Notice of Preparation
of a Draft Environmental Impact Statement/Environmental Impact Report for the Beneficial Reuse of Excavated Material in Tidal Marsh Restoration Project

SUPPLEMENTAL PROJECT INFORMATION

Introduction

The U.S. Fish and Wildlife Service (USFWS) and the Santa Clara Valley Transportation Authority (VTA), in cooperation with the Santa Clara Valley Water District (Valley Water), propose the Beneficial Reuse Project in South San Francisco Bay. The Beneficial Reuse Project would place excavated or other "fill" material into several former salt production ponds around South San Francisco Bay to raise the pond bottoms for the purpose of accelerating the timeline for tidal marsh habitat restoration. The Beneficial Reuse Project would be analyzed in a joint federal environmental impact statement and state environmental impact report (EIS/EIR). The USFWS is the lead agency under the National Environmental Policy Act (NEPA) for the EIS. VTA is the lead agency under the California Environmental Quality Act (CEQA) for the EIR. The EIS/EIR would analyze the Beneficial Reuse Project at both a "project" level and a "programmatic" level.

The Beneficial Reuse Project would be analyzed at a project level by explicitly evaluating the transport and placement of up to 3.5 million cubic yards of excavated material from VTA's BART Silicon Valley-Phase II Extension Project (BSVII Project) for the purpose of raising the deeply subsided pond bottoms (Figure 1). For the project-level analysis, the Beneficial Reuse Project would be implemented at the Pond A8 Complex (consisting of Ponds A5, A7, A8, and A8S), Pond A12, and Pond A13 within the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). These ponds are owned by the USFWS and are part of the Alviso Pond Complex. The Beneficial Reuse Project would also be implemented at Pond A4, which is owned by Valley Water. These ponds were selected for analysis at the project level as they are relatively close to the BSVII Project site compared to other ponds in the South Bay.

The Beneficial Reuse Project would also be analyzed at a programmatic level by evaluating the transport and placement of excavated material from future projects yet to be identified. Placement of such material could occur in the Ravenswood Pond Complex (except Ponds SF2), the Alviso Pond Complex (including the A8 Complex, A12, and A13 and excluding A22 and A23), and Pond A4 (Figure 2). The programmatic analysis would allow other project proponents to use the EIS/EIR as the basis for their future projects that would also transport and place excavated material into the ponds for the purpose of raising pond bottoms. These other project proponents would need to conduct additional environmental analysis at the project-level once their projects are sufficiently defined.

The Beneficial Reuse Project and the BSVII Project are two separate, independent projects. The BSVII Project, as analyzed in VTA's 2018 *BART Silicon Valley-Phase II Extension Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report and Section 4(f) Evaluation* (BSVII Project SEIS/SEIR) and subsequent applicable NEPA re-evaluations and CEQA addenda, will be implemented regardless of whether the Beneficial Reuse Project is implemented. If the Beneficial Reuse Project is not implemented, all excavated material generated by the BSVII Project would be transported to the disposal sites identified in the BSVII Project SEIS/SEIR, which includes landfills and quarries.

Background

San Francisco Bay has lost an estimated 85 percent of its historic tidal marsh habitats to fill or alteration, which has caused populations of marsh-dependent fish and wildlife to decline. The filling and altering of these habitats have also decreased water quality and increased local flood risks. Restoration of the former salt production ponds to tidal marsh habitat would begin to reverse these trends and improve the overall health of the bay.

The former salt production ponds will need enormous quantities of fill to raise pond bottoms and facilitate tidal marsh restoration. Previous environmental documents that evaluated restoration of the former salt production ponds did not consider importing fill for the purpose of raising pond bottoms because it was assumed that tidal action or other natural processes would eventually transport needed sediment into the ponds, thereby raising the bottoms over time. However, relying solely on natural processes would take many decades. Moreover, recent analysis has shown that San Francisco Bay does not contain enough sediment to sustain the existing marshes or restore the former salt production ponds in the face of sea-level rise. The Beneficial Reuse Project would help supplement natural sediment transport processes and accelerate the timeline for the ultimate restoration of tidal marsh habitat in the former salt ponds.

