



August 12, 2011

City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 1st Floor
San Jose, CA 95113

Attention: John Davidson, Senior Planner

RE: Draft Program EIR for Envision San Jose 2040 General Plan – SVRT Rail Corridor Impacts

Dear Mr. Davidson:

The Santa Clara Valley Transportation Authority (VTA) has reviewed the Draft Program Environmental Impact Report (DRAFT PEIR) and provided a detailed comment letter on August 5, 2011. This correspondence supplements VTA's previous comment letter and is focused solely on the proposed land use designation for the former Union Pacific Railroad (UPRR) corridor from south of US 101 to East William Street.

VTA supports the overall strategy of the Envision San Jose 2040 General Plan; however VTA wants to maintain flexibility in the use of all available VTA-owned property to implement the BART extension to Downtown San Jose. VTA requests that the abandoned railroad corridor between US 101 and East William Street (currently VTA property) land use be changed from a park designation to a *Transportation and Utilities* or *Public/Quasi-Public* land use designation, or revert to non-park adjacent land uses similar with what is shown in the San Jose 2020 General Plan Transportation/Land Use Diagram north of Julian Street. A park land designation could compromise the BART project.

VTA will be developing a funding plan for the remaining segment of BART Silicon Valley, in anticipation of a subsequent federal New Starts funding request. Federal funding eligibility is contingent upon issuance of a Record of Decision for an Environmental Impact Statement (EIS), among other FTA eligibility criteria. For federally funded US Department of Transportation (USDOT) and FTA projects, impacts to park land are evaluated under a specific park-protection law (Section 4(f) Evaluation) and require additional environmental approvals from FTA and the US Department of the Interior. Impacts to park land could compromise federal funding eligibility and delay construction of the BART Silicon Valley extension to downtown.

VTA is evaluating the future use of the rail corridor now and would like to meet with city Park staff to discuss the potential opportunity to dispose or lease the VTA-owned rail corridor properties if the properties are deemed unnecessary for transit use. The meeting would provide

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an opportunity to discuss our current efforts related to the BART extension to downtown. VTA would like to better understand the city's goal and alignment for the Five Wounds Trail and its relationship to the BART Silicon Valley project.

SVRT Program Office and Real Estate will be contacting the City of San Jose to set up a meeting to discuss this item and address this land use issue in a manner that can benefit both VTA and the City of San Jose. If you have any questions, please contact my office at (408) 321-5623.

Thank you,

A handwritten signature in black ink, appearing to read "Carolyn M. Gonot". The signature is fluid and cursive, with the first name being the most prominent.

Carolyn M. Gonot
Chief SVRT Program Officer

cc: Sam Liccardo, Councilmember, City of San Jose
Hans Larsen, San Jose DOT
Matt Cano, SJ Parks and Recreation
