

# **BART SILICON VALLEY**

## **Phase 1 – Berryessa Extension**

### **Addendum No. 4 to the 2<sup>nd</sup> Supplemental Environmental Impact Report**

**Santa Clara Valley Transportation Authority**

**April 2013**



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## **SECTION 1.0 INTRODUCTION**

### ***1.1 Purpose of the Addendum***

The California Environmental Quality Act (CEQA) recognizes that between the date a project is approved and the date a project is constructed, one or more of the following changes may occur: 1) the scope of the project may change, 2) the environmental setting in which the project is located may change, 3) certain environmental laws, regulations, or policies may change, and 4) previously unknown information may be identified. CEQA requires that lead agencies evaluate these changes to determine whether or not they are significant.

The mechanism for assessing the significance of these changes is found in CEQA Guidelines Sections 15162 – 15164. Under these Guidelines, a lead agency should prepare a subsequent or supplemental CEQA document if the triggering criteria set forth in CEQA Guidelines Section 15162 and 15163 are met. These criteria include a determination whether any changes to the project, or the circumstances under which the project will be undertaken, involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, a subsequent or supplemental CEQA document may be prepared if “new information” meeting certain standards under Guidelines Section 15162 is presented. If the changes do not meet these criteria, or if no “new information of substantial importance” is presented, then an Addendum per CEQA Guidelines Section 15164 is prepared to document any minor corrections to the Environmental Impact Report (EIR) or Initial Study/Mitigated Negative Declaration (MND). CEQA does not require that an Addendum be circulated for public review.

### ***1.2 Overview of the BART Silicon Valley Project***

The BART Silicon Valley Project would begin at the BART Warm Springs Station in the City of Fremont and proceed on the former Union Pacific railroad (UPRR) right-of-way through the City of Milpitas to near Las Plumas Avenue in the City of San Jose. The Project would then descend into a subway tunnel, continue through downtown San Jose, and terminate at grade in the City of Santa Clara near the Caltrain Station. The total length of the alignment would be 16.1 miles.

This Addendum addresses changes since the VTA Board of Director’s certification of the 2<sup>nd</sup> Supplemental EIR in March 2011 and approval of subsequent Addenda to the 2<sup>nd</sup> SEIR in April and May of 2012 for Phase I only. Phase I consists of the first 9.9 miles of BART Silicon Valley, beginning at the current planned terminus at the BART Warm Springs Station in Fremont, through Milpitas, to near Las Plumas Avenue in San Jose, and includes 2 stations: Milpitas Station in the City of Milpitas and Berryessa Station in the City of San Jose. See Figure 1. BART Silicon Valley – Phase I - Berryessa Extension.

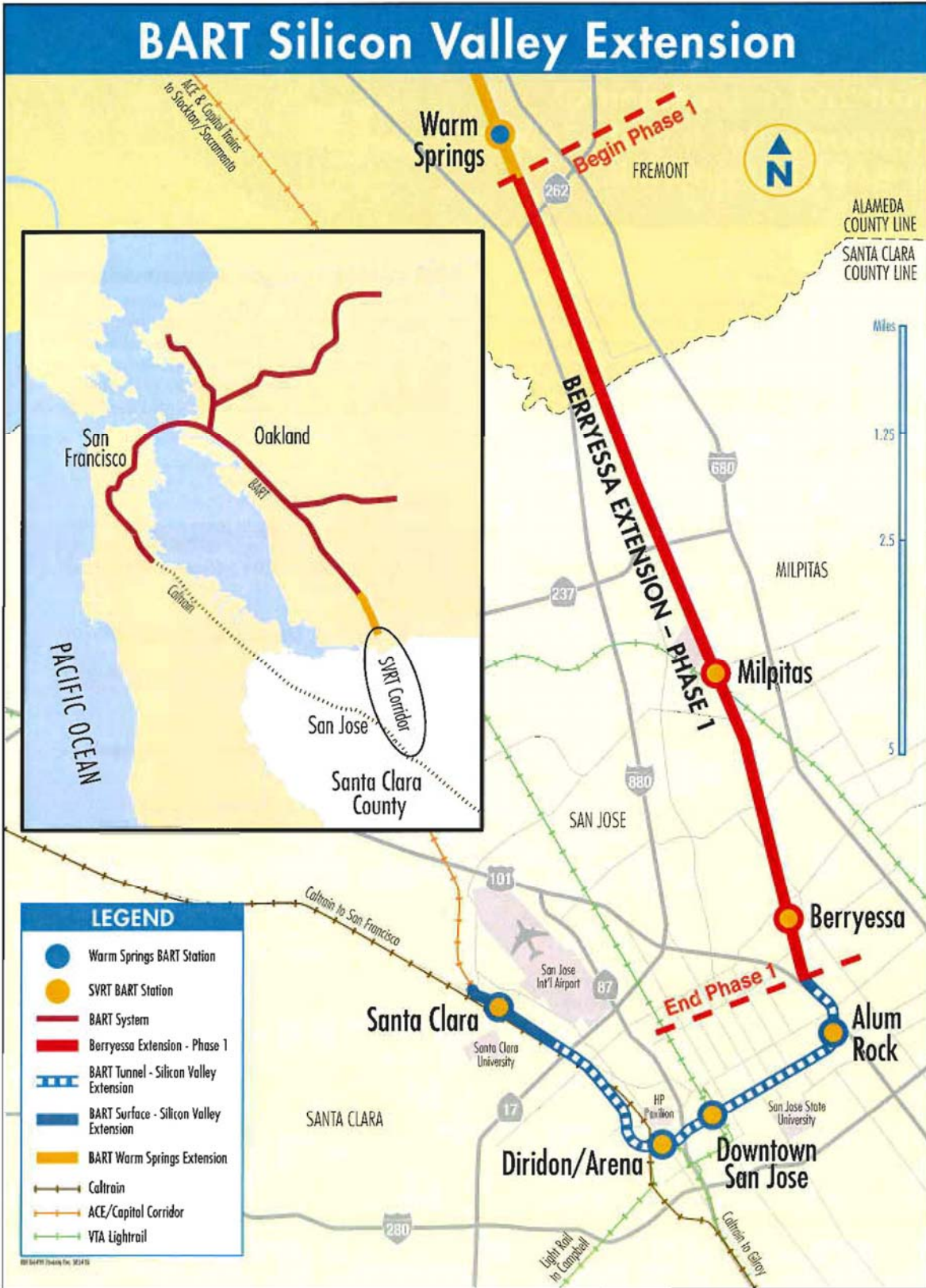


Figure 1 - BART Silicon Valley - Berryessa Extension

### **1.3 Previous Environmental Studies**

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Draft Environmental Impact Statement/Environmental Impact Report & Draft 4(f) Evaluation, March 2004*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Final Environmental Impact Report, November 2004*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Draft Supplemental Environmental Impact Report, January 2007*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Final Supplemental Environmental Impact Report, May 2007*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum to the Supplemental Environmental Impact Report, September 2010*

*BART Silicon Valley, Phase I – Berryessa Extension, Draft 2<sup>nd</sup> Supplemental Environmental Impact Report, November 2010*

*BART Silicon Valley, Phase I – Berryessa Extension, Final 2<sup>nd</sup> Supplemental Environmental Impact Report, March 2011*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum to the 2<sup>nd</sup> Supplemental Environmental Impact Report, August 2011*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum No. 2 to the 2<sup>nd</sup> Supplemental Environmental Impact Report, May 2012*

*Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum No. 3 to the 2<sup>nd</sup> Supplemental Environmental Impact Report, April 2012*

#### **1.3.1 Prior Environmental Review**

This Addendum evaluates changes to the SRR and SRC Systems Facilities (Systems Facilities) that are located near Railroad Court in the City of Milpitas. These System Facilities include a high-voltage substation, traction power substation, train control house, switching station, and supporting overhead and underground utilities and easements. The Systems Facilities are located west of the BART Silicon Valley Phase I Berryessa Extension Alignment (BART Alignment) on two industrial properties. The following is a summary of the environmental analysis under CEQA for the Systems Facilities.

