# Chapter 10 Agency and Community Participation

Over the years, a number of environmental studies have been prepared for VTA's BART Silicon Valley Program. A combined Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR) and Draft 4(f) Evaluation was released for public comment in March 2004 and addressed the 16-mile BART Extension. However, VTA suspended the NEPA process but continued the CEQA process, and the VTA Board of Directors approved the Final EIR in December 2004. VTA certified a Final Supplemental EIR for the project in June 2007. A Draft EIS was released for public comment in March 2009, and a Final EIS was published in March 2010. The Draft and Final documents included three alternatives: a no-build project, a 10-mile project, and a 16-mile project. On June 24, 2010, the Federal Transit Administration (FTA) issued a Record of Decision (ROD) approving the 10-mile project from Warm Springs to Berryessa-designated the Phase I Berryessa Extension Project. This decision formally approved Phase I to move forward into detailed design and construction. The current Supplemental EIS/Subsequent EIR (SEIS/SEIR) now analyzes the remaining 6 miles of the original 16-mile project that was analyzed in the 2009 EIS, now called Phase II. Refer to Chapter 1, Purpose and Need, Section 1.4, BART Extension Project *History*, for a full description of the history of the Bart Extension.

This chapter describes agency and community participation conducted for the Phase II Project during the preparation of this SEIS/SEIR. For a description of all agency and community participation conducted for prior environmental documents, refer to the documents listed in Section 1.4, *BART Extension Project History*.

This SEIS/SEIR has been prepared on the basis of consultation and coordination with applicable federal, state, and local agencies and with elected officials, community leaders, organizations, and other individuals from the neighborhoods and communities within San Jose and Santa Clara. VTA's community outreach efforts were conducted in accordance with Title VI of the Civil Rights Act of 1964 and the principles of Environmental Justice, which promote inclusive public engagement during the transportation decision-making process.

## **10.1 Summary of Scoping**

## 10.1.1 Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report

#### 10.1.1.1 Notification

The scoping process for the Phase II Project began with formal agency notification. On January 30, 2015, VTA distributed a Notice of Preparation (NOP) to advise interested agencies and the public that VTA intended to prepare an SEIS/SEIR for the Phase II Project. VTA distributed the NOP to approximately 225 agencies, elected officials, and interested parties and organizations in the study area. VTA also notified potentially interested individuals and organizations regarding the scoping process and public scoping meetings for the Phase II Project. VTA used multiple methods to announce the scoping process and public meetings, including display advertisements in local newspapers, mailings to addresses located in the vicinity of the Phase II Project, emails sent to recipients on the VTA emailing list, news releases posted on the VTA website, and social media postings on VTA's Facebook, Twitter, and Nextdoor accounts.

The display advertisements ran in the following periodicals: *Mercury News* (published in the daily newspaper of January 30, 2015), Santa Clara Weekly (published in the weekly newspaper of February 4, 2015), El Observador (published in the weekly newspaper of February 6, 2015), VIETNAM (published in the weekly newspaper of February 6, 2015), The Korea Times (published in the weekly newspaper of February 6, 2015), Philippines Today (published in the weekly newspaper of February 4, 2015), and Sing Tao Daily (published in the daily newspaper of February 6, 2015). VTA distributed approximately 58,000 mailers to addresses located within 0.25-mile of the Phase II Project alignment and within 1-mile of Phase II Project station areas. The mailers were translated into five languages (Spanish, Vietnamese, Korean, Chinese, and Portuguese) and provided an overview of the Phase II Project, information regarding the scoping meetings, and instructions on how to submit comments. VTA also included information in the Berryessa Extension Phase I newsletter, distributed to approximately 22,000 individuals within 0.25-mile of the Phase I Project alignment. Emails were also sent to approximately 1,052 recipients on the VTA emailing list to inform recipients of the scoping meetings. Information on the Phase II Project and scoping meetings, and instructions on how to provide comments were also posted on the news releases page of VTA's website and on VTA's BART project website. Social media postings on VTA's Facebook page and Twitter account also notified the public.

## 10.1.1.2 Scoping Meetings

VTA conducted three formal environmental scoping meetings to gather input and comments prior to the development of the SEIS/SEIR. Meetings were held on February 12, 17, and 19, 2015, in Santa Clara, downtown San Jose, and east San Jose. Each public scoping meeting included a sign-in/open house portion of the meeting, where the public could view Phase II Project informational display boards of the alignment and concept exhibits for the stations, and a presentation portion of the meeting during which VTA staff provided an overview of the Phase II Project and environmental process in PowerPoint format. Following the presentation, formal public comments on the presented materials were documented. Oral comments provided at the meetings were transcribed by a court reporter. Written comments were accepted at the meetings and via mail or email to VTA until the comment deadline.

Over 200 individuals attended the three scoping meetings identified below.

- Environmental Scoping Meeting #1 Thursday, February 12, 2015, 5:30 – 7:30 p.m. Santa Clara Council Chambers
  1500 Warburton Avenue, Santa Clara, CA 95050
- Environmental Scoping Meeting #2 Tuesday, February 17, 2015, 5:30 – 7:30 p.m. VTA Customer Service Center 55 West Santa Clara Street, San Jose, CA 95113
- Environmental Scoping Meeting #3 Thursday, February 19, 2015, 5:30 – 7:30 p.m. Mexican Heritage Plaza 1700 Alum Rock Avenue, San Jose, CA 95116

## **10.2 Summary of Public Agency Coordination**

VTA regularly consults with other public agencies through agency committees and through the formal process of securing approvals and permits. This section describes the function and organization of VTA agency committees and provides a record of formal consultations relating to the Phase II Project.

## 10.2.1 Agency Committees Coordination

## 10.2.1.1 VTA Board of Directors

VTA staff regularly provides updates to the VTA Board of Directors on the Phase II Project. On August 25, 2017, the VTA Board of Directors held a workshop where staff presented the history of the Phase II Project, environmental clearance status, station and tunnel methodology options, environmental evaluation criteria for the options to determine the final project description, and the steps to the tunnel methodology decision.

