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
Tom Blalock, BART
Cindy Chavez, VTA/City of San Jose
Patricia Dixon, VTA/City of Milpitas (Alternate)
Jose Esteves, VTA/City of Milpitas
James Fang, BART
Ron Gonzalez, Chairperson, City of San Jose
Scott Haggerty, County of Alameda
Joel Keller, BART (Alternate)
John McLemore, City of Santa Clara
Gus Morrison, City of Fremont
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
Stacey Mortensen, ACE
Brian Schmidt, ACE
Dawn Argula, Alameda County Board of Supervisors
Dennis Fay, ACCMA
Jean Hart, ACCMA
Beth Walukas, ACCMA
Art Dao, ACTA/ACTIA
Christine Monsen, ACTA/ACTIA
Kathy Mayo, BART
Paul Medved, BART
Malcolm Quint, BART
Dick Wenzel, BART
Jim Bass, Caltrans
Wade Greene, Caltrans, District 4
Stewart Ng, Caltrans, District 4
Martin Boyle, City of Fremont
Lisa Goldman, City of Fremont
Cindy Maxwell, City of Milpitas
Joe Oliva, City of Milpitas
Dave Clarke, City of San Jose
Patricia Colombe, City of San Jose
Kelly Doyle, City of San Jose
Hans Larsen, City of San Jose
Janis Moore, City of San Jose
Laurel Prevetti, City of San Jose
Craig Temple, City of San Jose
Ben Tripousis, City of San Jose
Jim Webb, City of San Jose
Sayed Fakhry, City of Santa Clara
David Pitton, City of Santa Clara
Steve Yoshino, City of Santa Clara

David Minister, Earth Tech, VTA Consultant
Michele Bellows, EnviroTrans Solutions, ACTA/ACTIA Consultant
Rebecca Kohlstrand, EnviroTrans Solutions, ACTA/ACTIA Consultant
Ron Fisher, FTA
Dwayne Weeks, FTA
Jerome Wiggins, FTA Region 9
Chris Brittle, MTC
Steve Heminger, MTC
Doug Johnson, MTC
Therese McMillan, MTC
Marc Roddin, MTC
Anthony Quicho, Peninsula Corridor Joint Powers Board (Caltrain)
Dennis Korabiak, San Jose Redevelopment Agency
Leslie Little, San Jose Redevelopment Agency
George Fowler, SCVWD
Steve Bui, SCVWD
Marc Klemencic, SCVWD
Lyndel Melton, SCVWD
Jose Ortiz, SCVWD
Sue Tippets, SCVWD
Tim Chan, VTA
John Donahue, VTA
Michael P. Evanhoe, VTA
Tom Fitzwater, VTA
Carolyn Gonot, VTA
Lisa Ives, VTA, Project Manager
Jim Lightbody, VTA
George Naylor, VTA
Mike Tasosa, VTA
Arch Walters, VTA
Ann Jamison, Wyn & Grace, VTA Consultant
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
Alameda County Planning Department
City of San Jose Planning Department
City of San Jose Historic Preservation Officer
City of Milpitas Planning Department
Alameda County Historical Society
Santa Clara County Historical Heritage Commission
Heritage Council of Santa Clara County
Milpitas Cultural Resources Preservation Board
Milpitas Historical Society
Historical Preservation Society of Santa Clara
History San Jose and Historical Association
Preservation Action Council of San Jose
San Jose Historical Landmarks Commission
San Jose Redevelopment Agency, East
Santa Clara Street Revitalization Committee
Los Fundadores–Santa Clara

Victorian Preservation Association
City of Santa Clara
Historical and Landmarks Commission
Santa Clara County Historical and Genealogical Society
South Bay Historical Railroad Society, Inc.
California Trolley and Railroad Corporation
National Railroad Historical Society
Central Coast Chapter
Caltrain

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
Council of Environmental Quality
U.S. Department of Transportation, Office of the Secretary
Federal Emergency Management Administration
Federal Highway Administration
Federal Railroad Administration

General Services Administration
National Oceanic and Atmospheric Administration Fisheries Service
National Transportation Safety Board
Native American Heritage Commission
Surface Transportation Board
U.S. Army Corps of Engineers
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