In December 2004, the VTA Board of Directors certified the Final Environmental Impact Report (EIR) for the BART Silicon Valley Project which described the extension of the BART system from its current planned terminus in Fremont (to be implemented in 2015) through Milpitas and San Jose to Santa Clara. The analysis in the Final EIR was based on early (10 percent) design plans prepared during the conceptual engineering design phase of the

Project. The Final EIR identified the location for the proposed SRR and SRC System Facilities (Systems Facilities) within the same general area as the current designed location.

In June 2007, the VTA Board of Directors certified the Final Supplemental Environmental Impact Report (SEIR-1). Analysis of the Project in the Final SEIR-1 was based on approximately 35 percent design plans prepared during the preliminary engineering design phase of the Project. As described in the Final SEIR-1, the location of the System Facilities was maintained with an access easement/road connecting the site with Railroad Court.

In March 2009, VTA and the U.S. Department of Transportation Federal Transit Administration (FTA) released the Draft Environmental Impact Statement (EIS) for the Project under the National Environmental Policy Act (NEPA). The Draft EIS was based on the Project analyzed in the Final EIR and the Final SEIR-1, but also evaluated further design changes based on the 65 percent design plans then available.

The Final EIS was released for public circulation by the FTA on March 31, 2010. The Final EIS described that, in response to property owner concerns, the location of the System Facilities had been shifted approximately 100 feet to the south of the location described in the Draft EIS. In addition, the configuration of the buildings housing the System Facilities had been reconfigured and the Train Control Building was modified from a one-story to a two-story structure. The FTA issued a Record of Decision approving the Project on June 24, 2010.

On November 1, 2010, VTA issued a Public Notice of Availability and published the Draft 2<sup>nd</sup> Supplemental Environmental Impact Report (SEIR-2) for the Project. The Draft SEIR-2 updated the information presented in the Final EIR and the Final SEIR-1, and considered 25 design changes identified when the design plans progressed from the 35 percent level to the 65 percent level. One such change was Design Change #10 (DC 10), involving an Alternative "Location B" for the System Facilities. This was the same change in location and layout evaluated in the prior approved EIS which shifted the location of the System Facilities about 100 feet to the south. The Draft SEIR-2 analyzed the environmental impacts of DC 10 under visual quality, noise and vibration and construction related noise and vibration impacts, and found no significant impacts. Though not required by CEQA, the Draft SEIR-2 also described the socioeconomic impact of the change. In addition to DC 10, the Ingress Egress Easement (IEE) on the Horner property did not change and in Appendix H of the Draft SEIR-2, an IEE was shown on the Walton property.

On February 9, 2011, VTA published the Final SEIR-2. The Final SEIR-2 stated that DC 10 was a "minor change" from the previously approved location and would only shift the location approximately 100 feet to the south. The Final SEIR-2 also described that, in response to property-owner concerns, the layout was modified and the location of the Systems Facilities was shifted 32 feet north from the previous location environmentally cleared in the Final EIS. Thus, the Design Change would only shift the location south by approximately 68 feet from its original location in the 2004 Final EIR and 2007 Final SEIR-1. The Final SEIR-2 provided further analysis of this change, and concluded that it would not result in any new significant environmental impacts. On March 3, 2011, the VTA Board of Directors certified SEIR-2.

The first Addendum to the 2<sup>nd</sup> SEIR, approved in 2011, described permanent and temporary easements necessary for project implementation throughout the entire 10-mile project. Addendum No. 2 to the 2<sup>nd</sup> SEIR described the modifications to, or new connections to, PG&E 115-kV lines in much greater detail than in previous documents and was approved in 2012. Addendum No. 3 to the 2<sup>nd</sup> SEIR, approved in 2012, described design changes including the modification of the layout of the Systems Facilities located near Railroad Court in Milpitas and additional easements necessary within the Horner and Walton properties to support these facilities.

### ***1.4 Scope of this Addendum***

This Addendum is limited in scope to an evaluation of the proposed design modifications to the Project for the System Facilities site plan refinements, and to determine whether these modifications result in any substantial change to the environmental setting, impacts, and mitigation measures as previously described in the approved EIR, Supplemental EIR, 2<sup>nd</sup> Supplemental EIR, and subsequent Addendums.

## **SECTION 2.0 PROPOSED MODIFICATIONS TO THE PROJECT**

### ***2.1 Modification to System Facilities Analyzed in this Addendum***

The design of the Project has progressed since the Final SEIR-2 was approved by the VTA Board of Directors in March 2011 and subsequent Addenda to the 2<sup>nd</sup> SEIR were approved by the VTA Board of Directors in August 2011, April 2012, and May 2012. The design modifications to the Project discussed in this Addendum include a slightly modified layout of the Systems Facilities buildings and a new BART maintenance personnel overcrossing (overcrossing) located near Railroad Court in the City of Milpitas. The discussion below describes these minor modifications that were not identified in previous environmental documents. Since the Final SEIR-2 was certified in March 2011 and Addendum No. 3 was approved in May 2012, the intended uses of the proposed Systems Facilities have not changed. The background conditions of the project are still substantially the same.

This Addendum analyzes the above described design modifications to the following private properties:

<b>Address</b>	<b>Property Owner</b>	<b>Abbreviated Property Name</b>	<b>APN</b>
420 Railroad Court	Brian Horner	Horner Property	022-31-030
386 Railroad Court	Walton CWCA Wrigley Creek 31, LLC	Walton Property	028-23-012
Union Pacific Railroad	Union Pacific Railroad	UPRR	028-23-011
Beresford Meadows	Beresford Master et. al.	Beresford Meadows Property	028-27-000

## 2.2 Description of Design Changes

### Modifications to Site Layout

In the 2004 Draft EIS/EIR and 2004 Final EIR, the 2007 Draft and Final SEIR-1, the 2009 Draft and 2010 Final EIS, the 2010 Draft and 2011 Final SEIR-2, and the 2012 Addendum No. 3 to the 2<sup>nd</sup> SEIR, the Systems Facilities at Railroad Court were generally located on the Walton and Horner properties. The Systems Facilities buildings were in slightly different locations in the various environmental documents above, but still within the same general area within the Horner and Walton properties. Since the VTA Board approved Addendum No. 3 to the 2<sup>nd</sup> SEIR, the footprint of the Systems Facilities has remained the same; however, there have been some minor modifications made to the layout of the buildings within the facility. In Addendum No. 3 to the 2<sup>nd</sup> SEIR, the layout of the buildings was designed as shown below in Figure 2.