On September 22, 2017, the VTA Board of Directors held another workshop where staff presented the criteria for option evaluation, draft staff recommendation for station options, and discussion of analysis of tunnel construction methodology options including the BART Silicon Valley, Phase II Single-Bore Tunnel Technical Studies (HNTB 2017), BART Silicon Valley Extension Phase II Tunneling Alternatives Comparative Analysis, Independent Risk Assessment (Aldea Services, LLC 2017), and a tunneling methodology comparative analysis.

#### 10.2.1.2 Silicon Valley Rapid Transit Program Working Committee

The Silicon Valley Rapid Transit (SVRT) Program Working Committee was established active fromin 2013 to 2016. The committee iswas a subset of the full VTA Board of Directors and reviewsed and recommendsed policies related to VTA's BART Silicon Valley Program. The BART Silicon Valley Ad Hoc Committee was established in 2017. The committee is a subset of the full VTA Board of Directors and provides input, perspective, and recommendations to the VTA Board of Directors and management on planning, development, and design of Phase II of VTA's BART Silicon Valley Program.

## 10.2.1.3 VTA/BART Coordination

VTA and BART staffs meet on a regular basis to review detailed aspects of the Phase II Project, coordinate issues requiring BART review or input, and address any questions or issues relating to BART operations or requirements. <u>On September 28, 2017, VTA's Board of Directors and BART's Board of Directors held a joint special meeting to discuss VTA's BART Silicon Valley Phase I and Phase II Extension Projects.</u>

As discussed in Section 2.A.4, *Timeline for Future Option Decisions*, VTA and BART jointly engaged a peer review panel consisting of operators of heavy rail subway systems with deep stations in the United States to further review the Single-Bore Option with focus on operations, maintenance, and safety. VTA is working cooperatively with BART and other stakeholders in establishing agency agreements and completing additional work necessary to select the tunnel option that best meets the needs of VTA, BART, and project stakeholders.

## 10.2.1.4 VTA-City Partnership Meetings

VTA-City Partnership meetings have been conducted throughout the environmental document processes to address local issues specific to the various geographic areas along the corridor. Meeting participants include key city staff and key VTA representatives from the Environmental, Planning, Public <u>AffairsOutreach</u>, and Engineering departments. The purpose of these meetings is to ensure ongoing communication and coordination with VTA and the unique issues to cities along the corridor.

#### 10.2.1.5 Peninsula Corridor Joint Powers Board (Caltrain)

VTA has conducted several coordination meetings with Caltrain directly as well as through their participation on the Diridon Interagency Working Group, Diridon Operators Working Group, and the Executive Level Diridon Interagency Working Group Meetings.

VTA will continue work in cooperation with Caltrain through the environmental, engineering, and construction phases.

## 10.2.1.6 California High Speed Rail Authority (CHSRA)

VTA and the CHSRA have been meeting and will continue to meet on a regular basis in order to coordinate the design and implementation of the respective capital projects including but not limited to Diridon Station, the crossings at Hedding Street and De La Cruz Boulevard, the Newhall Maintenance Facility, and the BART West Tunnel Portal and placement of CHSRA structures at these locations. VTA and the CHSRA will continue to meet regularly to coordinate the respective capital projects during both construction and operations of both capital projects. In addition, VTA is completing the Diridon Transportation Facilities Master Plan Project, which is funded by California High-Speed Rail and VTA. This project will ensure that all modes of travel at Diridon will be considered, programmed, and coordinated.

## 10.2.1.7 San Joaquin Regional Rail Commission (SJRRC)

VTA has conducted several coordination meetings with the SJRRC through their participation in Diridon Operators Working Group Meetings as well as their attendance at the Santa Clara Community Working Group meetings. VTA will continue work in cooperation with the SJRRC through the environmental, engineering, and construction phases of the Phase II Project.

## 10.2.1.8 California Public Utility Commission (CPUC)

VTA engaged with the California Public Utility Commission (CPUC) through interviews and workshops associated with the BART Silicon Valley Extension Phase II Tunneling Alternatives Comparative Analysis, Independent Risk Assessment (Aldea 2017). VTA will continue work in cooperation with the CPUC through the environmental, engineering, and construction phases.

## **10.2.2 Coordination Plan Process**

In accordance with the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Section 6002, a coordination plan was prepared in 2007. The plan was designed to promote an efficient and streamlined environmental review process and good management through coordination, scheduling, and early identification and resolution of issues. During the preparation of the 2009–2010 EIS process, VTA, in cooperation with FTA, continued ongoing coordination with agencies throughout the process in accordance with the requirements in the 2007 Coordination Plan.

In November 2014, VTA, in cooperation with FTA, sent out letters inviting over 30 federal, state, regional, and local agencies to participate in the environmental review process for VTA's BART Silicon Valley Phase II Project. During this time, the project description and purpose and need were available on the website. VTA and FTA will continue to coordinate with these agencies throughout this SEIS/SEIR process.

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

## 10.3.1 Agencies and Organizations Responsible for Historic Preservation

VTA, in cooperation with FTA, coordinated public participation for this project pursuant to Section 106 of the National Historic Preservation Act. At the initiation of the project, VTA contacted interested parties through a notification letter circulated in November 2002, with follow-up correspondence in January 2003. Letters were also sent to 25 local historical agencies and organizations requesting information regarding known or potential historic resources in the project vicinity. These agencies and organizations included the following:

Santa Clara County Planning Office	San Jose Historic Landmarks Commission
Alameda County Planning Department	San Jose Redevelopment Agency, East
City of San Jose Planning Department	Santa Clara Street Revitalization Committee
City of San Jose Historic Preservation Officer	Los Fundadores–Santa Clara
City of Milpitas Planning Department	Victorian Preservation Association
Alameda County Historical Society	City of Santa Clara
Santa Clara County Historical Heritage Commission	City of Santa Clara Historical and Landmarks Commission
Heritage Council of Santa Clara County	Santa Clara County Historical and Genealogical Society
Milpitas Cultural Resources Preservation	South Bay Historical Railroad Society

