Downtown East Valley

Capitol Expressway Light Rail

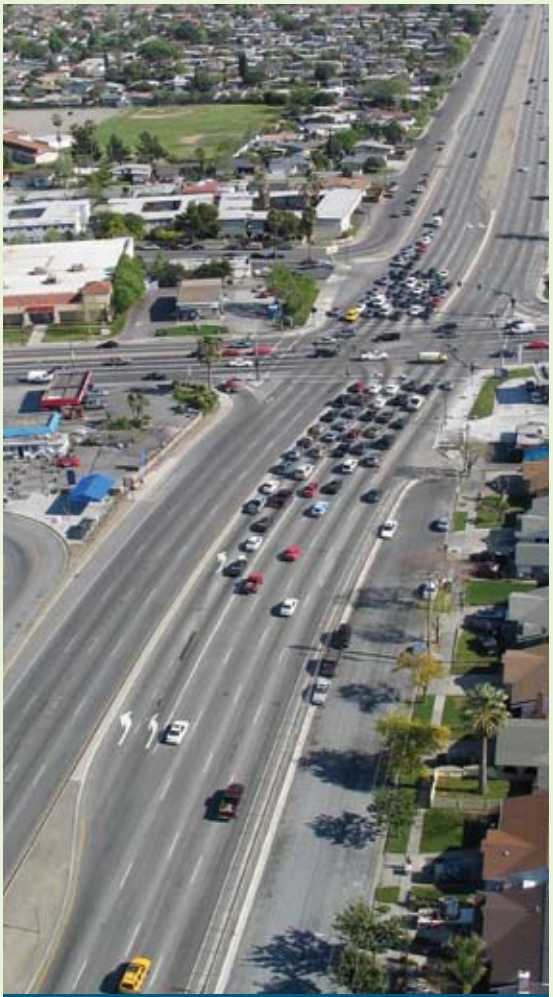
DOWNTOWN ◆ EAST VALLEY

Final Supplemental Environmental Impact Report

Volume I

Draft Supplemental Environmental Impact Report and Response to Comments

State Clearinghouse #2001092014



Existing Story Road

Proposed Story Road Light Rail Station

April 2007

SANTA CLARA
Valley Transportation Authority

Capitol Expressway Light Rail Project

Final
Supplemental Environmental Impact Report

Volume I of II

State Clearinghouse #2001092014

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Volume II

Introduction to the Final Supplemental EIR

Introduction to the Final Supplemental Environmental Impact Report

This Final Supplemental Environmental Impact Report (EIR) follows the requirements of the California Environmental Quality Act (CEQA) for a Final EIR. Before approving a project, the California Environmental Quality Act (CEQA) requires the Lead Agency to prepare and certify a Final Environmental Impact Report (EIR). The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that:

The Final EIR shall consist of:

a. The Draft EIR or a revision of the Draft.
b. Comments and recommendations received on the Draft EIR either verbatim or in summary.
c. A list of persons, organizations, and public agencies commenting on the Draft EIR
d. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
e. Any other information added by the Lead Agency

This Final Supplemental EIR consists of two volumes, including:

- Volume I – Draft Supplemental EIR, Response to Comments, Major Revisions to the Draft Supplemental EIR
- Volume II – Appendices to the Draft Supplemental EIR

The Santa Clara Valley Transportation Authority (VTA) is the "lead agency" in accordance with Sections 15051 and 15367 of the CEQA Guidelines, which define the lead agency as the public agency that has the principal responsibility for carrying out or approving a project. The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the

Lead Agencies' proposed response at least 10 days before certifying the Final EIR

The Final EIR allows the public and the VTA Board of Directors an opportunity to review revisions to the Draft EIR and the response to comments, prior to approval of the project. The Final EIR serves as the environmental document to support approval of the proposed project, either in whole or in part, if the project is approved.

After completing the Final EIR, and before approving the project, the Lead Agency must make the following three certifications, as required by Section 15090 of the CEQA Guidelines:

- The Final EIR has been completed in compliance with CEQA.
- The Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
- The Final EIR reflects the Lead Agency's independent judgment and analysis.

As required by Section 15091 of the CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

These certifications and Findings of Fact are included in a separate Findings document. The Final EIR as revised by the Final Supplemental EIR and the Findings are submitted to the VTA Board of Directors for consideration of the proposed changes to the project.

Draft Supplemental Environmental Impact Report

Capitol Expressway Light Rail Project

Draft
Supplemental Environmental Impact Report

Volume I of II

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Chapter 1
Executive Summary

Section 1.1 Why Are We Preparing a Supplemental Environmental Impact Report?

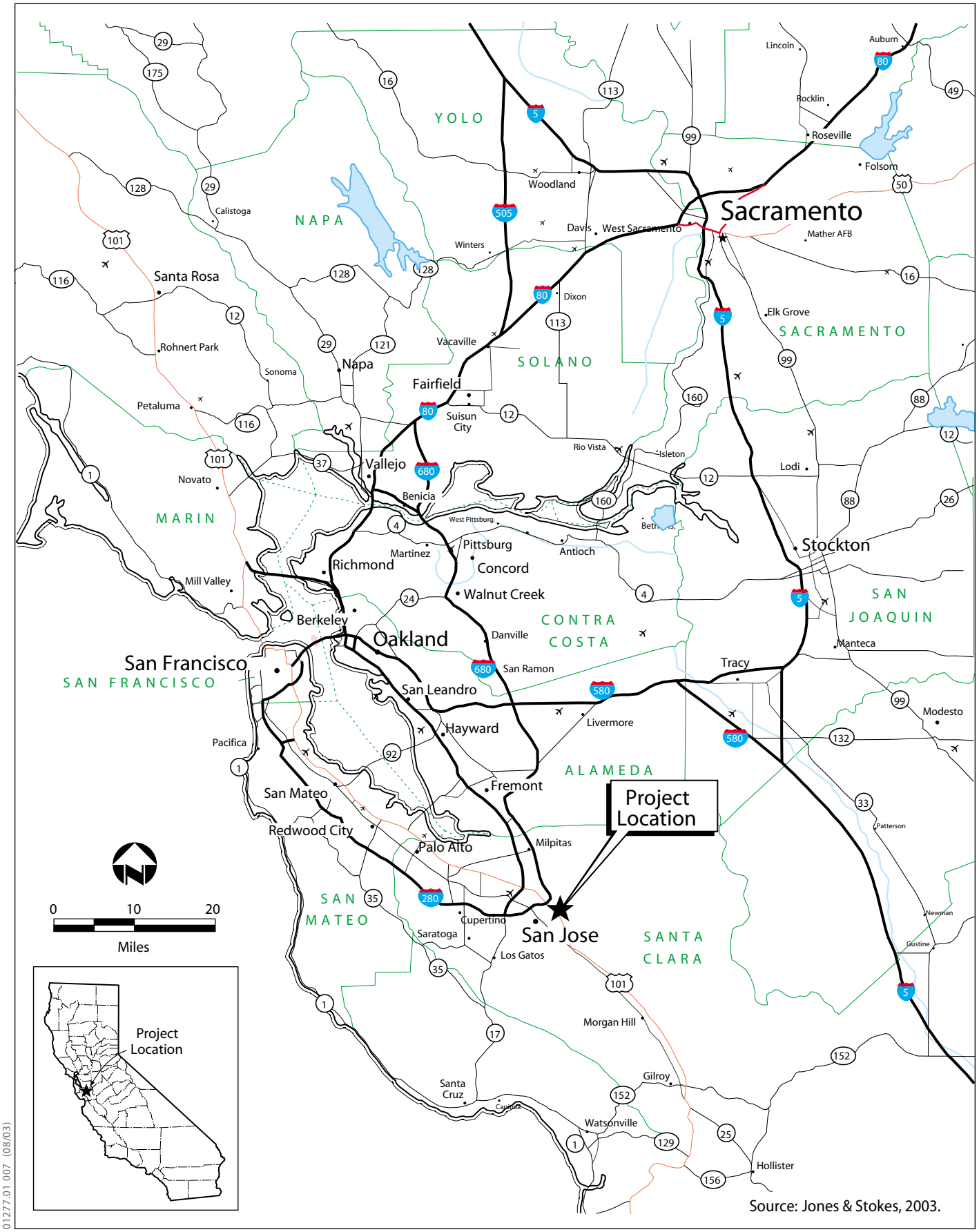
In May 2005, the Santa Clara Valley Transportation Authority (VTA) certified the Final Environmental Impact Report (Final EIR) and approved the Capitol Expressway Light Rail Project (CELR). Following project approval, work began on Preliminary Engineering (PE), which advanced designs to a greater level of detail. During PE, changes to the project were proposed to respond to comments by the City of San Jose, Santa Clara County, and other agencies. In addition, other changes were proposed to improve operations, minimize right-of-way acquisition, reduce environmental concerns, and lower costs.

Under Section 15162(b)(2) of the California Environmental Quality Act (CEQA) Guidelines, the Lead Agency may choose to prepare a supplement to an EIR if only "minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed condition". Because of the nature of the design changes, VTA determined that additional environmental review would be necessary that would require minor changes to specific sections of the Final EIR. As a result, VTA considered a Supplemental EIR to be the appropriate level of documentation.

Section 1.2 General Description of the Approved Project

The CELR project is a 3.1 mile extension of light rail along Capitol Expressway in the City of San Jose from the existing Alum Rock Station to Eastridge Transit Center in its first phase and to Nieman Boulevard in a future phase. Figure 1-1 depicts the regional location of the Capitol Expressway Light Rail Corridor.

Figure 1.1 Regional Location



While the Final EIR evaluated an 8.2 mile extension of light rail to State Route (SR) 87, the VTA Board of Directors decided to defer all project-level decisions, including design options and project phasing, on the segment between Nieman Boulevard and State SR 87, until land use and transportation decisions associated with the U.S. 101 Central Corridor Study and Evergreen Smart Growth Strategy have been further developed and approved. As a result, the light rail alignment between Nieman Boulevard and SR 87 is not an approved project and would require additional environmental review and approval before VTA could proceed with implementation.

Section 1.3 Proposed Changes to the Approved Project

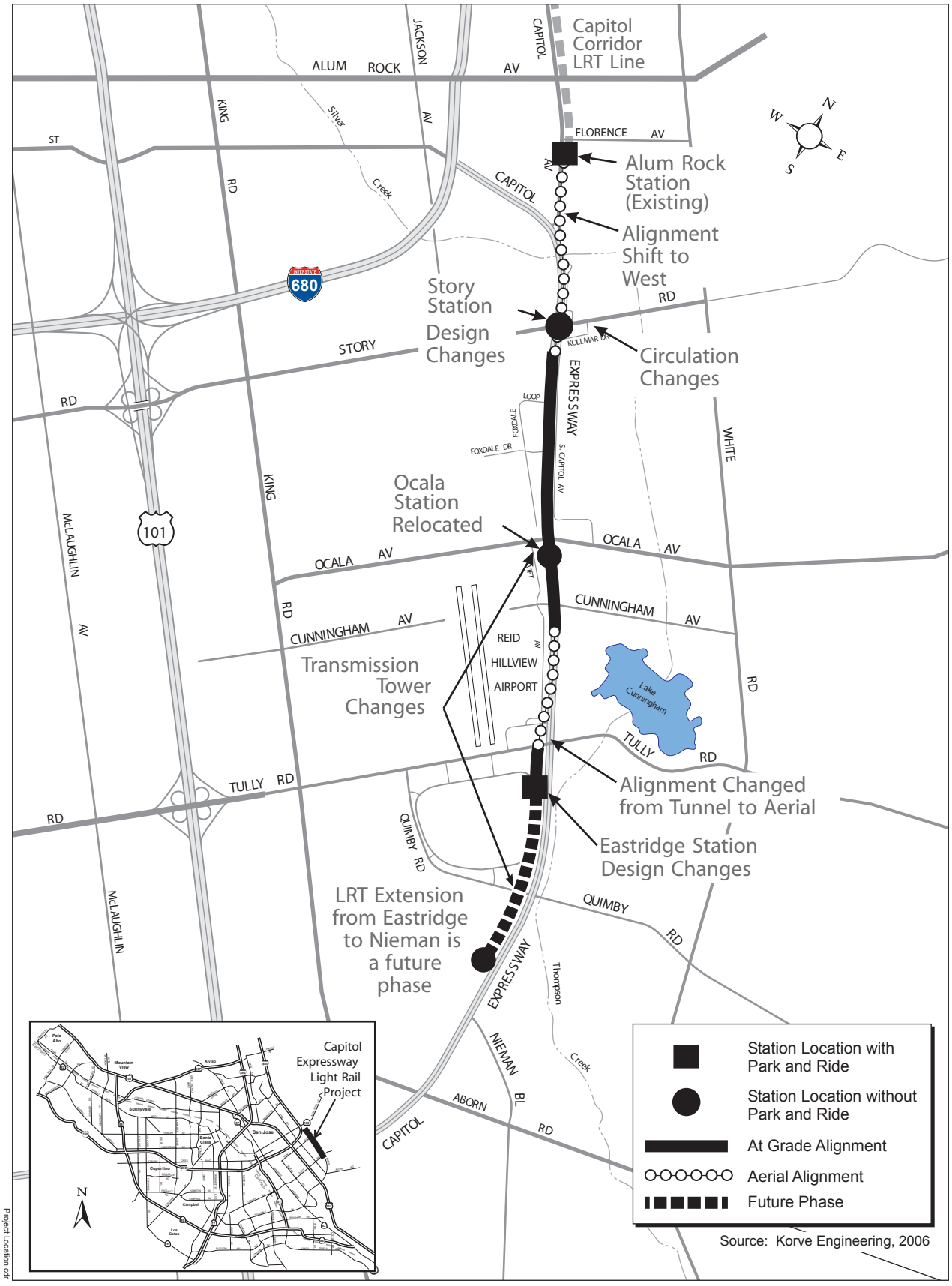
The changes to the approved project are proposed between the Alum Rock Light Rail Station and Quimby Road. According to the 2000 Measure A Revenue and Expenditure Plan approved by the VTA Board of Directors in June 2006, the schedule for design and construction of the light rail alignment between Eastridge Transit Center and Nieman Boulevard has been revised, with revenue service of the Nieman extension planned for 2024. As a result, changes to the Nieman Extension will be addressed at a later time in a separate Supplemental EIR.

The proposed changes to the approved project are illustrated in Figure 1-2 and are described in more detail in Chapter 5. The changes can be summarized as follows:

- Changes in right-of-way acquisition near Capitol Avenue, Story Road, Ocala Avenue, and Eastridge Transit Center.
- Station design changes at Story Road, Ocala Avenue, and Eastridge Transit Center.
- Shift in the locations of the electrical transmission facilities between Ocala Avenue and Quimby Road.
- Change from a cut-and-cover tunnel to an aerial structure at Tully Road.

While the light rail alignment will terminate at Eastridge Transit Center for the initial phase of the project, urban boulevard improvements, the new roadway configuration, and intersection modifications will be included between Eastridge Transit Center and Quimby Road to provide a smooth transition between the 6-lane and 8-lane facility to the south, and to ensure good pedestrian and bicycle access to and from Eastridge Transit Center.

Figure 1-2 Changes to the Approved Project



Section 1.4 Summary of Environmental Impacts

Table 1-1 contains a summary of the significant environmental impacts resulting from the proposed changes to the project as compared to the Final EIR, the mitigation measures to reduce these impacts, and the level of significance if mitigation is reasonable and feasible. A more complete discussion of impacts and mitigation can be found in Chapter 5.

Significant and Unavoidable Impacts

In the Supplemental EIR, the following new significant and unavoidable impacts were identified

- **Energy**: Since the project will increase demand for electricity, the project will have a significant impact on electrical transmission during peak periods due to constraints in California's electrical transmission infrastructure. Since the improvements recommended in the California Energy Commission's *2005 Integrated Energy Policy Report* are outside the jurisdiction of VTA, there is no feasible mitigation for this impact. Therefore, this impact has been determined to be significant and unavoidable.
- **Noise and Vibration from Operations:** As a result of revisions to the Federal Transit Administration's (FTA) guidelines on *Transit Noise and Vibration Impact Assessment* in May 2006 and changes in the operational characteristics of CELR, new significant impacts to noise and vibration have been identified. These include 8 severe and 41 moderate noise impacts, which will be mitigated with various noise control measures. These also include 26 vibration impacts, which have been determined to be potentially significant and unavoidable at 11 residences even with mitigation.
- **Noise and Vibration from Operations:** As a result of revisions to the Federal Transit Administration's (FTA) guidelines on *Transit Noise and Vibration Impact Assessment* in May 2006 and changes in the operational characteristics of CELR, new significant impacts to noise and vibration have been identified. These include 8 severe and 41 moderate noise impacts, which will be mitigated with various noise control measures. These also include 26 vibration impacts. Fifteen of these impacts can be mitigated with vibration control measures. Eleven of these impacts cannot be avoided even with mitigation. Therefore, this impact has been determined to be potentially significant and unavoidable.
- **Environmental Justice**: Since the adverse noise impacts from construction and the adverse vibration impacts from operation and construction of CELR will disproportionately affect minority and low-

income populations, the project has been determined to have a significant and unavoidable impact to environmental justice.

- **Cumulative Effects**: When considered with past, present, and reasonably foreseeable future projects, the project will have a significant and unavoidable cumulative impact on energy, vibration from operations, and environmental justice.
-

Mitigation Measures

There have been the following changes to mitigation measures from the Final EIR:

- **TRN-2c: Maintain HOV Lane on Capitol Expressway as an HOV Bypass Lane at Tully Road**

  In order to improve the level of mitigation provided, this mitigation measure has been changed from an HOV (carpool) Bypass Lane to a General Purpose Bypass Lane that allows this lane to be used by all vehicles.

- **TRN-8a: Addition of Shared Left-Turn and Through Lane on Capitol Avenue at Capitol Expressway**

  Since the Final EIR, this change in geometry at Capitol Avenue and Capitol Expressway was implemented by another project. Based on the Transportation Study for the Supplemental EIR, there is no longer a significant impact at this intersection in 2025 and mitigation is no longer required.

- **CR-5A: Retain Qualified Archaeologist and Native American Archaeologist to Monitor Surface-Disturbing Construction Activities and CR-5b: Develop and Implement a Historic Properties Treatment Plan Prior to Construction Activities**

  These mitigation measures were merged and expanded to detail the scope of the Historic Properties Treatment Plan.

Section 1.5 Areas of Controversy

Pursuant to CEQA Guidelines 15123, this Draft Supplemental EIR acknowledges the areas of controversy that are known to VTA and/or were raised during the scoping process for the Draft Supplemental EIR. Eighteen comments were received from agencies or the public in response to the NOP comment period (August 23, 2006, to September 25, 2006). These comments can be found in Appendix A.

- Transportation: Removal of carpool lanes; traffic congestion; pedestrian safety; consideration of cumulative effect from other projects.
- Land Use: Compatibility of project with aviation uses.
- Noise and Vibration: Need for soundwalls along Capitol Expressway.
- Socioeconomics: Effect on businesses where partial or full acquisition is required; Identification of right-of-way impacts.
- Utilities: Effect of project on electrical transmission facilities.
- Visual Quality: Aerial structure at Tully Road.

Section 1.6 Issues to Be Resolved

Pursuant to CEQA Guidelines 15123, this Draft Supplemental EIR acknowledges that VTA needs to resolve whether mitigation is technologically and economically feasible for the following impacts:

- Vibration From Operations: VTA will investigate whether it is possible to design a floating slab that substantially lessens the 11 significant vibration impacts from light rail operations. Since there are few examples of floating slabs that have been constructed for light rail and outdoor applications, VTA has directed its consultant to review the feasibility of this technology. The determination of feasibility will be based on how much vibration is reduced, constructibility, and cost.

- Noise and Vibration From Construction: VTA will investigate whether existing pile driving technology can substantially lessen noise and vibration from construction given existing soil conditions. The determination of feasibility will be based on how much noise and vibration is reduced, availability of equipment, and cost.

Table 1- 1 Summary of Significant Environmental Effects and Mitigation Measures

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
Transportation			
TRN-2a (Traffic Impact at Capitol Expressway/Story Road in 2010)	No mitigation is feasible	**Significant and Unavoidable**	**Significant and Unavoidable**
TRN-2b (Traffic Impact at Capitol Expressway/Ocala Avenue in 2010)	No mitigation is feasible	**Significant and Unavoidable**	**Significant and Unavoidable**
TRN-2c (Traffic Impact at Capitol Expressway/Tully Road in 2010)	TRN-2c (Maintain eight lanes on Capitol Expressway at Tully Road intersection)	Less than Significant with Mitigation	Less than Significant with Mitigation
TRN-8a (Traffic Impact at Capitol Expressway/Capitol Avenue in 2025)	TRN-8a (Addition of Shared Left-Turn and Through Lane)	Less than Significant with Mitigation	Less than Significant **No mitigation required**
TRN-8b (Traffic Impact at Capitol Expressway/Story Road in 2025)	No mitigation is feasible	**Significant and Unavoidable**	**Significant and Unavoidable**
TRN-8c (Traffic Impact at Capitol Expressway/Ocala Avenue in 2025)	No mitigation is feasible	**Significant and Unavoidable**	**Significant and Unavoidable**
TRN-8d (Traffic Impact at Capitol Expressway/Tully Road in 2025)	TRN-2c (Maintain eight lanes on Capitol Expressway at Tully Road intersection)	Less than Significant with Mitigation	Less than Significant with Mitigation
TRN-8e (Traffic Impact at Capitol Expressway/Quimby Road in 2025)	No mitigation is feasible	**Significant and Unavoidable**	**Significant and Unavoidable**

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
Biological Resources			
BIO-7 (Permanent Loss of Habitat and Disturbance to Species)	BIO-7 (Conduct Preconstruction Surveys for Western Burrowing Owls and Implement Measures to Avoid or Minimize Adverse Effects if Owls Are Present)	Less than Significant with Mitigation	Less than Significant with Mitigation
BIO-8 (Temporary Disturbance of Riparian Forest)	BIO-8a (Conduct Preconstruction Surveys to Identify Environmentally Sensitive Habitat Areas) and BIO-8b (Compensate for Disturbed Riparian Forest)	Less than Significant with Mitigation	Less than Significant with Mitigation
BIO-10 (Temporary Degradation of Water Quality)	BIO-10 (Implement Water Quality Control Measures)	Less than Significant with Mitigation	Less than Significant with Mitigation
BIO-11 (Loss or Disturbance of California Red-Legged Frog Habitat)	BIO-11a (Avoid and Minimize Effects to California Red-Legged Frog) and BIO-11b (Compensate for Loss of Aquatic Habitat for California Red-Legged Frog)	Less than Significant with Mitigation	Less than Significant with Mitigation
BIO-12 (Permanent Loss of Aquatic Habitat, Temporary Disturbance of Riparian Habitat, and Temporary Disturbance of Southwestern Pond Turtle)	BIO-12 (Conduct Preconstruction Surveys for and Implement Measures to Avoid or Minimize Adverse Effects to Southwestern Pond Turtles if Present)	Less than Significant with Mitigation	Less than Significant with Mitigation

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
BIO-14 (Temporary Disturbance of Nesting Raptors)	BIO-14a (Conduct a Preconstruction Survey for Nesting Raptors) and BIO-14b (Avoid Active Raptor Nests)	Less than Significant with Mitigation	Less than Significant with Mitigation
BIO-15 (Temporary Disturbance to Nesting Habitat for Migratory Birds)	BIO-15 (Conduct Preconstruction Surveys for Nesting Migratory Birds and Stop Construction until the Young have Fledged or the Nest is Removed in Accordance with CDFG Approval)	Less than Significant with Mitigation	Less than Significant with Mitigation
BIO-18 (Loss of Trees)	BIO-18a (Conduct a Tree Survey) and BIO-18b (Replace Trees)	Less than Significant with Mitigation	Less than Significant with Mitigation
Cultural Resources			
CR-5 (Direct or Indirect Impacts to an Archaeological Resource)	CR-5a (Develop and Implement a Historic Properties Treatment Plan Prior to Construction Activities)	Less than Significant with Mitigation	Less than Significant with Mitigation
Energy			
E-9 (Increase Demand on Electricity Transmission Infrastructure)	No Mitigation is Feasible	No Impact	**Significant and Unavoidable**

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
Environmental Justice			
EJ-1 (Result in disproportionately high and adverse health or environmental effects on minority and low-income populations related to NV-4, NV-Con-2, NV-Con-3, NV-Cum-4)	No Mitigation is Feasible	No Impact	**Significant and Unavoidable**
Geology, Soils, and Seismicity			
GEO-4 (Risk Caused by Strong Seismic Ground Shaking)	GEO-4 (Incorporate Caltrans Seismic Design Criteria)	Less than Significant with Mitigation	Less than Significant with Mitigation
GEO-5 (Risk Caused by Seismic-Related Ground Failure, Including Liquefaction)	GEO-5 (Incorporate Liquefaction Minimization Methods)	Less than Significant with Mitigation	Less than Significant with Mitigation
GEO-6 (Risks from Lateral Spreading, Subsidence, and Collapse)	GEO-6 (Minimize Risk of Lateral Spreading, Subsidence, and Collapse)	Less than Significant with Mitigation	Less than Significant with Mitigation
GEO-7 (Risk Caused by Expansive Soil)	GEO-7 (Minimize Risk of Soil Expansivity)	Less than Significant with Mitigation	Less than Significant with Mitigation

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
Hazardous Materials			
HAZ-9 (Hazard Caused by the Release of Hazardous Materials)	HAZ-9a (Conduct Subsurface Investigations in Areas that may be Contaminated) and HAZ-9b (Control Contamination)	Less than Significant with Mitigation	Less than Significant with Mitigation
Hydrology and Water Quality			
HYD-11 (Violation of Water Quality Standards or Waste Discharge Requirements)	HYD-11 (Comply with Water Quality Control Regulations and Permit Programs)	Less than Significant with Mitigation	Less than Significant with Mitigation
HYD-12 (Creation of Additional Runoff)	HYD-12 (Maintain Operational Water Quality)	Less than Significant with Mitigation	Less than Significant with Mitigation
HYD-14 (Exposure to Flood Hazards)	HYD-14 (Minimize Flood Impacts)	Less than Significant with Mitigation	Less than Significant with Mitigation
Noise and Vibration			
NV-1 (Noise Levels from Transit Operations that Exceed FTA Criteria for a Severe Impact)	NV-1a (Construct Soundwalls) and NV-1b (Provide Noise Insulation	Less than Significant	**Less than Significant with Mitigation**
NV-4 (Vibration Levels from Transit Operations that Exceed FTA Criteria for a Severe Impact)	NV-4a (Consider Followup Vibration Mitigation Assessments), NV-4b (Use Vibration Dampening Track Construction Materials), and NV-4c (Review Modifications to Light Rail Operations)	Less than Significant	**Significant and Unavoidable**

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
Safety and Security			
SS-3 (Pedestrian and/or Bicycle Safety Risks at Gated Crossings)	SS-3 (Incorporate Pedestrian-Friendly Features)	Less than Significant with Mitigation	Less than Significant with Mitigation
SS-4 (Inadequate Lighting or Visual Obstructions at Park-and-Ride Lots)	SS-4a (Implement Measures to Deter Crime), SS-4b (Use Lighting, Cameras, and Security Patrols to Enhance Safety), and SS-4c (Define Fire and Life Safety Procedures and Develop Evacuation Plans)	Less than Significant with Mitigation	Less than Significant with Mitigation
Socioeconomics			
SOC-16 (Displacement of Existing Businesses or Housing)	SOC-16a (Comply with Legislation for Acquisition and Relocation) and SOC-16b (Inform Residents and Businesses of Project Status)	Less than Significant with Mitigation	Less than Significant with Mitigation
Utilities			
UTIL-3 (Require Construction of New Stormwater Drainage Facilities or Expansion of Existing Facilities)	HYD-14 (Maintain Operational Water Quality)	Less than Significant with Mitigation	Less than Significant with Mitigation
Visual Quality			
VQ-1 (Creation of Substantial Light or Glare)	VQ-1 (Minimize Light and Glare)	Less than Significant with Mitigation	Less than Significant with Mitigation

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
VQ-3 (Degradation of Existing Visual Quality)	VQ-3 (Involve Public in Station Design) and VQ-4 (Incorporate Landscaping)	Less than Significant with Mitigation	Less than Significant with Mitigation
Construction			
TRN-1 (Long-Term Street or Lane Closure)	TRN-2a (Prepare Traffic Management Plan), TRN-2b (Inform Public of Traffic Detours), TRN-2c (Inform Public of Transit Service Changes)	Less than Significant with Mitigation	Less than Significant with Mitigation
TRN-2 (Long-Term Loss of Parking or Access Essential for Business Operations)	TRN-2a (Prepare Traffic Management Plan), TRN-2b (Inform Public of Traffic Detours), TRN-2c (Inform Public of Transit Service Changes)	Less than Significant with Mitigation	Less than Significant with Mitigation
AQ-1 (Increase in Construction-Related Emissions)	AQ-1 (Implement Dust and Emission Control Measures)	Less than Significant with Mitigation	Less than Significant with Mitigation
CS-1 (Disruption of Emergency Access)	CS-1 (Coordinate with Emergency Service Providers)	Less than Significant with Mitigation	Less than Significant with Mitigation
E-1 (Wasteful Consumption of Nonrenewable Energy Resources)	E-1 (Adopt Energy Conservation Measures)	Less than Significant with Mitigation	Less than Significant with Mitigation
GEO-1 (Lateral Spreading, Subsidence, and Collapse)	GEO-1 (Minimize Lateral Spreading, Subsidence, and Collapse)	Less than Significant with Mitigation	Less than Significant with Mitigation

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
GEO-2 (Presence of Expansive Soil)	GEO-2 (Minimize Risk of Soil Expansivity)	Less than Significant with Mitigation	Less than Significant with Mitigation
HAZ-1 (Release of Hazardous Materials into the Environment)	HAZ-1a (Conduct Subsurface Investigations), HAZ-1b (Control Contamination), HAZ-1c (Conduct Lead and Asbestos Surveys prior to Building Demolition or Renovation)	Less than Significant with Mitigation	Less than Significant with Mitigation
HYD-1 (Impair Water Quality)	HYD-1 (Implement Water Quality Control Measures)	Less than Significant with Mitigation	Less than Significant with Mitigation
HYD-2 (Depletion of Groundwater Supplies)	HYD-2 (Use Non-Potable Water)	Less than Significant with Mitigation	Less than Significant with Mitigation
HYD-13 (Alterations in Existing Drainage Patterns)	HYD-1 (Implement Water Quality Control Measures)	Less than Significant with Mitigation	Less than Significant with Mitigation
NV-1 (Generate Noise and Vibration)	NV-1a (Notify Residents of Construction Activities), NV-1b (Construct Temporary Noise Barriers During Construction), NV-1c (Restrict Pile Driving), NV-1d (Use Noise Suppression Devices), NV-1e (Locate Stationary Construction Equipment as Far as Possible from Sensitive Receptors), NV-1f (Reroute Construction-Related Truck Traffic), NV-1g (Develop Construction Noise Mitigation Plan)	Less than Significant with Mitigation	Less than Significant with Mitigation

Significant Impact	Mitigation Measures	Level of Significance Final EIR	Level of Significance Supplemental EIR
NV-2 (Generate Noise from Pile Driving)	NV-2 (Develop Construction Noise Mitigation Plan For Pile Driving Activities)	Less than Significant with Mitigation	**Significant and Unavoidable**
NV-3 (Generate Vibration from Pile Driving)	NV-3 (Develop Construction Vibration Mitigation Plan For Pile Driving Activities)	Less than Significant with Mitigation	**Significant and Unavoidable**
SS-1 (Safety Risks During Construction)	SS-1 (Implement Construction Best Management Practices)	Less than Significant with Mitigation	Less than Significant with Mitigation
UTL-1 (Disruption of Utility Service)	UTL-1 (Coordinate with Utility Providers)	Less than Significant with Mitigation	Less than Significant with Mitigation
VQ-1 (Creation of New Source of Light or Glare)	VQ-1 (Direct Lighting Toward Construction Area)	Less than Significant with Mitigation	Less than Significant with Mitigation
Cumulative Effects			
See Transportation			
E-Cum-9 (Increase Demand on Electricity Transmission Infrastructure)	No Mitigation is Feasible	No Impact	**Significant and Unavoidable**
See Environmental Justice			
See Noise and Vibration			
NV-Cum-2 (Generate Noise from Pile Driving) NV-Cum-3 (Generate Vibration from Pile Driving)	NV-Cum-2 and NV-Cum-3 (Coordinate activities with other construction projects where feasible and reasonable)	No Impact	**Less than Significant with Mitigation**

Chapter 2
Introduction

Section 2.1 Scope of the Supplemental EIR

According to CEQA Guidelines 15163(b), the supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised. The Supplemental EIR augments the previously certified EIR to the extent necessary to address the changed conditions and to examine environmental effects, mitigation measures, and design options accordingly.

In preparing the Supplemental EIR, VTA has referenced the Final EIR and made use of that document and its supporting administrative record as necessary and appropriate. As a result, the Supplemental EIR is focused on providing new information on the environmental effects of the project that is not included in the Final EIR. Where the analysis from the Final EIR applies, the Supplemental EIR incorporates by reference the appropriate sections of that document.

Section 2.2 Public Participation in Environmental Review

As part of the environmental process, there will be several opportunities for the public and agencies to comment on the environmental document.

- **Notice of Preparation**

  VTA issued a Notice of Preparation (NOP) on August 23, 2006, and held a Scoping Meeting on September 6, 2006. The NOP was sent to 250 agencies, community organizations, residents, and businesses. In addition, flyers were mailed to 5,400 properties located within 1/8 mile of the corridor. Eighteen comments were received on the scope and content of the Supplemental EIR, which can be found in Appendix A.

- **Draft Supplemental EIR**

  When the Draft Supplemental EIR is completed, VTA will request comments from the public and agencies on the adequacy of the environmental analysis. A public hearing will also be held to receive verbal comments. VTA will respond to all comments in the Final Supplemental EIR.

- **Final Supplemental EIR**

  Prior to consideration by the VTA Board of Directors, all commenting agencies and individuals will receive a copy of the Final Supplemental EIR with VTA's response to their comments. Any additional comments on the Supplemental EIR can be provided in writing or in person at the VTA Board of Directors' meeting.

Section 2.3 Uses of the Supplemental EIR

It is proposed that this Supplemental EIR be relied upon in issuing appropriate project-specific discretionary approvals necessary to implement this project. These actions include the following approvals by the agencies indicated:

- San Francisco Bay Regional Water Quality Control Board: National Pollutant Discharge Elimination System General Industrial/General Construction Storm Water Discharge Permits.
- California Department of Fish and Game: Migratory Bird Treaty Act and Burrowing Owl issues.
- Santa Clara County: Encroachment Permit for use of Capitol Expressway right-of-way.
- City of San Jose: Encroachment Permit for use of Capitol Expressway and other City right-of-way.
- Santa Clara Valley Water District: Encroachment Permit for use of District right-of-way and Construction Permit.

Section 2.4 Organization of the Supplemental EIR

The organization of the Supplemental EIR generally follows the organization of the Final EIR, especially for the environmental analysis. The readers should consider this Supplemental EIR together with the Final EIR since the Supplemental EIR does not repeat information in the Final EIR that has not changed.

The Draft Supplemental EIR includes the following sections:

- **Chapter 1: Executive Summary**

  Briefly discusses the reasons for preparing the Supplemental EIR, generally describes the approved project, and summarizes the proposed changes to the approved project. This section identifies the impacts, mitigations, and the level of significance of the impacts after mitigation in table format.

- **Chapter 2: Introduction**

  Describes the scope of the Supplemental EIR, public participation, the uses of the Supplemental EIR, the organization of the Supplemental EIR, and the certification process for the Supplemental EIR.

- **Chapter 3: Proposed Design Changes**

  Details the proposed changes to the approved project.

- **Chapter 4: Alternatives Considered**

  Simply states that no additional alternatives were considered in this Supplemental EIR.

- **Chapter 5: Environmental Setting, Impacts, and Mitigation**

  Presents new information regarding the environmental setting, describes the effect of the project changes on the environment, identifies new significant impacts or an increase in severity of previously identified impacts, and recommends mitigation measures to reduce impacts so they are no longer significant.

- **Chapter 6: Other CEQA Considerations**

  Discusses other environmental issues of importance to CEQA, including significant and irreversible environmental changes, cumulative effects, and growth inducing effects.

- **Chapter 7: References**

  List of sources referenced in the Supplemental EIR.

- **Chapter 8: List of Preparers**

  Lists key VTA staff and consultants who contributed to the preparation of the Supplemental EIR.

Section 2.5 Certification of the Supplemental EIR

The Draft Supplemental EIR, together with responses to comments on the Draft Supplemental EIR and any modifications or corrections to the Draft Supplemental EIR, will constitute the Final Supplemental EIR. The VTA Board of Directors will review the Final Supplemental EIR, the Final EIR, and any public testimony or comments. Based on that information and all other substantial evidence, the VTA Board of Directors will decide whether to certify the Final Supplemental EIR and approve the proposed changes to the project. As CEQA Guideline 15163(e) requires, the VTA Board of Directors will make a finding for each potentially significant effect shown in the Final EIR as revised, as well as the Supplemental EIR.

Chapter 3
Proposed Design Changes

This section discusses the proposed design changes to the approved Capitol Expressway Light Rail Project that is described in Appendix B. Changes are generally described geographically from north to south.

Design Change - 1 Alignment Adjustment at the Intersection of Capitol Avenue and Capitol Expressway

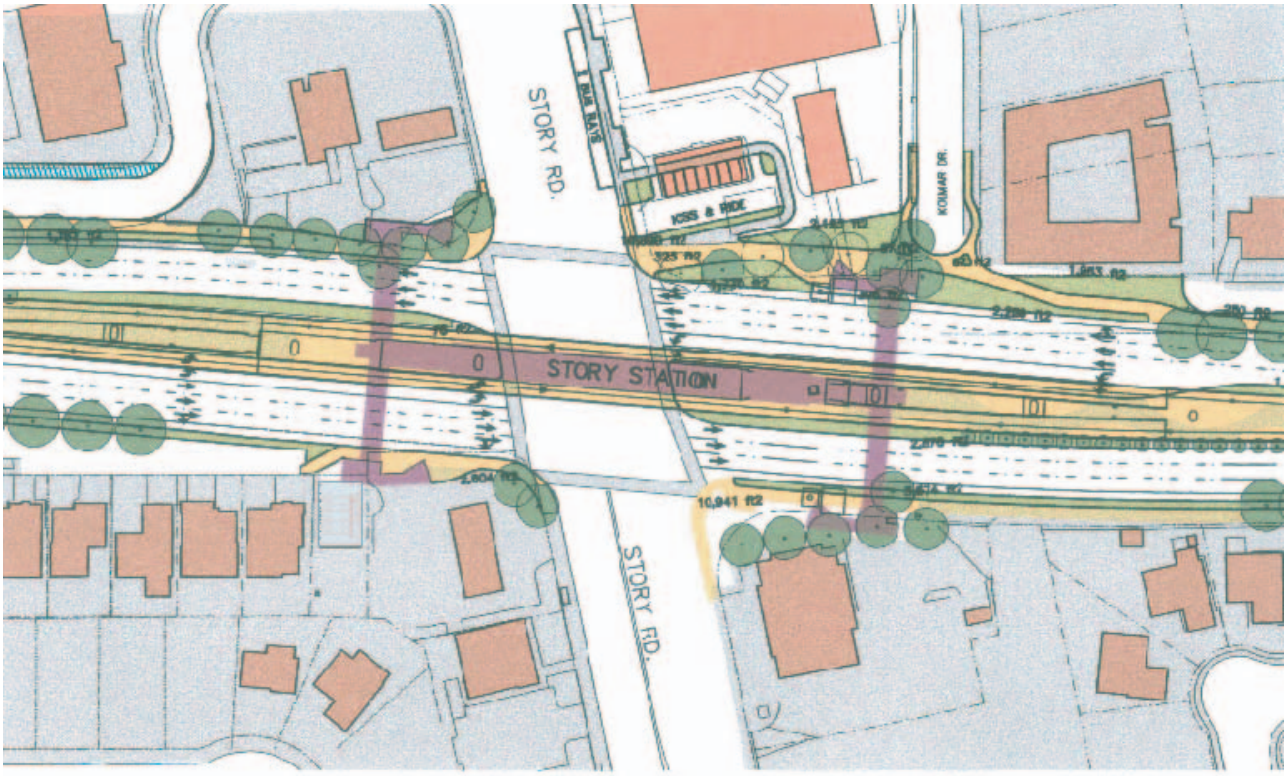
Along Capitol Avenue between Alum Rock Station and Capitol Expressway, the project is proposing to adjust the light rail alignment based on more detailed engineering. This modification avoids the full acquisition of four residential properties located at 2693 Lombard Avenue, 620 S. Capitol Avenue, 640 S. Capitol Avenue, and 660 S. Capitol Avenue (see Figure 3-1).

