

## CHAPTER 9.0: AGENCY AND COMMUNITY PARTICIPATION

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

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

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

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

### 9.2 SUMMARY OF SCOPING

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

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

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

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

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

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

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

#### **9.3.1 AGENCY COMMITTEES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Santa Clara County Planning Office	City of Milpitas Planning Department
Alameda County Planning Department	Alameda County Historical Society
City of San Jose Planning Department	Santa Clara County Historical Heritage Commission
City of San Jose Historic Preservation Officer	

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

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

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

### **9.3.3 PERMITS AND APPROVALS**

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

### **9.3.4 AGENCIES CONSULTED**

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

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

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

U.S. Department of Agriculture

U.S. Department of Commerce

U.S. Department of Energy

U.S. Department of Housing and Urban  
Development

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Fish and Wildlife Service

U.S. Senators and Representatives

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

Air Resources Board

Department of Transportation (Caltrans), District 4

Caltrans Division of Rail

Department of Fish and Game

Department of Housing and Community  
Development

Department of Parks and Recreation

Department of Water Resources

Energy Commission

Native Plant Society

Office of Historic Preservation (State Historic  
Preservation Officer)

Office of Planning and Research

Public Utilities Commission

State Clearinghouse

State Lands Commission

State Resources Agency

State Senators and Assembly Members

Water Quality Control Board

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

Alameda County

Alameda County Congestion Management Agency

Alameda County Transportation Authority

Alameda County Transportation Improvement  
Agency

Alameda County Flood Control and Water  
Conservation District

Altamont Commuter Express

Bay Area Air Quality Management District

California Trolley and Railroad Corporation

City of Fremont

City of Milpitas

City of San Jose

City of Santa Clara

Covenant Holder, South Bay Historical Railroad  
Society

Heritage Council of Santa Clara County

Historical Preservation Society of Santa Clara

Metropolitan Transportation Commission

Milpitas Cultural Resources Preservation Board

Milpitas Historical Society

Peninsula Corridor Joint Powers Board

Preservation Action Council of San Jose

Regional Water Quality Control Board

San Francisco Bay Area Rapid Transit District

San Francisco Bay Conservation and  
Development Commission

San Jose Redevelopment Agency

San Jose Historical Landmarks Commission

Santa Clara County

Santa Clara County Historical Heritage  
Commission

Santa Clara Historical Landmarks Commission

Santa Clara Valley Water District

Sonoma State University Information Center

South Bay Historical Railroad Society, Inc.

Transportation Agency for Monterey County

<b>Table 9.3-1: Agency Approvals</b>		
<b>Agency</b>	<b>Baseline Alternative</b>	<b>BART Alternative</b>
U.S. Fish and Wildlife Service	N/A	Consultation for effects to habitat for special status plants, steelhead, and Chinook salmon fisheries and approve conceptual mitigation plan.
National Oceanic and Atmospheric Administration Fisheries Service	N/A	Consultation for effects to habitat for steelhead and Chinook salmon fisheries and approve conceptual mitigation plan.
U.S. Army Corps of Engineers	N/A	Approve individual Section 404 permit for effects to wetlands and other waters of the U.S.
Federal Railroad Administration	N/A	Coordination regarding common corridor and crossing Caltrain/UPRR ROW.
Federal Highway Administration	Approve plans for busway connectors with I-680 and I-880.	Approve plans for ramp modifications at US 101 and BART crossings of SR 237, SR 87, SR 82, US 101, and I-880
California Department of Fish and Game	Consultation for effects to Western burrowing owl and loggerhead shrike habitat and approve MOA and conceptual mitigation plan.	Consultation for effects to Western burrowing owl and loggerhead shrike habitat and approve MOA and conceptual mitigation plan. Execute Streambed Alteration Agreement.
California Department of Transportation	Approve plans for busway connections to I-880 and I-680.	Approve plans for ramp modifications at US 101 and BART crossings of SR 237, SR 87, SR 82, US 101, and I-880.
State Office of Historic Preservation	N/A	Approval of MOA describing procedures for protection and mitigation of impacts to historic and cultural resources pursuant to Section 106 of the National Historic Preservation Act and 36 CFR Part 800.
California Public Utilities Commission	N/A	Coordination regarding common corridor.
San Francisco Bay Area Rapid Transit District	Approve plans for Busway Connector to BART Warm Springs Station	Approve project per VTA/BART Comprehensive Agreement
Regional Water Quality Control Board	Approve Section 401 Water Quality Certification, including Waste Discharge Requirements, if any. Approve Section 402 General Construction Activity NPDES Permit (includes developing and implementing a SWPPP) for construction phase impacts and project-specific compliance measures.	Approve Section 401 Water Quality Certification, including Waste Discharge Requirements, if any. Approve Section 402 General Construction Activity NPDES Permit (includes developing and implementing a SWPPP) for construction phase impacts and project-specific compliance measures.
Santa Clara County	No permitting requirements identified.	No permitting requirements identified.
Santa Clara Valley Water District	Issue encroachment permit if construction comes within specified limits of the top of bank of any Santa Clara County stream. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.	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.
Alameda County Flood Control and Water Conservation District (Zone 7)	Issue encroachment permit if modifying culverts or drainage channels. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.	Issue encroachment permit if modifying culverts or drainage channels. Issue well permits for geotechnical and chemical investigations or groundwater monitoring.
City of Fremont	N/A	Encroachment permit for construction in city ROW.
City of Milpitas	N/A	Encroachment permit for construction in city ROW.
City of San Jose	N/A	Encroachment permit for construction in city ROW.
City of Santa Clara	N/A	Street opening permit requirement for construction in the city ROW.
N/A = Not Applicable		

