

From: VTA Board Secretary

Sent: Wednesday, February 21, 2024 4:33 PM

To: VTA Board of Directors

Subject: VTA Information: February 23, 2024 Board of Directors Workshop Meeting Update to the Agenda Packet

VTA Board of Directors:

The following items in the agenda packet for the February 23, 2024 Workshop Meeting have been updated to include additional information:

- **Agenda Item #2.1:** Zero Emission Bus Program (presentation)
- **Agenda Item #2.2:** Business Resource Program for VTA's BART Silicon Valley Phase II Project (BSV II) (presentation)
- **Agenda Item #2.3:** Eastridge to BART Project (EBRC) Update (presentation and public comments)

You may access the updated agenda packet on our [agenda portal](#).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)



From: VTA Board Secretary

Sent: Thursday, February 22, 2024 1:29 PM

To: VTA Board of Directors

Subject: VTA Information: February 23, 2024 Board of Directors Workshop Meeting 2nd Update to the Agenda Packet

VTA Board of Directors:

The following items in the agenda packet for the February 23, 2024 Workshop Meeting have been updated to include additional information:

- **Agenda Item #2.3:** Eastridge to BART Project (EBRC) Update (7 additional letters from the public were received and the total letters received for this item is now 28.)

You may access the updated agenda packet on our [agenda portal](#).

Thank you,

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From: VTA Board Secretary

Sent: Thursday, February 22, 2024 4:37 PM

To: VTA Board of Directors

Subject: VTA Information: February 23, 2024 Board of Directors Workshop Meeting 3rd Update to the Agenda Packet

VTA Board of Directors:

The following items in the agenda packet for the February 23, 2024 Workshop Meeting have been updated to include additional information:

- **Agenda Item #2.3:** Eastridge to BART Project (EBRC) Update (15 additional letters from the public were received and the total letters received for this item is now 43.)

You may access the updated agenda packet on our [agenda portal](#).

Thank you,

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From: VTA Board Secretary

Sent: Friday, February 23, 2024 11:44 AM

To: VTA Board of Directors

Subject: From VTA: Board workshop 2.3 - EBRC project funding (transit funds) slides

VTA Board of Directors:

Per your request, here is the [link](#) to the Eastridge to BART project funding (transit funds) slides. This is also available on the [agenda portal](#).

Thank you.

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Solutions that move you

10-Year Projection

(\$\$ in millions)	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33
Sales Tax Based Revenues	524.02	547.40	557.32	576.00	593.60	610.16	626.52	643.32	660.56	678.26
Other Revenues	52.86	49.62	46.41	27.82	26.00	26.43	26.73	27.03	27.34	27.66
Fares	26.92	27.46	28.28	29.13	30.00	30.90	31.52	32.15	32.80	33.45
Total Operating Revenue	603.80	624.48	632.01	632.95	649.60	667.49	684.77	702.50	720.70	739.37
Labor	406.77	426.39	441.32	456.76	472.75	489.30	501.53	514.07	526.92	540.09
Non-Labor	96.09	93.86	97.81	101.91	106.18	110.60	113.61	116.70	119.86	123.12
Partnerships	28.99	31.69	32.80	33.95	35.14	36.37	37.28	38.21	39.17	40.15
Regional Services	8.16	8.81	9.12	9.44	9.77	10.11	10.36	10.62	10.89	11.16
Debt Service	20.80	20.73	20.74	3.87	3.91	-	-	-	-	-
Total Operating Expense	560.80	581.48	601.78	605.94	627.75	646.38	662.78	679.59	696.83	714.51
Transfer to Capital/Capital Fund	40.00	40.00	29.61	23.74	19.06	18.65	19.47	20.32	21.21	22.14
Transfer to Operating Reserve			0.62	3.27	2.79	2.46	2.52	2.59	2.65	2.72
Contingency	3.00	3.00	-	-	-	-	-	-	-	-
Total Operating/Transfer & Contingency	603.80	624.48	632.01	632.95	649.60	667.49	684.77	702.50	720.70	739.37
Operating Balance	0	0	0	0	0	0	0	0	0	0