Design Change - 2 Eliminate Two Pedestrian Overcrossings North of Story Road

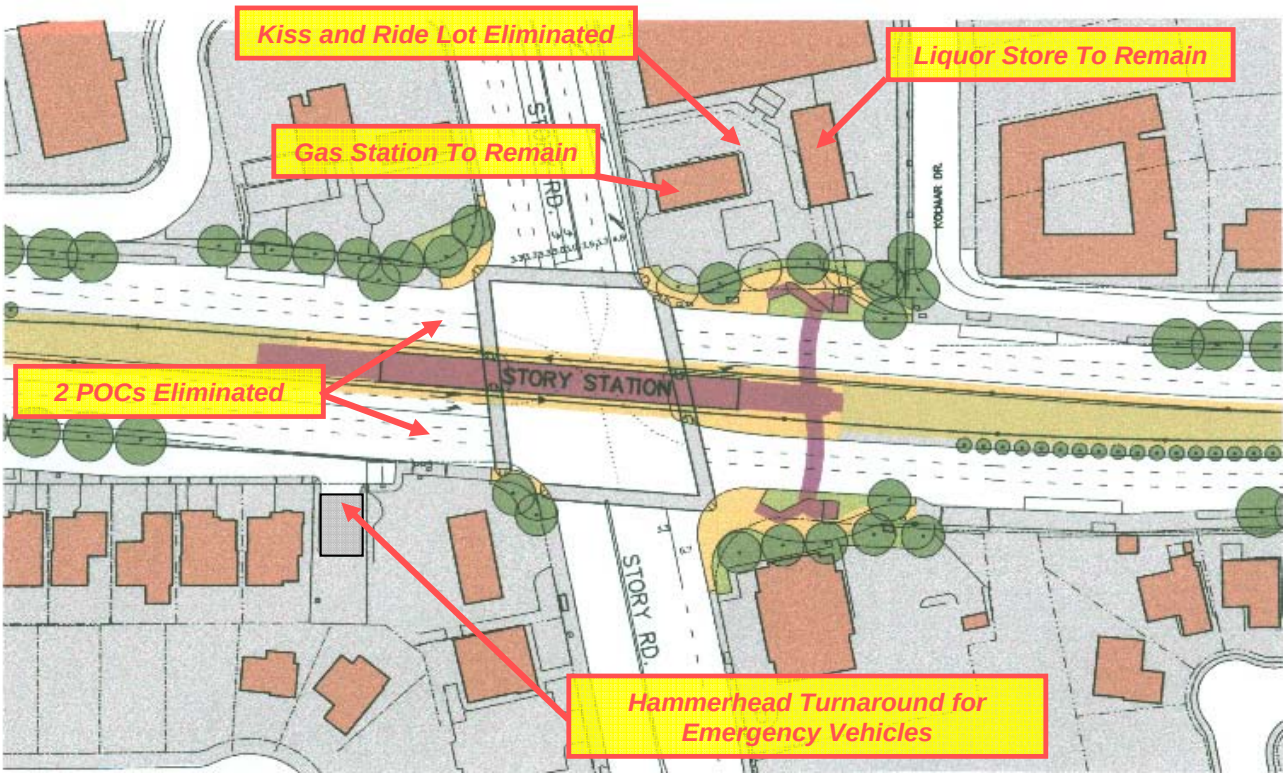
North of Story Road, the project is proposing to eliminate two pedestrian overcrossings in order to minimize right-of-way acquisitions from adjacent properties and to reduce project costs. Based on pedestrian data summarized in the *Story Road Light Rail Station Pedestrian Access White Paper* (See Appendix C), the northern set of pedestrian overcrossings were eliminated because fewer patrons would access the station from this side of the intersection. Access to the station will be provided by signalized crosswalks that connect to a median island or to two pedestrian overcrossings located south of Story Road (See Figure 3-2).

Figure 3-1 Project Changes at Capitol Avenue and Capitol Expressway

Figure 3-2 Project Changes at Story Road



Approved Project



Proposed Changes to Project

Design Change - 3 Remove Drop-Off Facility at Story Road

South of Story Road, the project is proposing to remove a drop-off facility on the southeast corner of Capitol Expressway that included a limited number of short-term parking spaces for passenger loading and unloading (see Figure 3-2). Originally, the drop-off facility was included in the project to optimize the use of excess right-of-way resulting from the full acquisition of a business for the east pedestrian overcrossing. By modifying the footprint of the east pedestrian overcrossing, VTA was able to reduce the right-of-way needed from a full-acquisition to a partial-acquisition of the adjacent business. As a result, there is no longer any excess right-of-way for constructing a drop-off facility.

Design Change - 4 Circulation Changes South of Story Road

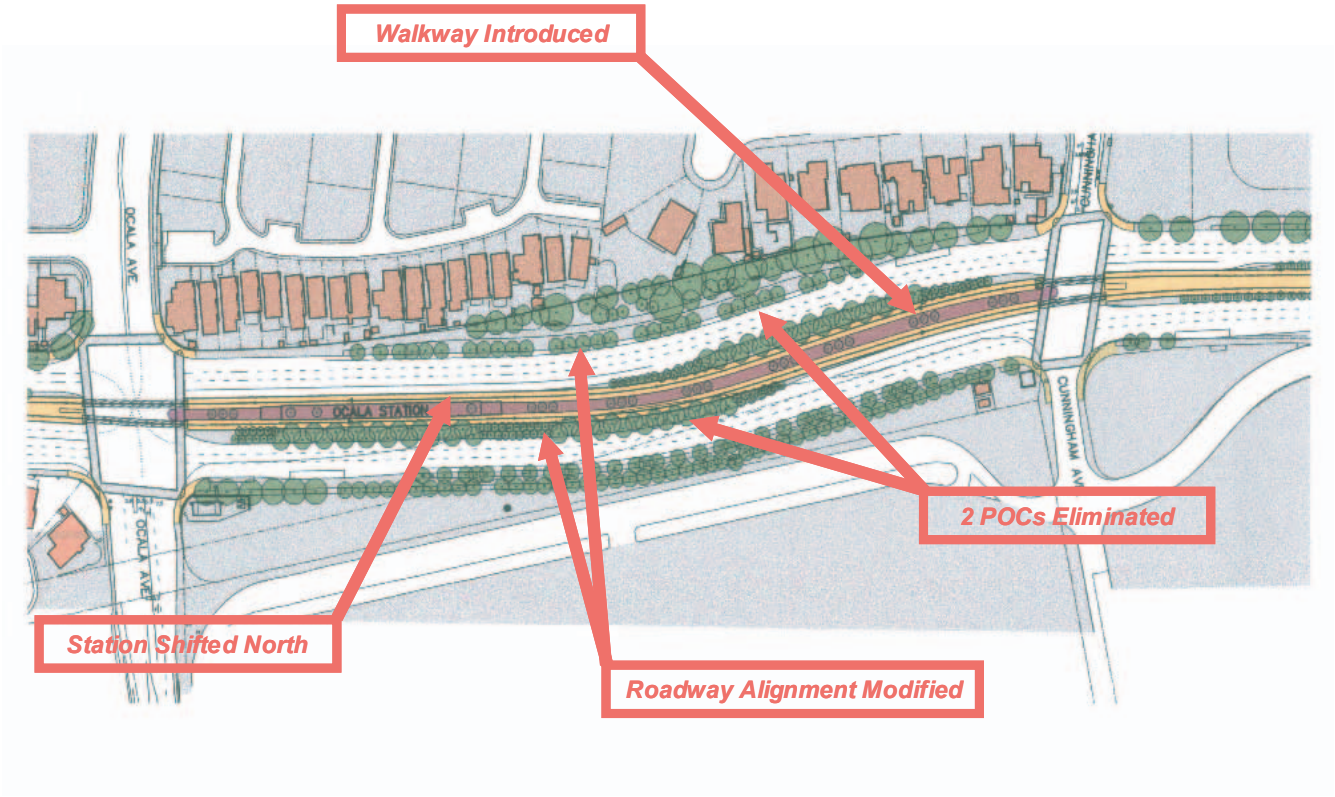
The project is proposing to remove two planned cul-de-sacs at Kollmar Drive and Capitol Avenue north of Sussex Drive (see Figure 3-2). This change will restore limited access to covered parking spaces for an apartment complex located along Capitol Avenue between Kollmar Drive and Sussex Drive. The approved project eliminated access to these parking spaces from the north. While the proposed design change restores the ability to exit the parking area from the north or south, residents will only be able to enter the parking from the north since Capitol Avenue will be one-way in the southbound direction between the apartment driveway and Sussex Drive. The proposed design change will also restore limited thru traffic movements on Capitol Avenue.

Design Change - 5 Changes to the Station Between Ocala Avenue and Cunningham Avenue

Between Ocala Avenue and Cunningham Avenue, the approved project included a light rail station in the median of Capitol Expressway with pedestrian overcrossings from the east and west side of Capitol Expressway. Based on the report entitled *Pedestrian Overcrossing Evaluation Ocala to Tully Area* (see Appendix D), it was determined that the majority of patrons would originate from the Ocala Avenue intersection. As a result, the project is proposing to shift the station north to Ocala Avenue. The project is also proposing to eliminate the pedestrian overcrossings to the station and to provide a walkway in the median of Capitol Expressway to the signalized intersection at Cunningham Avenue. The shift in the location of the station will require the realignment of Capitol Expressway to the west (see Figure 3-3).

Figure 3-3 Project Changes Between Ocala Avenue and Cunningham Avenue

Approved Project



Proposed Changes to Project

Design Change - 6 Changes to the Electrical Transmission Facilities Between Ocala Avenue and Quimby Road

In the Final EIR, the project identified that 5 major electrical transmission towers and 1 tubular steel pole (TSP) carrying the Pacific Gas & Electric Company's (PG&E) McKee-Piercy and Milpitas-Swift sections of the 115 kilovolt transmission lines would need to be relocated between Ocala Avenue and Quimby Road. Between Ocala Avenue and Tully Road, these facilities would be moved from the median to the west side of Capitol Expressway. Between Tully Road and Quimby Road, these facilities would be moved from the west side to the median of Capitol Expressway.

With more detailed engineering, the project is proposing the following modifications to the 7 electrical transmission towers and 2 TSP's that are referred to as numbers 47 to 55 between Ocala Avenue and Quimby Road:

- No. 47: Conductor realignment only, the tower will not be relocated.
- No. 48: Tower will be relocated to the west of its current location and replaced with a TSP.
- No. 49: Conductor realignment only, the tower will not be relocated.
- Nos. 50 – 52: Towers will be relocated to the east side of Capitol Expressway and replaced with TSP's.
- No. 51A: One new TSP pole will be added for span balancing[1].
- Nos. 53 and 54: There are two alternative alignments under consideration. Alternative A would relocate the towers to the east side of Capitol Expressway. Alternative B would relocate the towers to the median of Capitol Expressway. The towers would be replaced with TSP's.
- No. 55: Depending on final engineering, the TSP may be moved slightly and replaced with a new TSP.

Table 3-1 summarizes the proposed changes to the locations of the TSP's. Figure 3-4 illustrates the proposed changes to the TSP's.

According to PG&E (See Appendix A for letter from PG&E on the Notice of Preparation), the exact height of the new TSP's cannot be calculated until final design has been completed. However, PG&E estimates that the new TSP's could be as high as 110 feet, which is taller than the existing towers.

[1] Because of recommended span lengths in this area, an additional TSP is required to balance the system.

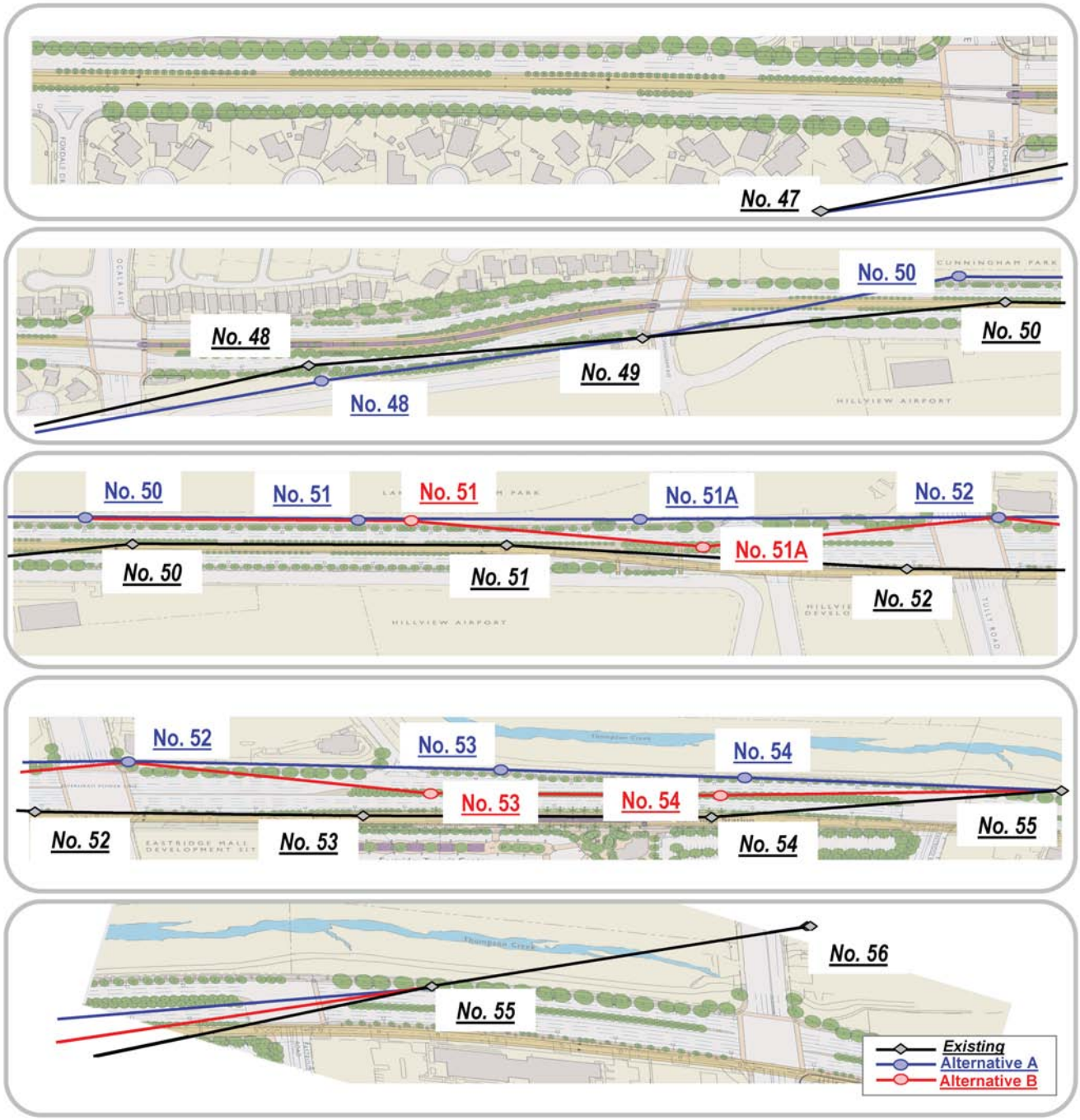
Table 3-1 Proposed Changes in Location of the Electrical Transmission Facilities Between Ocala Avenue and Quimby Road

No.	Nearest Cross-Street	Existing Location	New Location Final EIR	New Location SEIR
47	N. of Ocala	West of Expressway	No Change	No Change
48	S. of Ocala	West of Expressway	West of Expressway	West of Expressway*
49	S. of Ocala	West of Expressway	No Change	No Change
50	S. of Cunningham	Median of Expressway	West of Expressway	East of Expressway
51	S. of Cunningham	Median of Expressway	West of Expressway	East of Expressway
51A (new)	N. of Tully	None	None	Median/East of Expressway
52	N. of Tully	West of Expressway	S. of Tully & West of Expressway	S. of Tully & East of Expressway
53	S. of Tully	West of Expressway	Median of Expressway	Median/East of Expressway
54	S. of Tully	West of Expressway	Median of Expressway	Median/East of Expressway
55	N. of Quimby	East of Expressway	No Change	East of Expressway

* TSP #48 will be moved further west (closer to Reid Hillview Airport but outside of the FAA safety zone) than originally identified in Final EIR.

PG&E has also indicated that they will need access to each TSP for maintenance. For TSP's located in the median or immediately adjacent to Capitol Expressway, a pull-out area will be provided for safe ingress and egress for maintenance vehicles.

Figure 3-4 Proposed Changes to Existing Electrical Transmission Facilities



Design Change - 7 Changes to Vertical Alignment at Tully Road

The project is proposing to change the light rail alignment from a tunnel to an aerial structure at Tully Road (see Figure 3-5). Based on more detailed engineering, several constraints were identified that increased the economic and environmental costs of designing and constructing a tunnel, including a high water table, hazardous materials, and the need for full traffic closures of Tully Road. With the proposed design change, light rail would begin rising on a retaining wall in the median of Capitol Expressway approximately 1500 feet north of Tully Road. Then, the alignment would transition to a bridge structure that would cross the southbound lanes of Capitol Expressway and Tully Road west of Capitol Expressway. The alignment would return to grade north of Eastridge Station. The approximate height of the aerial structure is 45 feet with the catenary poles.

Design Change - 8 Changes to Eastridge Station

At Eastridge Transit Center, the project is proposing to reconfigure the station, transit center, and park-and-ride lot to accommodate two platforms, additional tail tracks, and a traction power substation (see Figure 3-6). In addition, the signalized intersection at Eastridge Mall Access Road and Capitol Expressway would be shifted to the south. These modifications will provide VTA with the operational flexibility to extend the line to Nieman Boulevard in a future phase and to respond to potential changes to its light rail system. The project changes will require additional right-of-way at the Eastridge Mall.

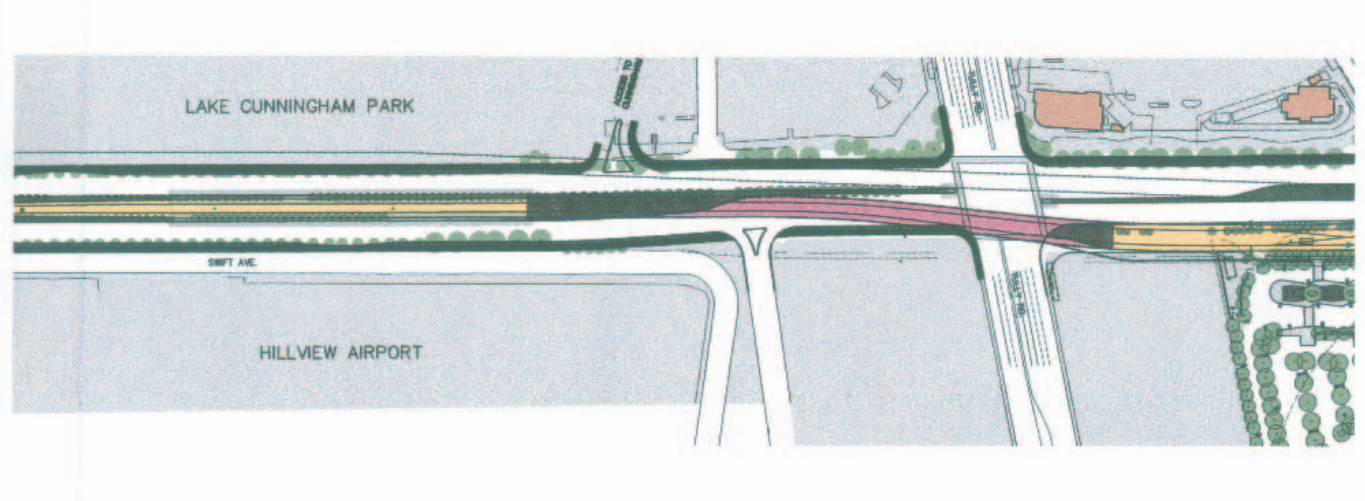
Design Change - 9 Project Phasing and Construction

According to the 2000 Measure A Revenue and Expenditure Plan approved by the VTA Board of Directors in June 2006, the schedule for design and construction has been revised as follows:

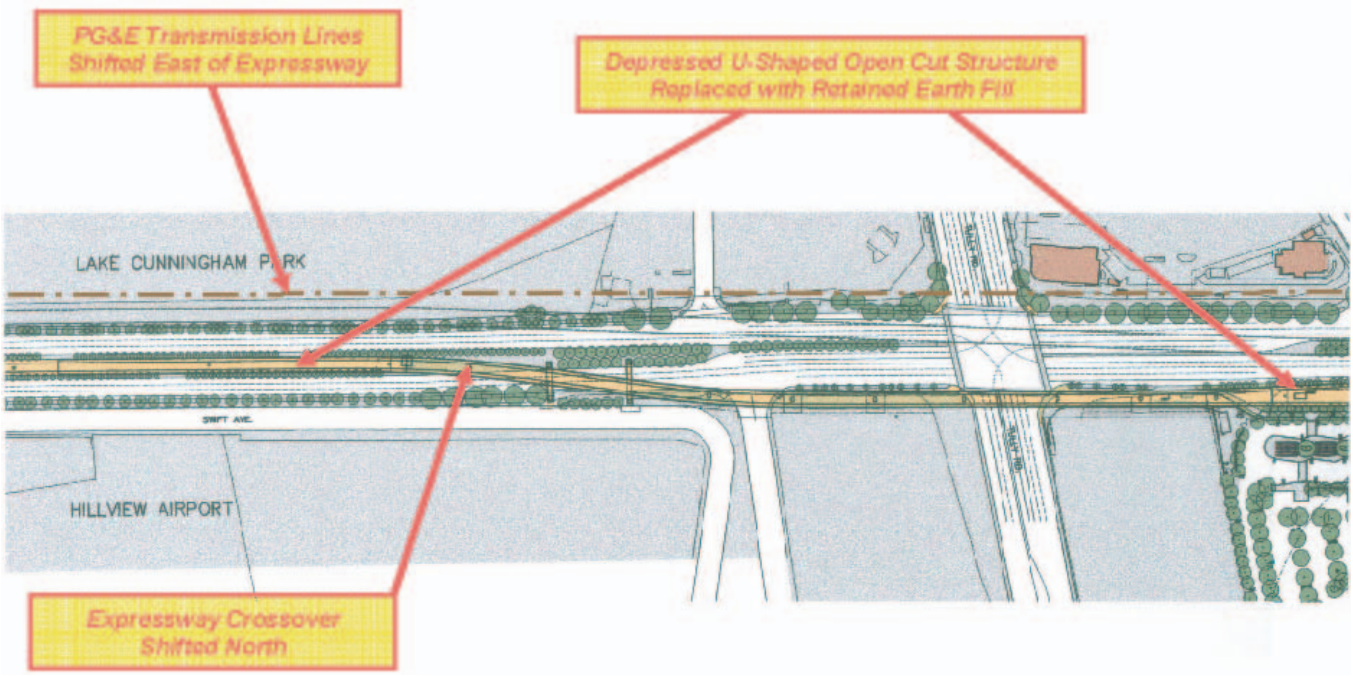
- Phase 1A to Eastridge: Begin revenue service in December 2012.

- Phase 1B to Nieman Boulevard: Begin revenue service in 2024. Due to this revision to the schedule, no changes to the future light rail alignment between Eastridge Transit Center and Nieman Boulevard will be evaluated in this Supplemental EIR.

Figure 3-5 Proposed Changes at Tully Road

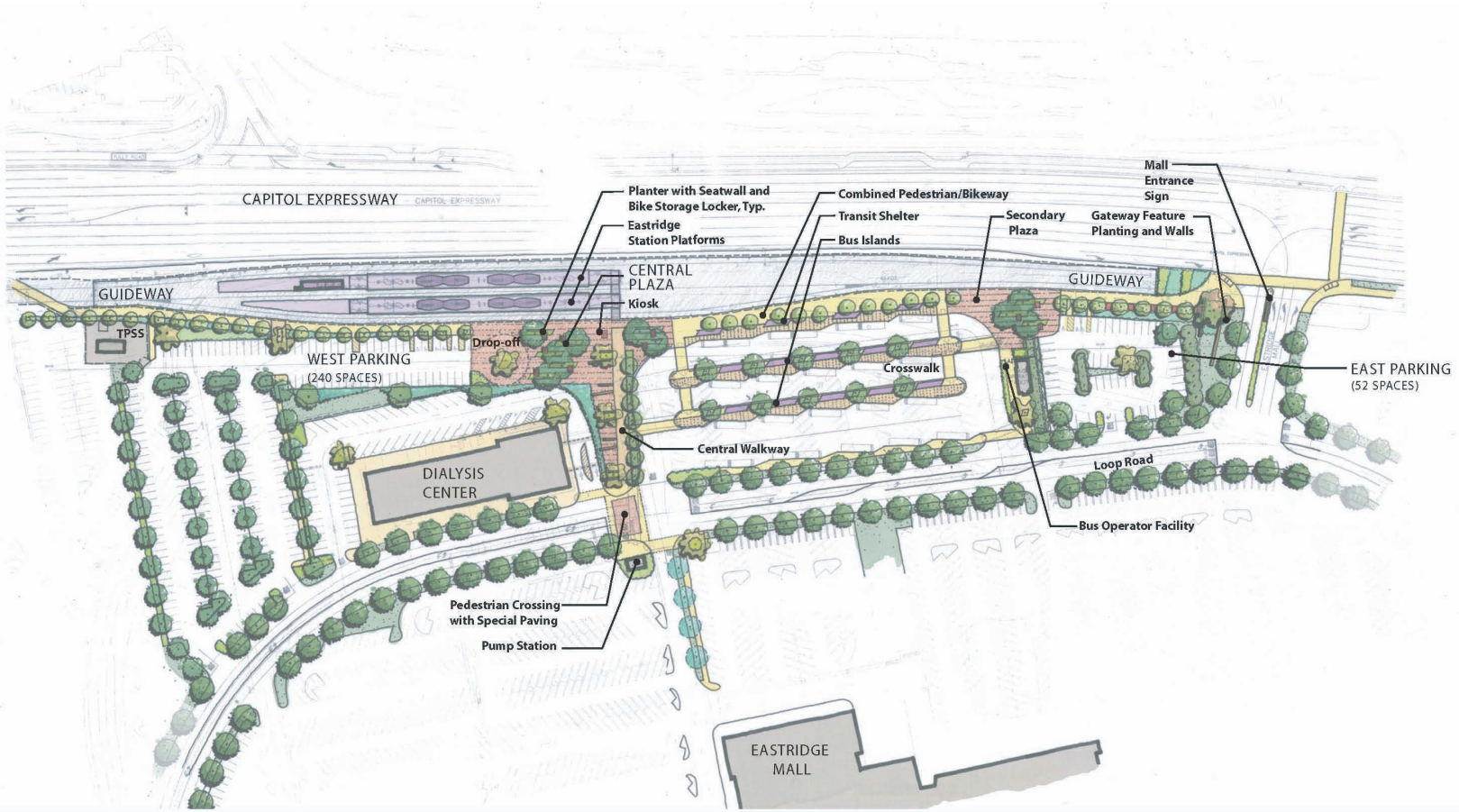


Approved Project



Proposed Change to Project

Figure 3-6 Proposed Conceptual Design at Eastridge Transit Center



SASAKI

16 January 2007

EASTRIDGE TRANSIT CENTER - CONCEPT PLAN
CAPITOL EXPRESSWAY LIGHT RAIL EXTENSION

0 20m 40m 80m

SCALE 1:1500

Because of the changes in the project phasing, the light rail alignment will terminate at Eastridge Transit Center. However, roadway modifications and urban boulevard improvements will continue to Quimby Road in order to facilitate the transition from six to eight lanes.

Chapter 4
Alternatives Considered

The Final EIR evaluated a range of alternatives to the approved project. No additional alignment alternatives are considered in the Supplemental EIR.

Chapter 5
Environmental Setting, Impacts and Mitigation

This chapter describes substantial changes in the environmental setting, impacts, and mitigation for each of the environmental resource areas that were evaluated in the Final EIR. Within each environmental resource area, only those design changes that have the potential to result in an environmental effect or a change in adopted mitigation measures are discussed. For a detailed discussion of the existing setting, impacts (including the thresholds of significance), and mitigation, please refer to Chapter 4.0 of the Final EIR.

Special Note: The Final EIR evaluated three alternatives: the No-Project, Baseline, and Light Rail Alternative. In the case of the Light Rail Alternative, numerous design options were reviewed for their environmental effects. Based on the project approved by the VTA Board of Directors in May 2005, some of the environmental effects and mitigation measures described in the Final EIR no longer apply. In particular, effects to environmental resources located south of Nieman Boulevard are no longer applicable since the approved project terminates in the vicinity of Nieman Boulevard. The impact and mitigation summary included for each section identifies the impacts and mitigation measures that are still relevant. Table 1-1 in Chapter 1.0 – Executive Summary also lists the environmental effects that apply with the proposed changes to the approved project.

Section 5.1 Transportation

This section supplements Section 4.2 of the Final EIR. It generally evaluates the effect of the project on intersections, roadway circulation, parking, pedestrians, and bicycles. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impacts and Mitigation

A *Transportation Study for the Supplemental Environmental Impact Report* (October 2006) was prepared to evaluate the effect of the proposed project changes on transportation (See Appendix E). Based on this analysis, the impacts and mitigation measures identified in the Final EIR have been updated.

IMPACTS TO INTERSECTIONS

In order to evaluate the effect of the proposed project changes on intersections, the *Transportation Study for the Supplemental Environmental Impact Report* updated calculations for level of service, delay, and volume/capacity ratio based on traffic counts obtained in February 2005. A comparison of these calculations to the Final EIR is listed in Tables 5-1 to 5-4.

In general, the proposed changes to the Capitol Expressway Light Rail Project (CELR) result in significant effects to the same intersections as the approved project for both 2010 and 2025. These impacts can be summarized as follows:

- Capitol Expressway/Capitol Avenue: In the Final EIR, this intersection was impacted during the PM peak hour in 2025. Because the geometry for this intersection was changed to improve traffic operations after the approval of the Final EIR, the *Transportation Study for the SEIR* determined that there is no longer an impact at this intersection.
- Capitol Expressway/Story Road: In 2010 and 2025, this intersection is impacted during both the AM and PM peak hours.
- Capitol Expressway/Ocala Avenue: In 2010, this intersection is impacted during the PM peak hour. In 2025, this intersection is impacted during both the AM and PM peak hours.
- Capitol Expressway/Tully Road: In 2010 and 2025, this intersection is impacted during both the AM and PM peak hours.
- Capitol Expressway/Quimby Road: In 2025, this intersection is impacted during both the AM and PM peak hours.

There is no substantial increase in the severity of these effects with the proposed change to the project.

Since CELR terminates in the vicinity of Nieman Boulevard, there are no longer any significant effects at intersections south of Nieman Boulevard.

Table 5-1 Intersection Level of Service, Delay, and Volume-to-Capacity Ratio, 2010 AM

			No-Project Final EIR			Light Rail Project Final EIR			Light Rail Project SEIR		
Intersection	Cross Street	CMP?	LOS	Delay	V/C	LOS	Delay	V/C	LOS	Delay	V/C
1	Capitol Avenue	Yes	D+	26.5	0.652	D+	26.4	0.712	D+	25.9	0.675
2	Story Road	Yes	F	60.2	1.003	F	77.0	1.063	F	77.0	1.063
3	Ocala Avenue	No	D	35.6	0.810	D	36.8	0.867	D	36.8	0.867
4	Cunningham Avenue	No	B	7.0	0.692	B	8.2	0.762	B	8.2	0.762
5	Tully Road	Yes	D-	38.2	0.927	E+	40.8	0.983	E+	40.8	0.983
6	Eastridge Road	No	A	4.4	0.569	A	4.9	0.631	A	5.0	0.631
7	Quimby Road	Yes	E-	56.3	0.909	E	52.5	0.960	E-	58.7	0.960
8	Nieman Boulevard	No	A	3.2	0.379	A	2.9	0.415	A	3.2	0.379

CMP?: Indicates whether an intersection is included in the Congestion Management Program

Note: Shaded cells indicate significant impacts.

Source: Korve Engineering 2004b for Final EIR

Korve Engineering, Transporation Study for the SEIR, October 2006

Table 5-2 Intersection Level of Service, Delay, and Volume-to-Capacity Ratio, 2010 PM

			No-Project Final EIR			Light Rail Project Final EIR			Light Rail Project SEIR		
Intersection	Cross Street	CMP?	LOS	Delay	V/C	LOS	Delay	V/C	LOS	Delay	V/C
1	Capitol Avenue	Yes	F	93.9	1.060	F	95.9	1.060	E-	56.8	1.060
2	Story Road	Yes	F	120.6	1.154	F	156.9	1.217	F	156.9	1.217
3	Ocala Avenue	No	D	36.4	0.928	E+	42.8	0.997	E+	43.2	1.000
4	Cunningham Avenue	No	B	7.4	0.697	B	8.1	0.767	B	8.1	0.767
5	Tully Road	Yes	E-	57.5	0.850	F	62.2	0.824	F	62.2	0.824
6	Eastridge Road	No	B	8.7	0.559	B	8.9	0.614	B	9.2	0.614
7	Quimby Road	Yes	F	62.2	0.850	F	65.5	0.882	F	65.5	0.882
8	Nieman Boulevard	No	B	8.4	0.499	B	7.5	0.534	B	8.4	0.499

CMP?: Indicates whether an intersection is included in the Congestion Management Program

Note: Shaded cells indicate significant impacts.

Source: Korve Engineering 2004b for Final EIR

Korve Engineering, Transporation Study for the SEIR, October 2006

Table 5-3 Intersection Level of Service, Delay, and Volume-to-Capacity Ratio, 2025 AM

			No-Project Final EIR			Light Rail Project Final EIR			Light Rail Project SEIR		
Intersection	Cross Street	CMP?	LOS	Delay	V/C	LOS	Delay	V/C	LOS	Delay	V/C
1	Capitol Avenue	Yes	D+	27.6	0.717	D+	27.9	0.780	D+	26.7	0.740
2	Story Road	Yes	F	87.6	1.102	F	116.0	1.167	F	116.0	1.167
3	Ocala Avenue	No	D-	40.0	0.894	E+	42.9	0.956	E	47.2	0.956
4	Cunningham Avenue	No	B	9.3	0.824	C	18.0	0.908	C	18.0	0.908
5	Tully Road	Yes	E	52.9	1.052	F	70.8	1.120	F	70.9	1.120
6	Eastridge Road	No	B+	5.4	0.684	B+	6.4	0.758	B+	6.7	0.758
7	Quimby Road	Yes	E-	57.2	0.973	F	75.3	1.034	F	76.5	1.041
8	Nieman Boulevard	No	A	3.5	0.433	A	3.2	0.474	A	3.5	0.433

CMP?: Indicates whether an intersection is included in the Congestion Management Program

Note: Shaded cells indicate significant impacts.

Source: Korve Engineering 2004b for Final EIR

Korve Engineering, Transporation Study for the SEIR, October 2006

Table 5-4 Intersection Level of Service, Delay, and Volume-to-Capacity Ratio, 2025 PM

			No-Project Final EIR			Light Rail Project Final EIR			Light Rail Project SEIR		
Intersection	Cross Street	CMP?	LOS	Delay	V/C	LOS	Delay	V/C	LOS	Delay	V/C
1	Capitol Avenue	Yes	F	137.2	1.151	F	148.7	1.151	F	89.8	1.030
2	Story Road	Yes	F	169.2	1.272	F	231.2	1.339	F	231.2	1.339
3	Ocala Avenue	No	E	46.1	1.015	E-	57.0	1.088	E-	57.9	1.091
4	Cunningham Avenue	No	B	7.8	0.764	B	9.2	0.841	B	9.2	0.841
5	Tully Road	Yes	F	90.4	0.979	F	107.8	1.007	F	107.9	1.009
6	Eastridge Road	No	B	9.8	0.632	B	10.2	0.725	B	10.5	0.732
7	Quimby Road	Yes	F	112.0	0.996	F	116.7	1.033	F	120.0	1.039
8	Nieman Boulevard	No	B	9.0	0.569	B	8.4	0.607	B	9.0	0.569

CMP?: Indicates whether an intersection is included in the Congestion Management Program

Note: Shaded cells indicate significant impacts.

Source: Korve Engineering 2004b for Final EIR

Korve Engineering, Transporation Study for the SEIR, October 2006

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to intersections.

The following impacts from the Final EIR still apply: TRN-2a (Traffic Impact at Capitol Expressway/Story Road in 2010), TRN-2b (Traffic Impact at Capitol Expressway/Ocala Avenue in 2010), TRN-2c (Traffic Impact at Capitol Expressway/Tully Road in 2010), TRN-8b (Traffic Impact at Capitol Expressway/Story Road in 2025), TRN-8c (Traffic Impact at Capitol Expressway/Ocala Avenue in 2025), TRN-8d (Traffic Impact at Capitol Expressway/Tully Road in 2025), and TRN-8e (Traffic Impact at Capitol Expressway/Quimby Road in 2025).

Due to changes in the geometry of the intersection of Capitol Avenue and Capitol Expressway, TRN-8a (Traffic Impact at Capitol Avenue/Capitol Expressway in 2025) no longer applies to the project.

Mitigation: In the Final EIR, no feasible mitigation was identified for impacts TRN-2a, TRN-2b, TRN-8b, TRN-8c, TRN-8d, and TRN-8e. These significant and unavoidable impacts were included in a Statement of Overriding Considerations that was adopted by the VTA Board of Directors in May 2005.

The following mitigation measure from the Final EIR still applies: TRN-2c (Maintain HOV lane on Capitol Expressway). It should be noted that TRN-2c has been changed from an HOV Bypass Lane to a General Purpose Bypass Lane in order to improve the level of mitigation provided. The inclusion of this mitigation measure in the project reduces Impact TRN-2c to "Less than Significant".

IMPACTS TO ROADWAY CIRCULATION

The project is proposing the following changes to roadway circulation:

- Capitol Avenue north of Story Road: Due to the narrowing of Capitol Avenue near Story Road, a turn-in/turn-out is proposed at the end of Capitol Avenue to facilitate egress for both cars and emergency vehicles (See Figure 3-2 in Chapter 3).

- Kollmar Drive and Capitol Avenue south of Story Road: Instead of two planned cul-de-sacs at Kollmar Drive and Capitol Avenue north of Sussex Drive, the project is proposing to maintain two lanes on Capitol Avenue until north of Sussex Drive. At this location, only one-way southbound travel will be possible (See Figure 3-2 in Chapter 3).

Impact: These changes to roadway circulation will not result in new significant environmental effects.

Mitigation: None Required. The impact is "Less Than Significant".

IMPACTS TO PARKING SUPPLY

There would be no additional loss of parking as a result of the project changes.

Impact: There is "No Impact".

Mitigation: None Required.

IMPACTS TO PARK-AND-RIDE DEMAND AND CAPACITY

The project is proposing changes to park-and-ride supply at Story Road. Ten short-term spaces that were intended only for passenger loading and unloading will be eliminated. Given the proximity of Alum Rock Station, these activities could be accommodated at this location without creating a shortage in parking supply.

The project is also proposing to reconfigure the park-and-ride lot at Eastridge Transit Center. This change will not reduce the parking supply, which will continue to meet the lower end of the parking range of 250 – 550 spaces identified in Table 4.2-13 of the Final EIR.

Impact: These changes to park-and-ride capacity will not result in an increase in severity of previously identified significant environmental effects.

Impact TRN-5 (Changes to Park-and-Ride Lot Demand and Capacity) from the Final EIR is still applicable.

Mitigation: Mitigation measure TRN-5 (Supply Additional Parking Warranted By Demand) from the Final EIR is still applicable. The inclusion of this mitigation measure in the project reduces the impact to "Less than Significant".

IMPACTS TO PEDESTRIANS AND BICYCLISTS

The project is proposing the following changes to pedestrian and bicycle facilities:

- Eliminate Two Pedestrian Overcrossings North of Story Road: According to the *Story Road Light Rail Station Pedestrian Access White Paper* (See Appendix C), 63% of AM Peak Hour and 68% of PM Peak Hour pedestrians arrive at either the southeast or southwest corner of the intersection. Because this pattern was assumed to apply to the future condition with light rail, the project is proposing to eliminate the northern set of pedestrian overcrossings in order to minimize right-of-way impacts at adjacent properties and to reduce project costs. The change will result in less convenient pedestrian access to the station from the north side of Story Road with an estimated increase in travel time from 1.9 to 2.5 minutes.
- Changes to the Station Between Ocala and Cunningham Avenue: According to the report entitled *Pedestrian Overcrossing Evaluation Ocala to Tully Area* (See Appendix D), the majority of pedestrians would be originating from the Ocala Avenue intersection. As a result, the shifting of the station to the north would decrease the travel time for the majority of pedestrians. In addition, the project is proposing to eliminate the pedestrian overcrossings from the east and west side of Capitol Expressway and to replace them with a walkway in the median of Capitol Expressway to the signalized intersection at Cunningham Avenue (See Figure 3-3 in Chapter 3). While this change would increase travel time for pedestrians originating from the Cunningham Avenue intersection from 5.0 minutes to 5.5 minutes, the report determined that pedestrians could safely and conveniently access the station without a pedestrian overcrossing.
- Changes to Eastridge Station: Design changes at Tully Road and Eastridge Station have required the elimination of a direct pedestrian and bicycle connection to the northern end of the platform. This change will result in less convenient access to patrons connecting to the station from Tully Road and from the north park-and-ride lot.

