Improvement Program is an agency-wide effort to make public transit faster, more frequent, and more useful for Santa Clara County travelers. The Next Network project seeks to better connect VTA transit services with the Milpitas and Berryessa BART stations, increase overall system ridership, and improve VTA's farebox recovery.

Changes to VTA services as part of Next Network implementation will redistribute existing services balancing coverage and ridership. The service changes will go into effect with the next 2-year transit service plan in late 2017 and result in approximately the same number of bus operational hours. The BART Extension will not result in a loss of bus service.

Robert Owens

T2-3 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

T2-4 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal*

Station. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

T2-5 VTA has developed an overall funding strategy to build the Phase II Extension that includes federal, state, and local funding sources, as shown in Table 9-4, *Capital Cost and Source of Capital Funding for the Phase II BART Extension Alternative*. This strategy of identifying \$4.91 billion worth of funding sources (which provides some flexibility by exceeding the cost estimate) is based on a capital cost estimate of \$4.69 billion, which includes stations at Alum Rock, Downtown San Jose, Diridon, and Santa Clara; the Newhall Maintenance Facility; and additional contingency. Of the sources that have been identified in the funding plan, local sources are tax measures that have been approved by voters and have values totaling \$2.5 billion set aside for the project's capital cost. State sources include the Traffic Congestion Relief Program (\$160 million) and Cap and Trade program funds (up to \$750 million). Federal sources include funding from the Federal Transit Administration's New Starts program (\$1.5 billion).

Local funding makes up the largest portion of the BART Silicon Valley Phase II project funding strategy. VTA continues to monitor the status of the Federal Transit Administration's Capital Grant Program and the State of California's Cap and Trade Program.

T2-6 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

T2-7 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

VALLEY TRANSPORTATION AUTHORITY

BART SILICON VALLEY
EXTENSION PHASE II -
EXTENSION PROJECT
PUBLIC HEARING

**CERTIFIED
TRANSCRIPT**

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

Date: Monday, January 30, 2017
Time: 7:00 p.m.
Location: CITY OF SAN JOSE - CITY HALL
200 East Santa Clara Street
Room 118-120
San Jose, California
Reported By: Noelia Espinola, CSR
License Number #8060

#52739

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A P P E A R A N C E S

For the VTA: EILEEN GOODWIN,
Meeting Facilitator

LEYLA HADAYAT,
Project Manager

TOM FITZWATER,
Environmental Program
Manager

The Reporter: ADVANTAGE REPORTING SERVICES
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--o0o--

P-R-O-C-E-E-D-I-N-G-S

1
2
3 MS. GOODWIN: We'll get this meeting going
4 with our testimony.

5 Please come up.

6 I think this one is a little bit better.
7 More predictable with batteries. So we'll give that
8 one to the public. And I'll use this one to announce
9 who is going to speak and who will follow, and we'll
10 just keep that moving.

11 We would ask that you introduce yourself, you
12 speak to the court reporter so she can take down your
13 information.

14 And we'll go ahead and start with Muhammad
15 Rehman, followed by Tessa Woodmansee.

16 Thank you. Welcome.

17 And after Tessa we will have Nagaraja
18 Govindaiah. Hopefully I've gotten close enough.

19 Welcome. You have three minutes.

20 MR. REHMAN: Good afternoon, everyone. My
21 name is Muhammad Rehman, and I'm a resident of Marburg
22 Place. My home address is 385 Destino Circle.

23 I'm here to basically provide feedback in
24 terms of this BART Phase II extension project. And
25 some of the concerns that I have, that -- they are

3

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 mainly related to the impact analysis that have been
2 done, where there is only one house has been mentioned,
3 that the noise level and other environment issues are
4 related to that house. But, in reality, the community
5 has 55 families living in that community. And we would
6 like to make sure that -- the whole impact needs to be
7 calculated across the whole community.

T3-1,
cont.

8 Secondly, regarding the impact analysis, I
9 also like to see if we have any documentation or
10 details around noise level, around vibration, and any
11 kind of other health hazard related to, you know,
12 nitrogen gas or any other gases.

T3-2

13 The last point I want to call out, that there
14 was an alternative option that was presented, you know,
15 a few years ago, and one of the community members had
16 attended a meeting. But that option seems like it's
17 not an option anymore. So we would like to have more
18 clarity in terms of why that option has been
19 disregarded.

T3-3

20 That's it for me.

21 MS. GOODWIN: Thank you very much.

22 Tessa, followed by Nagaraja.

23 MS. WOODMANSEE: Hi. I'm Tessa Woodmansee,
24 and we live on Stockton Avenue.

T3-4

25 The main impact that I'd like to see changed

4

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 is that it does not go down Stockton Avenue and that
2 there is no Santa Clara station. I think the Santa
3 Clara station is redundancy, that we do not need the
4 Santa Clara station, especially because of the impacts
5 it puts into our Garden Alameda neighborhood. That is,
6 you know, an historic neighborhood that you're going
7 through.

T3-4,
cont.

8 And BART has never gone so close to
9 residential neighborhoods as you are proposing to do
10 now. And this thought that there will be no noise and
11 there will be no vibrations is really quite a very big
12 assumption, especially since you haven't been so close
13 to a residential neighborhood as you're proposing.

T3-5

14 So my issue is that it shouldn't go -- we
15 should not go to Santa Clara station, that we really --
16 just bringing BART to San Jose Diridon station is
17 adequately sufficient. We have a lot of transit that
18 brings people -- the Caltrain, the buses -- from Santa
19 Clara to Diridon, and keeping Diridon as the -- as the
20 hub of the transit would be, I think, wise.

