CHAPTER 3 PHASE 1 RECOMMENDED PROJECT DESCRIPTION

3.1 INTRODUCTION

This Chapter describes the Phase 1 recommended project description in its entirety. The Phase 1 recommended project description is presented from north to south, organized by city (the cities of Fremont, Milpitas, and San Jose). This description includes the design changes that were evaluated in the Draft 2nd Supplemental Environmental Impact Report (SEIR-2), as well as the options recommended by the Santa Clara Valley Transportation Authority (VTA) staff for station, alignment, and facilities features. This description also incorporates the design refinements since publication of the Draft SEIR-2 as presented in **Chapter 2, Design Refinements**, of this Final SEIR-2.

Appendix A of this Final SEIR-2 includes the updated plan and profile drawings for the Phase 1 recommended project description. The detailed descriptions of the Phase 1 features, including electrical facilities, train control and communication equipment, railroad intrusion detection system, pump stations, maintenance emergency access, BART core system access, fleet requirements, operating plan, station boardings, and the Phase 1 schedule are described in **Chapter 3, BART Silicon Valley Project Description**, of the Draft SEIR-2 and as updated with the design refinements in **Chapter 2, Design Refinements**, of this Final SEIR-2.

3.2 VTA STAFF RECOMMENDATIONS

Table 3-1 on the following page lists all of the design changes considered as part of this SEIR-2, including those identified in **Chapter 3, BART Silicon Valley Project Description**, of the Draft SEIR-2 and as revised in **Chapter 2, Design Refinements**, of this Final SEIR-2. **Table 3-1** also includes the VTA staff recommendations to the VTA Board.

 Table 3-1:
 Design Changes and VTA Staff Recommendations

Design Change No.	BART Silicon Valley Feature	VTA Staff Recommendation
1	Phasing of BART Silicon Valley	Approve the phased construction approach of BART Silicon Valley.
2	Access Road from Fremont to San Jose	Approve the addition of an access road on the east side of the alignment and within the Union Pacific Railroad (UPRR) right-of-way (ROW) from Fremont to San Jose.
3	Starting point of Trackwork	Approve the starting point of trackwork to begin at STA 35+00.
4	Drainage Improvements at Toroges Creek (Line C)	Approve the addition of a box culvert at Toroges Creek (Line C).
5	Eliminate Drainage Improvements at Unnamed Creek	Approve the elimination of the new box culvert at the Unnamed Creek (Line B).
6	Eliminate Kato Road Grade Separation	Approve the elimination of the Kato Road Grade Separation.
7	Dixon Landing Road Alignment	Approve the retained cut design and pump station Alternate Location C.
8	Eliminate Drainage Improvements at Berryessa Creek	Approve the elimination of the multi-cell box culvert at Berryessa Creek.
9	Systems Facilities Alternate Location B	Approve the Systems Facilities Alternate Location B.
10*	BART Maintenance Access South of Calaveras Boulevard	Approve the High Rail Vehicle Access Point, BART siding track, maintenance building with restrooms, parking/storage area, and maintenance access road.
11	Eliminate South Calaveras Future Station	Approve the elimination of the South Calaveras Future Station and modified maintenance of way facilities.
12	Curtis Avenue to Trade Zone Boulevard	Approve the modification of the length of the retained cut to be consistent with the No Wye/Industrial Lead Only Option. With the No Wye/Industrial Lead Only Option, the BART retained cut would begin at STA 356+00 and end at STA 414+00.
13	Milpitas Wye	Approve the No Wye/Industrial Lead Only design.
14	Systems Facility North of Montague Expressway	Approve the location of Traction Power Substation Site SME north of Montague Expressway, above the BART alignment.
15	Milpitas Station	Approve all the design changes associated with the station.
16	115 kilovolt Line Relocation at Milpitas Station	Approve the relocation of the existing 115 kV line at Milpitas Station in three locations.