Impact: While access to the Story Road, Ocala Avenue, and Eastridge Stations will be less convenient for some pedestrians and bicyclists, the increase in travel time does not result in a new significant environmental effect.

Mitigation: None Required. The impact is "Less than Significant".

Section 5.2 Air Quality

This section supplements Section 4.3 of the Final EIR. It generally evaluates the effect of the project on compliance with regional, state, and federal air quality standards. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Setting

Since the approval of the Final EIR, the Governor of California issued Executive Order S-3-05 on June 1, 2005, that recognized the significance of the impacts of climate change on the State of California and established climate change emission reduction targets. On June 1, 2005, the Bay Area Air Quality Management District also adopted a resolution establishing a Climate Change Protection Program that acknowledged the connection between climate change and programs to reduce air pollution.

Climate change refers to the rise in the Earth's temperature due to an increase in heat-trapping or "greenhouse" gases in the atmosphere. Greenhouse gases include carbon dioxide, methane, nitrous oxide, and sulfur hexafluoride among others. Combustion of fossil fuels for heat, electricity and transportation are the main source of these gases. These heat-trapping gases allow sunlight to come in, but do not allow radiative heat from the earth to escape into outer space, thus altering the energy balance of the earth and resulting in climate change. According to the International Panel on Climate Change (IPCC), the global climate is changing at a rate unmatched in the past one thousand years and that this change is due to human activity.

Increased global warming is expected to result in more extreme precipitation and faster evaporation of water, disrupting water supplies, energy supply and demand, agriculture, forestry, natural habitat, outdoor recreation, air quality, and public health.

Climate change also affects public health because the higher temperatures result in more air pollutant emissions, increased smog, and associated respiratory disease and heart-related illnesses. [1]

Currently, there is no regulatory guidance on assessing whether a project will have a significant effect on global warming.

Environmental Impacts and Mitigation

The proposed changes to the project will not result in substantial changes in Vehicle Miles Traveled (VMT), or intersection level of service, delay, or volume-to-capacity ratios when compared to the Final EIR. These factors are used to evaluate the effect of the project on ozone precursors, particulate matter less than or equal to 10 microns in diameter (PM10), and carbon dioxide (CO) levels.

Impact: Increased pollution from new transit service would be offset by a reduction in single-occupant-vehicle trips. As a result, the proposed changes to the project would result in a regional air quality benefit.

The carbon modeling for the project indicates that the CO emissions would be similar to the No-Project Alternative. Since CO is a major contributor to climate change, the changes to the project would have no effect on climate change.

Mitigation: None required. The project would have a beneficial effect on air quality.

Section 5.3 Biological Resources

This section supplements Section 4.4 of the Final EIR. It generally evaluates effects to vegetation communities, jurisdictional waters of the United States, wildlife corridors, and habitat for special-status species. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR

[1] Bay Area Air Quality Management District Website (http://www.baaqmd.gov/pln/climatechange.htm), No Date.

Environmental Setting

A memorandum on *Supplemental Biological Investigations for Capitol Expressway Light Rail Project* (November 2006) was prepared to describe any changes in the environmental setting for biological resources, the effects on biological resources from the proposed changes to CELR, and new or revised mitigation measures that are necessary to reduce these effects to a less-than-significant level (See Appendix F).

Based on this memorandum, there have been the following major changes in the environmental setting for biological resources:

- Vegetation and wildlife communities, seasonal and freshwater emergent wetlands, and jurisdictional waters of the United States that are located south of Nieman Boulevard are no longer affected by the project. This includes Coyote and Canoas Creeks.
- Some special-status species have been removed from the lists provided by the United States Fish & Wildlife Service (USFWS), California Department of Fish & Game (CDFG), California Native Plant Society (CNPS), and the California National Diversity Database (CNDDB).
- Changes or corrections have occurred in the status or taxonomy of several plant and wildlife species.

Environmental Impacts and Mitigation

The project is proposing changes to the location of electrical transmission facilities between Ocala Avenue and Quimby Road. One of the locations for multiple Tubular Steel Poles (TSP) is an area that has already been identified as potential habitat for burrowing owls. The other location for one or two of the TSP's is near Thompson Creek, which was identified as freshwater marsh habitat in the Final EIR. The installation of the TSP's near Thompson Creek will not disturb habitats under the jurisdiction of the USFWS or the CDFG.

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to biological resources.

The following impacts from the Final EIR still apply: BIO-7 (Permanent Loss of Habitat and Disturbance to Species), BIO-8 (Temporary Disturbance of Riparian Forest), BIO-10 (Temporary Degradation of Water Quality), BIO-11 (Loss or Disturbance of California Red-Legged Frog Habitat), BIO-12

(Permanent Loss of Aquatic Habitat, Temporary Disturbance of Riparian Habitat, and Temporary Disturbance of Southwestern Pond Turtle), BIO-14 (Temporary Disturbance of Nesting Raptors), BIO-15 (Temporary Disturbance to Nesting Habitat for Migratory Birds), and BIO-18 (Loss of Trees). However, due to changes in the project area that were approved by the VTA Board of Directors, impacts BIO-9 (Placement of Fill in Jurisdictional Habitats) and BIO-13 (Temporary Disturbance of Steelhead and Chinook Salmon) no longer apply.

Mitigation: The following mitigation measures from the Final EIR still apply: BIO-7 (Conduct Preconstruction Surveys and Implement Measures to Avoid or Minimize Adverse Effects to Western Burrowing Owls), BIO-8a (Conduct Preconstruction Surveys to Identify Environmentally Sensitive Habitat), BIO-8b (Compensate for Disturbed Riparian Forest), BIO-10 (Implement Water Quality Control Measures), BIO-11a (Avoid and Minimize Effects to California Red-Legged Frogs), BIO-11b (Compensate for Loss of Aquatic Habitat), BIO-12 (Conduct Preconstruction Surveys and Implement Measures to Avoid or Minimize Adverse Effects to Southwestern Pond Turtle), BIO-14a (Conduct Preconstruction Survey for Nesting Raptors), BIO-14b (Avoid Active Raptor Nests During Nesting Season), BIO-15 (Conduct Preconstruction Survey for Nesting Migratory Birds and Avoid or Remove Active Nests with CDFG Approval), BIO-18a (Conduct Tree Survey), and BIO-18b (Replace Trees). However, due to changes in the project area that were approved by the VTA Board of Directors, impacts BIO-9 (Jurisdictional Waters), BIO-13a (Steelhead and Chinook Salmon), and BIO-13b (Steelhead and Chinook Salmon) no longer apply.

The inclusion of the above mitigation measures in the project reduces the impacts to “Less than Significant”.

Section 5.4 Community Services

This section supplements Section 4.5 of the Final EIR. It generally evaluates the project’s effects on government facilities and services, including fire protection, police protection, schools, and parks. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impacts and Mitigation

Based on an analysis of the proposed project changes, the impacts and mitigation measures for community services identified in the Final EIR have been updated as follows:

CHANGES TO EMERGENCY RESPONSE TIMES

At Capitol Avenue north of Story Road and at Kollmar Drive south of Story Road, the proposed changes in roadway circulation will allow one- or two-way travel that will facilitate response to emergencies.

Impact: These changes to planned roadway circulation at Capitol Avenue and Kollmar Drive will not result in new significant environmental effects.

Mitigation: None Required. There is "No Impact".

Section 5.5 Cultural Resources

This section supplements Section 4.6 of the Final EIR. It generally evaluates the project's effects on archaeological, architectural, and paleontological resources. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Setting

An *Addendum to Cultural Resources Investigations and Finding of Effect for the Capitol Expressway Light Rail Transit Corridor* (April 2007)[2] was prepared to update the environmental setting and to evaluate the effect of the proposed project changes on cultural resources. As a result of the reduction in the length of CELR alignment, CA-SCL-327 is the only known archaeological resource in the Area of Potential Effect (APE). There are numerous other archaeological sites located within 0.25 and 1.5 mile of the right-of-way, indicating that the project area is sensitive for the presence of archaeological resources. The environmental setting for CELR and the abundance of previously recorded archaeological resources in the immediate vicinity of the corridor strongly suggest that the area is highly sensitive for the discovery of cultural materials during subsurface excavation and construction activities.

[2] This technical report is available upon request by qualified archeologists or architectural historians.

The fact that the area is almost entirely developed does not preclude the presence of intact buried deposits.

In the *Addendum to the Cultural Resources Investigations*, additional information was included on CA SCL-327, which is summarized below.

- **CA-SCl-327:** In a 1978 site record, this site is described as a buried site with many artifacts in dark brown, ashy midden soil, which indicates long-term human occupation (Whitlow 1978). Subsequent investigations at the site resulted in the identification and removal of 22 Native American burials and numerous artifacts. The potential for additional burials is high. This site is presumed to be eligible for listing in the California Register of Historic Resources (CRHR) and it is presumed that there are additional deposits associated with this site located within the proposed project area. Radiocarbon dates for the site indicate that the human occupation dates span from the Middle Period through the Late Period. Artifacts and carbon samples from the 1979 excavation produced dates of 2020 Before Present (B.P.) (+/- 140 years), other materials from the 1979 excavation provided dates of 2400 B.P. (+/- 130 years), and the 1982 excavation produced dates of 1070 B.P. (+/- 100 years) and 890 B.P. (+/- 90 years) (Cartier 1988).

Environmental Impacts and Mitigation

In general, the project changes will decrease the amount of major subsurface excavation that will occur during construction. The elimination of two pedestrian overcrossings at Story Road, the elimination of two pedestrian overcrossings between Ocala and Cunningham Avenues, and the change in vertical alignment from a cut-and-cover tunnel to an aerial alignment at Tully Road will substantially reduce the ground disturbance within the project area.

The changes to the electrical transmission facilities between Ocala Avenue and Quimby Road will require modifications to the APE map for the project. For the Alternative A Alignment, the APE will be expanded to the east of Capitol Expressway. Excavation will be required to set each TSP in its new location. VTA estimates that the foundation excavation will be 16’ – 25’ deep and approximately 5’ – 6’ in diameter.

At Eastridge Transit Center, the addition of a substation, a second station platform, and the relocation of the intersection of Eastridge Mall and Capitol Expressway will involve deeper excavation than anticipated in these areas. However, these areas were included in the APE map developed for the Final EIR and were evaluated for effects to cultural resources.

Impact: The proposed changes occur in areas that were already evaluated in the Cultural Resources Investigations for the Final EIR. As a result, the changes will not result in new significant effects or an increase in severity of previously identified significant effects.

The following impact from the Final EIR still applies: Impact CR-5 (Direct or Indirect Impacts to an Archaeological Resource).

Mitigation: In the *Addendum to the Cultural Resources Investigations*, it is recommended that CR-5a (Retain Qualified Archaeologist and Native American Archaeologist to Monitor Surface-Disturbing Construction Activities) be deleted and that CR-5b (Develop and Implement a Historic Properties Treatment Plan Prior to Construction Activities) be renumbered CR-5a and expanded as detailed below. It should be noted that the Treatment Plan will include a section on accidental discovery and monitoring.

The Plan will include detailed information about the CRHR eligible and potentially eligible historic resources identified in the APE, methods of research and identification, background settings for the environment, prehistory, ethnography, and history to provide a context for the research design.

The research design will be a detailed guide for subsurface investigations for prehistoric archaeological resources within the APE and will include the following information:

- *In depth prehistoric context based on the archaeology and prehistory of the region and previous archaeological work conducted at CA-SCL-327.*
- *Detailed analysis of the geomorphology of the APE to assess the sensitivity for buried archaeological resources that may be present within the APE.*
- *Detailed methods section for subsurface excavation for both archaeological testing and data recovery excavation. The methods will involve both mechanical and manual testing and how each method will be employed in which location and situation.*
- *Important research questions about archaeology based on current research in the Bay Area and California. Determination of archaeological deposits' CRHR eligibility*

will be based upon the ability of the material remains of the site to address these important questions in archaeology.

- *Protocol for consultation with Native Americans and treatment of human remains.*
- *Detailed Accidental Discovery and Monitoring Plan.*
- *Detailed section on methods for artifact analysis, including lithic, shellfish, and faunal materials, radiocarbon dating, report dissemination, public interpretive materials, and curation of all archaeological remains.*

VTA will implement the Plan prior to the start of project construction and will allow adequate time to properly identify, evaluate and treat archaeological resources that are identified within the APE for the proposed project.

With the inclusion of the revised Mitigation CR-5a, the impact is reduced to "Less than Significant".

Section 5.6 Electromagnetic Fields

This section supplements Section 4.7 of the Final EIR. It generally evaluates the potential for health effects from electromagnetic fields resulting from the project. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impacts and Mitigation

The project is proposing the following changes that may affect electromagnetic fields:

- New and relocated electrical transmission facilities: All of the towers to be relocated will be replaced with TSP's. The locations of the new TSPs are different from the locations described in the Final EIR.
- New traction power substation at Eastridge Transit Center: Due to the phasing of the light rail project, an additional substation is required at Eastridge Transit Center since the schedule for completing the extension to Nieman Boulevard has been revised to 2024.

- Increase in train length to 3 cars: Since the approval of the Final EIR, VTA's light rail system has been modified into the Alum Rock to Santa Teresa Line, Mountain View to Winchester Line, and the Ohlone/Chynoweth to Almaden Line. Since the Alum Rock to Santa Teresa Line operates 3-car trains during peak periods, the number of cars operating in the Capitol Expressway Corridor has increased from 2 cars to 3 cars.

Impact: Because there are no federal or state standards for EMF exposure, it is difficult to assess the potential health hazards associated with the proposed changes to the project.

In the Final EIR, VTA used guidelines for AC magnetic fields developed by the American Conference of Governmental Industrial Hygienists (ACGIH). The Magnetic Field Interference Assessment for the Vasona Corridor Extension (September 1999) included measurements for EMF generated by 3-car trains and substations. The results indicated that typical magnetic field levels from these facilities are approximately 50% below the ACGIH's 5,000-mG threshold.[3]

Studies on EMF show no clear pattern of health hazards. Until more information is available, the State of California recommends that exposure to EMF be minimized whenever possible.[4]

Mitigation: None required. The impact is "Less than Significant".

Section 5.7 Energy

This section supplements Section 4.8 of the Final EIR. It generally evaluates the demand for energy generated by this project and the effect of the project on regional energy supply. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

[3] Enertech Consultants, *DC Magnetic Field Interference Assessment along the Vasona Corridor*, May 2005.
[4] California Department of Health Services and the Public Health Institute, *Short Factsheet on EMF*, 1999. Available at URL: http://www.dhs.ca.gov/ehib/emf/shortfactsheet.PDF.

Environmental Setting

Since the Final EIR was approved, the slow to flat growth in the demand for electricity that occurred after the 2000 - 2001 energy crisis has changed. In addition to population and economic growth, higher-than-average summer temperatures and decreased consumer conservation efforts have increased electricity consumption in California from 250,241 gigawatt hours (GWh) in 2001 to 270,927 GWh in 2004. The California Energy Commission forecasts that consumption will grow between 1.2 to 1.5 percent annually, from 270,927 GWh in 2004 to between 310,716 and 323,372 GWh by the end of 2016.[5]

At the same time, the electricity generation and transmission network in California is under increasing strain to meet the growing demand, especially during peak periods. Peak period demand can be significantly higher than off-peak demand. The retirement of aging power plants, the slow pace of new plant construction, the limitations of the transmission network to supply surplus electricity from other regions, and inadequate infrastructure for the delivery and storage of natural gas, which provides 40% of the fuel for California's power plants, may affect the ability of California's energy infrastructure to generate and deliver electricity to where it is needed.

Environmental Impacts and Mitigation

The Final EIR evaluated the effect of the Light Rail Alternative to Highway 87 on the demand and supply of energy. Since the approved project extends only to Nieman Boulevard, the effect of the project on regional energy supply and the need for electricity generation and transmission infrastructure is less than identified in the Final EIR.

In general, the project will have a beneficial effect on overall energy use by reducing vehicle miles traveled (VMT) and generating a relatively small increase in total electricity demand. However, new information from the California Energy Commission seems to suggest that any project that will increase the demand for electricity will have a significant energy impact due to constraints on the electrical transmission infrastructure, especially during peak periods.

Impact: The project would increase demand for electricity. Since forecasts indicate that existing and planned resources will not meet demand for electricity[6], surplus energy will need to be imported from other generators, particularly in the Southwest

[5] *2005 Integrated Energy Policy Report*, p. 47.
[6] *2005 Integrated Energy Policy Report*, p. 54.

and Pacific Northwest. Due to the availability of imported energy from neighboring states, the impact of the project on the electrical power generation system would not be significant.

According to the *2005 Integrated Energy Policy Report*, congestion and bottlenecks along the state's transmission lines has worsened causing serious disruptions in service, especially on hot summer days. Until the recommended improvements in transmission infrastructure are implemented, reliability cannot be assured.[7] Since the project will increase demand on the statewide electrical transmission grid, the impact will be significant (Impact E-9).

Mitigation: There is no feasible mitigation for this effect since the recommended improvements in transmission infrastructure are outside of VTA's jurisdiction. As a result, this impact is significant and unavoidable.

Section 5.8 Environmental Justice

This section supplements Section 4.9 of the Final EIR. It generally evaluates the potential of the proposed project to result in disproportionately high and adverse health or environmental effects on minority and low-income populations.

Environmental Impacts and Mitigation

As discussed in Section 5.13, Noise and Vibration, and Section 5.18, Construction Impacts, there will be the following significant and unavoidable impacts:

- Vibration from light rail operations will have an adverse effect at 11 homes, which it may not be technologically or economically feasible or reasonable to mitigate with vibration dampening track construction materials or modifications to light rail operations.
- Noise and vibration from pile driving during construction will have adverse noise effects at 54 residences and 5 nonresidential buildings, and adverse vibration effects at 43 residences and 1 church. While VTA will investigate methods to minimize these effects, no feasible or reasonable mitigation was identified to reduce these effects.

[7] *2005 Integrated Energy Policy Report*, p. 89.

Since these impacts would occur only within the corridor and since the study area population has a lower income per capita and higher percentage of minorities than the city as a whole, the project will have a significant effect on environmental justice.

Impact: The proposed changes to the project will result in new significant environmental effects to environmental justice (Impact EJ-1).

Mitigation: There is no feasible mitigation for this effect. This impact is significant and unavoidable.

Section 5.9 Geology, Soils, and Seismicity

This section supplements Section 4.10 of the Final EIR. It generally evaluates the risks to people and structures caused by geologic or seismic hazards. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impacts and Mitigation

The project is proposing to change the vertical profile at Tully Road from a tunnel to an aerial structure. With mitigation, the risks to people and structures from geologic or seismic hazards from an aerial structure were determined to be less than significant.

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects from geologic or seismic hazards.

The following impacts from the Final EIR still apply: GEO-4 (Risk Caused by Strong Seismic Ground Shaking), GEO-5 (Risk Caused by Seismic-Related Ground Failure, Including Liquefaction), GEO-6 (Risks from Lateral Spreading, Subsidence, and Collapse), and GEO-7 (Risk Caused by Expansive Soil).

Mitigation: The following mitigation measures from the Final EIR still apply: GEO-4 (Incorporate Caltrans Seismic Design Criteria), GEO-5 (Incorporate Liquefaction Minimization Methods), GEO-6 (Minimize Risk of Lateral Spreading, Subsidence, and Collapse), and GEO-7 (Minimize Risk of Soil Expansivity).

The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.10 Hazardous Materials

This section supplements Section 4.11 of the Final EIR. It generally evaluates the potential of the project to expose people and the environment to hazardous materials. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impacts and Mitigation

The proposed changes to the project are located within the same corridor that was evaluated for hazardous materials in the Final EIR. As a result, the risks from hazardous materials have not changed.

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects from hazardous materials.

The following impacts from the Final EIR still apply: HAZ-9 (Hazard Caused by the Release of Hazardous Materials).

Mitigation: The following mitigation measures from the Final EIR still apply: HAZ-9a (Conduct Subsurface Investigations in Areas that may be Contaminated) and HAZ-9b (Control Contamination). The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.11 Hydrology and Water Quality

This section supplements Section 4.12 of the Final EIR. It generally evaluates the project's effect on water quality standards, runoff, drainage, and flooding. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Setting

The *Preliminary Engineering Drainage Report* (October 7, 2005) was prepared to provide an overview of the proposed CELR storm drainage plan

and its effect on the existing storm drainage pattern along the corridor. According to the report, the proposed project will result in cumulative flows that are less than the existing flows because of the removal of hard surface pavement. However, the majority of existing drainage systems are unable to contain a 10-year storm event. Since the proposed project will only replace those systems that are in conflict with the light rail facilities, the existing systems will continue to be deficient until the under-capacity pipes are replaced and inadequate slopes are corrected.

Environmental Impact and Mitigation

The proposed changes to the project will have fewer impacts to hydrology and water quality than the approved project because there will be less impervious surface.

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to hydrology and water quality.

The following impacts from the Final EIR still apply: HYD-11 (Violation of Water Quality Standards or Waste Discharge Requirements), HYD-12 (Creation of Additional Runoff)[8], and HYD-14 (Exposure to Flood Hazards).

Mitigation: The following mitigation measures from the Final EIR still apply: HYD-11 (Comply with Water Quality Control Regulations and Permit Programs), HYD-12 (Maintain Operational Water Quality), and HYD-14 (Minimize Flood Impacts). The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.12 Land Use

This section supplements Section 4.13 of the Final EIR. It generally evaluates the effect of the project on existing and proposed land uses. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

[8] Although the *Preliminary Engineering Drainage Report* concluded that the project will not increase the amount of impervious surface, VTA is committed to implementing best management practices to maintain operational water quality. Therefore, VTA is proposing to retain this mitigation measure in the project.

Environmental Setting

Since the approval of the Final EIR, there have been the following major changes in the environmental setting for land use:

- Reid-Hillview Comprehensive Land Use Plan
  The administrative draft of this land use plan was issued in November 2004 and updates safety restriction policies and land use compatibility standards for areas within the Airport Influence Area (AIA). The plan includes a map of safety zones for Reid-Hillview Airport that indicates that a portion of CELR is within the "Turning Safety Zone" (See Figure 5-1). For nonresidential uses, the maximum number of people per acre allowed in this zone is 100, which includes open areas and parking.[9]
- Reid-Hillview Airport Master Plan
  The administrative draft of this Master Plan was issued in March 2004 and identified three areas as potentially suitable for nonaviation commercial uses (See Figure 5-2). In October 2005, the County Board of Supervisors authorized the preparation of a Request for Proposals for the lease of the parcel located on the northwest quadrant of the Tully Road/Capitol Expressway intersection.
- Development of 3000 E. Capitol Expressway
  An auto dealership has been constructed on the northeast corner of Tully Road and Capitol Expressway.
- Rezoning of Southwest Corner of Capitol Expressway and Tully Road
  The City of San Jose is considering the rezoning of this parcel from A Agriculture Zoning District to CG Commercial Zoning District to allow commercial uses on a 2-acre area.

Environmental Impact and Mitigation

The project is proposing the following changes that may affect land use:

- Changes to the Electrical Transmission Facilities Between Ocala Avenue and Quimby Road

  The relocation of the electrical transmission facilities would place the new poles closer to Reid-Hillview Airport (1), Lake Cunningham Park (2), commercial uses on the east side of Capitol Expressway at Tully Road (2), and Thompson Creek (2).

[9] California Department of Transportation, Division of Aeronautics, *2002 Airport Land Use Planning Handbook, 2002*.

Figure 5-1 Reid-Hillview Airport Safety Zones

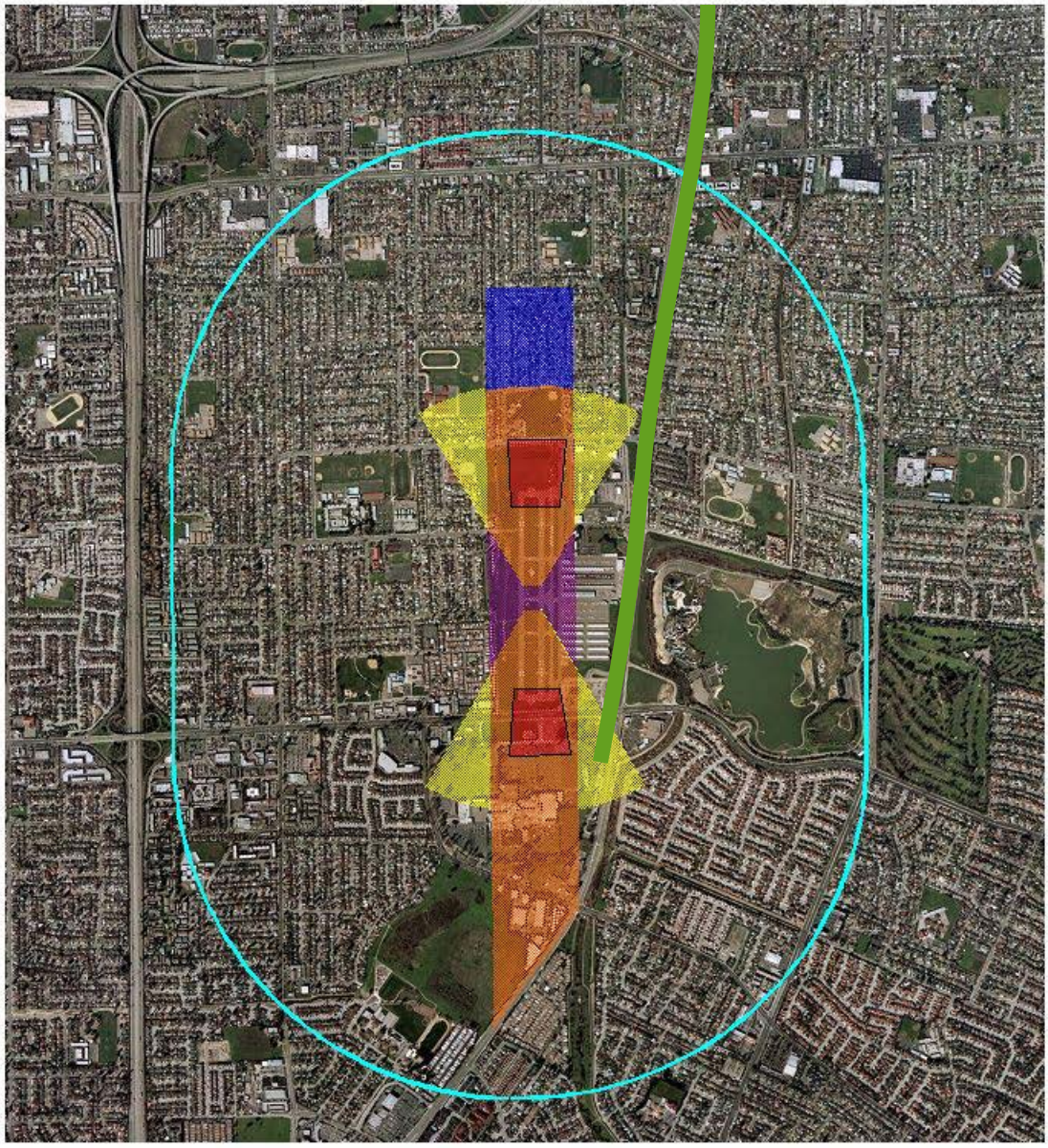
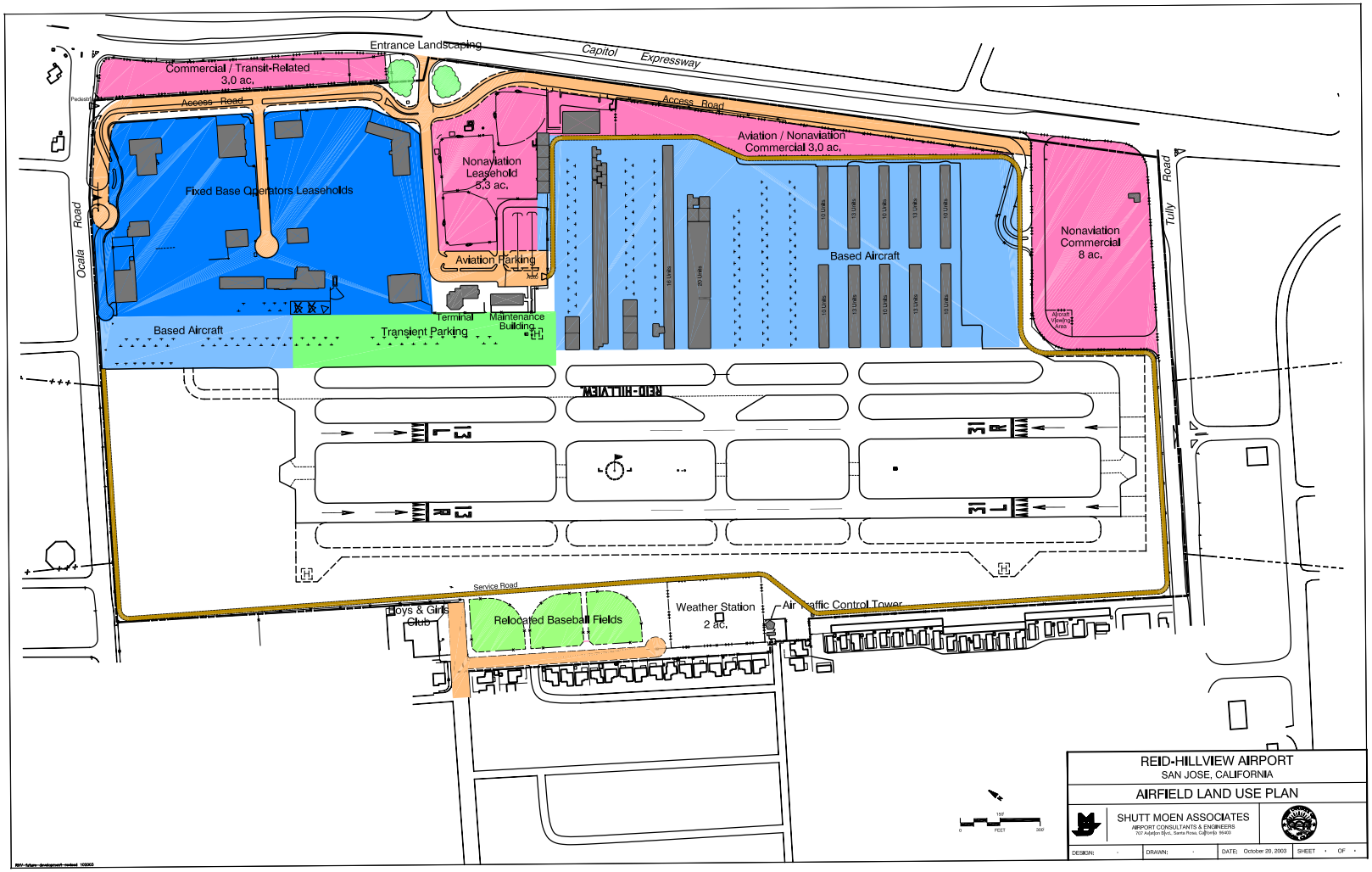


Figure 5-2 Reid - Hillview Airport Land Use Plan



TSP 48 will be placed to the west of the existing tower. The new location will be closer to the runways for Reid-Hillview Airport, but will be outside of the safety zone. VTA understands that a "Notice of Proposed Construction or Alteration" may need to be submitted to the Federal Aviation Administration in accordance with Title 14 of the Code of Federal Regulations Part 77.

TSP's 50 – 52 will be placed near Lake Cunningham Park and the commercial uses on the east side of Capitol Expressway at Tully Road. The TSP's will be located within the Capitol Expressway right-of-way, but will require 40-foot or greater aerial easements for wire sway.[10] These easements will not preclude the current uses taking place on the commercial properties. However, they will prohibit the placement of structures within these easements.

The City of San Jose has plans for the development of a trail along the east side of Thompson Creek between Tully Road and Aborn Road. Since the potential relocation of two TSP's in this area would occur to the west of the creek, this change would not be incompatible with future land use plans along Thompson Creek.

- Changes in the Vertical Profile of the Light Rail Alignment at Tully Road

  The change in the vertical profile of the light rail alignment from tunnel to aerial at Tully Road would occur in the vicinity of the safety zones for Reid-Hillview Airport and a parcel identified by the County of Santa Clara as potentially suitable for nonaviation commercial uses.

  At its highest point of 45 feet, the aerial structure would be outside the safety zones for Reid-Hillview Airport. South of Tully Road, a portion of the elevated section will be within the "Turning Safety Zone", which is the least restrictive of the three safety zones. While it is not anticipated that the structure would exceed the height restrictions in this area, VTA understands that a "Notice of Proposed Construction or Alteration" may need to be submitted to the Federal Aviation Administration in accordance with Title 14 of the Code of Federal Regulations Part 77.

  The aerial structure will affect the development of the vacant parcel on the northwest corner of Capitol Expressway and Tully Road. The placement and orientation of buildings on the site will need to be set back from the structure. Parking would be the most appropriate use of the area near the structure.

[10] The actual width of the aerial easements will be determined during final design.

- Changes to Eastridge Transit Center

  The changes to Eastridge Transit Center include the addition of a second platform, tailtracks, a traction power substation, and the shifting of the signalized intersection at Eastridge Mall Access Road and Capitol Expressway to the south. These facilities are in addition to the transit center, operator facility, and parking spaces that were already planned for the area.

  According to the Safety Zone Compatibility Guidelines for a "Turning Safety Zone", the maximum nonresidential population allowed at Eastridge Transit Center is 600 persons.[11] In Table 4.2-12 of the Final EIR, the total daily boardings at Eastridge was estimated to be 830 in 2010 and 1,045 in 2025. Because these boardings would be distributed throughout the day, it is not anticipated that this facility would exceed the Safety Zone Compatibility Guidelines.

  Changes to Eastridge Station will not affect the future development of the southwest corner of Capitol Expressway and Tully Road, which is currently being considered by the San Jose City Council for rezoning.

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to land use.

Mitigation: None required. The impact is "Less Than Significant".

Section 5.13 Noise and Vibration

This section supplements Section 4.14 of the Final EIR. It generally evaluates the effect of the project on noise and vibration levels according to the Federal Transit Administration's (FTA) guidelines entitled *Transit Noise and Vibration Impact Assessment* (May 2006). Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

[11] Eastridge Transit Center will occupy approximately 6 acres. Since a maximum density of 100 persons per acre is allowed under the Safety Zone Compatibility Guidelines, VTA calculates that no more than 600 persons would be permitted at Eastridge Transit Center at any one time.

Environmental Setting

Since the Final EIR was approved, FTA has revised their guidelines entitled *Transit Noise and Vibration Impact Assessment (May 2006)*. These changes affected the thresholds of significance that were used in the Final EIR to assess the effects of the project on noise and vibration.

For noise, FTA's revised guidelines place an increased emphasis on the consideration and adoption of mitigation for moderate noise impacts where reasonable. Previously, VTA considered mitigation only for severe noise impacts. According to the revised guidelines, as the existing level of community noise increases, the level of transit noise allowed before a severe impact is triggered increases. However, the total amount that community noise exposure is allowed to increase before a moderate impact is triggered is reduced. Under the revised guidelines, communities with high ambient noise levels are expected to tolerate a smaller increase in cumulative noise levels before mitigation must be considered.[12]

For vibration, FTA's revised guidelines refined the detailed analysis criteria. It is based on a frequency spectrum that is expressed in 1/3-octave bands and limits any 1/3-octave band level between 8 Hz and 100 Hz to a maximum of 72 dB (decibels) re: 1 micro-inch/second at night (10:00 pm to 7:00 am) and 78 dB for daytime (7:00 am to 10:00 pm) for residences. Previously, the criterion for residences was 72 VdB (vibration velocity in decibels) regardless of the time of day. Band levels that exceed the criterion curve indicate the need for mitigation and the frequency range in which the mitigation needs to be effective.[13]

Environmental Impacts and Mitigation

A *Noise and Vibration Study for Supplemental Environmental Impact Review* (January 2007) was prepared to evaluate the effect of the proposed design and operational changes on noise and vibration (See Appendix G). This study was based on additional measurement data collected during June and July 2006 to characterize the vibration propagation of the area soils, ambient vibration, and vibration from the aerial and at-grade sections of VTA's existing system. This data was used to refine several assumptions in the Final EIR to assess noise and vibration.

The main differences in the assumptions of the Final EIR and the Supplemental EIR can be summarized as follows:

[12] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006, p. 3-6 to 3-11.
[13] *Transit Noise and Vibration Impact Assessment*, p. 8-6 to 8-8.

- Increase in operational speeds: In the Final EIR, the speed profile ranged from 20 – 55 miles per hour (mph). In the Supplemental EIR, the speed profile ranges from 30 – 55 mph with speeds of 55 mph reached at more locations along the alignment.
- Adjustments to the alignment: Distances have changed between the tracks and adjacent properties.
- Increase in the number of cars per train: Because of changes in light rail operations since the Final EIR, the number of cars per train during peak hours (6:00 am to 9:00 am and 3:30 pm to 7:30 pm) has increased from two cars to three cars.
- Increase in the soil response (LSR): Additional soil propagation tests revealed that the soils for most of the alignment transmit vibration very efficiently. Compared to VTA's Vasona Corridor, the low frequency response of the CELR area soils can be as much as 25 dB greater.
- Increase in the force density level (FDL): The Final EIR used an FDL for a vehicle that is no longer used by VTA. While initial tests indicated that the FDL for the old vehicle was comparable to the new vehicle, new data shows substantial differences in the vibration levels of the two vehicles given the soil characteristics of the area and the higher speed profile. As a result, the FDL for the new vehicle was used for the Supplemental EIR.
- Increase in Building Vibration Response (BVR): Measurements at single-family structures in Fremont and San Jose show that the response of structures to vibration could be 2 to 10 dB higher than assumed in the Final EIR.

In addition to the above changes in assumptions, the Supplemental EIR includes an evaluation of noise and vibration levels at five homes that were originally anticipated to be acquired by the project. Because of project changes described in Section 5.15, no acquisition is proposed at these properties.

NOISE LEVELS FROM TRANSIT OPERATIONS

Detailed comparisons of existing and future noise levels at properties adjacent to the CELR corridor are presented in Table 5-5. The acoustical effect of existing soundwalls was included in the calculations. The table includes the track type, speed, and distance to the near track, which are all important determinants of future noise levels.