Board

Milpitas Historical Society	California Trolley and Railroad Corporation
Historical Preservation Society of Santa	National Railroad Historical Society Central
Clara	Coast Chapter
History San Jose and Historical Association	Central Coast ChapterCaltrain/Peninsula
	Corridor Joint Powers Board (JPB)
Preservation Action Council of San Jose	Caltrain/Peninsula Corridor Joint Powers
	Board (JPB)

Responses were received from Los Fundadores–Santa Clara and the City of Milpitas. Follow-up meetings were held with the City of San Jose Historic Preservation Officer, Preservation Action Council of San Jose, San Jose Historic Landmarks Commission, City of Santa Clara Historical and Landmarks Commission, South Bay Historical Railroad Society, and JPB. Comment letters related to the 2004 EIR and 2007 Supplemental EIR were received from the City of San Jose Planning Department, City of San Jose Historic Preservation Officer, Preservation Action Council of San Jose, San Jose Historic Landmarks Commission, City of Santa Clara Historical and Landmarks Commission, and South Bay Historical Railroad Society. Coordination with the historical agencies and organizations remains ongoing, and interested parties (as identified above) remain on the mailing list for public notices for the project.

FTA and VTA are coordinating with the State Historic Preservation Office (SHPO) regarding the inventory of cultural resources within the project area of potential effects (APE), the eligibility of these resources for listing on the National Register of Historic Places (NRHP), and the impacts of the alternatives on such eligible resources. Meetings with the SHPO were held on October 30, 2003, January 26, 2009, December 17, 2009, January 17, 2014, February 29, 2016, May 5, 2016, and June 8, 2016.

In addition, VTA, FTA, and JRP have worked closely with Ms. Lorie Garcia of the South Bay Historic Railroad Society (SBHRS), the historic preservation covenant holder for the two listed train stations within the APE, whose headquarters are located within the Santa Clara Station. VTA, principals of JRP, representatives of local communities, and Ms. Garcia also participated in a meeting and site visit on July 25, 2002, regarding both NRHP-listed railroad stations within the APE: Diridon (Cahill) Station and Santa Clara Station. The SBHRS is the covenant holder for both these stations, which are currently part of the Caltrain system.

Starting in 2015, VTA re-initiated three Community Working Groups (CWGs), one for the Alum Rock/28<sup>th</sup> Street Station area, one for the Downtown San Jose/Diridon Station area, and one for the Santa Clara Station area to communicate project information to key members of the community and provide feedback on strategies related to successfully delivering and

completing the BART Extension. CWGs receive briefings on technical areas and project updates and act as a conduit for the community at large. Group members include the leaders of neighborhood and business associations, community organizations, advocacy groups, major property owners, and planning commissioners. VTA invited Mr. Jack Morash, who has been a Santa Clara CWG member since June 11, 2015, as a representative of the South Bay Historical Railroad Society. Mr. Morash provides project updates to Lorie Garcia and contributes to the CWGs by notifying VTA staff of the SBHRS concerns about the project.

Consultation with historic preservation groups for the Phase II Project is ongoing and will be updated as responses are received.

## **10.3.2** Native American Consultation

VTA contacted the Native American Heritage Commission (NAHC) on March 4, 2015, to request a search of the Sacred Lands file and to provide a list of interested Native American representatives for the Phase II Project. The NAHC responded on March 26, 2015, stating that a search of the Sacred Lands file did not contain any records of Native American sacred sites in or adjacent to the archaeological APE.

The NAHC also provided a list of 11 Native American contacts who might have information pertinent to the Phase II Project, or have concerns regarding the proposed actions. Because the project was initiated before July 2015, California State Assembly Bill 52 (Chapter 532, Statutes of 2014) does not apply for CEQA. For Section 106, the following is a list of the Native American Identified Contacts contacted in regard to the Phase II Project.

- Jakki Kehl
- Katherine Erolinda Perez
- Linda Yamane
- Valentin Lopez, Chairperson, Amah Mutsun Tribal Band
- Edward Ketchum, Amah Mutsun Tribal Band
- Irene Zwierlein, Chairperson, Amah Mutsun Tribal Band
- Michelle Zimmer, Amah Mutsun Tribal Band of Mission San Juan Bautista
- Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan
- Rosemary Cambra, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area
- Andrew Galvan, The Ohlone Indian Tribe
- Ramona Garibay, Representative, Trina Marine Ruano Family

FTA contacted all of the above contacts on October 1, 2015, by letter. This letter provided a project description and explained that VTA was identifying and evaluating known and

potential archaeological resources in the study area for eligibility for the NRHP and the California Register of Historical Resources (CRHR). On November 11, 2015, VTA staff made follow-up phone calls to the contacts listed above to determine whether they have any questions, comments, or concerns about the project.

FTA sent letters to all of the above contacts again on July 27, 2016. This letter provided an update on the project, explaining modifications to the project description since the October 2015 letters. In addition, the letter explained that many of the locations of high sensitivity for buried resources within the project APE are under existing, occupied structures or on private property, and presence/absence testing is not feasible at this time. Therefore, a Programmatic Agreement and Archaeological Resources Treatment Plan was prepared and will be implemented as a phased identification effort prior to construction. The above-listed individuals will have the opportunity to review these documents. On August 24, 2016, VTA staff made follow-up phone calls to the contacts listed above to determine whether they have any questions, comments, or concerns about the Project.

In January 2017, a package with the draft environmental document and supporting cultural technical reports was sent to the above-named individuals:

- Draft SEIS/SEIR
- <u>Archaeological Resources Technical Report</u>
- <u>Supplemental Built Environment Survey Report</u>
- <u>Preliminary Finding of Effects</u>
- Draft Programmatic Agreement Tribes identified as concurring parties.
- Draft Archaeological Resources Treatment Plan process for the phased identification of archaeological resources.

These documents give a summary of archaeological resources within the APE, the sensitivity of the project area, and infeasibility of archaeological testing prior to project approval, property acquisition, and removal of structures. The formal environmental review comment period ended March 6, 2017; however, consultation has been ongoing throughout 2017.