Design Change No.	BART Silicon Valley Feature	VTA Staff Recommendation
17	Pump Station Facilities at Trade Zone Boulevard	Approve the location of a pump station north of Trade Zone Boulevard and west of the railroad corridor.
18	Systems Facilities at Hostetter Road	Approve the location of the Traction Power Substation SHO south of Hostetter Road and east of the railroad corridor.
19	Pump Station Facilities at Sierra Road and Lundy Avenue	Approve the location of the pump station facilities north of Sierra Road and Lundy Avenue intersection and west of the railroad corridor.
20*	High Rail Vehicle Access Point North of Berryessa Road	Approve the High Rail Vehicle Access Point and maintenance access road north of Berryessa Road.
21	Berryessa Station	Approve all the design changes associated with the station and the additional high rail vehicle access point.
22	Electrical Facilities near Las Plumas Road	Approve the new site for the Gap Breaker Station, High Voltage Substation and the Switching Station.
23	Maintenance and Storage of BART Trains for Phase 1	Approve the configuration of the terminus of Phase 1. (Maintenance facilities to be located at the existing BART District Hayward Yard. Expansion of these facilities to be environmentally cleared by BART.)
24	Construction staging areas (CSAs)	Approve the adjustments of the CSAs; the CSAs would be located at Mission Falls Court, Calaveras Boulevard, Piper Drive, Montague Expressway, Capitol Avenue, Trade Zone Boulevard, Berryessa Road, and Maubry Road/US 101.
25*	Eliminate Extension of Existing Detention Basin/Private Park	Approve the elimination of the extension of the existing detention basin/private park at Great Mall Drive.

Note: * - Design refinements since publication of the Draft SEIR-2. The descriptions of these features are described in **Chapter 2, Design Refinements**, of this Final SEIR-2.

Source: VTA, 2011.

On March 3, 2011, the VTA Board of Directors (VTA Board) will act to certify this SEIR-2 and approve Phase 1 with the design changes developed during 65 percent design level. The VTA Board will take these VTA staff recommendations into account when considering certification of the SEIR-2 and approval of Phase 1.

3.3 RECOMMENDED PROJECT DESCRIPTION

3.3.1 MULTIPLE CITIES

BART Silicon Valley would be built with a phased-construction approach. The first phase of BART Silicon Valley would be a 9.9-mile segment that would include stations in Milpitas and the Berryessa area of north downtown San Jose. This first phase is referred to as Phase 1. **Figure 3-1** shows the location of Phase 1. The remaining 6.2 miles of BART Silicon Valley from the Berryessa area in San Jose to Santa Clara would be developed as capital funding is identified.

From the approved BART Warm Springs Station in Fremont to just north of Berryessa Road in San Jose, an access road would be constructed to the east of the alignment and within the Union Pacific Railroad (UPRR) right-of-way (ROW) for maintenance and utility access. Ingress and egress to the access road would be provided from station areas, BART facility sites, public streets, or parking lots, as negotiated with landowners adjacent to the railroad corridor. The maintenance access road would be approximately 10 feet wide and would be made of an all-weather surface (such as gravel). The access road would terminate at approximately STA 510+00. All other access road bridges at grade separated roadways have been environmentally reviewed and cleared by other entities.

3.3.2 CITY OF FREMONT

Figure 3-2 shows the portion of Phase 1 located in Fremont. Phase 1 would begin slightly south of the approved BART Warm Springs Station in Fremont with a new, at grade, two-track BART rail line near the UPRR Warm Springs Yard and east of the existing UPRR ROW (STA 35+00).

BART would cross Agua Caliente Creek/Line F, where a new double box culvert would be constructed by VTA (STA 45+50).¹

BART would transition back into the UPRR ROW south of the UPRR Warm Springs Yard (STA 60+00) and continue at grade. Other agencies would widen Mission Boulevard and reconstruct East Warren Avenue, which is currently at grade, as a new roadway underpass. BART would therefore cross both Mission Boulevard and East Warren Avenue at grade on new bridge structures that pass

¹ The Alameda County Flood Control and Water Conservation District refers to creeks in Alameda County as "Drainage Lines", e.g., Agua Caliente Creek as Drainage Line F. Therefore, the creeks in Alameda County within the project study area are also referred to as "Lines."