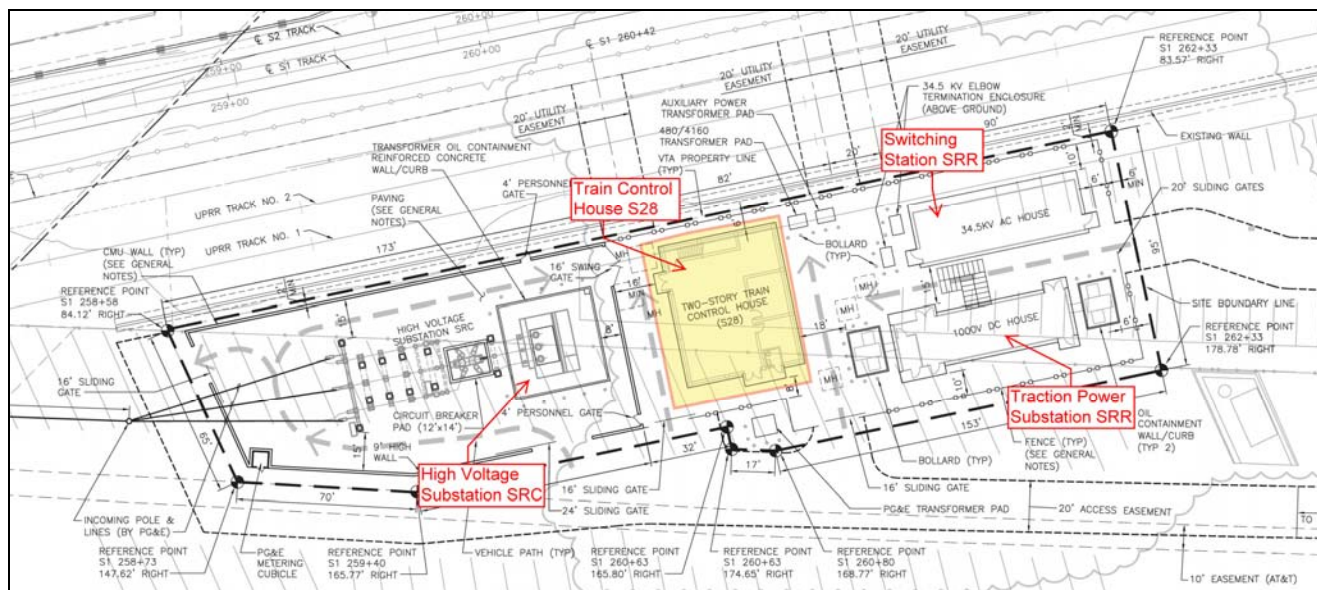


Figure 2: Conceptual Drawing of Systems Facilities Layout in Addendum No. 3

Since Addendum No. 3 was approved in May 2012, the layout of the buildings has changed slightly due to refinements in design, as shown below in Figure 3. The location of the High Voltage Substation SRC has not changed. However, Train Control House S28 was relocated to the south and has been reduced from a 2-story structure to a 1-story structure. Switching Station SRR and Traction Power Substation SRR have been moved to a location between the High Voltage Substation SRC and the Train Control House S28. Also, Switching Station SRR and Traction Power Substation SRR have been placed adjacent to one another to reduce the overall footprint within the site and to improve internal circulation of maintenance vehicles within the Systems Facility site. The proposed access to this facility has not changed since the previous Addendum No. 3 was approved by the VTA Board in May 2012. The access easements over the Walton and Horner properties were environmentally cleared in Addendum No. 3. There has been no change in the overall footprint of the Systems Facility and no new right-of-way would be necessary to accommodate the changes described in this Addendum.



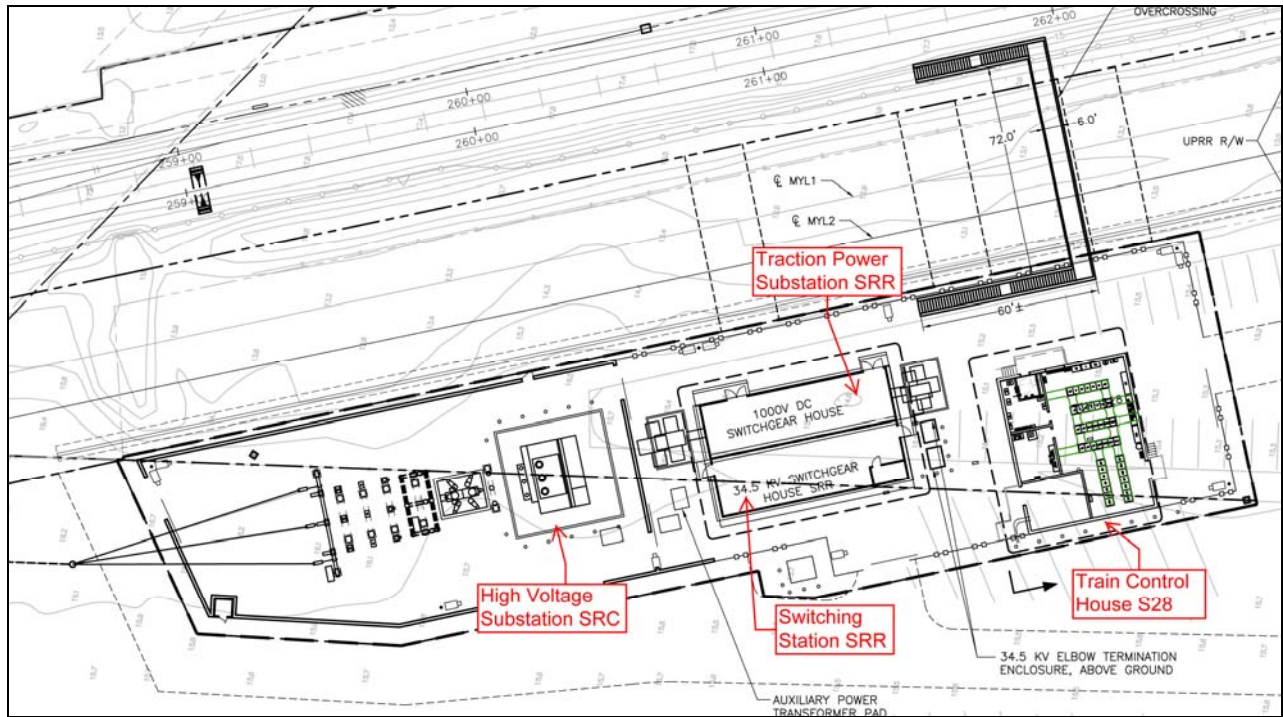


Figure 3: Conceptual Drawing of Current Design of Systems Facilities Layout

### Addition of 3<sup>rd</sup> PG&E Pole

The 2<sup>nd</sup> SEIR described a 60-foot tapered tubular steel tower and a second smaller tapered tubular steel tower/pole to support the Project’s connection of the Systems Facility to an existing 115-kV line. In Addendum No. 2 to the 2<sup>nd</sup> SEIR, approved in May of 2012, the project description changed to increase the height of these two poles as follows: “a 115-foot-high, tapered tubular steel PG&E pole would be constructed within PG&E’s existing easement. A second, 85 to 100-foot-high tapered tubular steel pole would be constructed to the south.” According to Addendum No. 2, the 115-foot-high pole was to be located within the PG&E easement at the northern end of the Horner property. The 85 to 100-foot-high pole would be located within the Horner property (outside of the PG&E easement and outside of the System Facility). See Figure 4 for the two PG&E pole locations as shown in the 2<sup>nd</sup> SEIR.