Table 5 - 5 Summary of Predicted Project Noise Levels

Station Number	Location Street (ID)	Near Track	Track Type	Speed (mph) near	Speed (mph) far	Dist[1] (ft)	Noise Levels (dBA) Existing[2]	Project Total Ldn	Project Total Peak Hour Leq	Project Exposure Increase[2]	Impact Level Moderate[6]	Impact Level Severe[3]	Comment
10+80	SFR on Lombard	SB	at	30	30	48	67	68.1		1.1	--	--	
10+80	SFR on Lombard	SB	at	30	30	103	67	67.6		0.6	--	--	
11+20	SFR on Lombard	SB	at	35	40	62	67	68.3		1.3	x	--	6
11+40	SFR on Capitol Ave	SB	at	45	45	71	67	68.6		1.6	x	--	6
11+60	SFR on Capitol Ave	SB	at	45	45	74	67	68.6		1.6	x	--	6
12+00	Co	SB	at	45	50	62	70		71.1	1.1	--	--	
12+40	Co	SB	ae	45	50	77	70		72.0	2.0	--	--	
13+90	SFR on Excalibur	SB	ae	55	55	174	72	72.9		0.9	x	--	6
14+10	SFR on Excalibur	SB	ae	55	55	174	72	72.9		0.9	x	--	6
14+30	SFR on Excalibur	SB	ae	55	55	176	72	72.9		0.9	x	--	6
14+60	SFR on Capitol Ave	SB	ae	55	55	115	72	73.3		1.3	x	--	6
14+75	SFR on Capitol Ave	SB	ae	55	55	121	72	73.2		1.2	x	--	6
14+90	SFR on Capitol Ave	SB	ae	55	55	121	72	73.2		1.2	x	--	6
15+60	SFR on Capitol Ave	SB	ae	55	55	121	72	73.2		1.2	x	--	6
16+00	SFR on Capitol Ave	SB	ae	55	55	138	72	73.1		1.1	x	--	6
16+20	SFR on Capitol Ave	SB	ae	55	55	135	72	73.1		1.1	x	--	6
16+30	SFR on Capitol Ave	SB	ae	55	55	144	72	73.1		1.1	x	--	6
16+50	SFR on Capitol Ave	SB	ae	55	55	138	72	73.1		1.1	x	--	6
16+60	SFR on Capitol Ave	SB	ae	55	55	138	72	73.1		1.1	x	--	6
16+80	SFR on Capitol Ave	SB	ae	55	55	144	72	73.1		1.1	x	--	6
16+90	SFR on Capitol Ave	SB	ae	55	55	138	72	73.1		1.1	x	--	6
17+10	SFR on Capitol Ave	SB	ae	55	55	146	72	73.1		1.1	x	--	6
17+20	SFR on Capitol Ave	SB	ae	55	55	139	72	73.1		1.1	x	--	6
17+40	SFR on Capitol Ave	SB	ae	55	55	138	72	73.1		1.1	x	--	6
17+50	SFR on Capitol Ave	SB	ae	55	55	148	72	73.1		1.1	x	--	6
17+70	SFR on Capitol Ave	SB	ae	55	55	135	72	73.1		1.1	x	--	6
17+90	SFR on Capitol Ave	SB	ae	55	55	131	72	73.2		1.2	x	--	6
18+00	SFR on Capitol Ave	SB	ae	55	55	125	72	73.2		1.2	x	--	6
18+20	SFR on Capitol Ave	SB	ae	55	55	128	72	73.2		1.2	x	--	6
18+40	SFR on Capitol Ave	SB	ae	55	55	128	72	73.2		1.2	x	--	6
18+50	SFR on Capitol Ave	SB	ae	55	55	113	72	73.3		1.3	x	--	6
18+70	commercial (take)	SB	ae	55	55	108	NA		NA	NA	--	--	
19+00	commercial capitol/story	SB	ae	55	55	102	70		72.0	2.0	--	--	
19+70	commercial capitol/story	SB	ae	55	55	115	70		71.8	1.8	--	--	
20+60	commercial capitol/story	SB	ae	55	55	95	70		72.1	2.1	--	--	
20+70	SFR on Brentford	SB	ae	55	55	102	72	73.4		1.4	x	--	6
20+90	SFR on Brentford	SB	ae	55	55	102	72	73.4		1.4	x	--	6
21+00	SFR on Brentford	SB	ae	55	55	108	72	73.4		1.4	x	--	6
21+20	SFR on Brentford	SB	at	55	55	80	72	72.8		0.8	--	--	
21+30	SFR on Brentford	SB	at	55	55	82	72	72.8		0.8	--	--	
21+60	SFR on Brentford	SB	at	55	55	85	72	72.7		0.7	--	--	
21+70	SFR on Brentford	SB	at	55	55	77	72	72.8		0.8	--	--	
21+90	SFR on Brentford	SB	at	55	55	82	72	72.8		0.8	--	--	
22+00	SFR on Brentford	SB	at	55	55	95	72	72.7		0.7	--	--	
22+20	SFR on Brentford	SB	at	55	55	97	72	72.7		0.7	--	--	
22+40	SFR on Brentford	SB	at	55	55	84	72	72.7		0.7	--	--	
22+60	SFR on Brentford	SB	at	55	55	97	72	72.7		0.7	--	--	
22+70	SFR on Brentford	SB	at	55	55	75	72	72.8		0.8	--	--	
22+90	SFR on Brentford	SB	at	55	55	84	72	72.7		0.7	--	--	
23+00	SFR on Brentford	SB	at	55	55	125	72	72.5		0.5	--	--	
23+30	commercial capital/foxdale	SB	at	55	55	130	70		70.7	0.7	--	--	
24+20	MFR onFoxdale	SB	at	55	55	128	67	67.5		0.5	--	--	5
24+90	MFR onFoxdale	SB	at	55	55	128	67	67.5		0.5	--	--	5
25+90	MFR onFoxdale	SB	at	55	55	128	67	67.5		0.5	--	--	5
27+10	sfr on greenstone	SB	at	55	55	136	67	67.5		0.5	--	--	5
27+20	sfr on greenstone	SB	at	55	55	75	67	67.8		0.8	--	--	5
27+40	sfr on greenstone	SB	at	55	55	80	67	67.8		0.8	--	--	5
27+60	sfr on greenstone	SB	at	55	55	110	67	67.6		0.6	--	--	5
28+00	SFR on whitestone	SB	at	55	55	98	67	67.6		0.6	--	--	5
28+20	SFR on whitestone	SB	at	55	55	64	67	67.9		0.9	--	--	5
28+40	SFR on whitestone	SB	at	55	55	105	67	67.6		0.6	--	--	5
28+90	SFR on bluestone	SB	at	55	55	82	67	67.8		0.8	--	--	5

Table 5 - 5 Summary of Predicted Project Noise Levels

Station Number	Location Street (ID)	Near Track	Track Type	Speed (mph) near	Speed (mph) far	Dist[1] (ft)	Noise Levels (dBA) Existing[2]	Project Total Ldn	Project Total Peak Hour Leq	Project Exposure Increase[2]	Impact Level Moderate[6]	Impact Level Severe[3]	Comment
29+10	SFR on bluestone	SB	at	55	55	79	67	67.8		0.8	--	--	5
29+20	SFR on bluestone	SB	at	55	55	125	67	67.5		0.5	--	--	5
29+70	SFR on brownstone	SB	at	55	55	89	67	67.7		0.7	--	--	5
29+90	SFR on brownstone	SB	at	50	50	69	67	67.7		0.7	--	--	5
30+00	SFR on brownstone	SB	at	50	50	115	67	67.5		0.5	--	--	5
30+40	SFR on pinkstone	SB	at	45	50	87	67	67.5		0.5	--	--	5
30+70	SFR on pinkstone	SB	at	45	45	80	67	67.5		0.5	--	--	5
30+80	SFR on pinkstone	SB	at	45	45	85	67	67.5		0.5	--	--	5
31+30	SFR on silverstone	SB	at	40	40	92	67	67.4		0.4	--	--	5
31+50	SFR on silverstone	SB	at	35	35	87	67	67.3		0.3	--	--	5
31+70	SFR on silverstone	SB	at	35	35	120	67	67.2		0.2	--	--	5
10+40	SFR on Capitol/Wilbur	NB	at	30	30	69	67	67.8		0.8	--	--	
10+60	SFR on Capitol	NB	at	30	30	77	67	67.8		0.8	--	--	
10+80	SFR on Capitol	NB	at	30	30	79	67	67.7		0.7	--	--	
11+00	SFR on Capitol	NB	at	35	30	80	67	67.9		0.9	--	--	
11+20	SFR on Capitol	NB	at	40	35	77	67	68.1		1.1	--	--	
11+40	SFR on Capitol/Westboro	NB	at	40	45	66	67	68.6		1.6	x	--	6
11+80	SFR on Capitol/Westboro	NB	at	45	45	64	67	68.8		1.8	x	--	6
12+10	SFR on Capitol	NB	at	50	45	75	67	68.7		1.7	x	--	6
12+30	SFR on Capitol	NB	ae	50	45	79	67	70.4		3.4	--	x	**3**
12+50	SFR on Capitol	NB	ae	55	45	82	67	70.6		3.6	--	x	**3**
12+60	SFR on Capitol	NB	ae	55	45	82	67	70.6		3.6	--	x	**3**
12+80	SFR on Capitol/Highwood	NB	ae	55	45	66	67	71.1		4.1	--	x	**3**
13+40	SFR on Capitol/Highwood	NB	ae	55	55	64	67	71.6		4.6	--	x	**3**
13+60	SFR on Capitol	NB	ae	55	55	72	67	71.3		4.3	--	x	**3**
13+80	SFR on Capitol	NB	ae	55	55	75	67	71.2		4.2	--	x	**3**
13+90	SFR on Capitol	NB	ae	55	55	33	67	73.5		6.5	--	x	**3**
16+60	office	NB	ae	55	55	148	71		72.2	1.2	--	--	
17+30	church	NB	ae	55	55	138	71		72.3	1.3	--	--	
18+00	church/slab	NB	ae	55	55	148	71		72.2	1.2	--	--	
18+60	Co	NB	ae	55	55	135	71		72.3	1.3	--	--	
18+80	Co	NB	ae	55	55	171	71		72.0	1.0	--	--	
19+40	Co	NB	ae	55	55	138	71		72.3	1.3	--	--	
19+80	Co	NB	ae	55	55	138	71		72.3	1.3	--	--	
20+20	MFR on 2719 Kollmar	NB	ae	55	55	103	73	74.2		1.2	x	--	6
20+80	SFR on S. Capitol/Sussex	NB	ae	55	55	125	73	74.0		1.0	x	--	6
21+20	SFR on S. Capitol/Sussex	NB	ae	55	55	118	73	74.0		1.0	x	--	6
21+50	SFR on S. Capitol/Tudor	NB	ae	55	55	115	73	74.1		1.1	x	--	6
21+90	SFR on S. Capitol/Tudor	NB	ae	55	55	118	73	74.0		1.0	x	--	6
22+20	SFR on S. Capitol/Capitol ct	NB	ae	55	55	120	73	74.0		1.0	x	--	6
22+60	SFR on S. Capitol/Capitol ct	NB	at	55	55	118	73	73.4		0.4	--	--	
22+90	SFR on S. Capitol/murtha	NB	at	55	55	118	73	73.4		0.4	--	--	
23+40	SFR on S. Capitol/murtha	NB	at	55	55	118	73	73.4		0.4	--	--	
23+70	SFR on S. Capitol/Bristol	NB	at	55	55	118	73	73.4		0.4	--	--	
24+20	SFR on S. Capitol/Bristol	NB	at	55	55	118	73	73.4		0.4	--	--	
24+50	SFR on S. Capitol/dublin	NB	at	55	55	118	73	73.4		0.4	--	--	
24+90	SFR on S. Capitol/dublin	NB	at	55	55	118	73	73.4		0.4	--	--	
25+10	SFR on S. Capitol/belfast	NB	at	55	55	118	73	73.4		0.4	--	--	
25+60	SFR on S. Capitol/belfast	NB	at	55	55	118	73	73.4		0.4	--	--	
25+80	SFR on S. Capitol/coventry	NB	at	55	55	118	73	73.4		0.4	--	--	
26+40	SFR on S. Capitol/coventry	NB	at	55	55	128	73	73.4		0.4	--	--	
26+70	SFR on S. Capitol/cornwall	NB	at	55	55	125	73	73.4		0.4	--	--	
27+20	SFR on S. Capitol/cornwall	NB	at	55	55	118	73	73.4		0.4	--	--	
27+60	SFR on S. Capitol	NB	at	55	55	141	73	73.4		0.4	--	--	
27+70	SFR on S. Capitol	NB	at	55	55	146	73	73.4		0.4	--	--	
27+90	SFR on S. Capitol	NB	at	55	55	143	73	73.4		0.4	--	--	
28+10	SFR on S. Capitol	NB	at	55	55	146	73	73.4		0.4	--	--	
28+30	SFR on S. Capitol/woodmoor	NB	at	55	55	138	73	73.4		0.4	--	--	
28+60	SFR on S. Capitol/woodmoor	NB	at	55	55	144	73	73.4		0.4	--	--	
28+90	SFR on S. Capitol	NB	at	55	55	138	73	73.4		0.4	--	--	

Table 5 - 5 Summary of Predicted Project Noise Levels

Station Number	Location Street (ID)	Near Track	Track Type	Speed (mph) near	Speed (mph) far	Dist[1] (ft)	Noise Levels (dBA) Existing[2]	Project Total Ldn	Project Total Peak Hour Leq	Project Exposure Increase[2]	Impact Level Moderate[6]	Impact Level Severe[3]	Comment
29+00	SFR on S. Capitol	NB	at	55	55	141	73	73.4		0.4	--	--	
29+30	SFR on S. Capitol	NB	at	55	55	138	73	73.4		0.4	--	--	
29+50	SFR on S. Capitol	NB	at	55	55	144	73	73.4		0.4	--	--	
29+60	SFR on S. Capitol	NB	at	55	55	138	73	73.4		0.4	--	--	
29+80	SFR on S. Capitol	NB	at	50	50	136	73	73.3		0.3	--	--	
30+00	SFR on S. Capitol	NB	at	50	50	136	73	73.3		0.3	--	--	
30+20	SFR on S. Capitol	NB	at	50	50	136	73	73.3		0.3	--	--	
30+30	SFR on S. Capitol	NB	at	50	50	135	73	73.3		0.3	--	--	
30+50	SFR on S. Capitol	NB	at	45	45	135	73	73.3		0.3	--	--	
30+70	SFR on S. Capitol	NB	at	45	45	138	73	73.3		0.3	--	--	
31+10	SFR Evermont	NB	at	40	40	138	73	73.2		0.2	--	--	
31+30	SFR Evermont	NB	at	40	40	82	65	66.8		0.6	--	--	5
31+50	SFR Evermont	NB	at	35	35	82	65	66.4		0.5	--	--	5
32+00	SFR Evermont	NB	at	30	30	105	65	67.3		2.3	x	--	4,5,6
32+20	SFR on Home Gate	NB	at	30	30	89	65	67.1		2.1	x	--	4,5,6
32+30	SFR on Home Gate	NB	at	30	30	85	65	65.4		0.4	--	--	5
32+40	SFR on Home Gate	NB	at	30	30	89	65	65.3		0.3	--	--	5
32+50	SFR on Home Gate	NB	at	30	30	115	65	65.3		0.3	--	--	5
32+60	SFR on Home Gate	NB	at	30	30	105	65	65.3		0.3	--	--	5
32+70	SFR on Home Gate	NB	at	30	30	95	65	65.3		0.3	--	--	5
32+80	SFR on Home Gate	NB	at	30	30	103	65	65.3		0.3	--	--	5
32+90	SFR on Home Gate	NB	at	30	30	103	65	65.3		0.3	--	--	5
33+00	SFR on Home Gate	NB	at	30	30	103	65	65.3		0.3	--	--	5
33+10	SFR on Home Gate	NB	at	30	30	100	65	65.3		0.3	--	--	5
33+20	SFR on Home Gate	NB	at	30	30	98	65	65.3		0.3	--	--	5
33+30	SFR on Home Gate	NB	at	30	30	92	65	65.3		0.3	--	--	5
33+40	SFR on Home Gate	NB	at	30	30	92	65	65.3		0.3	--	--	5
33+50	SFR on Home Gate	NB	at	30	30	108	65	65.3		0.3	--	--	5
33+60	SFR on Home Gate	NB	at	30	30	125	65	65.3		0.3	--	--	5
33+70	SFR on Home Gate	NB	at	30	30	141	65	65.2		0.2	--	--	5
33+80	SFR on Home Gate	NB	at	30	30	141	65	65.2		0.2	--	--	5
33+90	SFR on Home Gate	NB	at	30	30	144	65	65.2		0.2	--	--	5
34+20	SFR on Supreme Dr	NB	at	30	30	157	65	65.2		0.2	--	--	5
34+60	SFR on Supreme Dr	NB	at	30	30	135	65	65.2		0.2	--	--	5
34+80	SFR on Supreme Dr	NB	at	30	30	157	65	65.2		0.2	--	--	5
35+00	SFR on Supreme Dr	NB	at	30	30	151	65	65.2		0.2	--	--	5
35+20	SFR on Supreme Dr	NB	at	30	30	131	65	65.2		0.2	--	--	5
35+40	SFR on Supreme Dr	NB	at	30	30	115	65	65.3		0.3	--	--	5
35+50	SFR on Supreme Dr	NB	at	30	30	118	65	65.3		0.3	--	--	5
35+70	SFR on Supreme Dr	NB	at	30	30	105	65	65.3		0.3	--	--	5
35+80	SFR on Supreme Dr	NB	at	30	30	112	65	65.3		0.3	--	--	5

Source: WIA, *Noise and Vibration Study for Supplemental Environmental Impact Review*

Notes:

at= At-Grade, ae= Aerial or Embankment

1: Distance to near track; far track generally an additional 15 ft further

2: Noise Exposure Metric for non-residential areas is L_{eq}, rather than L_{dn}

3: Noise Exposure Increase exceeds the "Severe Impact" Threshold

4: Grade Crossing

5: Noise Reduction from Existing Sound Wall Included in Calculations

6: Noise Exposure Increase exceeds the "Moderate Impact" Threshold

Impact: The *Noise and Vibration Study for Supplemental Environmental Impact Review* identified that there will be severe impacts at 8 properties and moderate impacts at 41 properties along the CELR alignment. The 8 properties where severe impacts have been identified are located on the east side of S. Capitol Avenue near Capitol Expressway. These properties are adjacent to an embankment or aerial structure for the light rail. Thirty-nine of the 41 properties where moderate noise impacts have been identified are located on both sides of the alignment between the Alum Rock and Story Road Stations. These properties are adjacent to the aerial structure or the embankment sections. There are also 2 properties where moderate noise impacts have been identified on the east side of Capitol Expressway near the at-grade crossing of Ocala Avenue. Light rail trains are required to sound horns and bells as they approach this crossing and the Ocala Avenue Station. Noise increases that meet the criteria for severe impacts in FTA's guidelines for *Transit Noise and Vibration Impact Assessment* are considered to be significant (Impact NV-1).

Mitigation NV-1a: Construct soundwalls at the locations listed in Table 5-6. All soundwall locations and heights are preliminary and are subject to change based on additional noise studies during final design. Two types of soundwalls are proposed:

- Median soundwall: Along at-grade sections of the alignment where noise impacts have been identified, a soundwall will be constructed in the median of the roadway adjacent to the light rail tracks to reduce the wheel noise from the vehicles.
- Aerial/Embankment Soundwall: Along elevated sections of the alignment where noise impacts have been identified, a soundwall will be constructed on the aerial structure or embankment section to reduce the wheel noise from the vehicles.

These soundwalls will provide the noise reduction required to decrease noise levels below the FTA's impact thresholds at these locations. With mitigation, the noise impacts will be less than significant.

Table 5-6 Location of Recommended Aerial/Median Soundwalls

Segment	Type of Soundwall	Location (Civil Station No.)	Track	Height (Above Top of Rail)
Lombard Avenue to Westboro Drive	Median Soundwall	11+15 to 12+50	NB	3.5 feet
Lombard Avenue to Westboro Drive	Median Soundwall	11+00 to 12+10	SB	3.5 feet
Westboro Drive to Capitol Expressway	Aerial and/or Embankment Soundwall	12+05 to 14+30	NB	2.7 feet
Capitol Expressway to Story Road	Aerial and/or Embankment Soundwall	13+70 to 18+95	SB	2.1 feet
Story Road to Sussex Drive	Aerial and/or Embankment Soundwall	19+50 to 21+10	NB	3.9 feet
Kollmar Drive to Tudor Court	Aerial and/or Embankment Soundwall	20+05 to 21+90	SB	3.2 feet
Sussex Drive to Capitol Court	Aerial and/or Embankment Soundwall	21+10 to 22+80	NB	3.2 feet

Mitigation NV-1b: Provide noise insulation at two homes on the east side of the Ocala Avenue grade crossing (Sta. 32+00 to 32+30 NB) in order to meet the California Noise Insulation Standard (California Administrative Code, Part 2, Title 24, Appendix Chapter 35, Section 3501) when the windows are closed. Noise insulation could include replacing or retrofitting existing windows or doors, or insulating walls. Noise insulation will generally not include air conditioning.

Noise insulation will provide the noise reduction required to decrease noise levels from train horns and bells below the FTA's impact thresholds at this location. With mitigation, the noise impacts will be less than significant.

VIBRATION LEVELS FROM TRANSIT OPERATIONS

Detailed comparisons of existing and future vibration levels at adjacent properties along the corridor are presented in Table 5-7. The table includes the track type, speed, and distance to the near track, which are all important determinants of future vibration levels.

Impact: The *Noise and Vibration Study for Supplemental Environmental Impact Review* identified 26 locations where vibration levels would exceed FTA's detailed analysis criteria (DAC) for nighttime. At 1 of these 26 locations, the FTA's DAC for daytime would also be exceeded. These locations are as follows:

- Seven properties are on both sides of S. Capitol Avenue between Lombard Avenue and Westboro Drive, and are adjacent to an embankment section[14].
- One property is on the east side of Capitol Avenue near Capitol Expressway and is located 30 feet from the aerial light rail structure.
- Eight properties are on the west side of Capitol Expressway along Brenford Drive between Sussex Drive and Murtha Drive, and are adjacent to an embankment section.
- Ten properties are on the west side of Capitol Expressway between Greenstone Court and Pinkstone Court, and are located less than 90 feet from the at-grade light rail alignment where train speeds are expected to reach 55 mph.

Vibration levels that exceed the FTA's DAC are considered significant (NV-4).

[14] An embankment section is where the light rail tracks are located on top of some type of fill, such as dirt, ballast, or tire-derived aggregate) which is retained by a wall.

Table 5 - 7 Summary of Predicted Project Vibration Levels

Station Number	Location Street (ID)	Near Track	Track type	Speed (near track)	Dist.[1] (ft)	FTA General Criteria	Groundborne Vibration Range	FTA DAC Exceed. wo/ mit	GBV w/TDA Range	FTA DAC Exceed. w/TDA	Comment
10+80	SFR on Lombard	SB	at	30	48	72	74 - 78	--	-	--	2
10+80	SFR on Lombard	SB	at	30	103	72	66 - 69	--	-	--	
11+20	SFR on Lombard	SB	ate	35	62	72	75 - 78	y	70 - 72	--	3
11+40	SFR on Capitol Ave	SB	ate	45	71	72	78 - 81	y	74 - 76	--	3
11+60	SFR on Capitol Ave	SB	ate	45	74	72	78 - 81	y	73 - 76	--	3
12+00	Co	SB	ate	45	62	n/a	76 - 79	--	-	--	5
12+40	Co	SB	dff	45	77	n/a	64 - 66	--	-	--	5
13+90	SFR on Excalibur	SB	dff	55	174	72	63 - 64	--	-	--	
14+10	SFR on Excalibur	SB	dff	55	174	72	63 - 64	--	-	--	
14+30	SFR on Excalibur	SB	dff	55	176	72	63 - 63	--	-	--	
14+60	SFR on Capitol Ave	SB	dff	55	115	72	68 - 69	--	-	--	
14+75	SFR on Capitol Ave	SB	dff	55	121	72	67 - 68	--	-	--	
14+90	SFR on Capitol Ave	SB	dff	55	121	72	67 - 68	--	-	--	
15+60	SFR on Capitol Ave	SB	dff	55	121	72	67 - 68	--	-	--	
16+00	SFR on Capitol Ave	SB	dff	55	138	72	66 - 66	--	-	--	
16+20	SFR on Capitol Ave	SB	dff	55	135	72	66 - 67	--	-	--	
16+30	SFR on Capitol Ave	SB	dff	55	144	72	65 - 66	--	-	--	
16+50	SFR on Capitol Ave	SB	dff	55	138	72	66 - 66	--	-	--	
16+60	SFR on Capitol Ave	SB	dff	55	138	72	66 - 66	--	-	--	
16+80	SFR on Capitol Ave	SB	dff	55	144	72	65 - 66	--	-	--	
16+90	SFR on Capitol Ave	SB	dff	55	138	72	66 - 66	--	-	--	
17+10	SFR on Capitol Ave	SB	dff	55	146	72	65 - 66	--	-	--	
17+20	SFR on Capitol Ave	SB	dff	55	139	72	65 - 66	--	-	--	
17+40	SFR on Capitol Ave	SB	dff	55	138	72	66 - 66	--	-	--	
17+50	SFR on Capitol Ave	SB	dff	55	148	72	65 - 65	--	-	--	
17+70	SFR on Capitol Ave	SB	dff	55	135	72	66 - 67	--	-	--	
17+90	SFR on Capitol Ave	SB	dff	55	131	72	66 - 67	--	-	--	
18+00	SFR on Capitol Ave	SB	dff	55	125	72	67 - 67	--	-	--	
18+20	SFR on Capitol Ave	SB	dff	55	128	72	66 - 67	--	-	--	
18+40	SFR on Capitol Ave	SB	dff	55	128	72	66 - 67	--	-	--	
18+50	SFR on Capitol Ave	SB	dff	55	113	72	68 - 69	--	-	--	
18+70	commercial (take)	SB	dff	55	108	n/a	-	--	-	--	
19+00	commercial capitol/story	SB	dff	55	102	n/a	66 - 66	--	-	--	5
19+70	commercial capitol/story	SB	dff	55	115	n/a	65 - 65	--	-	--	5
20+60	commercial capitol/story	SB	dff	55	95	n/a	66 - 67	--	-	--	5
20+70	SFR on Brentford	SB	dff	55	102	72	70 - 70	--	-	--	
20+90	SFR on Brentford	SB	dff	55	102	72	70 - 70	--	-	--	
21+00	SFR on Brentford	SB	dff	55	108	72	69 - 70	--	-	--	
21+20	SFR on Brentford	SB	ate	55	80	72	79 - 80	y	76 - 76	--	3
21+30	SFR on Brentford	SB	ate	55	82	72	79 - 80	y	75 - 76	--	3
21+60	SFR on Brentford	SB	ate	55	85	72	78 - 79	y	75 - 75	--	3
21+70	SFR on Brentford	SB	ate	55	77	72	79 - 80	y	76 - 76	--	3
21+90	SFR on Brentford	SB	ate	55	82	72	79 - 80	y	75 - 76	--	3
22+00	SFR on Brentford	SB	ate	55	95	72	77 - 78	--	-	--	2
22+20	SFR on Brentford	SB	ate	55	97	72	77 - 78	--	-	--	2
22+40	SFR on Brentford	SB	ate	55	84	72	78 - 79	y	75 - 76	--	3
22+60	SFR on Brentford	SB	at	55	97	72	77 - 78	--	-	--	2
22+70	SFR on Brentford	SB	at	55	75	72	80 - 81	y	77 - 77	y	3,4,6
22+90	SFR on Brentford	SB	at	55	84	72	79 - 80	y	76 - 76	y	3,4,6
23+00	SFR on Brentford	SB	at	55	125	72	74 - 75	--	-	--	2
23+30	commercial capital/foxdale	SB	at	55	130	n/a	70 - 71	--	-	--	5
24+20	MFR onFoxdale	SB	at	55	128	72	74 - 75	--	-	--	2
24+90	MFR onFoxdale	SB	at	55	128	72	74 - 75	--	-	--	2
25+90	MFR onFoxdale	SB	at	55	128	72	74 - 75	--	-	--	2
27+10	sfr on greenstone	SB	at	55	136	72	73 - 74	--	-	--	2
27+20	sfr on greenstone	SB	at	55	75	72	80 - 81	y	77 - 77	y	3,4,6
27+40	sfr on greenstone	SB	at	55	80	72	79 - 80	y	76 - 77	y	3,4,6
27+60	sfr on greenstone	SB	at	55	110	72	76 - 76	--	-	--	2
28+00	SFR on whitestone	SB	at	55	98	72	77 - 78	--	-	--	2
28+20	SFR on whitestone	SB	at	55	64	72	82 - 83	y	78 - 78	y	3,4,6
28+40	SFR on whitestone	SB	at	55	105	72	76 - 77	--	-	--	2
28+90	SFR on bluestone	SB	at	55	82	72	79 - 80	y	76 - 76	y	3,4,6
29+10	SFR on bluestone	SB	at	55	79	72	79 - 80	y	76 - 77	y	3,4,6
29+20	SFR on bluestone	SB	at	55	125	72	74 - 75	--	-	--	2

Table 5 - 7 Summary of Predicted Project Vibration Levels

Station Number	Location Street (ID)	Near Track	Track type	Speed (near track)	Dist.[1] (ft)	FTA General Criteria	Groundborne Vibration Range	FTA DAC Exceed. wo/ mit	GBV w/TDA Range	FTA DAC Exceed. w/TDA	Comment
29+70	SFR on brownstone	SB	at	55	89	72	78 - 79	y	75 - 76	--	3
29+90	SFR on brownstone	SB	at	50	69	72	82 - 83	y	78 - 79	y	3,4,6
30+00	SFR on brownstone	SB	at	50	115	72	76 - 77	--	-	--	2
30+40	SFR on pinkstone	SB	at	45	87	72	78 - 79	y	75 - 76	y	3,4,6
30+70	SFR on pinkstone	SB	at	45	80	72	79 - 80	y	76 - 76	y	3,4,6
30+80	SFR on pinkstone	SB	at	45	85	72	79 - 79	y	76 - 76	y	3,4,6
31+30	SFR on silverstone	SB	at	40	92	72	75 - 76	--	-	--	2
31+50	SFR on silverstone	SB	at	35	87	72	73 - 74	--	-	--	2
31+70	SFR on silverstone	SB	at	35	120	72	69 - 70	--	-	--	
10+00	SFR on Capitol/Wilbur (NA)	NB	at	30	180	72	59 - 59	--	-	--	
10+40	SFR on Capitol/Wilbur	NB	at	30	69	72	71 - 74	--	-	--	2
10+60	SFR on Capitol	NB	at	30	77	72	69 - 72	--	-	--	2
10+80	SFR on Capitol	NB	at	30	79	72	68 - 71	--	-	--	2
11+00	SFR on Capitol	NB	ate	35	80	72	73 - 76	--	-	--	2
11+20	SFR on Capitol	NB	ate	40	77	72	75 - 78	y	70 - 72	--	3
11+40	SFR on Capitol/Westboro	NB	ate	40	66	72	76 - 80	y	71 - 74	--	3
11+80	SFR on Capitol/Westboro	NB	ate	45	64	72	79 - 82	y	75 - 77	--	3
12+10	SFR on Capitol	NB	ate	50	75	72	78 - 81	y	74 - 76	--	3
12+30	SFR on Capitol	NB	dff	50	79	72	68 - 70	--	-	--	
12+50	SFR on Capitol	NB	dff	55	82	72	68 - 71	--	-	--	
12+60	SFR on Capitol	NB	dff	55	82	72	68 - 71	--	-	--	
12+80	SFR on Capitol/Highwood	NB	dff	55	66	72	70 - 74	--	-	--	2
13+40	SFR on Capitol/Highwood	NB	dff	55	64	72	71 - 74	--	-	--	2
13+60	SFR on Capitol	NB	dff	55	72	72	69 - 73	--	-	--	2
13+80	SFR on Capitol	NB	dff	55	75	72	69 - 72	--	-	--	
13+90	SFR on Capitol	NB	dff	55	33	72	77 - 81	y	77 - 81	y	3,4,6
16+60	office	NB	dff	55	148	n/a	63 - 65	--	-	--	5
17+30	church	NB	dff	55	138	n/a	64 - 66	--	-	--	5
18+00	church/slab	NB	dff	55	148	n/a	61 - 62	--	-	--	5
18+60	CO	NB	dff	55	135	n/a	62 - 63	--	-	--	5
18+80	Co	NB	dff	55	171	n/a	60 - 61	--	-	--	5
19+40	co	NB	dff	55	138	n/a	61 - 63	--	-	--	5
19+80	co	NB	dff	55	138	n/a	61 - 63	--	-	--	5
20+20	MFR 2719 Kollmar	NB	dff	55	103	72	69 - 70	--	-	--	
20+80	SFR on S. Capitol/Sussex	NB	dff	55	125	72	68 - 68	--	-	--	
21+20	SFR on S. Capitol/Sussex	NB	ate	55	118	72	73 - 73	--	-	--	2
21+50	SFR on S. Capitol/Tudor	NB	ate	55	115	72	73 - 73	--	-	--	2
21+90	SFR on S. Capitol/Tudor	NB	ate	55	118	72	73 - 73	--	-	--	2
22+20	SFR on S. Capitol/Capitol ct	NB	ate	55	120	72	73 - 73	--	-	--	2
22+60	SFR on S. Capitol/Capitol ct	NB	at	55	118	72	74 - 74	--	-	--	2
22+90	SFR on S. Capitol/murtha	NB	at	55	118	72	74 - 74	--	-	--	2
23+40	SFR on S. Capitol/murtha	NB	at	55	118	72	74 - 74	--	-	--	2
23+70	SFR on S. Capitol/Bristol	NB	at	55	118	72	74 - 74	--	-	--	2
24+20	SFR on S. Capitol/Bristol	NB	at	55	118	72	74 - 74	--	-	--	2
24+50	SFR on S. Capitol/dublin	NB	at	55	118	72	74 - 74	--	-	--	2
24+90	SFR on S. Capitol/dublin	NB	at	55	118	72	74 - 74	--	-	--	2
25+10	SFR on S. Capitol/belfast	NB	at	55	118	72	74 - 74	--	-	--	2
25+60	SFR on S. Capitol/belfast	NB	at	55	118	72	74 - 75	--	-	--	2
25+80	SFR on S. Capitol/coventry	NB	at	55	118	72	74 - 75	--	-	--	2
26+40	SFR on S. Capitol/coventry	NB	at	55	128	72	74 - 74	--	-	--	2
26+70	SFR on S. Capitol/cornwall	NB	at	55	125	72	74 - 74	--	-	--	2
27+20	SFR on S. Capitol/cornwall	NB	at	55	118	72	75 - 76	--	-	--	2
27+60	SFR on S. Capitol	NB	at	55	141	72	73 - 74	--	-	--	2
27+70	SFR on S. Capitol	NB	at	55	146	72	73 - 73	--	-	--	2
27+90	SFR on S. Capitol	NB	at	55	143	72	73 - 74	--	-	--	2
28+10	SFR on S. Capitol	NB	at	55	146	72	73 - 73	--	-	--	2
28+30	SFR on S. Capitol/woodmoor	NB	at	55	138	72	74 - 74	--	-	--	2
28+60	SFR on S. Capitol/woodmoor	NB	at	55	144	72	73 - 74	--	-	--	2
28+90	SFR on S. Capitol	NB	at	55	138	72	74 - 74	--	-	--	2
29+00	SFR on S. Capitol	NB	at	55	141	72	73 - 74	--	-	--	2
29+30	SFR on S. Capitol	NB	at	55	138	72	74 - 74	--	-	--	2
29+50	SFR on S. Capitol	NB	at	55	144	72	73 - 74	--	-	--	2
29+60	SFR on S. Capitol	NB	at	55	138	72	74 - 74	--	-	--	2
29+80	SFR on S. Capitol	NB	at	50	136	72	75 - 75	--	-	--	2

Table 5 - 7 Summary of Predicted Project Vibration Levels

Station Number	Location Street (ID)	Near Track	Track type	Speed (near track)	Dist.[1] (ft)	FTA General Criteria	Groundborne Vibration Range	FTA DAC Exceed. wo/ mit	GBV w/TDA Range	FTA DAC Exceed. w/TDA	Comment
30+00	SFR on S. Capitol	NB	at	50	136	72	75 - 75	--	-	--	2
30+20	SFR on S. Capitol	NB	at	50	136	72	75 - 75	--	-	--	2
30+30	SFR on S. Capitol	NB	at	50	135	72	75 - 75	--	-	--	2
30+50	SFR on S. Capitol	NB	at	45	135	72	74 - 74	--	-	--	2
30+70	SFR on S. Capitol	NB	at	45	138	72	74 - 74	--	-	--	2
31+10	SFR Evermont	NB	at	40	138	72	70 - 71	--	-	--	
31+30	SFR Evermont	NB	at	40	82	72	76 - 77	--	-	--	2
31+50	SFR Evermont	NB	at	35	82	72	74 - 75	--	-	--	2
32+00	SFR Evermont	NB	at	30	105	72	70 - 71	--	-	--	
32+20	SFR on Home Gate	NB	at	30	89	72	73 - 74	--	-	--	2
32+30	SFR on Home Gate	NB	at	30	85	72	73 - 74	--	-	--	2
32+40	SFR on Home Gate	NB	at	30	89	72	73 - 74	--	-	--	2
32+50	SFR on Home Gate	NB	at	30	115	72	69 - 70	--	-	--	
32+60	SFR on Home Gate	NB	at	30	105	72	70 - 71	--	-	--	
32+70	SFR on Home Gate	NB	at	30	95	72	72 - 73	--	-	--	2
32+80	SFR on Home Gate	NB	at	30	103	72	71 - 72	--	-	--	
32+90	SFR on Home Gate	NB	at	30	103	72	71 - 72	--	-	--	
33+00	SFR on Home Gate	NB	at	30	103	72	71 - 72	--	-	--	
33+10	SFR on Home Gate	NB	at	30	100	72	71 - 72	--	-	--	
33+20	SFR on Home Gate	NB	at	30	98	72	71 - 72	--	-	--	
33+30	SFR on Home Gate	NB	at	30	92	72	72 - 73	--	-	--	2
33+40	SFR on Home Gate	NB	at	30	92	72	72 - 73	--	-	--	2
33+50	SFR on Home Gate	NB	at	30	108	72	70 - 71	--	-	--	
33+60	SFR on Home Gate	NB	at	30	125	72	68 - 69	--	-	--	
33+70	SFR on Home Gate	NB	at	30	141	72	67 - 68	--	-	--	
33+80	SFR on Home Gate	NB	at	30	141	72	67 - 68	--	-	--	
33+90	SFR on Home Gate	NB	at	30	144	72	67 - 67	--	-	--	
34+20	SFR on Supreme Dr	NB	at	30	157	72	66 - 66	--	-	--	
34+60	SFR on Supreme Dr	NB	at	30	135	72	67 - 68	--	-	--	
34+80	SFR on Supreme Dr	NB	at	30	157	72	66 - 66	--	-	--	
35+00	SFR on Supreme Dr	NB	at	30	151	72	66 - 67	--	-	--	
35+20	SFR on Supreme Dr	NB	at	30	131	72	68 - 69	--	-	--	
35+40	SFR on Supreme Dr	NB	at	30	115	72	69 - 70	--	-	--	
35+50	SFR on Supreme Dr	NB	at	30	118	72	69 - 70	--	-	--	
35+70	SFR on Supreme Dr	NB	at	30	105	72	70 - 71	--	-	--	
35+80	SFR on Supreme Dr	NB	at	30	112	72	70 - 71	--	-	--	

Source: WIA, *Noise and Vibration Study for Supplemental Environmental Impact Review*

Notes:

at= At-Grade, ate= Embankment, dff = Direct Fixation Fasteners, TDA = Tire Derived Aggregate
1: Distance to near track; far track generally an additional 15 ft further
2: Vibration Exceeds FTA General Analysis Criteria but not FTA Detailed Analysis Criteria. No Vibration Control Required
3: Vibration Control (TDA) Indicated, Vibration Exceeds FTA Detailed Analysis Criteria
4: Potential Residual Impact, Vibration Still Exceeds FTA Detailed Analysis Criteria
5: No criteria for General Analysis, 84 VdB for detailed analysis
6: Alternative control measures to be considered in Final Engineering including: speed reduction, moving alignment, deeper TDA layer, etc.
All vibration reported in VdB re 1 microinch/sec

Indicates TDA reduces vibration below FTA Detailed Analysis Criteria
Indicates that TDA *does not* reduce vibration below FTA Detailed Analysis Criteria. Alternative control measures will be considered in Final Engineering.

Mitigation NV-4a: Consider Follow-Up Vibration Mitigation Assessments

During preliminary engineering, additional vibration and soil propagation testing was conducted as recommended in the Final EIR. This testing confirmed that the local soil conditions are contributing to the vibration impact. In the *Noise and Vibration Study for the Supplemental Environmental Impact Review*, it is recommended that further tests, which combine the LSR and the BVR, be conducted during Final Engineering to provide project-specific information on the potential local behaviors of buildings. This information could refine the analysis of the project's effect on vibration.

If the follow-up testing concludes that vibration levels would not exceed FTA's DAC, no further action would be required. If the follow-up testing confirms project exceedences of the FTA's DAC, VTA will evaluate the feasibility of mitigation to reduce the severity of the impacts to a less than significant level.

Mitigation Measure NV-4b: Use Vibration Dampening Track Construction Materials

VTA will use a 12-inch layer of tire-derived aggregate (TDA) beneath a subballast layer of 12 inches and a ballast layer of 12 inches thickness at the locations listed in Table 5-8.

As shown in Table 5-7, TDA would be unable to reduce vibration at 12 locations where the frequency is below 16 Hz. TDA has been found to have little effect for vibration below 16 Hz.

At 1 location (Sta. 13+90, NB) adjacent to the aerial structure, it may be possible to provide vibration isolation between the guideway and the support bent, similar to isolation designs that have been recommended for Automated People Mover systems. Increasing the foundation stiffness may also reduce ground vibration (e.g., using large diameter friction piles driven to a substantial depth).

For the other 11 locations along the at-grade alignment, FTA's DAC are exceeded during the nighttime hours of 6:00 am to 7:00 am when VTA is operating 3 - car trains at peak headways. It may be possible to reduce these impacts by incorporating the following vibration isolation systems into the trackbed:

- Thicker TDA Layer: It is possible that increasing the thickness of the TDA layer to 18-inches or perhaps greater would improve the low frequency characteristics of the TDA layer. A finite element analysis or test measurement program will be considered during Final Engineering to evaluate how much additional vibration reduction could be achieved.

- Floating Slab Trackbed: Floating slabs are ideal for reducing low frequency vibration components below 30 Hz. Because the vibration at these 11 properties along the at-grade alignment exceeds the DAC in the 10 Hz 1/3 octave band, a special floating slab similar to the BART system that uses a very heavy design with a resonant frequency in the 5 to 10 Hz frequency range would be required. The disadvantage of this type of system is the expense. Typical double-tie floating slab system costs approximately $600 per track foot.[15]

Table 5-8 Location of Tire-Derived Aggregate Sections

Segment	Location (Civil Station No.)	Track
Wilbur Avenue and Highwood Drive	Sta. 10+60 to12+20	SB/NB
Sussex Drive and Murtha Drive	Sta. 21+25 to 23+15	SB/NB
Foxdale Drive and Whitestone Court	Sta. 27+00 to 27+70	SB/NB
Whitestone Court	Sta. 28+00 to 28+60	SB/NB
Bluestone Court to Silverstone Place	Sta. 28+80 to 31+25	SB/NB

[15] *Transit Noise and Vibration Impact Assessment, p.* 11-22.