Section 4.5 *Cultural Resources* summarizes the Native American correspondence sent and received as well as phone call transcripts between VTA and Native American contacts for the Phase II Project to date. Native American consultation for the Phase II Project is ongoing and will be updated as responses are received.

## **10.4 Summary of Public Outreach**

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

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

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

## **10.4.1 Community Working Groups**

VTA established four CWGs for the project when the environmental process was originally initiated. The purpose of the CWGs is to communicate project information to key members of the community and provide feedback on strategies related to successfully delivering and completing the BART Extension. CWGs receive briefings on technical areas and project updates and act as a conduit for the community at large.

In 2015, as part of the SEIS/SEIR, three of the CWGs were re-initiated, and were established for the Alum Rock/28<sup>th</sup> Street Station area, the Downtown San Jose/Diridon Station area, and the Santa Clara Station area. The Milpitas CWG was not re-initiated as it was established to address Phase I issues.

Group members listed below include the leaders of neighborhood and business associations, community organizations, advocacy groups, major property owners, and planning commissioners.

#### Alum Rock/28<sup>th</sup> Street CWG Affiliates

CommUniverCity Cristo Rey San Jose Jesuit High School Five Wounds/Brookwood Terrace Neighborhood Action Coalition Five Wounds <u>Portuguese National</u> Church Friends of Five Wounds Trail James Lick High School Julian St. James Neighborhood Association Portuguese Organization for Social Services and Opportunities Ride East San Jose Roosevelt Park Neighborhood Association Somos Mayfair Story Road Business Association Working Partnerships USA

#### Downtown San Jose/Diridon CWG Affiliates

Campus Community Association (Naglee Park) Delmas Park Neighborhood Association Friends of Caltrain Saint James Park Association San Jose Chamber of Commerce San Jose Downtown Association San Jose State University Sharks Sports & Entertainment Shasta/Hanchett Park Neighborhood Association SPUR Working Partnerships USA

#### Santa Clara CWG Affiliates

Bellarmine College Preparatory Newhall Neighborhood Association Old Quad Residents' Association San Francisco Forty Niners San Jose Earthquakes Santa Clara Chamber of Commerce Santa Clara Police Department Santa Clara University South Bay Historic Railroad Society Transform

## **10.4.2 Public Meetings and Workshops**

Public meetings, workshops, and stakeholder meetings have been conducted and will continue throughout the environmental process to provide project information and receive input. This section summarizes some of the key activities to date. The meetings are

announced through media releases, invitations to CWG members, general notification mailers, and the project website. Meeting announcements are produced in multiple languages: English, Spanish, Chinese, Portuguese, Korean, and Vietnamese. Interpreters are provided at meetings according to need. The Cities of San Jose and Santa Clara also assisted with distribution of notices.

# 10.4.3 Newsletters, Fact Sheets, Brochures, and Notices

Newsletters are produced to describe the study, notice key milestones, report VTA's efforts to address community issues, and provide information on future activities. Newsletters are the primary tool to summarize corridor-wide issues and activities for a broad audience. Fact sheets are also developed and distributed for broad dissemination of project highlights and to respond to frequently asked questions. Three newsletters and a series of formal fact sheets have been produced to date as follows.

#### 2014–2016 Draft Supplemental EIS/Subsequent EIR

September 2016	Fact Sheet – Alum Rock/28 <sup>th</sup> Street Station, Santa Clara Station, Downtown San Jose Station, and Diridon Station
February 2016	Fact Sheet – Alum Rock/28 <sup>th</sup> Street Station, Santa Clara Station, Downtown San Jose Station, and Diridon Station
December 2015	Fact Sheet – Construction Methods
January 2015	Fact Sheet – Environmental Process
May 2015	Fact Sheet – Travel Demand Model Process
June 2015	Public Information - Community/Stakeholder Milestone Schedule
January 2014	Fact Sheet – Frequently Asked Questions

## **10.4.4** Newspaper Distribution List

VTA distributes news releases and public notices to local media outlets with Phase II updates. The following newspapers are included in notices and distributions regarding Phase II.

El Observador – weekly	Sing Tao Daily – daily
Mercury News – daily	<i>The Korean Times</i> – weekly
Philippines Today – weekly	VIETNAM – weekly
Santa Clara Weekly – weekly	<i>Tribuna Portuguesa</i> – bi-monthly

## 10.4.5 Project Information Website

The project website (www.vta.org/bart) provides information to the public about the Silicon Valley Rapid Transit Corridor Project. The website is updated on a regular basis to offer the most current project information. The site contains study information, project calendar, newsletters, presentation materials, public meeting summaries, public comment summary reports, and the Final EIS. The site also allows the public to submit comments directly.

# **10.5 Ongoing Public Outreach**

VTA will continue to conduct regular coordination meetings with the CWGs, Program WorkingBART Silicon Valley Ad Hoc Committee, BART, and VTA/City Partnership meetings, and External Technical Advisory Committee\_throughout the environmental process. VTA will provide periodic updates to the VTA/BART Boards of Directors at key milestones and conduct attend quarterly FTA coordination meetings to provide project updates. VTA will continue to conduct Ppublic presentations will continue to keep stakeholders, the public, and the media informed about the status of environmental process. VTA will continue to produce Nnewsletters will continue to be produced to describe the EIS/EIR process, notice key milestones, report VTA's efforts to address community issues, and provide information on future activities.

## 10.A Correspondence Received after the Close of Comment Period for the Draft SEIS/SEIR

Since the close of the formal public review period for the Draft SEIS/SEIR on March 6, 2017, the VTA Board of Directors received a letter from the Silicon Valley Law Group on October 5, 2017, on behalf of Sharks Sports and Entertainment, LLC, which serves as the manager of the SAP Center (Silicon Valley Law Group 2017). VTA responded to the letter on October 20, 2017 (VTA 2017).

The letter raises concerns regarding the schedule for receiving responses to their comments on the Draft SEIS/SEIR, possible changes to the Diridon Station project description that have been proposed since the release of the Draft SEIS/SEIR, and the need to consider the Google Village Project, which was proposed after the release of the Draft SEIS/SEIR.