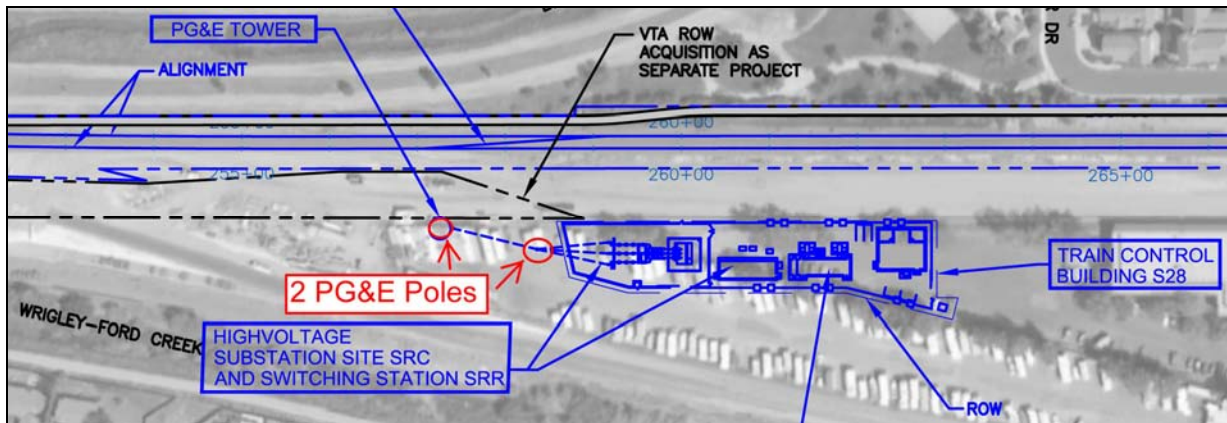


Figure 4: Design of Location of PG&E Tower/Poles in 2<sup>nd</sup> SEIR

Since Addendum No. 2 to the 2<sup>nd</sup> SEIR was approved in May 2012, designs for the PG&E connection to the Systems Facility at Railroad Court have been further refined. There are two changes to the proposed PG&E poles located at this site. The first change is the addition of one new PG&E pole at the northern end of the Horner property within PG&E's easement. According to PG&E's design standards, two 80 to 110 foot high tubular steel PG&E poles are necessary to help stabilize the 115-kV lines at the connection to the High Voltage Substation. Addendum No. 2 described only one new pole to stabilize the new connection at this location. PG&E is now requesting two new poles for stabilization. This is a net change in one additional pole necessary at this location. The second change relocates the southernmost PG&E pole farther to the south. Previously this pole was located outside of the System Facility. However, with the shift to the south, this PG&E pole would be located inside the footprint of the System Facility. As shown in Figure 5 below, the current design shows a total of three PG&E poles in comparison to the two poles shown in Figure 4 above.

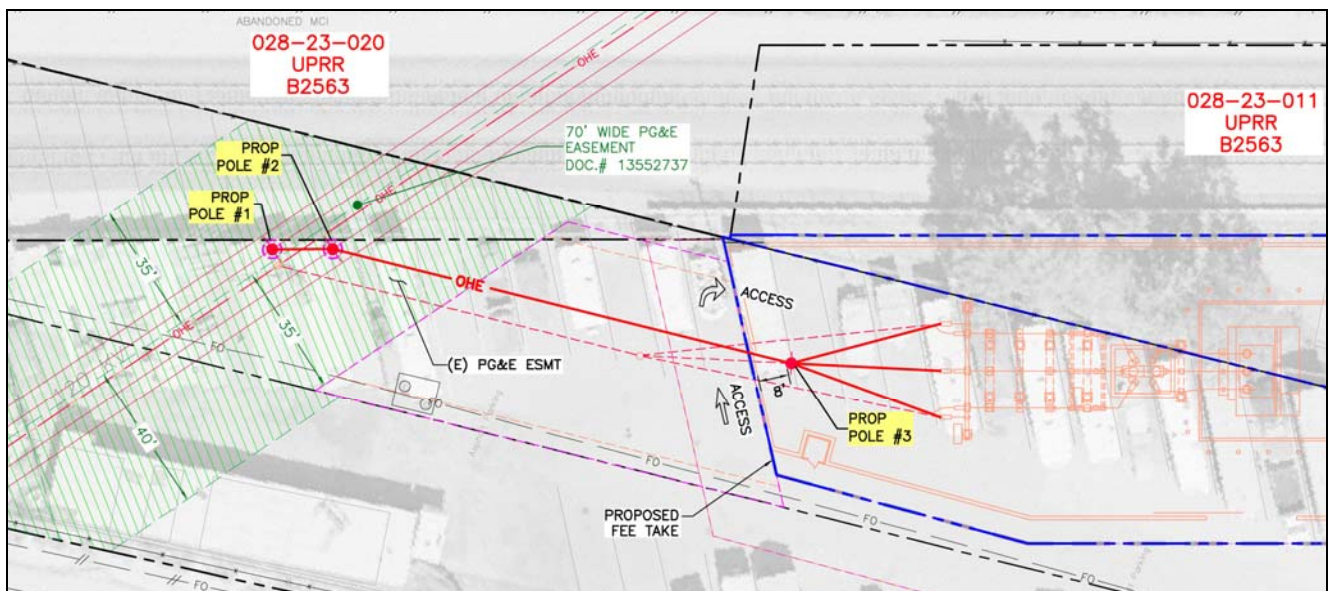


Figure 5: Current Design for Location of PG&E Poles

### Addition of BART Maintenance Personnel Overcrossing

Since VTA's Board approved Addendum No. 3 in May 2012, the design of the project has undergone further refinements. The design of the electrical systems that power the BART trains has progressed and the location of the track switches has been further refined. A track switch is a mechanical installation enabling railway trains to be guided from one track to another. A track switch would be located along the BART alignment east of the location of the future Systems Facilities. The BART Facilities Standards for Traction Power Sites and Gap Breakers require direct and safe access between these facilities and the BART track and switches, either on foot or via roads. In this location at Railroad Court, there is an active UPRR corridor that lies between the track switch and the Traction Power Substation. It is unsafe to have an at-grade crossing for maintenance personnel over active UPRR tracks; therefore, an alternate safe and direct access route is necessary. The only alternate routes to access the BART Alignment from the Systems Facility (and vice versa), other than the proposed overcrossing, are indirect surface street routes. To travel between the Systems

Facility and the third rail feed points and track switches without the overcrossing, BART maintenance personnel would have to follow the following routes (see Figure 6 below):

- **Route 1.** Exit a secured fenced area at the Systems Facility by exiting through a gate and locking the gate behind them. They would then drive south from the Systems Facility along Railroad Court, which turns into North Main Street, turn right/northwest onto Marylinn drive, right/north onto North Abel Street, and right/south onto North Milpitas Boulevard. Where North Milpitas Boulevard intersects Berryessa Creek, maintenance personnel would then turn right/west onto the levee where they exit their vehicle to open an access gate, move their vehicle through, lock the gate behind them, and drive to the end of the Berryessa Creek levee. At the end of the levee road where it approaches the BART Alignment, they would exit their vehicle to open another access gate, move their vehicle through, lock the gate behind them, and drive southerly along the utility easement along the eastern side of the tracks to the third rail feed points and track switches.
- **Route 2.** Exit a secured fenced area at the Systems Facility by exiting through a gate and locking the gate behind them. They would then drive south from the Systems Facility along Railroad Court, which turns into North Main Street, turn right/west on Weller Lane, left/south onto North Abel Street, left/east onto Calaveras Boulevard (SR 237), and left/north onto North Milpitas Boulevard. Where North Milpitas Boulevard intersects Berryessa Creek, maintenance personnel would then turn left/west onto the levee where they exit their vehicle to open an access gate, move their vehicle through, lock the gate behind them, and drive to the end of the Berryessa Creek levee. At the end of the levee road where it approaches the BART alignment, they exit their vehicle to open another access gate, move their vehicle through, lock the gate behind them, and drive southerly along the utility easement along the eastern side of the tracks to the third rail feed points and track switches.
- **Route 3.** Exit a secured fenced area at the Systems Facility by exiting through a gate and locking the gate behind them. They would then drive south from the Systems Facility along Railroad Court, which turns into North Main Street, turn right/west on Weller Lane, left/south onto North Abel Street, left/east onto Calaveras Boulevard (SR 237), turn right/south onto South Milpitas Boulevard, turn right/east into a private property to reach the BART Alignment, turn right/north at the BART Alignment along the utility easement to the third rail feed points and track switches.

The three routes described above would add an additional travel distance of approximately 2 miles and take approximately 20 minutes of travel time *in each direction*, which would compromise the ability of maintenance personnel to complete their scheduled tasks within the limited maintenance window during non-operating hours.