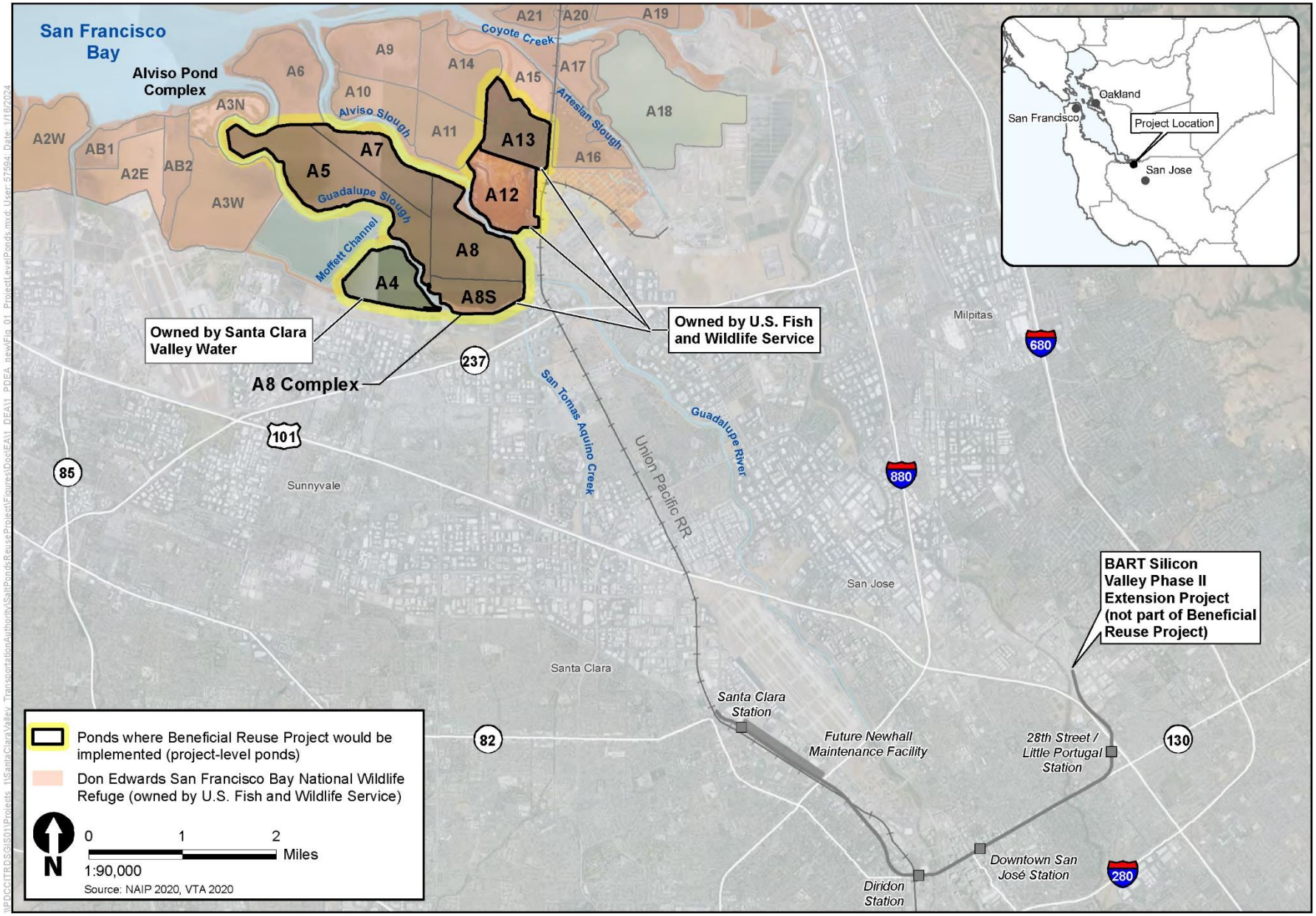

Figure 1. Project-Level Ponds

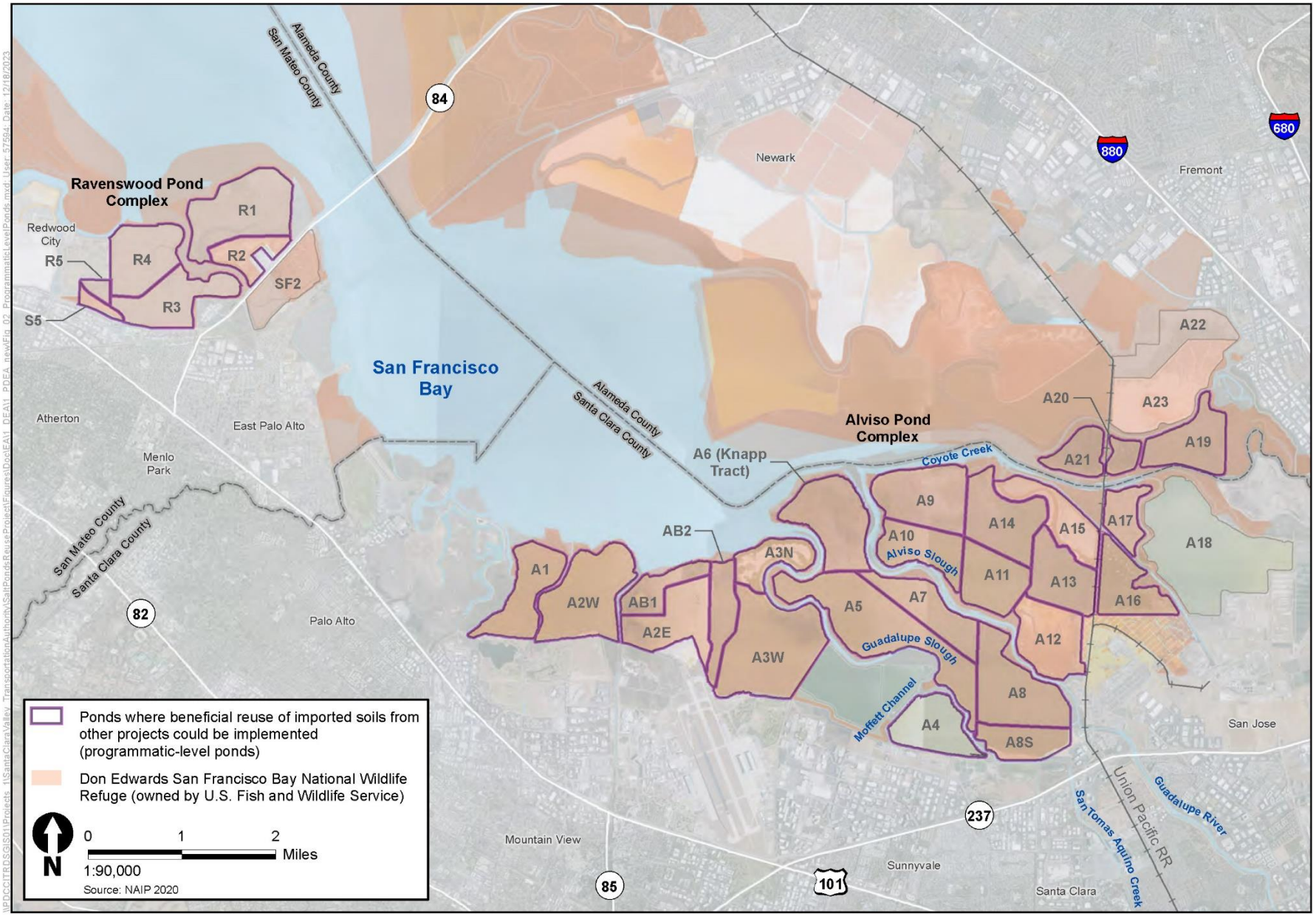

Figure 2. Programmatic-Level Ponds

Purpose and Need for the Action

The purpose of the Beneficial Reuse Project is to:

- Transport BSVII Project tunnel excavation material and other excavated material to select former salt production ponds in South San Francisco Bay for beneficial reuse.
- Place excavated material within select ponds to raise the elevation of pond bottoms to accelerate the timeline for and increase the certainty of tidal marsh restoration.
- Place excavated material in the Pond A8 Complex and/or other select ponds with legacy mercury to cover and bury contaminated sediments to reduce the potential for mercury to enter the aquatic environment.

The need for the Beneficial Reuse Project is as follows:

- The BSVII Project will generate a considerable amount of excavated material on a daily basis during construction of the 5-mile-long tunnel and other facilities. The material must be hauled offsite regularly to keep pace with construction and limited onsite storage facilities.
- The former salt production ponds in South San Francisco Bay require large quantities of sediment to raise the elevation of deeply subsided pond bottoms to eventually reach marsh plain elevation where tidal marsh restoration can occur (by others). Placing excavated material into the pond bottoms would accelerate the timeline for eventual tidal marsh restoration relative to sedimentation from natural processes (i.e., tidal action) alone. This is especially important in the face of sea-level rise and the sediment deficit in San Francisco Bay.
- There is high mercury concentration in the sediments of the Pond A8 Complex and nearby ponds as a result of historic mining operations in the Guadalupe River watershed. Natural tidal action can cause the resuspension of sediment containing mercury and increase the potential for bioaccumulation of mercury in aquatic organisms. Placing excavated material into the pond bottoms would cover sediment contaminated with mercury and reduce the potential for mercury to spread into the aquatic environment.

Project Benefits

The Beneficial Reuse Project would provide several benefits. For the project level analysis, direct, immediate benefits include construction waste reuse, as well as reductions in emissions of greenhouse gases and other air quality pollutants by diverting transport of excavated material to the salt ponds – only a few miles away from the BSVII Project construction site – which would otherwise be destined for landfills and quarries much farther away. Indirect benefits applicable to all projects placing excavated material into the pond bottoms would result from facilitating future restoration of tidal marsh habitat by raising the bottoms of former salt production ponds, allowing vegetated marsh to be restored much more quickly when tidal action is restored in the near future. When tidal action is restored in ponds that are currently isolated from the bay and vegetated marsh becomes established, either naturally or through habitat restoration projects, the marsh would provide such benefits as sea-level rise resilience, water quality improvements, flood risk management, habitat creation for threatened and endangered species, and greenhouse gas sequestration.

Project Location

Project-Level Ponds

The project-level ponds are located in South San Francisco Bay in Santa Clara County, California (Figure 1). Pond A8 Complex (consisting of Ponds A5, A7, A8, and A8S) is located in the City of San Jose and the City of Santa Clara. Ponds A12 and A13 are located in the City of San Jose. Pond A4 is located in the City of Sunnyvale and the City of San Jose. Pond A8 Complex, Pond A12, and Pond A13 are within the Refuge's Alviso Pond Complex. Pond A4 is immediately southwest of the Alviso Pond Complex.

The project-level ponds are generally bounded by Ponds A3N, A6, A10, A11, A14, A15 to the north; the Union Pacific Railroad (UPRR) corridor, Alviso Marina County Park, and the Guadalupe River/Alviso Slough to the east; San Tomas Aquino Creek, Sunnyvale Baylands County Park, and the Sunnyvale Water Pollution Control Plant to the south; and Guadalupe Slough and Moffett Channel to the west. The cities surrounding or near the project-level ponds include Mountain View to the west; Sunnyvale, Santa Clara, and San José (Alviso District) to the south/southwest; and San José and Milpitas to the east.

Programmatic-Level Ponds

The programmatic-level ponds are located in South San Francisco Bay and include the Ravenswood Pond Complex (except Pond SF2), the Alviso Pond Complex (including the A8 Complex, A12, and A13 and excluding A22 and A23), and Pond A4 (Figure 2). The ponds that are excluded include designated snowy plover critical habitat. The Ravenswood Pond Complex is in San Mateo County and the Alviso Pond Complex is in Santa Clara and Alameda Counties. The Ravenswood Pond Complex is north and south of State Route (SR) 84 in the city of Menlo Park. The cities surrounding or near the Ravenswood Pond Complex include Redwood City, Atherton, and East Palo Alto. The Alviso Pond Complex is east of U.S. 101, north of SR 237, west of Interstate (I) 880, and south of Coyote Creek. The cities surrounding or near the Alviso Pond Complex include Mountain View to the west; Sunnyvale, Santa Clara, and San José (Alviso District) to the south/southwest; and San José and Milpitas to the east.

Proposed Action Alternative

As described below, the Proposed Action Alternative includes the following:

- Project-level components of the Beneficial Reuse Project would send as much excavated material as feasible from the BSVII Project to the project-level ponds.
- Programmatic-level components of the Beneficial Reuse Project would include the beneficial reuse of imported soil from projects other than the BSVII Project to the programmatic-level ponds.

Project-Level Components

This section describes the projected volume of excavated material, hauling methods and routes, material placement methodologies and infrastructure improvements, and other improvements required for implementation of the Beneficial Reuse Project at the project level.

Volume and Quality of Excavated Material

The Beneficial Reuse Project would transport up to 3.5 million cubic yards of excavated material from the BSVII Project to the project-level ponds. It is not anticipated that all of the excavated material generated by the BSVII Project would be transported to the project-level ponds due to instances of inclement weather or other reasons. Thus, the placement of 3.5 million cubic yards of excavated material represents a worst-case scenario for the purpose of environmental clearance at a project level in the EIS/EIR. Any excavated material generated by the BSVII Project that is not transported to the project-level ponds would be transported to landfills and quarries, as analyzed in VTA's 2018 BSVII Project SEIS/SEIR and subsequent applicable NEPA re-evaluations and CEQA addenda for the BSVII Project.

All excavated materials reused at the former salt production ponds must meet the criteria established in the San Francisco Regional Water Quality Control Board Master Quality Assurance Project Plan for Don Edwards San Francisco Bay National Wildlife Refuge. For the BSVII Project, VTA will work with the San Francisco Regional Water Quality Control Board and San Francisco Bay Conservation and Development Commission to ensure that all excavated material placed into the former salt production ponds meets the criteria that ensures the material will not pose a risk to wildlife or water quality.