T3-6

21 And then they said that -- you know, that
22 there's going to be some -- your Newhall maintenance
23 facility. I think we could remove that to another
24 spot.

T3-7

25 And -- so that's one aspect of it. Well --

5

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 so that's my hope is that you do not go to Santa Clara.
2 And there's billions of dollars that Measure B has
3 proposed to do.

4 But, then again, if -- you know, we always
5 have to say, Okay. Then most probably it is going to
6 happen. So then -- now it's all the mitigations. And
7 I thought it was very sloppy. The whole thing, Well,
8 we've got a lot of pollution. We got a lot of noise.
9 And that's it. Thank you very much. I mean, this
10 whole thing is very -- very fastly slapdash, and there
11 is so many decisions and so many issues. That makes it
12 very difficult.

13 But in terms of operations, that we need a
14 lot of mitigations for it. And one of the issues is
15 noise. And when you have these big construction
16 facilities right on our street, with all these vents
17 and everything else, whatever that means, on Stockton
18 Avenue, we definitely want what we call broadband
19 backup beepers. The backup beepers is a real big issue
20 in construction, and it has never been addressed.

21 And you say, Oh, in the city -- we're going
22 to try to meet the City of San Jose noise ordinance.
23 We don't even have any noise ordinances here in city of
24 San Jose. So we're very -- there are no criteria,
25 hardly ever.

6

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-7,
cont.

T3-8

T3-9

T3-10

T3-11

T3-12

1 So, you know, really -- you know, there is so
2 many issues when we do construction. Whereas in New
3 York City they require the broadband backup beepers for
4 any construction. And then also requiring that all the
5 vehicles be certified, that they are top-of-the-line
6 diesel vehicles. I mean, obviously, it would be better
7 if they were natural gas. We should have no diesel,
8 you know, for all of them. But making sure that
9 they're top-of-the-line diesel vehicles that meet all
10 of the requirements of the California Air Resources
11 Board.

12 So those are some of the issues for
13 mitigation if we still have to go through Stockton
14 Avenue.

15 MS. GOODWIN: Thank you, Tessa.

16 Nagaraja Govindaiah.

17 Great. Welcome.

18 Followed by Varun Shah, followed by Aaron
19 Nguyen.

20 MR. GOVINDAIAH: I live in the Marburg
21 Place --

22 MS. GOODWIN: Can we get the microphone
23 closer to your mouth so everyone can hear you.

24 MR. GOVINDAIAH: Yeah, I live in the Marburg
25 Place and along the Marburg Way, 1528. I bought this

T3-12,
cont.

T3-13

T3-14

7

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 house last year, 2016 June, so I did not know --

2 MS. GOODWIN: Closer to your mouth, please.

3 MR. GOVINDAIAH: Yeah, I did not know about
4 this. And I definitely -- none of us knew. This is a
5 surprise for us, that it is coming under our
6 property -- the tunnel is coming under our property.
7 So we're concerned about the health, about -- and the
8 noise and -- because everybody has a different
9 threshold of the noise. I mean, it's not that -- we
10 cannot generalize.

11 And the other concern that we have is the
12 health that is, you know, imposed by all of these
13 things. It's going to be high for us. I mean, it's
14 our perception.

15 The other thing is, if you think about the
16 value of the home, at this particular place, when
17 something is going underneath, it's going to be a
18 difficult thing to sell. I mean, for example, if I had
19 to decide at the time of my buying that something is
20 going underneath in ten years, I wouldn't have bought
21 it. And it's pretty simple. So that's going to be a
22 big concern for us, because the value of our home. And
23 I got it for 700K. But whether I get 700K being
24 offered, I don't know.

25 So that's going to be a big concern, apart

8

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-14,
cont.

1 from all the health and others.

2 And I'll keep it short. Everybody is
3 repeating the same things, yeah.

4 MS. GOODWIN: Thank you. Thank you very
5 much.

6 Varun Shah, followed by Aaron Nguyen,
7 followed by Nick Zirnoon -- Zirnoon.

8 MR. SHAH: Hello, everyone. My name is Varun
9 Shah, and I'm also part of the Marburg community. And
10 as you can see, there's a lot of folks here from
11 Marburg, with quite a few of us speaking.

12 As far as I can tell, many of the neighbors
13 completely object. They do not wish to have this be
14 built below our properties.

15 Now, that being said, I understand that this
16 a government entity. I understand there's eminent
17 domain. I understand there's the capability for VTA to
18 take over the property regardless of whether we object
19 or not.

20 So what I would like to focus on is an
21 easement concept of this. There are multiple things to
22 consider. One is an easement during the construction.
23 During the construction there will be, certainly, an
24 effect on everybody living there. The second is the
25 effect after construction, during operation. So

9

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-14,
cont.

T3-15

1 assuming there is an easement required for operating.
2 So there is two different things that we have to
3 consider.

4 Now, as far as an easement, there is -- there
5 was a good discussion about environmental impact.
6 There hasn't been a discussion on the financial impact.
7 And I want to make it clear, on behalf of myself and
8 many of the folks here: It will be very, very
9 expensive for VTA to dig underneath our homes. We do
10 not accept that it can be built underneath and that
11 there is any kind of sufficient monetary funds or any
12 kind of value that can be given to say, Yes, please go
13 ahead and live above the tracks. It is, in fact, very
14 difficult to sell -- to sell a home with tracks below
15 it.

16 Now, somebody from the City told me that,
17 sure, you know, many homes around the country have
18 tracks below it, have tracks around it. But there are
19 also homes near the landfill in Milpitas. There are
20 also homes in bad neighborhoods. It doesn't mean that
21 people want to live there.