First, regarding the schedule for responding to comments; as noted in the Draft SEIS/SEIR in the *Executive Summary*, Section ES.5, *Public Circulation of Draft SEIS/SEIR*, and in accordance with CEQA and NEPA procedure, all responses received during the formal public comment period for the project's environmental document, which ended on March 6, 2017, would be addressed in the Final SEIS/SEIR scheduled for release in early 2018. This information was repeatedly conveyed to VTA's BART Silicon Valley Phase II Extension

Project Community Working Group (CWG) meetings, held quarterly since 2015, and a representative from the Sharks LLC is a member on the Downtown San Jose and Diridon area CWG. All comments received, and responses to those comments,- are available in this Final SEIS/SEIR, which has been released several weeks prior to the VTA Board of Director's meeting when the VTA Board is scheduled to make a decision on the Diridon Station options. Therefore, the VTA Board will have the opportunity to review all comments and responses prior to selecting either the Diridon Station North or South Option, certifying the environmental document, and approving the project. Responses to comments are located in Volume II, Chapter 2, *Responses to Comments*.

Second, the letter claims that the BART Phase II project description at Diridon Station, including the location of the BART construction staging area and station footprint, has changed significantly. Table 2-B in Volume I, Chapter 2, *Alternatives*, of this Final SEIS/SEIR describes the changes made to the project design since the release of the Draft SEIS/SEIS. These changes do not result in new adverse impacts under NEPA or significant impacts under CEQA and neither do they result in an increase in the severity of previously identified adverse or significant impacts. As explained in Table 2-B, for the Diridon Station South Option under the Single-Bore Option, minor modifications were made to the station entrance configuration; however, these changes to the station layout did not alter the location of the station or construction staging area at Diridon Station. The footprint of Diridon Station is still within the same area as shown in the Draft SEIS/SEIR: bounded by Santa Clara Street, San Fernando Street, Los Gatos Creek, and White Road.

Third, the letter also claims that Google Village Project is a reasonably foreseeable project and should be incorporated into the environmental document. The letter provides no description of how the Google Village would change the assumptions made in the SEIS/SEIR. Based on a memorandum prepared by the City of San Jose titled Update on Proposed Google Development at Diridon Station dated October 20, 2017, the City of San Jose and County of Santa Clara have been engaged with Google and appraisers to determine the fair market value purchase price for the land parcels (City of San Jose 2017). The parcels under consideration would total 21.4 acres of the 240-acre Diridon Station Area. The property negotiations have not concluded at this time. Once the fair market value price has been agreed upon, the City would need to roll out an engagement plan with the community and local stakeholders to discuss the nature of the Google Development and its impacts. The memorandum states that major construction is likely to start in 2025–2027 after construction of the Phase II Project. Based on the 'Development Approval' schematic included in the memo, the project description would be developed after community engagement, the future project would undergo a separate CEQA analysis, and the City of San Jose would revise the Diridon Station Area Plan and amend the General Plan and Zoning Code as necessary. Therefore, the Google Village Project is years away from project approvals, entitlements, and property acquisition, and is therefore not a reasonably foreseeable project that would impact the current environmental analysis and warrant inclusion in the Phase II SEIS/SEIR.

<u>Furthermore, the SEIS/SEIR assumes the buildout of the approved Diridon Station Area Plan</u> and includes the Diridon Station Area Plan as a related project in the cumulative analysis presented in Chapter 7, *Other CEQA and NEPA Considerations*, of Volume I of this Final SEIS/SEIR. Based on the City's memorandum detailed above, the Google Village Project has yet to finalize land purchase, engage with the community, and develop a project description. There is no indication from the City at this time whether and how the Diridon Station Area Plan would need to be amended. Also, the City has clearly indicated that any construction for the Google Village Project would occur after the construction of the Phase II Project is completed. Therefore, the SEIS/SEIR accurately represents the status of the Diridon Station Area Plan and no change is necessary.

# **10.6 Chronology of Coordination**

This section includes a chronology of public outreach and coordination activities conducted to date beginning from project initiation in January 2015 to date during preparation of the environmental documentSupplemental Environmental Impact Statement/Subsequent Environmental Impact Report. Outside of the periods of document preparation, eCoordination activities, public outreach, and public meetings continued to occur outside of the scoping and draft environmental document review periods. of document preparation.

## 10.6.1 Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report

January 12, 2015	SVRT Program Working Committee Meeting
January 22, 2015	SPUR Engineering Discussion
January 22, 2015	SJ Chamber of Commerce Meeting
January 26, 2015	City of San Jose- Community Working Groups Leads Coordination
January 26, 2015	Santa Clara City Council Study Session
February 3, 2015	City of Santa Clara Coordination Meeting

February 5, 2015	Alum Rock at 28th Street Leadership Group Meeting
February 9, 2015	Presentation to Santa Clara County Supervisor Cindy Chavez's staff
February 11, 2015	VTA SPUR Presentation on BART Ph. II at SPUR Meeting
February 12, 2015	Public Scoping Meeting – Santa Clara
February 17, 2015	Public Scoping Meeting – Downtown San Jose
February 19, 2015	Public Scoping Meeting – Alum Rock
February 24, 2015	BART Coordination Meeting
February 27, 2015	City of San Jose Coordination on Travel Demand Forecasting Meeting
March 2, 2015	SVRT Program Working Committee Meeting
March 3-6, 2015	<u>City Council Members Briefing –</u> Community Working Group <u>member</u> <u>organizations</u>
March 5, 2015	San Jose Downtown Association Meeting
March 12, 2015	<u>SPUR Urban Catalyst Team Meeting – Downtown SJ Station Options</u> Discussion
March 26, 2015	Five Wounds Trail Quarterly Meeting
<u>April 7, 2015</u>	East Santa Clara Urban Village Workshop
April 13, 2015	City of San Jose Coordination Meeting
<u>April 16, 2015</u>	Downtown Rotary Association Meeting
May 4, 2015	SVRT Program Working Committee Meeting