Hauling Methods and Routes

The BSVII Project SEIS/SEIR, and subsequent applicable NEPA re-evaluations and CEQA addenda, analyzed the environmental effects of hauling excavated tunnel material from the future BSVII Project Newhall Maintenance Facility, as well as material from other excavation sites, along local streets to freeways and eventual disposal sites (i.e., landfills and quarries). The haul routes were designed to minimize travel on local streets prior to accessing U.S. 101, I-280, I-880, and SR 87. The BSVII Project SEIS/SEIR did not analyze a haul route on SR 237, nor did it analyze hauling material by rail.

The Beneficial Reuse Project would include two methods for hauling tunnel and other excavated material from the BSVII Project to the project-level salt ponds: truck haul method and rail haul method.

- **Truck Haul Method.** The Beneficial Reuse Project would include the use of trucks to haul material along U.S. 101 and I-880, as analyzed in the BSVII Project SEIS/SEIR. The Beneficial Reuse Project assumes use of a truck haul route on SR 237, then use of local streets to reach the project-level ponds. Because more than one pond may serve as a destination for material placement at any given time, several local roads may be used to access the ponds. Figure 3 shows the truck haul method, including the possible routes along local roads and SR 237 to the project-level ponds. Routes were selected to avoid residential areas to the maximum extent possible.
- **Rail Haul Method.** The Beneficial Reuse Project would include the use of rail to haul material from the future BSVII Project Newhall Maintenance Facility. This method would include construction of additional tracks at the maintenance facility, an option to construct a spur track near Pond A12, and an option to use an existing spur track that leads to the GreenWaste Zanker Resource Recovery Facility near Los Esteros Road. Figure 4 shows the rail haul method.
    - **Newhall Maintenance Facility Improvements**. For the rail haul method, improvements would be required at the future BSVII Project Newhall Maintenance Facility (Figure 5). The tunnel excavated material would be delivered to a storage bin area by conveyor. The storage bin area would be surrounded by a haul road for trucks and two sets of loading tracks for railcars, allowing the material to be loaded into trucks and/or railcars. Crossover tracks between the existing UPRR mainline and the storage tracks would be installed to provide access to/from the mainline.
    - **Pond A12 Spur Option**. Under this option, a new rail spur would be constructed between the UPRR mainline and Coastal Flood Protection Levee Reach 1 (the location of the Alviso Slough Trail) east of Pond A12 (Figure 4). Transport of excavated material from the rail spur to the project-level ponds would either be by conveyor belt or truck. If by conveyor belt, the conveyor belt would take the material directly to Pond A12 over the levee or to Pond A13. Alternatively, trucks would be used to transport the excavated material after it is offloaded from the railcars to Ponds A12, A13, A8 Complex, or A4. Transport of the excavated material by truck would depend on which pond is the final destination and involve several routes, either on local roads only or on SR 237 for part of the trip. Figure 3 shows the truck haul method, including the possible routes on local roads and SR 237 to the project-level ponds. Routes were selected to avoid residential areas to the maximum extent possible.
    - **Los Esteros Spur Option**. Under this option, an existing rail spur that leads to the GreenWaste Zanker Resource Recovery Facility from the UPRR mainline would be used to transport material to a site south of Los Esteros Road (Figure 4). The existing 15-degree curve at the intersection of the spur and the UPRR mainline would be reconfigured to between 7 and 12 degrees to be in compliance with UPRR safety requirements for a six-axle locomotive. South of Los Esteros Road, two storage tracks would be constructed to allow the train to be unloaded. A siding would be constructed on the south side of the existing spur from the reconfigured curve to Grant Boulevard, giving UPRR the ability to run around an empty/loaded train to position its locomotive(s) on the correct end of the train before returning to the future BSVII Project Newhall Maintenance Facility.

