

BART SILICON VALLEY

Phase 1 – Berryessa Extension

Addendum to the 2nd Supplemental Environmental Impact Report

Santa Clara Valley Transportation Authority

August 2011



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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. If the changes involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects, further environmental review (in the form of a Subsequent or Supplemental Environmental Impact Report or Initial Study/Mitigated Negative Declaration) would be warranted per CEQA Guidelines Section 15162 and 15163. If the changes do not meet these criteria, 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 Project would begin at the BART Warm Springs Station in the City of Fremont and proceed on the former Union Pacific railroad 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 certification of the 2nd Supplemental EIR in March 2011 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 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.

BART Silicon Valley 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 2nd Supplemental Environmental Impact Report, November 2010

BART Silicon Valley, Phase I – Berryessa Extension, Final 2nd Supplemental Environmental Impact Report, March 2011

1.4 Scope of this Addendum

This Addendum is limited in scope to an evaluation of the proposed design modifications to the Project to determine whether the modifications result in any substantial change to the environmental setting, impacts, and mitigation measures as previously described in the approved EIR, Supplemental EIR, and 2nd Supplemental EIR.

SECTION 2.0 PROPOSED MODIFICATIONS TO THE PROJECT

As the design of the Project has progressed since the previous document was approved in March 2011, plans have been further refined. This Addendum covers only the area from the Warm Springs Extension to U.S. 101.

Both temporary and permanent easements are needed for temporary construction access, and permanent utility ROW, respectively. The following list describes the types of easements necessary to construct the Project.

The design modifications to the Project included in this Addendum include:

- Fee Take (FEE)
- Ingress/Egress Easement (IEE)
- Installation and Maintenance Easement (IME)
- Public Services Easement (PSE)
- Sanitary Sewer Easement (SSE)
- Storm Drain Easement (SDE)
- Temporary Construction Easement (TCE)
- Temporary Ingress/Egress Easement (TIEE)
- Utility Easement (UE)

Easements and other acquisitions indicated in the attached exhibits are typical of construction work for a large scale project. The list of affected parcels, impacts, and environmental evaluation is attached as Appendix A. Aerial maps of the easements are attached as Appendix B. Easements and other acquisitions may change (i.e., increase or decrease in size, change type, and/or change from permanent to temporary, etc.) during final design while being within the scope of the project and minor in nature. These changes can be a result of working with utility companies on relocating their facilities. It is the intent of this addendum and previous environmental documents adopted by VTA to environmentally clear easements and other acquisitions that are generally indicative of the type of work required, recognizing some adjustments may be necessary based on final design and/or working with individual property owners during the real estate acquisition process. 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.

SECTION 3.0 ENVIRONMENTAL EVALUATION

The discussion that follows focuses on the following environmental subject areas: 1) transportation and traffic, 2) socioeconomics 3) utilities, 4) visual quality and aesthetics and 5) construction impacts. 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; seismicity, and soils; land use; noise and vibration; water resources, water quality, and floodplains; cumulative impacts; and growth-inducing impacts have occurred due to the design modifications described in this Addendum.

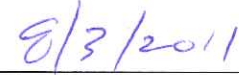
The list of affected parcels, impacts, and environmental evaluation is attached as Appendix A. Of these easements, none would result in a significant environmental impact. Typical impacts include the permanent and temporary loss of parking and landscaping. Temporary impacts would also consist of loss off access/driveway, and relocation of materials storage within properties, closure of streets, and removal of fences. In conclusion, no significant impact would result from the proposed easements. All mitigation measures described in the 2nd Supplemental EIR 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 to the Project has not identified any significant adverse impacts nor any substantial increase in the severity of any previously identified significant adverse impacts previously documented for the Project. Therefore, an Addendum to the previous EIR, Supplemental EIR, and 2nd Supplemental EIR is the appropriate environmental document.



Thomas W. Fitzwater, Manager
Environmental Programs and Resources Management
Santa Clara Valley Transportation Authority