22 So if -- if, in fact, the VTA wishes to
23 proceed, there would have to be a very large
24 compensation for, essentially, buying out every single
25 person from the community. And that's only if, in

10

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 fact, the residents are forced out of the community or
2 if this is -- this project is undertaken
3 notwithstanding any of their objections.

4 The next piece I also heard today is that,
5 well, the track might be 50 feet wide. I do want to
6 note that the community has wide buildings that run
7 perpendicular to where this track would go. So a
8 50-foot-wide track might be somewhat narrow, but it
9 would be on top of a 300-foot building with many, many
10 units in it. So it's not simply the width of the track
11 that can be taken into account.

12 And then, lastly, I would like to note, each
13 and every person in here will need that easement. I
14 hope, of course, the VTA is -- I'm sure the VTA is well
15 aware of that. But my understanding is the builder did
16 not provide any easement to VTA. So it is literally
17 every single homeowner's rights that are being
18 affected, and that should be considered before this is
19 taken any further.

20 Thank you.

21 MS. GOODWIN: Thank you. Thank you very
22 much.

23 Aaron Nguyen, followed by Nick Zirnoon,
24 followed by Wang Chin.

25 Welcome.

11

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 MR. NGUYEN: Thank you. My name is Aaron. I
2 also live at the Marburg community.

3 I wanted to bring up three issues today. I
4 think Muhammad already mentioned some of them. But
5 first is the impact on the pollution of the air and the
6 land underneath our property during construction and
7 during the operation of the BART.

8 Second is about noise. Right now we're
9 already dealing with the noise from 101, and now we're
10 going to have the BART running underneath our homes. I
11 know you've done some noise impact studies but, you
12 know, we would like to understand more details of those
13 impact studies.

14 And then lastly, again, to the value of our
15 homes. Of course, no one -- when you disclose that
16 there are -- there's BART running underneath their
17 homes, no one wants to buy it. So I'm really worried
18 about the value of our homes in that community.

19 Thank you.

20 MS. GOODWIN: Thank you.

21 Nick Zirnoon, followed by Wayne Chin,
22 followed by Paul Kim.

23 Welcome.

24 MR. ZIRNOON: Hello. My name is Nick
25 Zirnoon. I also live at Marburg community, 351.

12

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-16

T3-17

T3-18

T3-19

1 I am extremely concerned about this project
2 for certain reasons. One is health issue. My wife is
3 pregnant at the time, and I am deeply concerned.

4 The noise issue. I'm not convinced with the
5 information I gathered today. I heard a lot of mixed
6 messages. I'm all about transparency. So when I hear
7 those mixed messages, it's very concerning, alarming.
8 I ask very straightforward question to the City people.
9 I'm not convinced with the messages that I got. I
10 asked question to the gentleman from Environmental and
11 Laila. So I heard very -- I didn't get a cohesive
12 answer.

13 And I'm a very anal person when it comes to
14 high-tech information and what is out there. So I did
15 my study when I wanted to buy this property. I have a
16 certain amount of budget. As you guys know, it's very
17 expensive to live around here. So I have all the
18 documents that is public domain. None of them in any
19 situation, either for myself or my real estate agent --
20 I didn't see anything about this. Trust me and mark my
21 word: If that was the case, I would never put all the
22 money that I have saving for this property.

23 And everybody else in Bay Area buys a
24 property, hoping that the value goes up. So that's
25 very concerning, that underneath my property is going

13

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-19,
cont.

T3-20

1 to be a tunnel, which immediately is a red flag and is
2 going to bring down the value of my home.

3 And, you know, like I said, I -- I don't want
4 to rely on anyone else. We don't need a representative
5 from our community. We want to all be part of the
6 communication, be provided all of our information. So
7 I want to be as involved as I can. And I would make
8 sure that I'm present in any kind of presentation that
9 you guys have from now on.

10 Our HOA is very disconnected in this
11 building, and only thing I heard from them was one time
12 I was two days late on my payment. So you can
13 understand where I'm coming from.

14 All these people are professionals. We have
15 duties. We have families. And we are here late
16 because we are very, very concerned.

17 Thank you.

18 MS. GOODWIN: Thank you.

19 Wayne Chin, followed by Paul Kim, followed by
20 Roland Lebrun.

21 Wayne.

22 KATIE: Hi. This is -- this is Katie. I'm
23 from Marburg Place too.

24 Actually, I'm reading all the tech report you
25 guys give me, and I find you treat our land like it's

T3-20,
cont.

14

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-21

1 empty land with only one house above it. And I'm
2 reading all the table, the table they have about the
3 noise and vibration tech report. It lists all the
4 active address properties on this whole project, and we
5 are the only residential building who sit on the top of
6 the tunnel. That horizontal distance is zero for us.
7 All the other property who has zero distance is like
8 either institutional buildings or commercial buildings.
9 Yeah, that's what I find out. And actually find impact
10 analysis and noise and vibration tech report.

11 There's Alum Rock, 28th Street station. You
12 mention about -- you worry about the four single-family
13 residential homes will be impact by the subway
14 construction. There are 475 -- 750 feet away from the
15 site. But our property looks like we -- we going to be
16 affected like 35 feet. The building going to happen
17 75 feet from our property, but we are not mentioned on
18 this impact analysis. I wonder why.

19 That's my question.

20 MS. GOODWIN: Thank you. So you are not
21 Wayne Chin, though.

22 KATIE: Katie.

23 MS. GOODWIN: Okay, now. So somehow I think
24 that person might have left.

25 Paul Kim, you did.

T3-21,
cont.

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REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

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And then Roland.