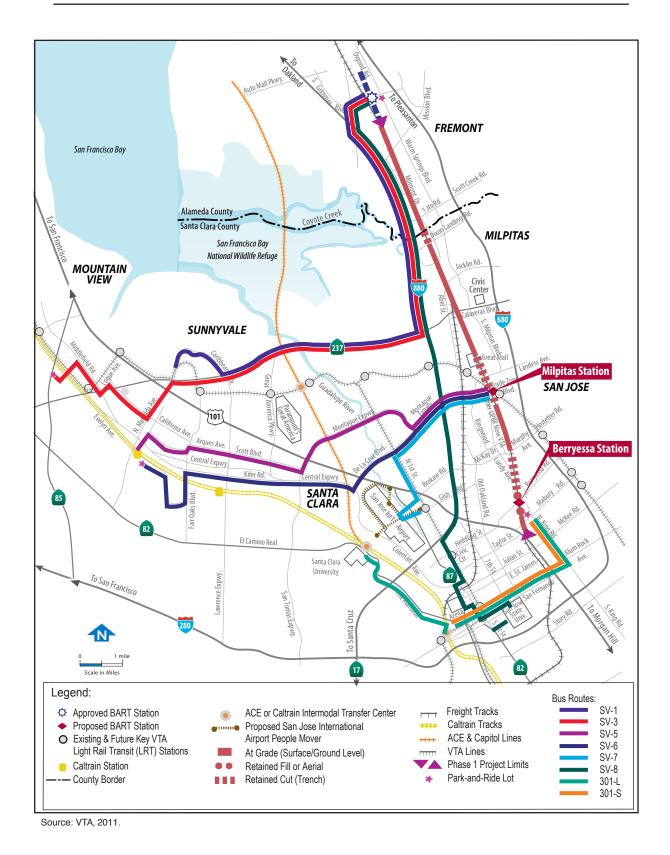


Figure 3-1: BART Silicon Valley Phase 1 - Berryessa Extension

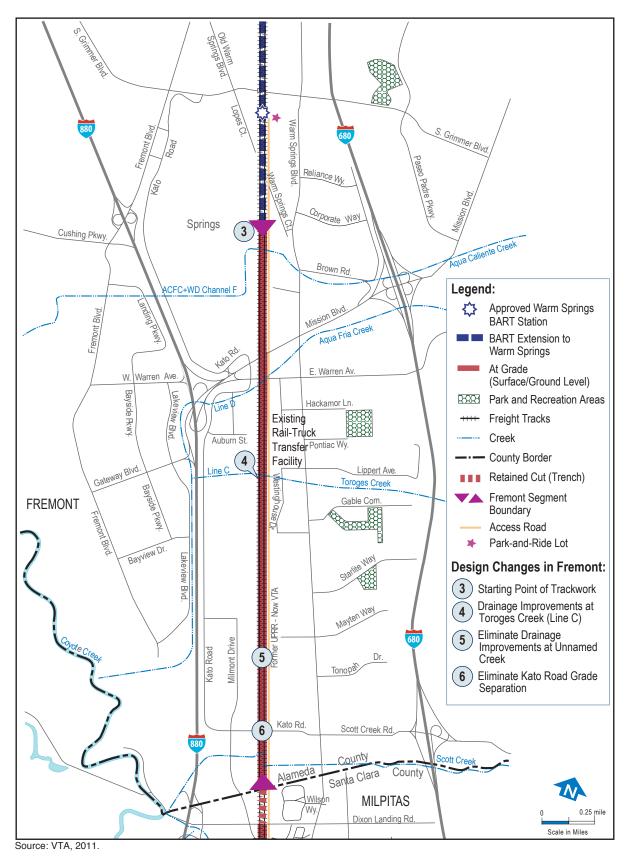


Figure 3-2: Design Changes in the City of Fremont

over these roadways. Other agencies would construct drainage improvements at Agua Fria Creek/Line D, which is slightly south of Mission Boulevard (STA 71+00).² South of East Warren Avenue, Traction Power Substation SWA and Train Control Building S24 would be located on the east side of the UPRR ROW (STA 78+50), with access provided by an easement to Mission Falls Court.

The alignment would continue at grade and cross over Toroges Creek/Line C, where VTA would construct a new box culvert (STA 101+00) to accommodate BART and the access road that would be constructed to the east of the BART tracks. The alignment would continue past two additional culverts: Line B-1 (STA 122+00), where there are no planned improvements, and an unnamed creek (Line B, STA 146+00), where a new box culvert was recently constructed as part of the Freight Railroad Relocation/Lower Berryessa Creek Project.

BART would cross on a new bridge structure over Kato Road, which would be reconstructed as a roadway underpass by the City of Fremont (STA 167+00). VTA would construct a new bridge for the UPRR to cross over Kato Road. Single BART crossover tracks, which allow the passage of a train from one track to the other through the use of switches, would be constructed both north and south of Kato Road (STA 157+00 and STA 170+00). These crossovers would provide for 10-car train storage and allow single-track operations around an occasional stored train.

South of Kato Road, BART would cross over Scott Creek/Line A (STA 173+00), where a new box culvert was recently constructed as part of the Freight Railroad Relocation/Lower Berryessa Creek Project. Traction Power Substation SKR and Train Control Building S26 would be located south of the creek on the west side of the UPRR ROW (STA 175+00), with access provided by an easement to Milmont Drive.