Date

Appendix A
Table of Impacts

Env. #	New/Changed			Environmental Impact
N to S	PIN	APN	Easements	
1	B2009	519-1691-07	UE	Temporary surface disturbance for installation of utilities in UE under IEE. Less than significant impact.
2	B2013	519-1010-112-00 519-1010-113-00	PSE	Temporary surface disturbance for installation of utilities in PSE under IEE. Less than significant impact.
3	B2081	022-01-006	TCE	Temporary loss of parking, landscaping, and driveway from Dixon Landing Road for up to 6 months. Alternate access is available from Milmont Drive. Less than significant impact.
4	B2079	022-37-031	TCE	Temporary loss of parking, landscaping, and driveway from Dixon Landing Road for up to 6 months. Alternate access is available from Milmont Drive. Less than significant impact.
5	B2593	022-02-023	SDE	Less than significant impact.
6	B3618	028-23-018	UE	Temporary loss of materials storage area during installation of utilities. Less than significant impact.
7	B3619	028-23-000	UE	Less than significant impact.
8	B2022	086-26-036	UE, TCE	Less than significant impact.
9	B2026	086-42-035	TCE	Temporary loss of parking and landscaping. Less than significant impact.
10	B2142	086-32-035	PSE	Access via Piper Drive impacted temporarily during construction. However, the property has alternate access via Milpitas Boulevard. VTA will work with the property owner to minimize impacts from the driveway closure on Piper Drive.
11	B2032	086-32-026	PSE	Less than significant impact.
12	B2083	086-32-029	PSE	Less than significant impact.
13	B2025	086-24-060	UE	Temporary impacts to Great Mall Drive during installation of utilities, for up to 6 months, not during the holiday season. This may require traffic control and safety measures such as re-striping of roadway to facilitate 2-way traffic in and around construction areas, closure of 1 lane with one way traffic, and/or detours for portions of Great Mall Drive. Closure would be necessary for safety purposes only when workers are immediately adjacent or in the roadway. VTA will keep the property owner informed of scheduled construction. Less than significant impact.

Env. #	New/Changed		Environmental Impact	
N to S	PIN	APN		Easements
14	B2250	092-08-096	TCE, SDE, UE, SSE, JUE	Surface disturbance and loss of landscaping during utilities installation over a period of 3 years. Permanent regrading of detention basin to City of Milpitas standards in order to avoid conflict with new underground utilities parallel to Capital Ave. Temporary loss of children's play area for 6 months and temporary loss of parking during demolition of adjacent industrial building (approximately 6 months). VTA will work with the property owner to ensure that play area loss does not cause daycare business displacement. Less than significant impact.
15	B2087	086-37-028	TCE, UE	Temporary loss of parking for up to 3 years. VTA will work with property owner to ensure sufficient parking and access is available for operation of the business. Less than significant impact.
16	B2072	086-37-027	IME, TCE, UE	Previous environmental documents discussed business displacement. Less than significant impact.
17	B2549	086-37-026 086-37-015	UE	Previous environmental documents discussed business displacement. Less than significant impact.
18	B2098	244-01-003	FEE, TCE	Permanent loss of parking and additional temporary loss of parking for up to 3 years. VTA will work with property owner to ensure sufficient parking is available for operation of the business. Less than significant impact.
19	B2100	244-12-088	TIEE	Less than significant impact.
20	B2172	245-27-075	FEE, TCE	Temporary removal of fence during construction for up to 3 years. Less than significant impact.
21	B2576	241-27-000	TCE	Less than significant impact.
22	B2311	254-17-034	TCE	Less than significant impact.
23	B3060	254-02-059	PSE	Permanent loss of parking. Less than significant impact.

Appendix B

Aerial Maps of Easements



MISSION FALLS LN

MISSION FALLS CT

519-1691-07
EAST WARREN PARK
B2009




U.P.R.R.