Note: Totals may not be precise due to independent rounding



Debt Reduction – Transit Capital - EBRC

	Debt Reduction Fund	Transit Capital Fund	EBRC
Balance June 30, 2022	\$ 317,660	\$ -	\$ -
Activity fiscal year 2023			
FY23 operating surplus	57,384	-	-
Balance June 30, 2023	375,044	-	-
Activity beginning of fiscal year 2024			
Transfer to transit capital fund	(100,000)	100,000	-
Transfer operating surplus to capital fund	(57,384)	57,384	-
Capital budget approved FY24-25	-	(65,161)	-
Balance July 1, 2023 (Beginning of FY24)	217,660	92,223	-
Proposed funding of EBRC budget	(115,382)	-	115,382
Balance remaining	\$ 102,278	\$ 92,223	\$ 115,382



From: VTA Board Secretary

Sent: Friday, February 23, 2024 11:53 AM

To: VTA Board of Directors

Subject: VTA Information: February 23, 2024 Board of Directors Workshop Meeting 4th Update to the Agenda Packet

VTA Board of Directors:

The following item(s) in the agenda packet for the February 23, 2024 Workshop Meeting have been updated to include additional information:

- **Agenda Item #2.3:** Eastridge to BART Project (EBRC) Update (addition of funding slides to the Power Point presentation)

You may access the updated agenda packet on our [agenda portal](#). The funding slides are also directly available [here](#).

Thank you,

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From: VTA Board Secretary
Sent: Friday, February 23, 2024 4:53 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Correspondence: Week Ending 2/23/24

VTA Board of Directors:

We are forwarding to you the following correspondence:

From	Topic
Jordan Moldow, Member of the Public	Draft EIR/EA - US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
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Conserve paper. Think before you print.

From: Jordan Moldow

Sent: Friday, February 16, 2024 4:59 PM

To: 101-Zanker <101-zanker@vta.org>; VTA Board Secretary <Board.Secretary@vta.org>

Subject: [EXTERNAL] Public Comment - Draft EIR/EA - "US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project"

CAUTION: This Message originated from outside VTA. Do not click links or open attachments unless you recognize the sender and know the content is safe!

From: Jordan Moldow (speaking on behalf of himself)

To: VTA 101-Zanker <101-zanker@vta.org>

Subject: Public Comment - Draft EIR/EA - "US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project"

Date: Fri, 16 Feb 2024

Public Comment from Jordan Moldow (speaking on behalf of himself) regarding Draft EIR/EA - "US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project":

Please see the attached letter and attach it to the public comments for the Draft EIR/EA phase of the "US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project".

Thank you,

Jordan Moldow (speaking on behalf of himself)

San Jose, CA, 95112

From: Jordan Moldow (speaking on behalf of himself)
To: VTA 101-Zanker <101-zanker@vta.org>
Subject: Public Comment - Draft EIR/EA - "US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project"
Date: Fri, 16 Feb 2024

Public Comment from Jordan Moldow (speaking on behalf of himself) regarding Draft EIR/EA - "US 101/Zanker Road/Skyport Drive/Fourth Street Improvement Project":

Unaddressed Scoping Comments

The public scoping comments received during the scoping period (seen via a CPRA Public Records Request) requested that the EIR/EA scope:

- "Should evaluate traffic and community impacts along the North Fourth Street corridor south of U.S. 101," including evaluation of impact to "the San Jose Japantown area and community."
- Evaluate traffic/community impacts along 1st St, south of the defined project area, "including the intersections at Hedding and Taylor."

The Draft EIR/EA does not address these scoping comments. Nor does the Community Impact Memorandum from May 2022. Nor do the related technical studies.

Out-of-date Traffic Operations Analysis Report

The Traffic Operations Analysis Report, prepared by AECOM, is dated May 1, 2020. The data for the analysis seems to have been collected in 2019 and earlier years. This report is too old to effectively serve as the foundation of this Draft EIR/EA.

- The data is now 4+ years old. Much has changed in four years.
- The shifts in transportation habits following the COVID-19 pandemic are not captured. Notably, the fact that traffic congestion has returned to (or exceeded) pre-pandemic levels, while transit service and ridership is still significantly below pre-pandemic levels.
- The entire Traffic Operations Analysis was conducted 1.5 years before the Public Scoping phase, and has not been revisited since. As noted above, traffic was not analyzed outside of the narrow project area, including the areas requested by the Public Scoping comments.
- New highway lanes and on/off-ramp lanes (the result of various highway widening projects) have opened on US 101 and other connected highways in the last half-decade. Most notably, US 101 through San Mateo County was widened for many miles in order to accommodate new Express Lanes. Congestion has already returned to pre-widening levels, but now with an extra volume of vehicles moving through the corridor. This extra vehicular volume must necessarily put additional pressure on local roads, including

the project area. This extra pressure is not accounted for in the Traffic Operations Analysis.