MR. KIM: Hi. My name is Paul Kim, and I'm one of the homeowners at Marburg Place, the community of townhomes, about 50-something units.

So I'm here because it's late already that I found out that that would be a proposal, to build two tunnels right under our property. You know, literally under our homes.

So the concern is that -- I can probably outline, just like everybody before me has stated their concern. It's -- first one, it's the -- during construction, the impact, the noises and the pollutions and all that. And then, after construction, it's the operations. So we would have to live above the tunnels. You know, forever in the house until we move, if we could move.

So the third concern for me is that the impact -- the economic impact of the value of the house, of what happen to our property if we could not live there, knowing that we have to put up constantly with your acceptable level of rumbleness, rumbling under our home.

So this is really a serious concern for us. We need to -- to know how that could be addressed. Because I look at your presentation, and not a single

T3-22

T3-23

T3-24

1 mention of our community was listed there. So it's
2 really a serious concern for us.

3 Thank you.

4 MS. GOODWIN: Thank you.

5 Roland, followed by Rohan Davuluri, followed
6 by Feng Han.

7 MR. LEBRUN: Good evening. Whoops. Is this
8 working?

9 MS. GOODWIN: Yeah.

10 MR. LEBRUN: Okay. I'm Roland.

11 So I'm going to talk about two things, and
12 then I'm going to make some closing remarks about the
13 process. But I'm mainly going to talk about
14 construction methodology, just the single bore versus
15 string bore and alignment.

16 So, as many of you know, I come from London.
17 And in London we've just done tunneling, Crossrail. It
18 goes under London, underground. Thirty miles of
19 tunnels, six new underground stations. And the
20 tunneling was done in three years.

21 But we didn't build any cut-and-cover
22 stations. Because, actually, in central London we
23 stopped doing this in 19th century. So I don't know
24 what we're doing in San Jose.

25 So the advances in tunnel have got nothing to

17

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 do with, you know, single bore versus string bore.
2 It's got more to do with the consultants currently
3 working on the project, who basically don't know how to
4 design an underground station downtown without utility
5 relocation and without impacting the light rail or DRD
6 or anything else. Okay? We just built six of those in
7 London, for crying out loud.

8 So the second point I'd like to make. On
9 your chart there, when he talks about -- in April, the
10 tunnel methodology risk assessment. My advice to you
11 is to wait until you get the results of that report
12 before you go ahead and -- and propose a final EIR to
13 the board.

14 There is no need for downtown crossovers.
15 And once you understand that and you understand how
16 smoke circulates through a tunnel, you can understand
17 the kind of problems that it creates. Because you
18 cannot -- if you got that crossover, you cannot stop
19 the smoke going from one tunnel to the other.

20 And if you don't understand that, go and read
21 about what happened in Barcelona with a single-bore
22 tunnel last February. Okay? It was full of smoke for
23 ten hours.

24 Now, the Newhall yard is not required.
25 Period. We have actually got video from BART stating

T3-25,
cont.

T3-26

T3-27

T3-28

1 that they're going to need two extra trains -- that is
2 a total of 20 cars -- for the additional service
3 between Berryessa and Diridon.

4 And the last point. The current alignment
5 that you have -- I keep reminding the VTA: Your
6 business is congestion management. Your current
7 alignment is absolutely nothing for the massive
8 congestion we got on Highway 280. The only solution to
9 address this is to continue BART to Cupertino with a
10 maintenance facility at the Permanente Quarry.

11 And my closing comment is what is the point
12 of submitting comments if your council doesn't even
13 read them, don't understand them or just flat ignore
14 them?

15 Thank you very much.

16 MS. GOODWIN: Thank you.

17 Rohan Davuluri, followed by Feng Han.

18 And those are my last two cards. So if
19 anybody wants to speak, please get your card to Alex.

20 MR. DAVULURI: Hi. My name is Rohan. I'm
21 also a resident of Marburg Place.

22 MS. GOODWIN: Can I get you to hold the
23 microphone. Thank you very much.

24 MR. DAVULURI: My name is Rohan, and I'm also
25 a resident of Marburg Place.

19

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-28,
cont.

T3-29

T3-30

1 My concern is I didn't see any studies on
2 your impact analysis of what happens to the foundations
3 of our buildings, because I believe it was built on a
4 landfill or something. None of it covers it.

5 And the second -- and as others have
6 re-created that only one address was listed versus 55
7 homes. And I don't think that's a proper report. It's
8 very sloppy report, in my opinion. As an engineer
9 myself, I would not be doing this. Because if you're
10 saying only one corner home is impacted, according to a
11 report, from what we see, it's very sloppy from VTA.

12 And third is why has VTA not considered
13 building -- instead of going under homes and other
14 stuff, why are they not building it aerial?

15 When I say this, take an example like metros
16 being built in India. I was originally from Hyderabad,
17 India. They are building a metro. It's all aerial.
18 They are not digging.

19 So why are you wasting money digging, which
20 is more of an expensive option, as opposed to putting
21 aerial tower -- I mean, pillars in the middle of the
22 road so that you don't impact people and you go over
23 the highways or the roads on the streets? And the
24 stations could be on top. They don't have to be below
25 ground. So why is VTA not even looking at these other

20

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 possibilities?

2 So -- and the fourth one is, like I said, I
3 guess, going back to the buildings. There is a
4 building in San Francisco which is in the news lately
5 because the building is sinking because there's
6 construction going on. What guarantee can VTA give
7 that our buildings and our foundations are not going to
8 sink because you're going to keep drilling it?

