



December 23, 2011

Brenda Dix  
Metropolitan Transportation Commission  
MetroCenter  
101 Eighth Street  
Oakland, CA 94607

Subject: PM 2.5 Air Quality Determination for the I-880/SR 262 I/C and HOV lanes Project

Dear Ms. Brenda Dix:

The I-880/SR 262 I/C and HOV lanes Project, TIP ID ALA978027, went to the Metropolitan Transportation Commission Air Quality Task Force on June 23, 2011. The determination made by the AQ Task Force was that, based on the recent interagency consultation with the Air Quality Conformity Task Force, the project did not fit the definition of a project of air quality concern as defined by 40 CFR 93.126(b)(1) and, therefore, the Clean Air Act and 40 CFR 93.116 requirements have been met without an explicit hot-spot analysis. See attached *Project Summary for Air Quality Conformity Task Force Meeting: June 2011* for the project description submitted to the Task Force.

The project has been expanded to include two additional elements since the MTC AQ Task Force made the above determination. These elements include:

- Warren Avenue Grade Separation – the grade separation of Warren Avenue to remove an existing at-grade crossing of Warren Avenue with UPRR freight tracks
- Realignment and Relocation of Freight Rail Facilities – the relocation of freight tracks from approximately 3,500 feet north of Mission Boulevard to approximately 3,300 feet south of Warren Avenue to accommodate the new locations of the UPRR bridges over Mission Boulevard and Warren Avenue

The Warren Avenue Grade Separation is currently being processed by the California Department of Transportation as a Categorical Exclusion for NEPA and was environmentally cleared under CEQA in the *Warren Avenue/Union Pacific Railroad Grade Separation Statutory Exemption* prepared by the City of Fremont in 2002.

The Realignment and Relocation of Freight Rail Facilities is currently being processed by California Department of Transportation as a Revalidation to the *Route 262/Warren Avenue/I-880 Interchange Reconstruction and I-880 Widening Project FONSI* and was environmentally cleared under CEQA in the *Freight Railroad Relocation and Lower Berryessa Creek Project Initial Study/Mitigated Negative Declaration* approved by VTA's Board of Directors.

The additional elements that have been incorporated into this project would qualify for exemptions as stand-alone projects pursuant to 40 CFR 93.126 as follows:

- The Warren Avenue Grade Separation would qualify under the category of *Safety* as a “railroad/highway crossing.”
- The Realignment and Relocation of Freight Rail Facilities would qualify under the category of *Mass Transit* as a “rehabilitation or reconstruction of track structures, track, and trackbed in existing rights of way.”

Therefore, the changes to the project description have not altered the project so as to warrant a different PM 2.5 determination than the determination received on June 23, 2011.

In summary, the I-880/SR 262 I/C and HOV lanes Project has been expanded since the AQ Task Force made a PM2.5 determination for this project in June 2011. However, the additional project elements would qualify for exemptions had they been processed as stand-alone projects. VTA is requesting the AQ Task Force to review the changes to the project and to confirm that the June 2011 determination has not changed. We also request that this item be placed on the Air Quality Task Force’s Agenda for the January 2012 meeting.

Sincerely,



Thomas W. Fitzwater, AICP  
Manager, Environmental Programs and Resources Management

Attachment

Cc: Patricia Maurice  
Tom Holstein  
Emily Landin-Lowe  
Marcella Rensi