<u>May 7, 2015</u>	VTA Board Meeting – announce Community Working Group members
May 11, 2015	City of San Jose Coordination Meeting
May 12, 2015	Downtown/Diridon Community Working Group Meeting
May 13, 2015	Alum Rock Community Working Group Meeting
May 14, 2015	Santa Clara Community Working Group Meeting
May 21, 2015	City of Santa Clara Coordination Meeting
June 8, 2015	City of San Jose Coordination Meeting
June 9, 2015	Downtown/Diridon Community Working Group Meeting
June 10, 2015	Alum Rock Community Working Group Meeting
June 11, 2015	Santa Clara Community Working Group Meeting
June 19, 2015	BART Coordination Meeting
July 1, 2015	City of Santa Clara Coordination Meeting
July 8, 2015	BART Coordination Meeting
July 16, 2015	City of San Jose Coordination Meeting
July 16, 2015	<u>Alum Rock Stakeholders Meeting – additional station concept</u> <u>discussion</u>
August 3, 2015	SVRT Program Working Committee Meeting
August 10, 2015	City of San Jose Coordination Meeting

- August 11, 2015Downtown/Diridon Community Working Group Meeting
- August 12, 2015Alum Rock Community Working Group Meeting
- August 12, 2015BART Coordination Meeting
- August 13, 2015 Santa Clara Community Working Group Meeting
- August 27, 2015 City of San Jose Coordination Meeting—
- September 9, 2015 BART Coordination Meeting
- September 24, 2015 City of San Jose Coordination Meeting
- September 29, 2015 Santa Clara University Coordination Meeting
- September 29, 2015 SPUR Tour of future BART Alignment in San Jose
- October 5, 2015 SVRT Program Working Committee Meeting
- October 13, 2015 Downtown/Diridon Community Working Group Meeting
- October 12, 2015 SPUR Tour of future BART alignment in San Jose with BART
- October 14, 2015 Alum Rock Community Working Group Meeting
- October 15, 2015 Santa Clara Community Working Group Meeting
- October 23, 2015 BART Coordination Meeting
- October 29, 2015 Bellarmine High School Coordination Meeting
- November 12, 2015 SPUR Urban Catalyst Team Meeting Diridon Station discussion

November 19, 2015	Presentation at Santa Clara University
December 1, 2015	Downtown/Diridon Community Working Group Meeting
December 2, 2015	Alum Rock Community Working Group Meeting
December 3, 2015	Santa Clara Community Working Group Meeting
<u>December 7, 2015</u>	SVRT Program Working Committee Meeting
January 11, 2016	SVRT Program Working Committee Meeting
January 12, 2016	California Walk Downtown San Jose Walking Tours-BART Phase II Alignment
January 20, 2016	BART Phase II Funding Strategies Public Workshop
January 20–21, 2016	L.A. Metro Site Visit – Lessons Learned
February 3, 2016	Silicon Valley Leadership Group Transportation Policy Committee Meeting
February 9, 2016	Downtown/Diridon Community Working Group Meeting
February 10, 2016	Alum Rock Community Working Group Meeting
February 11, 2016	Santa Clara Community Workshop Group Meeting
February 16, 2016	SAP Center Coordination Meeting
March 10, 2016	Presentation to Arena Events Operations Committee Presentation
April 12, 2016	Downtown/Diridon Community Working Group Meeting
April 13, 2016	Alum Rock Community Working Group Meeting

April 14, 2016	Santa Clara Community Working Group Meeting
April 22, 2016	VTA Board of Directors Workshop
May 12, 2016	SPUR Policy Board Meeting
May 25, 2016	San Jose Arena Authority (SAP Center) Meeting
<u>June 8, 2016</u>	City of San Jose Coordination Meeting – Diridon Parking Discussion
June 14, 2016	Downtown/Diridon Community Working Group Meeting
June 15, 2016	Alum Rock Community Working Group Meeting
June 16, 2016	Santa Clara Community Working Group Meeting
June 16, 2016	<u>City of Santa Clara Coordination Meeting – BART Station and City</u> <u>Place</u>
June 16, 2016	Developer Coordination Meeting – Hunter Storm Development
June 17, 2016	City of San Jose Coordination Meeting – Diridon Discussion
June 23, 2016	City of San Jose Coordination Meeting
June 23, 2016	Diridon Station Technical/Station Working Group Meeting
June 29, 2016	<u>Developer Coordination Meeting – H&amp;H Properties &amp; Alum Rock</u> <u>Station Discussion</u>
June 30, 2016	<u>City of San Jose Coordination Meeting – Parking – Task Force Work</u> <u>Plan and Property Map Diridon Area Discussion</u>
July 19, 2016	Santa Clara City Council Meeting
July 20, 2016	Diridon Technical/Station Working Group Meeting

<u>July 22, 2016</u>	BART Coordination Meeting
<u>August 1, 2016</u>	City of San Jose Coordination Meeting
<u>August 10, 2016</u>	City of San Jose Coordination – Parking Task Force Meeting
<u>August 16, 2016</u>	Developer Coordination Meeting – Apple
<u>August 23, 2016</u>	Santa Clara City Council Study Session
<u>August 25, 2016</u>	City of San Jose Coordination Meeting
<u>August 25, 2016</u>	Diridon Station Technical/Station Working Group Meeting
<u>August 26, 2016</u>	BART Coordination Meeting
<u>September 8, 2016</u>	Diridon Full Group Working Meeting
September 13, 2016	Downtown/Diridon Community Working Group Meeting
September 14, 2016	Alum Rock Community Working Group Meeting
September 15, 2016	Santa Clara Community Working Group Meeting
September 21, 2016	SPUR Diridon Walking Tour Workshop
<u>October 5, 2016</u>	<u>City of San Jose Coordination Meeting – Environmental Document</u> <u>Release Discussion</u>
<u>October 10, 2016</u>	City of San Jose Coordination Meeting
<u>October 13, 2016</u>	<u>Diridon Station – Learning from France: Getting it right on governance</u> and the Station / Neighborhood Interface
<u>October 17, 2016</u>	Diridon Parking Task Force Meeting