3.3.3 CITY OF MILPITAS

Figure 3-3 shows the portion of Phase 1 located in Milpitas. From the Alameda/Santa Clara county and Fremont/Milpitas city lines (STA 182+00) to south of Dixon Landing Road (STA 201+00), the BART alignment would transition into a retained cut. Dixon Landing Road would remain at grade and would be supported over the BART retained cut on a new roadway bridge structure. No changes to the UPRR tracks would be made, and the tracks would continue to cross Dixon Landing Road at grade. The pump station would be located south of Dixon Landing Road on the east side of the railroad corridor.

_

² I-880/Mission Boulevard (Route 262)/Warren Avenue Interchange Reconstruction and I-880 Widening. Phase 1B of the project would include the widening of Mission Boulevard, new UPRR railroad bridges over Mission Boulevard, and new ramps to Kato Road.

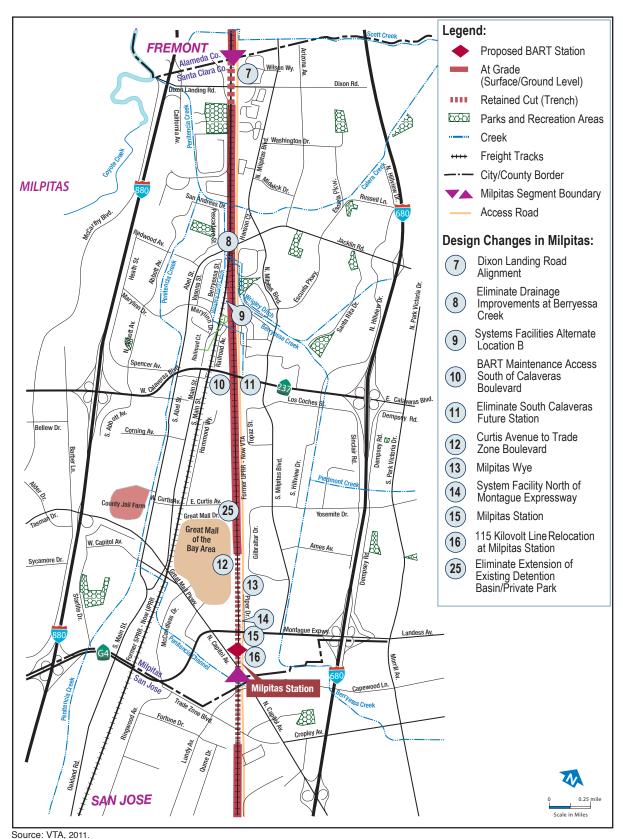


Figure 3-3: Design Changes in the City of Milpitas

Approaching Abel Street, the BART alignment would cross over an existing underground culvert containing Calera Creek (STA 231+00), where no improvements are planned, and pass under the existing Abel Street overcrossing (STA 244+00). BART would continue over Berryessa Creek on a new multi-cell box culvert recently constructed as part of the Freight Railroad Relocation/Lower Berryessa Creek Project to accommodate the widening and realigning of the creek (STA 246+00). Crossover tracks would be located south of this box culvert (STA 258+00).

Continuing south, High Voltage Substation SRC, Traction Power Substation SRR, Switching Station SRR, and Train Control Building S28 would be located west of the UPRR ROW, with access provided from Railroad Court (STA 259+00). The high voltage substation would require installation of high voltage (115 kilovolt [kV]) power feed lines that connect to nearby existing Pacific Gas and Electric (PG&E) towers/lines and/or PG&E substations. To provide 115 kV service from PG&E to High Voltage Substation SRC with adequate clearance between BART and the existing overhead high voltage power lines, a new 60-foot-high tapered tubular steel tower would be constructed within PG&E's existing easement. A second, smaller tower/pole would also be constructed to the south and on the facility site. This tower/pole would allow the 115 kV line to transition down to the substation connection.