DRAFT

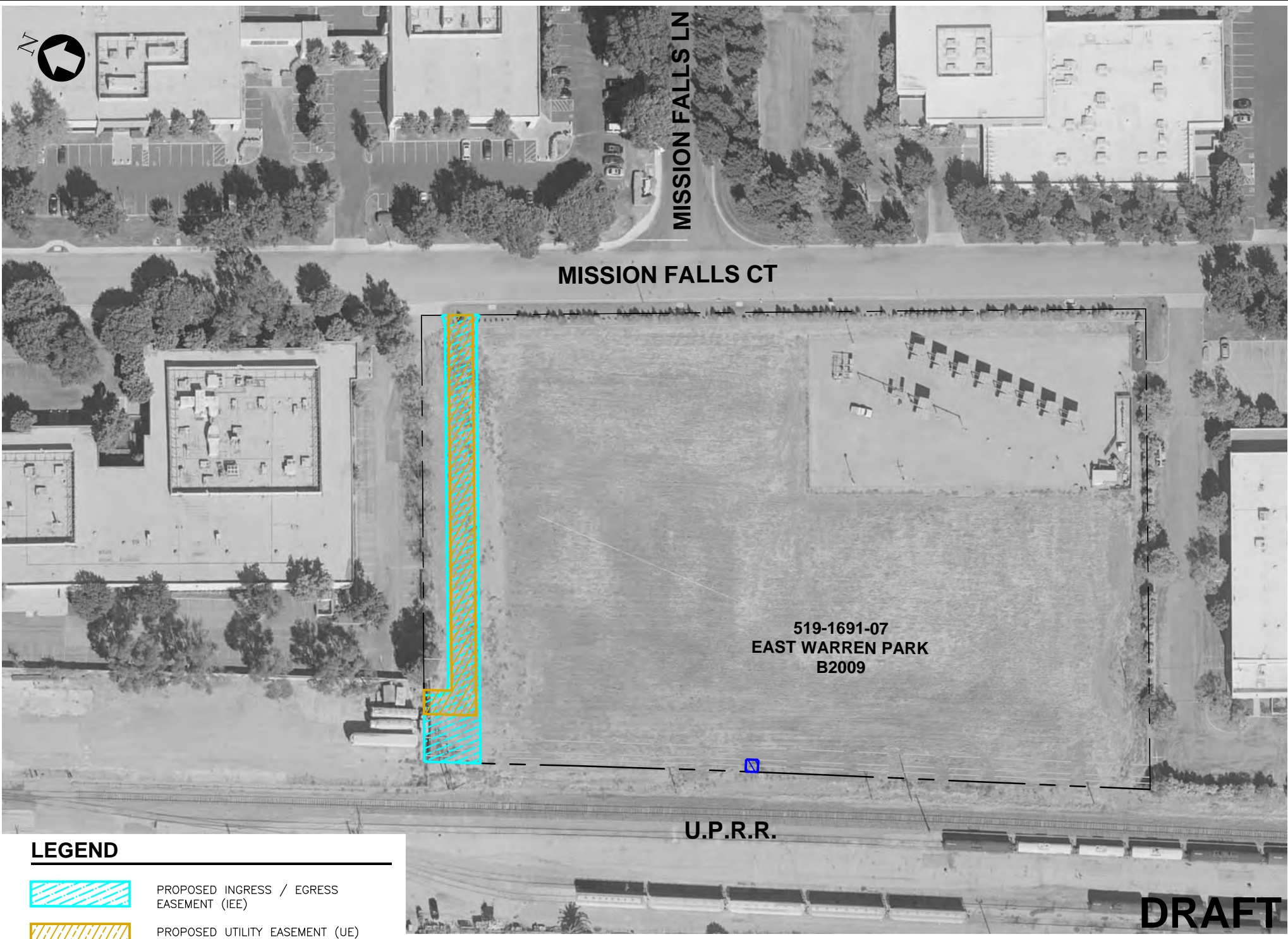


GRAPHIC SCALE

LEGEND

-  PROPOSED INGRESS / EGRESS EASEMENT (IEE)
-  PROPOSED UTILITY EASEMENT (UE)
-  PROPOSED STORM DRAIN EASEMENT (SDE)

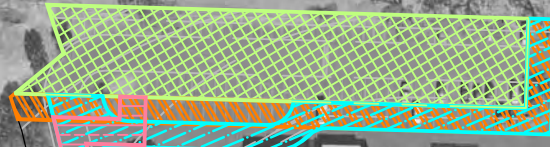
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U.P.R.R.

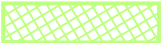





519-1010-113-00
ASILOMAR PARTNERS
MILMONT, LLC
B2013

519-1010-112-00
ASILOMAR PARTNERS
MILMONT, LLC
B2013

MILMONT DRIVE

LEGEND

-  PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)
-  PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)
-  PROPOSED INGRESS / EGRESS EASEMENT (IEE)
-  PROPOSED PUBLIC SERVICE EASEMENT (PSE)

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GRAPHIC SCALE



U. P. R. R



022-01-006
NORTHERN CALIFORNIA
INDUSTRIAL PORTFOLIO, INC
B2081

DIXON LANDING ROAD

MILLMONT DR

DRAFT

LEGEND



PROPOSED TEMPORARY CONSTRUCTION
EASEMENT (TCE)



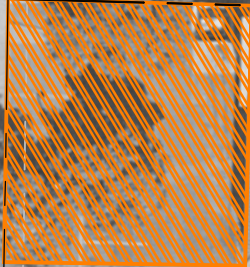
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U. P. R. R

022-37-031
DELPROP ASSOCIATES, LLC
B2079



U.P.R.R.

MILLMONT DR

DIXON LANDING ROAD

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LEGEND



PROPOSED TEMPORARY CONSTRUCTION
EASEMENT (TCE)



GRAPHIC SCALE

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**022-02-023
MILPITAS MATERIALS
B2593**

U. P. R. R.



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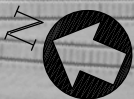


PROPOSED STORM DRAIN EASEMENT (SDE)

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GRAPHIC SCALE



STATE HIGHWAY 237

CALAVERAS BOULEVARD

028-23-018
MICHAEL D. AND
DEBORAH R. PRESTON,
TRUSTEES
B3618



LEGEND



PROPOSED UTILITY EASEMENT (UE)

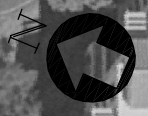
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STATE HIGHWAY 237