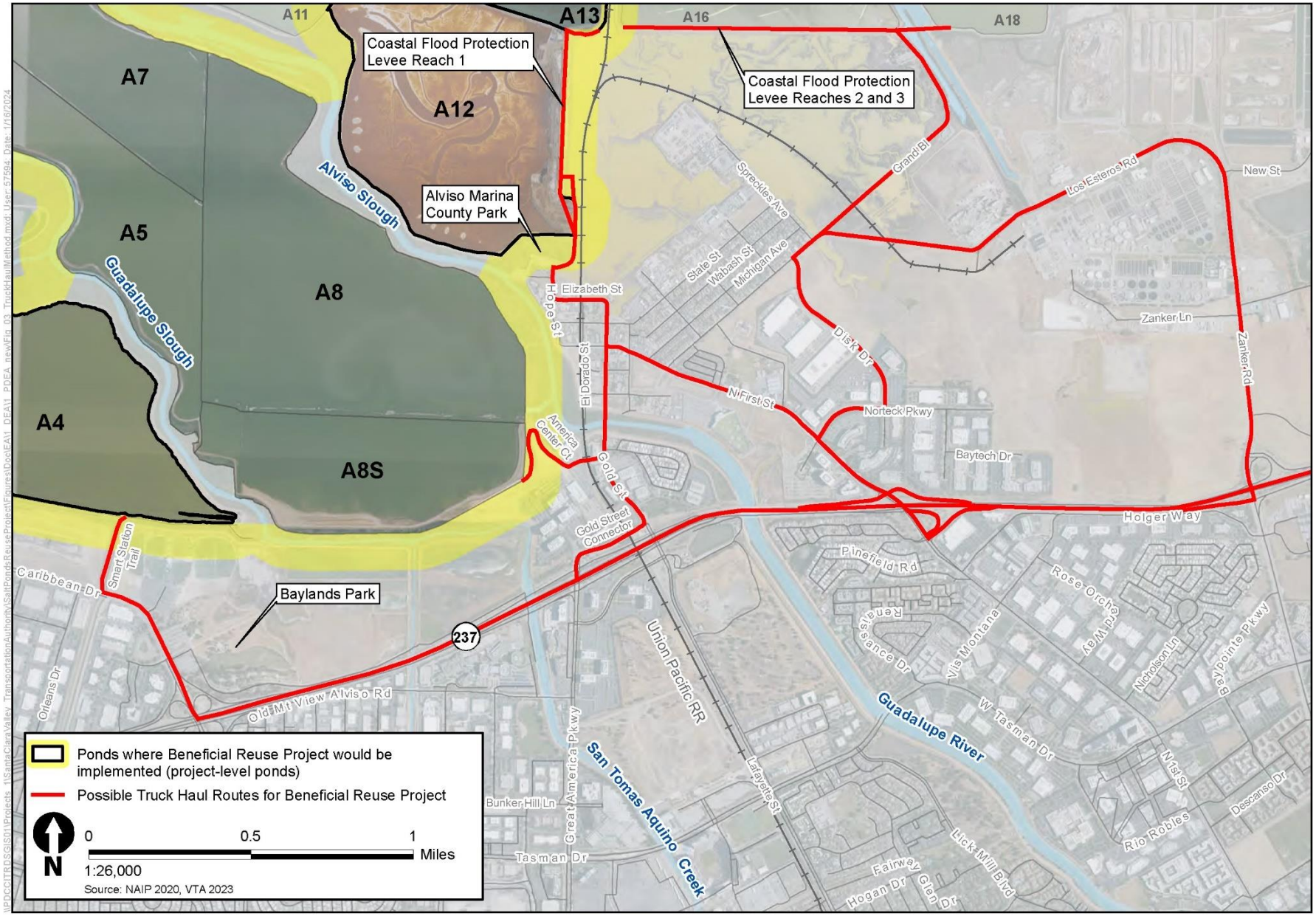

Figure 3. Truck Haul Method

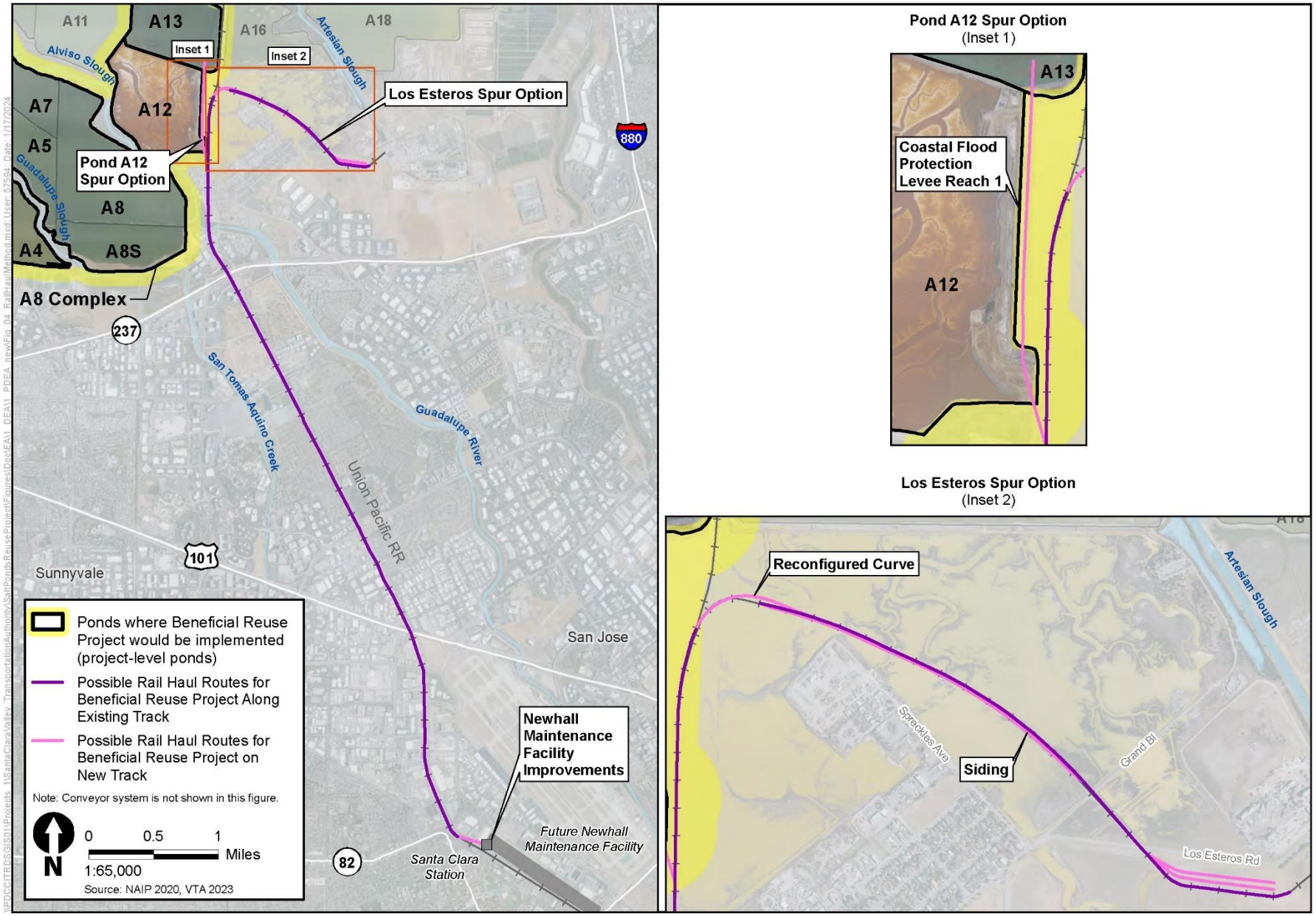

Figure 4. Rail Haul Method

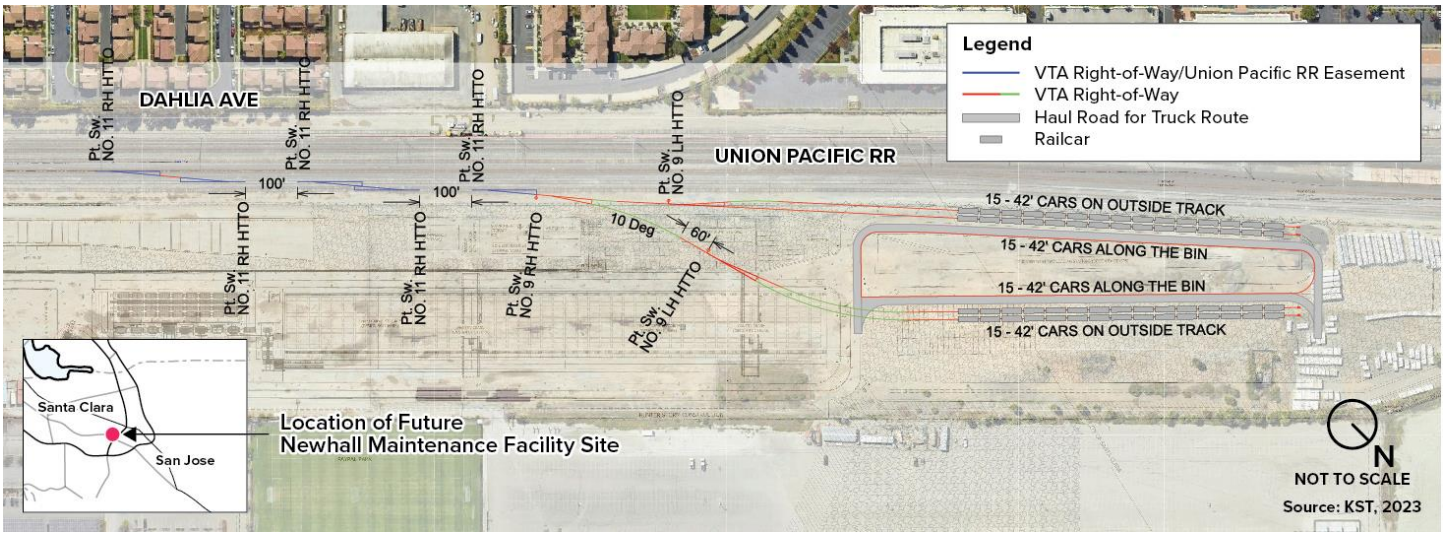

Figure 5. Improvements at the Future BART Silicon Valley Phase II Extension Project Newhall Maintenance Facility

Transport of the excavated material from the rail spur to the project-level ponds would either be by conveyor belt or truck. If by conveyor belt, a conveyor system would be constructed adjacent to the existing spur, cross over the UPRR mainline, and then cross over the Pond A12 levee. The conveyor belt would take material directly over the levee to Pond A12 or Pond A13. Alternatively, trucks would be used to transport the material after it is offloaded from the railcars to Ponds A12, A13, A8 Complex, or A4. Transport of the excavated material by truck would depend on which pond is the final destination and involve several routes, either on local roads only or on SR 237 for part of the trip. Figure 3 shows the truck haul method, including the possible routes on local roads and SR 237 to the project-level ponds. Routes were selected to avoid residential areas to the maximum extent possible.

The truck haul method and the rail haul method could be used exclusively or in combination. As mentioned previously, for environmental clearance, the EIS/EIR will assume that up to 3.5 million cubic yards would be transported to the project-level ponds. To provide the most conservative analysis (i.e., worst-case scenario for each type of haul method), it is assumed that up to 3.5 million cubic yards of material would be transported to the project-level ponds either exclusively by truck or exclusively by rail. Any combination of truck and rail would not represent a worst-case scenario for the purposes of environmental analysis.

Material Placement Methodologies and Infrastructure Improvements

The Beneficial Reuse Project would include three methods for the placement of excavated material within the project-level ponds once it is offloaded near a pond shoreline by truck or conveyor belt: conventional equipment method, hydraulic methodologies, and/or conveyor system methodologies. The Beneficial Reuse Project could use one, two, or all three of these methodologies at any project-level pond.

- **Conventional Equipment Method.** Placement using conventional equipment would involve offloading the material near a pond shoreline and then pushing the material into the pond using bulldozers (Figures 6 and 7). Long-reach excavators on barges (for deep water) or amphibious excavators (for shallow water) within the pond could also be used to move the material from the shoreline and into the pond. This method could require the construction of unpaved access facilities within a pond to facilitate placement of the material (Figure 8). This method could use a turbidity curtain or other mechanism to prevent sediment from moving into adjacent sensitive habitat areas (Figure 8).