**Agency and Community Participation**
<table>
<thead>
<tr>
<th>Agency</th>
<th>Baseline Alternative</th>
<th>BART Alternative</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Fish and Wildlife Service</td>
<td>N/A</td>
<td>Consultation for effects to habitat for special status plants, steelhead, and Chinook salmon fisheries and approve conceptual mitigation plan.</td>
</tr>
<tr>
<td>National Oceanic and Atmospheric Administration</td>
<td>N/A</td>
<td>Consultation for effects to habitat for steelhead and Chinook salmon fisheries and approve conceptual mitigation plan.</td>
</tr>
<tr>
<td>Fisheries Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td>U.S. Army Corps of Engineers</td>
<td>N/A</td>
<td>Approve individual Section 404 permit for effects to wetlands and other waters of the U.S.</td>
</tr>
<tr>
<td>Federal Railroad Administration</td>
<td>N/A</td>
<td>Coordination regarding common corridor and crossing Caltrain/UPRR ROW.</td>
</tr>
<tr>
<td>Federal Highway Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>California Department of Fish and Game</td>
<td>Consultation for effects to Western burrowing owl and loggerhead shrike habitat and approve MOA and conceptual mitigation plan.</td>
<td>Consultation for effects to Western burrowing owl and loggerhead shrike habitat and approve MOA and conceptual mitigation plan. Execute Streambed Alteration Agreement.</td>
</tr>
<tr>
<td>State Office of Historic Preservation</td>
<td>N/A</td>
<td>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.</td>
</tr>
<tr>
<td>California Public Utilities Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>San Francisco Bay Area Rapid Transit District</td>
<td>Approve plans for Busway Connector to BART Warm Springs Station</td>
<td>Approve project per VTA/BART Comprehensive Agreement</td>
</tr>
<tr>
<td>Regional Water Quality Control Board</td>
<td>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.</td>
<td>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.</td>
</tr>
<tr>
<td>Santa Clara County</td>
<td>No permitting requirements identified.</td>
<td>No permitting requirements identified.</td>
</tr>
<tr>
<td>Santa Clara Valley Water District</td>
<td>Issue encroachment permit if construction comes within specified limits of the top of bank of any Santa Clara County stream. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.</td>
<td>Issue encroachment permit if construction comes within specified limits of the top of bank of any Santa Clara County stream. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.</td>
</tr>
<tr>
<td>Alameda County Flood Control and Water Conservation District (Zone 7)</td>
<td>Issue encroachment permit if modifying culverts or drainage channels. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.</td>
<td>Issue encroachment permit if modifying culverts or drainage channels. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.</td>
</tr>
<tr>
<td>City of Fremont</td>
<td>N/A</td>
<td>Encroachment permit for construction in city ROW.</td>
</tr>
<tr>
<td>City of Milpitas</td>
<td>N/A</td>
<td>Encroachment permit for construction in city ROW.</td>
</tr>
<tr>
<td>City of San Jose</td>
<td>N/A</td>
<td>Encroachment permit for construction in city ROW.</td>
</tr>
<tr>
<td>City of Santa Clara</td>
<td>N/A</td>
<td>Street opening permit requirement for construction in the city ROW.</td>
</tr>
</tbody>
</table>

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

24th 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
Business Owners
Santa Clara 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
Transportation and Land Use Coalition
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. 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 multimodal 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 on 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 on December 4, 2002; Hostetter/Alum Rock/Downtown San Jose CWG/San Jose community open house on December 5, 2002; and Santa Clara CWG/community open house on 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 Business Association, the Fourth Annual Neighborhood Summit, SJSU, HP Pavilion, La Raza, 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 San Jose 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 where 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.

9.4.2.6 Public Meetings on the Draft EIS/EIR

The Draft EIS/EIR was circulated for public review and comment for 60 days from March 16, 2004 through May 14, 2004. A Notice of Completion for the draft document was sent to the State Clearinghouse on March 16, 2004 (SCH #2002022004). A Notice of Availability of the Draft EIS/EIR was filed with the Santa Clara County Clerk on March 16, 2004, published in the Federal Register on March 26, 2004, and posted on VTA’s SVRTC project website. The Notice of Availability was also published on March 24 and March 25, 2004 in the following publications: Fremont Argus, Milpitas Post, San Jose Mercury News, Santa Clara Weekly, El Observador (Spanish), Sing Tao Daily (Chinese), and Thoi Boa (Vietnamese). Notices of Availability were mailed to interested agencies, organizations, and individuals, as indicated in Chapter 10, Agencies and Organizations. The Notice of Availability included information on three public hearings scheduled during the public review and comment period: Santa Clara on April 12, 2004, San Jose on April 14, and Milpitas on April 19, 2004. It also included information on where the Draft EIS/EIR could be reviewed by the general public including select local libraries, VTA’s website, and VTA’s Environmental Planning Department. Information on how to obtain a hard or CD ROM copy of the document was also provided. A Public Hearing Notice with much of the same information as the Notice of Availability was mailed to approximately 55,000 people in VTA’s SVRTC project database and included property and business owners and tenants within 1,000 feet from the proposed corridor and one-half mile radius around the proposed stations. Following publication of the Notice of Availability, a fourth public hearing was scheduled on May 10, 2004 in San Jose.

In addition to the Draft EIS/EIR, the Citizen’s Guide to the Draft Environmental Document provided a user-friendly overview of key environmental considerations that would result from the short-term construction and long-term operation of the BART Alternative. The publication was posted on VTA’s website, mailed to interested agencies, organizations, and individuals, as indicated in Chapter 10, Agencies and Organizations, and made available at the public hearings. It was also available upon request by contacting VTA’s Environmental Planning Department.