The BART alignment would continue over Wrigley Creek, where a new box culvert was recently constructed as part of the Freight Railroad Relocation/Lower Berryessa Creek Project (STA+274+00), and pass under the Calaveras Boulevard/State Route 237 (SR 237) overpass (STA 287+00). A new maintenance staging area would be located just south of Calaveras Boulevard/SR 237, with access provided from Industrial Way (formerly referred to as Railroad Avenue, STA 289+00). This includes a BART siding track from STA 291+00 to 309+00. The maintenance facilities would also include an approximately 20-by-20 foot maintenance building with restrooms located at STA 21+00; a graveled parking lot/materials storage area surrounding the building (for ballast stockpiles, rail sections, and other maintenance supplies); an approximately 20-foot wide asphalt-concrete maintenance access road from Industrial Way (STA 289+00) to STA 297+00; and a high rail vehicle access point at STA 295+00.

The BART alignment would continue past the UPRR Milpitas Yard located to the west of the ROW and cross over the Hetch-Hetchy underground aqueduct pipeline (STA 315+00). BART would transition into a retained cut from STA 353+00 to 414+00, south of Curtis Avenue (STA 330+00), past the Milpitas/San Jose city lines, to south of Trade Zone Boulevard (STA 402+00). The pump station for the BART retained cut would be located within the VTA ROW at approximately STA 357+00. Crossover tracks would be located within the retained cut (STA 358+00 and 366+00).

The UPRR rail from the tail track/yard lead would connect to the northern leg of the existing Milpitas Wye, which would be reconstructed as an industrial lead track. The southern leg of the existing wye would be decommissioned and removed. The UPRR tail track/yard lead would be located west of the BART line up to STA 362+00. A 20-foot-wide ROW strip would be required to accommodate the tail track/yard lead along the western VTA property line beginning at approximately STA 351+00 and ending at STA 365+00. A UPRR at grade bridge over BART would be required from approximately STA 362+00 to STA 365+00 to allow freight trains to cross over the BART retained cut and serve the major industries east of the alignment.

Traction Power Substation SME would be located just north of Montague Expressway and above the BART alignment on an at grade bridge over BART (STA 366+00 to STA 368+00). Montague Expressway, Capitol Avenue, and Trade Zone Boulevard would be supported above the BART retained cut on new roadway bridge structures (STA 369+00, 380+00, and 402+00, respectively).

UPRR freight service would be discontinued near Montague Expressway, and BART would no longer share the UPRR ROW with freight trains as the alignment continues south.

The Milpitas Station area would be located between Montague Expressway and Capitol Avenue and on the east side of the UPRR ROW (starting at approximately STA 371+00), encompassing up to 20 acres of land. Figure 3-4 shows the proposed Milpitas Station site plan. The station would consist of two 700-foot-long, 16-foot-wide (minimum) side platforms in a retained cut. Access to either station platform would be from a mezzanine situated at street level. A pedestrian overcrossing (bridge) would extend from the BART station over the bus-only road and Capitol Avenue to the adjacent Montague Light Rail Transit (LRT) station. A second pedestrian bridge would extend from the BART station over Montague Expressway and be provided by others. Train Control Room S40 would be located near the north end of the station area. An eight-level parking structure on two acres would be constructed to the east of the station with an egress driveway on Montague Expressway. Access would be provided via a new Montague Expressway frontage road and from South Milpitas Boulevard. An additional egress point would be provided at South Milpitas Boulevard. The bus transit center would provide 16 bus bays and additional capacity for bus holding and layovers while not in service. Additional surface parking would be located southeast of the station across South Milpitas Boulevard. A 12-foot sound wall would be constructed along the perimeter of the surface parking lot. Shuttle and kiss-and-ride loading areas would be provided east of the station and along South Milpitas Boulevard.

Access to the Milpitas Station area would be from South Milpitas Boulevard from the north and east, Montague Expressway from the west, and Great Mall Parkway/Capitol Avenue from the north and south. Traffic into and out of the