CALAVERAS BOULEVARD

028-23-000
UNKNOWN
B3619



LEGEND



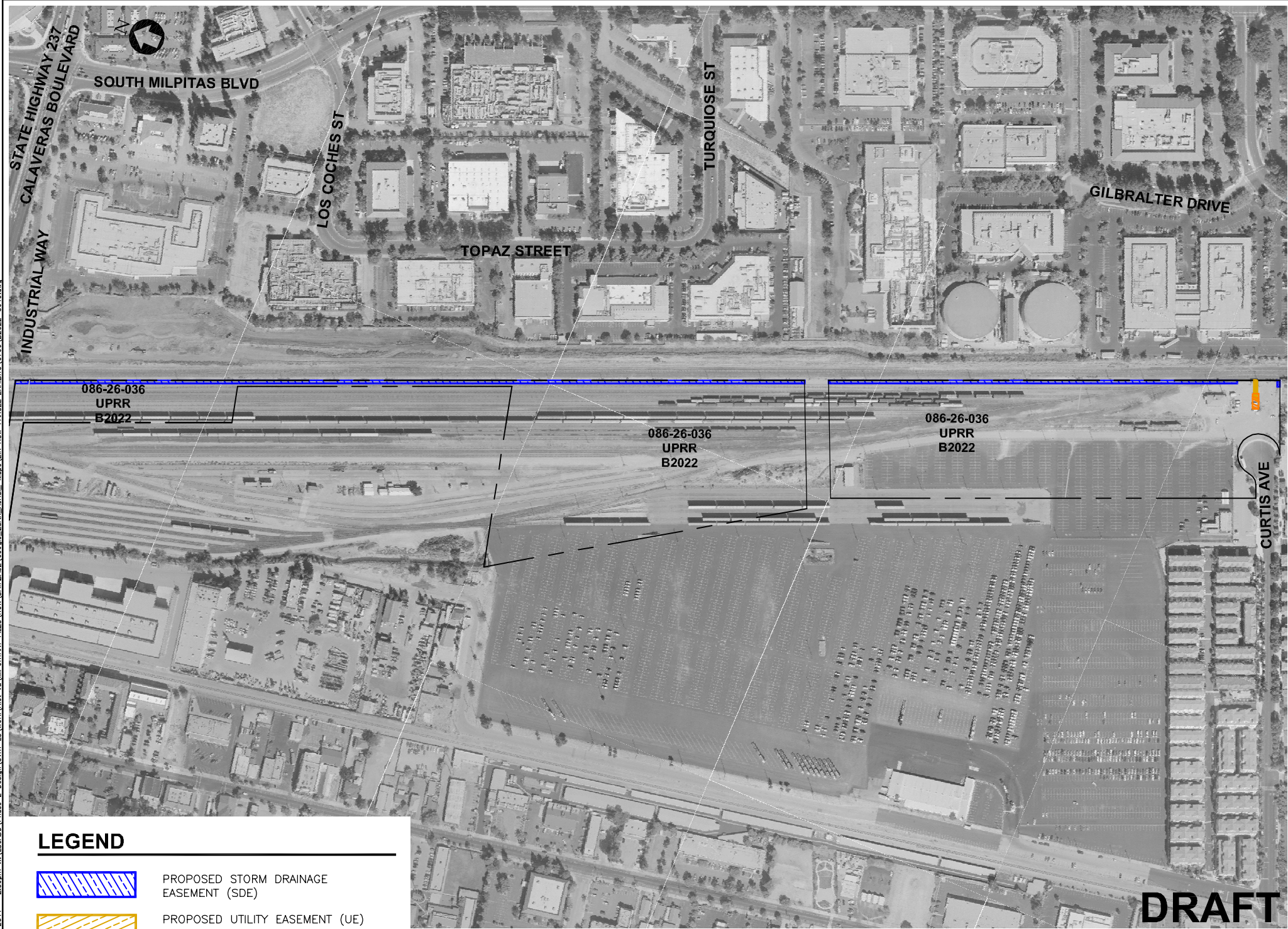
PROPOSED UTILITY EASEMENT (UE)

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GRAPHIC SCALE

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SOUTH MILPITAS BLVD

INDUSTRIAL WAY
STATE HIGHWAY 237
CALAVERAS BOULEVARD

LOS COCHES ST

TOPAZ STREET

TURQUOISE ST

GILBRALTER DRIVE




CURTIS AVE

086-26-036
UPRR
B2022

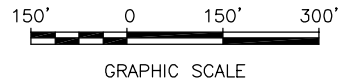
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B2022