- The Traffic Operations Analysis Report cites the City of San Jose 2020 Bike Plan, referencing preexisting and planned Class II bike lanes in the project area. At that time, there were apparently no Class IV protected bikeways in the area, neither preexisting nor planned. But later that year, in October 2020, the City of San Jose adopted its 2025 Bike Plan. Notable changes include: preferring Class IV protected bikeways over Class II bike lanes; preferring Class II-B (buffered) bike lanes over classic, unbuffered Class II bike lanes; and designating that Class IV protected bikeways along the following locations are planned to be provided: Airport Parkway/ Brokaw Road, Skyport Drive, Zanker Road, Old Bayshore Highway, N First Street, Technology Drive, and N Fourth Street. If the traffic modeling incorrectly assumed the use of Class II bike lanes and unprotected intersections, rather than Class IV protected bikeways with protected intersections, then its conclusions might be invalid.
- According to <https://www.vta.org/projects/level-service-los-vehicle-miles-traveled-vmt-transition> , VTA's Level of Service (LOS) to Vehicle Miles Traveled (VMT) Transition was not fully complete until Fall 2021, over a year after the publishing of the Traffic Operations Analysis Report. The report does analyze VMT, but places a much stronger emphasis on LOS.
- In August 2022, the City of San Jose adopted a Transit First Policy. By this policy, N 1st St, Skyport Dr, and E Brokaw Rd would presently be considered to be frequent transit corridors. After the construction of this new over-crossing, it could be advantageous for VTA to create new bus routes along N 4th St and Zanker Rd. By the Transit First Policy, the City of San Jose can convert car lanes into bus-only lanes, or take other steps to prioritize the fast movement of buses and de-prioritize car movement. The report does not analyze what would happen in the Build scenario if car lanes are converted into bus-only lanes.

For all these reasons and more, the Draft EIR/EA's traffic analysis is inadequate and likely very inaccurate. A new traffic analysis should be conducted for the final EIR/EA.

Unrealistic Visual Impact Assessment

The Visual Impact Assessment, published August 2022, concludes with the following paragraph:

From US 101 and surrounding streets, the Project would create moderate visual impacts due to the increased hardscape and the removal of mature trees. However, minimization measures such as tree replacement in the project area would reduce impacts. With the incorporation of AMMs VIS-1 to VIS-3, long-term visual impacts would be at most moderate and would not substantially alter the general character or quality of views in the project area and vicinity.

I find that assessment unrealistic, and I strongly disagree with that conclusion.

As a cyclist and a pedestrian, the three renderings scare and repulse me. For someone trying to safely bike or walk in that area, no amount of landscaping is going to make that view welcoming. Sure, it's true that the existing views aren't very welcoming either. But adding a new nine-lane interchange will massively (not moderately) worsen the character and quality of views of most areas, including this one.

It is telling that the renderings do not attempt to improve the character by adding a lot more greenery. The project is attempting to squeeze every available inch to add more car lanes, and there doesn't seem to be any leftover space for additional green street elements.

These renderings also don't appear to be human scale. From an eye-level perspective of pedestrians and cyclists, this over-crossing will appear much more daunting. It would also be helpful to show example photographs, from eye-level, on a similar 7+ lane over-crossing. The renderings are very clean representations of what the over-crossing might look like on opening day, but not an accurate representation of what it will look like after a decade of use.

Speaking of which, the most major inaccuracy is that none of the local street renderings include cars, bicycles, or people! To get an accurate representation of the visual impact of the project, you need to additionally include eye-level renderings that show the over-crossing filled with peak rush hour traffic in Design Year 2045.

I invite the project team to present an example of a similar over-crossing that has significant pedestrian and cyclist (from the "Interested but concerned" cycling demographic) traffic who feel comfortable while using the over-crossing.