9 And long term is why is there no health
10 report and why is there no long-term analysis of
11 running tunnels below people's home? VTA has to give
12 me a health report. I don't -- I want to see a
13 long-term analysis. You cannot tell me, Oh, the noise
14 is going to be minimal. There's not going to be any
15 electromagnetic radiation coming because of these
16 tunnels which are running at high speed the trains, and
17 they need a lot of electricity or whatever to run this.
18 You cannot say there's no impact.

19 And how thick are your tunnel insulations?
20 Because there are 35 homes, and I don't think -- I
21 didn't see anywhere in your report saying how thick my
22 insulation is going to be over our homes.

23 Thank you so much.

24 MS. GOODWIN: Thank you.

25 Feng Han, followed by Hans Liang.

21

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-32,
cont.

T3-33

T3-34

T3-35

T3-36

1 MR. HAN: Hello. I also come from Marbury
2 Place. And the Marbury represent some -- the questions
3 or concerns versus the vibration, the air pollution
4 and -- you know, like -- the construction and
5 operations.

6 I also have questions. First thing, there
7 already is a, you know, it's a railway -- rail train
8 bridge across 101. So I just want to know why they
9 don't use -- you know, you don't use that one. Maybe
10 it can lower your cost.

11 And speaking, though -- I mention in the
12 first -- I mean, the problem I concern is the safety.
13 Because I know that the Alum Rock station will provide
14 over 1,000 parking lot. So that's mean maybe more than
15 1,000 cars parking there every day. And so, you know,
16 traffic -- you know, it's going to cause the traffic.

17 And also, you know, there is, you know --
18 and also have a San Jose school there. There are a lot
19 of kids. And during the rushing hours, you know,
20 people drop their kids into the school. And someone
21 need to find parking lot near -- you know, near the
22 BART station. So make everything mess in the morning,
23 you know, during the working hours. This is the
24 biggest concern I have.

25 And also a lot of concern is, you know,

22

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 mostly traffic. Because, you know, yeah, you can just
2 widen the road around the parking at BART station.
3 But, you know, during -- you know, meaning from First
4 Street -- between the First Street and 28th Street, the
5 street is all narrow and also is private land. And,
6 you know, given -- just, you know, go wider the road
7 near the BART. But there is another road that is still
8 narrow, so how you can, you know -- how to reduce the
9 traffic jam during the rush hour like that.

10 So that's my concern. Thanks.

11 MS. GOODWIN: Thank you.

12 Hans Liang is our last speaker. Thank you.

13 Anybody else wishing to speak? After Hans
14 finishes, I will be closing the hearing.

15 Okay. Sir.

16 MR. LIANG: Hello, everybody. I'm Hans Liang
17 from Marburg community too.

18 So I actually thinking about if there is
19 nothing going to change, because this is really a big
20 project. So what I want to know is, the presentations
21 say they will be about 50 feet down below the ground if
22 we are using whatever tunnel. So if I look at this
23 building right now, from where I stand, up to the
24 ceiling, roughly how deep is this? Thirty-five?
25 Twenty? Twenty-five? And because -- think about it.

23

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

1 The project requirement for the tunnel to be below on
2 my property is about 50. And that is come from the top
3 edge of the tunnel up to the Lane 1. And every
4 building should have some home base, you know, when we
5 build a building.

6 So we are actually talking about only not --
7 so I don't know. I'm just thinking about this. Is
8 there any way -- if the tunnel must go under our
9 resident property, is there any way we can build it
10 deeper or -- at least nothing are able to change from
11 my building? Because it has been built ten years ago.
12 So when the tunnel start to build up, can we put more
13 isolation or any of the -- new technology or material
14 can kind of ensure or guarantee what everybody been
15 promised. They're going to be the vibration. The
16 noise going to be minimal.

17 And when you say "minimal," what will be the
18 number expected to come up? For example, when
19 everything build up after the project going down, every
20 day we will have about 100 train back and forth under
21 this tunnel. And then the noise will be 5 DB, 10 DB or
22 80 DB. And if we -- if eventually is making that
23 number -- okay. It has been disclosed. But if
24 anything exist, it's not guaranteed. What can we do?
25 If you promise or the City promise to say, The noise is

24

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-40,
cont.

T3-41

1 going to be reduced under about 10 DB. Okay. That
2 would be output maximum. Hans, don't worry about that.
3 Go back. Don't worry. We guarantee you.

4 But after -- after that, the end result come
5 out totally discrepancy. Different. What can we do?

6 I just want to know any -- any kind of
7 something or any of the -- something that we can think
8 about it before we start to build up.

9 Okay. Thank you.

10 MS. GOODWIN: Thank you.

11 I have been given one more card, and it is
12 John -- is it Hill?

13 MR. HILL: Hill.

14 MS. GOODWIN: Hill. Hill.

15 MR. HILL: I just had some comments on the
16 viability of the Santa Clara station.

17 I'm failing to understand who it is
18 servicing. You are a little too far away from Avaya to
19 actually have people come in, walk there. You're
20 basically close enough to service Costco. People have
21 to be bused to the airport. And you already got plenty
22 of service for the Santa Clara University.

23 So it doesn't seem like you have a
24 financially viable station right there. Perhaps it's
25 more of an access-to-your-service station than an

25

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

T3-41,
cont.

T3-42

1 actual station that is actually going to pay for
2 itself.

3 And the second comment is it doesn't seem
4 like even getting to that Santa Clara station is going
5 to accomplish anything. I assume you're going to
6 continue to try to get down to the Levi's station, but
7 it also seems you would do better trying to get to the
8 Cupertino and a lot of the other business centers where
9 people work. That way you can take some traffic off
10 the streets.

11 MS. GOODWIN: Okay. Thank you very much.

12 And thank you, everyone, for turning out this
13 evening. As I mentioned before, the staff with the
14 badges will be around the displays on the sides of the
15 room. We'll turn some lights on.