October 27, 2016 City of San Jose Coordination Meeting October 27, 2016 Diridon Technical/Station Working Group Meeting October 28, 2016 **BART** Coordination Meeting November 8, 2016 **CHSRA** Coordination Meeting November 8, 2016 Caltrain Coordination Meeting November 14, 2016 City of San Jose Coordination Meeting November 15, 2016 Downtown/Diridon Community Working Group Meeting November 16, 2016 Alum Rock Community Working Group Meeting November 17, 2016 Santa Clara Community Working Group Meeting November 30, 2016 **BART** Coordination Meeting December 1, 2016 Diridon Intermodal Facilities Master Plan Kick-off Meeting December 20, 2016 Developer Coordination Meeting – Trammel Crow December 21, 2016 Developer Coordination Meeting – Trammel Crow Developer Coordination Meeting – Trammel Crow Discussion January 3, 2017 Caltrain Diridon Briefing: Space Planning & Facility Needs January 4, 2017 January 6, 2017 Developer Coordination – Brokaw Property Meeting w/ Apple City of San Jose Briefing - Environmental Document January 18, 2017

January 18, 2017	BART Briefing – Environmental Document
January 25, 2017	Public Hearing for the Draft SEIS/SEIR – Alum Rock
January 26, 2017	Public Hearing for the Draft SEIS/SEIR – Santa Clara
January 30, 2017	Public Hearing for the Draft SEIS/SEIR – Downtown San Jose
January 30, 2017	Caltrain/JPB Briefing – Environmental Document
<u>February 2, 2017</u>	Santa Clara Historical and Landmarks Commission Meeting
February 7, 2017	<u>City of Santa Clara Briefing – Environmental Document</u>
February 23, 2017	Shasta Hanchett Neighborhood Meeting
February 23, 2017	City Council Staff Meeting – -Downtown Station Options
February 27, 2017	Marburg Neighborhood Meeting
March 1, 2017	San Jose Historical and Landmarks Commission Meeting
March 2, 2017	<u>City of San Jose Coordination Meeting – BART Silicon Valley, Phase II</u> Single Bore Tunnel Technical Studies Briefing
March 2, 2017	Santa Clara County Supervisor Cindy Chavez Meeting – tunneling options discussion
March 8, 2017	Diridon Facilities Master Plan Technical Advisory Group (TAG) Meeting
March 9, 2017	<u>SPUR Policy Board Meeting – Diridon Facilities Master Plan</u>
March 13, 2017	BART Silicon Valley Ad Hoc Committee Meeting
March 30, 2017	BART Phase II Presentation at San Jose City Council Study Session

March 31, 2017	CHSRA Coordination Meeting
<u>April 4, 2017</u>	Downtown/Diridon Community Working Group Meeting
<u>April 5, 2017</u>	Alum Rock Community Working Group Meeting
<u>April 6, 2017</u>	Santa Clara Community Working Group Meeting
<u>April 10, 2017</u>	City Council Member Peralez Meeting – -BART Phase II
<u>April 13, 2017</u>	Diridon Facilities Master Plan Update meeting with BART
<u>April 13, 2017</u>	PG&E Coordination Meeting – PG&E Substation
<u>April 14, 2017</u>	Diridon Facilities Master Plan Technical Advisory Group Meeting
<u>April 17, 2017</u>	City of San Jose Coordination Meeting – HR&A Developers Meeting
<u>April 18, 2017</u>	Horace Mann Neighborhood Association Meeting
<u>April 19, 2017</u>	Diridon Interagency Management Meeting
<u>April 24, 2017</u>	Downtown HOA Coalition Meeting
<u>April 27, 2017</u>	BART Coordination Meeting
<u>April 28, 2017</u>	St. James Park Advisory Committee Meeting
<u>April 28, 2017</u>	PG&E Coordination Meeting – Environmental
<u>May 3, 2017</u>	BART Coordination Meeting
<u>May 12, 2017</u>	Presentation at San Jose State University

<u>May 15, 2017</u>	BART Silicon Valley Ad Hoc Committee Meeting
<u>May 16, 2017</u>	Diridon Operators Management Group Executive Meeting
<u>May 17, 2017</u>	City of San Jose Coordination Meeting-Diridon Master Plan Briefing
<u>May 17, 2017</u>	<u>City of San Jose Coordination Meeting – CHSRA Community Working</u> Group
<u>May 22, 2017</u>	<u>City of San Jose Coordination Meeting – Historic Resources</u>
<u>May 22, 2017</u>	City of San Jose Scoping Meeting on Downtown Access
May 23, 2017	BART Executive Presentation on Single-Bore and Decision Making Process
<u>May 23, 2017</u>	City of San Jose Coordination Meeting – HR&A Developers Meeting
<u>May 25, 2017</u>	CHSRA Coordination Meeting
<u>May 26, 2017</u>	BART Coordination-Study Session Tour
<u>May 30, 2017</u>	<u>City of San Jose Coordination Meeting – Comparative Analysis,</u> Diridon Options, and Council Process
<u>May 31, 2017</u>	PG&E Utility Planning Coordination Meeting
<u>May 31, 2017</u>	CHSRA Community Working Group Meeting
June 5, 2017	Diridon Station Briefing with CHSRA
June 8, 2017	SPUR Transit & Design Session for Diridon Pedestrian Experience
June 9, 2017	BART Coordination Meeting
June 12, 2017	Diridon Funding Coordination Meeting w/ CalSTA and Interagency Partners

