



October 12, 2016

Terry Young, Chairperson
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Subject: Public Comments on the Tentative Order for Waste Discharge Requirements for the Upper Berryessa Creek Flood Risk Management Project

Dear Chairperson Young:

On behalf of the Board of Directors of the Santa Clara Valley Transportation Authority (VTA), I am writing to express our views on the tentative order for waste discharge requirements (WDR) related to the Upper Berryessa Creek Flood Risk Management Project (Berryessa Project). I urge the Regional Water Quality Control Board to authorize the implementation of the Berryessa Project without the proposed WDR requirements.

Once completed, the Berryessa Project will ensure 100-year flood protection not only for homes, schools and businesses, but also for vital transportation infrastructure, including the new BART Milpitas Station and rail lines being constructed by VTA. This protection will prevent more than \$528 million in potential flood damage, and ensure that Silicon Valley's regionally significant and long-awaited BART Extension Project can operate without interruption.

Adoption of the tentative order could, at a minimum, result in significant delays for the Berryessa Project and the flood protection it would provide, leading to a long-term waste of public funds, or, at worst, result in the U.S. Army Corps of Engineers (the project's construction lead) canceling or terminating the project. Not only would this situation leave the new BART station and rail lines vulnerable to flood damage, but it could also interrupt BART service during times of flooding.

For these reasons, I urge the Regional Water Quality Control Board to authorize the implementation of the Berryessa Project without the WDR requirements, and allow the project to proceed, which will benefit not only Silicon Valley, but also the region as a whole.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Chavez".

Cindy Chavez, Chairperson
Board of Directors
Santa Clara Valley Transportation Authority