Mitigation Measure NV-4c: Review Modifications to Light Rail Operations

For the 11 locations where FTA's DAC for nighttime are exceeded, it is possible that the following modifications to light rail operations between the hours of 6:00 am and 7:00 am would reduce the vibration levels below FTA's DAC.

- Reduce train consists from 3 - car to 1 - or 2 - car trains: This modification would reduce the vibration on the order of 1 to 2 dB, or 2 to 3 dB, respectively, in the 10 or 12.5 Hz 1/3-octave band.

- Reduced speed: Reducing the speed from 55 mph to 45 mph would reduce the vibration by 1 to 2 dB, depending on local soil conditions.

Since one of the purposes of the project is to improve public transit service in the Capitol Expressway Corridor by providing increased capacity and faster, more convenient access to downtown San Jose and major empoyment centers, this mitigation measure is infeasible because it would reduce capacity and increase travel time.

VTA will evaluate the reasonableness and feasibility of adopting Mitigation Measure NV-4b to mitigate the significant vibration effects at the 11 locations along the at-grade alignment listed in Table 5-7. However, VTA is concerned that the costs of this mitigation measure may exceed the benefits, especially given VTA's experiences along its existing system[16]. With the closest property located 64 feet from the nearest track, VTA is concerned that the assumptions used to calculate the future vibration levels may be too conservative.

Because it is not known whether it will be feasible or reasonable for VTA to adopt additional mitigation measures for the 11 properties along the at-grade alignment where the FTA's DAC for nighttime are exceeded, this impact is potentially significant and unavoidable.

[16] Along the Vasona Light Rail corridor, vibration levels at a property located 19 feet from the near track was measured at 71 VdB. The speed of trains at this location is generally 45 to 55 mph in the southbound direction.

Section 5.14 Safety and Security

This section supplements Section 4.15 of the Final EIR. It generally evaluates the effect of the project on safety and security. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impact and Mititigation

The effect of the proposed changes on safety and security will be similar to the approved project.

Impact: The proposed changes to the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to safety and security. The following impacts from the Final EIR still apply: SS-3 (Pedestrian and/or Bicycle Safety Risks at Gated Crossings) and SS-4 (Inadequate Lighting or Visual Obstructions at Park-and-Ride Lots).

Mitigation: The following mitigation measures from the Final EIR still apply: SS-3 (Incorporate Pedestrian-Friendly Features), SS-4a (Implement Measures to Deter Crime), SS-4b (Use Lighting, Cameras, and Security Patrols to Enhance Safety), and SS-4c (Define Fire and Life Safety Procedures and Develop Evacuation Plans). The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.15 Socioeconomics

This section supplements Section 4.16 of the Final EIR. It generally evaluates the potential for the project to displace existing businesses and residences. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impact and Mitigation

In general, the proposed changes to the project will reduce the displacement of businesses and residences. The major changes to right-of-way are as follows:

Table 5-9 Major Changes in Right-of-Way Requirements

APN	Address	Use	Final EIR Impact	Supplemental EIR Impact
484-45-117	2693 Lombard Avenue	Residential	Full Acquisition	Partial Acquisition
484-29-009	620 S. Capitol Avenue	Residential	Full Acquisition	No acquisition
484-29-008	640 S. Capitol Avenue	Residential	Full Acquisition	No acquisition
484-29-007	660 S. Capitol Avenue	Residential	Full Acquisition	No acquisition
488-01-041	2710 Story Road	Commercial	Full Acquisition	Partial Acquisition
486-42-002	1690 Silverstone Place	Residential	Full Acquisition	Partial Acquisition

Between Capitol Avenue and Capitol Expressway, the Final EIR had identified the full acquisition of 4 residences. The full acquisition of 2693 Lombard Avenue was avoided by refining the plans for the light rail alignment and landscaping to avoid the residence. However, it should be noted that partial acquisition of landscaping is still required from this property to maintain minimum sidewalk widths. The full acquisition of 3 residences south of Highwood Drive and east of Capitol Expressway was avoided by shifting the light rail alignment to the west to preserve driveway access.

On the southeast corner of Story Road, the Final EIR had identified the full acquisition of a Chevron Service Station due to the placement of stairs and an elevator for a pedestrian overcrossing to the Story Road Station. By minimizing the footprint of these facilities, the full acquisition was reduced to a partial acquisition that will require the removal of driveway access to and from Capitol Expressway and landscaping.

North of Ocala Avenue, the Final EIR had identified the full acquisition of 1690 Silverstone Place in order to modify the geometry of Capitol Expressway to accommodate the light rail station between Ocala Avenue and Cunningham Avenue. Due to the proximity of the residence to the property line, it appeared that the building could not be avoided. However, the shifting of the station closer to Ocala Avenue has allowed the project to avoid the residence. A portion of the backyard for this residence will still be required for the light rail alignment and urban boulevard improvements.

The other acquisitions identified in the Final EIR are still needed for the project. They consist of one full acquisition and numerous partial acquisitions. The full acquisition consists of one parcel located at 1091-1093 S. Capitol Avenue and will displace two businesses. This property continues to be needed to address circulation and emergency egress requirements on S. Capitol Avenue north of Story Road.

Partial acquisitions will occur at various locations along the light rail alignment. These locations include commercial and residential properties on the west side of Capitol Avenue north of Capitol Expressway, commercial properties at Story Road, and residential properties on Brownstone Court, Pinkstone Court, and Silverstone Place. Temporary easements for construction and permanent easements for utilities and maintenance will also be required. Partial acquisitions will primarily affect landscaping at commercial properties, and front and back yards of residential properties.

Impact: The proposed changes to the project will decrease the number of full acquisitions from 7 to 1 parcel. As a result, the project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to socioeconomics.

The following impact from the Final EIR still applies: SOC-16 (Displacement of Existing Businesses or Housing).

Mitigation: The following mitigation measures from the Final EIR still apply: SOC-16a (Comply with Legislation for Acquisition and Relocation) and SOC-16b (Inform Residents and Businesses of Project Status). The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.16 Utilities

This section supplements Section 4.17 of the Final EIR. It generally evaluates the effect of the project on various utilities that cross or parallel the corridor and run underneath or above the corridor. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impact and Mitigation

The project is proposing the following changes that will affect utilities:

- Changes to Electrical Transmission Facilities
  The number of electrical transmission facilities that will need to be relocated has increased from 5 to 7. The location of a new TSP has also changed and is summarized in Table 3-1 in Chapter 3.
- Changes to Gas Transmission Pipelines
  Three gas transmission pipelines are at sufficient depth that they will remain in place during construction and operation of the light rail system.
- Changes to Eastridge Transit Center
  An additional traction power substation is proposed at Eastridge Transit Center. This substation will require primary electrical service. PG&E has a 21kV 600 Amp circuit in the area with adequate capacity and protection.

Impact: The proposed project will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to utilities.

The following impact from the Final EIR still applies: UTIL-3 (Require Construction of New Stormwater Drainage Facilities or Expansion of Existing Facilities).

Mitigation: The following mitigation measure from the Final EIR still applies: HYD-14 (Maintain Operational Water Quality). The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.17 Visual Quality

This section supplements Section 4.18 from the Final EIR. It generally evaluates the effect of the project on aesthetic resources within the Capitol Expressway Corridor. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impact and Mitigation

The project is proposing the following changes that will affect visual quality:

- Alignment shift at Capitol Avenue and Capitol Expressway will no longer require the acquisition of three homes.

  In the Final EIR, the project's effect on visual quality at this location was not evaluated since three homes that are directly adjacent to the aerial structure were identified as full acquisitions. By shifting the alignment to

the west, VTA was able to preserve roadway access to these properties and avoid full acquisition.

Figures 5-3 to 5-6 illustrate the change in the visual environment from these residences with the project. The project will add a concrete structure and supporting trackway facilities, such as the overhead contact wire (OCS) and catenary poles, into an urban setting dominated by electrical poles and street light poles along Capitol Avenue. A new soundwall will be constructed to replace the existing soundwall and will be approximately the same height as the existing wall.

The introduction of the aerial structure into the visual setting would result in a major change in the views from the residences along S. Capitol Avenue south of Highwood Drive. It would also diminish the privacy of the residences, which would be visible from the train.

- Two of the four pedestrian overcrossings at the Story Road Station will be removed.

  In the Final EIR, the effect of the project on the views at Story Road were evaluated. With the proposed removal of the two northern set of pedestrian overcrossings, the project's effect on visual quality would be reduced since the pedestrian overcrossings are one of the most prominent structural elements at this location. Figures 5-7 to 5-10 illustrate the change in the visual environment, which will continue to be dominated by the aerial structure and station facilities.

- Relocation of station to Ocala Avenue.

  Figure 5-11 and 5-12 illustrates the change in the visual environment at Ocala Avenue. At this location, the project will be relocating a station closer to Ocala Avenue, adding a traction power substation on the southwest corner, and replacing an electrical transmission tower.

  As shown in the visual simulation, the existing views from Capitol Expressway of the roadway, electrical transmission towers, and Reid-Hillview Airport will be changed by the project. The addition of landscaping in the median and along both sides of Capitol Expressway will soften existing views from the roadway and reduce the prominence of the light rail trackway, OCS poles, catenary wires, and station facilities. The replacement of the wide lattice electrical transmission tower with a tall, narrow TSP will reduce its massive appearance. The substation building and wall will add a new structural element to the visual environment at this location.

Figure 5-3 Existing View of Capitol Avenue Looking South from Highwood Drive

Figure 5-4 Visual Simulation of Aerial Guideway at Capitol Avenue Looking South from Highwood Drive

Figure 5-5 Existing View of Capitol Avenue from Highwood Drive

Figure 5-6 Visual Simulation of Aerial Guideway at Capitol Avenue from Highwood Drive

Figure 5-7 Existing Aerial View of Story Road & Capitol Expressway

Figure 5-8
Visual Simulation of
Story Road Aerial Station

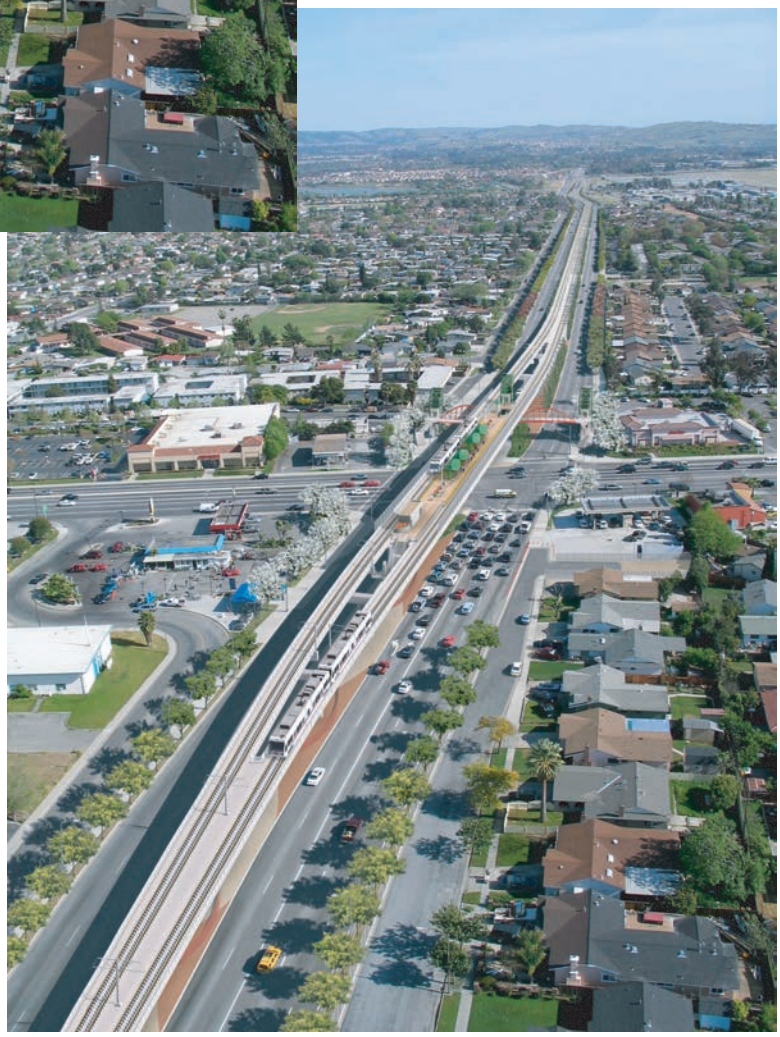


Figure 5-9 Existing View of Story Road Looking South

Figure 5-10 Visual Simulation of Story Road Aerial Structure, Station, and Pedestrian Overcrossings

Figure 5-11 Existing View of Ocala Avenue Looking South

Figure 5-12 Visual Simulation of Ocala Avenue At-Grade Crossing

- Relocation of electrical transmission facilities to the east side of Capitol Expressway between Cunningham Avenue and Tully Road.

  Figures 5-13 and 5-14 illustrate the change in the visual environment between Cunningham Avenue and Tully Road. The existing view is dominated in the foreground by ruderal habitat to the east, and Capitol Expressway, electrical transmission towers and Reid-Hillview Airport to the west. In the background, there are distant views of the foothills that border the project area to the east.

  The proposed changes to the project would move the electrical transmission towers from the median/west to the east side of Capitol Expressway. The wide lattice towers would be replaced with tall, narrow TSP's that would be located at the toe of slope east of Capitol Expressway. The TSP's could be as high as 110 feet, which is taller than the existing lattice towers. Views of the TSP's would be softened by the addition of landscaping in the median and along both sides of Capitol Expressway.

- Relocation of electrical transmission facilities to the east side of Capitol Expressway between Tully Road and Quimby Road.

  Figures 5-15 and 5-16 illustrate the change in the visual environment along Thompson Creek between Tully Road and Quimby Road. The existing view is dominated by a shopping center (not shown), Thompson Creek, Capitol Expressway, and Eastridge Transit Center. One alternative alignment for the electrical transmission facilities in this area would relocate three electrical transmission towers from the median to the east side of Capitol Expressway. Due to the increased proximity to Thompson Creek, two poles will be more visible from homes on the east side of Thompson Creek and from the future Thompson Creek Trail, which is planned for the east bank.

Impact: The proposed changes to the project will affect the visual environment along the Capitol Expressway Corridor. In several locations, the project will add or relocate major structural elements that will alter existing views.

However, given the urban character of this area and the absence of scenic resources, this impact is not considered significant. It is recommended that the project include a visual screen along the east embankment/aerial structure at Capitol Avenue and Capitol Expressway in order to reduce the visibility of the residences from the train.

Figure 5-13 Existing View of Capitol Expressway North of Tully Road

Figure 5-14 Visual Simulation of Relocated Transmission Facilities North of Tully Road

Figure 5-15 Existing Views of Thompson Creek

Figure 5-16 Visual Simulations of Electrical Transmission Facilities Near Thompson Creek

The following impacts from the Final EIR still apply: VQ-1 (Creation of Substantial Light or Glare) and VQ-3 (Degradation of Existing Visual Quality).

Mitigation: The following mitigation measures from the Final EIR still apply: VQ-1 (Minimize Light and Glare), VQ-3 (Involve Public in Station Design), and VQ-4 (Incorporate Landscaping). The inclusion of these mitigation measures in the project reduces the impact to "Less than Significant".

Section 5.18 Construction Impacts

This section supplements Section 4.19 of the Final EIR. It generally describes the effect of the project on the environment during construction. Mitigation measures are identified for impacts that exceed the significance thresholds listed in the Final EIR.

Environmental Impacts and Mitigation

Since the certification of the Final EIR, there have been the following changes to the phasing and construction of CELR:

- According to the 2000 Measure A Revenue and Expenditure Plan approved by the VTA Board of Directors in June 2006, Phase 1A to Eastridge would begin revenue service in 2012 and Phase 1B to Nieman Boulevard would begin revenue service in 2024.

  Based on this schedule, construction of Phase 1A to Eastridge would begin in 2008 and would occur over a period of four years. Most of the construction work would take place in sequential order along the project corridor from either Alum Rock Station or Eastridge Transit Center.

- In addition to the construction staging area at Capitol Expressway/Ocala Avenue evaluated in the Final EIR, the project will require additional areas for staging construction material and equipment. The actual locations and associated access remain to be identified, but it is expected that the laydown areas will be adjacent to the roadway in areas that are either vacant or available for use. Any use of private property would be coordinated with the property owner.

  The areas could be used to store and stage construction equipment (including heavy equipment) and materials (including soil, piles, form-work, lumber for false-work, construction trailer, etc.).

- It has also been determined in consultation with PG&E that three gas transmission pipelines are at sufficient depth that they can remain in place during construction and operation of the light rail system. Maximum wheel loadings have been established and will be strictly enforced during construction.

- During preliminary engineering, more detailed information on the construction of the aerial structure between Capitol Avenue and Story Road and at Tully Road became available. The aerial structure will generally require that 9 to 12 piles be driven per day for 3 to 6 days at each column site. The column sites will be spaced approximately 120 to 130 feet apart.

  Based on noise measurements conducted by Wilson Ihrig & Associates at construction projects in the Bay Area, pile driving can generate maximum noise levels on the order of 85 to 105 dBA at 100 feet depending on the hammer type and size, pile type, and subsoil conditions.

  Based on vibration data collected by Wilson Ihrig & Associates at construction projects in the Bay Area, pile driving can generate vibration exceeding 0.3 inches/second (PPV) at 100 feet depending on the hammer size, pile type, and subsoil conditions.

  Along the CELR corridor, the distance between residences and pile driving locations range from 35 to 525 feet. The distance between commercial buildings and pile driving locations range from 75 to 170 feet.

Impact: The changes to the construction schedule, staging areas, and utility relocations will result in similar environmental effects as the approved project. As a result, the following impacts from the Final EIR still apply: TRN-1 (Long-Term Street or Lane Closure), TRN-2 (Long-Term Loss of Parking or Access Essential for Business Operations), AQ-1 (Increase in Construction-Related Emissions), CS-1 (Disruption of Emergency Access), E-1 (Wasteful Consumption of Nonrenewable Energy Resources), GEO-1 (Lateral Spreading, Subsidence, and Collapse), GEO-2 (Presence of Expansive Soil), HAZ-1 (Release of Hazardous Materials into the Environment), HYD-1 (Impair Water Quality), HYD-2 (Depletion of Groundwater Supplies), HYD-13 (Alterations in Existing Drainage Patterns), NV-1 (Generate Noise and Vibration), SS-1 (Safety Risks During Construction), UTL-1 (Disruption of Utility Service), and VQ-1 (Creation of New Source of Light or Glare).

Mitigation: The following mitigation measures from the Final EIR still apply: TRN-2a (Prepare Traffic Management Plan), TRN-2b (Inform Public of Traffic Detours), TRN-2c (Inform Public of Transit Service Changes), AQ-1 (Implement Dust and Emission Control Measures), CS-1 (Coordinate with Emergency Service Providers), E-1 (Adopt Energy Conservation Measures), GEO-1 (Minimize Lateral Spreading, Subsidence, and Collapse), GEO-2 (Minimize Risk of Soil Expansivity), HAZ-1a (Conduct Subsurface Investigations), HAZ-1b (Control Contamination), HAZ-1c (Conduct Lead and Asbestos Surveys prior to Building Demolition or Renovation), HYD-1 (Implement Water Quality Control Measures), HYD-2 (Use Non-Potable Water), NV-1a (Notify Residents of Construction Activities), NV-1b (Construct Temporary Noise Barriers During Construction), NV-1c (Restrict Pile Driving), NV-1d (Use Noise Suppression Devices), NV-1e (Locate Stationary Construction Equipment as Far as Possible from Sensitive Receptors), NV-1f (Reroute Construction-Related Truck Traffic, SS-1 (Implement Construction Best Management Practices), UTL-1 (Coordinate with Utility Providers), and VQ-1 (Direct Lighting Toward Construction Area). The inclusion of these mitigation measures in the project reduces the above impacts to “Less than Significant”.

Impact NV (Construction)-2: Generation of Noise from Pile Driving that Substantially Affects Nearby Sensitive Receptors

The *Noise and Vibration Study For the Supplemental Environmental Impact Review* evaluated the effect of pile driving on noise and vibration levels at sensitive receptors along the CELR corridor. Using FTA's construction noise criteria, there is the potential for significant construction noise impacts at 54 residences and 5 nonresidential buildings between Capitol Avenue and Story Road listed in Table 5-10:

Table 5-10 Location of Potentially Significant Construction Noise Impacts

Location	Civil Station	Distance to Nearest Column (ft)	No. of Buildings	FTA Criterion (dBA)	Pile Driving Noise (Leq)	
					Nearest Column	Next Nearest
Lombard Avenue to Capitol Expwy	11+60 to 12+00 SB	230	1	80	82	78
Excalibur Drive to Bambi Lane	13+90 to 14+50 SB	175	3	80	84	80
Bambi Lane to Story Road	14+50 to 18+60 SB	105 – 150	22	80	86 to 88	81 to 83
Story Road	19+00 to 20+60 SB	95 – 115	3 (commercial)	85	88 – 89	82 – 83
Brenford Drive	20+70 to 21+30 SB	95 – 110	4	80	88 – 89	82 – 83
Brenford Drive	21+30 to 21+90 SB	150 – 310	4	80	81 – 86	78 – 81
Westboro Drive to Highwood Drive	11+80 to 12+30 NB	160 – 230	2	80	82 – 87	79 – 81
Highwood Drive to Capitol Expressway	12+30 to 14+00 NB	35 – 85	8	80	91 – 99	83 – 86
Dover Way	14+00 to 15+00 NB	100 – 110	5	80	88 – 89	82 – 83
Templo Juan*	17+20 NB	135	1	80	86	81
Assemblies of God*	18+00 NB	145	1	80	86	81
Kollmar Drive	20+20 to 20+50 NB	85	1	80	89	82
Sussex Drive	20+50 to 21+50 NB	125 – 130	2	80	87	81 – 82
Tudor Court	21+50 to 21+90 NB	195 – 310	2	80	77 – 83	77 - 79

Source: *Noise and Vibration Study for Supplemental Environmental Impact Review, January 2007.*

* Impact occurs only if church activities take place during pile driving.

Mitigation Measure NV (Construction)-2: Develop Construction Noise Mitigation Plan For Pile Driving Activities

In addition to the above mitigation measures for construction noise, VTA will develop a Construction Noise Mitigation Plan for pile driving during Final Engineering to minimize the noise level and duration using all reasonable and feasible means available. This plan will establish reasonable noise limits based on the type of equipment that will be used, consider creating incentives for the contractor to implement measures to reduce the noise level and duration where it exceeds FTA construction noise criteria by at least 5 dBA, develop a noise monitoring program for ensuring compliance with noise limits, and restrict nighttime pile driving where feasible.

If the pile driving noise cannot be reduced below the FTA criteria and will exceed three days in duration, the plan will evaluate the need for establishing a daytime "quiet" place where affected residents and businesses can conduct quiet or work activities.

Given the uncertainty of whether existing or new technologies will reduce noise from pile driving below FTA criteria and whether these technologies are feasible and reasonable, VTA has determined that this impact is potentially significant and unavoidable.

Impact NV (Construction)-3: Generation of Vibration from Pile Driving that Substantially Affects Nearby Sensitive Receptors

The *Noise and Vibration Study For the Supplemental Environmental Impact Review* evaluated the effect of pile driving on noise and vibration levels at sensitive receptors along the CELR corridor. Groundborne vibration is generally perceptible to people at much lower levels than is required to cause cosmetic or structural damage. While annoyance caused by vibration is a concern during construction, VTA considers damage to buildings as the primary criteria for a significant construction vibration impact. FTA's criterion for construction vibration damage is 0.2 PPV (in/sec) for the type of structures located adjacent to pile driving locations.

In Table 5-11, the location of potentially significant vibration impacts is identified. At 43 properties, there is the potential for cosmetic damage, such as cracks in the plaster or drywall,

which can be repaired and do not affect the structural integrity of the building. At 1 property that is located 35 feet from a column for the aerial structure, there is the potential for structural damage.

Table 5-11 Location of Potentially Significant Construction Vibration Impacts

Location	Civil Station	Distance (ft)	No. of Buildings	FTA Damage Criteria (in/sec PPV)	Pile Driving Vibration (in/sec PPV)	Type of Damage
Excalibur Drive to Story Road	14+50 to 18+60 SB	105 – 150	22	0.2	0.20 – 0.29	Cosmetic
Brenford Drive	20+70 to 21+30 SB	95 – 110	4	0.2	0.29 – 0.32	Cosmetic
Westboro Drive to Capitol Expressway	12+10 to 14+00 NB	35 – 130	8 Cosmetic 1 Structural	0.2	0.23 - 1.20	Cosmetic/ Structural
Dover Way	14+00 to 15+00 NB	100 – 110	5	0.2	0.28 – 0.32	Cosmetic
Templo Juan	17+20 NB	135	1	0.2	0.21	Cosmetic
Kollmar Drive	20+20 to 20+50 NB	85	1	0.2	0.31	Cosmetic
Sussex Drive	20+50 to 22+00 NB	125 – 130	2	0.2	0.23 – 0.24	Cosmetic

Source: *Noise and Vibration Study for Supplemental Environmental Impact Review, January 2007.*

Mitigation Measure NV (Construction) – 3: Develop Construction Vibration Mitigation Plan For Pile Driving Activities

VTA will develop a Construction Vibration Mitigation Plan for pile driving to minimize vibration level and duration using all reasonable and feasible technologies available, such as soil-mix or non-impact methods. This plan will establish reasonable vibration limits based on the type of equipment that will be used, consider creating incentives for the contractor to implement measures to reduce the vibration level and duration where it exceeds FTA construction vibration damage criteria, develop a vibration monitoring program for ensuring compliance with vibration limits, and restrict nighttime pile driving where feasible.

In addition, the plan will include a detailed building survey for cracks before and after pile driving at properties listed in Table 5-11. Any cracks attributed to pile driving will be repaired. If the damage is more extensive, VTA may determine that it is more cost-effective to acquire the property and relocate the residents than repair the damage, especially if the damage affects the structural integrity of the building.

It is also possible that items on shelves or walls may move during pile driving. As a result, the plan will include assistance to residences and businesses for removing and replacing fragile items from shelves and walls before and after pile driving.

The plan will also evaluate the need for providing lodging or establishing a daytime center for residents affected by construction vibration.

Since it is possible that construction vibration levels will exceed the FTA criteria with mitigation, VTA has determined that this impact is potentially significant and unavoidable.

Chapter 6
Other CEQA Considerations

This section presents other environmental issues that are of particular significance to CEQA. It includes a discussion of significant and irreversible environmental changes, cumulative effects, and growth inducing effects.

Section 6.1 Significant and Irreversible Environmental Changes

This section supplements Section 5.4 of the Final EIR. It generally evaluates the effect of the project on nonrenewable resources.

The proposed changes to the project will not affect the conclusions of the Final EIR on the potential for significant and irreversible environmental changes.

Section 6.2 Analysis of Cumulative Effects

This section supplements Section 5.5 of the Final EIR. It generally evaluates the incremental effect of the project on the environment when considered in conjunction with closely related past, present, and reasonably foreseeable future projects.

The Final EIR identified significant and unavoidable cumulative effects to transportation at the intersections of Capitol Expressway and Story Road (TRN-Cum-2a and TRN-Cum-8b), Ocala Avenue (TRN-Cum-2b and TRN-Cum-8c), Capitol Avenue (TRN-Cum-8a), and Quimby Road (TRN-Cum-8e). The proposed changes to the project evaluated in the SEIR would have similar significant and unavoidable cumulative effects to transportation. However, due to recent geometric changes at the intersection of Capitol Expressway and Capitol Avenue, the SEIR no longer identifies a significant and unavoidable cumulative effect at this location.

In the Supplemental EIR, new significant and unavoidable impacts were identified to the electrical transmission system, vibration from transit operations, noise and vibration from construction, and environmental justice. When added to the effects of past, present, and reasonably foreseeable projects in the area, the following cumulative effects were identified.

- Energy: Because the project will increase demand for electricity, it will generate additional strain on the electrical transmission system during peak periods. When the demand for electricity generated by the Capitol Expressway project is added to the demand for electricity generated by other past, present, and reasonably foreseeable projects throughout the state, the cumulative effect on energy is significant (E-Cum-9). Until improvements to the transmission system are implemented, this cumulative effect will be significant and unavoidable.

- Vibration from Transit Operations: In Section 5.13, the effect of the project on cumulative vibration levels was found to significant at 11 properties. While VTA will evaluate the various measures to reduce these impacts, it may not be feasible or reasonable to incorporate these additional measures into the project. As a result, the project will have a cumulative effect on vibration (NV-Cum-4) that is potentially significant and unavoidable.

- Noise and Vibration from Construction: In Section 5.18, it was determined that pile driving during construction will result in significant and avoidable noise and vibration impacts. In order to avoid incremental increases in noise and vibration that may result from other projects that are under construction at the same time, VTA will coordinate its activities with other construction projects where feasible and reasonable (NV-Cum-2 and NV-Cum-3). This mitigation measure will reduce cumulative effects from construction noise and vibration (NV- 2 and NV- 3) to less than significant.

- Environmental Justice: Since cumulative vibration levels from transit operations will disproportionately affect minority and low-income populations, the project will have a cumulative effect on environmental justice (EJ-Cum-1) that is potentially significant and unavoidable.

Section 6.3 Growth-Inducing Impacts

This section supplements Section 5.6 of the Final EIR. It generally evaluates the potential to directly or indirectly foster economic or population growth, or the construction of new housing.

The Final EIR concluded that the project is generally consistent with projected and planned growth in the region and in the project area. However, the Final EIR did acknowledge that the project could have an indirect growth-inducing effect by accelerating planned growth in a more compact, transit-oriented form, particularly in and around planned light rail stations.

The proposed changes to the project will not affect the conclusions of the Final EIR regarding on the potential for growth-inducing impacts.

Chapter 7
References

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Chapter 8
List of Preparers

Section 8.1 Lead Agency

Thomas W. Fitzwater	Environmental Resources Planning Manager
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Lauren Bobadilla	Senior Environmental Planner
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Jiri Vitek	Senior Project Manager

Responses to Comments on the Draft Supplemental EIR

Responses to Comments on the Draft Supplemental EIR

The Draft Supplemental EIR was made available for public review for 45 days from January 19, 2007, to March 5, 2007. A Notice of Availability was posted with the Santa Clara County Clerk and sent to 250 public agencies, community organizations, residents, and businesses (see Attachment A for a copy of the NOA and Attachment B for a copy of the mailing list). During the public review of the Draft Supplemental EIR, VTA held a Public Meeting and Open House on February 8, 2007, to provide additional opportunities for public comment.

VTA received 12 comments on the Draft Supplemental EIR, which are listed below. In accordance with CEQA Guidelines Section 15088, VTA has evaluated comments on environmental issues received from persons who reviewed the Draft EIR and has provided a written response.

Letter/Speaker	Name	Date
Federal Comments		
None		
State Comments		
S1	California Department of Fish and Game	January 26, 2007
Local Comments		
L1	County of Santa Clara, Parks and Recreation	January 23, 2007
L2	County of Santa Clara, Roads and Airports	February 20, 2007
L3	Santa Clara Valley Water District	March 5, 2007
L4	Pacific Gas & Electric Company	March 5, 2007
Speaker Comments		
SP1	Ms. Patricia Martinez-Roach	February 8, 2007
SP2	Mr. Jim Zito	February 8, 2007
SP3	Ms. Helen Johnson	February 8, 2007
SP4	Ms. Carol Ashman	February 8, 2007
SP5	Mr. Ted Johnson	February 8, 2007
SP6	Mr. Frank Biehl	February 8, 2007
SP7	Mr. Ike White	February 8, 2007

STATE OF CALIFORNIA - THE RESOURCES AGENCY
ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

VTA
ENV. ANALYSIS

2007 JAN 30 P 3:06

S1

CEQA Filing Fee No Effect Determination Form

Applicant Name: **Date Submitted:**

Applicant Address:

Project Name: Capitol Expressway Light Rail Project

CEQA Lead Agency: Santa Clara Valley Transportation Authority
CEQA Document Type: Supplement EIR
SCH Number and/or local agency ID Number: SCH 2001092014

Project Location: Capitol Avenue/Expressway between Alum Rock Avenue and Nieman Boulevard, San Jose, CA

Brief Project Description: Light rail extension along Capitol Expressway from Alum Rock Station to Nieman Boulevard. The alignment will consist of at-grade and aerial sections that will be located in the median of the expressway between Alum Rock Station and Tully Rock and side-running on the west side of the expressway between Tully Rock and Nieman Boulevard. The project will include four new stations, modification to Capitol Expressway, reconfiguration of the Eastridge Transit Center, relocation of electrical transmission facilities, and a light rail storage facility. This is a Supplement to the EIR (SCH#2001092014) and addresses changes to the project in the initial phase between Alum Rock Station and Eastridge Transit Center, including changes to the horizontal and vertical alignment and changes in station design.

S1-1

Determination: Based on a review of the Project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

S1

S1-1

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final, and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By: _____ Date: January 26, 2007

Charles Armor
Acting Regional Manager

Letter S1 California Department of Fish and Game, January 26, 2007

S1-1 This comment is noted. VTA understands that for the purposes of the assessment of CEQA filing fees, the project has no potential effect on fish, wildlife and habitat. Payment of a CEQA filing fee is not required.

County of Santa Clara

Parks and Recreation Department

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Los Gatos, California 95032-7669
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Reservations (408) 355-2201
www.parkhere.org

VTA
ENV. ANALYSIS

2007 JAN 24 P 2:29

L1

January 23, 2007

Thomas W. Fitzwater, Environmental Planning Manager
Santa Clara Valley Transportation Authority
Environmental Planning
3331 N. First Street, Building B
San Jose, CA 95134

RE: Capital Expressway Light Rail Draft Supplemental Environmental Impact Report

Dear Mr. Fitzwater:

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report, Volume 1, for the Capital Expressway Light Rail project, which addresses proposed revisions to the approved project. Please note that the Draft EIS/EIR for the Capital Expressway Light Rail Transit Project was reviewed by the Parks and Recreation Department, and a comment letter was sent on June 18, 2004. A copy of that letter is attached for your reference.

The proposed revisions to the approved project do not impact the Trails Element of the Parks and Recreation Chapter of the 1995 General Plan, and none of the proposed revisions are in the vicinity of trail alignments identified in the Countywide Trails Master Plan Update.

L1-1

Santa Clara County Parks and Recreation Department has no further comments at this time and appreciates the opportunity to comment. If you have any questions regarding the above noted comments, please feel free to contact me at (408) 355-2230 or via email at Alice.Daly@prk.sccgov.org

Sincerely,

Alice Daly, Planner

cc: Mark Frederick, Manager, Planning & Development
Attached: Draft EIS/EIR Comment letter dated June 18, 2004

County of Santa Clara
Environmental Resources Agency
Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200 FAX 355-2290

www.parkhere.org

June 18, 2004

Mr. Thomas Fitzwater, Environmental Planner Manager
Valley Transportation Agency
3331 North First Street
San Jose, CA 95134-1906

RE: Draft Environmental Impact Statement/Environmental Impact Report

Dear Mr. Fitzwater:

Thank you for the opportunity to comment on the Draft EIS/EIR for the Capitol Expressway Light Rail Transit Project in San Jose, CA. The County of Santa Clara Parks and Recreation Department comments are focused on the following:

- **Section 2.2.2 Land Uses:** This section does not mention Coyote Creek Parkway or the Coyote Creek Trail that passes under Capitol Expressway. According to Santa Clara County Parks and Recreation visitor use records, every year approximately 68,500 people from various locations around the Bay Area use the Coyote Creek Trail, and approximately 195,000 people use the nearby Coyote Hellyer County Park. The Coyote Creek Parkway and City and County Parklands should be mentioned as a significant landmark/ land use in this section of the Draft EIS/EIR.

- **Section 4.13.2 (page 4.13-6 Regulatory Setting):** This section does not mention the 1995 Countywide Trails Master Plan Update that was approved by the County Board of Supervisors and incorporated into the County General Plan. This document serves as a land use plan for implementing regional, sub-regional, and connector trail routes within Santa Clara County. The Countywide Trails Master Plan lists three trails (with two alignments) that are in the vicinity of the Capitol Expressway Light Rail Project.

- **General Trail Comments**
  - **Regional Trail Route R5-C (Bay Area Ridge Trail: El Sombroso/Penitencia) and Sub-regional Trail Route S5 (Coyote Creek/Llagas Creek Trail)**

  These trails share the same alignment in the project area, so comments are the same for both trail routes. According to various maps featured in the Draft EIS/ EIR, the Capitol Expressway Light Rail alignment crosses Trail Routes R5-C and S5 (commonly known as the Coyote Creek Trail) between McLaughlin Ave and Senter Rd. The segment of trail in the light rail project vicinity is intended for hiking, off-road bicycle, and equestrian use, and is under the jurisdiction of the City of San Jose. Any light rail development in the vicinity of this trail should take into account existing and future uses and be coordinated with the City of San Jose. Wherever possible, spur trails or pathways should be constructed to connect trail users with the light rail project and light rail users with the trail.

L1

- **Trail Route C22- Silver Creek Loop Trail**

The City of San Jose is currently developing a Master Plan for the Thompson Creek Trail in the Thompson Creek corridor, from Lake Cunningham Park to the intersection of San Felipe Road and Heartland Way. Part of this planned trail alignment is in the Capitol Expressway Light Rail project vicinity. According to the Countywide Trails Master Plan, this trail segment is intended for hiking, on-road, and off-road bicycle use. Any development in the vicinity of this trail should take into account existing and future uses and be coordinated with the City of San Jose. Wherever possible, spur trails or pathways should be constructed to connect trail users with the light rail project and light rail users with the trail.

- **Section 9.2.6 Local Agencies and Officials (page 9-6)**: The contact information for the County Parks and Recreation Department is incorrect. The Director's name is Lisa Killough.

Overall, we commend the VTA in its efforts to provide an improved transportation network that will create livable communities for the future. If you have any questions regarding the above noted comments, please contact me at (408) 355-2230 or via EMAIL at kelly.gibson@prk.sccgov.org

Respectfully,

Kelly Gibson

Kelly Gibson
Park Planner

cc: Mark Frederick. Manager, Planning & Development

Letter L1 County of Santa Clara, Parks and Recreation, January 23, 2007

L1-1: This comment is noted. VTA understands that the County of Santa Clara Parks and Recreation Department has determined that none of the proposed revisions to the project impact the Trails Element of the 1995 General Plan or the Countywide Trails Master Plan Update.

County of Santa Clara
Roads and Airports Department

101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2400

VTA
ENV. ANALYSIS
2007 FEB 22 A 9:06

L2

February 20, 2007

Mr. Thomas W. Fitzwater, Environmental Resources Planning Manager
Santa Clara Valley Transportation Authority, Environmental Planning
3331 N. First Street, Building B
San Jose, CA 95134-1927

Subject: Notice of Availability of Draft Supplemental Environmental Impact Report (DSEIR) for the Capitol Expressway Light Rail Project (CELR)

Dear Mr. Fitzwater,

Your January 18, 2007 Notice along with the attachment for the subject project have been reviewed. Our comments are as follows:

1. The left lane at all intersections along Capitol Expressway need to remain (at minimum) at its current capacity. Since the Light Rail Project will eliminate one through lane in each direction, existing left turn lane need to be expanded to prevent the spill over into through lanes.

2. It is also recommended to keep four (4) lanes in each direction between Freeway 680 and Story Road. This segment will be significantly impacted with a lane taken away. The traffic impact will also cause further back up on Freeway 680 interchange.

3. Page 3-3 Figure 3-2(Proposed Changes to Project) is not acceptable. The elimination of the two Pedestrian Over crossings impacts the intersection because people accessing LRT must use existing signalized crossing.

4. Page 3-5 Figure 3-3(Proposed Changes to Project) - add fence on both sides of Capitol Expressway to prevent illegal pedestrian crossing at mid block.

5. Page 3-6(Changes to the Electrical Transmission Facilities between Ocala Avenue and Quimby Road). It is recommended that the overhead wires be relocated underground.

If you have any questions, please contact me at 573-2464.

Sincerely,

Raluca Nitescu
Project Engineer
cc: MA, MLG, TH, WRL, File

Letter L2 County of Santa Clara, Roads and Airports, February 20, 2007

L2-1: The left turn capacity has been maximized as much as the roadway and intersection geometry will allow. As a result, VTA is unable to maintain the current capacity of the left lanes as requested. The new dimensions for the left turn lanes have been used in the traffic analysis and the effects on traffic have been identified in the Draft Supplemental EIR.

L2-2: This comment is noted. The removal of one lane in each direction from Capitol Expressway between Capitol Avenue and Story Road was evaluated in the Final EIR and is not the subject of this Supplemental EIR. In the Final EIR, the traffic impacts at certain intersections of Capitol Expressway were identified as significant and retaining four lanes in each direction was identified as potential mitigation. Since this mitigation would result in right-of-way acquisitions and impacts to adjacent properties, this traffic impact was identified as significant and unavoidable and the VTA Board of Directors adopted a Statement of Overriding Considerations when they certified the Final EIR in May 2005.