Growth and VMT

The Draft EIR/EA makes the bold claim that the project does not, and will not, induce unplanned growth, but rather facilitate planned growth. This fails to acknowledge some basic facts:

- Easier car commute to San Jose / SJC, especially with a transit system that isn't as convenient as driving, will lead to unplanned growth in other municipalities that are not accounted for in San Jose's General Plan.
- Growth is only "planned" in the time horizon of 2040 that is covered by the San Jose General Plan. All growth beyond that time horizon is by definition unplanned, and certainly that growth will be influenced by making it easier to use cars to access the highway and the airport.
- Growth does not occur because it is written into a plan. It occurs because we invest into improving the infrastructure of our city, making it a more desirable (rather than less) and/or cheaper place to live. If we invest in

higher capacity for highways, or more direct access points for highways, then we will induce growth that relies even more heavily on automobiles.

This project widens local arterial roads, lengthens Skyport Drive, lengthens a highway on-ramp, creates new, wider on/off ramps, and creates a new, extremely wide over-crossing. Overall, the highway network and the arterial road network will be expanding in capacity via this project. Roadway expansion projects on already-congested roads always, always leads to unplanned induced demand, and leads to equal or worse congestion than before the expansion. No roadway expansion projects have yet to solve congestion, and this project will be no exception. The only way to solve congestion in the long run is to improve transit, de-prioritize car travel, and reduce car capacity. But this project does none of those things*.

Given that the expanded roadway system will get used more until it is back to being fully congested, overall VMT should be expected to increase in the medium- and long-term. This makes the project for-sure a climate negative project, and as such it should not be built according to the current design.

The models used in the Draft EIR/EA say that the expected VMT net decrease is only 0.02% compared to the No Build option. So if the model has any over-estimates of No Build VMT, or any under-estimates of Build VMT (and there almost certainly are), then you will easily blow through that 0.02% differential, and the project will be VMT inducing.

* The Draft EIR/EA claims that, once congestion along N 1st St is solved, then the light rail can be given more signal priority. But we can expect that congestion will not decrease along N 1st St, as any improvements to traffic as a result of this project will get filled in by replacement induced traffic. So it is fair to claim that this project does not improve transit in the project area.

Airport Growth

The primary justification, and primary design constraint, of the project is to create more direct connections between SJC and US 101. But SJC is already massively over-served by automobile traffic, and massively under-served by public transit, pedestrian, and bicycle traffic. SJC's growth needs to be driven by increases in public transit and carpooling, not by continually expanding the roadway network to make slight optimizations to the driving trip length. In fact, mode shift for the airport should be facilitated in part by making it more expensive (in money and/or time) to get to the airport via car.

Equity

The Draft EIR/EA claims that the project does not disproportionately impact minority- and/or low-income communities, because two adjacent census tracts have typical demographics for San Jose and above-median incomes. But

- The analysis fails to consider that better freeway access impacts everyone living along the freeway, not just two census tracts.
- The document doesn't analyze any census tracts east of 880, which is very nearby, and does have a high concentration of minority-and low-income communities. The Draft EIR/EA does talk a lot about the intersection of 880 and 101, so you cannot claim that these census tracts are not relevant to the project. These census tracts absolutely will be impacted, in terms of emissions and traffic, from the new connections between the interchange and Old Bayshore.
- The document claims that the people living near the project will equally benefit from the project improvements, which is partially-true (the over-crossing over 101 will be beneficial), but mostly-false: enhanced freeway access primarily benefits people living elsewhere. So the benefits go disproportionately to people who live/work further away, while the emissions and other costs go disproportionately to people near the highway and the interchange.

Other deficiencies

Some other deficiencies in the report:

- You did not analyze adding more bus routes to SJC to reduce VMT and congestion.
- You did not analyze putting a bus-only lane on the overcrossing to reduce VMT and congestion.
- You did not analyze an over-crossing that could handle a hypothetical future light rail line to reduce VMT and congestion.
- You did not analyze a bike/ped-only over-crossing, or a bike+ped+transit-only over-crossing.
- You don't have any design alternatives with fewer/narrower car lanes, and wider bike lanes and wider sidewalks.
- There is no guarantee that the new intersections will have bike-friendly signals. Mode shift cannot be accomplished if bicycles have to wait multiple minutes at multiple lights on a 9-lane interchange.
- Your planned congestion-relief relies non-trivially on allowed right-turn-on-red on the new intersections and ramps. If right-turn-on-red is banned in San Jose, or otherwise implemented along transit corridors to increase bicycle safety, your throughput modeling will be very incorrect. They did not analyze how traffic would behave if right-turn-on-red were banned.
- You did not analyze any project alternatives where you close the non-standard highway ramps without replacing them.