086-26-036
UPRR
B2022

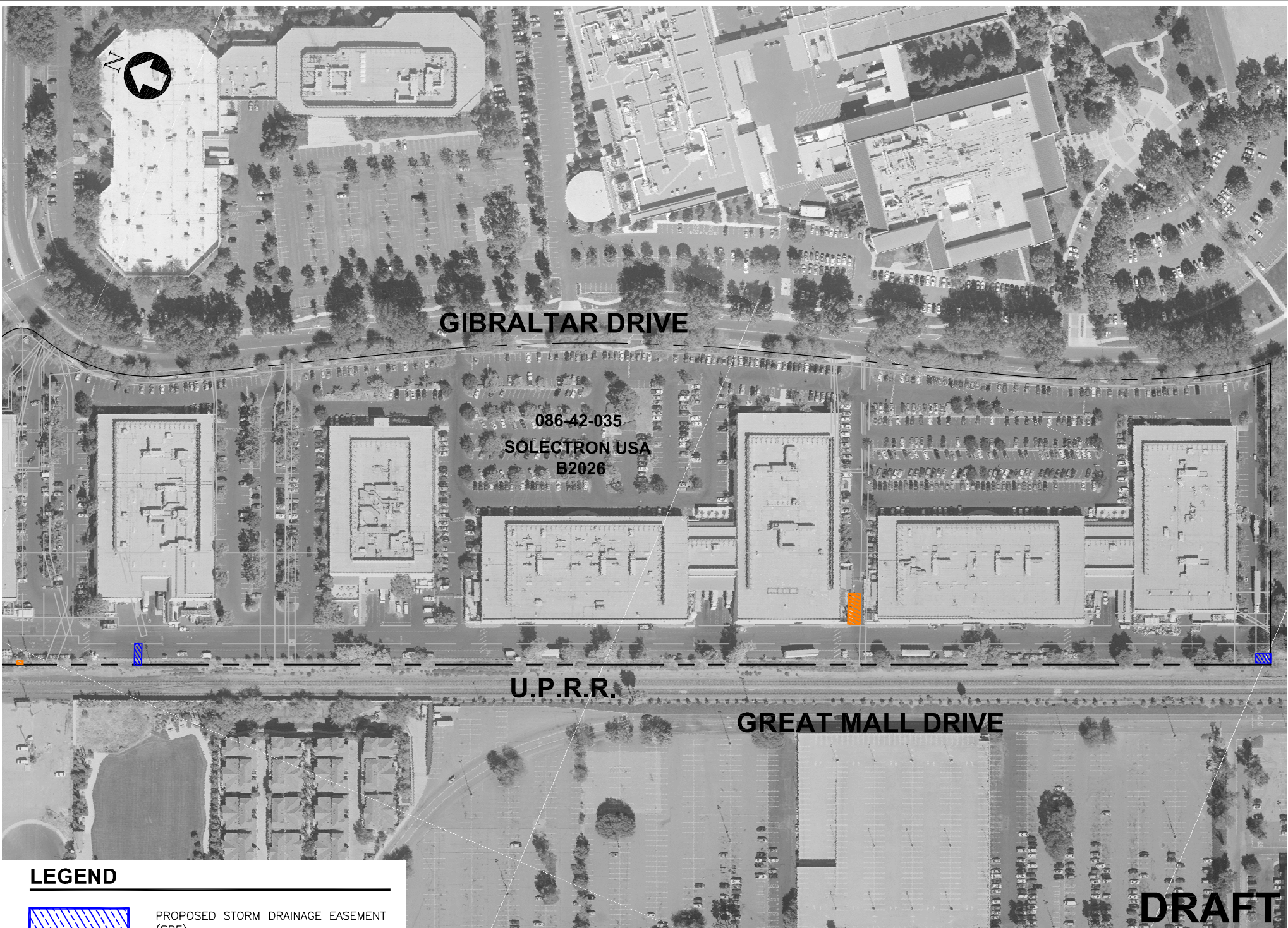
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-  PROPOSED STORM DRAINAGE EASEMENT (SDE)
-  PROPOSED UTILITY EASEMENT (UE)
-  PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)

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GIBRALTAR DRIVE

086-42-035

**SOLECTRON USA
B2026**

U.P.R.R.

GREAT MALL DRIVE

LEGEND



PROPOSED STORM DRAINAGE EASEMENT (SDE)



PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)

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GRAPHIC SCALE

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086-32-035

**SOUTH MILPITAS BLVD INVESTMENTS
B2142**



PIPER DRIVE

U.P.R.R.

LEGEND



PROPOSED PUBLIC SERVICE EASEMENT (PSE)

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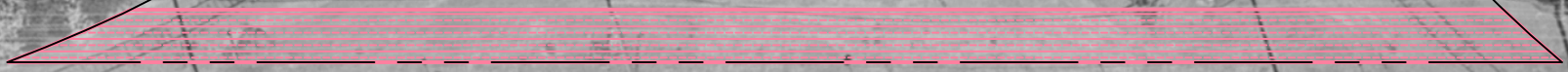
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086-32-026

UPRR
B2032



PIPER DRIVE

U.P.R.R.

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LEGEND



PROPOSED PUBLIC SERVICE EASEMENT
(PSE)



GRAPHIC SCALE

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086-32-029

FIRST AMERICAN TITLE

B2083



PIPER DRIVE

U.P.R.R.