June 12, 2017	Diridon Interagency Working Group Meeting
June 13, 2017	Downtown/Diridon/Santa Clara Community Working Group Tour
June 14, 2017	Alum Rock Community Working Group Tour
June 15, 2017	13th Street Neighborhood Action Coalition Meeting
June 15, 2017	City of San Jose Coordination Meeting
June 15, 2017	SAP Diridon Facilities Master Plan Briefing
June 16, 2017	Developer Coordination Meeting – Trammel Crow
June 19, 2017	Developer Coordination Meeting – SJSC Towers
June 22, 2017	CHSRA Coordination Meeting
June 26, 2017	Santa Clara County Housing Authority Meeting
June 28, 2017	<u>City of San Jose Coordination Meeting – Comparative Analysis Brief</u>
June 29, 2017	<u>City of San Jose Coordination Meeting – Downtown &amp; East San Jose</u> <u>Multimodal Transportation Plan</u>
June 30, 2017	Developer Coordination Meeting-SJSC Towers
July 7, 2017	CHSRA Coordination Meeting
July 3-7, 2017	Barcelona Line 9 Metro System Tour
July 6-7, 2017	LA Metro Lessons Learned Outreach Tour
<u>July 13, 2017</u>	Diridon Technical Advisory Group Meeting

July 17, 2017	Developer Coordination Meeting – SJSC Towers
July 17, 2017	Developer Coordination Meeting – Google & Diridon Station
July 21, 2017	City of San Jose Coordination Meeting – Preparation for City Council
July 28, 2017	Executive Level Diridon Interagency Working Group Meeting
<u>August 3, 2017</u>	Diridon Working Group Meeting
<u>August 7, 2017</u>	Developer Coordination Meeting – Google
<u>August 9, 2017</u>	Diridon Refocused Working Group Meeting
<u>August 9, 2017</u>	Downtown Intermodal Rail Station Meeting
August 15, 2017	City of San Jose Coordination Meeting – Historic Resources
<u>August 16, 2017</u>	CHSRA Coordination Meeting
<u>August 17, 2017</u>	The Silicon Valley Organization Meeting
August 23, 2017	Diridon Station Planning Workshop
August 23, 2017	SPUR Board Meeting-Phase II Update
August 24, 2017	Presentation to San Jose Downtown Association
August 25, 2017	VTA Board of Directors Workshop
August 29, 2017	East Santa Clara Street Business Association Meeting
August 30, 2017	Diridon Working Group Meeting

August 31, 2017	CHSRA Coordination Meeting
August 31, 2017	BART Coordination Meeting – BART Silicon Valley Extension Phase II Tunneling Alternatives Comparative Analysis, Independent Risk Assessment
<u>September 1, 2017</u>	BART Coordination Meeting
<u>September 5, 2017</u>	<u>City of San Jose Coordination Meeting – BART Silicon Valley</u> Extension Phase II Tunneling Alternatives Comparative Analysis, Independent Risk Assessment
<u>September 6, 2017</u>	Development Coordination Meeting – Google Diridon Site Visit
September 7, 2017	<u>Development Coordination Meeting – Diridon Area Project Approach,</u> <u>Technical Information Gathering</u>
<u>September 7, 2017</u>	City of San Jose Coordination Meeting – CHSRA Alignment at Diridon
September 12, 2017	Downtown/Diridon Community Working Group Meeting
September 13, 2017	Diridon Working Group Meeting
September 13, 2017	Alum Rock Community Working Group Meeting
September 22, 2017	City of San Jose Coordination Meeting – Diridon Station Planning
September 22, 2017	VTA Board of Directors Workshop
September 25, 2017	Diridon Working Group Meeting
September 25, 2017	Downtown Intermodal Rail Station Meeting
<u>September 26, 2017</u>	Delmas Park Neighborhood Association Meeting
<u>September 27, 2017</u>	CHSRA Community Working Group

September 28, 2017	Warm Springs Joint VTA/BART Board Meeting
<u>October 4, 2017</u>	Developer Coordination Meeting -Google
<u>October 5, 2017</u>	VTA Board of Directors Meeting
October 11, 2017	Diridon Working Group Meeting
October 13, 2017	SPUR Urban Infrastructure Council Meeting
October 16, 2017	Diridon Material Coordination with City of San Jose
October 19, 2017	CHSRA-Board Meeting-Call
<u>October 25, 2017</u>	Diridon Working Group Meeting
<u>October 25, 2017</u>	Diridon Taskforce - Initial Meeting
<u>October 26, 2017</u>	CHSRA Coordination Meeting
October 26, 2017	City of San Jose Coordination Meeting
<u>October 26, 2017</u>	CHSRA Community Working Group Meeting
<u>November 3, 2017</u>	City of San Jose Coordination Meeting
<u>November 7, 2017</u>	Diridon Working Group – Meeting – Community Engagement
<u>November 8, 2017</u>	Diridon Working Group Meeting
November 13, 2017	Transit Agency Peer Review Workshop
November 13, 2017	<u>City of San Jose Coordination Meeting – TOD Strategy Study</u>

- November 14, 2017 Transit Agency Peer Review Workshop
- November 14, 2017 Diridon Task Force Monthly Meeting
- November 14, 2017 Downtown/Diridon Community Working Group Meeting
- November 15, 2017 Transit Agency Peer Review Workshop
- November 15, 2017 Alum Rock Community Working Group Meeting
- November 16, 2017 Santa Clara Community Working Group Meeting
- November 17, 2017 Developer Coordination Meeting Hunter Storm
- November 20, 2017 Diridon Working Group of 8-Meeting
- November 20, 2017 City of San Jose Coordination Meeting 2-year Look Ahead
- November 22, 2017 Diridon Working Group Meeting
- November 22, 2017 Caltrain Coordination Meeting Programmatic Agreement for Cultural Resources
- November 27, 2017 City of Santa Clara Coordination Meeting 2-year Look Ahead & TOD Strategy Study
- November 29, 2017 San Jose Diridon Station Executive Meeting
- November 30, 2017 City of San Jose Coordination Meeting
- December 6, 2017 Diridon Working Group Meeting
- December 6, 2017 SPUR Executive Board Presentation
- December 7, 2017 VTA Board of Directors Meeting

December 8, 2017	San Jose Downtown Association Meeting
December 11, 2017	Caltrain Coordination Meeting – Planning Resources
December 13, 2017	Diridon Working Group Meeting
December 15, 2017	Diridon Station Joint Policy Advisory Board Meeting
December 20, 2017	Diridon Working Group Meeting
December 27, 2017	Diridon Working Group Meeting

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