16 This PowerPoint does exist on-line. So I
17 noticed that some people were taking some photos. You
18 can go out and share it with your colleagues and with
19 your other neighbors that maybe weren't able to be here
20 tonight.

21 Thank you again. Really appreciate your good
22 comments. Good evening.

23 (End of public comments at 8:04 p.m.)
24
25

T3-42,
cont.

26

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

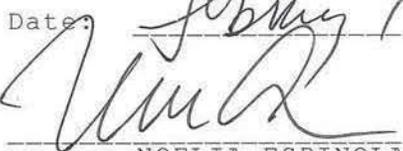
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STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

I, NOELIA ESPINOLA, Certified Shorthand Reporter in and for the State of California, do hereby certify:

That said hearing was taken down by me in shorthand at the time and place therein named, and thereafter reduced to computerized transcription under my direction.

I further certify that I am not interested in the outcome of this hearing.

Date: February 9, 2017


NOELIA ESPINOLA
Certified Shorthand Reporter
License No. C-8060

Response to Comment Letter T3

Transcript 3: City of San Jose Public Hearing – January 30, 2017

Muhammad Rehman

- T3-1 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-2 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-3 A summary of the five alignment alternatives examined around U.S. 101 and the Alum Rock/28th Street Station is provided in Volume I, Chapter 2, Section 2.4, *Alternatives Considered and Withdrawn*, and Master Response 1, *Summary of U.S. 101 Alignment Alternatives*. These alternatives were not chosen to be further evaluated and carried forward in the environmental clearance phase due to design and engineering limitations, construction and operational impacts, additional right-of-way/real estate requirements, inefficient passenger access and intermodal connectivity, and/or substantial environmental impacts.

VTA has evaluated multiple alternatives in this area. The alignment analyzed in the SEIS/SEIR was found to be the most feasible.

Tessa Woodmansee

- T3-4 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.
- T3-5 As presented in Section 4.12, *Noise and Vibration*, noise and vibration impacts as a result of the project have been analyzed in accordance with FTA guidelines. Where significant noise or vibration impacts have been identified, mitigation has been evaluated and proposed to reduce those impacts to a less-than-significant level. The FTA threshold for groundborne noise from trains running in tunnels does not ensure inaudibility, but the level is very low compared to other typical indoor sounds. The FTA groundborne noise criterion for residences is 35 A-weighted decibels (dBA), which is quieter than quiet dishwashers at 38 dBA. The noise and vibration analysis was performed in accordance with FTA guidelines. Thus, the analysis is sufficient.
- T3-6 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal*

Station. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

- T3-7 Refer to response to comment letter R8, which states that the Newhall Maintenance Facility is “an essential element of the project, without which the project could not go forward....BART needs to stress the importance of the facility to the operational functioning of the Santa Clara Extension, and to BART’s ability to maintain the extension in a state-of-good-repair and to provide the level of service and reliability expected by residents and businesses in Santa Clara County.” The Hayward Maintenance Facility is a heavy maintenance facility that includes several repair shops, a vehicle overhaul shop, parts warehouse, and vehicle storage, while the Newhall Maintenance Facility will be for general maintenance, repairs, and vehicle storage. Therefore, the two maintenance facilities serve entirely different functions.

The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

- T3-8 Chapter 9, *Financial Consideration*, discusses the funding plan for the project. The comment does not raise an environmental issue.

- T3-9 The comment makes a general assertion about inadequacies of the noise and air quality mitigation measures without providing any specifics.

See response to comment T3-5 regarding the noise and vibration analysis and proposed mitigation measures.

In terms of the air quality analysis, as presented in Sections 4.2 and 5.5.3, *Air Quality*, air quality impacts resulting from the project have been analyzed in accordance with federal air quality regulations as well as local air district thresholds. Where significant construction or operational air quality impacts have been identified, mitigation based on local air district best management practices has been evaluated and proposed to reduce those impacts to a less-than-significant level. Thus, the analysis is sufficient.

- T3-10 See response to comment T3-5. As described in Section 4.12, *Noise and Vibration*, Mitigation Measures NV-A: Implement Noise Reduction Treatments at Ancillary Facilities, and NV-B: Reduce Groundborne Noise Levels, would require implementation of noise reduction treatments at ancillary facilities (including the Stockton Ventilation Structure) and isolated slab track to reduce groundborne noise levels. Implementation of these measures would reduce noise impacts to below FTA criterion.

- T3-11 See response to comment P25-1.

Section 5.5.2.8 analyzes the construction-period impacts of the Stockton Avenue ventilation structure. As described, construction activities for this facility would require temporary lane closures on Stockton Avenue. To reduce traffic impacts, one lane in each direction would be maintained on Stockton Avenue during construction activities. In addition, Mitigation Measures TRA-CNST-A: Develop and Implement a Construction Education and Outreach Plan, and TRA-CNST-B: Develop and Implement a Construction Transportation Management Plan, described in Chapter 5, Section 5.5.1, *Construction Outreach Management Program*, would require outreach efforts and the preparation of a Transportation Management Plan to minimize traffic disruptions to vehicular traffic, bicyclists, and pedestrians on Stockton Avenue.

As stated in Section 5.5.13.1, there is one residence approximately 120 feet from the proposed Stockton Avenue Ventilation Structure. Construction of either of the two southernmost ventilation structure alternative sites would result in adverse construction noise effects. Implementation of Mitigation Measures NV-CNST-A through NV-CNST-O, described in Chapter 5, Section 5.5.13, *Noise and Vibration*, would reduce this impact.