LEGEND



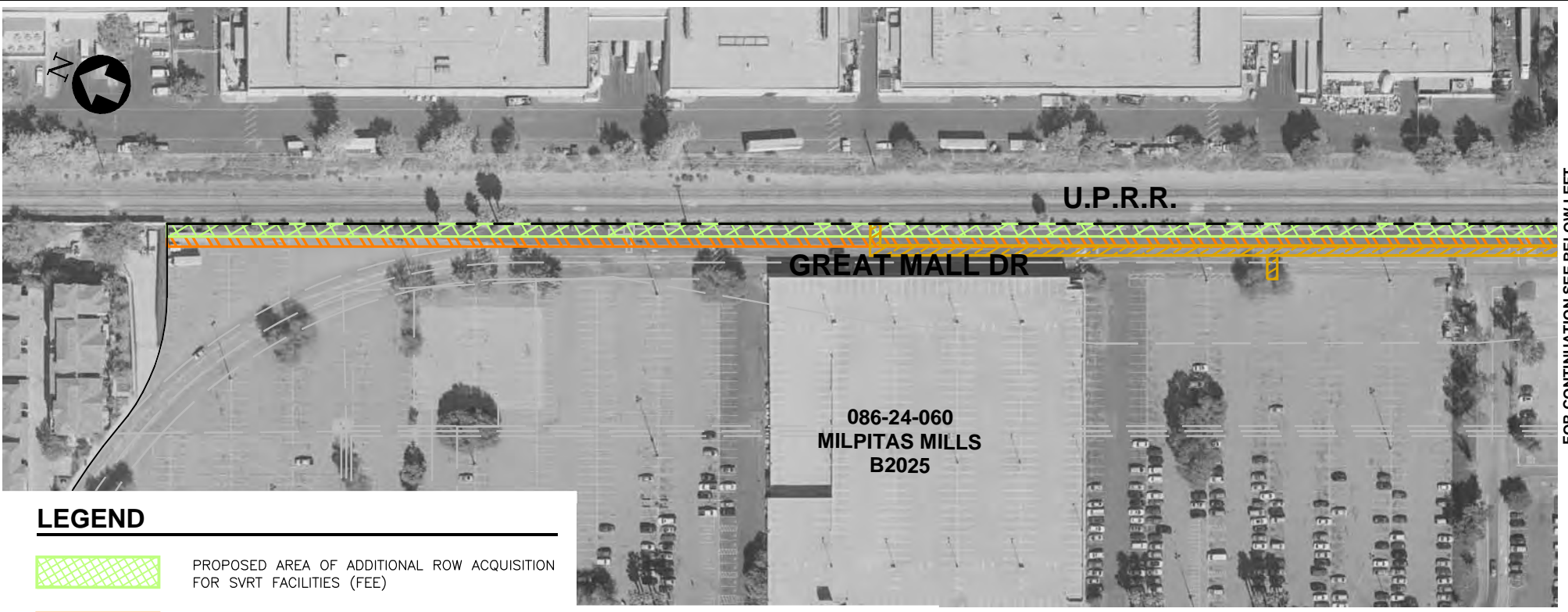
PROPOSED PUBLIC SERVICE EASEMENT (PSE)