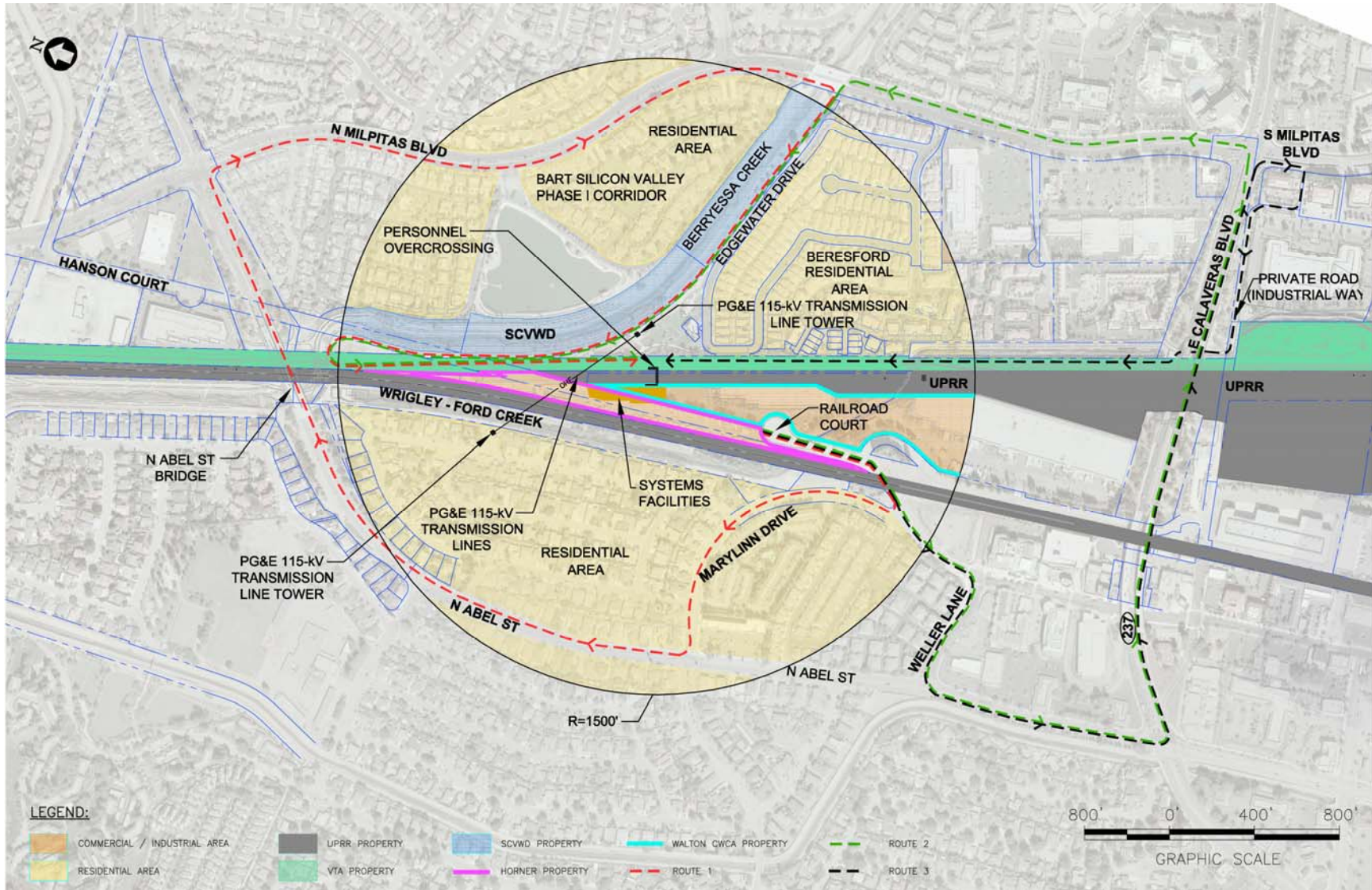
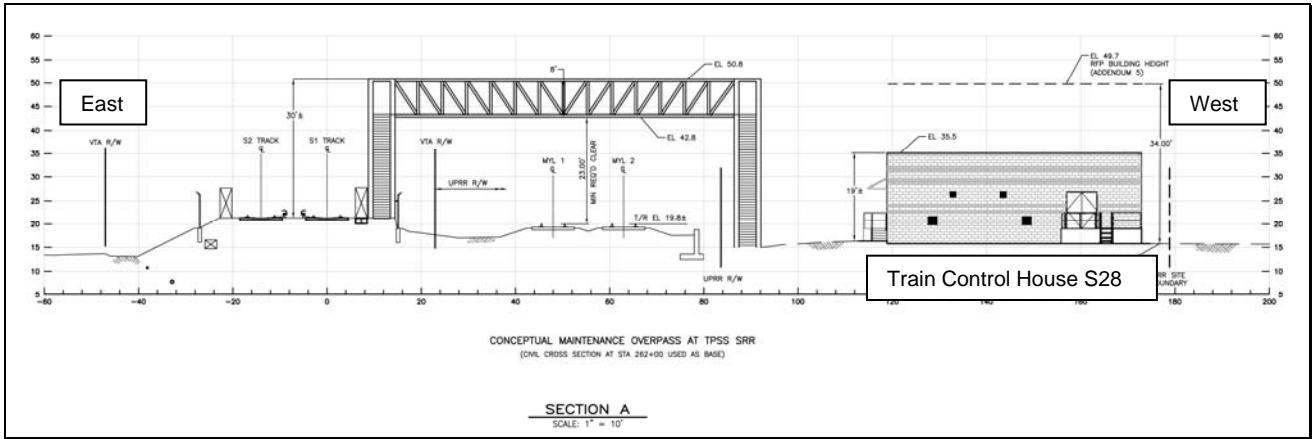


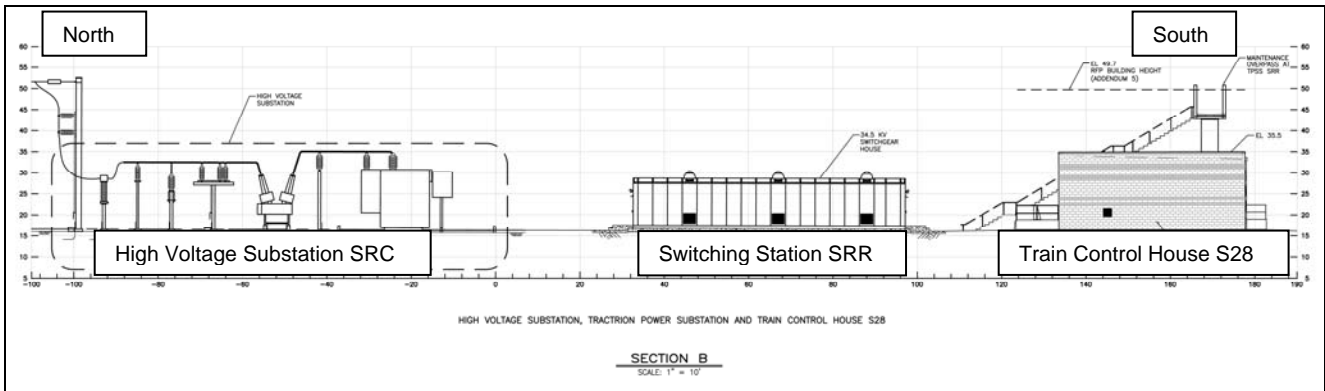
Figure 6: Alternate Route Map for Access Between Track Switches and System Facilities

Therefore, VTA has designed a new freestanding pedestrian bridge that would span the UPRR tracks from the BART Alignment to the Systems Facilities at approximately Station 262+00. Final design has not been completed, but the crossing would be approximately 70 feet long and have a minimum clearance of 23 feet from the top of the UPRR tracks to the lowest part of the underside of the bridge. The top of the overcrossing would be approximately 31 feet above the top of the UPRR tracks. See Figure 7 below for the section drawing of the conceptual design of the freestanding overcrossing and stairs in relation to Train Control House S28.