In regards to the use of broadband backup beepers, a device which warns people of vehicles moving in reverse, most construction equipment and vehicles are equipped with similar warning device. In addition, Occupational Safety and Health Administration standards require a backup alarm or a spotter when a vehicle has an obstructed view to the rear and is backing up; therefore, the construction contractor is required by law to comply with applicable requirements.

- T3-12 As described in Section 5.5.19.2, under *Noise and Vibration*, construction work in the City of San Jose is restricted to the hours between 7 a.m. and 7 p.m. every day of the week, except holidays (Ordinance 26248, 26594). To the extent feasible, construction of the BART Extension would adhere to the noise ordinances of the local jurisdictions.
- T3-13 As described in Section 5.5.3, *Air Quality*, construction of the BART Extension requires implementation of mitigation measures that ensure construction equipment and vehicles meet the standards of the Environmental Protection Agency (EPA) and Air Resources Board (ARB). For instance, Mitigation Measure AQ-CNST-B, described in Chapter 5, Section 5.5.3, *Air Quality*, requires all off-road, diesel-powered equipment used during construction be equipped with EPA Tier 4 or cleaner engines; AQ-CNST-E: Use Equipment Meeting ARB Certification Standards, described in Chapter 5, Section 5.5.3, *Air Quality*, requires the use of construction equipment that meets ARB's most recent certification standard for off-road heavy-duty diesel engines; and AQ-CNST-F: Ensure Heavy-Duty Diesel Trucks Will Comply with EPA Emissions Standards,

described in Chapter 5, Section 5.5.3, *Air Quality*, requires all on-road, heavy-duty diesel trucks with a gross vehicle weight rating of 19,500 pounds or greater to comply with EPA 2007 on-road emission standards for particulate matter less than or equal to 10 microns in diameter (PM10) and nitrogen oxide (NO_x).

Nagaraja Govindaiah

T3-14 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

In regards to property value impacts, economic impacts (such as change in property values) of a project are only subject to CEQA if they result in physical impacts. As stated in the SEIS/SEIR, there would be no significant physical impacts (such as noise and vibration) of BART tunnel operation on land uses aboveground.

Varun Shah

T3-15 No land would be required for construction or operation from the Marburg Place properties other than easements for the tunnel passing under specific properties.

The comment raises a real estate issue that is addressed in Master Response 5, *Real Estate Acquisition for VTA Projects*, which covers the following topics:

- What Types of Real Property Does VTA Purchase?
- How are Property Owners Protected When VTA Purchases Real Property?
- When Will Property Owners Know Whether Their Property Will Be Acquired?
- When Does VTA Purchase Real Property for Transportation Projects?
- When and How Will Property Owners Be Contacted?
- What are the Steps During the Acquisition Process?
- How are Properties Valued and What Compensation is Paid by VTA?
- What If I Don't Want to Sell My Property to VTA?

Aaron Nguyen

T3-16 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

As described in Section 5.5.3, *Air Quality*, construction of the BART Extension has the potential to create air quality impacts through the use of heavy-duty construction equipment and haul trucks, and through vehicle trips generated by

construction workers traveling to and from the various construction sites along the alignment. VTA would implement mitigation measures to control fugitive dust (Mitigation Measure AQ-CNST-A) and reduce NO_x and reactive organic gases (ROG) emissions (Mitigation Measures AQ-CNST-B through AQ-CNST-I) to reduce air quality impacts during construction of the BART Extension. However, even with the implementation of mitigation measures, construction air quality emissions related to NO_x emissions are considered an adverse and significant and unavoidable impact.

Operationally, as described in Section 4.2, *Air Quality*, long-term operations of the BART Extension Alternative would reduce criteria pollutant emissions, relative to the No Build Alternative, and therefore result in a beneficial air quality effect.

Construction-period air quality impacts would be experienced along the alignment, where construction activities occur. Operational air quality benefits would be experienced regionally. In regards to specific air quality impacts on Marburg Place residences, construction of the tunnel alignment would occur beneath the surface, and there would be no localized air quality impacts at Marburg Place.

T3-17 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

T3-18 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

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- What are the Steps During the Acquisition Process?
- How are Properties Valued and What Compensation is Paid by VTA?
- What If I Don't Want to Sell My Property to VTA?

Nick Zirnoon

T3-19 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

T3-20 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

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- What Types of Real Property Does VTA Purchase?
- How are Property Owners Protected When VTA Purchases Real Property?
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- When and How Will Property Owners Be Contacted?
- What are the Steps During the Acquisition Process?
- How are Properties Valued and What Compensation is Paid by VTA?
- What If I Don't Want to Sell My Property to VTA?

Katie

T3-21 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

Paul Kim

T3-22 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

T3-23 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

T3-24 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

The comment raises a real estate issue that is addressed in Master Response 5, *Real Estate Acquisition for VTA Projects*, which covers the following topics:

- What Types of Real Property Does VTA Purchase?
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- What If I Don't Want to Sell My Property to VTA?