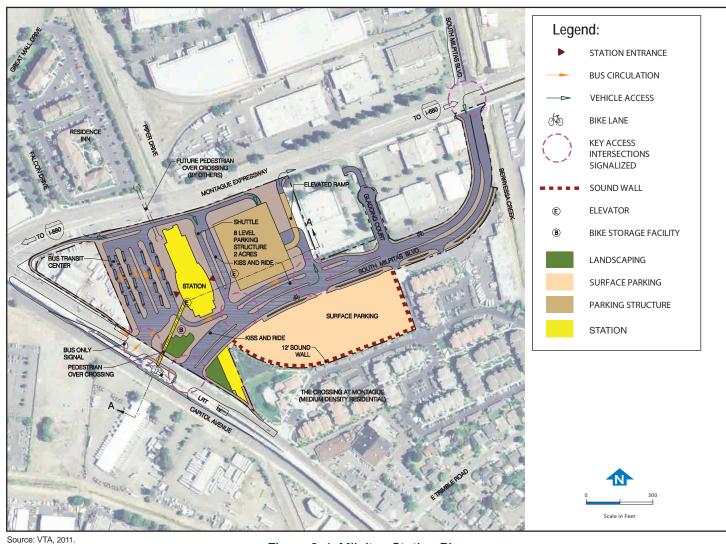


Figure 3-4: Milpitas Station Plan

station area would be facilitated by roadway improvements on Montague Expressway and an extension of South Milpitas Boulevard beginning on the south side of Montague Expressway, continuing through the station area, and terminating at Capitol Avenue. In addition, traffic signals would be installed at the new intersections of South Milpitas Boulevard and Capitol Avenue and at South Milpitas Boulevard and the station parking structure access. The existing signalized intersection of South Milpitas Boulevard and Montague Expressway would be modified. Gladding Court would intersect the extended South Milpitas Boulevard, but would be modified to terminate south of Montague Expressway in a cul-de-sac. Bus access to the transit center would be from a bus-only signal on Capitol Avenue and from a bus-only lane on southbound South Milpitas Boulevard. ROW for a future bike path connection to the planned Berryessa Creek Trail would be provided along the southern edge of the ROW of South Milpitas Boulevard. A bicycle storage facility would be constructed southwest of the station building under the planned pedestrian bridge.

The 115 kV transmission line along Montague Expressway would need to be relocated in three areas near the Milpitas Station, as follows:

- Capitol Avenue/Montague Expressway Intersection. There are two existing transmission poles that support an overhead line along the south side of Montague Expressway, between Capitol Avenue and the UPRR tracks. One of the existing poles is approximately 60 feet tall and made of wood, and the other is approximately 100 feet tall and made of steel with three arms. These transmission poles conflict with the proposed frontage road/bus lane entering Milpitas Station. The two poles would be relocated to the 10-foot median separating Montague Expressway and the proposed frontage road/bus lane. The two poles would be replaced in kind with poles of the same material and height.
- Near Piper Drive. There is one existing transmission pole that supports a PG&E 115 kV overhead line along the south side of Montague Expressway, between the UPRR tracks and South Milpitas Boulevard. The pole is approximately 60 feet tall and is made of wood. This transmission pole conflicts with the other utility relocations along the BART alignment and the frontage road/bus lane entering Milpitas Station. The pole would be relocated to the 10-foot median separating Montague Expressway and the proposed frontage road/bus lane. The transmission pole would be replaced with a similar 60-foot-tall wooden pole.
- South Milpitas Boulevard/Montague Expressway. There are five transmission poles at the intersection of South Milpitas Boulevard and Montague Expressway that conflict with the proposed improvements for South Milpitas Boulevard. One of the poles supports the 115 kV line that runs along the south side of Montague Expressway. This pole would be relocated to the southeast corner of the intersection. Three 115 kV poles running north/south along the west side of South Milpitas Boulevard and crossing Montague Expressway would be relocated to the east. This

relocation would require coordination with Santa Clara Valley Water District's planned improvements to Berryessa Creek. This transmission line would continue south across Montague Expressway and connect to the relocated 115 kV pole, which has been previously described. One pole on the north/south line, located south of Montague Expressway, would be relocated to the back of the sidewalk on the east side of South Milpitas Boulevard. These five poles would be replaced with similar 60-foot-tall wooden poles.

3.3.4 CITY OF SAN JOSE

The segment of Phase 1 located in San Jose is shown on **Figure 3-5**. BART would continue past the Milpitas/San Jose city lines in a retained cut and pass over East Penitencia Channel (STA 390+00) where VTA would construct drainage improvements. A pump station would be constructed north of Trade Zone Boulevard on the west side of the railroad corridor. The alignment would then transition to an at grade configuration south of Trade Zone Boulevard.

Approaching Hostetter Road, BART would transition into a retained cut. Hostetter Road would be supported above the retained cut on a new roadway bridge structure. Train Control Building S44 and Traction Power Substation SHO would be located immediately south of Hostetter Road on the east side of the UPRR ROW (STA 458+00). BART would continue in a retained cut to south of Lundy Avenue and Sierra Road (STA 450+00 to 498+00). The Sierra Road/Lundy Avenue intersection, which is located at the BART crossing, would remain at grade, but be supported over the BART retained cut on new bridge structure. A pump station would be located north of the intersection on the west side of the railroad corridor.