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GRAPHIC SCALE

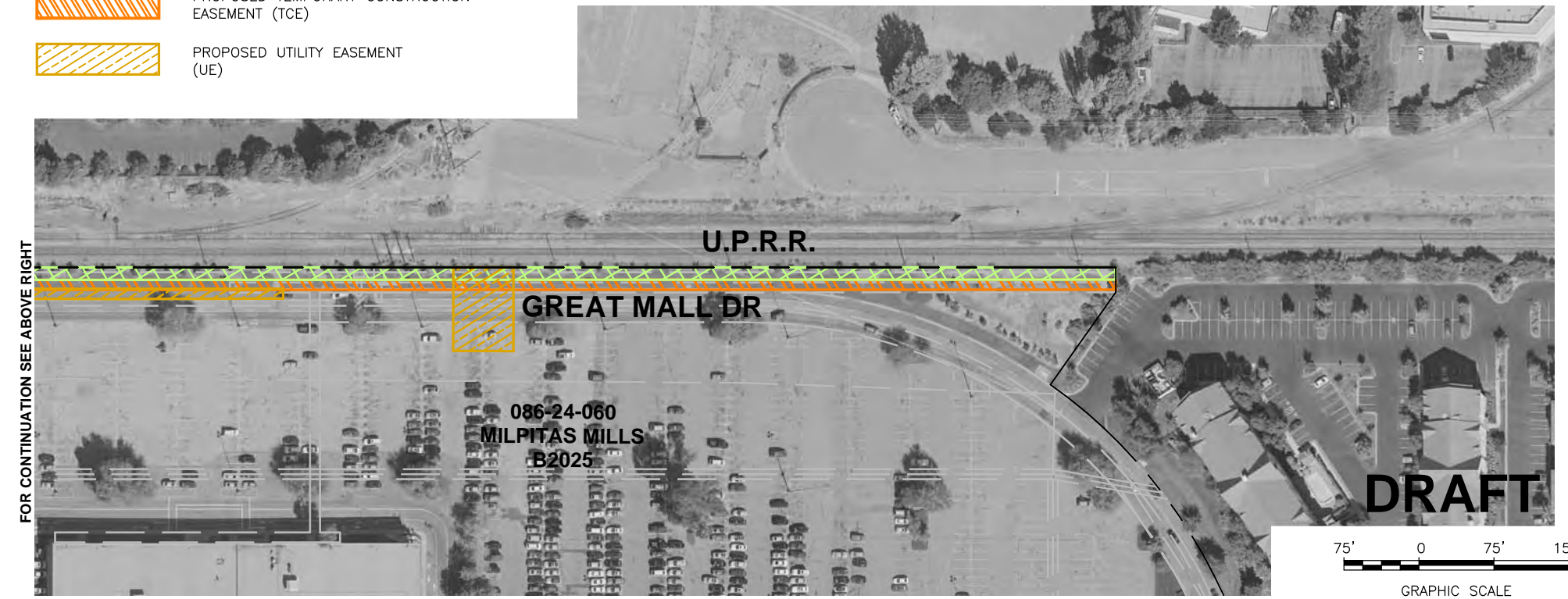
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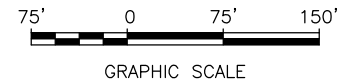
LEGEND

-  PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)
-  PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)
-  PROPOSED UTILITY EASEMENT (UE)



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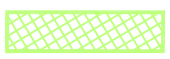
GLADDING CT

U.P.R.R.

EAST CAPITOL AVENUE

092-08-096
MONTAGUE PARKWAY ASSOCIATES, LP
B2250

LEGEND



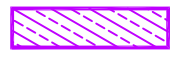
PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)



PROPOSED UTILITY EASEMENT (UE) (NIT) (42" WATER)



PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE) (WALL)



PROPOSED SANITARY SEWER UTILITY EASEMENT (SSE)



PROPOSED JOINT UTILITY EASEMENT (JUE)



GRAPHIC SCALE

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EAST CAPITOL AVENUE

086-37-028
DIVELL CAPITAL, LLC
B2087

U.P.R.R.

LEGEND



PROPOSED TEMPORARY CONSTRUCTION
EASEMENT (TCE) (HDD)



PROPOSED UTILITY EASEMENT (UE)
(PT) (MCI) (PGE)



GRAPHIC SCALE

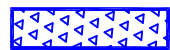


EAST CAPITOL AVENUE

**086-37-027
ROADWAY EXPRESS
B2072**

U.P.R.R.

LEGEND



PROPOSED INSTALLATION AND MAINTENANCE EASEMENT (IME)



PROPOSED UTILITY EASEMENT (UE)