L2-3: This comment is noted and will be considered by the VTA Board of Directors when deciding whether to approve the changes to the project. The traffic analysis for the Draft Supplemental EIR did evaluate the effect of the elimination of the northern set of pedestrian overcrossings on the Story Road intersection, and determined that the effect on traffic was similar to the approved project. As a result, the Draft Supplemental EIR concluded that the changes to the project do not increase the severity of a previously identified significant impact.

L2-4: Barriers or fencing will be installed at selected locations in the median of Capitol Expressway to deter pedestrians from crossing the roadway except at signalized intersections. These barriers will include fencing along the median alignment from Ocala Station to Cunningham Avenue.

L2-5 Currently, the electrical transmission facilities are located aboveground. The special treatment required to underground these facilities is cost prohibitive. In addition, it is more efficient to construct and maintain this facility if it is located aboveground rather than placed underground.

Santa Clara Valley Water District SM

5750 ALMADEN EXPWY
SAN JOSE, CA 95118-3686
TELEPHONE (408) 265-2600
FACSIMILE (408) 266-0271
www.valleywater.org
AN EQUAL OPPORTUNITY EMPLOYER

L3

VTA
ENV. ANALYSIS
2007 MAR -7 P 2:30

File: 28140
Various

March 5, 2007

Mr. Thomas Fitzwater
VTA Environmental Planning Department
3331 North First Street, Building B
San Jose, CA 95134-1927

Subject: Supplemental Draft Environmental Impact Report (DEIR) for the Capitol Expressway Light Rail Project

Dear Mr. Fitzwater:

The Santa Clara Valley Water District (District) has reviewed the subject document, received on January 22, 2007.

Design Change – 6 involves relocating PG&E electrical transmission towers east of Capitol Expressway. The foundations for the towers/tubular steel poles should be located outside the District's Lower Silver/Thompson Creek fee title right of way. Maintenance to these facilities should be accessed from Capitol Expressway. **L3-1**

Design Change – 8 mentions shifting the existing intersection located at Eastridge Mall Access Road and Capitol Expressway to the south. Please be aware that Lower Silver Creek, contained in a 78-inch reinforced concrete pipe(RCP) traverses through the south end of the Eastridge Mall parking lot and continues through what appears to be the vicinity of the shifted intersection and continues easterly across Capitol Expressway to tie into the confluence of Norwood Creek and Thompson Creek. **L3-2**

A District permit will be required for any work located within the District's easement and/or fee title right of way. **L3-3**

We request that VTA continue project design coordination with the District to prevent any impacts to the District's future flood improvement projects. **L3-4**

Please reference File No. 28140 on further correspondence regarding the project. **L3-5**

Should you have any questions, please give me a call at (408) 265-2607, extension 2494, or email me at THipol@valleywater.org.

Sincerely,

Theodore Hipol
Assistant Engineer
Community Projects Review Unit

cc: S. Tippets, T. Hipol, J. Castillo, E. Evans, S. Bui, G. Fowler, D. Duran, File (2)

th:rmn
28140_48713th03-05

Letter L3 Santa Clara Valley Water District, March 5, 2007

L3-1 The proposed foundations for the relocated electrical transmission facilities are designed to be located outside of the District's fee title right-of-way. Maintenance access to these facilities is designed from Capitol Expressway with the use of maintenance vehicle pull-outs.

The roadway design, however, will require a minor acquisition of right-of-way from the District north of Quimby Road.

L3-2 VTA is aware that the District's 78-inch RCP traverses the south end of the Eastridge Mall parking lot, and will ensure its protection during the construction of the project.

L3-3 This comment is noted. VTA will submit a permit application to the District if any work is located within the District's easement and/or fee title right-of-way.

L3-4 This comment is noted. VTA will continue to coordinate with the District on the project design.

L3-5 This comment is noted. VTA will reference File No. 28140 on further correspondence regarding the project.

Pacific Gas and Electric Company®

Technical and Land Services

US Mail:
Mail Code N10A
Pacific Gas and Electric Company
P. O. Box 770000
San Francisco, CA 94177-0001

Overnight Mail:
Mail Code N10A
Pacific Gas and Electric Company
245 Market Street
San Francisco, CA 94105-1702

L4

March 5, 2007

Thomas W. Fitzwater, AICP
Environmental Resources Planning Manager
Santa Clara Valley Transportation Authority
3331 North Street, Bldg. B
San Jose, CA 95134 -1927

SUBJECT: Draft Supplemental Environmental Impact Report
Project Title: Downtown East Valley – Capitol Expressway Light Rail Project

Dear Mr. Fitzwater:

This letter is in response to the Santa Clara Valley Transportation Authority (VTA) Notice of Availability of Draft Supplemental Environmental Impact Report (DSEIR) for the Downtown East Valley – Capitol Expressway Light Rail Project (CELR).

Thank you for the opportunity to review and comment on the DSEIR for CELR project. PG&E has no additional comments at this time, however we would like to ask that you also include in the record the two attached letters (sent to VTA previously) for general reference.

L4-1

PLEASE NOTE: All references to the project in previous correspondence are the best estimates PG&E can provide at this time based upon the information provided to us by VTA regarding project scope, but should be considered approximate until all final engineering has been completed.

Thank you for this opportunity to provide comments. If you have any questions, please contact me at (415) 973-5699.

Sincerely,

Daniela Caroselli

Daniela Caroselli
Land Planner

c: Mahyar Congirlu, PG&E Land Agent
Christina Jaworski, VTA Senior Environmental Planner
Michael Lightstone, PG&E Senior Project Manager
Randy Kihara, PG&E Transmission Line Engineer

L4

Pacific Gas and Electric Company

111 Almaden Boulevard
P.O. Box 15005
San Jose, CA 95115-0005

October 6, 2004

Santa Clara Valley Transportation Authority
Environmental Planning Department
3331 North First Street
San Jose, CA 95134
Attn: Tom Fitzwater

RE: Review of Draft Environmental Impact Statement/Environmental Impact Report
Downtown East Valley Capitol Expressway- Corridor-Light Rail Alternative
Capitol Expressway, from Eastridge Transit Center to State Route 87
PG&E File : 40322924-y04-MR-168

Dear Mr. Fitzwater :

Thank you for the opportunity to review the Draft Environmental Impact Statement/Environmental Impact Report (DEIR) for the Downtown East Valley Capitol Expressway Corridor-Light Rail Alternative at the above referenced location. This DEIR review is recently forwarded to PG&E on 9/27/2004.

PG&E has the following comments to offer:

PG&E owns and operates gas and electric facilities which are located within and adjacent to the proposed project. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

The requesting party will be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate their proposed development. Because facilities relocation's require long lead times and are not always feasible, the requesting party should be encouraged to consult with PG&E as early in their planning stages as possible.

Relocations of PG&E's electric transmission and substation facilities (50,000 volts and above) could also require formal approval from the California Public Utilities Commission. If required, this approval process could take up to two years to complete. Proponents with development plans which could affect such electric transmission facilities should be referred to PG&E for additional information and assistance in the development of their project schedules.

Pacific Gas and Electric Company 111 Almaden Boulevard
P.O. Box 15005
San Jose, CA 95115-0005

L4

We would also like to note that continued development consistent with VTA's General Plans will have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate buildout capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to accommodate additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

We would like to recommend that environmental documents for proposed development projects include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

We also encourage the Santa Clara Valley Transportation Authority to include information about the issue of electric and magnetic fields (EMF) in the Notice of Preparation. It is PG&E's policy to share information and educate people about the issue of EMF.

> Electric and Magnetic Fields (EMF) exist wherever there is electricity--in appliances, homes, schools and offices, and in power lines. There is no scientific consensus on the actual health effects of EMF exposure, but it is an issue of public concern. If you have questions about EMF, please call your local PG&E office. A package of information which includes materials from the California Department of Health Services and other groups will be sent to you upon your request.

PG&E remains committed to working with VTA to provide timely, reliable and cost effective gas and electric service to the planned area. We would also appreciate being copied on future correspondence regarding this subject as this project develops.

The California Constitution vests in the California Public Utilities Commission (CPUC) exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all

L4

Pacific Gas and Electric Company

111 Almaden Boulevard
P.O. Box 15005
San Jose, CA 95115-0005

aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

Should you require any additional information or have any questions, please call me at (408) 282-7401.

Sincerely,

Alfred Poon
Land Agent
South Coast Area

L4

Pacific Gas and Electric Company

Corporate Real Estate
Land Services

111 Almaden Blvd., Rm. 814
San Jose, CA 95115

Mailing Address
P. O. Box 15005
San Jose, CA 95115-0005

DATE: 03/31/2006

3331 North First Street Building A
San Jose, CA. 95134

Attn: Scott Brady

RE: Review of Draft Environmental Impact Statement/Environmental Impact Report
Project: Capitol Expressway Light Rail Project (CELR)
PG&E File:40593674 & 8074878

Santa Clara Valley Transportation Authority (VTA):

Thank you for the opportunity to review the Draft Environmental Impact Statement/Environmental Impact Report for the CELR Project. PG&E has the following comments to offer:

PG&E owns and operates gas and electric facilities which are located within and adjacent to the proposed project. To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

Rearrangement of PG&E's electric transmission and substation facilities (50,000 volts and above) could also require formal approval from the California Public Utilities Commission. If required, this approval process could take up to two years to complete.

We would also like to note that continued development consistent with said Project could have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate build out capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to

L4

accommodate additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

We would like to recommend that environmental documents for proposed development projects include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

We also encourage VTA to include information about the issue of electric and magnetic fields (EMF) in the Notice of Preparation. It is PG&E's policy to share information and educate people about the issue of EMF.

> Electric and Magnetic Fields (EMF) exist wherever there is electricity--in appliances, homes, schools and offices, and in power lines. There is no scientific consensus on the actual health effects of EMF exposure, but it is an issue of public concern. If you have questions about EMF, please call your local PG&E office. A package of information which includes materials from the California Department of Health Services and other groups will be sent to you upon your request.

The California Constitution vests in the California Public Utilities Commission (CPUC) exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

PG&E remains committed to working with VTA to provide timely, reliable and cost effective gas and electric service to the planned area. We would also appreciate being copied on future correspondence regarding this subject as this project develops.

Should you have any questions, please call me at (408) 282-7534 or email tpq1@pge.com

Sincerely,

Ted Quach

Ted Quach
Pacific Gas and Electric Company
San Jose Land Services Office

Letter L4 Pacific Gas and Electric Company, March 5, 2007

L4-1 The correspondence attached to your letter has been included in the record as requested.

VALLEY TRANSPORTATION AUTHORITY

PUBLIC MEETING FOR THE

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE CAPITOL EXPRESSWAY LIGHT RAIL PROJECT

Hank Lopez Community Center
1694 Adrian Way
San Jose, California

Taken on

Thursday, February 8, 2007

At

6:41 p.m.

#26119

Advantage ARS Reporting
Services, LLC
1083 Lincoln Avenue, San Jose, California 95125, Telephone (408) 920-0222, Fax (408) 920-0188

A P P E A R A N C E S

Jayme Kunz, Moderator
VTA Public Information

Kenneth Ronsse,
VTA Design and Construction Manager

Tom Fitzwater,
VTA Environmental Manager

Larry Peng,
City of San Jose

Public Speakers:

Patricia Martinez-Roach
Jim Zito
Helen Johnson
Carol Ashman
Ted Johnson
Frank Biehl
Ike White

Court Reporter:

Noelia Espinola, CSR #8060

--o0o--

Page 1

VALLEY TRANSPORTATION AUTHORITY
PUBLIC MEETING FOR THE
DRAFT SUPPLEMENTAL
ENVIRONMENTAL IMPACT
REPORT FOR THE CAPITOL
EXPRESSWAY LIGHT RAIL
PROJECT

Hank Lopez Community Center
1694 Adrian Way
San Jose, California
Taken on
Thursday, February 8, 2007
At
6:41 p.

.

#26119

Page 2

A P P E A R A N C E S

Jayme Kunz, Moderator
VTA Public Information
Kenneth Ronsse,
VTA Design and Construction Manager
Tom Fitzwater,
VTA Environmental Manager
Larry Peng,
City of San Jose

Public Speakers:

Patricia Martinez-Roach
Jim Zito
Helen Johnson
Carol Ashman
Ted Johnson
Frank Biehl
Ike White

Court Reporter:

Noelia Espinola, CSR #8060

--o0o--

Page 3

P R O C E E D I N G S:

MS. KUNZ: Good evening. Thank for coming out tonight. I know it's hard to get yourself out when it's raining like this. We appreciate all of you making the effort to join us this evening to talk about where we're at in the preliminary engineering process on the downtown Capitol Expressway Project and to talk about the updated Environmental Impact Report, which is the purpose of this meeting.

My name is Jayme Kunz. I'm VTA's communications manager. I'm here tonight with Brent Pearse, our public communications specialist on this project. He's your day-to-day contact if you have questions.

Kenneth Ronsse, who is the engineer – I'm sorry.

MR. RONSSE: It's okay. Project manager. Any of that is fine.

MS. KUNZ: I'm sorry. Project manager. Thank you.

Tom Fitzwater is the manager for environmental planning for VTA. Christina Jaworski (phonetic), who is also in environmental planning. And Lupe Solis, who is member of the public affairs

Page 4

department.

If anyone needs translation services, Lupe is a Spanish language interpreter and she'll be happy to work with you. We also have someone here to interpret if you need Vietnamese language services as well. So let us know and we'll direct you to the right area.

We are holding a public comment meeting tonight, which means that we're going to start with a brief presentation on the status of the project, as well as the environmental report. And then you'll have an opportunity to comment.

We won't be answering really technical questions tonight. The purpose of your comment is to get them on the record and incorporate them into the environmental document. The questions that we can answer, we certainly will. But some of them may need a lengthier response. So if that's the case, we'll go back and, you know, we will work on those with staff and get back to you.

Staff will be available after the presentation, after the public comment period if you'd like to talk one on one. If you don't want to comment in this form tonight, you can – there are comment cards in the back. You can write out your comment and submit it to us, or you can e-mail us. Those e-mail

Page 5

address and mailing address will be available at the end of the presentation. Unless there are any questions about the process, I think that we can go ahead and get started. We're going to provide you with some information about the project, as I said, disclose the impacts to the environment and we've determined them at this stage of the preliminary engineering process. And we'll have an opportunity to take your comments. Okay. I'm going to turn it over to Tom.

MR. FITZWATER: As a way of background, back in May of 2005 we are – VTA's Board of Directors did certify a final Environmental Impact Report on the project as proposed at that time. And at that time it was really based on about 10 percent design. So it was a very general level of design for the corridor. What we did then is looked at a more detailed level of effort which is called preliminary engineering, and that was completed in August of 2006. What we found then is that there is some project features that we wanted to change, some improvements that we wanted to make in the design, and so those changes need to be addressed and environmentally cleared before we could go forward with construction.

Page 6

In August of 2006 we did what's called a notice of preparation. And that's a formal process that kind of starts the supplemental Environmental Impact Report review. In September of 2006 we held our first public scoping meeting in this building. And people could review some of the plans and ask questions, and so that was another opportunity for the public to provide comments and concerns. Here we are now in – we're now past January, but January of 2007, we issued a notice of availability, and that was a notice saying that this draft document was available for review and you can request a copy. We have several copies here tonight. And what we're asking the public and agencies to do now is to review this document and provide comments. What is a supplemental EIR? It's designed to augment that previous environmental document that we certified several – about a year and a half ago. It focuses on new information. What has changed since we certified that document back in May of 2005. It involves public review and public comments. And it also requires approval by the VTA Board of Directors. In terms of the contents, if there is changes in the environmental setting, we need to talk about

Page 7

those in the document. We identify the impacts from these design changes that have come out of preliminary engineering, and so we have to talk about the noise impact, the vibration impact, quality impact, traffic impact, and those are all addressed in this document. And then we go on to address mitigation measures to reduce significant effects. If we found – in this case we did find some additional noise and vibration impacts from the design changes and from changes in the setting, and so we had to go beyond that and look at different soundwall and other noise insulation mitigation measures to reduce impacts where possible. With that I'm going to turn it over to Ken Ronsse, and he's going to describe the project changes.

MR. RONSSE: That you, Tom. Appreciate it. So I'm going to spend a few minutes just walking through what was originally approved in the current environmental document and what are the changes that we're proposing for the supplemental. The current project is a 3.1 mile light rail extension, runs down the middle of Capitol Expressway. One of the main project features is the transition from the current alien expressway to what we call an urban boulevard, a multimodel boulevard. Continuous

Page 8

walkways, landscaping buffers, a pedestrian lighting, that kind of thing, to really promote pedestrian and bicycle use in addition to the bus and automobile and light rail. There is both median and side running alignments. And our project will be constructed in two phases, one to Eastridge and one to Nieman. The changes that we'll be focusing on tonight are part of the Eastridge extension. So what are the changes that are proposed in the supplemental environment document? I'm going to run through series of the summary of them now and then we'll go through them in detail one by one. So starting at the north and heading south we've shifted the transition of the alignment near Capitol Avenue and Capitol Expressway. We'll talk why in a minute. We're proposing to reduce the number of pedestrian overcrossing at Story from four to two. We're proposing to shift the station location between Ocala and Cunningham from the center of the – from the center of the block between Ocala and Cunningham closer to Ocala. We're proposing to change the type of grade separation at Tully from a tunnel to an aerial. We're proposing to shift the design and relocate multiple

Page 9

PG&E electrical powers. And we're proposing some changes at the Eastridge Transit Center. We'll talk in detail why at the end of the line. So these are the changes that we're going to focus. We'll now go through them one at a time in some detail. So Capitol Avenue and Capitol Expressway, what's included in the current environmental document? The removal of three homes. And the reason for that was that the structure was so close to the home that it impacted the access. It didn't touch the home, but it impacted the driveway access, the circulation. During the preliminary design efforts we redesigned, we shift the structure away, and we no longer touch the curb in front of those properties so they can remain. So the access is maintained, therefore the homes are maintained. So we're proposing that they remain. The next major change as we move south is at Story Road. So this is the diagram that shows the houses. The alignment is now shifted. This is the curb I was referring to that now remains. The reason why it looks like the structure is in conflict is because it's up in the air. So you can now drive under the structure without any problem.

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So what happens at Story Road? It's approved in the original environmental documents four pedestrian overcrossings. That means one at every corner of the intersection to access our aerial station. There's a lot of structure, a lot of cost, a lot of impact. So from our analysis we believe that a better approach is to have only two pedestrian overcrossings and no drop off facility. So this is the original layout as an overcrossing at each of the four corners. Because of that alignment, there was a full acquisition required for the gas station. Since a full acquisition was required because of the alignment, we made it a kiss and ride. We are now proposing to eliminate the overcrossing on the north side, include those on the south side. We believe that's where the main demands will be coming from. That the alignment shift and the station slight shift allows the gas station to remain, and that this overcrossing really now better serves both pedestrians using our station and those that want to bypass an at-grade crossing of the expressway. This POC, this pedestrian overcrossing, really better serves that grade separation for pedestrians only.

UNIDENTIFIED MALE SPEAKER: Can we ask questions during the presentation for clarification?

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MR. RONSSE: We prefer you listen to the end and that way we can get through the whole thing, but we will come back to that. Fair enough?

UNIDENTIFIED FEMALE SPEAKER: We have those papers you gave us. It can wait, right?

MR. RONSSE: Don't lose it, and we will come back. I'll make a note. I'll make a note. At Ocala currently there's an at-grade center platform station between two intersections, Ocala and Cunningham. Because the station is mid-block and there's no intersection or safe crossing, the pedestrian overcrossing was proposed to access the station. It really was intended for station access only. Our studies have proven that most of the demand, 80 percent of the pedestrian demand, comes from Ocala. Therefore, a better location for Ocala is a center platform station, same kind of station, but closer to the Ocala intersection. We do think that some connection for pedestrians from Cunningham is important, so we are including an at-grade walkway from Cunningham to the station. It will be fenced and protected. So no longer do we need the pedestrian overcrossings, and we think this location better serves the public demand.

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I mentioned the electrical transmission towers. If you look out there today you probably saw them as you drove in. There's a series of high-power electrical lines on towers. They are in direct conflict from Ocala up through Tully with our project. So we're proposing to relocate them. We're going to change the type of structure from a – this truss type tower to a thin pole. And we're proposing to locate that pole almost entirely on the east side of the expressway. So no longer will it cross when the median cross and then cross again. It will cross one time and stay on the east side. Because we're not done with the design, we are proposing to leave open the option to have the poles be in the median for a short stretch from Tully to Quimby. Just in case as the design advances in case that we're not able to achieve what our goal is. But both are highlighted in the document. So what happens at Tully? The current environmental document includes a tunnel at Tully. Going from the median of the expressway to a side alignment to connect to the Eastridge Transit Center. We're proposing to modify that type of crossing to an aerial guideway. So this is the tunnel alignment. You'll note

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a couple of things, is that the cross over is right over the intersection. Very, very, very difficult to maintain traffic and build a tunnel in this kind of arrangement.
Also, we've learned during preliminary design that the ground water table is just several feet from the surface. Really, really tough environment to construct. A lot of risk.
We're recommending that we can avoid the traffic or minimize the traffic impacts and minimize the risk by shifting the alignment a little sooner and having an aerial guideway that bridges over Tully. So we believe that this is going to be substantially more favorable during construction. And in the long run, we think it's actually better product because you can see underneath the structure, there isn't fences to protect the tunnel, those kinds of things. So we think that visually it also has some value as well.
So the last change we're proposing is at Eastridge. Current Eastridge Transit Center has a single platform at-grade. So we went from a grade separated at Tully back to at-grade at Eastridge. Short run, but we were able to achieve an at-grade connection. It's an important connection for us, the bus and the light rail connection, so being at-grade is

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important.
We are proposing two changes, one is taking what was a single platform to a double platform. This is kind of like our bay point configuration. This adds for us some flexibility. This is the end of the line of a long stretch. A single platform is difficult to operate. It doesn't have a lot of flexibility. The double platform configuration will allow our operations some flexibility and how we can support our system.
In addition, if you were to look at the original plan, in this area was a long, thin transit center for the buses. Our opinion is that reconfiguring that with several bus phase, one of them being integrated into the walkway, reduces the walking distance substantially and allows us to promote that connection between bus and light rail. The most heavily used connections are actually now integrated into a plaza that connects to two functions.
So we're excited that this change – that we're able to satisfy this change, because this station is important for this whole line. Eastridge is an important component. We think we've satisfied some of the demands with this new layout.
So that's a summary of the changes. We can go over your question after, and we'll go over some of

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the details at the end of the presentation.
Now back to Tom.
MR. FITZWATER: What I'm going to do is cover some of the environmental findings. Certainly you can go back into the document and read all the details. But I just want to highlight some of the major findings that have arisen since the final EIR was certified about a year and a half ago.
Just as a refresher, you know, the approved project did remove carpool lanes, and that's why we needed some additional space. We needed a carpool lanes removed so we could actually provide light rail in the median.
The final EIR did identify significant traffic impacts at these five intersections. And when we looked at the project changes, we found that we would have similar transportation impacts at all of those intersections except for Capitol Avenue, which no longer would be impacted. And what happened basically is that Capitol Avenue and Capitol Expressway there is some improvements that happened in about the last two years, and so that made that intersection function better than it did before.
We do have – the project does propose changes in mitigation at Tully Road from a carpool

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bypass lane to a multi-purpose bypass lane. And so that's one of the changes that's also addressed in the document.
In terms of noise, there were new Federal Transit Administration guidelines for addressing noise impacts, and those were issued in May of 2006. So that came after we had already certified the final EIR. So we did have to address those new guidelines. And they identify ways to analyze noise impacts at what they called the detail level of analysis.
There have been operational assumption changes. The speed profile has actually increased with these design changes that we've talked about. The light rail vehicles will have an average speeds that are a little higher than we looked at before. And also the number of cars per train change, so now we're looking up to three car trains.
And so these changes actually cause greater noise and vibration impacts that we had to look at in the environmental document. We now have severe impacts at 8 locations, and moderate impacts at 41 locations. And those severe and moderate are defined by the Federal Transit Administration. So we're using the federal guidelines in identifying those impacts.
What this meant is that to actually reduce

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those impacts to acceptable levels, both on the aerial and at-grade soundwalls are needed in the median of Capitol Expressway to reduce these noise impacts to acceptable levels. So we've actually increased the number of mitigation - the amount of mitigation that was previously identified.
There are two homes that require noise insulation. And these are primarily as a result of the crossing of Ocala. So noise insulation means you upgrade the window assemblies, the door assemblies, and you make sure that that noise from the outside doesn't get into the interior. And so there are two homes that will require this noise insulation effort.
In terms of vibration, there are also new guidelines on how to address vibration impacts. So we had to apply those to the project. As I said before, we have new data on the vehicles in terms of their speed and number of vehicles.
We also did additional soils testing. The amount of vibration that is transmitted on the soil depends on what type of soil we have. So we were able to do additional soil analysis to help us refine the models to analyze vibration impacts. And then of course we looked at any buildings or any changes in land use that have occurred since the final EIR.

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There were 26 vibration impacts identified using that federal criteria. Applying what's called tire derived aggregate reduces 14 of those impacts.
And tire derived aggregate is simply shredded tires. They're shredded and then compacted underneath the trackway. So it's about 12 inches of shredded tire, causes a little cushion so the vibration doesn't transmit as far into the soil.
We have one column that needs to have vibration isolated at Capitol Avenue and so we - we're going to do the appropriate measures there to reduce that vibration from that column so it doesn't affect the one home there.
We have 11 impacts that we would still be considered significant and unavoidable even with these mitigation measures. We're still trying to come up with actions that will reduce these levels so they're acceptable in terms of the Federal Transit Administration. We haven't guaranteed that we can reduce these - reduce the vibration impact at these 11 residences, but we're going to continue to try. So those 11 are identified in the document.
Construction noise and vibration certainly is a major concern on a project of this magnitude. We have pile driving that is necessary for the columns

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that we talked about for the aerial structure, and they will exceed the Federal Transit Administration noise criteria at 59 properties. So we're, again, trying to see what we can do to reduce that impact wherever we can.
We also have vibration impacts that exceed the FTA criteria and could cause building damage at 44 properties. When we say building damage, some of this is like cosmetic damage. It might be a small crack or something that is going on. Of course VTA is responsible to restore that structure to its original condition. So that's something that we will be doing.
But we are continuing to analyze the construction noise and vibration impacts, trying to see how we can reduce those wherever possible, and that's going to be an ongoing effort before we get into construction.
The uncertainty of our ability to reduce those impacts has caused us to just identify it as a significant unavoidable impact. It doesn't mean we've given up. We're going to continue to try to reduce those impacts where possible.
Energy is kind of a new issue now. The California Energy Commission has identified future peak period deficiencies in transmission infrastructure as a

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problem statewide. And so since the light rail transit increases the demand for electricity during peak periods, we're contributing to the issue. So we had to call it significant and unavoidable in our minds.
Environmental justice, this is an important issue. We are going to a location that has minorities and low income areas, and we don't want to adversely impact that kind of community. And so we have identified significant construction noise impacts and significant construction and operation vibration impacts that would occur to this type of community.
So, again, we're trying to reduce impacts wherever possible, but we're also trying to be up-front about what the impacts are.
In summary, we have significant unavoidable impacts at these topical areas. We have traffic. We have four intersections that were identified. We had 11 vibration impacts for residences. We had the peak hour electricity use. Environmental justice primarily during construction where we would try to reduce those impacts where possible. Construction pile driving noise at 59 properties and construction pile driving vibration at 44 properties.
You know, we're trying to be up-front about the impacts and disclose all the information. Like I

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said, we haven't given up on these yet and hopefully we'll come up with some design features that can reduce these levels to be acceptable and in accordance with the Federal Transit Administration.
In terms of next steps, you have the final – or you have the draft supplemental EIR to look at. The public review period extends until March, 5th and that's the deadline for submitting comments.
Sometime in April we're going to be issuing a final supplemental EIR, and what that will consist of is basically all the comments we receive, either tonight or in e-mails or by letter form or however the comments get to us. They'll be contained in the final supplemental EIR, and we'll provide responses to all of those comments that we receive.
Right now we're scheduled, the VTA Board of Directors, on May 3rd for them to consider certifying the environmental document first as addressing all of the concerns in a fair and appropriate manner. And then the VTA Board of Directors will also consider the project design changes, whether to approve those design changes, go back to the old project or make some other decision. So that's a major milestone is the May 3rd meeting with our VTA Board of Directors. **SP1-1**
Turn it back to you.

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MS. KUNZ: Okay. This is the beginning of your opportunity to comment. And we don't have a huge group here tonight. So we're going to give you the time that you need to make your comments. Bearing in mind that if everybody could keep it to just a couple of minutes that way everybody has a chance to make one comment. And then if you have additional follow-up questions, we can come back to you once everybody has had an opportunity to speak that wishes to speak.
So I'm going to go ahead and open the floor.
And, Lupe, if you can help collect speaker cards.
Why don't we start here in the front row.
Ma'am, if you'd like to –
MS. MARTINEZ-ROACH: Thank you. My name is Patricia Martinez-Roach, and I live on the other side of Cunningham Lake. And I'm really glad to be here, and I'm pleased that we have finally reached a level that we're going to have light rail coming to East San Jose and I'm really excited about it. I've been involved for many years with this project. **SP1-2**
So I do have some questions that I'd like to address to those of you that are involved. I don't know if anybody is here from the city as well.
MS. KUNZ: Yes.
MR. PENG: I'm Larry Peng, Department of

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Transportation.
MS. MARTINEZ-ROACH: Okay, great. Are you recording these or are you going to –
MS. KUNZ: We have a court reporter.
MS. MARTINEZ-ROACH: Well, I think one of the questions that comes to mind, I know that I always get the fliers that you send because I'm on your mailing list. But I'm speaking for those that don't have a voice, who don't speak the language and who are not here today.
I'm actually disappointed not to see more people, especially my neighbors. I'm wondering where they are. I think that perhaps – I don't know if you were able to reach out to all the homes.
I know the fliers that you sent out were very informative to me because I know what they mean, but I'm wondering if the average homeowner understands the level of the scope of this project. And what kind of outreach you actually have done to make sure that they know what's going on. Especially the 59 homes who are going to be severely impacted and 44, I think, I just read and 11. So there are so many homes.
I was reading that there were addresses in this supplemental report that are actually the ones that are going to be impacted. Is that correct? Is

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that what is in this document?
MR. FITZWATER: There is actually locations that are identified, yes.
MS. MARTINEZ-ROACH: Okay, locations. So the question would be: Have you notified these folks? Do they know who they are? I mean, I might be one of those, and I have no idea. So I guess I would hope that at some point people would know what's going on and how they're going to be impacted and how our lives are going to be change. We know it's going to happen.
We know we're going to be impacted.
Obviously traffic is going to be the major issue, at least in my mind. I live – I go to Cunningham – I live right by Supreme and Sesame Court. And when I leave every morning, you know, I can count the minutes. I know exactly how long its going to take for that light to change. So I get on Capitol Expressway and try to avoid the craziness of the morning traffic.
So what I'm trying to find out is: How are you going to – how are you going to mitigate these issues of traffic if you're eliminating some of the lanes? I know that you're going to have to take some of the lanes in order to accommodate the structure that is going down the middle. So I would like to find out

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exactly how that's – how we're going to be impacted since, according to your document, it is a severe impact. And severe, is this unavoidable and you can't mitigate it? So what does that mean? I don't know. Should I go on?

MR. FITZWATER: Well, part of this public comment period is you tell us all your concerns.

MS. MARTINEZ-ROACH: Okay.

MR. FITZWATER: Some of it we can try to answer after the public hearing is closed and we'll stick around afterwards.

MS. MARTINEZ-ROACH: Okay, fine.

MR. FITZWATER: And others we'll just have to do research for you.

MS. MARTINEZ-ROACH: All right. That sounds fair.

I live a flood zone, as many of us do in this area. And I haven't seen anywhere in the document that this has been addressed. So I'd like to find out how were going to – how that's going to be impacted. Because we – we have issues with many reservoirs and creeks and those kinds of – the soil, which I live in a cow pasture, and there's a lot of water underneath my house. So how is all of this going to be impacting us? All this weight and additional earth moving and shaking

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and rattling, all the things that are going to happen. The POS, are those the – what are they called?

MR. FITZWATER: POS.

MS. MARTINEZ-ROACH: What I'd like to know is originally there were supposed to be four crossways in Story, and so you're proposing only to have one. Could in the future, could you add another one if you needed to?

I'm just really concerned about the very low income area. There are many, many people that cross Story Road constantly, which is probably not very safe, but that's what they do.

And I'm just concerned that we're only going to have one access now instead of four, and I'm just, you know, wondering if you can address that. In the future could you add another one if this is approved the way it's being proposed?

MR. RONSSE: For clarification, there is actually two that are being proposed. Four were originally proposed, one from each corner. One complete side is still being –

MS. MARTINEZ-ROACH: Oh, okay. All right. I guess I misunderstood.

MR. RONSSE: But some are being removed.

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MS. MARTINEZ-ROACH: Yeah, but originally there was supposed to be four.

MR. RONSSE: That's correct. And now there is two.

UNIDENTIFIED MALE SPEAKER: The at-grade crossing that is there right now will still be maintained, the crosswalk.

MS. MARTINEZ-ROACH: Good. But I think it's going to change the way the traffic flows, right? Because of the timers and all the things and I think that we – that's an important issue. Because we know that San Jose keeps growing. I mean, we have more and more people every day, and more and more people that can't afford to have vehicles so they're depending on public transportation.

I have a question about the towers that are going to be removed. There was another mention of significant impact to the energy levels. And I think you clarified it for me, but I would like to have, for the record, to find out how we're going to be impacted. For example, if a train is going by, are we going to lose power in our homes or what happens in these situations? I think we all need to know what exactly does that mean. Does it mean that we're going to have a blackout between – I don't know – 5:00 and

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4:00 or whatever? So I think those are issues that we need to address.

Were there any mitigating and sufficient issues with the Reed Hillview Airport? I understand that you had to comply with some of these change – proposed changes. And, again, what are those impacts? Are there any concerns that we should know about? We've had many, many crashes in homes at Eastridge. They've landed on Capitol Expressway. So I am concerned about that. I think that the public needs to know this.

And I think the most important concern that I have is that we have many high schools. We have two junior highs, several elementary schools right at Ocala crossing. We have hundreds of kids crossing all day. And I'm really concerned about the lights. I think you had mentioned earlier that there was going to be timers and, you know, things that are more appropriate for crossing. But how is that going to impact the crossing of these students? I mean, are they going to get up earlier? I mean, what's going to happen? How long does it actually take for one of these lights versus a traditional light? I guess that would be a question. How are the schools going to be involved in making sure that – right now they have a cross guard

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at Capitol Expressway and Ocala.

MS. KUNZ: It sounds that you have a lot of questions –

MS. MARTINEZ-ROACH: That's it. I'm done.

MS. KUNZ: – that will likely require follow up. I don't know a lot of those questions could be answered right now. They'll be taken down for the record. And –

MS. MARTINEZ-ROACH: I understand, and I appreciate you very much taking the time.

MS. KUNZ: I think your real estate related questions we can talk to you about after the meeting. There's a real estate section after the meeting.

MS. MARTINEZ-ROACH: Real estate?

MS. KUNZ: Related to the property owners.

MS. MARTINEZ-ROACH: Oh, okay.

MS. KUNZ: Carol Ashman.

MS. ASHMAN: I'm up?

MS. KUNZ: Would you like to come up to the front?

MS. ASHMAN: I'm up? Well, yeah, I guess so.

MS. KUNZ: Mr. Zito.

MR. ZITO: I have a couple of questions that are more clarification questions about what the changes are that are not EIR questions. And then I have some

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EIR questions as well.

So the project questions are – first of all, comment, I like a lot of the changes. They really make a lot of sense. I think it's really going to add to the project use and so on. So I really compliment the engineers on that. I think it's a good change.

Second thing is I'm wondering about parking. It seems that there are no park and rides. Is that true, there are no park and rides at all?

MR. RONSSE: No. Actually there is a substantial parking lot at the end of the line at Eastridge. What we have done is focused our energies at the Eastridge Transit Center because that's where our demand has been demonstrated.

So what we've learned is that there really isn't a demand for the rest of the corridor for parking other than at Eastridge. And remember, that there is a park and ride at the end of the current end of the line at Alum Rock.

So in essence, what we're doing is it looks like we're adding a lot of improvements without a park and ride lot, but there's already one right at the end that would serve – we would argue that that would serve, you know, that first part of the corridor.

MR. ZITO: How many stations are there

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between Eastridge and Alum Rock?

MR. RONSSE: We're adding three with this project. So we're adding three and one park and ride, a big park and ride.

MR. ZITO: But at the end?

MR. RONSSE: At the end.

MR. ZITO: So that's three and a half miles away from the other one?

MR. RONSSE: 2.6 miles between parking lots.

MR. ZITO: Okay. Second question I've got is reading the VTA facts, the funding, you talk about $386,002,003.

MR. RONSSE: Uh-huh.

MR. ZITO: How has these changes changed that number? And what is it in 2000 – and when are you going to start, in 2008?

MR. RONSSE: Actually, we're incurring project costs now with design. We're actually already spending project costs. The reality is our project budget is prepared and escalated in our estimates. So what – so if I understand the question to be, have we already addressed these value engineering recommendations? And we have. The cost reflected in your document reflects our current plan which includes these improvements.

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MR. ZITO: So the 386 million includes all these changes?

MR. RONSSE: Correct.

MR. ZITO: But that is $2,003 versus $2,007?

MR. RONSSE: That's correct.

MR. ZITO: Okay. Has it been funded?

MR. RONSSE: This project is funded via the VTA Measure 2000 A Transit Improvement Program. So this complete program is included in that Measure A Transit Improvement Program 2000.

MR. ZITO: So this project is funded through completion up to Eastridge?

MR. RONSSE: Correct.

MR. ZITO: And then the park – the Nieman –

MR. RONSSE: Nieman is actually included in that same 2000 Measure A Transit Improvement Program, but delayed in schedule a number of years.

MR. ZITO: So it is funded?

MR. RONSSE: They're all included in the same program.

MR. ZITO: Okay. Great. Have there been any revised ridership numbers?

MR. FITZWATER: Maybe we can keep going on, because other people want to speak. Let's get back to you after they close the session.

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MR. ZITO: So for the EIR, I was wondering if any new traffic studies have been taken place since the Evergreen visioning project, which started about three years ago, and an EIR was submitted in – well, it was submitted about a year ago – more than a year ago. And it was certified finally because of delays in the project. I mean, the EIR was put out there probably a year ago. Through delays it was certified in December. So I'm wondering if the SDIR that you're putting out includes the Evergreen visioning project numbers of 5700 homes. And does that include traffic studies along White Road and Ruby Road and the connectors between them? So that's an EIR question that I have. SP2-6

MR. FITZWATER: Okay.

MR. ZITO: Another statement, has this project been studied where the multimodal pedestrian could be done on one side and not on the other? When I testified in front of the VTA back in May two years ago, member Cortesi had asked can this be done in the current right-of-way assuming you don't do the multimodal. The answer was yes, and I've got the minutes to show that.

So it is possible to put the light rail down the middle, keep the four lanes in each direction, but SP2-7

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what you would give up is the multimodal. So my question is: Can you do multimodal on one side and essentially still keep the four and four with the light rail down the middle?

And that concludes my questions. Thank you.

MS. KUNZ: Helen Johnson. Would you like me to read your question?

MS. JOHNSON: I don't remember seeing anything in this document about soundwalls. And I'm wondering there are – there's a stretch of Capitol on the west side between Capitol Avenue and Story Road and another stretch between Story and Ocala on the east side of the road that don't have soundwalls. Are they going to build soundwalls? SP3-1

MR. RONSSE: No soundwalls will be added that are not necessary for noise mitigation.

MS. JOHNSON: Why not?

MR. RONSSE: Because they're not identified as noise mitigation. We aren't proposing to add soundwalls that aren't required per the environmental document. But any sound walls that we are touching, we'll replace. So we're not going to be taking soundwalls away, but we will not be adding soundwalls that are not required for mitigation.

MS. JOHNSON: That doesn't sound right.

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MS. KUNZ: Carol, are you –

MS. ASHMAN: Yeah. Somewhat on that concern, too, that that means that just because it doesn't meet the federal standards doesn't mean that we're not going to get impacted? Is that what you're saying? Or that you think that it's okay to be a noise level of 70 decibels, and that's still okay?

MR. RONSSE: Anything that would require mitigation for a soundwall we would add these noise studies have determined that there isn't a threshold that would take it to a point that would require mitigation. SP4-1

MS. ASHMAN: Let me ask you this: What is the decibel level that is expected? Because it looks to me from that chart that a lot of them are 70 decibels. But what I couldn't quite tell is that there were some of them that were 70 decibels and above were earmarked for noise reduction.