South of Sierra Road/Lundy Avenue, BART would transition to an at grade configuration and then to an aerial configuration as the alignment approaches Berryessa Road. A new high rail vehicle access point (STA 508+00) would be located north of Berryessa Road (STA 521+00). An approximately 20-foot wide asphalt-concrete access road would be constructed west of the BART alignment from the high rail vehicle access point to Berryessa Road. A vehicle turnaround would be constructed at approximately STA 508+00 to allow for maintenance vehicles to reverse direction.

The BART aerial structure would pass over Berryessa Road and Upper Penitencia Creek and lead into the Berryessa Station. No improvements would be required to Berryessa Road.

The Berryessa Station area would be located between Berryessa Road and Mabury Road (starting at approximately STA 525+50) and would encompass approximately 30 acres. **Figure 3-6** shows the Berryessa Station site plan. The station would be located about halfway between Berryessa and Mabury roads, and would contain an approximately 700-foot-long, 29-foot-wide center platform

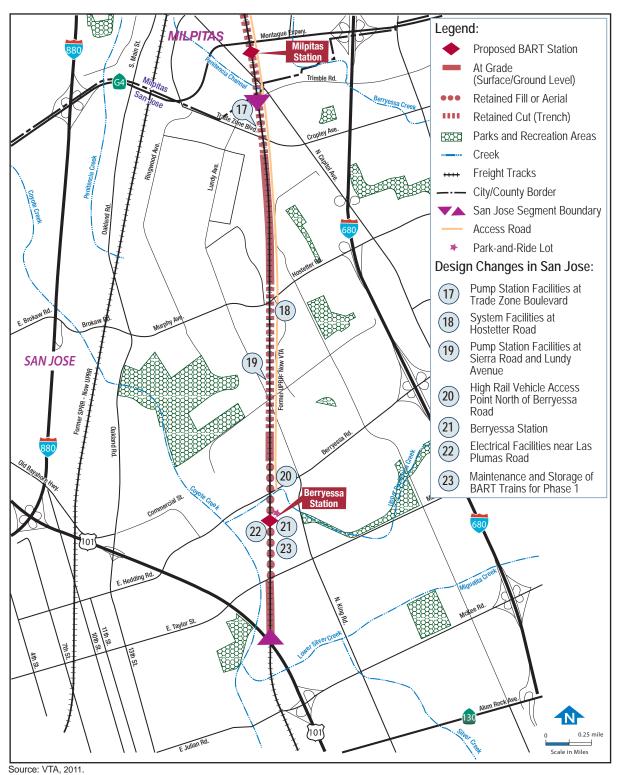


Figure 3-5: Design Changes in the City of San Jose

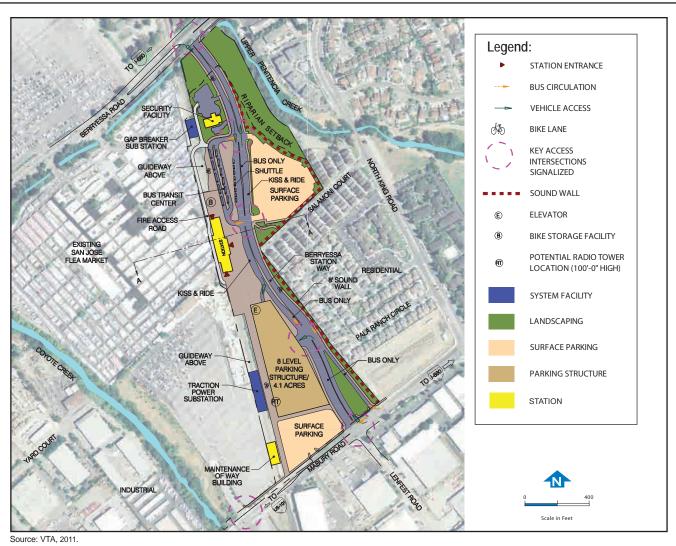


Figure 3-6: Berryessa Station Plan

on the aerial structure. Pedestrian access to the station platform would be from a mezzanine situated at street level. Station entrances would be provided on the north, south, and east sides of the station. A 10-bay bus transit center and shuttle loading area would be located to the northeast of the station. Traction Power Substation SBE and Train Control Room S50 would be located at the south end of the Berryessa Station under the BART aerial structure (STA 525+00). Gap Breaker Station SXC is at STA 525+00, within the BART alignment under the aerial structure.