**Figure 7: Conceptual Drawing of Proposed Overcrossing and Train Control Building, Looking South**

The overcrossing would include stairs on both ends, both of which would land in secured areas. The eastern set of stairs would land within the BART Alignment, just west of the BART tracks. The western set of stairs would land within the footprint of the Systems Facilities. The western stairs would land within the previously environmentally cleared footprint of the Systems Facilities and no new right-of-way would be required from the Walton property. See Figure 8 below for a section view of the layout of the Systems Facility. The overcrossing can be seen directly behind the Train Control Building.



**Figure 8: Conceptual Drawing of Proposed Systems Facility and Overcrossing, Looking East**

# SECTION 3.0 ENVIRONMENTAL EVALUATION

## 3.1 Existing Conditions

The location of the Systems Facilities is located in an area with existing site constraints that limit the available options for BART maintenance personnel to access the Systems Facilities from the BART corridor, as shown in Figure 4 above. The Systems Facility site is bounded on both sides by existing railroad tracks that are currently utilized by freight operations, as shown in Figure 9 below.

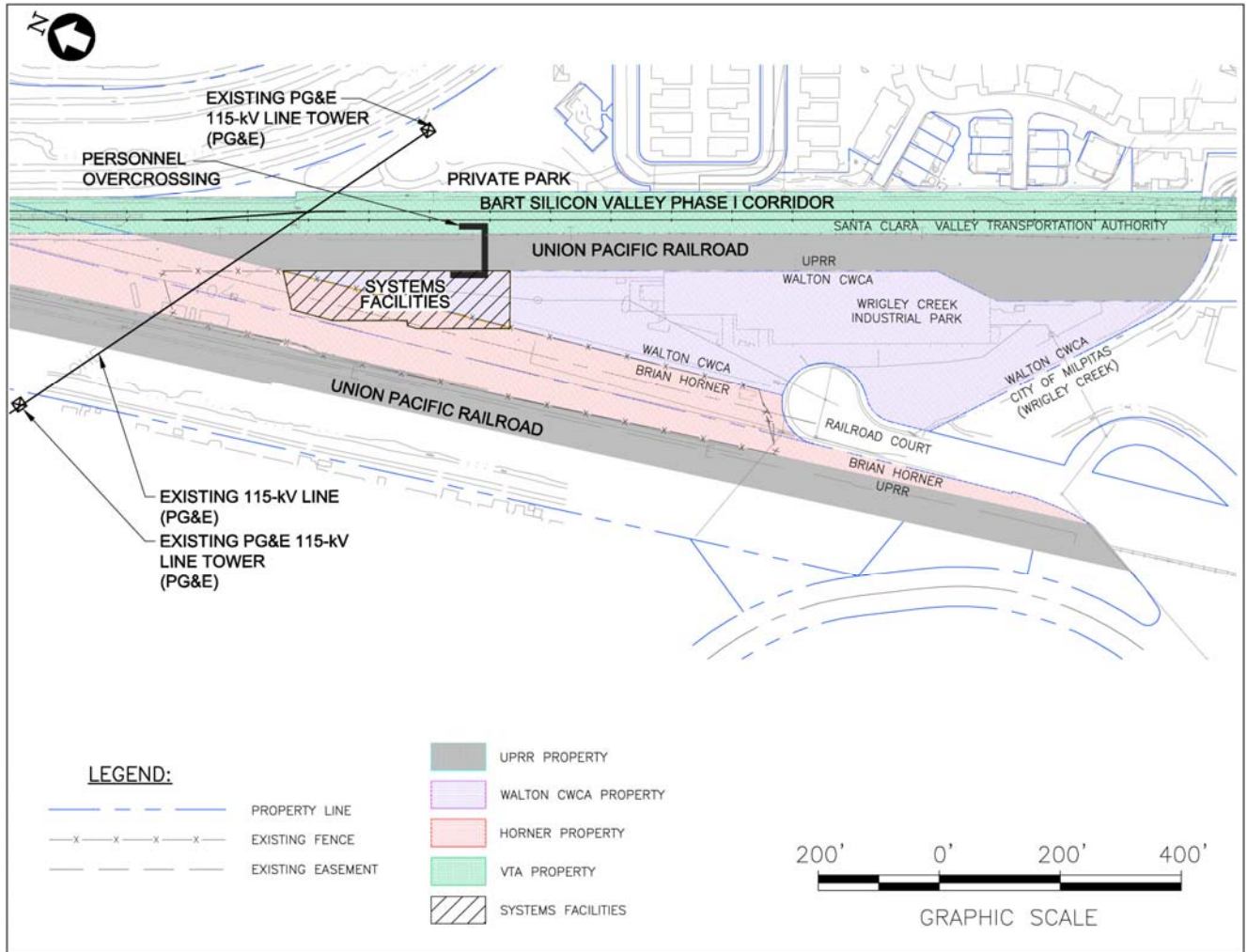


Figure 9: Conceptual Drawing of Proposed Overcrossing Location

In order to analyze the impacts of the reconfigured Systems Facilities layout and of the construction of underground utilities between the SRR and SRC Systems Facilities and Railroad Court, a brief description of the operation of each business is provided below:

### **3.1.1 The Horner Property, 420 Railroad Court, APN 022-31-030**

This property is approximately 4.1 acres and is a long and narrow parcel bounded by a light-industrial/warehouse business to the east, Railroad Court to the south, and the existing UPRR freight tracks to the west and north. Access to this property is from one driveway on Railroad Court. The owner of this property operates a recreational/large vehicle and boat storage business.

### **3.1.2 The Walton Property, 386-404 Railroad Court, APN 028-23-012**

This property is triangular in shape and is approximately 4.2 acres with a mixture of light-industrial and warehouse uses on-site. The property is bounded by the existing UPRR freight tracks located to the northeast, by a vehicle storage business to the northwest, and by Wrigley Creek to the south. Access to this property is from two driveways from Railroad Court within the City of Milpitas. Within the property at 386-404 Railroad Court, there are several businesses with different addresses and separate access via two driveways off of Railroad Court.

The construction of the overcrossing would affect only the northernmost driveway businesses, with addresses of 396-398 Railroad Court. The new overcrossing would not affect the businesses located off of the southern driveway at 386-392 Railroad Court because each property has its own separate access driveway off of Railroad Court. These properties are connected by a narrow drive aisle; in order to move from one business to the other, one can either use the drive aisle or exit each property and drive on Railroad Court.

There are approximately 135 existing parking spaces to support these businesses at 386-404 Railroad Court. There are loading docks for each business. Normal business hours are 8:00AM to 5:00 PM, Monday through Friday. Existing on-site loading docks adjacent to the vehicle parking spaces are utilized for trucks loading and unloading. Parking spaces are utilized for cars during the hours of 8:00AM to 5:00 PM, Monday through Friday by both employees and customers/clients. They are also utilized for delivery trucks 24 hours a day 7 days a week for staging and maneuvering.

The SRR and SRC Systems Facilities would be located at the northern end of the 386 Railroad Court property adjacent to the existing UPRR freight tracks in an existing parking area.

### **3.1.3 UPRR, APN 028-23-011**

This property is an existing freight railroad corridor running generally from north to south and is located east of both the Horner and Walton properties within the City of Milpitas. The tracks continue northward and southward beyond the limits of this area.

### **3.1.4 Beresford Meadows Property, 028-27-000**

This property is a private residential development located east of the UPRR tracks within the City of Milpitas and contains Edgewater Drive as the northern most street in the development. The development includes a "Fitness Loop" hike and bike trail and private park adjacent to the UPRR tracks.

## **3.2 *Impacts Discussion***

Below is the discussion of the potential environmental impacts resulting from the modification of the building layout within the Systems Facilities site, a new PG&E pole, and the addition of a new overcrossing that would span the UPRR tracks near Railroad Court in the City of Milpitas.