Additional information on the public comment and review period is included in Volume II, Chapter 1, Introduction. Written and oral comments received on the Draft EIS/EIR and VTA’s responses to those comments are included in Volume II, Chapter 3, Comments Received on the Draft EIS/EIR.
9.4.2.7  Meetings on the Alignment and Station Design Options

Four CWG meetings were held to present information and receive input on both the Draft EIS/EIR and the alignment and station design options for the BART Alternative. These meetings were scheduled as follows: Milpitas CWG on March 29, 2004; Santa Clara CWG on April 5, 1994; Downtown San Jose CWG on April 7, 2004; and Hostetter/Alum Rock CWG on April 8, 2004. Information on the alignment and station design options was also presented at the four public hearings on the Draft EIS/EIR.

In addition to the information presented at these meetings, VTA prepared an Issue Summary Report for the BART Alignment and Station Design Options. This report included a basic discussion of the 15 alignment and station options for the BART Alternative, including the pros and cons of each. The report was distributed to the members of the CWGs and was made available to the public at the public hearings.

Comments received during the CWG meetings and the public hearings on the alignment and station options were considered during the preparation of VTA staff recommendations to the PAB of the preferred options that would refine the Locally Preferred Alternative (BART Alternative). On May 26, 2004, the PAB approved these recommendations, which are listed in Volume II, Chapter 1, Introduction. Volume II, Chapter 2, Recommended Project, describes the BART Alternative in the context of the preferred alignment and station options.

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 a series of 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
9.4.4 NEWSPAPER DISTRIBUTION LIST

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

Alameda Journal
Alameda Times-Star
Alianza Metropolitan News
Almanac
Argus
Berryessa Sun
California Voice
Californian
Campbell Reporter
Carmel Pine Cone
Castro Valley Forum
Cupertino Courier
Daily Review
El Mensajero
El Mundo

El Observador
El Sol
Filipino Guardian
Free Lance
Fremont Bulletin
Gilroy Dispatch
Hispanic Business Journal
Silicon Valley
Hokubei Mainchi
India-West
International Daily News
Investor's Business Daily - Silicon Valley Bureau
Korea Central Daily
Korea Community News
Korea Post
La Oferta Review
Los Altos Town Crier
Los Gatos Weekly Times
Manila Mail
Milpitas Post
Monterey County Herald
Morgan Hill Times/San Martin News
Mountain View Voice
Newcomer News
Northern California Construction Bulletin
Nuevo Mundo
Oakland Tribune
9.4.5  PROJECT INFORMATION WEBSITE

The project website (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, public comment summary reports, and the Draft EIS/EIR. The site also allows the public to submit comments directly.

9.5  ONGOING PUBLIC OUTREACH

VTA will continue to conduct regular coordination meetings with the CWGs, PAB, BART, PDT, and TAC throughout 2004. 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
September 2002
- Hostetter/Alum Rock CWG/public workshop #3, East San Jose Station and Urban Design
October 1, 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
December 2002
- 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, 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
January 13, 2004  - TAC meeting
January 15, 2004  - PDT meetings
January 20, 2004  - VTA/BART Monthly Coordination
February 17, 2004  - VTA/BART Monthly Coordination
February 19, 2004  - PDT meetings
February 25, 2004  - PAB meeting
March 16, 2004  - VTA/BART Monthly Coordination
March 18, 2004  - PDT meetings
March 24, 2004  - Published an announcement of Draft EIS/EIR and public hearings in Milpitas Post
March 24, 2004  - Published an announcement of Draft EIS/EIR and public hearings in Santa Clara Weekly
March 25, 2004  - Published an announcement of Draft EIS/EIR and public hearings in El Observador
March 25, 2004  - Published an announcement of Draft EIS/EIR and public hearings in Fremont Argus
March 25, 2004  - Published an announcement of Draft EIS/EIR and public hearings in Sing Tao Daily
March 25, 2004  - Published an announcement of Draft EIS/EIR and public hearings in San Jose Mercury
March 25, 2004  - Published an announcement of Draft EIS/EIR and public hearings in Thoi Boa
March 26, 2004  - Published Notice of Available (NOA) in Federal Register
March 29, 2004  - Milpitas CWG meeting
April 5, 2004  - Santa Clara CWG meeting
April 7, 2004  - Downtown San Jose CWG meeting
April 8, 2004  - Hostetter/Alum Rock CWG meeting
April 12, 2004  - Santa Clara Public Hearing
April 13, 2004  - TAC meeting
April 14, 2004  - San Jose Public Hearing
April 15, 2004  - PDT meetings
April 19, 2004  - Milpitas Public Hearing
April 28, 2004  - PAB meeting
April 30, 2004  - Attended La Raza Roundtable
May 4, 2004  - Attended Milpitas City Council meeting
May 7, 2004  - Joint VTA/BART Board meeting
May 10, 2004  - San Jose Public Hearing
May 18, 2004  - Attended San Jose City Council meeting
May 20, 2004  - PDT meetings
May 26, 2004  - PAB meeting
June 17, 2004  - PDT meetings
July 13, 2004  - TAC meeting
July 13, 2004  - VTA/BART Monthly Coordination
July 15, 2004  - Attended San Jose Downtown Association meeting
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