An 8-level parking structure on 4.3 acres would be constructed south of the station and to the east of the BART alignment. Additional surface parking would be located as needed within the station area. The station would include a BART security building, with accompanying surface parking, located north of the station.

Access to the Berryessa Station would be from Berryessa Road to the north and Mabury Road to the south. A new street, Berryessa Station Way, would extend from Berryessa Road to Mabury Road on the east side of the station. Berryessa Station Way would be constructed as a four-lane public street with a median, onstreet bike lanes and sidewalks. Berryessa Station Way would provide access to the bus transit center, both surface and structured parking facilities, and passenger loading areas. Five signalized intersections would be located along Berryessa Station Way to provide access to these facilities. An existing signalized intersection at Mabury Road and DOT Way (a private street that leads to the San Jose Mabury Yard) would be modified. A bus-only lane would be provided along each direction of Berryessa Station Way between just north of the parking structure access intersection and Mabury Road to facilitate bus movements to/from the transit center.

An eight-foot sound wall would be constructed along the eastern edge of the station campus from Mabury Road to Berryessa Road. A portion of Lenfest Avenue would be realigned to the east as part of a new signalized intersection at Mabury Road.

A bicycle and pedestrian connection would be provided at Salamoni Court, through an opening in the sound wall. Dedicated bike paths and/or shared-use trails would be constructed east and west of Berryessa Station Way. A bike storage facility would be installed north of the station.

The Berryessa Station area would have either a 150-foot setback from the near banks of Upper Penitencia and Coyote creeks or a 100-foot setback from the riparian tree dripline (outer edges of the tree canopy) surrounding the creeks, whichever is greater. This setback distance conforms to the San Jose Riparian Corridor Policy Study guidelines (1999), which require "a minimum of 100 feet from the edge of the riparian corridor (or top of bank, whichever is greater)." Two exceptions to this setback would occur at the following locations: (1) where a new street on the east side of the UPRR ROW/BART alignment—Berryessa Station Way—crosses over Upper Penitencia Creek to/from Berryessa Road,

and (2) where an existing driveway would be reconstructed and pedestrian improvements made as requested by the City of San Jose at the northwest corner of DOT Way and Mabury Road. In addition, drainage outfalls must extend to the creeks and will impact the riparian canopy along the banks at those locations.

South of Berryessa Station, two crossover tracks and a pocket track, which allows storage of a train adjacent to the mainline(s), would be constructed on the aerial structure and as it transitions to at grade.

The BART alignment would transition to an at grade configuration south of Mabury near STA 560+00. South of Mabury Road, a maintenance of way siding track, which allows for the storage of track and wayside maintenance vehicles (such as ballast tampers, rail-grinders, track and tunnel vacuum, work train), high rail vehicles, and other miscellaneous vehicles, would be located to the east of the ROW and north of Las Plumas Avenue (from approximately STA 556+50 to 569+00). A high rail vehicle access point would be located at the end of the siding track, adjacent to Las Plumas Avenue. The two mainline BART tracks would also terminate at Las Plumas Avenue, ending in high rail vehicle access points (STA 569+00).

High Voltage Substation SLP and Switching Station SSL would be located east of the UPRR ROW and south of Las Plumas Avenue. A new high-voltage line would begin at the high-voltage substation and then run along Las Plumas Avenue to King Road for approximately 1,900 feet. The existing PG&E high-voltage line on King Road, which has four wooden poles approximately 180 feet apart, would be upgraded to a combination of wood and tubular steel poles up to 80 feet tall, extending for approximately 550 feet to the PG&E Mabury Substation.

Maintenance facilities would be located at the existing BART District Hayward Yard and Shops location. BART is planning modifications to its existing primary shop building (Hayward Main Shop) to accommodate system needs, including the extension into Santa Clara County. BART is responsible for environmental clearance of the Hayward Main Shop improvements. In a separate project evaluating long-term system-wide maintenance needs, BART is considering other improvements at the Hayward Yard location and will carry out environmental review, design, and construction of those improvements.

VTA has made general arrangements with BART for the storage and maintenance of revenue vehicles for BART Silicon Valley through the mutual commitments established by the Comprehensive Agreement between VTA and BART dated November 19, 2001. This agreement provides that BART will be solely responsible for the operation and maintenance of all BART Silicon Valley facilities and equipment, including revenue vehicles, and that VTA has full

financial responsibility for the costs resulting from those activities, including a proportional share of the related costs for capital investments within the existing BART system.