Mode shift

To drive mode shift to biking and walking, much more needs to be done than put Class IV cycle tracks on a busy 9-lane interchange. With the current design, mode shift will not be accomplished, and VMT will not decrease.

- This over-crossing should not be an interchange. It should only connect the adjacent communities across the highway, nothing more.
- There should be many fewer car lanes.
- There should be transit-only lanes in each direction.
- If the over-crossing does remain an interchange, Class IV cycle tracks will still not seem attractive enough to drive mode shift. There must be a separated Class I trail that avoids all conflicts with cars, and ideally a pedestrian-designated half of the trail that is separate from the bicycle-designated half.

Final Suggestions

Every day, the Earth races closer to climate catastrophe. Meanwhile, we continue to over-invest in our already extremely over-invested roads and highways for SOVs, even though they are the least efficient form of transportation, and the most terrible for our environment and our social fabric.

This Valentine's Day, I'm breaking up with destructive highway widening, and I'm calling on VTA, Caltrans, and the City of San Jose to do the same. Do not construct this proposed new interchange. Do not install new highway auxiliary lanes, or new collector-distributor lanes, or new on/off/flyover ramps, or new lanes for on/off/flyover ramps. And do not widen local roads (including Zanker Road, Skyport Drive, Fourth Street, Bering Drive, and Brokaw Road).

Endless highway expansions are pulling our country into an environmental, budgetary, and public health crisis. It's time to end this destructive, unsustainable practice and set a responsible course toward a cleaner and more equitable future.

If this project moves forward, the design should be reoriented towards community-oriented transportation priorities, including:

- **Safety Over Speed:** No local roads or on/off ramps should be widened. Local road lane widths should be narrowed to their minimum-allowed widths, and some local road lanes should be removed and converted to transit-only lanes, protected cycle tracks, and/or extra-wide sidewalks. Right-on-red should be forbidden at all intersections in the project area. Speed limits should be reduced until Vision Zero can be achieved. In general, retrofit dangerous roads and streets to make them safer for people walking, biking, and driving.
- **Make Transit Work:** provide capital funding for reliable, affordable public transportation that connects people to jobs, services, amenities, health care, and each other. The City of San Jose has a transit-first policy. Insofar as a new over-crossing for vehicles is constructed, no lanes for SOVs should be constructed until ample right-of-way has been reserved for bus-only lanes and/or future capability to install a light rail line. The present-day light rail

along N 1st St should immediately receive maximum signal priority along the entire corridor; the light rail commuting needs to be made faster and easier before car commuting is made faster and easier, not after.

- Reconnect Communities: dismantle targeted interchanges and invest in the communities around highways to increase opportunity and redress the harms these projects have inflicted. The Draft EIR/EA only analyzed Build An Interchange and No Build, and therefore has three massive gaps. It did not analyze dismantling ramps without replacement. It did not analyze adding new transit lines in the project area. And it did not give any serious consideration to building an over-crossing that is not an interchange (eg similar to Alternative FZN Design Concept; though not necessarily including a Skyport extension). A nine-lane abomination of an over-crossing, designed primarily as a highway interchange, cannot effectively serve any other purpose. A community-oriented version of this project would have no connections between the over-crossing and the highway; wide sidewalks on Zanker/Skyport/Fourth/Bering/Brokaw; wide Class I (separated from pedestrians) and/or Class IV bikeways on the over-crossing and Zanker/Skyport/Fourth/Bering/Brokaw; shade trees and other green/native landscaping; bus-only lanes on Zanker/Skyport/Fourth/Bering/Brokaw; and *maybe* one general vehicular lane in each direction across the over-crossing for local neighborhood traffic only.

Infrastructure funding must urgently be redirected into community-oriented infrastructure investments. Highway investments encourage more people to drive and emit more GHGs, which makes it even harder for transit to recover from the pandemic and for our state to meet its climate obligations. It would be a massive policy failure to continue expanding highways or "improving" interchanges, and these expansions would massively offset any climate improvements we've made in other sectors.

Thank you,
Jordan Moldow (speaking on behalf of himself)
San Jose, CA, 95112