MR. FITZWATER: Maybe I can try and answer that later, too. The answer basically is this: The dollars that are directed to this project are designed to mitigate the project. If – there are certainly very high noise levels that are there today. And we cannot – VTA cannot direct those dollars to solve an existing noise problem that is not adversely affected

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by the light rail adding to it. You know, you have a serious noise problem right now with the current roadway.

MS. ASHMAN: Yeah.

MR. FITZWATER: I mean, that really is a city issue.

MS. ASHMAN: Okay. And then the – the other question I had was about the level of service that you got noted at the intersections that it is still going to be getting worse with this light rail project. And part of my concern is that I know you want to try and – you're trying to promote the pedestrian walkways and the multimodal, you know, bicycles or whatever. But the concern I have is that, although you want to slow it down, I think it's going to cause gridlock because right now it's really bad. And if you're already stopped – and I mean – you know, I mean, dead stopped, I measured it took me ten minutes one day not too many weeks ago to get through the intersection of Capitol and Story. Ten minutes. And if you're going to be eliminating some of that traffic – I mean, the capacity or whatever you wanted to call it, by eliminating those two carpool lanes, it's just going to get a lot worse. So, yeah, it is going – you're going to slow it down. You're SP4-2

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going to take away the lanes and – yeah.
So I don't quite understand why you are
continuing to want to remove and make – to me I can't
see how this is going to make it – you're admitting
you're going to make it worse and there's nothing that
you can do about it, and there's nothing that we can
seem to do about getting you to say no. So I guess
that's just my concern.

SP4-2

MS. KUNZ: Ted Johnson.
MR. JOHNSON: Right here. Again, my concern
is most likely what everybody else is concerned about.
Traffic on Capitol Expressway. We're going to be
developing the Arcadia property, which is on the other
side of Eastridge. And Evergreen is also going to be
developed.
And Capitol Expressway is a major artery to
get those people on to 280 or 680. And you're going to
cut down on the carpool lanes, and you're going to
restrict traffic at the cross sections on Ocala and –
you know, somewhat at – by narrowing the streets on
Capitol, you're going to cause more traffic congestion
all the way along Capitol.
I would like to find out why we can't elevate
that whole system from the existing Capitol to
termination all the way to Eastridge and then even up

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to Nieman so that the traffic does not get obstructed
by light rail.

SP5-1

I mean, we're not going to get people out of
the cars, especially people coming from, you know,
these new developments. They need to get to work, and
Capitol is a major connection to that freeway. And
there is no other connection other than Story Road or
King Road.
I mean, the lady said what she was saying
about that interchange at Capitol and Story Road. At
rush hour – any time of the day that is a nightmare.
And there is no way to alleviate it. And by building
and narrowing those – that corridor, you're going to
really wind up bottlenecking this whole area with
traffic, you know.
I don't know how you're going to do it
because – you know, to put a light rail in and not
look at the ramifications of what's going to happen ten
years from now with traffic flowing is sort of scary to
me. I mean, we would like to have the light rail, but
we'd also need to have the ability to move as freely as
we'll be able to move in ten years when all of this
other housing is built up and all these other cars are
on the road.
I mean, wow, how are you going to do it?

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Light rail is supposed to leave – but it's not going
to work for the masses. I mean, we're not – we're not
Germany. We're not France. We're not England. You
know, we're San Jose. And the rest of the
infrastructure isn't there to move our people around.
So let's look at what we're doing to Capitol and try to
– I would suggest put it up, get it up. It's going to

SP5-1

be a little bit more ugly, but it may give us the road
bend to use also.
That's where I'm at with this. I just see
that – you know, I don't know if you're working with
the east valley – well, not the east valley, but the
Evergreen people and what impact they're going to have
on Capitol.
The other thing you're talking about that
corner property at Tully and Capitol. I was at the
Airport Commission meeting Tuesday. They are going to

SP5-2

put in a request for building on that site. So that's
going to be another issue that you're going to have to
deal with.
MR. RONSSE: We've been working with them.
UNIDENTIFIED FEMALE SPEAKER: It's on the
emergency – the traffic –
MR. FITZWATER: Not anymore.
UNIDENTIFIED FEMALE SPEAKER: They changed

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it?
MR. FITZWATER: Shrunk it.
MR. JOHNSON: So those are our my big
concerns. Already Ocala – I don't know if you've
measured traffic on Ocala during the day. But that
intersection of Ocala and Capitol is getting heavier
and heavier because people can't make that

SP5-3

Story/Capitol change. They're coming down. They're
getting off 101, coming over King Road to Ocala and
taking Ocala across to White. So you're impacting
already by having traffic come along Ocala. You're not
– you know, you're going to have trains slowing down
that traffic also, if they're going to be at the road
bend like that.
Let's elevate it, if we can.
MS. KUNZ: Thank you, sir.
Frank Biehl.
MR. BIEHL: That's right. That's my name.
I'd like to say, first of all, I'm very much
in support of the project. I spoke about four years

SP6-1

ago in favor of this project in some very early
preliminary hearings that were done back in the '70s.
I was involved in work on light rail when I worked for
County Supervisor Rod Diridon and his office. And I'm
pleased with the direction that you're going.

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There is always an issue with building a new rail line with – you have enough of the system together in order to attract enough of the riders in order to relieve the traffic on the roads. And I think that's essentially the issue that we're confronting here today is what affect will eliminating that one lane on Capitol Expressway have on the traffic on Capitol Expressway, or will the light rail that you put in there, will that be enough to eliminate enough traffic.

I think what we found in San Jose is that traffic has just gotten worse and worse and worse, and I'm one that just believes that at some point you have to say, we're going to try something different. We need to invest in something different. And I believe that the light rail is a very good way to go.

I believe that we need to extend this line eventually all the way to Oakridge and complete half a circle. It also needs to extend from Alum Rock to downtown. That would alleviate a lot of the trips, I believe, on Capitol Expressway.

I think that what you're proposing here will substantially change the character of the immediate neighborhood. I think it will change it in a very positive way.

SP6-1

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I think that – the analogy I would draw is that it would be in San Francisco in 1989 we had an earthquake and the Embarcadero freeway was in need of major repair. And the citizens of that community said, Don't fix it. Tear it down. There was significant opposition to that move in San Francisco. They said this will be terrible for the economy in San Francisco. This would be awful. People will be gridlock downtown. You won't be able to move around. And the results 20 years later have been very, very good.

Now, I'm not saying that we're San Francisco. I'm just saying that you need to convey, you need to educate about what affect the boulevard concept will have on the immediate community, and make sure that that's understood.

I don't have any particular problem with going aerial further along if that's a method of preserving two lanes of traffic. If that can be done, it seems that you're going to be aerial a significant part of the way. I do know that that will increase your costs, and certainly will change a lot of the engineering that you've done already. But I do think it's a question that needs to be answered.

So generally that's my comment. I hope that you continue to work with the community. I hope that

SP6-2

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we're able to extend this further down the road in the future. And I hope that we're able to start construction in a reasonable period of time. And that you're responsive to the individual needs of any houses that are affected, and you're respectful of properties that need to be quiet and that you work cooperatively with people. But that has been the tradition of VTA on all the other projects that they have worked on. I know they have large staffs that work with people that are immediately affected by the construction, and they go out of their way to do what's necessary to make things right. That's my comment.

SP6-3

MS. KUNZ: I don't have any other speaker cards. I know that you said you have one additional questions. If anybody else has a question maybe put something down.

MS. MARTINEZ-ROACH: I just wonder why did you propose not to have the tunnel? Why was that removed from the project?

SP1-9

MR. RONSSE: Tunnels present a couple of challenges when you're faced with high ground water table, traffic impacts. To build a tunnel you actually have to dig a big trench, and you can't bridge that every day. A lot of traffic over it takes months and months and months to get that built.

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An aerial guideway different than that, you can actually bridge over in very short order false work, where you can construct over a roadway without affecting that actual roadway.

So for two main reasons. One is the ground water table and the associated risk with that for the tunnel. And second the traffic impacts that the tunnel would have caused at Tully were substantial. I mean, just extraordinarily difficult.

So the aerial guideway allow us – and we built over 7,000 foot long aerial guideway in Milpitas over Montague Expressway, over Main Street, and we were very successful in keeping traffic open. So we now how to do that. A tunnel is much more difficult. It would be impossible.

MS. MARTINEZ-ROACH: So you must have considered the aerial project, the entire project, I'm sure at one point?

SP1-10

MR. RONSSE: We can talk after. I can show on the map why the aerial guideway the whole way, even where there's an aerial guideway existing eight lanes is a challenge. And we can show that even where it's an aerial already.

So an aerial guideway is not the cure all because intersections are the pinch points, and it's

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the left turn pockets that have to be protected independent from the guideway. We can show on the map what we mean.

MR. WHITE: I would just like to just ask in your study of the flow on to Capitol Expressway, then backed up to actually 280 as it comes off of 280 on to Jackson Avenue – I mean, 680 on to Jackson Avenue, Capitol Expressway as well as around to Alum Rock. That's where a big flow of traffic comes in, not only from 101, 280, but also 680 coming in. And that's what makes that – and I just wanted to find out – you don't have to give me a response now, but that's the idea that I'd like for everybody to know – I mean, to look at because you traveled further down 101 to where you intersect. Although 101 takes Story off, takes Tully off, Capitol – you have that traffic too that is going west to east. So that's my only –

MR. FITZWATER: Can you state your name for the record.

MR. WHITE: Ike White.

MR. FITZWATER: Thank you.

MR. BIEHL: Frank Biehl asking a question again. On the sound mitigation, is the light rail actually louder than what currently exists on the roadway? It's less? It's my experience in San

SP6-6 SP7-1 SP2-8 SP3-2 SP6-4

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Francisco is I've almost been hit by light rail cars up there if there's a wind blowing and sticking my head out into a right away. They can come wishing by and you don't hear them at all, because it's steal on steal and electric. So this – the impact is actually because of the entire project or cumulative effect?

MR. FITZWATER: It's basically the cumulative effect. There's a lot of traffic noise there, and then the light rail adds a small incremental contribution, which then exceeds the FTA criteria at certain locations.

MR. BIEHL: Okay. But in reality, the traffic causes the primary noise problem.

MR. RONSSE: Yes.

MR. BIEHL: The other thing I would say is that I look at this, and I kind of – I'm thinking about the Los Angeles river versus, you know, streams that have been, you know, taken care of with trees and stuff around them. And I think what we have now is we've got this concrete river, and it slices the community. It's not attractive. A lot of people just move through it at varying paces depending upon the time of day that you're there.

So I lean toward – I'm not – I understand the community's concern when they say, well, gee, we're

SP6-5 SP6-6

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going to eliminate a lane, but I'm just sort of the opinion it's going to be bad no matter what happens, and we've got to look at some alternatives to the automobile, and we have to look long range on this.

MS. KUNZ: Mr. Zito.

MR. ZITO: Further question regarding the costs. And I understand with the sales tax not passing, there was a review of a lot of the projects. What about bus rapid transit? I'm not talking about just express buses down Capitol Expressway because they already exist. I'm talking about bus rapid transit along the line of Capitol Expressway. I know this was brought up before. If I understand correctly, even Member Forest Williams has brought that up as something to look at.

I would suggest that that would need to be studied as well, if it hasn't already been studied as an alternative.

MS. JOHNSON: Helen Johnson. I have a follow up on my earlier question. If this project doesn't need to put up soundwalls, who is responsible to put up the soundwalls? How can we get soundwalls built on those two sections that I mentioned?

MR. FITZWATER: You know, it's a very timely question. Currently – I mean, it's really the

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responsibility of the city. But actually VTA is just beginning to embark on a program where we evaluate the need for soundwalls in the entire county. And it's just going through our committees right now. And we're going to be asking each city to come to us with locations where they feel soundwalls should be provided. And we will then rank these needs of the cities. And depending on the magnitude of the noise impact and our funding ability, we will try and start constructing some soundwalls in the county.

MS. JOHNSON: Who do we contact about that?

MR. FITZWATER: I would contact someone at the city. Maybe Larry in the back of the room.

MR. PENG: If I may explain a little more. The fact that it is called a – it's called Capitol Expressway right now, meaning county has jurisdiction of this.

MS. JOHNSON: Right.

MR. PENG: But this is a little bit complicated right now because of many factors the city has been in negotiation with the county. The county really relinquishing the Capitol Expressway to the city from 680 to Highway 87. On the other side of 87, that small portion, has already been transferred to the city during the construction of the Capitol Auto Mall.

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Now, once it becomes the city's jurisdiction, then it will be, like Tom said, quote/unquote it would be a city issue as far as noise. I am not personally familiar with how – when the expressway was built in the '70s, how the noise level was. And I'm sure traffic evolved –

MS. JOHNSON: There was a cow pasture. There was no traffic. No orchards.

MR. PENG: Right. Ever since they built the expressway people realize this is a major corridor from point A to point B. But like similar other freeway projects in the Bay Area – maybe Keith can explain more. I'm using 680 as an example. Usually the agency will not proactively to go out and build soundwall unless there is a project that comes along. And when the project comes along, there is, like what Tom said, the project – that the compounded result of the existing condition and what the projected increase the project brings out will sometimes push the noise threshold to a level that requires mitigation. But sometimes the – when the existing noise level is high enough – I'm talking about Caltrans project – even if the project is not presented significant increase in the noise level, I believe

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Caltrans – there's a – within Caltrans there's a provision for Caltrans to evaluate the possibility of putting up the soundwall. I don't know if the county has a system similar to that. I'm pretty sure the city does not, because we don't usually operate expressway with this kind of a system. So I don't know if that answer your question. But if – when it becomes the city's property, if you have an issue regarding noise, I would recommend that you contact the transportation department, as well as your elected officials.

MS. KUNZ: Excuse me. I think that we can probably take this off line after the meeting at this point. This is going to be our last comment unless there is a new speaker who is going to comment. And then everybody here will be available after the meeting if you'd like to talk one on one.

MR. JOHNSON: Just some history. I'm member of the East Valley 680 NAC which covers this area. This soundwall along Capitol Expressway has been one of our top ten items since 1999. We've been sent to Caltrans. We've been sent to county. We've been sent to the city. We've been sent to, you know, Caltrans. We've been sent to VTA. And still no soundwalls. But

SP5-4

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the noise has grown from 1999 to where it is now. So that's why some people are concerned about soundwalls. I mean, you haven't heard the noise increase. You just measure it now. And so, gee, it's not any different. But since 1999 and actually since 1985 it has grown. And so, you know, the people are a little bit concerned about soundwalls. I mean, there is noise there. It hasn't changed in the last three or four years, but it has changed since they put in Capitol Expressway. And the people on the east side are still suffering with the noise. Not like the people along Lawrence Expressway or San Tomas Expressway, they all got nice soundwalls with trees and everything else. But the people in the east side, not much luck, you know. We've been every door, knocking. Not getting anywhere. That's all I have to say. So we are concerned about soundwalls. And you know why.

SP5-4

MR. FITZWATER: Can you state your name for the record.

MS. JOHNSON: Ted Johnson.

MR. FITZWATER: Thank you, sir.

MS. KUNZ: Okay. Unless there is someone who hasn't had an opportunity to speak tonight we're going to close the public hearing portion of this meeting.

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If you do find you have additional comments, you have some alternatives for contacting us between now and March 5th. Please feel free to use any of these, and we're going to go ahead and make ourselves available if you'd like to talk briefly one on one now that the meeting is closed. Thank you so much for coming out tonight. We really appreciate your participation.

(The public meeting was concluded at 7:44 p.m.)

I, NOELIA ESPINOLA, do hereby certify:
That the foregoing public meeting was taken down by me in shorthand at the time and place therein named, and thereafter reduced to computerized transcription under my direction.
And I hereby certify the foregoing transcript is a full, true and correct transcript of my shorthand notes so taken.
I further certify that I am not interested in the outcome of this public meeting.

Dated:
NOELIA ESPINOLA, CSR #8060

Speaker SP1 Patricia Martinez-Roach, February 8, 2007

SP1-1 The Draft Supplemental EIR was released on January 19, 2007. The Notice of Availability (NOA) was published in the San Jose Mercury News on January 18, 2007, and the Evergreen Times on January 26, 2007. The NOA was sent to 250 agencies, community organizations, residents, and businesses. Flyers for the NOA and public meeting were sent to over 5,000 properties located within 1/8 mile of the corridor.

VTA sent the NOA, which summarized the significant impacts detailed in the Draft Supplemental EIR, to the properties where significant impacts were identified. The NOA was written in English. In addition, the affected properties should have received a flyer, which was translated into Spanish, Vietnamese, and Chinese.

VTA also posted flyers at Alum Rock Station, Eastridge Transit Center, Hillview Library, and Hank Lopez Community Center.

SP1-2 According to the Draft Supplemental EIR, traffic impacts from the proposed changes would be similar to the approved project evaluated in the Final EIR certified in May 2005. In the Final EIR, mitigation for significant traffic impacts at Capitol Avenue and Tully Road were adopted. At Capitol Avenue, mitigation consists of restriping a southbound thru lane into a shared left-turn/thru lane. At Tully Road, mitigation consists of adding two general purpose bypass lanes before and after the intersection.

Significant traffic impacts were identified at Story Road, Ocala Avenue, and Quimby Road as a result of substantial increases in delay and decreases in volume/capacity ratio with the Project (see Tables 5-1 to 5-4). While it is possible to lessen these impacts by maintaining 8 lanes along the corridor, implementing the mitigation would result in significant noise impacts, physical disruption to adjoining residences and businesses, and increased property acquisition and costs. In May 2005, the VTA Board adopted a statement of overriding considerations that mitigation for these impacts was not feasible.

SP1-3 The Final EIR, which was certified in May 2005, identified that the light rail alignment would cross a Federal Emergency Management Agency (FEMA) 100-year flood zone of Silver Creek from Alum Rock Station to Tully Road. As a result, VTA adopted Mitigation Measure HYD-14 that requires VTA to construct its light rail

facilities to minimize flood impacts. This mitigation measure reduced this impact to "Less than Significant".

According to CEQA Guidelines 15163(b), the supplement to the EIR need contain only the information necessary to make the previous EIR adequate as revised. As a result, the Draft Supplemental EIR only includes a discussion of new information on existing conditions for hydrology and water quality and a determination that the project changes will not result in new significant impacts or an increase in severity of previously identified impacts.

SP1-4 Even though VTA is proposing to remove two Pedestrian Overcrossings (POCs) north of the Story Road Station (instead of three implied in the comment), pedestrians will still be able to cross Story Road using crosswalks with pedestrian signals and the southern set of POCs. These facilities will be designed to maximize pedestrian safety at this busy intersection.

The proposed Story Road Station has not been designed to accommodate the addition of two POCs at some future date.

SP1-5 The traffic analysis for the Draft Supplemental EIR did consider the effect of the removal of the POCs on the Story Road intersection. See response to L2-3 for more information.

SP1-6 The construction of the new electrical transmission facilities will occur before the existing facilities are removed. As a result, there should be no significant disruptions in electrical service from the relocation of these facilities.

The significant and unavoidable impacts to energy that were identified in the Draft Supplemental EIR are the result of existing deficiencies in the electrical transmission infrastructure that will be worsened by planned projects, including the Capitol Expressway Light Rail, that will increase the demand for energy. During periods of peak demand, which typically occurs during heat waves, power outages could occur along the Capitol Expressway corridor as well as other areas in the region and throughout the state. During normal weather conditions, power should not be lost as a result of the operation of the light rail trains.

SP1-7 As described in Section 5.12 of the Draft Supplemental EIR, Land Use, CELR is within the "Turning Safety Zone" for Reid-Hillview Airport south of Tully Road. The consistency of the project with

the uses and maximum people per acre for this zone was evaluated and no significant impacts were identified. The rest of the alignment, including the proposed aerial structure that spans Tully Road, is within the Airport Influence Area but outside the safety zone.

VTA understands that a "Notice of Proposed Construction or Alteration" may need to be submitted per the Federal Aviation Administration's Regulation Part 77, Objects Affecting Navigable Airspace. VTA will comply with this requirement if it applies to the Project.

SP1-8

Pedestrian access across Capitol Expressway will only be allowed at signalized intersections. Barriers or fencing will be installed at selected locations in the median of the roadway to deter pedestrians from crossing Capitol Expressway except at signalized intersections. Between the Ocala Avenue Station and Cunningham Avenue, a concrete barrier with fencing is planned along the median walkway.

The traffic signals will control automobile, pedestrian, and light rail movements. The timing and operation of the signals will be coordinated to safely integrate the light rail with automobile and pedestrian traffic. The traffic signals along Capitol Expressway will be equipped with countdown timers and audible signals to assist pedestrians in safely crossing the intersections.

Generally, the traffic signals will operate similar to the existing system with the safety enhancements noted above. The major difference is that the signal cycle will be preempted when a light rail train approaches the Ocala Avenue and Cunningham Avenue intersections. This will result in additional delay/wait time for cross traffic. It should be noted that the signal cycle will not preempt the pedestrian phase for obvious safety reasons.

Prior to the start of service, VTA will conduct a safety outreach program at the schools near the proposed Project. The program will educate local school students, employees, and parents on safe behavior near light rail trains and tracks. VTA would strongly encourage the schools to continue to place a crossing guard at intersections of Capitol Expressway used by school children.

SP1-9

This comment is located on page 43 of the public meeting transcript. See lines 20 – 26 on page 43 and lines 1 – 15 on page 44 of the public meeting transcript for a response.

SP1-10 This comment is located on page 44 of the public meeting transcript. See response to SP5-1 regarding the feasibility of an aerial alignment for the entire project.

SP2 Jim Zito, February 8, 2007

SP2-1 See lines 10 – 24 on page 30 of the public meeting transcript for a response.

SP2-2 See lines 2 – 4 on page 31 of the public meeting transcript for a response.

SP2-3 See line 9 on page 31 of the public meeting transcript for a response.

SP2-4 See line 17 – 25 on page 31 and line 1 – 20 on page 32 of the public meeting transcript for a response.

SP2-5 In response to your comment, VTA updated the ridership projections for the Capitol Expressway Light Rail Project to Eastridge. Ridership is estimated to be 2,135 boardings in 2030.

SP2-6 The Draft EIR for the Evergreen East Hills Vision Strategy (EEHVS) Project was released in February 2006 and evaluated five scenarios for development. According to http://www.sanjoseca.gov/planning/evergreen/, which was updated on March 1, 2007, the San Jose City Council decided to defer a decision on the strategy until May 2007 in order to conduct a financial and fiscal analysis, and to allow for a study session on industrial land conversion.

Under CEQA 15130(b)(1)(A), the Lead Agency is required to discuss not only approved projects under construction and approved related projects not yet under construction, but also unapproved projects under environmental review with related impacts or which result in significant cumulative impacts.

The Draft Supplemental EIR did not revise the traffic projections that were prepared in 2003 for the Draft EIR, which were forecast to years 2010 and 2025. The land use for the Evergreen area included in the 2010 and 2025 projections for the Draft EIR assumed the best estimates at that time. While the land use forecasts used in the Draft EIR may not reflect exactly the current proposals for Evergreen, they did reflect additional development in the Evergreen area. Conclusions reached from the results of those forecasts remain valid even with the current development scenarios under consideration.

SP2-7

During conceptual engineering of the Project, the transformation of the expressway from an auto-dominant corridor to a multi-modal boulevard was a key design principle. As a result, VTA did not consider the elimination of landscaping and the multi-use path on one or both sides of the expressway as a project feature. VTA did evaluate a project alternative that included light rail with six mixed-flow and two HOV lanes. This alternative was considered by the VTA Board of Directors as mitigation for significant traffic impacts in their decision to certify the Final EIR and approve the Project. This alternative was rejected because of significant noise impacts, physical disruption to adjoining residences, and increased property acquisition and costs. In order to maintain the HOV lanes, 11 feet of right-of-way is required on both sides of Capitol Expressway.

SP2-8

This comment is located on page 47 of the public meeting transcript.

In the Final EIR, which was certified in May 2005, the Baseline Alternative was evaluated, which consisted of enhanced bus service that is very similar to bus rapid transit (BRT). This alternative involved modest, cost-effective facility improvements and operation expansions; such as service frequency upgrades, signal priority, expanded limited stop, high capacity vehicles, and low floor buses. VTA Board of Directors determined that the Baseline Alternative was not feasible because it was in conflict with approved plans and policies, including the 2000 Measure A, Metropolitan Transportation Comission's Regional Transportation Plan, and the City of San Jose's General Plan.

SP3 Helen Johnson, February 8, 2007

SP3-1 Table 5-6, Location of Recommended Aerial/Median Soundwalls, on page 5-35 of the Draft Supplemental EIR identifies the locations requiring soundwalls. The soundwalls will be up to 3.9 feet, and located above the top of rail and adjacent to the trackway to reduce wheel noise from the light rail vehicles. These soundwalls were determined to be the most effective in reducing light rail noise.

SP3-2 This comment is located on page 47 of the public meeting transcript. Currently, Capitol Expressway is a county facility. As a result, a request for soundwalls should be directed to Michael Murdter, Director, Roads and Airports, Santa Clara County.

SP4 Carol Ashman, February 8, 2007

SP4-1 VTA used guidelines developed by the Federal Transit Administration (FTA) entitled *Transit Noise and Vibration Impact Assessment* (May 2006) to determine the significance of noise impacts for CELR. Based on these guidelines, the threshold for severe and moderate noise impacts is based on the *change* in the noise level rather than the exceedance of a specific noise level.

Using FTA criteria, the CELR project will result in severe and moderate noise impacts at several locations along Capitol Expressway, which are highlighted in Table 5-5 of the Draft Supplemental EIR. In order to reduce these impacts, VTA is proposing to construct soundwalls on the aerial structure and in the median of Capitol Expressway. Since these walls reduce light rail noise, which primarily originates from the wheels, to a less than significant level as defined by FTA, no further mitigation is proposed.

VTA is aware that there is an existing noise problem caused by the roadway. However, VTA is restricted in its ability to direct project funding to address this existing condition.

SP4-2 The Final EIR, which was certified in May 2005, and the Draft Supplemental EIR identified significant traffic impacts at Story Road, Ocala Avenue, and Quimby Road. While mitigation was identified for these impacts, including maintaining the carpool lanes and grade separation of the roadway, the VTA Board of Directors adopted a statement of overriding considerations that mitigation was not feasible due to environmental and economic considerations. In order to maintain the carpool lanes, 11 feet of right-of-way is required on both sides of Capitol Expressway, which would result in significant noise impacts, physical disruption to adjoining residences, and increased property acquisition and costs.

SP5 Ted Johnson, February 8, 2007

SP5-1 In both the Final EIR, which was certified in May 2005, and the Draft Supplemental EIR, VTA compared existing traffic conditions to future traffic conditions in 2010 and 2025, which includes data for approved and planned development. Consistent with the Congestion Management Program *Traffic Level of Service Analysis Guidelines (2003)*, the traffic was analyzed using the TRAFFIX software program.

As a result of this analysis, VTA identified significant impacts at Story Road, Ocala Avenue, and Quimby Road.

VTA acknowledges that traffic on Capitol Expressway is operating at a poor level of service (LOS) under existing conditions and that the delays will be worse with the removal of the carpool lanes.

Regarding the potential for mitigating these traffic impacts by elevating the alignment from Capitol Avenue to Nieman Boulevard, the Project includes an aerial structure between Capitol Avenue and Story Road, at Tully Road, and at Quimby Road. While elevating the light rail minimizes the delays resulting from at-grade crossings, the right-of-way is so constrained at intersections that it is not possible to preserve the existing geometry without acquiring additional right-of-way. At Story Road and Quimby Road, grade separation does not mitigate a significant and unavoidable impact at these intersections.

Ocala Avenue is the only intersection that is significantly impacted where the alignment is not elevated. While an aerial crossing of Ocala Avenue might reduce the traffic impacts below a level of significance, such a mitigation is considered to be infeasible because of environmental and economic reasons. An aerial structure would require the full acquisition of nine properties and would cost approximately $41.6 million to construct. An aerial alignment at this location could also result in additional noise and vibration impacts.

SP5-2 In Section 5.12, Land Use, of the Draft Supplemental EIR, VTA evaluated the effect of the project on the proposed development of Reid-Hillview Airport at the corner of Tully Road and Capitol Expressway. Due to the alignment of the aerial structure over Tully Road at this location, VTA is coordinating with the County

	on the site plan for the development to ensure compatibility with the Project.
SP5-3	See response to SP5-1 regarding the elevation of Capitol Expressway along the entire alignment.
SP5-4	This comment is located on page 50 and 51 of the public meeting transcript. See response to S4-1 regarding the assessment of noise impacts, proposed mitigation measures for noise impacts, and restrictions on VTA's ability to direct project funding to address existing conditions.

SP6 Frank Biehl, February 8, 2007

SP6-1 This comment is noted and your support for the project will be considered by the VTA Board of Directors when deciding whether to approve the changes to the project.

SP6-2 See response to SP5-1 regarding the elevation of Capitol Expressway along the entire alignment.

Elevating the light rail will not allow for the preservation of the two travel lanes that will be removed by the project without the acquisition of additional right-of-way at intersections.

SP6-3 VTA is committed to work with property owners from whom right-of-way is required and who will be affected by construction.

SP6-4 This comment is located on page 45 and 46 of the public meeting transcript.

Light rail is adding a small incremental contribution to the cumulative noise level. Light rail noise is audible with the roadway noise, but is of relatively short duration. As a result, the Project results in a small increase in the Day Night Noise Level (Ldn), which exceeds FTA thresholds at certain locations.

SP6-5 This comment is located on page 46 of the public meeting transcript.

Existing noise levels without the light rail range between 65 and 73 dBA. The primary source of these high noise levels is automobile traffic on Capitol Expressway.

SP6-6 This comment is located on page 46 and 47 of the public meeting transcript.

This comment is noted and your support for the project will be considered by the VTA Board of Directors when deciding whether to approve the changes to the project.

SP7 Ike White, February 8, 2007

SP7-1 Previous light rail corridor projects have analyzed the effect of light rail on intersections that were not located on the corridor itself. Since these past environmental studies concluded that light rail did not result in substantial diversion of traffic onto residential streets or other arterials, the traffic analysis for the Draft Supplemental EIR focused on intersections located directly on Capitol Expressway that might have significant traffic impacts.

Attachment A

Notice of Completion and Notice of Availability for the Draft Supplemental EIR

Form A

Notice of Completion & Environmental Document Transmittal

SCH # **2001092014**

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

Project Title: Capitol Expressway Light Rail Project

Lead Agency: Santa Clara Valley Transportation Authority (VTA) Contact Person: Mr. Thomas W. Fitzwater

Mailing Address: 3331 North First Street, Building B Phone: 408-321-5789

City: San Jose Zip: 95134-1927 County: Santa Clara

Project Location:

County: Santa Clara City/Nearest Community: San Jose Total Acres: 3.1 Linear Corridor

Cross Streets: Capitol Avenue/Expressway between Alum Rock Avenue and Nieman Boulevard Zip Code: 95116/22/27/48

Assessor's Parcel No. N/A Section: N/A Twp. N/A Range: N/A Base: N/A

Within 2 Miles: State Hwy #: 680, 101, 130 Waterways: Silver Creek, Lake Cunningham, Thompson Creek

Airports: Reid-Hillview Railways: None Schools: 9

Document Type:

CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☒ Supplement to EIR (Note prior SCH # below) ☐ EA ☐ Final Document
☐ Neg Dec ☐ Subsequent EIR (Note prior SCH # below) ☐ Draft EIS ☐ Other
☐ Mit Neg Dec ☐ Other SCH#2001092014 ☐ FONSI

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STATE CLEARINGHOUSE

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☒ Other Transit Improvements

Development Type:

☐ Residential: Units_____ Acres_____
☐ Office: Sq.ft._____ Acres_____ Employees_____
☐ Commercial: Sq.ft._____ Acres_____ Employees_____
☐ Industrial: Sq.ft._____ Acres_____ Employees_____
☐ Educational _____
☐ Recreational _____

☐ Water Facilities: Type_____ MGD_____
☒ Transportation: Type Transit Improvements
☐ Mining: Mineral _____
☐ Power: Type_____ MW _____
☐ Waste Treatment: Type_____ MGD_____
☐ Hazardous Waste: Type_____
☐ Other: _____

Project Issues Discussed in Document:

☒ Aesthetic/Visual	☐ Fiscal	☐ Recreation/Parks	☐ Vegetation
☐ Agricultural Land	☐ Flood Plain/Flooding	☐ Schools/Universities	☒ Water Quality
☒ Air Quality	☐ Forest Land/Fire Hazard	☐ Septic Systems	☐ Water Supply/Groundwater
☒ Archeological/Historical	☒ Geologic/Seismic	☐ Sewer Capacity	☐ Wetland/Riparian
☒ Biological Resources	☐ Minerals	☐ Soil Erosion/Compaction/Grading	☐ Growth Inducement
☐ Coastal Zone	☒ Noise	☐ Solid Waste	☒ Land Use
☐ Drainage/Absorption	☐ Population/Housing Balance	☐ Toxic/Hazardous	☒ Cumulative Effects
☐ Economic/Jobs	☐ Public Services/Facilities	☒ Traffic/Circulation	☒ Other Utilities, Construction

Present Land Use/Zoning/General Plan Designation:

Mulit-lane arterial roadway with HOV lanes, bordered by low density residential, with pockets of retail and commercial uses, and a regional shopping center.

Project Description: *(please use a separate page if necessary)*

Light rail extension along Capitol Expressway from Alum Rock Station to Nieman Boulevard. The alignment will consist of at-grade and aerial sections that will be located in the median of the expressway between Alum Rock Station and Tully Road and side-running on the west side of the expressway between Tully Road and Nieman Boulevard . The project will include four new stations, modifications to Capitol Expressway, reconfiguration of the Eastridge Transit Center, relocation of electrical transmission facilities, and a light rail storage facility. This is a Supplement to the EIR (SCH#2001092014) and addresses changes to the project in the initial phase between Alum Rock Station and Eastridge Transit Center, including changes to the horizontal and vertical alignment and changes in station design.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

_____Air Resources Board
_____Boating & Waterways, Department of
_____California Highway Patrol
S Caltrans District # 4
S Caltrans Division of Aeronautics
_____Caltrans Planning
_____Coachella Valley Mountains Conservancy
_____Coastal Commission
_____Colorado River Board Commission
_____Conservation, Department of
_____Corrections, Department of
_____Delta Protection Commission
_____Education, Department of
_____Office of Public School Construction
_____Energy Commission
S Fish & Game Region # 3
_____Food & Agriculture, Department of
_____Forestry & Fire Protection
_____General Services, Department of
_____Health Services, Department of
S Housing & Community Development
S Integrated Waste Management Board
S Native American Heritage Commission
_____Office of Emergency Services
S Office of Historic Preservation
S Parks & Recreation
_____Pesticide Regulation, Department of
S Public Utilities Commission
_____Reclamation Board
S Regional WQCB # 2
_____Resources Agency
_____S.F. Bay Conservation & Development Commission
_____San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
_____San Joaquin River Conservancy
_____Santa Monica Mountains Conservancy
_____State Lands Commission
_____SWRCB: Clean Water Grants
_____SWRCB: Water Quality
_____SWRCB: Water Rights
_____Tahoe Regional Planning Agency
S Toxic Substances Control, Department of
S Water Resources, Department of

_____Other _____
_____Other _____

Local Public Review Period (to be filled in by lead agency)

Starting Date January 19, 2007 Ending Date March 5, 2007

Lead Agency (Complete if applicable):

Consulting Firm: Jones & Stokes
Address: 2841 Junction Ave., Suite 114
City/State/Zip: San Jose, CA 95134
Contact: Matthew Jones
Phone: (916) 737-3000

Applicant: Santa Clara Valley Transportation Authority (VTA)
Address: 3331 North First Street, Building B
City/State/Zip: San Jose, CA 95134-1927
Phone: (408) 321-5789

Signature of Lead Agency Representative _____ Date 1/17/2007

Authority cited: Section 21083 and 21087, Public Resources Code. Reference: Section 21161, Public Resources Code.

SANTA CLARA
Valley Transportation Authority

ENDORSED

JAN 19 2007

REGINA ALCOMENDRAS, County Clerk-Recorder
Santa Clara County
By _____ Deputy

LAURA LUNA

January 18, 2007

Notice of Availability of Draft Supplemental Environmental Impact Report for the Capitol Expressway Light Rail Project (CELR)

POSTED ON JAN 19 2007 THROUGH FEB 18 2007
IN THE OFFICE OF THE COUNTY CLERK-RECORDER
BRENDA DAVIS, COUNTY CLERK
BY _____ DEPUTY LAURA LUNA

Project Location and Description:

In May 2005, the Santa Clara Valley Transportation Authority (VTA) Board of Directors approved a 3.1 mile extension of light rail along Capitol Expressway in the City of San Jose from the existing Alum Rock Station to Eastridge Transit Center in its first phase and to Nieman Boulevard in a future phase.

As a result of Preliminary Engineering, VTA is proposing the following changes to the project, which are the subject of this Draft Supplemental EIR:

- Changes in right-of-way acquisition near Capitol Avenue, Story Road, Ocala Avenue, and Eastridge Transit Center.
- Station design changes at Story Road, Ocala Avenue, and Eastridge Transit Center.
- Shift in the locations of the electrical transmission facilities between Ocala Avenue and Quimby Road.
- Change from a tunnel to an aerial structure at Tully Road.

While the light rail alignment will terminate at Eastridge Transit Center for the initial phase of the project, urban boulevard improvements, the new roadway configuration, and intersection modifications will be included between Eastridge Transit Center and Quimby Road to provide a smooth transition between the 6-lane and 8-lane facility to the south, and to ensure good pedestrian and bicycle access to and from Eastridge Transit Center.

This Draft Supplemental EIR does not address changes to the light rail alignment south of Eastridge Transit Center since revenue service on the Nieman extension is not planned to begin until 2024.

Significant Environmental Impacts

In the Draft Supplemental EIR, the following new significant and unavoidable impacts were identified:

- **Energy**: Since the project will increase demand for electricity, the project will have a significant impact on electrical transmission during peak periods due to constraints in California's electrical transmission infrastructure.

- **Vibration from Operations:** As a result of revisions to the Federal Transit Administration's (FTA) guidelines on *Transit Noise and Vibration Impact Assessment* in May 2006 and changes in the operational characteristics of CELR, new significant impacts to noise and vibration have been identified. These include 8 severe and 41 moderate noise impacts, which will be mitigated with various noise control measures. These also include 26 vibration impacts, which have been determined to be potentially significant and unavoidable at 11 residences with mitigation.
- **Noise and Vibration from Construction:** As a result of the pile driving that will be necessary to place the columns for the aerial structure, new significant impacts to construction noise and vibration have been identified. FTA's recommended construction noise criteria will be exceeded for more than 3 days at 54 residential buildings and 5 nonresidential buildings. FTA's construction vibration criteria to avoid damage to buildings during pile driving would be exceeded at 43 residential and 1 nonresidential building. Because it is not known whether it will be feasible or reasonable to mitigate these impacts, these impacts have been determined to be potentially significant and unavoidable.
- **Environmental Justice:** Since the adverse noise impacts from construction and the adverse vibration impacts from operation and construction of CELR will disproportionately affect minority and low-income populations, the project has been determined to have a significant and unavoidable impact to environmental justice.
- **Cumulative Effects:** When considered with past, present, and reasonably foreseeable future projects, the project will have a cumulative effect on energy, vibration from operations, and environmental justice.

Public Review

The 45-day public review period for the Draft Supplemental EIR begins on **January 19, 2007,** and ends on **March 5, 2007**.

Copies of the Draft Supplemental EIR are available at the following locations:

Alum Rock Library
75 South White Road
San Jose

Dr. Martin Luther King, Jr. Library
150 E. San Fernando Street
San Jose

East San Jose Carnegie Branch Library
1102 E. Santa Clara Street
San Jose

Evergreen Branch Library
2635 Aborn Road
San Jose

Hillview Branch Library
2255 Ocala Avenue
San Jose

Santa Clara Valley Transportation Authority
(see below for address)

Comments should be provided in writing to the following address no later than 5:00 PM on March 5, 2007:

Mail: Thomas W. Fitzwater, Environmental Resources Planning Manager
Santa Clara Valley Transportation Authority
Environmental Planning
3331 N. First Street, Building B
San Jose, CA 95134-1927

Email: CELR.SEIR@vta.org

Fax: (408) 321-5787

Public Meeting and Open House

A Public Meeting and Open House will be held to provide information on the project changes and the effects of the changes on the environment. There will also be an opportunity for the public to comment on the Draft Supplemental EIR.