### **3.2.1 Long-Term/Operational Impacts**

The discussion that follows focuses on the long-term, operational related environmental subject area of transportation and visual quality/aesthetics. No additional information or changes in other subject areas that include air quality; biological resources and wetlands; community services and facilities; cultural resources, geology, hazardous materials; geology, seismicity, and soils; land use; noise and vibration; socioeconomics; utilities; water resources, water quality, and floodplains; cumulative impacts; and growth-inducing impacts is necessary due to the design modification described in this Addendum. The affected parcels, impacts, and environmental evaluation are described below.

#### ***Transportation***

The addition of a new PG&E pole within the PG&E easement adjacent to the previously cleared PG&E pole would cause the permanent displacement of an additional one to two storage spaces within the Horner property in comparison to what was disclosed in previous environmental documents. The new pole has been located along the property line to minimize the impact to the storage spaces on the property; however one or two of the spaces would be permanently displaced.

The third PG&E pole that was environmentally cleared in previous environmental documents has been relocated to the south to be within the permanent footprint of the System Facility site; therefore, there are one to two fewer storage spaces that would be permanently displaced as compared to previous environmental documents.

The net change of the addition of a new PG&E pole and the relocation of a previously cleared PG&E pole at this location would not cause any additional permanent displacement of storage spaces on the Horner property. Therefore, there are no new or substantially more severe impacts to permanent parking than analyzed in the prior environmental documents and no new mitigation is necessary.

#### ***Visual Quality and Aesthetics***

The modified layout of the Systems Facility, the addition of a new PG&E pole, and the new overcrossing would not have a substantial adverse effect on a scenic vista. The Systems Facility buildings have not increased in size or shape. The new PG&E pole and overcrossing would be located within the valley floor of a highly urbanized area and located mostly within the right-of-way of an existing railroad corridor and adjacent to an existing industrial area of the City of Milpitas. See Figure 10 below for a view of the location of the proposed overcrossing location.





**Figure 10: View from BART Corridor Looking Southeast Towards Beresford Meadows Park (Left) and Industrial Properties (Right)**

The modified layout, new PG&E pole, and new overcrossing would not substantially damage scenic resources within a state scenic highway because the proposed location of the overcrossing is not located on or near a state scenic highway.

The modified layout, new PG&E pole, and new overcrossing would not substantially degrade the existing visual character or quality of the site and its surroundings. The modifications to the Systems Facility layout would not increase the buildings in height or in size. On the contrary, the height of the Train Control Building has been reduced in size from a 2-story building (cleared in the previous Addendum) to a 1-story building.

The new PG&E pole would be located within an existing light-industrial area between two railroad corridors. Also, there are two existing approximately 90-100-foot high PG&E transmission electric towers located to the east and to the northwest. The addition of a new 80 to 110-foot high tapered tubular steel PG&E pole within the existing PG&E easement where a 115-kV line with existing 100-foot PG&E towers, and adjacent to two previously cleared tubular steel poles of similar height would not be inconsistent with the industrial land uses in this area. See Figure 11 below for a view from the BART Alignment looking northwest to the existing PG&E 115-kV line supported by over 100-foot-high towers.

The overcrossing would be located mostly within the right-of-way of an existing railroad corridor. It would be located within an industrial area in the highly urbanized area of the valley floor in Silicon Valley. The western landing would extend west of the railroad corridor into the footprint of the Systems Facilities within the Walton property, which has an existing light industrial/warehouse business use.



**Figure 11: View from BART Corridor Looking Northwest Toward Horner Property and Existing 115-kV PG&E Tower**

To the west of the Walton property, described in order moving west, are: a recreational vehicle storage yard, another existing railroad corridor, and Wrigley Creek. Beyond Wrigley Creek is a residential neighborhood of single story homes located over 300 feet away from the proposed overcrossing. See Figure 12 for the view from this neighborhood toward the proposed overcrossing location. If viewed from this neighborhood, the new PG&E pole and overcrossing would not be visually inconsistent with the existing PG&E poles and industrial use of the recreational vehicle storage business that are in the foreground of where the pole and overcrossing would be as seen in Figure 12 below. Therefore, these design changes would not degrade the existing visual quality or character of the site and surroundings.

As described above, directly to the east of the proposed location for the overcrossing is the Beresford Meadows property which is a private residential neighborhood. Within this neighborhood is a private park with a “fitness loop” and hike and bike trail that is located east of and on the other side of an existing soundwall from the proposed eastern landing of the overcrossing. The new PG&E pole and overcrossing would be visible from the private park over the top of an approximately 8-10 foot high soundwall that runs north to south along the western property line adjacent to the existing railroad corridor. However, the private park has an existing PG&E transmission electric tower on the north end of the park that is approximately 90-100 feet high. The tower carries 115-kV transmission lines that run generally northwest to southeast. This tower is a dominant feature of the private park. Park users that would see the new PG&E pole and overcrossing would also have a view of the existing PG&E tower within the park. In addition, the view of the new pole and overcrossing would not be visually inconsistent with the industrial nature of the UPRR corridor and industrial uses to the west. Therefore, the new PG&E pole and overcrossing would not be

visually inconsistent with this tower and with the industrial nature of the UPRR corridor and industrial area nor would it substantially degrade the existing visual character or quality of the site and its surroundings. See Figures 13 through 15 for views of the existing PG&E tower within the private park and views from this property to the industrial properties to the west.



**Figure 12: View from Residences West of Wrigley-Ford Creek Looking East Toward Location of Overcrossing**



**Figure 13: View from Berryessa Creek Levee Looking South Toward Beresford Meadows Park**



**Figure 14: View from Beresford Meadows Park Looking Northwest**



**Figure 15: View from Beresford Meadows Park Looking Northwest**

The new PG&E pole and overcrossing would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The new PG&E pole

would not be lit up from external light sources, nor would any light source be affixed to the pole. The overcrossing will be designed so as not to create a new source of glare and will be lit appropriately for safe use of the bridge by BART maintenance personnel during nighttime access. Lighting will be designed to be directed away from the residential properties to the east of the corridor when feasible and would not cause safety hazards for workers.

The properties would not be otherwise affected during the long-term operation of the project except for infrequent maintenance or repairs, as allowed by the terms of the easements on the Walton and UPRR properties. For the reasons described above, the long-term visual quality/aesthetic impacts to the area would cause a less-than-significant impact and no new mitigation is warranted.

### **3.2.2 Short-Term/Construction Impacts**

The discussion that follows focuses on short-term, construction related environmental subject areas: air quality; noise; and transportation. No additional information or changes in other subject areas that include biological resources and wetlands; community services and facilities; cultural resources; hazardous materials; geology, seismicity, and soils; land use; vibration; socioeconomics; utilities; visual quality and aesthetics; water resources, water quality, and floodplains; cumulative impacts; and growth-inducing impacts is necessary due to the design modifications described in this Addendum. The affected parcels, impacts, and environmental evaluation are described below.

Previous environmental documents discussed the environmental impacts associated with the fee take for the System Facilities and easements required for above ground access to the facility and underground utilities on both the Walton and Horner properties.

#### ***Construction - Air Quality***

The modified Systems Facility layout and the new PG&E pole would be constructed as described in previous environmental documents. The construction of the overcrossing would require the use of a large crane to lift the sections of the pedestrian bridge into place. Depending on the final type selection for the bridge, it may be steel or concrete, and either fabricated off-site or on-site. If sections are built off-site, they would be trucked to the facility using haul routes approved by the City of Milpitas. Regardless of the materials or location of assembly, the crane would lift the completed sections of the bridge onto the abutments. Mid-sized construction equipment, such as a forklift, man lift, and boom truck may be necessary for false work erection and a concrete pump and concrete trucks would be needed for placement of concrete. Other equipment such as a saw cutter, excavator, loader, back hoe, trencher, and dump truck would also be required.