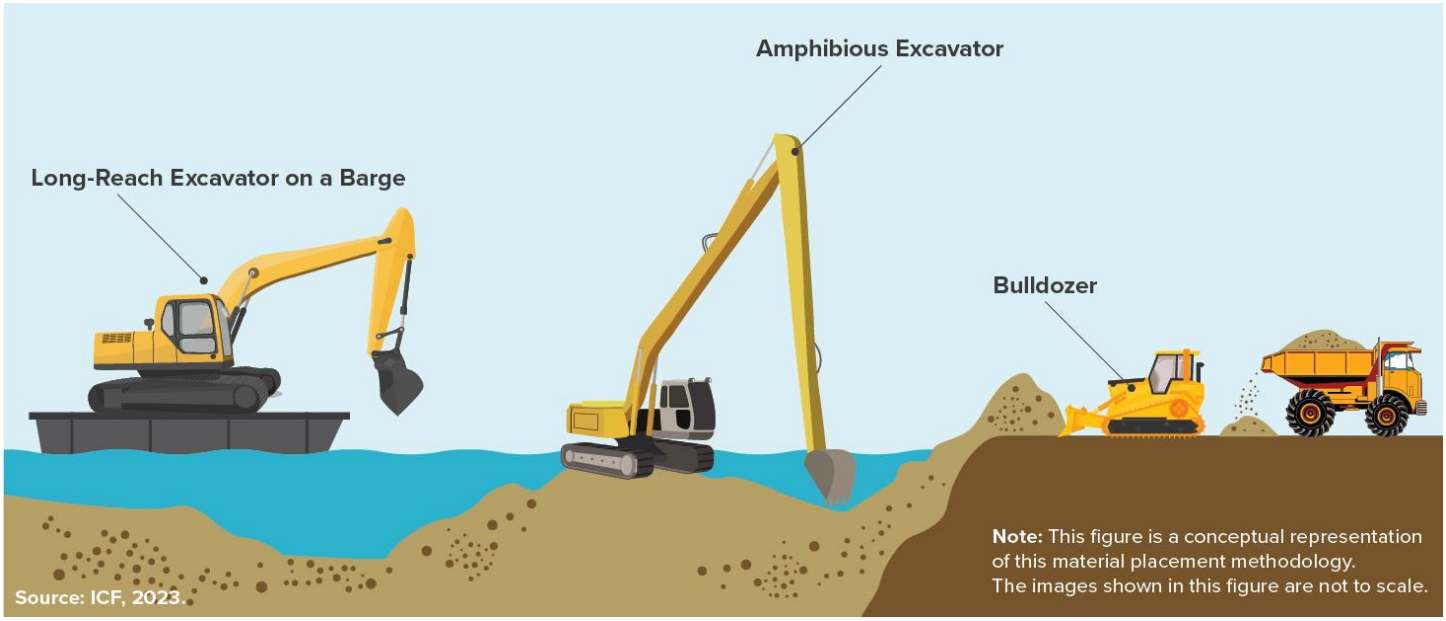

Figure 6. Material Placement Methodology: Conventional Equipment

Figure 7. Example of Amphibious Excavator

Figure 8. Examples of Turbidity Curtain and Unpaved Access Facility

- **Hydraulic Methodologies.** Hydraulic methodologies would involve offloading the material at a pond shoreline and then using pumps to move soil with either a cutter suction dredge or an excavator-mounted mobile slurry pump. The cutter suction dredge would use a cutterhead to both excavate and suction material before pumping it through a discharge pipeline (Figures 9 and 10). As part of the cutter-suction-dredge method, a sheet pile bulkhead, or similar, could be constructed to provide a defined edge at the shoreline of a pond (Figure 11). The sheet pile bulkhead would be constructed using a crawler crane with either a vibration hammer or a hydraulic impact hammer. An alternative is to construct a basin using a sheet pile bulkhead, in which material would be deposited and then pumped through a discharge pipeline (Figure 12); the excavator-mounted mobile slurry pump would use a pump system to suction material before pumping it through a discharge pipeline (Figure 13). These methods could use a turbidity curtain or other mechanism to prevent sediment from moving into adjacent sensitive habitat areas (Figure 8).