Thursday, February 8, 2007
6:00 PM – 7:30 PM (Presentations begin at 6:30 PM)
Hank Lopez Community Center
1694 Adrian Way, San Jose (cross-street: Ocala Avenue)

For Additional Information on the Draft Supplemental EIR, *please contact VTA Environmental Planning at (408) 321-5789.*

Attachment B

Mailing List for Draft Supplemental EIR

SEIR List for Capitol Expressway Corridor

No.	Category	Media	Mail	Name	Title	Organization	Address	City
1	E	NOA	Regular	The Honorable Elaine Alquist	State Senator	District 13 Office	State Capitol, Room 4088	Sacramento
2	E	NOA	Regular	The Honorable Joe Coto	State Assemblymember	District 23 Office	100 Paseo De San Antonio, Suite 319	San Jose
3	E	HC - V.I	Regular	Mr. David Cortese	Boardmember	Downtown East Valley PAB		
4	E	HC - V.I	Regular	Mr. Pete McHugh	Boardmember	Downtown East Valley PAB		
5	E	HC - V.I	Regular	Ms. Blanca Alvarado	Chairperson	Downtown East Valley PAB		
6	E	HC - V.I	Regular	Ms. Cindy Chavez	Member	Downtown East Valley PAB		
7	E	HC - V.I	Regular	Ms. Nora Campos	Boardmember	Downtown East Valley PAB		
8	E	NOA	Regular	The Honorable Barbara Boxer	U.S. Senator	San Francisco Office	1700 Montgomery Street, Suite 240	San Francisco
9	E	NOA	Regular	The Honorable Dianne Feinstein	U.S. Senator	San Francisco Office	One Post Street, Suite 2450	San Francisco
10	E	NOA	Regular	The Honorable Zoe Lofgren	U.S. Congresswoman	San Jose District 16 Office	635 N. First Street, Suite B	San Jose
11	E	HC - V.I	Regular	Mr. Al Pinheiro	Alternate	VTA Board of Directors		
12	E	HC - V.I	Regular	Mr. Breene Kerr	Boardmember	VTA Board of Directors		
13	E	HC - V.I	Regular	Mr. Dean Chu	Chairperson	VTA Board of Directors		
14	E	HC - V.I	Regular	Mr. Donald Gage	Boardmember	VTA Board of Directors		
15	E	HC - V.I	Regular	Mr. Forrest Williams	Boardmember	VTA Board of Directors		
16	E	HC - V.I	Regular	Mr. Greg Sellers	Boardmember	VTA Board of Directors		
17	E	HC - V.I	Regular	Mr. John McLemore	Ex-Officio Boardmember	VTA Board of Directors		
18	E	HC - V.I	Regular	Mr. Ken Yeager	Ex-Officio Boardmember	VTA Board of Directors		
19	E	HC - V.I	Regular	Ms. Dolly Sandoval	Boardmember	VTA Board of Directors		
20	E	HC - V.I	Regular	Ms. Laura Macias	Boardmember	VTA Board of Directors		
21	E	HC - V.I	Regular	Ms. Liz Kniss	Vice Chairperson	VTA Board of Directors		
22	E	HC - V.I	Regular	Ms. Madison Nguyen	Boardmember	VTA Board of Directors		
23	F	HC - V.I	Certified	Mr. Gene Fong	Division Administrator	Federal Highway Administration	650 Capitol Mall, Suite 4-100	Sacramento
24	F	HC - V.I	Regular	Mr. Jerome Wiggins	Transportation Program NOAist	Federal Transit Administration	201 Mission Street - Ste 1650	San Francisco
25	F	CD	Certified	Mr. Leslie Rogers	Regional Administrator	Federal Transit Administration	201 Mission Street - Ste 1650	San Francisco
26	F	CD	Regular	Mr. Ray Sukys	Director of Planning and Program Development	Federal Transit Administration	201 Mission Street - Ste 1650	San Francisco
27	F	CD	Certified	Mr. Steve Edmondson	Northern California Supervisor	National Oceanic and Atmospheric Administration	777 Sonoma Avenue, Room 325	Santa Rosa
28	F	HC - V.I	Regular	Ms. Maura Eagan Moody	Fisheries Biologist	National Oceanic and Atmospheric Administration	777 Sonoma Avenue, Room 325	Santa Rosa
29	F	HC - V.I	Certified	Mr. Ryan Olah	Coast Bay Delta Chief	U.S Fish and Wildlife Service, Sacramento Fish and Wildlife Office	2800 Cottage Way	Sacramento
30	F	CD	Certified	Mr. Calvin Fong	Branch Chief	U.S. Army Corps of Engineers	333 Market Street	San Francisco
31	F	CD	Regular	Mr. Ed Wylie	South Section Chief	U.S. Army Corps of Engineers	333 Market Street	San Francisco
32	F	HC - V.I	Regular	Ms. Jennifer Spann		U.S. Army Corps of Engineers	333 Market Street	San Francisco
33	F	HC - V.I	Certified	Ms. Patricia S. Port	Regional Environmental Officer	U.S. Department of Interior, National Park Service	One Jackson Center, 1111 Jackson Street, Suite 700	Oakland
34	F	CD	Certified	Mr. Wayne Nastri	Regional Administrator	U.S. Environmental Protection Agency Region IX	75 Hawthorne Street	San Francisco
35	F	HC - V.I	Regular	Ms. Connell Dunning		U.S. Environmental Protection Agency Region IX	75 Hawthorne Street	San Francisco
36	F	CD	Regular	Ms. Lisa Hanf	Manager, Federal Activities Office	U.S. Environmental Protection Agency Region IX	75 Hawthorne Street	San Francisco
37	L	HC - V.I	Regular		Chair, Airport Land Use Commission	c/o Secretary of the Airport Land Use Commission	70 West Hedding Street, 10th Floor	San Jose
38	L	HC - V.I	Regular		Chair, Santa Clara County Airports Commission	c/o Secretary of the Airports Commission	70 West Hedding Street, 10th Floor	San Jose
39	L	HC - V.I	Regular		Chair, Santa Clara County Roads Commission	c/o Secretary of the Roads Commission	70 West Hedding Street, 10th Floor	San Jose
40	L	CD	Certified	Mr. Joseph Horwedel	Director of Planning, Building & Code Enforcement	City of San Jose	200 E. Santa Clara Street	San Jose
41	L	CD	Regular	Ms. Sally N. Zarnowitz	Historic Preservation Officer	City of San Jose	200 E. Santa Clara Street	San Jose
42	L	CD	Certified		Director of Public Works	City of San Jose	200 E. Santa Clara Street	San Jose
43	L	NOA	Email	Mr. Juan Borelli		City of San Jose	Juan.Borelli@sanjoseca.gov	
44	L	HC - V.I & II	Regular	Ms. Jodie Clark	Senior Planner	City of San Jose Department of Planning, Building and Code Enforcen	200 E. Santa Clara Street	San Jose
45	L	CD	Certified	Mr. Jim Helmer	Director	City of San Jose, Department of Transportation	200 E. Santa Clara Street	San Jose

SEIR List for Capitol Expressway Corridor

No.	Category	Media	Mail	Name	Title	Organization	Address	City
46	L	HC - V.I & II	Regular	Mellownie Salvador		City of San Jose, Transportation Planning and Project Delivery	200 E. Santa Clara Street	San Jose
47	L	HC - V.I & II	Regular	Mr. Larry Peng		City of San Jose, Transportation Planning and Project Delivery	200 E. Santa Clara Street	San Jose
48	L	HC - V.I & II	Regular	Mr. Ray Salvano		City of San Jose, Transportation Planning and Project Delivery	200 E. Santa Clara Street	San Jose
49	L	CD	Certified	Mr. Michael Murdter	Director of Roads & Airports	County of Santa Clara	101 Skyport Drive	San Jose
50	L	HC - V.I	Certified	Mr. Val Alexeeff	Director, Department of Planning and Development	County of Santa Clara	70 West Hedding Street	San Jose
51	L	CD	Certified	Ms. Lisa Killough	Director of Parks and Recreation	County of Santa Clara	298 Garden Hill Drive	Los Gatos
52	L	HC - V.I	Regular	Mr. Mark Frederick	Services Manager: Planning, Development, and Real Estate	County of Santa Clara Parks & Recreation Department	298 Garden Hill Drive	Los Gatos
53	L	HC - V.I & II	Regular	Mr. Dan Collen	Manager	County of Santa Clara, Roads and Airports Department	101 Skyport Drive	San Jose
54	L	HC - V.I & II	Regular	Mr. Raluca Nitescu	Project Engineer	County of Santa Clara, Roads and Airports Department	101 Skyport Drive	San Jose
55	L	HC - V.I & II	Regular	Mr. William R. Lee	Senior Civil Engineer	County of Santa Clara, Roads and Airports Department	101 Skyport Drive	San Jose
56	L	HC - V.I	Certified	Mr. Marc Roddin	Santa Clara County Liasion	Metropolitan Transportation Commission	101 Eighth Street	Oakland
57	L	HC - V.I & II	Regular	Ms. Joan Friedman		MTC Library	101 Eighth Street	Oakland
58	L	HC - V.I	Certified	Mr. Harry S. Mavrogenes	Executive Director	San Jose Redevelopment Agency	50 W. San Fernando Street	San Jose
59	L	HC - V.I	Certified	Ms. Dana Peak	ALUC Staff Coordinator	Santa Clara County Airport Land Use Commission	70 West Hedding Street, 7th floor	San Jose
60	L	HC - V.I	Certified	Mr. Carl Honaker	Director	Santa Clara County Airports	2500 Cunningham Avenue	San Jose
61	L	HC - V.I	Regular	Mr. Theodore Hipol	Community Engineer	Santa Clara Valley Water District	5750 Almaden Expressway	San Jose
62	L	CD	Certified	Ms. Sue Tippetts	Community Project/Review Unit Manager	Santa Clara Valley Water District	5750 Almaden Expressway	San Jose
63	L	NOA	Regular	Cindy Ho	K.O.N.A./West Evergreen Team Manager	Strong Neighborhoods Initiative	200 E. Santa Clara Street	San Jose
64	L	HC - V.I & II	Certified	Mr. Salvador Alvarez	East Valley/680 Neighborhood Team Manager	Strong Neighborhoods Initiative	200 E. Santa Clara Street	San Jose
65	O	NOA	Regular			Alum Rock Business Association	11466 Chula Vista	San Jose
66	O	HC - V.I & II	Regular	Document Librarian		Alum Rock Library	75 South White Road	San Jose
67	O	NOA	Regular		Superintendent	Alum Rock Union School District	Alum Rock Union	San Jose
68	O	HC - V.I	Regular	Mr. Dan Isaacs		Arcadia Development Company	PO Box 5368	San Jose
69	O	NOA	Regular		Coordinator	Bay Area Transportation and Land Use Coalition	1922 The Alameda, Suite 213	San Jose
70	O	HC - V.I	Regular	Mr. Andrew Faber		Berliner Cohen	Ten Almaden Boulevard, 11th floor	San Jose
71	O	HC - V.I	Regular	Scott E. Bohannon	Authorized Representative	Bohannon Development Company	60 31st Avenue	San Mateo
72	O	HC - V.I	Regular	Mr. Jeff Moore	Managing Partner	Brandenburg, Staedler & Moore	1122 Willow Street, Suite 200	San Jose
73	O	NOA	Regular		Legislative Advocate	Committee for Green Foothills	3921 East Bayshore Road	Palo Alto
74	O	HC - V.I & II	Regular	Document Librarian		Dr. Martin Luther King, Jr. Main Library	150 E. San Fernando Street	San Jose
75	O	HC - V.I & II	Regular	Document Librarian		East San Jose Carnegie Branch Library	1102 E. Santa Clara Street	San Jose
76	O	NOA	Regular		Superintendent	East Side Union High School District	830 North Capitol Avenue	San Jose
77	O	NOA	Regular			El Camino Hospital Evergreen Dialysis Center	2240 Tully Road	San Jose
78	O	HC - V.I & II	Regular	Document Librarian		Evergreen Branch Library	2635 Aborn Road	San Jose
79	O	NOA	Regular		Superintendent	Evergreen School District	3188 Quimby Road	San Jose
80	O	NOA	Regular		President	Evergreen Valley College	3095 Yerba Buena Road	San Jose
81	O	NOA	Regular			Filipino-American Chamber of Commerce	1046 West Taylor Street #206	San Jose
82	O	HC - V.I	Regular	Mr. Adam Tritt		General Growth Properties, Inc.	110 North Wacker Drive	Chicago
83	O	HC - V.I	Regular	Mr. John Petersen	General Manager, Eastridge Mall	General Growth Properties, Inc.	One Eastridge Mall	San Jose
84	O	NOA	Regular		South Bay Office Representative	Greenbelt Alliance	1922 The Alameda, Suite 213	San Jose
85	O	HC - V.I & II	Regular	Document Librarian		Hillview Branch Library	2255 Ocala Avenue	San Jose
86	O	NOA	Regular			Hispanic Chamber of Commerce	696 East Santa Clara St #106	San Jose
87	O	NOA	Regular			Indo-American Chamber of Commerce	3095 Greentree Wy	San Jose
88	O	NOA	Regular		Chairman	Japanese-American Chamber of Commerce of Silicon Valley	95 South Market St	San Jose
89	O	NOA	Regular		Executive Director	Land Watch	P.O. Box 1876	Salinas
90	O	NOA	Regular		Superintendent	Mt. Pleasant School District	3434 Marten Avenue	San Jose
91	O	NOA	Regular		President	National Hispanic University	14271 Story Road	San Jose
92	O	CD	Regular	Mahyar Congirlu		Pacific Gas and Electric Company	111 Almaden Boulevard, 8th Floor	San Jose
93	O	CD	Regular	Mr. Ted Quach		Pacific Gas and Electric Company	PO BOX 15005	San Jose
94	O	HC - V.I	Certified	Ms. Daniela Caroselli	Land Projects Analyst	Pacific Gas and Electric Company	PO BOX 770000, Mail Code 10A	San Francisco
95	O	NOA	Regular			Portuguese Chamber of Commerce	1115 East Santa Clara St	San Jose

SEIR List for Capitol Expressway Corridor

No.	Category	Media	Mail	Name	Title	Organization	Address	City
96	O	NOA	Regular	Carolyn Ruth	Real Estate Paralegal	Public Storage	701 Western Avenue	Glendale
97	O	NOA	Regular	Mr. Steve Sherman		Ruth + Going	2216 The Alameda	Santa Clara
98	O	NOA	Regular		President and CEO	San Jose Silicon Valley Chamber of Commerce	310 South 1st St	San Jose
99	O	NOA	Regular		Superintendent	San Jose Unified School District	855 Lenzen Avenue	San Jose
100	O	NOA	Regular		Environmental Advocate	Santa Clara Valley Audubon Society	22221 McClellan Road	Cupertino
101	O	CD	Regular	Mr. Keith R. Auderson	CEQA Coordinator	Santa Clara Valley Streams for Tomorrow	P.O. Box 1409	San Martin
102	O	HC - V.I	Regular	Mr. Fred Schnabel	Project Manager/Engineering Department	SBC Corporation	3475 N. First Street, Bldg. B, Room 600	San Jose
103	O	NOA	Regular		Chapter Director	Sierra Club, Loma Prieta Chapter	3921 East Bayshore Road	Palo Alto
104	O	NOA	Regular		President	Silicon Valley Bicycle Coalition	P.O. Box 831	Cupertino
105	O	NOA	Regular	Mr. Carl Guardino	President and CEO	Silicon Valley Leadership Group	224 Airport Parkway	San Jose
106	O	NOA	Regular			Story Road Business Association	1960 Story Road	San Jose
107	O	NOA	Regular		President/CEO	The Black Chamber of Silicon Valley	50 East Street John Street #103	San Jose
108	O	HC - V.I	Regular	Ms. Christine E. Mirabel	Vice President and General Counsel	World Oil Corporation	9302 Garfield Avenue	South Gate
109	O	HC - V.I	Regular	Beshoff Motorcars			3000 E. Capitol Expwy.	San Jose
110	O	NOA	Regular	Chief Auto Parts Inc.			2690 Story Road	San Jose
111	O	NOA	Regular	Chief Auto Parts Inc.			PO Box 2198	Memphis
112	O	NOA	Regular	Dan Wagenet			2264 Silver Terrace Way	San Jose
113	O	NOA	Regular	Gas Station			2695 Story Road	San Jose
114	O	NOA	Regular	Helen Buantello Trust			2634 Sleepy Hollow Lane	San Jose
115	O	NOA	Regular	Ibrahim N. & Mahfouza M. Abdulkariem Trust			1148 S. Capitol Avenue	San Jose
116	O	NOA	Regular	Lawyers Title Ins. Corp.			PO Box 5368	San Jose
117	O	NOA	Regular	Lion Venture Group			2365 Quimby Road	San Jose
118	O	HC - V.I	Regular	Nail Salon			1091 S. Capitol Avenue	San Jose
119	O	NOA	Regular	Pacific/Bowie-el Cerrito			1 Corporate Plaza Drive	Newport Beach
120	O	NOA	Regular	Property Manager			2710 Kollmar Drive	San Jose
121	O	NOA	Regular	Rayjer Properties			2092 Lower Lake Drive	Santa Ana
122	O	NOA	Regular	Self-Serve Petroleum Inc.			1045 Airport Blvd.	So. San Francisco
123	O	HC - V.I	Regular	Texas Smokehouse BBQ			1091 S. Capitol Avenue	San Jose
124	O	NOA	Regular	William Allan Jr.			2845 Moorpark Avenue #210	San Jose
125	O	NOA	Regular	Zhen S. Zhong Trust			1326 Miramonte Avenue	Mountain View
126	P	NOA	Regular	Johnnie Retanci		Phone: 408.595.8569	1776 Homegate Drive	San Jose
127	P	NOA	Regular	Grace H. Morioka		Santiago of San Jose and Ryland Horizons Homeowners Association	c/o Commoncents Management, 5126 Stevens Creek Blvd., Box 11	San Jose
128	P	HC - V.I	Regular	Marilyn Rodgers	President	VEP Community Association	P.O. Box 18111	San Jose
129	P	NOA	Email	A.K.			jmk_408@hotmail.com	
130	P	NOA	Regular	Alicia Vazquez			985 S. Capitol Avenue	San Jose
131	P	NOA	Regular	Alona C. Lerio			2512 Whitestone Ct.	San Jose
132	P	NOA	Regular	Amadeu & Fransisca Alfazema			1244 Tudor Ct.	San Jose
133	P	NOA	Regular	Antonio Espinoza			891 S. Capitol Avenue	San Jose
134	P	NOA	Regular	Antonio Plancarte			1646 Pinkstone Ct.	San Jose
135	P	NOA	Regular	Antonio V. & Ana A. Ferreira			2709 Sussex Drive	San Jose
136	P	NOA	Regular	Arnold T. Micarsos			2568 Brenford Drive	San Jose
137	P	NOA	Regular	Arturo Fajardo			2590 Brenford Drive	San Jose
138	P	NOA	Regular	Ba Trust			1766 Home Gate Drive	San Jose
139	P	NOA	Regular	Bernard & Judy C. Deguzman			863 S. Capitol Avenue	San Jose
140	P	NOA	Regular	Carlos A. & Josephine R. Garcia			1774 Home Gate Drive	San Jose
141	P	NOA	Regular	Carlos V. & Julia B. Mene			1760 Home Gate Drive	San Jose
142	P	NOA	Regular	Cesar A. & Stephanie V. Torres			1784 Home Gate Drive	San Jose
143	P	HC - V.I	Regular	David Noel			5119 Fell Avenue	San Jose
144	P	NOA	Regular	Dely D. & Jessie Juani			2518 Brownstone Ct.	San Jose

SEIR List for Capitol Expressway Corridor

No.	Category	Media	Mail	Name	Title	Organization	Address	City
145	P	NOA	Regular	Donald Tauscher			1652 Pinkstone Ct.	San Jose
146	P	NOA	Regular	Dora V. Balboa Trustee			1033 S. Capitol Avenue	San Jose
147	P	HC - V.I	Regular	Dorothy D'Angelo			1336 S. Capitol Avenue	San Jose
148	P	NOA	Regular	Felias & Frances M. Archuleta Trustee			13510 Westboro Drive	San Jose
149	P	NOA	Regular	Felix & Amparo Silva			2574 Brenford Drive	San Jose
150	P	NOA	Regular	Fierro & Aracely V. Osvaldo			13511 Westboro Drive	San Jose
151	P	NOA	Regular	Francisco Ramirez			1049 S. Capitol Avenue	San Jose
152	P	NOA	Regular	Gary B. & Deborah L. Clain			2586 Brenford Drive	San Jose
153	P	NOA	Email	George Rasko			jurgis_sj@yahoo.com	
154	P	NOA	Regular	Gilbert S. & Ethel L. Custodio			1790 Home Gate Drive	San Jose
155	P	NOA	Regular	Gordon S. & Margaret A. Mathis Trustee			953 S. Capitol Avenue	San Jose
156	P	NOA	Regular	Hector M. Mendoza			2570 Brenford Drive	San Jose
157	P	NOA	Regular	Heliodoro C. Madriz			2552 Brenford Drive	San Jose
158	P	NOA	Regular	Huan T. & Cho Ming C. La			442 Chilberg Ct.	San Jose
159	P	NOA	Regular	Jaroon Roth & Sophia Ky			1788 Home Gate Drive	San Jose
160	P	NOA	Regular	Javier Quinonez Corral Trustee			821 S. Capitol Avenue	San Jose
161	P	NOA	Regular	Jesus M. Torres			937 S. Capitol Avenue	San Jose
162	P	NOA	Regular	John A. Brazzillo			1260 Capitol Ct.	San Jose
163	P	NOA	Regular	Jorge R. Govea			1017 S. Capitol Avenue	San Jose
164	P	NOA	Regular	Jose M. Bayani Trustee			2535 Greenstone Ct.	San Jose
165	P	NOA	Regular	Jose Neri			480 S. Capitol Avenue	San Jose
166	P	NOA	Regular	Joseph A. & Alfreda H. Devera Trustee			905 S. Capitol Avenue	San Jose
167	P	NOA	Regular	Joseph K. Vo & Lien Thi Bach Dao			500 S. Capitol Avenue	San Jose
168	P	NOA	Regular	Juan M. & Maria R. Gonzalez			2564 Brenford Drive	San Jose
169	P	NOA	Regular	Juleus-Louis B. & Jeanne A. Alquizalas			1776 Home Gate Drive	San Jose
170	P	NOA	Regular	Kb Home South Bay Inc.			2201 Walnut Avenue #150	Fremont
171	P	NOA	Regular	Khan Van & Nguyen Hue Pham			520 S. Capitol Avenue	San Jose
172	P	HC - V.1	Regular	L. Bertao			PO Box 53755	San Jose
173	P	NOA	Regular	Lamberto B. & Juliana B. De Guzman			1778 Home Gate Drive	San Jose
174	P	NOA	Regular	Lamberto Carmona			969 S. Capitol Avenue	San Jose
175	P	NOA	Regular	Lazaro Ramirez			1049 S. Capitol Avenue	San Jose
176	P	NOA	Regular	Leon V. Santos			660 S. Capitol Avenue	San Jose
177	P	NOA	Regular	Lesley Gomez			1222 S. Capitol Avenue	San Jose
178	P	NOA	Regular	Louis Phan & Kim-chi Nguyen			2652 Ramsdell Place	San Jose
179	P	NOA	Regular	Manuel Bautista			13501 Highwood Drive	San Jose
180	P	NOA	Regular	Manuel Chacon			2540 Brenford Drive	San Jose
181	P	NOA	Regular	Manuel Valdez Trustee			540 S. Capitol Avenue	San Jose
182	P	NOA	Regular	Marcos Flores			849 S. Capitol Avenue	San Jose
183	P	NOA	Regular	Marian F. Dixon Trustee			2540 Greenstone Ct.	San Jose
184	P	NOA	Regular	Mark Khamvongsa			1658 Pinkstone Ct.	San Jose
185	P	NOA	Regular	Martin & Virginia Duran			3132 Greenford Ct.	San Jose
186	P	NOA	Regular	Michael L. Rumph			455 S. Capitol Avenue	San Jose
187	P	HC - V.I	Regular	Mr. and Mrs. Ted & Helen Johnson			1871 Darwin Way	San Jose
188	P	HC - V.I	Regular	Mr. Bill Currie			434 N. Canal Street #7	South San Francisco
189	P	HC - V.I	Regular	Mr. Le Nguyen			1093 S. Capitol Avenue	San Jose
190	P	NOA	Email	Mr. Nick Perry			city2685@hotmail.com	

SEIR List for Capitol Expressway Corridor

No.	Category	Media	Mail	Name	Title	Organization	Address	City
191	P	HC - V.I	Regular	Mr. Ricardo Garcia			2717 Coventry Drive	San Jose
192	P	HC - V.I	Regular	Mr. Timothy Boles			140 E. Santa Clara, #5	San Jose
193	P	HC - V.I	Regular	Ms. Josie Ramirez			620 S. Capitol Avenue	San Jose
194	P	NOA	Regular	Parduman S. & Kishan K. Bola			1001 S. Capitol Avenue	San Jose
195	P	NOA	Regular	Pat T. & Vuongdo Saralene Vuong			1764 Home Gate Drive	San Jose
196	P	NOA	Regular	Quang T. Nguyen & Becky Luong			1911 Evermont Ct.	San Jose
197	P	NOA	Regular	Rene C. & Donna O. Paulines			1780 Home Gate Drive	San Jose
198	P	NOA	Regular	Resident			1758 Home Gate Drive	San Jose
199	P	NOA	Regular	Resident			640 S. Capitol Avenue	San Jose
200	P	NOA	Regular	Resident			1756 Home Gate Drive	San Jose
201	P	NOA	Regular	Resident			1762 Home Gate Drive	San Jose
202	P	NOA	Regular	Resident			1782 Home Gate Drive	San Jose
203	P	NOA	Regular	Resident			1690 Silverstone Court	San Jose
204	P	NOA	Regular	Ricardo & Violeta Rico			1772 Home Gate Drive	San Jose
205	P	HC - V.I	Regular	Ricardo Ruiz			13510 Highwood Drive	San Jose
206	P	NOA	Regular	Rod Rodriguez & Laura Loredo-Rodriguez			4968 Ruttner Ct.	San Jose
207	P	NOA	Regular	Rodolfo Parra			835 S. Capitol Avenue	San Jose
208	P	NOA	Regular	Rogelio & Beronica Rodriguez			763 S. Capitol Avenue	San Jose
209	P	NOA	Regular	Rolando P. & Esttrellita C. Bantilan			2532 Bluestone Ct.	San Jose
210	P	NOA	Regular	Ruben S. & Milagros Marcelo			2578 Brenford Drive	San Jose
211	P	NOA	Regular	Santos R. & Rosa Miranda			731 S. Capitol Avenue	San Jose
212	P	NOA	Regular	Saturino B. & Carmelita G. Camba			3125 Cunningham Lane Ct.	San Jose
213	P	NOA	Regular	Silvano Roman			560 S. Capitol Avenue	San Jose
214	P	NOA	Email	Son Cheong Kuan			skuan@juno.com	
215	P	NOA	Regular	Sonia S. Soriano			1768 Home Gate Drive	San Jose
216	P	NOA	Regular	Susan Bradley			P.O. Box 1104	San Jose
217	P	NOA	Regular	Teresa A. Cruz Trustee			2582 Brenford Drive	San Jose
218	P	NOA	Regular	Teresa Barron			807 S. Capitol Avenue	San Jose
219	P	NOA	Regular	Tereso C. & Juliet C. Cabuang			2538 Whitestone Ct.	San Jose
220	P	NOA	Regular	Thanh P. & Minh Nguyen			2042 Skyline Drive	Milpitas
221	P	NOA	Regular	TJ Lyons			747 S. Capitol Avenue	San Jose
222	P	NOA	Regular	Ton Q. & Huynh Hong-thi Tran			1786 Home Gate Drive	San Jose
223	P	NOA	Regular	Victor Tlatelpa			1770 Home Gate Drive	San Jose
224	P	NOA	Regular	Vilai & Thong Seelapasay			921 S. Capitol Avenue	San Jose
225	P	NOA	Regular	William J. Garbett			PO Box 36132	San Jose
226	P	NOA	Email	Yong Lu			ylu@cisco.com	
227	R	HC - V.I	Certified	Mr. Henry Gardner	Executive Director	Association of Bay Area Governments	101 Eighth Street	Oakland
228	R	HC - V.I	Certified	Mr. Henry Hilken	Director of Planning and Research	Bay Area Air Quality Management District	939 Ellis Street	San Francisco
229	R	NOA	Regular	Mr. Steve Heminger	Executive Director	Metropolitan Transportation Commission	101 Eighth Street	Oakland
230	S	NOA	Regular	Mr. Ryan Broddrick	Director	California Department of Fish & Game	1416 9th Street, 12th Floor	Sacramento
231	S	HC - V.I	Regular	Mr. Dave Johnston	Environmental Scientist	California Department of Fish and Game	PO Box 47	Yountville
232	S	CD	Certified	Mr. Robert Floerke	Regional Manager, Central Coast	California Department of Fish and Game	PO Box 47	Yountville
233	S	HC - V.I	Regular	Mr. Scott Wilson	Environmental Conservation Supervisor	California Department of Fish and Game	PO Box 47	Yountville
234	S	HC - V.I	Certified	Ms. Lynn L. Jacobs	Director	California Department of Housing and Community Development	1800 Third Street	Sacramento
235	S	HC - V.I	Certified	Ms. Ruth Coleman	Director	California Department of Parks and Recreation	1416 Ninth Street	Sacramento
236	S	HC - V.I	Regular	Mr. Jose L. Olveda		California Department of Transportation	P.O. Box 23660	Oakland
237	S	CD	Certified	Mr. Timothy C. Sable	District Branch Chief	California Department of Transportation	P.O. Box 23660	Oakland
238	S	HC - V.I	Certified		Executive Director	California Department of Water Resources	1416 Ninth Street	Sacramento
239	S	HC - V.I	Certified		Director	California Environmental Protection Agency	1001 I Street	Sacramento
240	S	HC - V.I	Certified		Executive Officer	California Integrated Waste Management Board	1001 I Street	Sacramento

SEIR List for Capitol Expressway Corridor

No.	Category	Media	Mail	Name	Title	Organization	Address	City
241	S	HC - V.I	Certified	Mr. Steve Larson	Executive Director	California Public Utilities Commission	505 Van Ness Avenue	San Francisco
242	S	HC - V.I	Regular	Mr. Brian Wines	Water Resources Control Engineer	California Regional Water Quality Control Board, Region 2	1515 Clay Street, Suite 1400	Oakland
243	S	CD	Certified	Mr. Bruce Wolfe	Executive Director	California Regional Water Quality Control Board, Region 2	1515 Clay Street - Suite 1400	Oakland
244	S	HC - V.I	Certified	Mr. John Barna	Executive Director	California Transportation Commission	1120 N. Street, Room 2221, MS-52	Sacramento
245	S	HC - V.I	Regular	Ms. Jean Finney	District Branch Chief	Caltrans District 4	P.O. Box 23660	Oakland
246	S	CD	Regular	Mr. Jim Bass		Caltrans District 4 – Design Santa Clara B	P.O. Box 23660	Oakland
247	S	CD	Regular	Mr. Paul Mai	District Office Chief	Caltrans District 4 – Design Santa Clara B	P.O. Box 23660	Oakland
248	S	HC - V.I	Certified	Ms. Karen Toth, P.E.	Unit Chief, Northern California - Coastal Cleanup	Department of Toxic Substances Control	700 Heinz Avenue, Suite 200	Berkeley
249	S	HC - V.I	Certified	Ms. Sandy Hesnard	Aviation Environmental Planner	Department of Transportation - Division of Aeronautics, M.S. #40	P.O. Box 942873	Sacramento
250	S	CD	Express	Mr. Terry Roberts	State Clearinghouse Director	Governor's Office of Planning and Research	1400 Tenth Street	Sacramento
251	S	HC - V.I	Regular	Mr. Larry Myers	Executive Secretary	Native American Heritage Commission	915 Capitol Mall - Room 364	Sacramento
252	S	HC - V.I	Certified	Mr. Milford Wayne Donaldson	State Historic Preservation Officer	Office of Historic Preservation	1416 Ninth Street #1442	Sacramento
253	S	HC - V.I	Certified	Ms. Sunne McPeak	Agency Secretary	State of California Business, Transportation, and Housing Agency	980 Ninth Street, Suite 2450	Sacramento
254	V	HC - V.I	Regular	Mr. John Beebe		AEC Engineers	4701 Patrick Henry Drive, Bldg. 10	Santa Clara
255	V	HC - V.I	Pony	Mr. Brent Pearse		Community Outreach, Bldg. B-1		
256	V	HC - V.I	Pony	Ms. Brandi Hall	Public Communications NOAist	Community Outreach, Bldg. B-1		
257	V	HC - V.I	Pony	Mr. Jeff Funk	Deputy Director, Construction	Construction, Bldg. A-1		
258	V	HC - V.I & II	Pony	Mr. Jonn Duesterhaus	Assistant Transportation Engineer	Construction, Bldg. A-1		
259	V	HC - V.I & II	Pony	Mr. Ken Ronsse	Downtown East Valley Project Manager	Construction, Bldg. A-1		
260	V	HC - V.I	Pony	Mr. Scott Brady	Utilities Coordination Manager	Construction, Bldg. A-1		
261	V	HC - V.I	Pony	Mr. Mario Baratta		Construction, HYNIX		
262	V	HC - V.I	Pony	Ms. Carolyn Gonot	Chief	Development & CMP, Bldg. B-1		
263	V	HC - V.I & II	Pony	Mr. Tom Fitzwater	Environmental Resources Planning Manager	Environmental Planning, Bldg. B-2		
264	V	HC - V.I & II	Pony	Ms. Christina Jaworski	Environmental Planner	Environmental Planning, Bldg. B-2		
265	V	HC - V.I & II	Regular	Mr. Matthew Jones		Jones & Stokes	2841 Junction Ave., Suite 114	San Jose
266	V	HC - V.I & II	Regular	Mr. Dennis Struecker		Korve Engineering	1570 The Alameda, Suite 222	San Jose
267	V	HC - V.I	Pony	Ms. Jayme Kunz	Communications Manager, Public Affairs	Marketing & Public Affairs, Bldg. B-1		
268	V	HC - V.I	Pony	Mr. Kevin Allmand		Office of the General Counsel, Bldg. C-2		
269	V	HC - V.I & II	Regular	Mr. Jiri Vitek		Rajappan & Meyer Consulting Engineers	1038 Leigh Avenue, #100	San Jose
270	V	HC - V.I & II	Regular	Mr. Keith Meyer	Team Manager	Rajappan & Meyer Consulting Engineers	1038 Leigh Avenue, #100	San Jose
271	V	HC - V.I	Pony	Ms. Irene Wang	Senior Real Estate Agent	Real Estate, Bldg. B-2		
272	V	HC - V.I	Pony	Mr. Kevin Connolly	Transportation Planning Manager	Transportation, Bldg. B-2		
	Regular		=	215				
	Express		=	1				
	PONY		=	14				
	Certified		=	36				
	Total		=	281				

Major Revisions to the Draft Supplemental EIR

Major Revisions to the Draft Supplemental EIR

The Draft Supplemental EIR has been revised to clarify text, provide updated project information, and to correct typographical and grammatical errors. The substantive revisions are noted below and are organized by chapter, section, and page number. Additions are noted in *italics* and deletions are noted in ~~strikeout~~ text.

Chapter 1.0 – Executive Summary

Section 1.4 Summary of Environmental Impacts, Significant and Unavoidable Impacts

Page 1-5, second paragraph, has been revised as follows:

- **Energy**: Since the project will increase demand for electricity, the project will have a significant impact on electrical transmission during peak periods due to constraints in California's electrical transmission infrastructure. ~~Until~~ *Since the* improvements recommended in the California Energy Commission's *2005 Integrated Energy Policy Report* are *outside the jurisdiction of VTA, there is no feasible mitigation for this impact.* ~~Implemented~~ *Therefore,* this impact ~~is~~ *has been determined to be* significant and unavoidable.

Page 1-5, third paragraph, has been revised as follows:

- **Noise and Vibration from Operations:** As a result of revisions to the Federal Transit Administration's (FTA) guidelines on *Transit Noise and Vibration Impact Assessment* in May 2006 and changes in the operational characteristics of CELR, new significant impacts to noise and vibration have been identified. These include 8 severe and 41 moderate noise impacts, which will be mitigated with various noise control measures.

These also include 26 vibration impacts. *Fifteen of these impacts can be mitigated with vibration control measures. Eleven of these impacts cannot be avoided even with mitigation.* ~~which have~~ *Therefore, this impact has* been determined to be potentially significant and unavoidable ~~at 11 residences even with mitigation~~.

Page 1-6, first paragraph, has been revised as follows:

- **Cumulative Effects**: When considered with past, present, and reasonably foreseeable future projects, the project will have a *significant and unavoidable* cumulative impact on energy, vibration from operations, and environmental justice.

Page 1-6, the following sections have been added to the end of this chapter

Section 1.5 Areas of Controversy

Pursuant to CEQA Guidelines 15123, this Draft Supplemental EIR acknowledges the areas of controversy that are known to VTA and/or were raised during the scoping process for the Draft Supplemental EIR. Eighteen comments were received from agencies or the public in response to the NOP comment period (August 23, 2006, to September 25, 2006). These comments can be found in Appendix A.

- *Transportation: Removal of carpool lanes; traffic congestion; pedestrian safety; consideration of cumulative effect from other projects.*
- *Land Use: Compatibility of project with aviation uses.*
- *Noise and Vibration: Need for soundwalls along Capitol Expressway.*
- *Socioeconomics: Effect on businesses where partial or full acquisition is required; Identification of right-of-way impacts.*
- *Utilities: Effect of project on electrical transmission facilities.*
- *Visual Quality: Aerial structure at Tully Road.*

Section 1.6 Issues to Be Resolved

Pursuant to CEQA Guidelines 15123, this Draft Supplemental EIR acknowledges that VTA needs to resolve whether mitigation is technologically and economically feasible for the following impacts:

- *Vibration From Operations: VTA will investigate whether it is possible to design a floating slab that substantially lessens the 11 significant vibration impacts from light rail operations. Since there are few examples of floating slabs that have been constructed for light rail and outdoor applications, VTA has directed its consultant to review the feasibility of this technology. The determination of feasibility will be based on how much vibration is reduced, constructibility, and cost.*

- *Noise and Vibration From Construction: VTA will investigate whether existing pile driving technology can substantially lessen noise and vibration from construction given existing soil conditions. The determination of feasibility will be based on how much noise and vibration is reduced, availability of equipment, and cost.*

Chapter 3.0 – Proposed Design Changes

Page 3-11 has been revised as follows:

Figure 3-6, Proposed Conceptual Design at Eastridge Transit Center, has been updated from a site plan to a conceptual plan.

Chapter 5.0 – Environmental Setting, Impacts, and Mitigation

Section 5.5 Cultural Resources, Environmental Impacts and Mitigation

Page 5-17, fifth paragraph, has been revised as follows:

VTA will implement the Plan ~~approximately six months~~ prior to the start of project construction **and will** ~~to~~ allow ~~for~~ adequate time to properly identify, evaluate and treat archaeological resources that are identified within the APE for the proposed project.

Section 5.13 Noise and Vibration, Vibration Levels from Transit Operations

Page 5-42, first paragraph, has been revised as follows:

Mitigation Measure NV-4c: Review Modifications to Light Rail Operations

For the 11 locations where FTA's DAC for nighttime are exceeded, it is possible that the following modifications to light rail operations between the hours of 6:00 am and 7:00 am would reduce the vibration levels below FTA's DAC.

- Reduce train consists from 3 - car to 1 - or 2 - car trains: This modification would reduce the vibration on the order of 1 to 2 dB, or 2 to 3 dB, respectively, in the 10 or 12.5 Hz 1/3-octave band.

- Reduced speed: Reducing the speed from 55 mph to 45 mph would reduce the vibration by 1 to 2 dB, depending on local soil conditions.

Since one of the purposes of the project is to improve public transit service in the Capitol Expressway Corridor by providing increased capacity and faster, more convenient access to downtown San Jose and major employment centers, this mitigation measure is infeasible because it would reduce capacity and increase travel time.

VTA will evaluate the reasonableness and feasibility of adopting ~~additional vibration isolation or operational modifications~~ *Mitigation Measure NV-4b* to mitigate the significant vibration effects at the 11 locations along the at-grade alignment listed in Table 5-7. However, VTA is concerned that the costs of these mitigation measures may exceed the benefits, especially given VTA's experiences along its existing system[1]. With the closest property located 64 feet from the nearest track, VTA is concerned that the assumptions used to calculate the future vibration levels may be too conservative.

[1] Along the Vasona Light Rail corridor, vibration levels at a property located 19 feet from the near track was measured at 71 VdB. The speed of trains at this location is generally 45 to 55 mph in the southbound direction.

Section 5.16 Utilities, Environmental Impact and Mitigation

Page 5-46, first paragraph, has been revised as follows:

- Changes to Electrical Transmission Facilities
  The number of electrical transmission facilities that will need to be relocated has increased from 5 to ~~6~~ *7*. The location of a new TSP has also changed and is summarized in Table 3-1 in Chapter 3.

Section 5.17 Visual Quality, Environmental Impact and Mitigation

Page 5-53, third paragraph, has been revised as follows:

The proposed changes to the project would move the electrical transmission towers from the median*/west* to the east side of Capitol Expressway. The wide lattice towers would be replaced with tall, narrow TSP's that would be located at the toe of slope east of Capitol Expressway. The TSP's could be as high as 110 feet, which is taller than the existing lattice towers. Views of the TSP's would be softened by the addition of landscaping in the median and along both sides of Capitol Expressway.