Roland Lebrun

- T3-25 This comment does not raise an environmental issue.
- T3-26 The tunnel risk assessment mentioned is now referred to as the Independent Comparative Analysis of Tunneling Methodologies. The results of the Comparative Analysis will be completed in September 2017 and will therefore be available to the VTA Board of Directors prior to making a recommendation on the selection of options. In addition, the Comparative Analysis does not identify environmental impacts that have not already been addressed in the SEIS/SEIR.
- T3-27 The location and necessity of crossovers were established based on BART Facility Standards and operating requirements. The emergency ventilation systems are designed to applicable codes and standards and will be designed to reduce smoke hazards.
- T3-28 Refer to BART's comment letter R8, which states that the Newhall Maintenance Facility is "an essential element of the project, without which the project could not go forward....BART needs to stress the importance of the facility to the operational functioning of the Santa Clara Extension, and to BART's ability to maintain the extension in a state-of-good-repair and to provide the level of service and reliability expected by residents and businesses in Santa Clara County." The Hayward Maintenance Facility is a heavy maintenance facility that includes several repair shops, a vehicle overhaul shop, parts warehouse, and vehicle storage, while the Newhall Maintenance Facility will be for general maintenance, repairs, and vehicle storage. Therefore, the two maintenance facilities serve entirely different functions.
- T3-29 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

Also refer to Volume I, Chapter 2, Section 2.4, *Alternatives Considered and Withdrawn*, for a discussion of other alternatives that were evaluated.

Rohan Davuluri

- T3-30 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-31 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-32 A summary of the five alignment alternatives examined around U.S. 101 and the Alum Rock/28th Street Station is provided in Volume I, Chapter 2, Section 2.4, *Alternatives Considered and Withdrawn*, and Master Response 1, *Summary of U.S. 101 Alignment Alternatives*. These alternatives were not chosen to be further evaluated and carried forward in the environmental clearance phase due to design and engineering limitations, construction and operational impacts, additional right-of-way/real estate requirements, inefficient passenger access and intermodal connectivity, and/or substantial environmental impacts.
- T3-33 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-34 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-35 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-36 The tunnel liners are approximately 2 feet thick for the Single-Bore tunnel option and 10 inches thick for the Twin-Bore option.

Feng Han

- T3-37 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

As described in Section 5.5.3, *Air Quality*, construction of the BART Extension has the potential to create air quality impacts through the use of heavy-duty construction equipment and haul trucks, and through vehicle trips generated by construction workers traveling to and from the various construction sites along the

alignment. VTA would implement mitigation measures to control fugitive dust (Mitigation Measure AQ-CNST-A) and reduce NO_x and ROG emissions (Mitigation Measures AQ-CNST-B through AQ-CNST-I), as described in Chapter 5, Section 5.5.3, *Air Quality*, to reduce air quality impacts during construction of the BART Extension. However, even with the implementation of mitigation measures, construction air quality emissions related to NO_x emissions are considered an adverse and significant and unavoidable impact.

Operationally, as described in Section 4.2, *Air Quality*, long-term operations of the BART Extension Alternative would reduce criteria pollutant emissions, relative to the No Build Alternative, and therefore result in a beneficial air quality effect.

Construction-period air quality impacts would be experienced along the alignment, where construction activities occur. Operational air quality benefits would be experienced regionally. In regards to specific air quality impacts on Marburg Place residences, construction of the tunnel alignment would occur beneath the surface, and there would be no localized air quality impacts at Marburg Place.

A summary of the five alignment alternatives examined around U.S. 101 and the Alum Rock/28th Street Station is provided in Volume I, Chapter 2, Section 2.4, *Alternatives Considered and Withdrawn*, and Master Response 1, *Summary of U.S. 101 Alignment Alternatives*. These alternatives were not chosen to be further evaluated and carried forward in the environmental clearance phase due to design and engineering limitations, construction and operational impacts, additional right-of-way/real estate requirements, inefficient passenger access and intermodal connectivity, and/or substantial environmental impacts.

- T3-38 As described in Volume I, Chapter 2, Section 2.2.2.1 *Alignment and Station Features by City*, Alum Rock/28th Street Station would include new or modified traffic signals that would be provided at the intersections of North 28th Street and McKee Road, and North 28th Street at St. James Street and at Five Wounds Lane. In addition, a pedestrian connection along the south side of Alum Rock/28th Street Station at North 28th Street from Santa Clara Street is proposed and would provide amenities such as street trees, wide sidewalks, bicycle facilities, and pedestrian-scaled lighting to enhance the connectivity of pedestrian facilities surrounding the station. Also, the BART Extension would add sidewalks around the perimeter of Alum Rock/28th Street Station from the station entrance to Santa Clara Street. Crosswalks at the signalized intersections of North 28th Street/East Street, James Street, and North 28th Street/Five Wounds Lane would also be provided, including pedestrian push buttons and signal heads.

Traffic in the vicinity of Alum Rock/28th Street Station would increase as a result of the BART Extension; however, the design of the project would not increase

traffic hazards due to a design feature or incompatible uses. As described above, the design of Alum Rock/28th Street Station takes into account pedestrian safety, including students traveling in the station vicinity to nearby schools.

- T3-39 Traffic impacts associated with the project is described in Chapter 3, *NEPA and CEQA Transportation Operation Analysis*. As described, a total of 17 signalized intersections and 20 freeway segments in the vicinity of Alum Rock/28th Street Station; 29 signalized intersections and 18 freeway segments in the vicinity of Diridon Station; and 16 signalized intersections and 20 freeway segments in the vicinity of Santa Clara Station were analyzed. All study intersections are within the Cities of San Jose and Santa Clara, and the BART Extension would not exceed the significance threshold at any of the study intersections or on any of the freeway segments in the vicinity of the BART stations; traffic impacts would be less-than-significant.

Hans Liang

- T3-40 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.
- T3-41 Refer to Master Response 4, *Marburg Place Concerns*, regarding noise and vibration impacts, traffic, health and safety, stability of foundations, home values, and history of alignment.

John Hill

- T3-42 The rationale for why Santa Clara Station is included as part of the preferred alternative is addressed in Master Response 6, *Why Santa Clara as a Terminal Station*. The project in question does not preclude future BART extensions in response to the suggestion to extend BART to San Carlos.

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