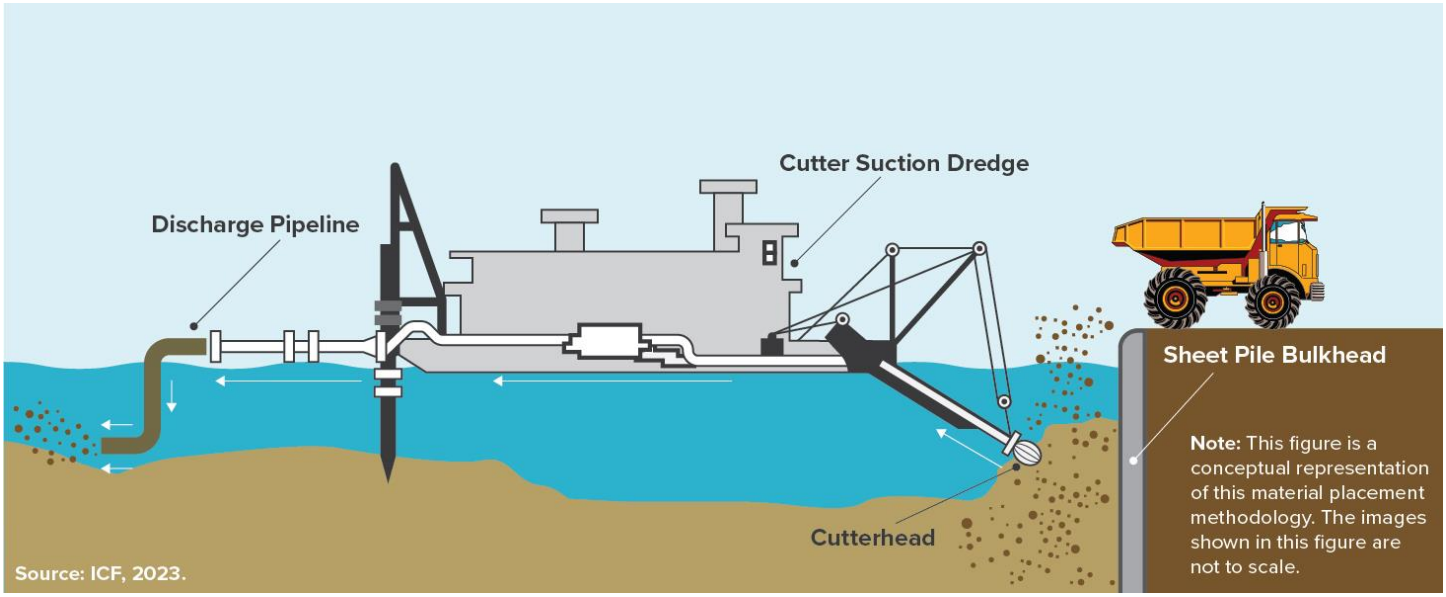

Figure 9. Material Placement Methodology: Hydraulic via Cutter Suction Dredge

Figure 10. Examples of Cutter Suction Dredge

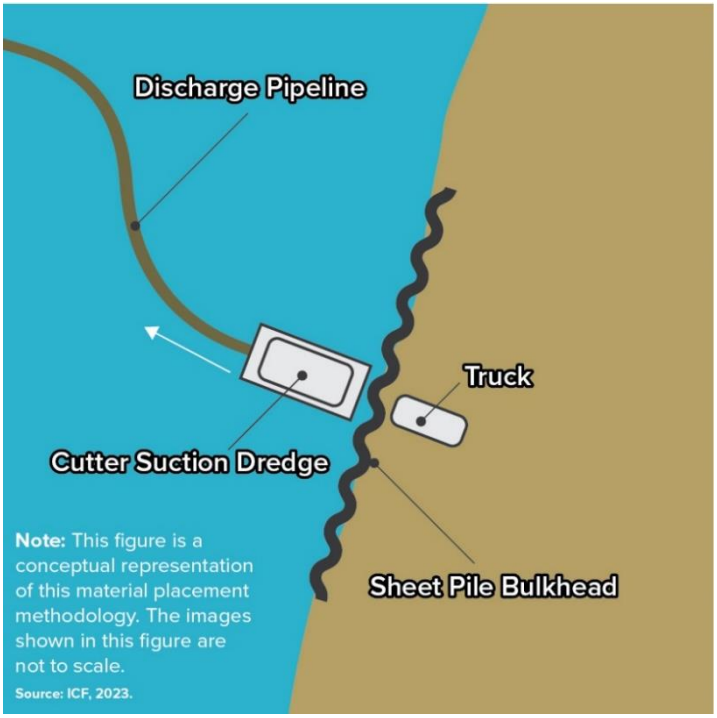

Figure 11 Sheet Pile Bulkhead

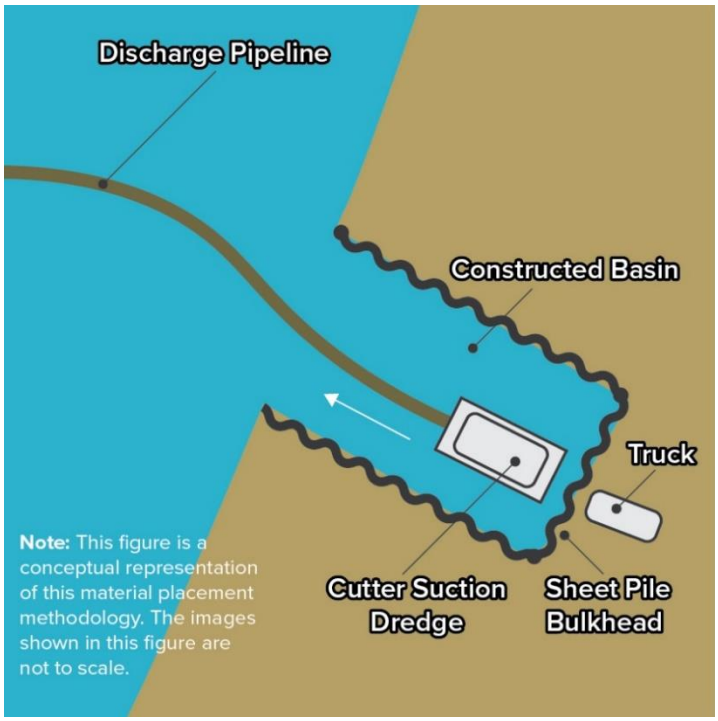

Figure 12. Constructed Basin

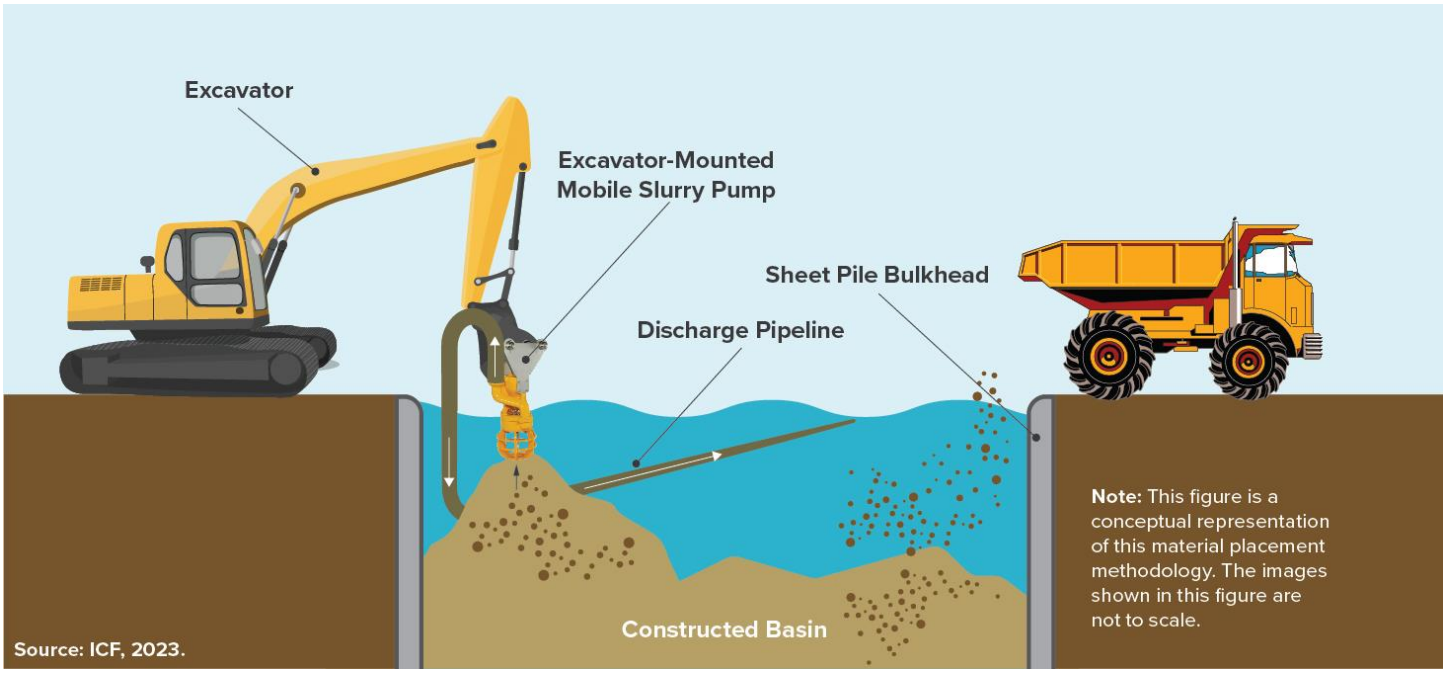

Figure 13. Material Placement Methodology: Hydraulic via Excavator-Mounted Mobile Slurry Pump

- **Conveyor System Methodologies.** Conveyor system methodologies would involve offloading the material near a pond shoreline and then loading it into a hopper, which would dispense the material with either a continuous conveyor (Figures 14 and 15) and would require the construction of unpaved access facilities within a pond (Figure 8) or a floating conveyor (Figure 16). The continuous conveyor system would use a hopper fitted with conveyors, which would extend perpendicular to the unpaved access facility as the hopper travels along and distributes material from the conveyor on each side of the unpaved access facility into the pond. The conveyors would be located on either portable modular barges or wood timber pads (i.e., crane mats). The floating conveyor system would use a hopper on a pond shoreline that would be fitted with a conveyor that would distribute material into the pond. The conveyors would be located on either portable modular barges or wood timber pads (i.e., crane mats). This method could use a turbidity curtain or other mechanism to prevent sediment from moving into adjacent sensitive habitat areas (Figure 8).

The temporary infrastructure improvements associated with the Beneficial Reuse Project would include the construction of unpaved access facilities around and possibly into or through the ponds, material drop-off locations, staging areas, and stockpile areas for each project-level pond. Improvements to the existing unpaved access facilities in the vicinity of the project-level ponds could include road widening, aggregate placement for all-weather access, and fill placement to provide access to the shoreline. Improvements to the existing paved access facilities in the vicinity of the project-level ponds could include adjustments to intersection traffic signals, new traffic signals, intersection striping modifications, and widening.

The Beneficial Reuse Project would not require changes to any existing levees. However, it may require ramps to be constructed over existing levees at Ponds A12 and A13. The ramps would not affect the structural integrity of the levees. Trucks would use some existing levees at some ponds as access facilities, as approved by the U.S. Army Corps of Engineers.

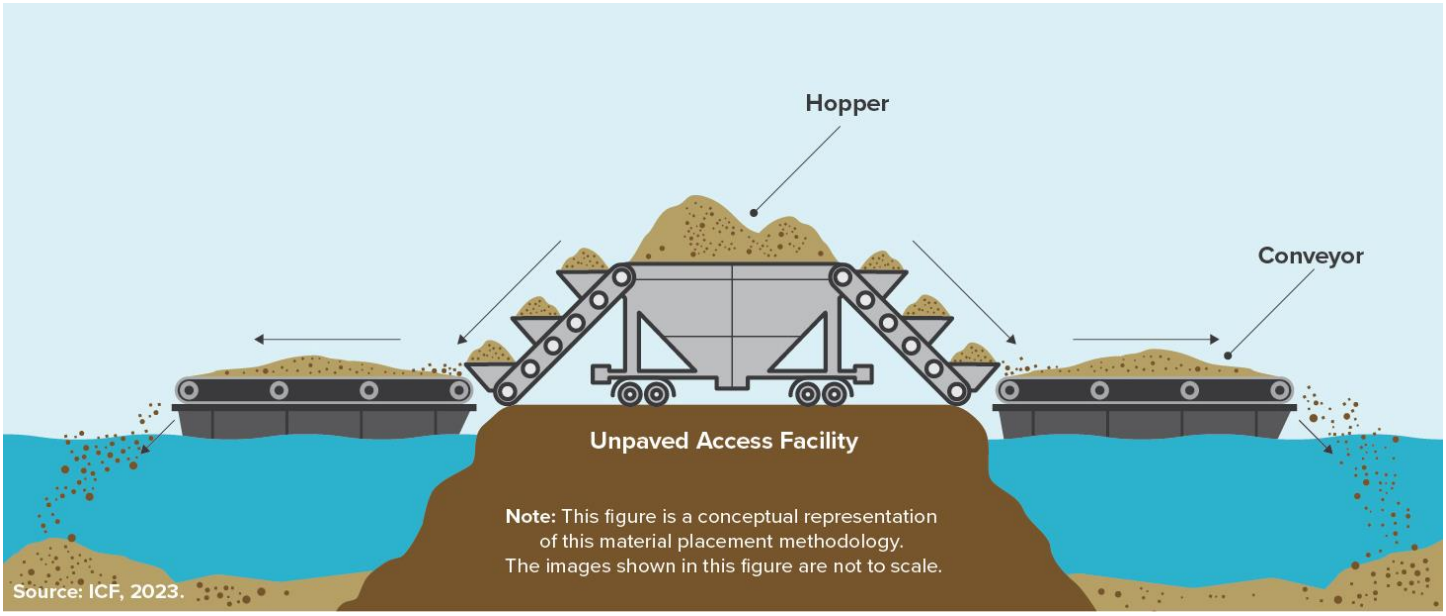

Figure 14. Material Placement Methodology: Continuous Conveyor System

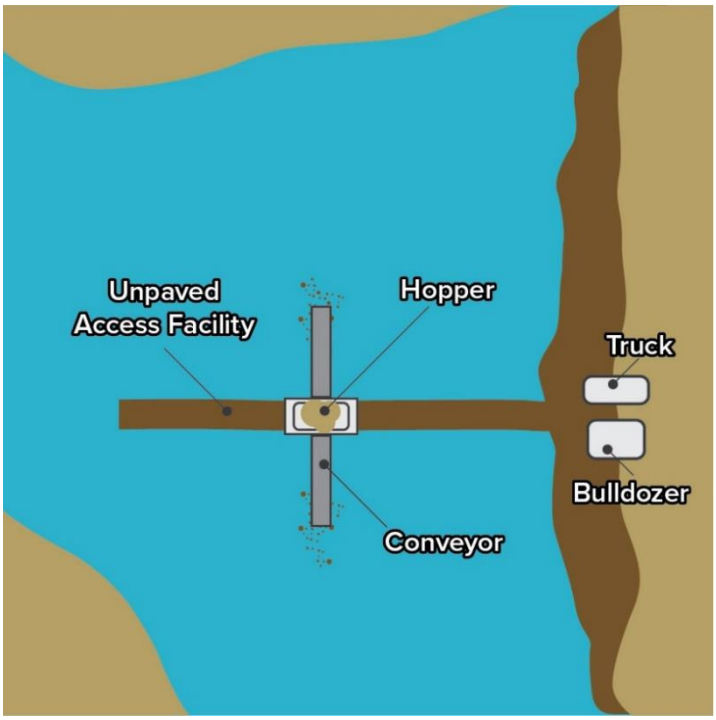

Figure 15. Material Placement Methodology: Continuous Conveyor System (Aerial View)