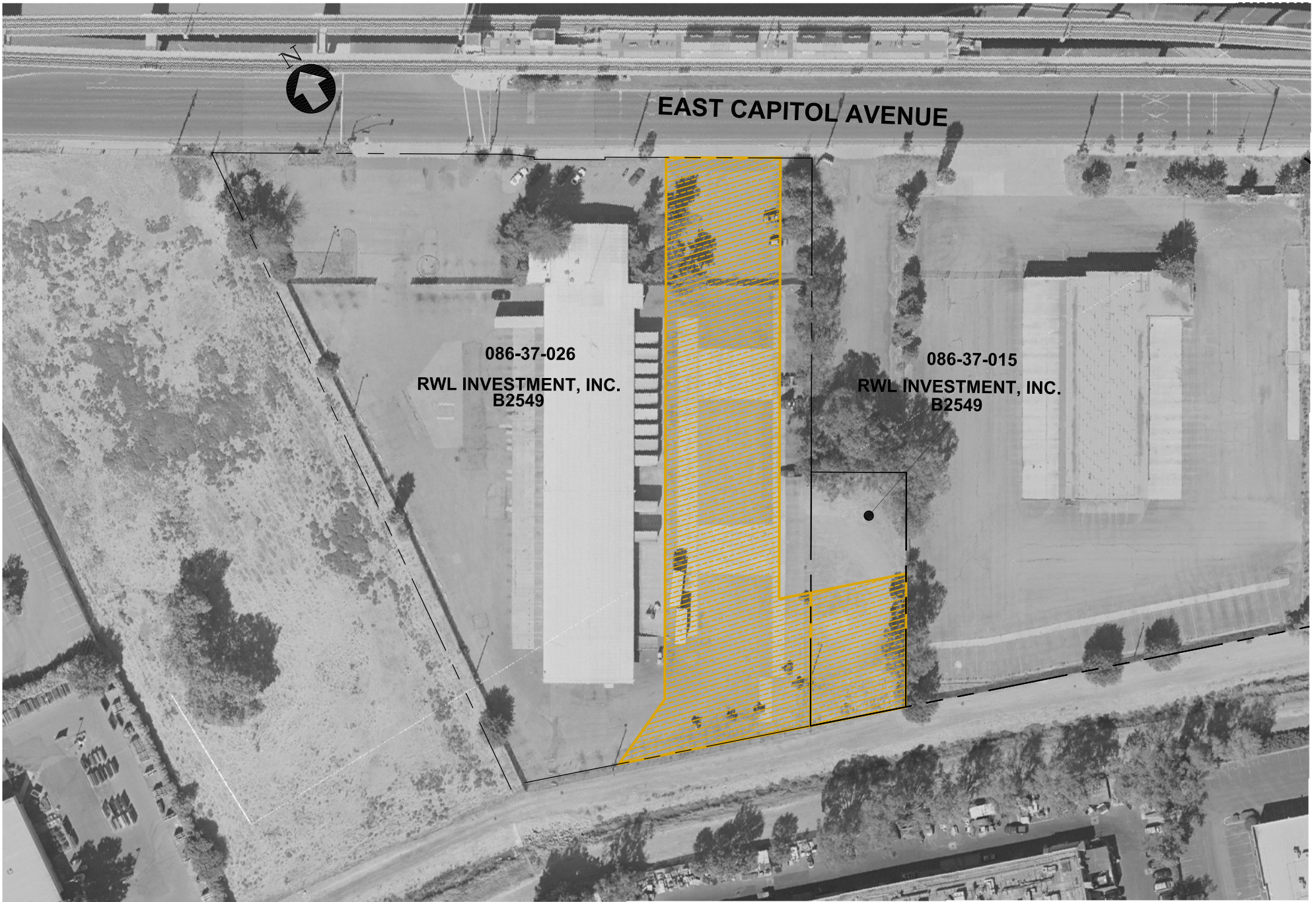
PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)



PROPOSED CONSTRUCTION STAGING AREA (CSA) OR LAYDOWN EASEMENT



GRAPHIC SCALE



086-37-026
RWL INVESTMENT, INC.
B2549

086-37-015
RWL INVESTMENT, INC.
B2549

EAST CAPITOL AVENUE

LEGEND



PROPOSED UTILITY EASEMENT (UE)



GRAPHIC SCALE

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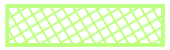


U.P.R.R.

244-01-003
DIETER SCHMIDT
B2098

TRADE ZONE BOULEVARD

LEGEND



PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)



PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)

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GRAPHIC SCALE

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SILVERTREE DR

HOSTETTER ROAD

244-12-088
CHEN MENG HSIA
B2100

244-12-089
CHEN MENG HSIA
B2100

VTA

LEGEND



PROPOSED TEMPORARY INGRESS/EGRESS
EASEMENT (TIEE)



GRAPHIC SCALE

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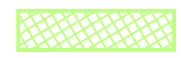
U.P.R.R.

245-27-075
TUAN Q. PHAN & GENEVIEVE A. NGUYEN
B2172

LUNDY AVENUE

PRELUDE
DRIVE

LEGEND



PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)



TEMPORARY CONSTRUCTION EASEMENT (TCE)

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GRAPHIC SCALE

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MARTIN JUE ST

ROSEBRIAR WAY

FAN DR

HOLIN WAY

241-27-000
BERRYESSA VILLA HOMES
B2576

TAIDA ST

U.P.R.R.

LEGEND



PROPOSED TEMPORARY CONSTRUCTION
EASEMENT (TCE)



PROPOSED INGRESS / EGRESS
EASEMENT (IEE)

DRAFT



GRAPHIC SCALE

Jun 16, 2011 - 4:32pm W:\SCADD\Phase 2_Design\SVRT_LS\Work\Kiet_VA_IMPORTANT_FILES\ROW_DATABASE\Geocel_Earth_Aerial_Maps\EIR_ROW_PARCEL_EXHIBITS\C700\B2311-0046.dwg

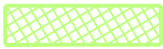


U.P.R.R.

MABURY ROAD

254-17-034
SCVWD
B2311

LEGEND



PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)



PROPOSED UTILITY EASEMENT (UE)



PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)



GRAPHIC SCALE



254-02-059
GI GUMMOW BSNS PK, LLC
B3060

MABURY ROAD

LENFEST ROAD

LEGEND



PROPOSED AREA OF ADDITIONAL ROW ACQUISITION FOR SVRT FACILITIES (FEE)



PROPOSED PUBLIC SERVICE EASEMENT (PSE)



GRAPHIC SCALE