Construction-related air quality impacts were previously evaluated in the 2010 Draft and 2011 Final SEIR-2. The mitigation measures identified in the SEIR-2 such as those related to construction emissions, dust control watering, and equipment idling that apply to the operation of this type of equipment during construction are still applicable. The BAAQMD issued new CEQA Air Quality Guidelines in May of 2011, after the VTA Board of Directors certified the Final 2<sup>nd</sup> SEIR and approved the Project. However, the new guidelines are substantively similar to the old guidelines. In addition, the design changes have only added

the need for a new and very small surface area to be disturbed to construct the overcrossing compared to the approved Project. This additional area to be disturbed does not result in any new construction related air quality impacts; therefore, no new mitigation is warranted.

### ***Construction - Noise***

Impacts associated with the construction of the modified Systems Facility layout and new PG&E pole have been disclosed in previous environmental documents. The modification to the layout of the facility would not cause any additional noise impacts than previously described. The construction of the overcrossing would require the use of noise generating construction equipment, such as a crane, saw cutter, excavator, loader, back hoe, trencher, and dump truck, forklift, man lift, boom truck, concrete trucks, and concrete pumps. Foundations for the overcrossing would require that piles be placed into the ground either through impact pile driving, installation of the caisson, or cast-in-drilled-hole methodology. Noise impacts associated with this type of equipment during construction were previously evaluated in the EIR, SEIR-1 and SEIR-2. Specific construction noise mitigation measures are identified in Section 4.18.5.7 of the SEIR-2. The mitigation measures identified include complying with FTA construction noise guidelines, which include standards for residential as well as industrial uses during daytime and nighttime hours, and complying with local jurisdiction construction hours, where feasible. Construction noise would occur near a private park and residential neighborhood. Therefore, VTA would implement previously identified mitigation measures, which were environmentally cleared in Section 4.18.5.7 of the SEIR-2, such as noise monitoring to establish the background noise and noise thresholds in accordance with FTA criteria, noise curtains (where operations are expected to exceed the residential or industrial noise thresholds), restrictions on working hours, and locating noisy equipment away from sensitive receptors where feasible. Therefore, no new construction related noise impacts would result from this design change, and no new mitigation is warranted.

### ***Construction - Transportation***

The following discussion describes the potential transportation impacts including parking, truck-turn around, and access associated with construction of the overcrossing.

#### **Horner Property**

*Temporary Parking Impacts.* The new PG&E pole adjacent to the previously cleared pole at the northern end of the Horner property could be constructed with the same construction technique as was previously environmentally cleared. Therefore, no additional storage spaces would be temporarily displaced during construction due to the addition of a new PG&E pole within the Horner property.

Construction workers will not utilize the business area for parking, and construction equipment and materials will be staged within the previously cleared footprint or offsite where practicable.

*Access to/from Railroad Court.* VTA will work with the property owner to ensure that driveway access from Railroad Court is maintained to minimize disruption to the business operations

during construction, especially during delivery and offloading of bridge materials and concrete pours.

*Construction Traffic.* All construction trucks coming to or from the facility would use haul routes approved by the City of Milpitas. The large crane would arrive on site in sections and be erected after delivery. Mid-sized equipment and materials deliveries would arrive via truck and would be offloaded within the previously environmentally cleared footprint. There would be a minimal increase in construction traffic beyond what has been environmentally cleared with the addition of the overcrossing. During concrete pours, concrete trucks would arrive frequently but would queue within the Systems Facility footprint where they would not block access to the businesses.

*Spill Over Parking onto Railroad Court.* Construction workers may park their vehicles on city streets near the site where legal. This may result in temporary parking impacts if business customers routinely park on Railroad Court or adjacent streets. The addition of the overcrossing would cause a minimal increase in the number of workers or vehicles using the area that would result in spill over parking onto Railroad Court.

For the reasons described above, the construction-related transportation impacts to the Horner property during construction would be minimized and would cause a less-than-significant impact and no new mitigation is necessary.

### Walton Property

*Temporary Parking Impacts.* Construction workers would not utilize the business area for parking and construction equipment. Materials would be staged within the previously cleared footprint or offsite where practicable.

*Truck Turn-Around and Loading.* VTA will work with the property owner to ensure that truck loading docks are accessible for business use to minimize disruption to the business operations during construction, especially during delivery and offloading of bridge materials and concrete pours.

*Access to/from Railroad Court.* VTA will work with the property owner to ensure that driveway access from Railroad Court is maintained to minimize disruption to the business operations during construction, especially during delivery and offloading of bridge materials and concrete pours.

*Construction Traffic.* All construction trucks coming to or from the facility will use haul routes approved by the City of Milpitas. The large crane would arrive on site in sections and be erected after delivery. Mid-sized equipment and materials deliveries would arrive via truck would be offloaded within the previously cleared footprint. There would be a minimal increase in construction traffic beyond what has been environmentally cleared with the addition of the overcrossing. During concrete pours, concrete trucks would arrive frequently but would queue within the Systems Facility footprint where they would not block access to the businesses.

*Spill Over Parking onto Railroad Court.* Construction workers may park their vehicles on city streets near the site where legal. This may result in temporary parking impacts if business customers routinely park on Railroad Court or adjacent streets. The addition of the overcrossing would cause a minimal increase in the number of workers or vehicles using the area that would result in spill over parking onto Railroad Court.

For the reasons described above, the construction-related transportation impacts to the Walton property during construction would be minimized and would cause a less-than-significant impact and no new mitigation is necessary.

#### UPRR Property

The modifications to the facility layout would not affect UPRR operations. VTA will coordinate with UPRR prior to and during construction of the overcrossing over operational freight tracks so as to minimize impacts to freight service. Construction methodology may include erection of false work and temporary bridge supports to allow UPRR service to continue uninterrupted under the bridge. Construction work may be limited to evening, night-time, or weekend work, or may require temporary restrictions on freight operations to construct the overcrossing. Therefore, there are no new significant impacts, nor increased severity of previously disclosed significant impacts from the four design change options and no new mitigation is necessary.

#### Beresford Meadows Property

The modified facility layout and the overcrossing would be constructed entirely outside of this property and would not affect access. Therefore, there are no new significant impacts, nor increased severity of previously disclosed significant impacts from the four design change options and no new mitigation is necessary. Therefore, the impacts to the property during construction will be minimized and would cause a less-than-significant impact.

### **3.3 Conclusion**

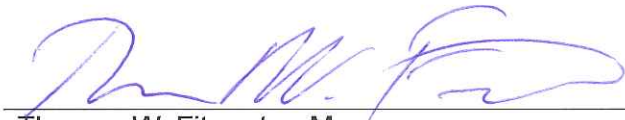
Should additional modifications beyond the scope of the project trigger the need for additional environmental review pursuant to CEQA Guidelines Section 15162 and other applicable provisions of CEQA, VTA will prepare the necessary additional environmental analysis.

In conclusion, no new significant or substantially more severe impacts would result from the proposed design modifications to modify the Systems Facility layout, include an additional PG&E pole, and to include the addition of a BART maintenance access overcrossing over the UPRR tracks to provide maintenance personnel access between the BART corridor and the SRR and SRC Systems Facilities located near Railroad Court. All mitigation measures described in the SEIR-2 are still applicable.

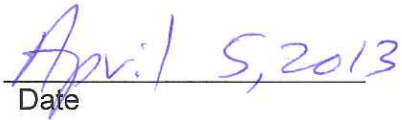


## SECTION 4.0 ENVIRONMENTAL DETERMINATION

Based upon the evaluation of the proposed design modifications to the approved BART Silicon Valley Project, the Addendum No. 4 to the Project has not identified any new significant adverse impacts nor any substantial increase in the severity of any previously identified significant adverse impacts previously documented for the Project, nor has any "new information of substantial importance" been presented pursuant the CEQA Guidelines Section 15162. Therefore, an Addendum to the previous EIR, SEIR-1 and SEIR-2 is the appropriate environmental document.



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Environmental Programs and Resources Management  
Santa Clara Valley Transportation Authority



Date