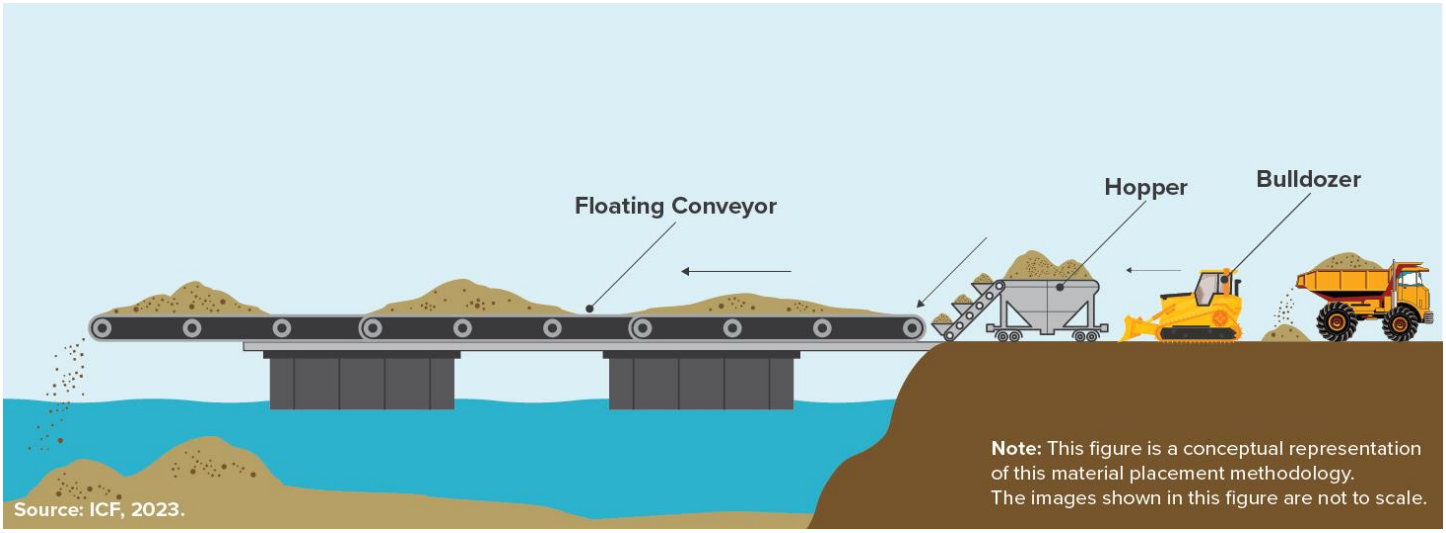

Figure 16. Material Placement Methodology: Floating Conveyor System

Programmatic-Level Components

The programmatic analysis would evaluate the addition of excavated material from future projects yet to be identified for all the ponds covered in the EIS/EIR. The programmatic analysis would allow other project proponents to use the EIS/EIR as the basis for their future projects that would also transport and place excavated material into the ponds for the purpose of raising pond bottoms. These other project proponents would need to conduct additional environmental analysis at the project-level once their projects are sufficiently defined.

The programmatic analysis would include reasonable assumptions for a sufficient volume of fill to contribute to tidal marsh restoration without overfilling ponds such that tidal exchange is restricted. In addition, the programmatic analysis would include

reasonable assumptions for the transport of material as well as the schedule for when the material would be available for beneficial reuse. Furthermore, the programmatic analysis would assume the same material placement methodologies and the same types of infrastructure improvements as in the project-level analysis. Together, the programmatic-level ponds, the access roads that would be used for hauling, the unpaved access facilities that would be used for placement of material, the staging areas, the stockpile areas, and the areas where required infrastructure improvements would be implemented comprise the programmatic-level components.

The programmatic analysis would assume that material would be transported by truck. If other project proponents intend to use rail options, they will have to coordinate with UPRR before the use of rail will be considered in their project-level analysis. Overall, the programmatic analysis will tend to be of a more qualitative nature than the project-level analysis in the EIS/EIR.

Construction Schedule

For the project-level analysis, construction of the BSVII Project tunnel and other facilities associated with the BSVII Project will generate the excavated material to be used by the Beneficial Reuse Project. However, until the Beneficial Reuse Project is approved and all regulatory agency permits are secured, no excavated material can be transported to the salt ponds for the purpose of raising the pond bottoms. It is anticipated that approval of the Beneficial Reuse Project by the USFWS and VTA under NEPA and CEQA, respectively, and the acquisition of permits will occur by early 2026. It is also anticipated that the construction of the BSVII Project tunnel will begin shortly thereafter. It is projected that the BSVII Project tunnel and other facilities associated with the BSVII Project, which will produce the excavated material for beneficial reuse at the salt ponds, will take approximately three years to complete.

For the programmatic-level analysis, the construction schedule for projects by other project proponents would be determined once their projects are sufficiently defined and environmentally cleared.

Scope of the Project

The scope of the Beneficial Reuse Project's project-level components would begin once the excavated material from the BSVII Project is hauled via truck to where I-880 and SR 237 intersect (because the BSVII Project's haul routes did not assume use of SR 237) or the excavated material from the BSVII Project is loaded onto railcars at the future BSVII Project Newhall Maintenance Facility (because the BSVII Project did not assume the use of rail to haul excavated material). Excavation for the BSVII Project tunnel and other facilities is not part of the Beneficial Reuse Project and not within the scope of this EIS/EIR. Similarly, truck haul routes from the future BSVII Project Newhall Maintenance Facility, or other BSVII Project construction sites, to local streets and freeways are not part of the Beneficial Reuse Project and not within the scope of this EIS/EIR. This information is included in VTA's 2018 *BART Silicon Valley-Phase II Extension Project Final Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report and Section 4(f) Evaluation*.

The scope of the Beneficial Reuse Project's programmatic-level components would begin once the excavated material is hauled via truck to local streets in the vicinity of the programmatic-level ponds. The scope of the Beneficial Reuse Project's programmatic-level components does not include hauling via truck on any freeways because the sources of the excavated material are unknown at this time. The scope of the programmatic-level components would end once all the projected amount of excavated material from other projects is deposited into the programmatic-level ponds.

The Beneficial Reuse Project would raise the pond bottoms for the purpose of accelerating the timeline for future tidal marsh habitat restoration. The restoration of tidal marsh habitat is not part of the Beneficial Reuse Project and not within the scope of this EIS/EIR. The evaluation of the potential effects of tidal marsh restoration at both the project-level ponds and the programmatic-level ponds is or will be included in one or more of the following documents:

- Final EIS/EIR for the South Bay Salt Pond Restoration Project – Programmatic and Phase 1 in December 2007 (State Clearinghouse [SCH] No. 2003032079);[1]
- Final EIS/EIR for the South Bay Salt Pond Restoration Project – Phase 2 in April 2016 (SCH No. 2013092010);[2]
- Final EIS/EIR for South San Francisco Bay Shoreline Project in 2015;[3]
- EIS/EIR to be prepared for the Calabazas/San Tomas Aquino Creeks – Marsh Connection Project; and[4]
- Future CEQA and NEPA environmental clearance to be provided for the Pond A4 Resilient Habitat Restoration Project from a Categorical Exemption and Section 404 Nationwide Permit, respectively.[5]

Post-Construction Project Features

After all excavation for the BSVII Project is complete and no additional material is available, the construction equipment associated with the Beneficial Reuse Project would be removed. Sheet pile bulkheads would also be removed. Any unpaved access facilities constructed within the ponds would be dismantled and the material would be used to raise the pond bottoms. If the Los Esteros Spur Option is implemented, the two storage tracks south of Los Esteros Road would be removed. All other infrastructure improvements would either remain in place for further use or be removed.

No-Action Alternative

Under the No-Action Alternative, all excavated material generated by the BSVII Project would be transported to the disposal sites identified in the BSVII Project SEIS/SEIR, which include landfills and quarries. No excavated material from the BSVII Project or any other project would be sent to any of the Beneficial Reuse Project project-level or programmatic-level ponds to be placed in the ponds for the purpose of raising the pond bottoms to accelerate the timeline for tidal marsh habitat restoration.