**9.4 SUMMARY OF PUBLIC OUTREACH**

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

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

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

**9.4.1 COMMUNITY WORKING GROUPS**

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

**9.4.1.1 Milpitas CWG Affiliates**

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



**9.4.1.2 Hostetter/Alum Rock CWG Affiliates**

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

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

**9.4.1.3 Downtown San Jose CWG Affiliates**

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

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

**9.4.1.4 Santa Clara CWG Affiliates**

Alviso Street Neighborhood Group  
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 multi-modal access to the stations and efficient connections with other transit modes. Many stressed the need for cooperative development efforts with the cities and neighborhood land use plans. Others requested a thorough evaluation of the station impacts on traffic and circulation, as well as on residences and businesses. The public also recommended that station facility designs complement the unique style of the surrounding community.

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

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

Comments were received from three public and CWG meetings, as follows: Santa Clara CWG/public meeting 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, 2004; 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

December 2002	– Fact Sheet - Real Estate Section
December 2002	– Fact Sheet - Frequently Asked Questions December 2002
May 2003	– Fact Sheet - Preparing an Environmental Impact Statement/Environmental Impact Report for a Major Transit Project
August 2003	– Newsletter – Silicon Valley Rapid Transit Corridor “Telling the Story”
May 2003	– Fact Sheet - Frequently Asked Questions Regarding Budget Process
September 2003	– Public Notice - Minimum Operating Segment
September 2003	– Fact Sheet - Minimum Operating Segment Scenarios
September 2003	– Fact Sheet – Frequently Asked Questions September 2003
March 2004	– Public Notice – Draft EIS/EIR
March 2004	– Fact Sheet – BART Alignment and Station Design Options Summary of Draft Recommendations
March 2004	– Fact Sheet – Frequently Asked Questions Spring 2004
March 2004	– Fact Sheet – Preliminary Engineering
May 2004	– Public Notice – Draft EIS/EIR
May 2004	– BART Preliminary Engineering: Why Start Now. Spring 2004
August 2004	– Fact Sheet – Frequently Asked Questions Summer 2004
August 2004	– Fact Sheet – Preliminary Engineering Status Report

#### **9.4.4 NEWSPAPER DISTRIBUTION LIST**

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

Alameda Journal	El Observador	Korea Post
Alameda Times-Star	El Sol	La Oferta Review
Alianza Metropolitan News	Filipino Guardian	Los Altos Town Crier
Almanac	Free Lance	Los Gatos Weekly Times
Argus	Fremont Bulletin	Manila Mail
Berryessa Sun	Gilroy Dispatch	Milpitas Post
California Voice	Hispanic Business Journal	Monterey County Herald
Californian	Silicon Valley	Morgan Hill Times/San Martin News
Campbell Reporter	Hokubei Mainchi	Mountain View Voice
Carmel Pine Cone	India-West	Newcomer News
Castro Valley Forum	International Daily News	Northern California Construction Bulletin
Cupertino Courier	Investor's Business Daily - Silicon Valley Bureau	Nuevo Mundo
Daily Review	Korea Central Daily	Oakland Tribune
El Mensajero	Korea Community News	
El Mundo		

Palo Alto Daily News	San Francisco Examiner	Sunnyvale Sun
Palo Alto Weekly	San Jose Business Journal	Thoi Boa
Pinnacle	San Jose Mercury News	Times Newspaper Group
Redwood City Almanac	San Mateo County Times	Tri-Valley Herald
Redwood City Independent	Santa Clara Weekly	Vietnam Liberty News
Russian Life Newspaper	Santa Cruz County Sentinel	Vietnam Daily News
San Francisco Business Times	Saratoga News	Willow Glen Resident
San Francisco Chronicle	Sing Tao Daily	

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

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

- October 1, 2002 – Hostetter/Alum Rock CWG/public workshop #3, East San Jose Station and Urban Design
- October 2, 2002 – Downtown San Jose CWG/public workshop #3, Downtown San Jose Station and Urban Design
- October 8, 2002 – TAC meeting
- October 15, 2002 – VTA/BART monthly coordination
- October 17, 2002 – PDT meetings
- October 30, 2002 – PAB meeting
- November 19, 2002 – VTA/BART monthly coordination
- November 21, 2002 – PDT meetings
- November 27, 2002 – Published an announcement of meetings and open houses in Thoi Boa
- November 28, 2002 – Published an announcement of meetings and open houses in El Observador
- November 28, 2002 – Published an announcement of meetings and open houses in the Milpitas Post
- November 29, 2002 – Published an announcement of meetings and open houses in the Sing Tao Daily
- 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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