PROBABLE ENVIRONMENTAL EFFECTS

The EIS/EIR is a project-level and programmatic environmental document. The EIS/EIR will identify the anticipated effects (negative and beneficial) of the Beneficial Reuse Project (i.e., the Proposed Action Alternative) and describe and analyze direct, indirect, and cumulative potential environmental impacts of the project alternatives, including the Proposed Action Alternative and the No-Action Alternative, in accordance with NEPA (42 U.S.C. 4371 et seq) and CEQA (14 CCR 15126.6(e)(3)(B)).

Based on preliminary information, VTA has identified the following main subject areas for analysis in the EIS/EIR. The scope of environmental analysis is subject to modification based on public input during the project scoping period.

- **Aesthetics:** An assessment of the visual and aesthetic effects of the Beneficial Reuse Project, such as proposed construction equipment, lighting, and vegetation removal, will be completed and summarized in the environmental document. If necessary, mitigation measures will be identified to reduce or avoid visual and aesthetic impacts.

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1 The Final EIS/EIR for the South Bay Salt Pond Restoration Project – Programmatic and Phase 1 is available here: https://www.southbayrestoration.org/document/final-environmental-impact-statement-environmental-impact-report-december-2007.

2 The Final EIS/EIR for the South Bay Salt Pond Restoration Project – Phase 2 is available here: https://www.southbayrestoration.org/document/phase-2-alvisoravenswood-final-environmental-impact-statementreport.

3 The Final EIS/EIR for South San Francisco Bay Shoreline Project is available here: https://www.valleywater.org/shoreline.

4 More information regarding the Calabazas/San Tomas Aquino Creeks – Marsh Connection Project is available here: https://www.valleywater.org/project-updates/calabazas-san-tomas-aquino-creek-marsh-connection-project

5 More information regarding the Pond A4 Resilient Habitat Restoration Project is available here: https://www.valleywater.org/project-updates/pond-a4-resilient-habitat-restoration-project.

- **Air Quality and Greenhouse Gases:** An air quality and greenhouse gas (GHG) technical report will be prepared to evaluate the air quality and GHG impacts of the Beneficial Reuse Project during construction on the ambient air quality of the study area and the region. The air quality and GHG technical report will evaluate if the Beneficial Reuse Project would expose residences or other sensitive receptors to substantial air quality pollutants. The air quality and GHG technical report will also evaluate whether the Beneficial Reuse Project would substantially increase GHG emissions. The environmental document will summarize the air quality and GHG technical report, identify Best Management Practices, and, if necessary, mitigation measures to reduce impacts on air quality and GHG.
- **Biological Resources:** A biological resources technical report will be completed to identify sensitive wildlife, plants, and habitat present within the study area for the Beneficial Reuse Project. The biological resources technical report will be summarized in the environmental document and, if necessary, mitigation measures to reduce or avoid impacts on biological resources will be identified.
- **Cultural Resources:** An archaeological resources technical report and a built-environment technical report will be completed to determine if cultural resources would be impacted by the Beneficial Reuse Project. The reports will be summarized in the environmental document and, if necessary, mitigation measures to reduce or avoid impacts on cultural resources will be identified.
- **Energy:** An energy analysis will be conducted that evaluates the energy use of the Beneficial Reuse Project during construction. The environmental document will evaluate whether the Beneficial Reuse Project would result in the wasteful, inefficient, and unnecessary consumption of energy. If necessary, mitigation measures will be identified to reduce or avoid impacts on energy.
- **Geology and Soils:** A geological analysis will be completed to identify geologic hazards, such as active faults, landslides, and liquefiable soils to be present in the vicinity of the Beneficial Reuse Project. If necessary, mitigation measures to reduce or avoid geological impacts will be identified.
- **Hazards and Hazardous Materials:** A hazardous materials technical memorandum will be prepared to determine if there is the potential to encounter hazardous waste contamination during construction of the Beneficial Reuse Project. The memorandum will be summarized in the environmental document. If necessary, mitigation measures will be identified to reduce or avoid impacts on hazardous materials.
- **Hydrology and Water Quality:** A water quality and hydrology technical report will be prepared to evaluate the short and long-term effects of the Beneficial Reuse Project on water quality and hydrology. The report will be summarized in the environmental document. The environmental document will identify Best Management Practices, and, if necessary, mitigation measures to reduce or avoid impacts on water quality and hydrology.
- **Land Use and Planning:** Potential land use impacts will be evaluated, including whether the Beneficial Reuse Project would divide an established community or conflict with any land use plan, policy, or regulation. If necessary, mitigation measures to reduce or avoid impacts on land use will be identified.
- **Noise:** A noise and vibration technical report will be prepared to evaluate noise and vibration impacts of the Beneficial Reuse Project during construction. Current noise levels will be measured, and future noise levels will be modeled based on anticipated activity during construction. The environmental document will summarize the noise and vibration technical report and, if necessary, mitigation measures to reduce or avoid impacts on noise and vibration will be identified.
- **Paleontological Resources:** A paleontological resources analysis will be completed to identify the potential for fossils to be present in the vicinity of the Beneficial Reuse Project. If necessary, mitigation measures to reduce or avoid paleontological resources impacts will be identified.
- **Public Services:** Potential public services impacts will be evaluated, including the potential for adverse physical impacts associated with the provision of new or physically altered governmental facilities (e.g., fire, police, and school facilities).

A community impacts assessment technical memorandum will be prepared and summarized in the environmental document. If necessary, mitigation measures to reduce or avoid impacts on public services will be identified.

- **Recreation:** Potential recreation impacts will be evaluated, including the potential for construction of the Beneficial Reuse Project to increase the use of neighborhood and regional recreational facilities (e.g., trails and parks near the Alviso community as well as Alviso Marina County Park and Baylands Park). In addition, the environmental document will evaluate the potential for construction adverse physical impacts associated with the provision of new or physically altered recreational facilities. If necessary, mitigation measures to reduce or avoid impacts on recreation will be identified.
- **Transportation:** The potential adverse impacts related to truck-hauling activities associated with the Beneficial Reuse Project will be evaluated. Potential impacts on bicycle and pedestrian circulation will also be analyzed and summarized in the environmental document. If necessary, mitigation measures to reduce or avoid transportation impacts will be identified.
- **Tribal Cultural Resources:** Native American consultation will be completed to determine if tribal cultural resources would be impacted by the Beneficial Reuse Project. The consultation process will be summarized in the environmental document and, if necessary, mitigation measures to reduce or avoid impacts on tribal cultural resources will be identified.
- **Utilities and Service Systems:** Potential utilities impacts will be evaluated, including potential impacts on utility towers, transmission lines, water supply, wastewater generation, stormwater, and solid waste during construction of the Beneficial Reuse Project. If necessary, mitigation measures to reduce or avoid impacts on utilities and service systems will be identified.

It is anticipated that the Beneficial Reuse Project would not result in significant impacts for the following subject areas: agriculture and forestry resources, mineral resources, population and housing, and wildfire.

CORTESE LIST NOTICE

Pursuant to Public Resources Code 21092.6(a), the Beneficial Reuse Project area is not located on any sites included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).[6]

COMMENT DUE DATE

Comments regarding the scope of analysis and content for the EIS/EIR are invited from all interested parties. **Please submit comments no later than 5 p.m., Tuesday, February 20. 2024**. However, we would appreciate your response at the earliest possible date. Please send your email comments to beneficial.reuse@vta.org or written comments via postal mail to Ann Calnan at the address shown below with "Beneficial Reuse Project" as the subject. Emailed comments are preferred. Public agencies that provide comments are asked to include the name of a contact person for the agency.

Ann Calnan, Environmental Lead
Santa Clara Valley Transportation Authority
Environmental Programs Office
3331 North First Street, B-2
San Jose, CA 95134-1927

[6] DTSC. 2023. EnviroStor Hazardous Waste and Substances Site List (Cortese). https://dtsc.ca.gov/dtscs-cortese-list/. Accessed: December 7. 2023.

SCOPING MEETINGS

Two public scoping meetings (one virtual and one in-person) will be held.

- The virtual meeting will be held via Zoom on Tuesday, February 6, 2024, at 6:00 p.m. To register for the virtual meeting, please go to https://www.vta.org/projects/vta-beneficial-reuse-project.
- The in-person meeting will be held on Wednesday, February 7, 2024, from 5:30 p.m. to 7:00 p.m., at the Alviso Branch Library located at 5050 N. First Street, San Jose, CA 95002. (This location is served by VTA Bus 59)

The details of the public scoping meetings will also be posted on the VTA website (https://www.vta.org/projects/vta-beneficial-reuse-project). Project information will be presented at the meetings.

Persons needing reasonable accommodations in order to attend and participate in the public scoping meetings should email beneficial.reuse@vta.org sufficiently in advance of the meeting to allow time to process the request. All meeting facilities are accessible to persons with disabilities.

Individuals who require language translation, American Sign Language, or other assistance are requested to contact VTA's Community Outreach and Public Engagement team at (408) 321-7575 or beneficial.reuse@vta.org, at least five (5) business days before the public information meeting.

FOR FURTHER INFORMATION

Details about the Beneficial Reuse Project will be posted on the VTA website (https://www.vta.org/projects/vta-beneficial-reuse-project) as the project is further developed.